

SMA Africa Report 1 – Kenya – December 2016

The season of gross misinformation about the police seems to be with us yet again. Our attention has been drawn to articles published by The Standard on Saturday, December 10th 2016 accusing the Police of allegedly luring supposedly innocent persons to their deaths. We take great exception to this kind of reckless reportage based on sensational and unverified information obtained from persons whose credibility is clearly doubtful. These sensational and unbalanced articles appear to be aimed at attempting to intimidate hard working police officers as well as undermine the morale of Police officers and dishearten them. Why an otherwise respected national paper would elect to engage in such wanton misinformation is difficult to guess. It is unfair for anyone to link murders perpetrated by unknown persons to the Police without any iota of hard evidence. In view of the foregoing, the National Police Service will protest to the Media Council of Kenya for redress as well as taking other legal action. Kinoti George AIG For: Inspector General National Police Service (Nationalpoliceke 2016)

(This appears to be the article that post is referring to:

<https://www.standardmedia.co.ke/article/2000226355/whistleblower-gives-chilling-account-of-police-killer-squad>)

Another complaint was raised by Haki Africa, who accused the Kenya police of misconduct in the death of Mohamed Shoshi (see: September Report 2). Information about Shoshi's demise was shared on social media with some jubilation. Thus, one senses hurt and suspicion in the police's response:



Source: https://twitter.com/NPSOfficial_KE/status/806809331840811008

Haki Africa attempted to stake their position as one in which they did not seek to assert Shoshi's innocence, only his right to due process.



Source: https://twitter.com/NPSOfficial_KE/status/806809331840811008

This situation illustrates a global reckoning with the disjuncture between human rights and security. The Kenyan state seems to view groups such as Haki Kenya as effectively supporting terrorism. My reading of the general public is that they share the same position as the police, that guilt means forfeiture of humane treatment—but they also believe that the police often kill innocents, and that this is a grievous error.

@npsofficial_ke Fact is people are dying missing and disappearing if not the gov who else has this sort of power??God knows the Truth (Wembe_sita, 2016)

@NPSOfficial_KE @JBoinnet @APSKenya Maliza ugaidi at all costs [finish terrorism at all costs] (KimathiJaymore, 2016)

@NPSOfficial_KE @AmbMKimani @APSKenya left to Haki Africa and such, we'd all perish. It takes grit to win this war- stay the course #SecureKe (Rurii_mercy, 2016)

On November 30th, Washington DC-based activists were addressing the Kenya case on social media under the hashtag #CVEexchange, which allowed counter-terrorism chief, Martin Kimani to express his philosophical stance on the matter:

Crack downs on lawful independent groups undermines potential for productive dialogue between law enforcement & community #CVEexchange 1/2 (MariaHRWAfrica, 2016)

Kenya's past efforts to obstruct the work of @HakiAfrica, @MUHURKenya illustrate this problem [https://www.hrw.org/news/2015/06/10/kenya-end-harassment-rights-groups ...2/2](https://www.hrw.org/news/2015/06/10/kenya-end-harassment-rights-groups...2/2) #CVEexchange (MariaHRWAfrica, (2016)

@UKenyatta shd establish credible multi-agency commission to investigate, report on abuses in counterterrorism ops countrywide #CVEexchange (MariaHRWAfrica, (2016)

CVE will only be meaningful when human rights are respected, evidence gathered by lawful means so communities trust authorities #CVEexchange (MariaHRWAfrica, 2016)

When military is involved in arrests, detaining suspects, families of victims and detainees have few options for help/redress #CVEexchange (MariaHRWAfrica, 2016)

----@MariaHRWAfrica this seems to be one reason military and police need to have red lines btw them. these often don't exist 'round the world (9nwilson, 2016)

Failure to investigate abuses, ensure justice, only alienates communities, may provide recruiting windfall for militant groups #CVEexchange (MariaHRWAfrica, 2016)

Serious abuses-arbitrary arrests, beating, torture, disappearances, EJs-mar law enforcement ops. [https://www.hrw.org/news/2016/07/20/kenya-disappearances-deaths-northeast ...#CVEexchange](https://www.hrw.org/news/2016/07/20/kenya-disappearances-deaths-northeast...#CVEexchange) Kenya (MariaHRWAfrica, 2016)

