

## REGIONAL REPORT: KENYA

December 2013

### Introduction:

Kenya is the seventh most violent country in the ACLED dataset with just over 3,500 recorded politically violent events between 1997 and September 2013. Kenya has the 12th highest rate of reported fatalities associated with political violence, at over 7,200. Levels of violent events peaked at 341 in the three-month period of January to March 2008, the quarter which also experienced the highest level of reported conflict fatalities (see Figure 1).

In absolute terms, levels of conflict in Kenya since 1997 are comparable to those in Uganda (3,825 events) and South Africa (3,263 events), although the composition of this violence by type is markedly different. Unlike Uganda, Kenya has not experienced an outright civil war during this period, but data analysis reveals that the use of categories such as 'low grade violence,' 'communal conflict' or 'electoral violence' can obscure the absolute levels of conflict experienced by communities across the country.

Kenya's conflict profile is relatively evenly split between types of violence including battles, violence against civilians, and rioting or protesting. National-level trends mask dramatic regional variations in the types, tactics and per-

petrators of political violence within Kenya (see Figure 2). Nairobi experiences the second highest absolute levels of violence in Kenya, after the Rift Valley, and the highest levels of riots and protests. Nairobi is also the region in which violent events involving state forces are highest, with almost one-third of all violent events involving state forces taking place in the capital.

Sub-national and temporal patterns in violence are often simplified by misleading narratives about conflict in Kenya being dominated by electoral violence. Electoral cycles coincide with some conflict peaks, but as this report will detail, Kenya experiences multiple, overlapping conflicts, which profoundly shape the nature of conflict and vulnerability of civilian populations in particular to violence.

This profile will proceed with an analysis of militia activity in urban areas; communal violence in the Rift Valley and elsewhere; conflict in neighbouring Somalia and its implications for unrest in the north-east; and the confluence of separatism and Islamist mobilisation in the Coast province. Kenya's multi-faceted violence demands discrete theoretical, interrogative and policy approaches.

