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Kenya: The Mungiki sect, including organizational structure, leadership, membership, recruitment and activities; the relationship between the government and sects, including protection offered to victims of devil worshippers and sects, such as the Mungiki (2010-October 2013)

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1. Overview

The Mungiki is a sect that was established in the 1980's (Henningson and Jones 28 May 2013, 373). It was originally a "self-defence force" and is comprised of Kenya's largest ethnic group, the Kikuyu (IHS Jane's 2 Feb. 2010; Norway 29 Jan. 2010). According to several sources, the sect is a highly secretive organization (Norway 29 Jan. 2010, 6; The New York Times 21 Apr. 2009). Jane's Intelligence Review notes that the Mungiki are primarily active in the ethnic Kikuyu areas of "Central Province, Nairobi Province, Rift Valley Province and Eastern Province" (2 Feb. 2010, 2). Other sources report that they are active in Central Province, the Rift Valley (Pambazuka News 21 Feb. 2013; Norway 29 Jan. 2010, 3) and Nairobi slums (Norway 29 Jan. 2010, 10; the New York Times 21 Apr. 2009). The Kenyan government outlawed the sect in 2002 (Norway 29 Jan. 2010, 13; ISS 2010, 164). The United States Department of State's Country Reports on Human Rights Practices for 2010 states that the Mungiki sect was outlawed because it

"espoused political views and cultural practices that were controversial in mainstream society... it ran protection rackets, particularly in the public transportation sector, and harassed and intimidated residents" (8 Apr. 2011, 21).

The Norwegian Landinfo Country of Origin Information Centre describes the Mungiki as "a religious movement clothed with diverse aspirations ranging from political to religio-cultural and socio-economic liberation" (Norway 29 Jan. 2010, 6). Sources report that the Mungiki call for a return to traditional Kikuyu values and religion and an abandonment of Western and Christian lifestyles (Henningsen and Jones 28 May 2013, 374; Afrik.com 19 Oct. 2010; Norway 29 Jan. 2010, 5, 6). According to Afrik.com, a French independent international media source on Africa (2013), the Mungiki are also known for criminal and "mafia-like" actions using violence and intimidation to achieve their goals (Afrik.com 19 Oct. 2010; Norway 29 Jan. 2010, 10). The Mungiki extort money from locals and taxi-bus (matatu) operators (Henningsen and Jones 28 May 2013, 375; IHS Jane's 2 Feb. 2010; Norway 29 Jan. 2010, 10). Jane's Intelligence Review describes them as "Kenya's largest criminal organization, specialising in extortion" (2 Feb. 2010, 1)

The Institute for Security Studies (ISS), an independent African research organization, states that Mungiki members used to have dreadlocks but "when it became apparent that this was an easy way for the security forces to identify and track them down, they changed their image to decently dressed young men and women" (2010, 165).

2. Leadership

Sources identify Maina Njenga as the former leader of the Mungiki (Pambazuka News 21 Feb. 2013; Afrik.com 19 Oct. 2010; Africa Confidential 9 July 2010). Njenga was arrested in 2006 and released from prison in April 2009 (The Star 23 July 2013). He was arrested on drugs and weapons related charges (ISS 2010, 157). Sources report that since his release from prison, Njenga has converted to Christianity (The Star 23 July 2013; Pambazuka News 21 Feb. 2013; Africa Confidential 9 July 2010). Africa Confidential, a news source based in London reporting on African news, states that he "renounced violence, became a born-again Christian and [was] a stalwart campaigner for Kenyans to vote in favour of the proposed new constitution [in 2010]" (9 July 2010). A Senior Researcher at the Norwegian Institute for Urban and Regional Research, who specializes in African studies and the Mungiki sect, noted in a telephone interview with the Research Directorate that Njenga is now considered to be a spiritual leader of the Mungiki and encourages less violence (4 Oct. 2013). Njenga has also tried to gain political influence via the Kenya National Youth Alliance (KNYA), the political wing of the Mungiki (ibid.). In contrast, Landinfo reports that the KNYA "was registered as a political party until the government unlisted it early in 2007" (Norway 29 Jan. 2010, 7). However, according to the Agence France-Presse, the KNYA is reported to have been the "political wing of the Mungiki for several years" (29 Oct. 2009). The Agence France-Presse also reported on 29 October 2009 that then Mungiki Spokesman Njuhana Gitau stated the Mungiki were "now members of the Kenya National Youth Alliance". On 9 July 2010, Africa Confidential reported that Maina Njenga was "mobilising Mungiki's National Youth Movement for the Yes campaign in support of the new constitution."

