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Kenya: Activities of the Mungiki sect and response by government authorities (2008 - October 2009)
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The Mungiki sect was originally established in the 1980s as a "self-defence force" for Kenya's largest ethnic group, the Kiyuku (*The New York Times* 22 Apr. 2009; UN 22 Feb. 2008). They are inspired by the Mau Mau, who fought for Kenya's independence from the British through guerrilla warfare (*ibid.*; *The New York Times* 22 Apr. 2009; AFP 21 Apr. 2009). Sources describe the sect as a secretive, quasi-religious, part gang, part mafia-like group that engages in criminal activity and violent intimidation (*The New York Times* 22 Apr. 2009; AFP 21 Apr. 2009; *Wall Street Journal* 1 May 2008).

As part of its activities, the Mungiki sect "taxes" public transportation and access to essential services such as water and electricity (UN 22 Feb. 2008; *The New York Times* 22 Apr. 2009; Jane's 7 Mar. 2008). They are infamous for beheading their victims (*The New York Times* 22 Apr. 2009; AFP 21 Apr. 2009; Jane's 7 Mar. 2008). They are based in Nairobi and the Central Province (*Daily Nation* 14 June 2009; UN 22 Feb. 2008; Jane's 7 Mar. 2008) and active in some areas of the Rift Valley Province (*Daily Nation* 14 June 2009). According to *The New York Times*, the Mungiki sect "seems to thrive in rural areas and overcrowded slums where the Kenya government does not quite reach" (22 Apr. 2009). The Kenyan government banned the sect in 2002 for being involved in extortion schemes and protection rackets (AFP 21 Apr. 2009; US 25 Feb. 2009, Sec. 2b; Jane's 7 Mar. 2008).

In 2007, there was a crackdown against the Mungiki sect by police and security forces (AFP 21 Apr. 2009; *Wall Street Journal* 1 May 2008; Jane's 7 Mar. 2008). Hundreds of young Kikuyu men, suspected of being Mungiki members, were killed during the crackdown (*Wall Street Journal* 1 May 2008; BBC 29 Apr. 2008; KNCHR Nov. 2007, Para. 1; HRW Jan. 2009). The Kenya National Commission on Human Rights (KNCHR), an independent human rights group established by the Kenyan government (n.d.), issued a preliminary report in November 2007 that indicates that the bodies of almost 500 young men were found between June and October 2007; most had been shot in the back of the head (KNCHR Nov. 2007, Para. 1).

At the end of 2007, the Mungiki sect re-emerged amid the violence that erupted along ethnic lines after the disputed re-election of President Mwai Kibaki, an ethnic Kikuyu (*Wall Street Journal* 1 May 2008; UN 22 Feb. 2008; Jane's 7 Mar. 2008). Human Rights Watch (HRW) reports that 1,133 people were killed in the post-election period (Jan. 2009). The Mungiki positioned themselves as protectors of the Kikuyu population against opposition forces drawn from other ethnic groups (*ibid.*; UN 22 Feb. 2008).

In early 2008, the Mungiki sect organized attacks on the towns of Naivasha and Nakuru in the Rift Valley Province (*Wall Street Journal* 1 May 2008; HRW 16 Mar. 2008, 45-51; International Crisis Group 21 Feb. 2008, 10; UN 22 Feb. 2008), which has large populations of the Luo (*Wall Street Journal* 1 May 2008) and Kalenjin ethnic groups (International Crisis Group 21 Feb. 2008, 10). According to the International Crisis Group, the Mungiki sect killed women and children as well as members of gangs (21 Feb. 2008, 10). According to an HRW report, a number of Luo men in Nakuru were forcibly circumcised (HRW 16 Mar. 2008, 50-51). Similarly, the International Crisis Group reports that as many as 38 Luo men died in Kariobangi area after forced circumcisions (21 Feb. 2008, 9). *The Christian Science Monitor* reports that the Mungiki sect also executed attacks against Luos in Mathare, a Nairobi slum, which left three dead and more than a dozen wounded (29 Jan. 2008).

Sources indicate that there are allegations that the Mungiki sect is closely allied with senior Kikuyu politicians (UN 22 Feb. 2008; Jane's 7 Mar. 2008). The International Crisis Group suggests that some parliamentarians might have been sworn in by force, but that some find the sect useful (21 Feb. 2008, 13-14). After the post-election violence, speculation was rife that the government had recruited and assisted the Mungiki sect to carry out attacks (AFP 21 Apr. 2009; Jane's 7 Mar. 2008; HRW 16 Mar. 2008, 44; *ibid.* 6 Feb. 2008). An article by the British Broadcasting Corporation (BBC) alleges that Mungiki members met with senior officials at the president's official residence to discuss hiring the sect as a defence force; the government denies such claims (5 Mar. 2008). According to the *Wall Street Journal*, the Mungiki resurgence in 2008 was a blow to President Kibaki's government as he had worked to weaken the group (1 May 2008).

Sources allege that security forces have been implicated in extrajudicial killings and the disappearance of suspected members of the Mungiki sect (KNCHR Nov. 2007, Para 1; US 25 Feb. 2009, Sec. 1a; UN 25 Feb. 2009;

Wall Street Journal 1 May 2008). In October 2008, a police officer, who had provided information on these allegations, was killed (*The Guardian* 25 Feb. 2009; UN 25 Feb. 2009; US 25 Feb. 2009, Sec. 1a).

In February 2009, after a fact-finding mission to Kenya, the United Nations (UN) Special Rapporteur on Extrajudicial, Arbitrary or Summary Executions issued a report which indicated that "[k]illings by the police are widespread" (UN 26 Mar. 2009, Para. 5). The Special Rapporteur reports that he received "compelling evidence" that death squads targeted Mungiki members and that police had engaged in summary executions of suspected Mungiki members (*ibid.*, Para. 10). The Special Rapporteur declared that police killed with impunity and often under orders from senior officers (*ibid.*). The report called for the country's police commissioner and attorney general to be replaced (*ibid.*, Para. 21, Para. 30). According to HRW, the Minister for Internal Security acknowledged to Parliament in February 2009 that police death squads had carried out extrajudicial killings of suspected members of the Mungiki sect over several years (HRW 29 June 2009, 6). In June 2009, a Kenyan delegation to a UN human rights hearing in Geneva acknowledged that police had committed extrajudicial killings, but denied that such killings had been sanctioned by the Kenyan government (Human Rights House Network 4 June 2009).

In March 2009, shortly after the release of the Special Rapporteur's report, two activists from the Oscar Foundation Free Legal Aid Clinic Kenya, a human rights non-governmental organization (NGO), were shot dead (*Washington Post* 7 Mar. 2009; BBC 6 Mar. 2009; Times Online 7 Mar. 2009). The Oscar Foundation had been active in highlighting the issue of extrajudicial killings of suspected sect members (*Washington Post* 7 Mar. 2009; BBC 6 Mar. 2009; US 25 Feb. 2009, Sec. 1a). The killings occurred within hours of a government spokesperson calling the Foundation a "front" for the Mungiki sect (*Washington Post* 7 Mar. 2009; Welt Online 6 Mar. 2009; Times Online 7 Mar. 2009).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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