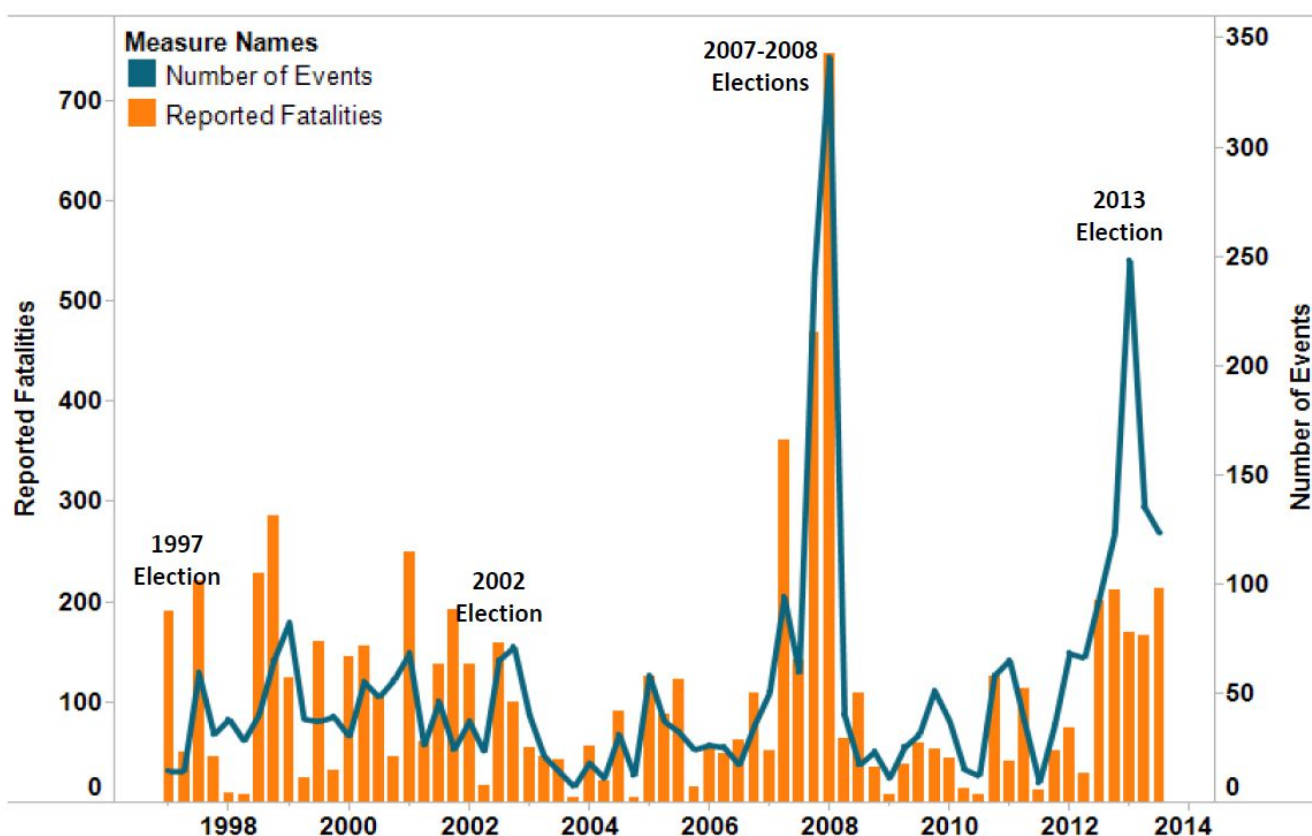
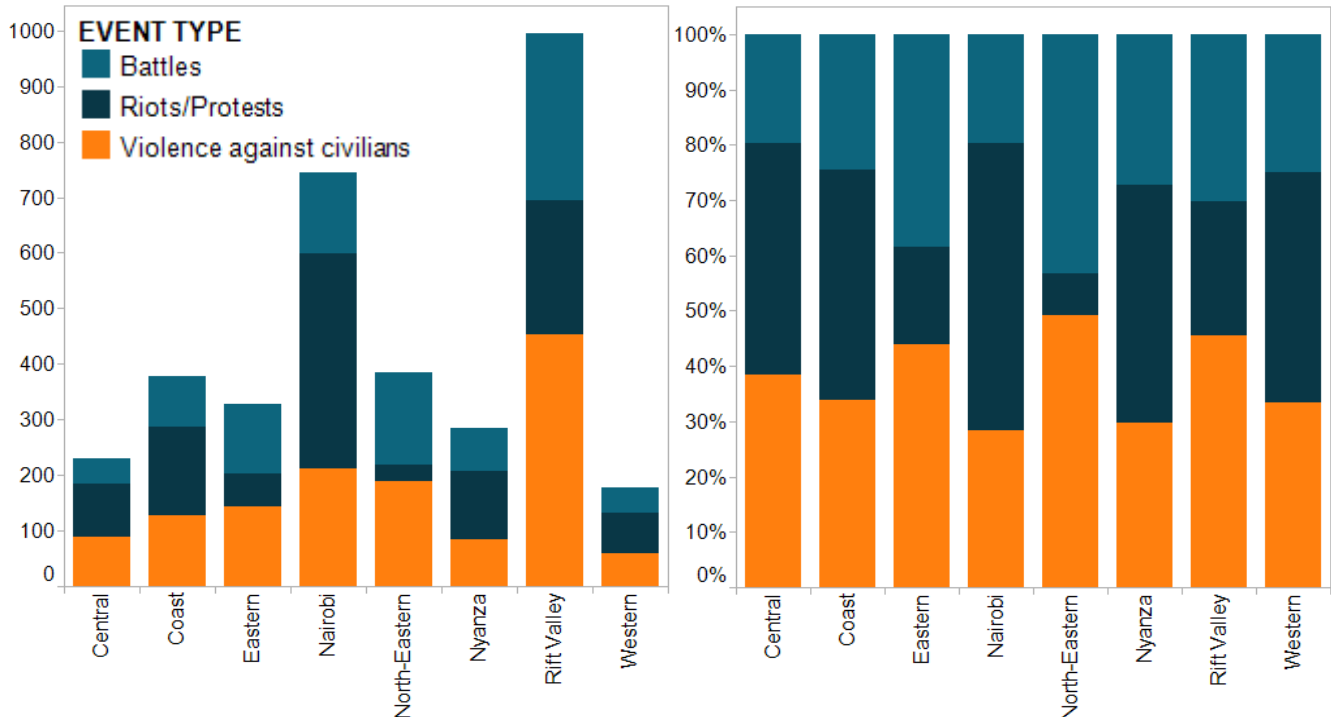


Figure 1: Conflict Events and Reported Fatalities, Kenya, January 1997 - September 2013 (by quarter-year).



**Figure 2: Conflict Events by Violence Type and Province, Kenya, all years (1997 - September 2013).**

### Militia activity and electoral violence:

The category of militia violence includes private armies for elites and politicians, militant groups whose aims are localised, and do not seek to overthrow, replace or secede from the state; in addition to actions by unidentified armed groups which are not claimed by named militant organisations (for more information on actor type definitions, see the ACLED Codebook, 2012).