In 2010, sources indicated that the Mungiki were reported to have no central control at that time (Afrik.com 19 Oct. 2010; IHS Jane's 2 Feb. 2010, 1). On 21 February 2013, Nairobi news source Pambazuka News reported that "no one speaks for the proscribed underground militia nowadays."

3. Organizational Structure

In correspondence with the Research Directorate, Professor Maupeu of African Studies at l'Université de Pau et des Pays de l'Adour, who specializes in the Mungiki and is a witness at the International Criminal Court at the 2013 trial of President Kenyatta, noted that existing information on the sect's organizational structure is scarce, as the organization is highly secretive (3 Oct. 2013). The senior researcher noted that Mungiki's broad organization is composed of many different factions under the name Mungiki

which "are not always harmonious with each other" (Senior Researcher 4 Oct. 2013) and believed it is "thus hard to control what each faction is doing or takes credit for" (ibid.).

The senior researcher also explained that the Mungiki is divided into regional, district, and local level cells comprised of 50 members (ibid.). Each cell is then further divided into a local militia-like platoon comprising 10 members (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

4. Membership and recruitment

There is uncertainty as to the exact size of the Mungiki sect (IHS Jane's 2 Feb. 2010). Both Professor Maupeu and the senior researcher noted that there is no verifiable number (3 Oct. 2013; 4 Oct. 2013). While conducting fieldwork in Kenya, the senior researcher found that "the exact number of members fluctuates due to the secretive nature of the group and disinformation about this number from Mungiki leaders" (4 Oct. 2013). The senior researcher added that it is also difficult to identify an exact number of sect members as many disenfranchised youths will lie about being a Mungiki member "to terrorize and gain influence" in their community (4 Oct. 2013). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Sources indicate the size of the sect could vary between thousands (Norway 29 Jan. 2010, 8), to 1.5 and 2 million (Henningsen and Jones 28 May 2013, 374; Norway 29 Jan. 2010, 7; ISS 2010, 154), to 4 million members (Norway 29 Jan. 2010, 8). The Professor Maupeu stated that at present in 2013, the Mungiki are operating at a lower number of members and, based on online and public activities Professor Maupeu consulted, the Mungiki could have hundreds to thousands of members (3 Oct. 2013). The senior researcher based on findings from his fieldwork, reported that leaders of the Mungiki claimed the sect had 2 million members; however, the research speculates that some members may not be official members and leaders would not give specific information about this when asked (4 Oct. 2013).

The Mungiki are predominantly young men (Norway 29 Jan. 2010, 8; ISS 2010, 154). Professor Maupeu reported that young men who join the Mungiki believe the group is a "refuge to gain economic and political success" (3 Oct. 2013). The Australian Refugee Review Tribunal Country Advice Report for Kenya states that "females make up about 20-25 per cent of the group's members" (13 Jan. 2012, 1). Members can be characterised as poor, landless, and unemployed (Professor 3 Oct. 2013; Henningsen and Jones 28 May 2013, 373; ISS 2010, 153). "Most members are very poor with little or no education... [and] leaders tend to have university degrees" (Norway 29 Jan. 2010, 8). Professor Maupeu further distinguished four types of people who gravitate towards or are members of Mungiki: leaders of the movement, the Mungiki Njama (militants who are often young and poor), supporters of the movement from the Kikuyu business or political class, and donors from the middle and business class (3 Oct. 2013). Corroborating information on the four types of members could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

The Mungiki induct members in a secret ceremony involving oaths and rituals (IHS Jane's 2 Feb. 2010; Norway 29 Jan. 2010, 8; ISS 2010, 154). Some members are forcibly recruited (Norway 29 Jan. 2010, 8) using "brutal methods, which include blackmail, violence and death threats" (ISS 2010, 154). Corroborating information on recruitment methods could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

The senior researcher emphasized the importance of oath-taking and oath rituals in Kenya and with the Mungiki, stating that the oath represents a strong bond and membership for life (Senior Researcher 4 Oct. 2013). He noted that "if an individual chooses to leave, this demonstrates disloyalty and results in severe punishment by

Mungiki members... [and deserters] are often targeted and assassinated by the Mungiki" (ibid.). Corroborating information on recruitment methods could not be found among the sources consulted by the Research Directorate within the time constraints of this Response. Professor Maupeu also noted that many who left the Mungiki have been killed (3 Oct. 2013). The Australian Refugee Review Tribunal's Country Advice Report notes that Mungiki's "targets include those who do not cooperate or collaborate with the group, as well as defectors" (13 Jan. 2013, 5). However, a senior researcher reported it is hard to know who targets and kills deserters in the Mungiki due to its many factions and decentralized authority (4 Oct. 2013).

