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Responses to Information Requests

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25 September 2012

KEN104194.E

Kenya: The Sabaot Land Defense Force (SLDF), including its leaders, structure, level of activity, and the treatment of members of this organization by the government (2008-2012)
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Background

Sources report that the SLDF is a militia that has operated in the Mount Elgon region of Kenya (UN 1 Apr. 2011; *Nairobi Star* 11 Feb. 2012; *The Standard* 25 Nov. 2010). The SLDF was reportedly formed in reaction to land redistribution plans in the region (UN 1 Apr. 2011; Human Rights Watch Oct. 2011, 41; *Jane's* 18 Aug. 2011). They have also acted to advance the interests of a group of politicians (Human Rights Watch 2011, 41; UN 26 May 2009, para. 43; ISS 2010, 171), notably the opposition party Orange Democratic Movement (ODM) (*ibid.*; Human Rights Watch 2011, 42). Sources describe the SLDF as an "outlawed" (UN 27 Oct. 2011) or "illegal" group (Ph.D. student 30 Aug. 2012).

According to the UN Integrated Regional Information Networks (IRIN), between 2006 and 2008 the SLDF launched an insurgency against the government to stop them from evicting people from Mount Elgon land, and they attacked people who they suspected of siding with the government (UN 27 Oct. 2011). Reporting on his visit to Kenya from 16 to 25 February 2009, Philip Alston, the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, indicated that victims of the SLDF included the following: people who occupied the land in question, particularly the Ndorobo sub-clan, Soy, or those who criticised SLDF's land distribution aims; anyone who did not follow SLDF rules or orders; those who reported SLDF activities to the police; and the SLDF's political opponents (UN 26 May 2009, para. 41-43).

Human Rights Watch reports that the SLDF committed "serious human rights abuses" leading up to and following the December 2007 election (Oct. 2011, 42). Médecins Sans Frontières (MSF) reports that SLDF's activities became more politically-motivated at that time, and that they targeted and killed political actors (MSF May 2008, 5). *Jane's World Insurgency and Terrorism* describes the SLDF as a "paramilitary outfit" that targeted and attacked those affiliated with or supporting the Party of National Unity (PNU) (*Jane's* 18 Aug. 2011). According to Human Rights Watch, approximately 750 people were killed by the SLDF in violence leading up to the 2007 election (Human Rights Watch 2011, 42).

In addition, sources indicate that victims of the SLDF may have been subject to:

- beatings (UN 26 May 2009, para. 42)
- having an ear cut off (*ibid.*; MSF May 2008, 4; *The Standard* 25 Nov. 2010)
- intimidation (UN 26 May 2009, para. 39-40; MSF May 2008, 4)
- physical abuse (UN 26 May 2009, para. 40; *ibid.* 26 Apr. 2012)
- mutilation (Human Rights Watch 27 Oct. 2011; MSF May 2008, 4)
- abductions (UN 1 Apr. 2011; Human Rights Watch 4 Nov. 2011; ISS 2010, 170)
- rape (UN 26 Apr. 2012; Human Rights Watch 27 Oct. 2011)
- or forced displacement (MSF May 2008, 4; Ph.D. student 30 Aug. 2012; *The Star* 11 Nov. 2010).

The SLDF has been described as a source of "terror" in the region (Human Rights Watch Oct. 2011, 42; *Nairobi Star* 11 Feb. 2012). In a publication by the Institute for Security Studies (ISS), Adams Oloo, a political science lecturer at the University of Nairobi, explained that between 2006 and 2008, the SLDF controlled the Mount Elgon region and established its own parallel administration, with mechanisms for illegal taxation and informal courts (ISS 2010, 167). Human rights observers report that the SLDF forced civilians to pay them levies, and those who refused were attacked or killed (MSF May 2008, 4; UN 26 May 2009, para. 42). Civil servants were forcefully taxed (ISS 2010, 169), including teachers (*ibid.*; *Nairobi Star* 13 July 2011; *ibid.* 11 Feb. 2012).