Militia activity is extremely common in Kenya, with militia violence against civilians the most common interaction in the country, at over 600 recorded events (see Figure 3). As a proportion of violent actors, political militias were recorded as being involved in over one-quarter of politically violent events in Kenya, with levels of violence attributed to this category of actor the sixth highest in the dataset (following the extremely high violence countries Somalia, Zimbabwe, Nigeria, DR-Congo and Sudan, almost all of which have had a civil war over the course of the recorded data.)

Political militias have the highest absolute and proportional rates of violence against civilians (with civilian targeting constituting over 52% of militia events), followed by communal militias and rebel groups at a distance.

### Militia groups, including private armies and localised militant groups, have the highest absolute and proportional rates of violence against civilians in Kenya.

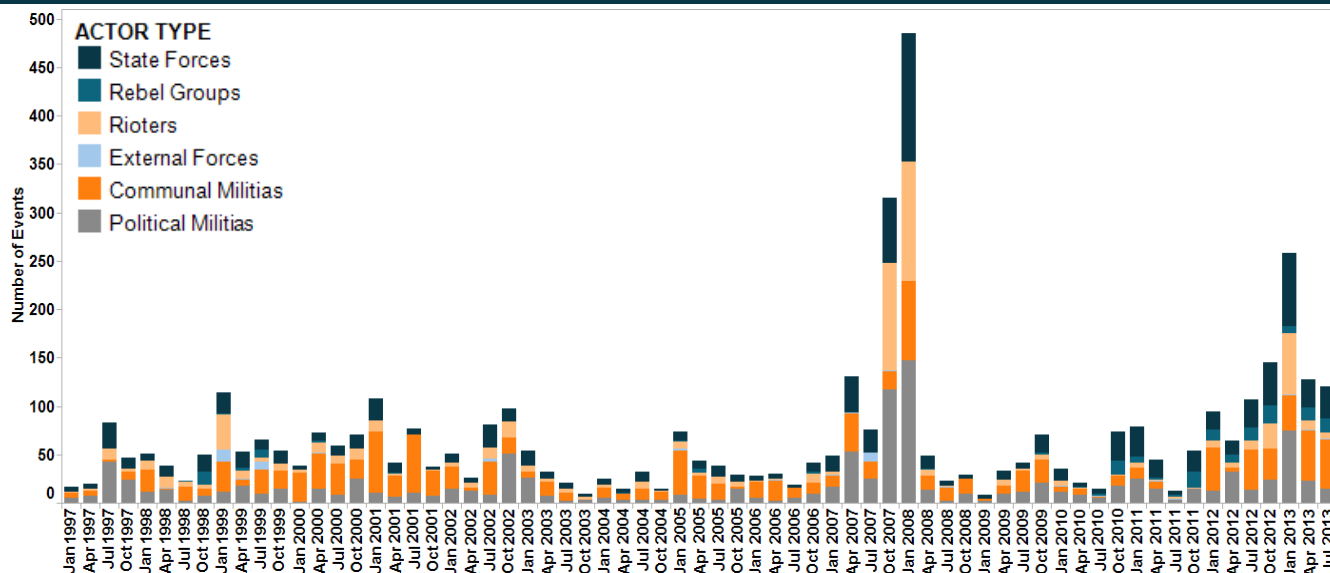
The prevalence of these groups is reflected in the dynamics of state responses to non-state actors. Violent events involving state forces are twice as likely to involve political militias (at 305 recorded events involving both actor types) than communal militias (at 148 recorded events), and almost four times as likely as those involving state forces and the main rebel group active in the country, Al Shabaab (at 81 recorded events involving both actor types).

Militia activity peaked in absolute terms in 2007 and 2008, driven by the widespread electoral violence witnessed in the country at that time. The year 1997 actually witnessed the highest proportional levels of militia violence recorded in Kenya (at 46.7% of all recorded violent activity that year) although actual levels of violence in that year were considerably lower.

This pattern reflects the temporal dynamics underpinning and driving militia violence: militias are typically short-lived militant units, constituted for the purpose of pursuing elite interests for a short period of time. Elite groups which cannot be seen to be affiliated with political violence (or certain types thereof) may sub-contract out certain acts of violence to informal or *ad hoc* militias to carry out on their behalf.