5. Mungiki Activities

The Mungiki extort money from locals and taxi-bus (matatu) operators (Henningesen and Jones 28 May 2013, 375; IHS Jane's 2 Feb. 2010; Norway 29 Jan. 2010, 10). The Mungiki rely on basic weapons such as machetes and knives (IHS Jane's 2 Feb. 2010; Norway 29 Jan. 2010). Mungiki activities include the following:

The British Broadcasting Corporation (BBC) states that if people refuse them the Mungiki resort to violence (BBC 29 May 2013; ibid. 28 Aug. 2012). Landinfo states that "citizens who are unable or unwilling to pay, risk being kidnapped, tortured or even killed" (Norway 29 Jan. 2010, 10).

In 29 May 2013, the BBC reported a case of a matatu "set ablaze in Gatundu town after the operator allegedly declined to give the money to the sect".

On 28 August 2013, the BBC reported that several matatu operators "had received death threats from the sect if they refused to comply with their orders."

Landinfo states the Mungiki are notorious for beheading (Norway 29 Jan. 2010, 11).

Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

The Mungiki also advocate for female genital mutilation (FGM) (Australia 13 Jan. 2013; Norway 29 Jan. 2010, 11). The Mungiki encourage and demand the practice of FGM "on the grounds that [it] is a traditional African practice" (Norway 29 Jan. 2010, 11). The sect seeks "to impose FGM and other forms of violence on women and children other than those who have been initiated into their sect" (ibid.). The Australian government's Country Advice Report notes that "women married to current members and defectors have been singled out in reporting as being at risk [of FGM]" (13 Jan. 2013).

6. Rise in Mungiki Activities

In 2012, Kenyan media reported that the Mungiki were regrouping in central Kenya (the People 22 July 2013; the Star 3 June 2013; Pambazuka News 21 Feb. 2013). Media sources note that police across Central Province report the re-emergence of Mungiki members in the rural areas of Central Province (The People 22 July 2013; BBC 28 Aug. 2012), in "Nyeri, Kiambu, and Kirinyaga" (The People 22 July 2013; BBC 29 May 2013); "in Maragua and Kigumo" (The Star 3 June 2013); and in "Gatundu, Lari, Githunguri, and Kikuyu where they are also reportedly recruiting new members" (BBC 29 May 2013). Kenyan newspaper The Star reports that Murang'a Governor Mwangi Wairia "issued a warning [about] the re-emerging Mungiki sect" (3 June 2013). Kenyan newspaper The People reports police in "Gatundu say criminal patterns in the area point to the regrouping of the dreaded Mungiki sect" (22 July 2013).

On 28 August 2012 the BBC reported that the Mungiki had re-emerged around a main bus terminal in Nyeri town [central Kenya] after Mungiki activity had slowed "after the police in Nairobi waged war against sect members" (28 Aug. 2012). Human Rights Watch reported that in 2005 "the state began to crackdown on gang [Mungiki activities]" (13 Feb. 2013, 47). Kenyan newspaper The Standard reported that "arrests and killings of young men suspected to be members [has] failed to stop the sect" (3 Sept. 2013).

The senior researcher noted that the Mungiki became active once again in 2012 especially in Central Province (4 Oct. 2013). The media reports police officials characterizing this recent activity as extortion of the matatu sector, local businesses, the construction sector, and the greater public (The People 22 July 2013; BBC 29 May 2013).

In 2013, Kenya's Chief Justice and President of the Supreme Court, Dr. Willy Mutunga, stated that he received a letter purportedly from Mungiki threatening his life and those of High Court judges (Kenyan Broadcasting Company 15 Apr. 2013; Pambazuka News 21 Feb. 2013; BBC 20 Feb. 2013).

