



Kenya

The U.S. government has long viewed Kenya as a strategic partner and anchor state in East Africa, and critical to counterterrorism efforts in the region. The United States values Kenya’s role as a peacemaker among its neighbors and as a host to refugees from across the troubled region. Kenya is sub-Saharan Africa’s fourth largest economy; the country is a regional hub for transportation and finance and a top tourism destination. Its capital, Nairobi, is home to one of four major United Nations offices worldwide and serves as a base for regional humanitarian relief efforts. It also hosts the largest U.S. diplomatic mission in Africa. Kenya ranks among the top U.S. foreign aid recipients globally and is one of the largest African recipients of U.S. counterterrorism assistance.

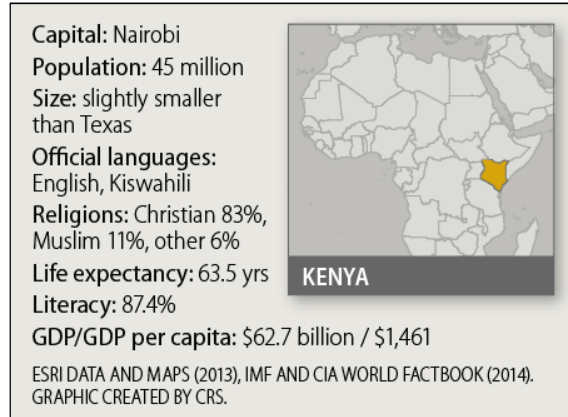
As the 2013 assault on Nairobi’s Westgate Mall underscored, terrorist threats against international and domestic targets in Kenya remain a serious concern. At the time, Westgate was the deadliest terrorist attack in Kenya since Al Qaeda’s 1998 bombing of the U.S. embassy. It was also the first successful large-scale operation in Kenya’s capital by the Al Qaeda-affiliated Somali insurgent group Al Shabaab. Al Shabaab has portrayed its attacks, in part, as retaliation for Kenya’s role in regional military operations in neighboring Somalia, and has sought recruits from Kenya’s minority Muslim population, both to fight in Somalia and to wage an insurgency in Kenya.

Kenya’s government has struggled to balance its response to security threats against pressure to protect civil liberties and implement political reforms under a new constitution. Economic frustration, corruption and other abuses of power have fueled grievances among the diverse population, and ethnic disputes, often stoked by politicians, have marred Kenya’s generally peaceful reputation. Perceived impunity to commit abuse remains a trigger for violence and a hindrance to economic development. It is also a source of tension between some donors, including the United States, and the government of President Uhuru Kenyatta and Vice President William Ruto, who were charged in 2012 by the International Criminal Court (ICC) with orchestrating crimes against humanity after disputed elections in 2007.

Background

Kenya was essentially a one-party state from 1964 to 1991. Long-serving President Daniel arap Moi retained his party’s political dominance, in part through electoral manipulation and repression, until 2002, when he retired under donor and domestic pressure. The elections that year were hailed, both at home and abroad, as marking a shift in Kenya’s democratic trajectory. For the first time, the country’s fractious and primarily ethnically based opposition parties came together to defeat Moi’s chosen successor, Uhuru Kenyatta, son of Kenya’s first president, Jomo Kenyatta.

Figure 1. Kenya Facts



That coalition slowly unraveled, however, and by 2007 a political storm fueled by ethnic grievances was brewing as the next elections approached.

Kenya is home to more than 50 ethnic groups; no one group constitutes a majority. The largest group, the Kikuyu, which represents roughly 20% of the population, has been perceived historically as dominating the political class and business community. Under President Jomo Kenyatta, a Kikuyu, the group was seen to benefit disproportionately from the allocation of state resources, namely land and government jobs and contracts. When Moi, Kenyatta’s vice president, assumed office after Kenyatta’s death in 1978, many of these benefits shifted to his people, a smaller group of ethnicities collectively referred to as the Kalenjin.

For almost 40 years, the heartlands of these communities—the central highlands around Mount Kenya for the Kikuyu and the central Rift Valley for the Kalenjin—received the greatest state investment in schools, roads, and health services. Other areas were marginalized and have remained comparatively underdeveloped, such as the predominately Muslim northeastern and coastal areas, and western Kenya, which is home to the second and third largest ethnic groups, the Luhya and Luo. Some Kenyans refer to the dynamic of ethnic favoritism, which reinforced a focus on “tribe,” with such colloquial phrases as “It’s our turn to eat.”

No ethnic group constitutes a large enough voting block for its political leaders to gain or maintain power alone—the electoral system requires them to form alliances. These alliances periodically shift; many of today’s politicians have moved in and out of government and opposition since the Moi era. Realignments prior to the December 2007 elections created a particularly volatile ethnic dynamic, and when then-incumbent President Mwai Kibaki (a Kikuyu) was declared the winner of an extremely close presidential race amid charges of rigging, opposition protests turned violent. The violence largely followed ethnic lines in urban

areas and parts of the country where Kikuyu had settled after independence. Some of the worst violence occurred in the Rift Valley, where historic land grievances fueled anti-Kikuyu attacks by Kalenjin, who had supported opposition candidate Raila Odinga, a Luo. Kikuyu gangs also organized retaliatory attacks against non-Kikuyu. Police were implicated in hundreds of deaths. In six weeks, some 1,300 people were killed and 600,000 were displaced.