In 2008, the government launched the joint military and police operation "Okoo Maisha" [meaning "Save Lives" (UN 27 Oct. 2011; MSF May 2008, 6)] against the SLDF (UN 26 May 2009, para. 48-51; Ph.D. student 30 Aug. 2012; Human Rights Watch Oct. 2011, 41). The UN Special Rapporteur indicates that according to the Mount Elgon District Security and Intelligence Committee (DSIC), the operation, which began on 10 March 2008, consisted of 400 security force members, including 120 military personnel (UN 26 May 2009, para. 48). The Mount Elgon DSIC told the Special Rapporteur that 3,265 people suspected of involvement with the SLDF were detained at a temporary base in Kapkota and that 2,187 were released after questioning, while 1,078 were arraigned in court (*ibid.*, para. 51). Although government sources claimed that 8 to 13 people were killed, the Special Rapporteur indicated that "a wide range of credible observers" said that "hundreds of men were tortured and killed" by the security forces during the operation, with estimates at a minimum of over 200 people killed or having disappeared (*ibid.*, para. 49-50, 52).

2. Leadership

The leader of the SLDF was Wycliffe Matakwei [also known as Wycliffe Matakwei Kirui Komon] (UN 26 Apr. 2012; *Jane's* 18 Aug. 2011; *Nairobi Star* 9 May 2011). He was reportedly killed by the military (UN 26 Apr. 2012). Other sources also indicate that SLDF leaders were killed during the 2008 operation (Ph.D. student 30 Aug. 2012; ISS 2010, 172).

The local media source *The Star* indicates that David Sichei was the second in command of the SLDF, and that he had not been captured as of 2010 (11 Nov. 2010). The ISS explains that Sichei is a former police officer who was in charge of training SLDF recruits (2010, 168).

3. Structure

ISS describes the SLDF as having had "a clear organizational structure and chain of command" with military, spiritual and political wings (ISS 2010, 167-168). The Western Kenya Human Rights Watch, as reported by ISS, estimated that there were approximately 3,000 men in the SLDF--30 cells of approximately 100 people each (2010, 168). According to ISS, the majority of SLDF members lived alongside civilians and operated from their homes, when not part of a combat squad (ISS 2010, 169-171). The same source explained that only the militia's leaders, trainers, and specialized fighters hid in the surrounding forests (ibid., 169). ISS reports that the SLDF had access to several types of weapons including machine guns, rocket propellers, hand grenades, land mines, rocket launchers, AK-47s and G3 rifles (ibid., 168). Recruitment tactics of the SLDF reportedly included forced recruitment (Human Rights Watch Oct. 2010, 41; ISS 2010, 168) and the use of child soldiers (ibid.), although ISS also notes that the financial stability and food supply of the SLDF made the militia appealing to unemployed youth (ibid., 170).

4. Level of Activity

In correspondence with the Research Directorate, a Ph.D. student at the South Africa-based African Centre for Migration and Society (ACMS) who is researching internal displacement in Kenya, explained that after the SLDF was militarily defeated in 2008, the members scattered--some crossed into Uganda, others hid in the forest, and still others emerged during demobilisation (30 Aug. 2012). According to ISS, the 2008 government operation almost ended SLDF's activities, but after the military withdrawal, there were reports of former members returning, new recruits and a renewal of "violent incidents" (ISS 2010, 172-173). ISS states:

Towards the end of 2008, the group had once again started charging illegal taxes and attacking and maiming those who refused to comply. Nevertheless, the killing of core members of the SLDF has resulted in the group becoming a much less potent force and unable to inflict the kind of terror and hold it had over the residents of the area. (ISS 2010, 173)

Some sources report that the SLDF is regrouping (*The Standard* 25 Nov. 2010; *Nairobi Star* 13 July 2011; Ph.D. student 30 Aug. 2012). In 2010, Kenyan media sources reported on a possible sighting of SLDF forces in the Mount Elgon forests (*The Standard* 25 Nov. 2010; *The Star* 11 Nov. 2010). *The Standard* reported that a herder spotted approximately 50 people dressed in camouflage uniforms in the Mount Elgon forests who were believed, by some, to be SLDF (*The Standard* 25 Nov. 2010). Reporting on the same incident, another local news source, *The Star*, explained that the armed gang was spotted by a 14-year-old, who was tied up and was also questioned for information about police or military camps (11 Nov. 2010).