7. Relations between the Kenyan government and Sects

The senior researcher noted that there is, at particular moments, a high level of collusion between politicians and the Mungiki, most often during elections (4 Oct. 2013). Professor Maupeu noted that relations between the Mungiki and the government often change from cycles of collaboration (usually before elections) to police "persecution" (usually after elections) (3 Oct. 2013). However, the senior researcher stated that, given the dissipated nature of the Mungiki and their many factions, it is difficult to know how close the relations are between the government and the Mungiki (4 Oct. 2013). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Sources noted that the government formed "death squads" to fight the sect in 2006/2007 (UN 26 Apr. 2011; IHS Jane's 2 Feb. 2010, 4; Norway 29 Jan. 2010, 13). The death squads are called Kwekwe (IHS Jane's 2 Feb. 2010; Norway 29 Jan. 2010, 13). Professor Maupeu noted that government prosecution of the Mungiki was the worst and strongest during this time period (3 Oct. 2013). However, in 2010, The Nairobi Star newspaper stated that "the Kwekwe was reportedly disbanded in February 2009" (Norway 29 Jan. 2010, 13).

On 22 July 2013, Kenyan newspaper The People reported police were ordered by the government to arrest Mungiki members.

Professor Maupeu noted that, in 2013, relations between the government and the Mungiki have worsened (3 Oct. 2013). Human Rights Watch reports that the Kenyan government has called for the expansion of police power and the use of firearms (12 Sept. 2013). The government also issued "shoot to kill" orders to the police (BBC 14 Sept. 2013; US 8 Apr. 2011, 3). The BBC reports that the Mungiki have been active in Kiambu where the County Commissioner Wilson Njega said they "had arrested some of [the] group's members demanding cash from a construction site owner" (29 May 2013; *ibid.* 29 May 2013).

Landinfo reports that police corruption is a barrier to combating the Mungiki (Norway 29 Jan. 2010, 15). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

The senior researcher noted that there is often a misuse of the state apparatus to go after Mungiki members (4 Oct. 2013). The ISS states that "residents [in Central Kenya] have accused senior politicians in the region of supporting Mungiki activities for political advantage" (2010, 163).

Human Rights Watch notes that Kenyan constitutional reforms in 2010 carried out sweeping changes to the police and judiciary as the police had been implicated in "extrajudicial killings and enforced disappearances of suspected Mungiki gang members" (2011). Hervé Maupau, in an article written for a conference on religious mobility in Eastern Africa in Nairobi, also notes that the 2010 constitution targeted reforms in the justice and police departments (24 Apr. 2012). The United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions finds, however, that "the rate of investigations and prosecution of police killing remains unacceptably low" (UN 26 Apr. 2012, 2).

8. State Protection Available to Victims of Sects

Sources report that in 2010, a Witness Protection Agency was created by the Kenyan government (UN 26 Apr. 2011, para. 54; Professor 3 Oct. 2013). Human Rights Watch reports that the Agency was created by the Witness Protection Act to reform Kenya's witness protection system with "increased independence," but that "resources and time are needed to implement changes" (2011). Professor Maupeu noted that these protection services still do not allow for the protection of victims of the Mungiki sect (3 Oct. 2013). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

The senior researcher noted the difficulty in identifying and evaluating state protection available to victims of the Mungiki, given the "blurred lines" between the Mungiki, the police, and the government (Senior Researcher 4 Oct. 2013). He added that victims often do not trust authorities as many Mungiki members are part of the police, or Members of Parliament (*ibid.*). The senior researcher indicated that protection from the police is given only when politicians give consent, and consent can depend on whether politicians need the Mungiki or are "clamping down on them" (*ibid.*). Further, the senior researcher added that Kenyan police appear to be less willing to protect people if they are defectors from the Mungiki (*ibid.*). Corroboration could not be found among the sources consulted by the Research Directorate within the time constraints of this Response. Similarly, Human Rights Watch reports that residents interviewed in the Central region told them that "residents have lost faith in police and the provincial administration for failing to take action against gangs" (HRW Feb. 2013, 48). A businessman in Central region told Human Rights Watch that "most people just don't bother to report threats from these gangs to police, because they will not do anything" (*ibid.* 12 Sept. 2013).