Kenya was effectively paralyzed for two months before Kibaki and Odinga, under donor pressure, reached a power-sharing deal mediated by former U.N. Secretary-General Kofi Annan. A coalition government was formed in April 2008, with Kibaki as president and Odinga in a new prime minister position. The parties agreed to draft a new constitution and address sensitive land rights issues. A commission tasked with investigating the post-election violence attributed the crisis to, among other factors, the political manipulation of perceived ethnic marginalization and a culture of impunity in the country. After the National Assembly declined to create a special tribunal to prosecute the worst crimes, the commission gave a list of key suspects to Annan, who submitted them to the ICC in 2009.

The ICC and the 2013 Elections

In 2011, the ICC summoned five senior officials and a radio journalist on allegations of crimes against humanity. The Court confirmed charges against four of the five, including Uhuru Kenyatta and prominent Kalenjin politician William Ruto. Kenya's government objected to the cases, despite being a state party to the ICC. The ICC judges proceeded, finding Kenyan efforts insufficient to constitute credible domestic prosecution. The ICC's prosecution of Kenyatta and Ruto was a key issue in the 2013 elections, when the two, who were on opposing sides in 2007, successfully ran together on a new Jubilee Coalition presidential ticket.

The 2013 elections were broadly peaceful. Voting largely followed ethnic lines, but the combination of Kikuyu and Kalenjin on the presidential ticket reduced the prospects for violence during the polls. The Jubilee campaign portrayed the ICC cases as part of an international conspiracy against Kenya and emblematic of racial bias on the part of the Court. Relations with the United States and several other countries cooled in the aftermath of the election.

The ICC trials began in late 2013. While Kenyatta and Ruto have notionally cooperated with the Court, the cases have been plagued by allegations of witness intimidation and political interference. In December 2014, the ICC Prosecutor withdrew the charges against Kenyatta, citing insufficient evidence. The case against Ruto continues.

Recent Developments

The Jubilee government faces high expectations from the electorate to improve the economy and deliver on promised reforms. The 2013 elections were the first held under a new constitution, adopted in 2010, that brings major changes to government. It established new checks and balances and a more deliberate separation of powers, including devolved authority to a new county level of government. It also created a Supreme Court, an upper house in parliament, and a new anti-corruption authority and land commission. New

public vetting and oversight mechanisms for key state institutions, including the judiciary and police, were also introduced, as was Kenya's first bill of rights.

Kenya revised the statistical measurement of its GDP in 2014 and is now classified as a middle-income country and one of the world's fastest growing economies. Agriculture, manufacturing, and real estate are the primary drivers of growth, but Kenya also has a vibrant telecom industry that is a global pioneer in mobile banking technology. The government has taken significant steps to attract foreign investment, including from China, which is financing several major infrastructure projects. Kenya's middle class is growing, although four out of 10 Kenyans still live in poverty, according to the World Bank.

The government is under pressure to improve security and counter the growing domestic threat posed by violent extremists. On April 2, 2015, Al Shabaab killed 147 people in its deadliest attack in Kenya to date, at a university in the northeast town of Garissa. Along with terrorist activity, a high rate of urban crime threatens foreign investment and the tourism sector. The government launched a new anti-corruption drive in March 2015, under which 175 officials have been implicated, among them five senior government ministers who have been suspended pending investigation.

U.S. Policy and Foreign Assistance

The ICC cases and other governance and human rights concerns complicate the U.S.-Kenya relationship. The Obama Administration has expressed diplomatic support for the ICC process for the country, viewing impunity for political violence as a major challenge that threatens Kenya's long-term stability. Allegations that Kenyan security forces have committed serious abuses in the context of Kenya's anti-terrorism efforts have strained the government's relationship with the country's Muslim minority, and also pose challenges for U.S. counter-terrorism cooperation. Heightened terrorist threats have led the U.S. government to reevaluate the size of its presence in Kenya and at times restrict official travel to parts of the country. U.S. travel warnings are a source of friction in the bilateral relationship, given their impact on the economy.

The Administration's FY2016 foreign aid request includes more than \$630 million for Kenya, much of it for health programs. Kenya is a focus country for several presidential initiatives, including the Global Health Initiative, Feed the Future, Power Africa and the new Security Governance Initiative. Kenya is also a major recipient of Department of Defense counterterrorism assistance, totaling more than \$125 million in training and equipment since FY2006. President Obama is scheduled to visit Kenya in July 2015 for the Global Entrepreneurship Summit. It will be his fourth official trip to sub-Saharan Africa and his first official visit to Kenya, where his father, an ethnic Luo from western Kenya, was a senior government economist.

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