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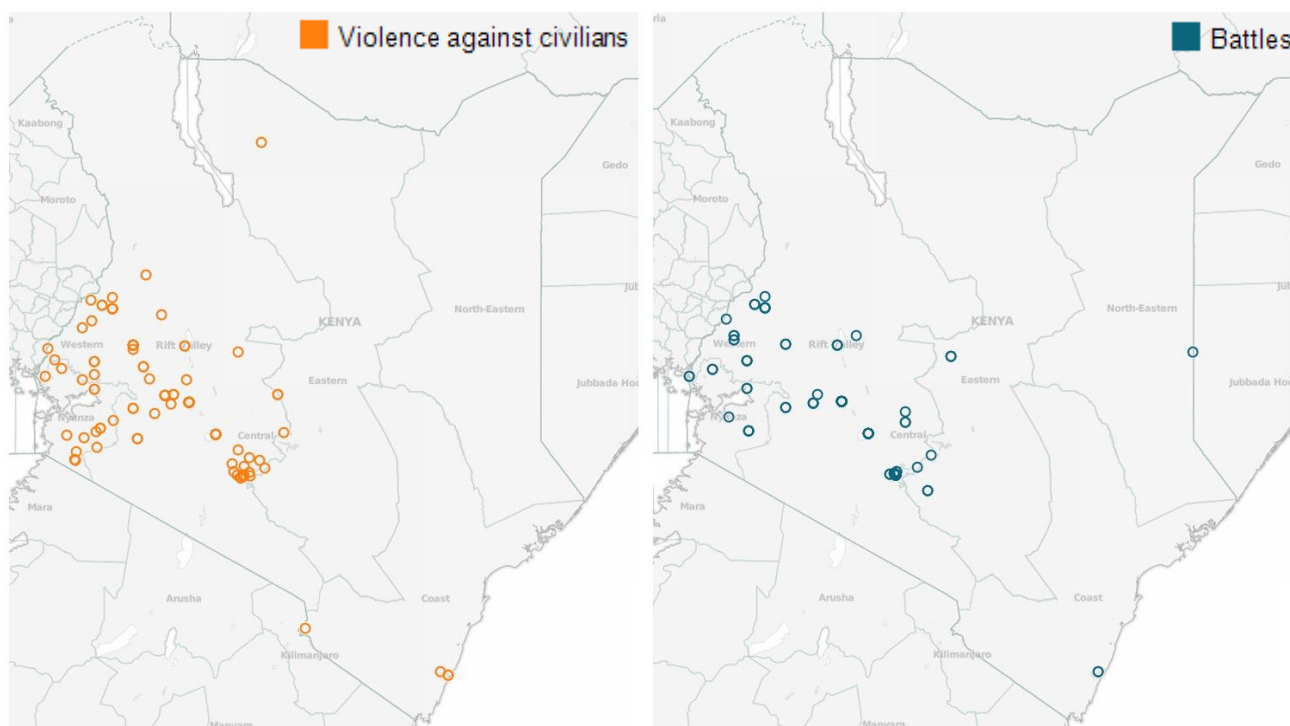
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**Figure 3: Conflict Events by Actor Type, Kenya, January 1997 - September 2013 (by quarter-year).**

This relationship explains why militia violence is so often associated with the targeting of civilians across the continent: it is not that political militias are inherently more violent or prone to targeting non-combatants than other types of groups. It is rather the nature of their role as primarily *ad hoc*, informal agents of elite forces that explains why they serve as a more convenient conduit for civilian intimidation and harassment than other actor types.

This dynamic is clearly reflected in the levels and dispersal of violence against civilians during the 2007/2008 electoral period (see Figure 4): while official forces could not be associated with the targeting and intimidation of civilians during this time, militia units can take on this role in widespread attacks on non-combatants with relative impunity.