2015 CVE summit stated intelligence, military force, law enforcement will not solve-and when misused can exacerbate-extremism #CVEexchange MariaHRWAfrica (2016),

----#CVE needs more inquiry & more courage. There is an increasingly doctrinaire attitude that has little success to prove its case #CVEexchange (AmbMKimani, 2016)

----Check out this new report by @ArabCenterWDC, analyzing Countering Violent Extremism programs in US http://arabcenterdc.org/policy_analyses/countering-violent-extremism-cve-in-the-

united-states-an-assessment-of-domestic-and-international-efforts/ ...#CVEexchange #CVE
(Mustafa__Gurbuz, 2016)

The word "communities" in #CVE is a constant. Almost a balkanization; often methodologically weak. Citizens is more exact? #CVEexchange (AmbMKimani, 2016)

Ideal of state retreat in #CVE assumes the ubiquitous 'western' state. In most places vacuums are the problem not too much govt #CVEexchange (AmbMKimani, 2016)

INTRA-faith dialogue, not only inter-faith has to become key in #CVE. Sectarianism & VE as attack on religious freedom key #CVEexchange (AmbMKimani, 2016)

Communities are at the center of building resistance to extremism. Outsiders should resist their control impulses. #CVEexchange (MikeStaresinic, 2016)

----@MikeStaresinic what are communities in a democratic polity in relation to citizens? Who are outsiders? (AmbMKimani, 2016)

----@AmbMKimani i'm speaking about done are programs that aim to help communities, but have a reflex of 'control' at times (MikeStaresinic, 2016)

----@MikeStaresinic what are "communities"? (AmbMKimani, 2016)

----@AmbMKimani vis-à-vis outsiders, communities are groups of people and their institutions who live work and function together (MikeStaresinic, 2016)

----@MikeStaresinic so like WASPS on Central Park West are a community? (AmbMKimani, 2016)

----@MikeStaresinic and then the Africans who happen to live in Central Park West are part of the same community? Or do they belong in Harlem? (AmbMKimani, 2016)

----@AmbMKimani I think we agree on careful work - communities, networks, power relationships, locations - take all into account (MikeStaresinic, 2016)

----@MikeStaresinic sorry. I'm not attacking you. My point is this term is highly inexact. It stereotypes in the guise of empowering (AmbMKimani, 2016)

----For #CVE to work, we have to step off identity politics & virtue signaling. We need honest inquiry. #CVEexchange #Kenya is not THE problem (AmbMKimani, 2016)

I suppose it is fair to view his perspective as that of the government's security agencies.

Mumias Update

The arms stolen from a police post in Mumias were recovered. There was mixed feeling on whether this outcome was worth the over-zealous approach of the GSU.

Police recover the remaining six guns stolen from Booker Police Post, Mumias, arms found in sugarcane plantation as suspects flee. #SecureKE (InteriorKE, 2016)

----@InteriorKE @rickymeez @NPSOfficial_KE @PoliceKE @JBoinnet did they get from that woman that they beat and inserted rungu in her privates? (StanleyMsake, 2016)

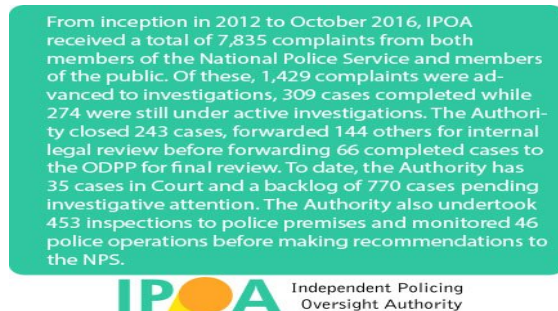
----@InteriorKE @NPSOfficial_KE @PoliceKE @JBoinnet @GenNkaisserry how come you left one officer on duty without any patrol in the area. surely (Shihera_kennedy, 2016)

-----@InteriorKE @NPSOfficial_KE @PoliceKE @JBoinnet @GenNkaisserry @Karanjakibicho @EpukaUgaidi Congrats4saving many lives which're2b lost! (PhilipKitur5, 2016)

Gathara wanted to know, whether the people of Mumias could expect some form of justice from the relevant authorities:

Gathara, (2016), <http://www.nation.co.ke/counties/kakamega/One-of-seven-firearms-stolen-in-Mumias-recovered/3444890-3473458-8p5ebfz/index.html> ...What percentage of @IPOA_KE investigations actually result in prosecutions?