According to a December 2010 article in the *Standard*, the director of the local NGO Western Kenya Human Rights Watch claimed that remnants of the SLDF were "roaming freely and ... threatening residents" and that the SLDF was regrouping and capable of launching attacks (14 Dec. 2010). However, the police reportedly dismissed the claim that the SLDF had regrouped (*The Star* 11 Nov. 2010; *The Standard* 14 Dec. 2010).

According to the *Nairobi Star*, in 2011, John Serut, a former Mount Elgon MP, testified at the Truth, Justice and Reconciliation Commission (TJRC) of Kenya hearing that the SLDF was still active (13 July 2011). He claimed that some armed commanders went to West Pokot [in the Rift Valley Province] and Uganda (*Nairobi Star* 13 July 2011).

Further, in 2012, there were also reports of the SLDF regrouping (*Nairobi Star* 11 Feb. 2012; Ph.D. student 30 Aug. 2012). The executive secretary of the Kenya National Union of Teachers reported that several teachers in the region received threats from alleged SLDF members, who stated that the group would tax the teachers again as it did prior to 2008 (*Nairobi Star* 11 Feb. 2012). The police again refuted the claims that the SLDF was regrouping and claimed that the threats came from "normal criminals" (ibid.).

For her part, the Ph.D. student stated that there are cells of the SLDF that "arbitrarily and sporadically attack" and noted that there has been a rise in the number of attacks attributed to SLDF cells (30 Aug. 2012). She claimed that some people who were "'marked'" for providing information about the SLDF to government officials continue to hide in fear of retribution (Ph.D. student 30 Aug. 2012). This information could not be corroborated among the sources consulted by the Research Directorate within the time constraints of this Response.

5. Government Treatment of SLDF Members

Regarding current government response to SLDF members, the Ph.D. student said that, according to local human rights groups, there are still some cases of extra-judicial killings of suspected SLDF members and suspects being detained without trial (30 Aug. 2012). The former Mount Elgon MP John Serut reportedly said that an unknown number of youths suspected of involvement with the SLDF had been held in prison in Bungoma, Kitale, Kakamega and Busia, some for more than three years without trial (*Nairobi Star* 4 Jan. 2012). He called on government authorities to release them, claiming that they were not the "real members" of the SLDF, while he claimed that some of the more powerful people affiliated with the SLDF were free (ibid.). The Ph.D. student explained that since it is difficult to prove whether or not someone is an SLDF member, the police treat suspected members as criminals (Ph.D. student 30 Aug. 2012).

5.1 Accountability

Sources report that many of the SLDF members who committed violent crimes were not held accountable (Human Rights Watch 27 Oct. 2011; Ph.D. student 30 Aug. 2012). According to a 2011 Human Rights Watch report, although over 3,000 boys and men were initially detained for allegedly supporting or being members of the SLDF, only 4 of them were charged and convicted of "manslaughter" for their role in the killings, while some members were convicted of the "minor charge" of "belonging to an outlawed group" (Human Rights Watch 27 Oct. 2011). The rights group states that "[h]undreds of killings, forced disappearances, and cases of rape and torture committed by the SLDF in Mt. Elgon in the service of politicians have gone unpunished" (ibid.). The Ph.D. student explained that some former SLDF members who came out of hiding from the forest and claimed that they were "'reformed'" after receiving NGO-backed "'counselling,'" were not held accountable for their crimes (30 Aug. 2012).

In a 2011 follow-up to the 2009 report, the UN Special Rapporteur on extrajudicial, summary or arbitrary executions stated that, as of 2011, no one had been prosecuted for crimes committed during the conflict in Mount Elgon (UN 26 Apr. 2011, para. 34). The Internal Displacement Monitoring Centre (IDMC) and Human Rights Watch similarly report that no one has been held accountable for alleged crimes committed by the security forces in Mount Elgon (IDMC 10 June 2010, 5; Human Rights Watch Oct. 2011, 6).