**Figure 4: Conflict Events by Violence Type, Kenya, December 2007 - March 2008.**

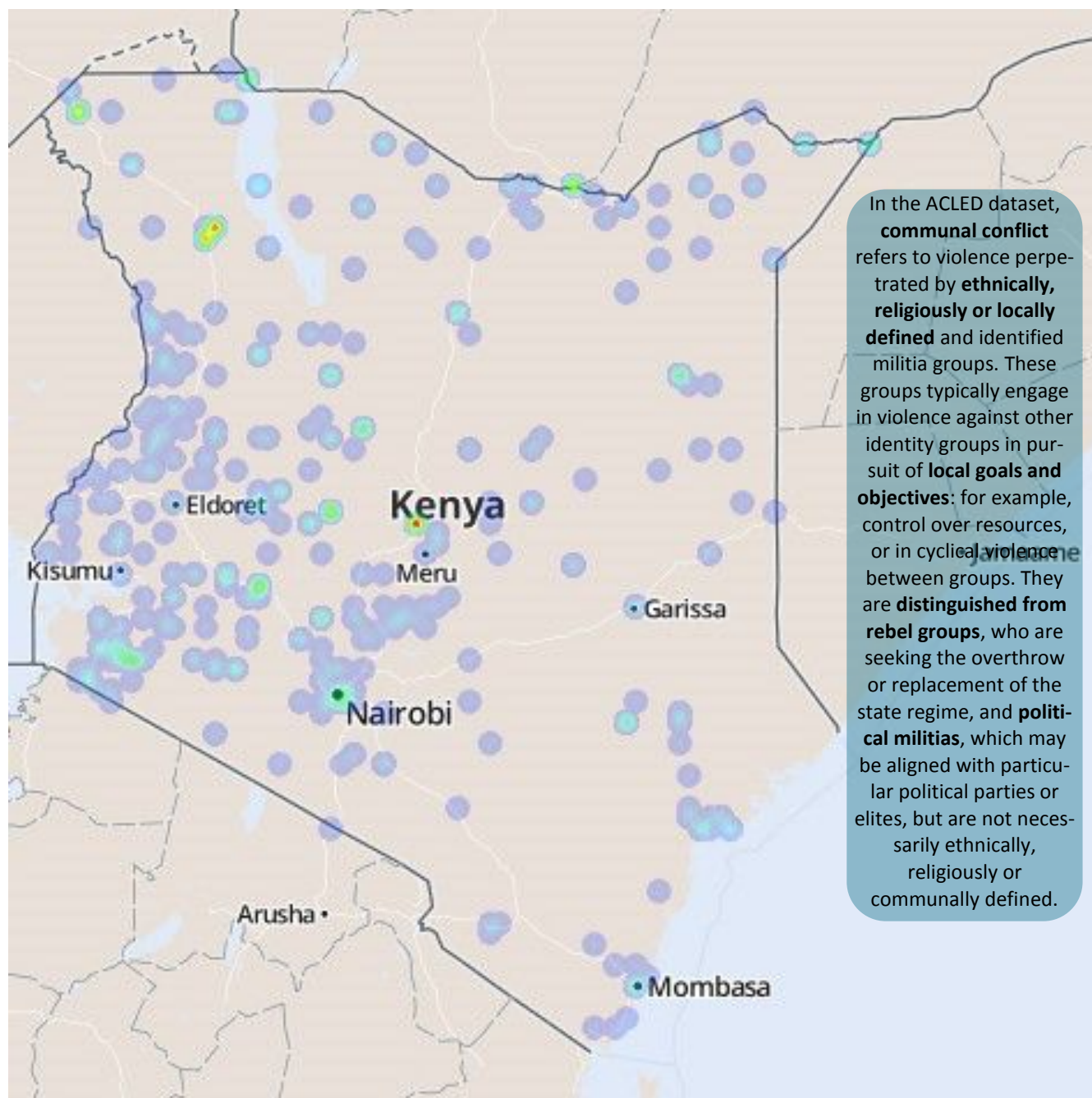


Figure 5: Communal Violence by Location, Kenya, 1997 - October 2013.

### Communal violence:

Kenya has an extremely high rate of communal violence by continental standards. Communal militias targeting civilians is the second most common interaction in Kenya in the ACLED dataset, at 525 recorded events. Communal militias engaging in armed conflict with one another is the fifth most common interaction in the Kenyan data, with over 300 recorded events.

Combined, communal militias are the most active violent actor category in Kenya, involved in almost one-third (29.5%) of all recorded violent conflict events. Continental averages differ significantly: across Africa, communal militias are involved in only 7.5% of conflict events, indicating that this type of actor is a pronounced issue for Kenya more so than its neighbours. Overall levels of communal militia activity are comparable to those found in high con-

flict states such as Somalia and Nigeria, while the proportion of overall violence attributed to violent communal groups is comparable to patterns in South Sudan.

In addition to high levels of activity, this type of violence also has high level of fatalities per event compared to other national groups: communal militias have the second highest average fatalities per conflict event, at an average of 3.7 (following rebel groups, whose rarer rate of activity results in an average of 5.2 fatalities per event, but far ahead of state forces and political militias, at 1.7 and 1.9 respectively).

Government responses have included proposing a disarmament campaign in rural areas, alongside deploying the paramilitary General Service Unit (GSU) to areas affected by sharp spikes in communal violence. However, these approaches may be limited in their ability to mitigate communal violence for a number of reasons. First, the widespread availability of light weaponry is more often a symptom of conflict, than a driver in and of itself.

Over 30% of violent events involving communal militias involve two militias fighting one another; while over half (52%) involve the targeting of civilians. A far lower proportion (around 15%) involve state forces battling communal militias. In these conditions, communities may have concerns about their ability to defend themselves in the event of uneven disarmament, and in the absence of extensive or consistent state responses to armed violence by communal groups.

