

KENYA

OTHER COUNTRIES AND REGIONS MONITORED

KEY FINDINGS

Religious freedom violations are prevalent in a number of countries in the Horn of Africa region. The Kenyan government engages in serious religious freedom violations in response to concerns about terrorism and religious extremism. The U.S.-designated terrorist organization al-Shabaab is responsible for many of the abuses in Kenya.

BACKGROUND

Kenya is a majority-Christian country with significant Muslim populations in the capital and northeast and along the coast. The Kenyan government estimates 82 percent of the country's population is Christian; 11 percent is Muslim; and 7 percent comprises Hindus, Sikhs, Baha'is, or followers of various traditional religious beliefs. Kenya's Christian population includes Protestants, 47 percent; Roman Catholics, 23 percent; and other Christian denominations, 12 percent. Religion and ethnicity are often linked.

The Kenyan constitution and other laws protect religious freedom—including the freedom to manifest any religion or belief through worship, practice, teaching, or observance—and prohibit religious discrimination.

Al-Shabaab and Operation Usalama Watch

Since 2011, when Kenya deployed its military to Somalia to counter al-Shabaab gains in that country, al-Shabaab has expanded its assaults into Kenya, perpetrating dozens of terrorist attacks in the country. The group has killed both Muslims and non-Muslims, but al-Shabaab terrorists routinely seek to identify and isolate Christians during their strikes. During the reporting period, al-Shabaab continued its attacks along the Kenya-Somalia border and Kenya's coast. In 2016, al-Shabaab directed the majority of its attacks against security officers and government institutions. However, in October the terrorists executed several attacks on Christian workers in Mandera County.

RECOMMENDATIONS TO THE U.S. GOVERNMENT

USCIRF recommends that in its policies toward Kenya, the U.S. government should (1) speak out consistently against religious freedom and other human rights violations that occur in efforts to counter violent extremism; and (2) include religious freedom promotion in countering violent extremism programs.

Government efforts to respond to al-Shabaab have resulted in large-scale targeting and collective punishment of Somali citizens, ethnic Somalis, and other Muslims. In 2014, the Kenyan government initiated Operation Usalama Watch to identify and arrest al-Shabaab terrorists and sympathizers in Kenya. The operation started in Nairobi's largely Somali Eastleigh neighborhood, then expanded to the ethnically Somali northeast and majority Muslim coastal regions. In October 2016, on a visit to Kenya, USCIRF staff heard from national and international human rights organizations that security officers target entire ethnic and religious communities and commit gross human rights abuses, including arbitrary arrests, extortion, illegal detention, torture, killings, and disappearances. The Kenyan government denies directing such actions.

The independent, governmental Kenya National Commission on Human Rights (KNCHR) told USCIRF that Muslims from the northeast have been extrajudicially killed, disappeared, or severely abused in detention. The KNCHR has documented at least 4,000 arrests between April 2014 and September 2015, mostly of ethnic Somalis, many of whom suffered severe abuses in detention; hundreds were later released and the charges against them dropped for lack of evidence. Kenya's Independent Oversight Policing Authority reports that security officers deployed to Nairobi's Eastleigh neighborhood and elsewhere in the country beat scores of people; raided homes, buildings, and shops; and extorted massive sums of money. In November

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2016, the nongovernmental organization HAKI Africa released a report documenting 57 extrajudicial killings and 24 enforced disappearances of coastal Muslims between 2012 and November 2016. The same month, the KNCHR initiated an investigation into reports of security abuses along the coast. In December, the KNCHR, HAKI Africa, and other Kenyan and international human rights organizations called on the Kenyan government to establish an independent judicial commission of inquiry to investigate allegations of enforced disappearances, extrajudicial executions, torture, and other ill treatment of detainees by intelligence and law enforcement agencies.

Interfaith Relations

Tensions between Kenyan Christians and Muslims are increasing. Christian leaders told USCIRF staff they feel threatened by al-Shabaab. Some churches report hiring armed guards to protect their congregations during services.

Further, some legal changes have led Christian and Muslim communities to feel that the government is treating the other community preferentially. Christian leaders object to a 2012 amendment to the Basic Education Act that allows the government to appropriate church buildings to use as public schools, while at the same time increasing public funds to reform *madrassah* curricula. Conversely, Muslim leaders are concerned that some school authorities have ordered female students to remove their headscarves. Christian leaders are concerned that the 2014 Marriage Act requires Christians to meet more onerous requirements than Muslims for the Kenyan government to certify their marriages.