The TJRC was established through Act No. 6 of 2008, to identify and recommend the prosecution of people responsible for serious human rights abuses, including cases of torture, rape, extrajudicial killings and socio-economic crimes committed by the SLDF (UN 26 Apr. 2011, para. 34-35). The report notes, though, that the TJRC is controversial, and that there is a lack of public confidence in its ability to deliver justice (ibid., para. 35). Similarly, a report published by the IDMC indicates that the TJRC "has been overshadowed by doubts over the credibility of its head" (10 June 2010, 5). In 2010, the NGO Independent Medico-Legal Unit (IMLU) reportedly brought a case against the Kenyan government to the East African Court of Justice, charging authorities with failure "to investigate, prevent, punish, or provide redress" for abuses that allegedly occurred during Operation Okoa Maisha (UN 1 Apr. 2011).

According to a 79-page report by Human Rights Watch entitled "*Hold Your Heart*": *Waiting for Justice in Kenya's Mt. Elgon Region*, although there are dozens of missing persons cases in which SLDF members allegedly abducted victims, government officials have not provided the families of the victims with assistance locating them and the police have not taken action (Human Rights Watch 2011, 49). The same source also notes

that some victims do not file complaints with the police for fear of retribution from SLDF members, who continue to live in the same area as their victims (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate.

The *Standard* reports that 200 SLDF members were released from prison in 2010 and were causing security concerns (*The Standard* 25 Nov. 2010). Some residents expressed fear at seeing people who killed their relatives walking freely (ibid.). Media sources report that released SLDF members are viewed with "suspicion" (ibid.) or treated as "outcasts" (*Nairobi Star* 9 May 2011), and that the released members fear retribution from the community (ibid.). The Ph.D. student noted that the legacies of the SLDF attacks and the government crackdown "linger on at the community level" (30 Aug. 2012).

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.