Secondly and relatedly, disarmament campaigns have been subject to wider regional failure: similar campaigns have been accompanied by reports of human rights abuses in South Sudan and Uganda, where indiscriminate violence against communities, alongside uneven or targeted disarmament have contributed to sustained or even greater vulnerability.

Approaches which focus on the hardware of communal violence often neglect the political dimensions of this problem. At a structural level, poor infrastructure and poorly paid police and security forces make policing and securing areas problematic.

More overtly, political agendas which mobilise and prey upon competition and animosity between communities to stoke violence between ethnic and regional groups competing over access to resources and power perpetuate violence.

This is a particularly pressing danger in the context of on-going decentralization in Kenya which, though it promises to bring government and power closer to marginalised populations, risks exacerbating tensions among communities with competing claims on ethnic homelands, right to land, and political representation. These dynamics have most recently been reported as a factor in communal clashes in Mandera and Moyale, while the high level of organisation which was apparent in the communal violence which occurred in the Tana River region in August 2012 suggests elite sponsorship or support may have been a factor in those attacks as well.

### **Combined, communal militias are the most active violent actor in Kenya, involved in almost one-third of conflict activity in the country.**

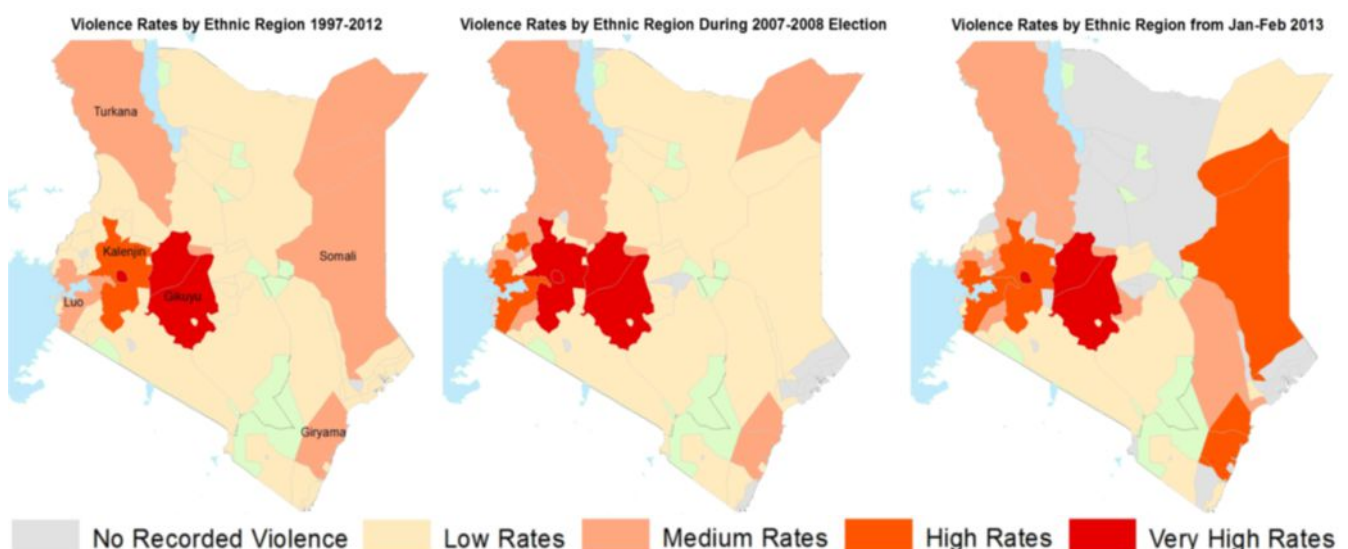
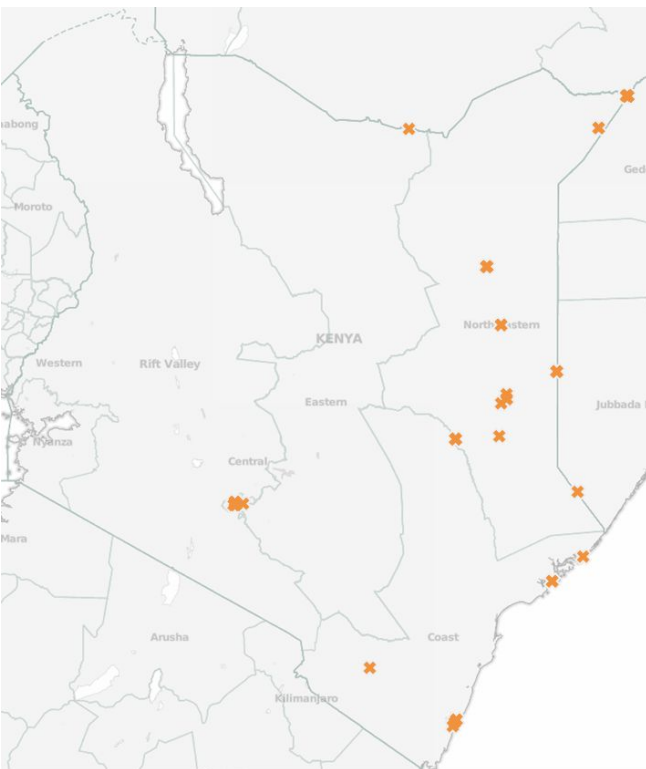