The senior researcher gave an example of "29 people who were killed in 2009 in the town of Mathira (Central Province) [who]... were killed by the Mungiki and the police did nothing to protect these victims" (4 Oct. 2013). Corroboration could not be found among the sources consulted by the Research Directorate within the time constraints of this Response. Similarly,

9. Post-2007 Election Violence, the Mungiki, and the International Criminal Court

According to Professor Maupeu, current relations between the government and the Mungiki have become notably worse, due to the current trial at the International Criminal Court (ICC) of President Kenyatta (3 Oct. 2013). Sources report that President Uhuru Kenyatta is standing trial at the ICC and is charged with crimes against humanity during the post-election period of 2007-2008 (The New York Times 10 Sept. 2013; Daily Nation 7 Sept. 2013; HRW 2 Sept. 2013). Kenyatta will go on trial in November 2013 (Daily Nation 7 Sept. 2013; HRW 2 Sept. 2013). Sources report that Kenyatta is accused of the following:

murder, rape and forcible transfer of population (*ibid.*; The New York Times 19 July 2013).

meeting with Mungiki representatives to secure the Mungiki's support for former President Kibaki (The Africa Report 19 July 2013; BBC 28 Jan. 2012), and

organizing retaliatory attacks by the Mungiki on opposition supporters in Central Kenya and the Rift Valley (HRW 2 Sept. 2013; The Star 28 Dec. 2012; Think Africa Press 25 Oct. 2011).

On 4 January 2013, Kenyan newspaper The Star reported that Maina Njenga, former Mungiki leader, was also included in the ICC charges as he is believed to have been "contacted for the purpose of securing Mungiki services."

The Africa Report, the "international publication of reference dedicated to African affairs" (n.d.), states that for this trial "there [were] no mechanisms to protect the witnesses

locally" (19 July 2013). The senior researcher noted many "potential Mungiki witnesses and deserters who were involved in 2007-2008 post-election violence are increasingly targeted" by either the police or other Mungiki members (Senior Researcher 4 Oct. 2013). The senior researcher also indicates that the "police are often not sympathetic to deserters... [and deserters] are often targeted and assassinated by the Mungiki" (ibid.). He added that it is "dangerous" for current or former Mungiki members to testify (ibid.). The New York Times reports that "witnesses have been killed or were afraid to testify, and a witness recanted after accepting money to withdraw his testimony" (10 Sept. 2013). The New York Times also reports potential Mungiki witnesses are rewarded if they don't testify (10 Sept. 2013). The senior researcher explained that potential Mungiki witnesses will be "paid off, intimidated, or disappear" (4 Oct. 2013). Corroboration could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

The senior researcher noted that, during the trial, many high profile Mungiki members have been executed (4 Oct. 2013). Human Rights Watch references a statement of the ICC Chief Prosecutor Fatou Bensouda, from an 22 Oct. 2012 article in The Standard, who "has complained about the intimidation of witnesses" (Feb. 2013). Professor Maupeu similarly stated that many potential witnesses in the trial have been threatened, particularly ex-Kwekwe Squad members (3 Oct. 2013). Kenyan newspaper The Standard references a story by Nairobi newspaper The Nairobiian describing three police officers "who were once attached to the dreaded Kwekwe Squad, fear their lives could be in danger" (The Standard/ The Nairobiian 8 Aug. 2013). The article states that the individuals are believed to hold information on post-election violence committed by Kwekwe (ibid.).

Kenya's Parliament responded to the ICC trial by voting to withdraw from the ICC (the New York Times 10 Sept. 2013; Al Jazeera 5 Sept. 2013; BBC 5 Sept. 2013). According to Al Jazeera, "a withdrawal could ...preclude the ICC from investigating and prosecuting any future crimes," however, it "requires the submission of a formal request to the United Nations [which] would take at least a year" (5 Sept. 2013).

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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Internet sites, including: Africa Commission on Human and People's Rights; Africa Research Bulletin; Amnesty International; Centre for the Study of Violence and Reconciliation; ecoi.net; The Economist; Freedom House; The Guardian; Huffington Post; Human Rights Quarterly; International Crisis Group Africa Program; International Federation for Human Rights; Integrated Regional Information Networks; Institute for

War and Peace Reporting; Jane's Terrorism and Security Monitor; Kenya - Kenyan Broadcasting Corporation (KBC), Kenyan Human Rights Commission (KHRC), Ministry of the Interior, Ministry of Justice, Police Force; Kenyan Human Rights Institute; Kenyan National Commission on Human Rights (KNCHR); The Mail and Guardian [Johannesburg]; Minority Rights Group International; National Society for Human Rights; Political Handbook of the World; Relief Web, UN - Office of the High Commissioner on Human Rights (OHCHR), Refworld; The Washington Post.

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