References

- Human Rights Watch. 4 November 2011. "Kenya: Mt. Elgon Families Seeking Justice." <<http://www.hrw.org/print/news/2011/11/04/kenya-mt-elgon-families-seeking-justice>> [Accessed 6 Sept. 2012]
- _____. 27 October 2011. "Kenya: Account for 'Disappeared' in Insurgency Crackdown." <<http://www.hrw.org/print/news/2011/10/27/kenya-account-disappeared-insurgency-crackdown>> [Accessed 6 Sept. 2012]
- _____. October 2011. "Hold Your Heart." *Waiting for Justice in Kenya's Mt. Elgon Region*. <http://www.hrw.org/sites/default/files/reports/kenya1011_ToUpload_0.pdf> [Accessed 6 Sept. 2012]
- Institute for Security Studies (ISS). 2010. "Chapter 6. Marginalisation and the Rise of Militia Groups in Kenya: the Mungiki and the Sabaot Land Defence Force." By Adams Oloo in *Militias, Rebels and Islamist Militants: Human Insecurity and State Crises in Africa*. <<http://www.issafrica.org/uploads/MilitiasRebelsIslamistMilitantsNov2010.pdf>> [Accessed 12 Sept. 2012]
- Internal Displacement Monitoring Centre (IDMC). 10 June 2010. *Kenya. Speedy Reform Needed to Deal with Past Injustices and Prevent Future Displacement*. <[http://www.internal-displacement.org/8025708F004BE3B1/\(httpInfoFiles\)/4CBEC555A558F577C125773E00395B4B/\\$file/Kenya_Overview_June10.pdf](http://www.internal-displacement.org/8025708F004BE3B1/(httpInfoFiles)/4CBEC555A558F577C125773E00395B4B/$file/Kenya_Overview_June10.pdf)> [Accessed 7 Sept. 2012]
- Jane's World Insurgency and Terrorism*. 18 August 2011. "Sabaot Land Defence Force (SLDF) (Kenya)." <<http://articles.janes.com/articles/Janes-World-Insurgency-and-Terrorism/Sabaot-Land-Defence-Force-SLDF-Kenya.html>> [Accessed 28 Aug. 2012]
- Médecins Sans Frontières (MSF). May 2008. *Mount Elgon: Does Anybody Care? MSF Takes Stock After One Year in the Heart of the Crisis in Mount Elgon*. <http://msf.org/source/countries/africa/kenya/2008/MSF_MtElgon_May2008.pdf> [Accessed 5 Sept. 2012]
- Nairobi Star*. 11 February 2012. John Nalinya. "Sabaot Land Defence Force Regrouping Afresh." (All Africa Global Media via COMTEX/Factiva)
- _____. 4 January 2012. Reuben Olita. "Serut Calls for Release of SLDF Militia." (All Africa Global Media via COMTEX/Factiva)
- _____. 13 July 2011. Simbi Kusimba. "SLDF Still in Operation, Serut Tells Truth Team." (All Africa Global Media via COMTEX/Factiva)
- _____. 9 May 2011. John Nalinya. "Ex-Land Defense Force Members Decry Rejection by Mt. Elgon Community." (All Africa Global Media via COMTEX/Factiva)
- Ph.D. Student, African Centre for Migration and Society, University of Witwatersrand, South Africa. 30 August 2012. Correspondence with the Research Directorate.
- The Standard* [Nairobi]. 14 December 2010. Allan Kisia and Vitalis Kimutai. "Authorities Dismiss Reports of Resurgence of Militia Group in Western Kenya." (BBC Monitoring Africa/Factiva)
- _____. 25 November 2010. Allan Kisia and Robert Wanyonyi. "Western Kenya Residents 'in Panic' Over Resurgence of Rebel Group." (BBC Monitoring Africa/Factiva)
- The Star* [Nairobi]. 11 November 2010. "Police Deny Return of Rebels in Western Kenya." (BBC Monitoring Africa/Factiva)
- United Nations (UN). 26 April 2012. Integrated Regional Information Networks (IRIN). "Kenya: Salome Matakwei, 'Some People Still Hate Me.'" <<http://www.irinnews.org/HOV/95367/KENYA-Salome-Matakwei-Some-people-still-hate-me>> [Accessed 28 Aug. 2012]
- _____. 27 October 2011. Integrated Regional Information Networks (IRIN). "Kenya: Government Must Account for Mt. Elgon Disappearances - Report." <<http://www.irinnews.org/Report/94080/KENYA-Government-must-account-for-Mt-Elgon-disappearances-report>> [Accessed 28 Aug. 2012]
- _____. 26 April 2011. Human Rights Council. Cristof Heyns. *Report of the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Christof Heyns. Addendum. Follow-up Country Recommendations--Kenya*. (A/HRC/17/28/Add. 4) <<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/130/06/PDF/G1113006.pdf?OpenElement>> [Accessed 10 Sept. 2012]
- _____. 1 April 2011. Integrated Regional Information Networks (IRIN). "Kenya: In the Dock Over Torture, Murder Claims." <<http://www.irinnews.org/Report/92341/KENYA-In-the-dock-over-torture-murder-claims>> [Accessed 28 Aug. 2012]
- _____. 26 May 2009. Human Rights Council. Philip Alston. *Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including the Right to Development. Report of the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Philip Alston*. (A/HRC/11/2/Add.6) <<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G09/137/05/PDF/G0913705.pdf?OpenElement>> [Accessed 6 Sept. 2012]

Additional Sources Consulted

Oral sources: Attempts to contact the following persons and organizations were unsuccessful: Human Rights Watch; Independent Medico Legal Unit; professor, Université de Pau et des Pays de l'Adour. An academic at the University of Ottawa was unable to provide information.

Internet sites, including: *Africa Confidential*; *Africa Research Bulletin*; African Human Security Initiative; Amnesty International; Center on Conscience and War; ecoi.net; Factiva; Freedom House; GlobalSecurity.org; Institute for War and Peace Reporting; International Crisis Group; International Federation for Human Rights; Kenya – Ministry of Defense, Kenya Police; United Nations – Refworld; United States – Department of State.

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