Figure 6: Ethnic Regions and Political Violence in Kenya, 1997 - February 2013 (three time periods).

#### Violent Islamist activity in Kenya:

There are three geographic clusters of violent Islamist activity in Kenya (see Figure 5): the North-Eastern, on the border with Somalia, the Coast province in the south-east, and Nairobi. Each has witnessed distinct patterns of violent Islamist activity, the most high-profile of which has involved the Somali rebel group, Al Shabaab (see Note).

Kenya made headlines worldwide in September 2013, when Al Shabaab claimed responsibility for an attack on the Westgate shopping complex in Nairobi that claimed at least 67 lives. The scale and intensity of the attack has cast light on immediate and longer-term threats to Kenya's security with implications for Kenyan politics and policy both domestically and internationally.



**Figure 7: Map of Islamist Violence, Kenya, 1997 - 2012.**

**Note:** Any discussion of Al Shabaab activity in Kenya should begin by acknowledging that the rebel group is a diffuse and highly divided entity. Among those attacks attributed to Al Shabaab in Kenya, the group has officially claimed responsibility for only a portion. This in itself does not necessarily indicate that Al Shabaab militants are not responsible: the vast majority of attacks attributed to Al Shabaab have been low-grade, low-intensity incidents which may not demand official claims of responsibility. However, it is also possible that Al Shabaab associated militants are operating relatively autonomously within Kenya, carrying out low-grade attacks with relatively little oversight or coordination through group structures in Somalia. Another possibility is that ideologically aligned Islamist militants are operating entirely independently from Al Shabaab structures, but carrying out attacks broadly in line with Al Shabaab targeted objectives, inspired - rather than directed - by the Somali group. A final possibility - and one which is difficult to unpack and explore in detail - is that diffuse, unaffiliated militants are operating in areas where Al Shabaab militants have been known to carry out attacks, and using this presence as a cover for their own, unrelated activity, which may border on criminal-political violence.

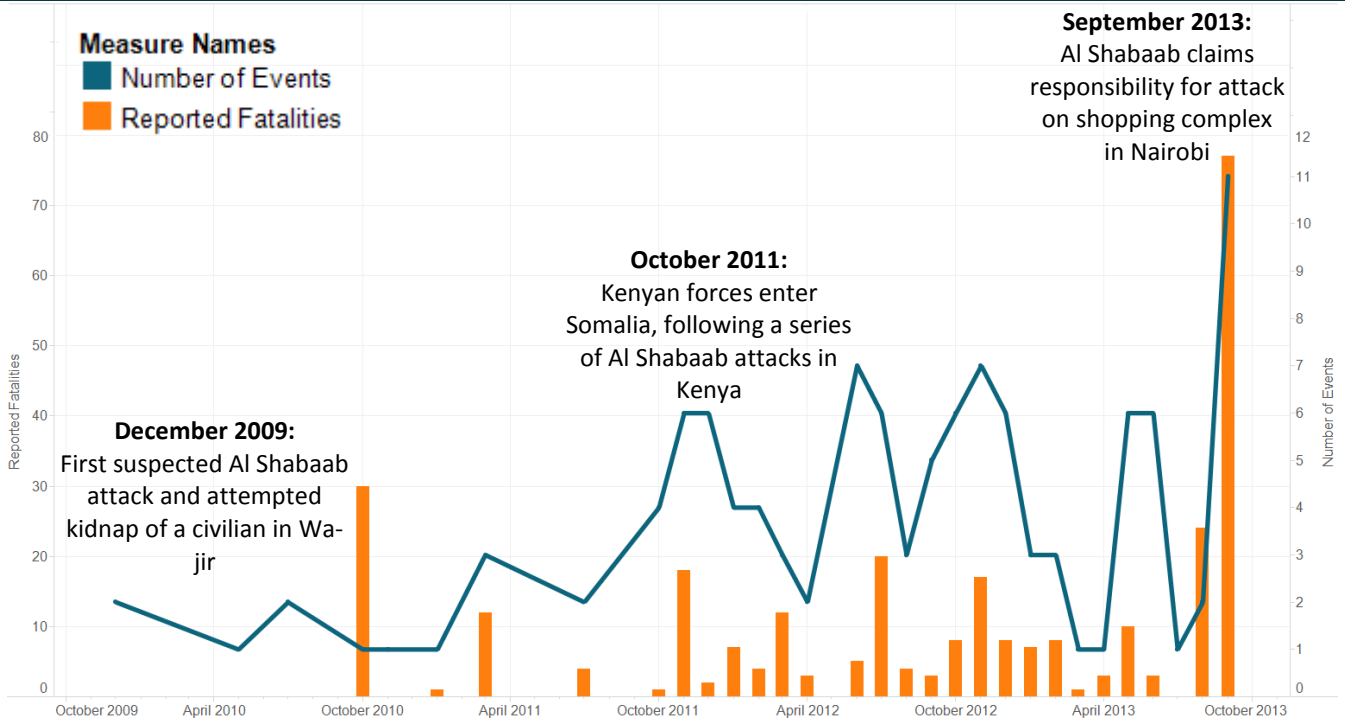
There are obvious connections to be drawn to Kenya's intervention in Somalia, which began in October 2011 as a largely unilateral incursion, and which has retrospectively been legitimised by the African Union as part of multilateral international backing for the Somali federal government.

While Al Shabaab had been active in Kenya prior to its intervention - and indeed, attacks attributed to Al Shabaab in the run-up to October 2011 were cited as a justification for intervention - the frequency and scale of attacks has increased dramatically in the aftermath. Between the first suspected Al Shabaab attack in Kenya in December 2009, and the military's intervention in Somalia, 13 attacks were attributed to Al Shabaab, an average of one event every 7 weeks. Since mid-October 2011, over 103 events have been attributed to Al Shabaab in Kenya, an average of over one per week.

The nature of Al Shabaab violence has also changed: of 116 events attributed to Al Shabaab in Kenya, 40% have involved the deliberate targeting of civilians. This figure has increased sharply since 2010 and early 2011, when attacks on civilians constituted 20 - 22% of the group's activities respectively, to constituting 38% of violence in 2013, and 56% of the group's reported fatalities.

Beyond international considerations, there are also important lessons and implications of the Westgate attack on the domestic front. As with governments elsewhere in Africa, Kenya may seek to frame September's attack entirely in terms of trans-national militants operating in Kenya with limited connections to local communities, populations or grievances. But violent Islamist mobilisation and militancy in Kenya is profoundly shaped by local conditions.

Kenya's restive North-Eastern province, where the country's ethnically Somali population is concentrated, has long witnessed and persistent high levels of violence, only a portion of which can be attributed to Al Shabaab. This should serve to remind researchers and policy makers of the pre-existing instability and drivers of conflict in many of the areas in which Islamist violence emerges, and cau-



**Figure 8: Conflict Events and Reported Fatalities Attributed to Al Shabaab, Kenya, Dec 2009 - Sept 2013.**

tion against analyses which emphasises the trans-national diffusion of Somali instability into otherwise stable contexts.

Of the 116 conflict events in Kenya attributed to Al Shabaab since 2009, 73 (63%) have taken place in the country's North-Eastern province, where at least 171 associated fatalities have also been reported. Incidents have primarily involved militants attacking police posts and units, with a small number of high-profile attacks on civilians taking place in or around Dadaab refugee complex.

The recent Westgate attack should be considered in the context of the Somali federal government and aligned forces' relative successes in regaining control of much of South-Central Somalia. While a weakened Al Shabaab in Somali may lead to more domestic stability in the volatile country, it may concurrently produce greater instability regionally if Al Shabaab operatives redirect their more limited capacity into attacking soft targets with high profile attacks in Kenya and elsewhere.

### Kenya's restive Coast:

The Coast province in Kenya has a long history of multi-layered autonomy in which separatist claims in Mombasa are firmly rooted (see Brennan, 2008). Calls for secession from Kenya based on distinct ethno-regional identities and claims of socio-economic marginalisation of the region are a particular concern where they overlap with religious narratives employed by religious militants in the volatile region.

Violence in the Coast province is characterised by relatively high volatility, reflected in sporadic spikes in violence, followed by relative lulls. In recent years, religious tensions have served as key flashpoints for violence, with rioting following the violent deaths of prominent Muslim clerics in the region. In two recent cases, some residents attributed the deaths to assassinations by the security forces (*BBC News*, 4 October 2013), revealing a profound

breakdown in trust among the population in the country's institutions. Other potential flashpoints of violence in the region include calls for secessionism, which have to date been largely - but not exclusively - articulated through non-violent means.

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