---- @gathara Here are @IPOA_KE investigation statistics (IPOA_KE, 2016)



Source: https://twitter.com/IPOA_KE/status/806833745038807040

This month, similar circumstances prompted the public to take the example of Mumias and act in a similar fashion. The ‘robber’ did not have access to due process. GroundHawk indicated that the rifle had been recovered but there was no ‘civilian casualty’. It turns out that the robbers who had escaped were a GSU officer and a police officer, so it could have been that GroundHawk was making reference to their occupations, or maybe he was revealing an implicit belief that criminals are not civilians.

Mob lynches a man suspected to have been part of gang that stabbed to death a female AP officer and stole her gun at Igaji in Meru today (Suemc_phee, 2016)

----@suemc_phee The rifle has been recovered this morning. No civilian casualty (GroundHawkKE, 2016)

News from the front

In the informative update highlighted in the previous report, the police warned that Al Shabaab planned to attack within Northern Kenya. The intelligence was good. Now it was the turn of the KDF to issue a report.

#OpsUpdate:Hulugho -Sangailu Route. #KDF successfully engages Al Shabaab while on patrol in Hulugho & neutralizes four terrorists.#WeAreKDF (Kdinfo, 2016)

1/3. #OpsUpdate :Today, at 1000HRS, #KDF soldiers on patrol in Hulugho successfully engaged Al Shabaab terrorists at Mchanga Nyekundu area (Kdinfo, 2016)

2/3.#OpsUpdate :Following the engagement,4 Al Shabaab were neutralized.Arms & ammunition recovered:9 AK 47 rifles,15 magazines & 3 grenades (Kdinfo, 2016)

3/3.#OpsUpdate:#KDF soldiers remain vigilant &will continue to relentlessly pursue the terrorists to ensure peace &security of our Republic (Kdfinfo, (2016)

A day later, CTNSIS posted about the same on their Facebook page, and linked to an article on their website which indicated that the news had come from a press release issued by the KDF.

KDF Operational Update Hulugho Sangalu Route 4 Al-Shabaab Neutralized, Nine AK 47 rifles, 15 Magazines and 3 Grenades (Strategic Intelligence Services, 2016)



Source: <https://twitter.com/kdfinfo/status/807231386650296321>

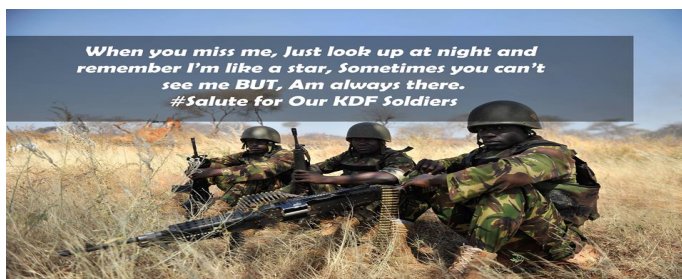
Despite appearing to have received the news at the same time as other news agencies in this instance, CTNSIS still seems to speak on behalf of the Kenyan military at other times. They create and post materials such as these:

Planned attacks have been thwarted by S/Agencies but the threat remains. As a citizen we ask for your cooperation. Look out! Speak out! Dial 999/112 (Strategic Intelligence Services, 2016)

God Bless A tribute to the KDF, Protecting our country within and outside its borders ! (Strategic Intelligence Services, 2016)

[Link to video: <https://www.facebook.com/CTNSIS/posts/1456539587719984>]

May God Keep Safe as You Undertake the Selfless Duty of Securing Others. #Salute (Strategic Intelligence Services, 2016)



Source:
<https://www.facebook.com/CTNSIS/photos/a.434764626564157.102330.160015394039083/1449809028393040/?type=3&theater>

Social Media Discussion on the Effectiveness of Social Media Activism

An old-timer was complaining about the new crop of activist you who preferred social media to taking to the streets. This opened a window into the perceived effectiveness of social media as a tool for agitating for reform versus street protests.

When will youths stop twitting and go to the streets.This the most lazy, coward generation of all time. #MurkomenSpeaks #DefeatCorruptionKE (Okeng_o, 2016)

----@okeng_o democracy does not require you to be on the streets to fight change. We fight with the most effective tools. Go Go Go #KOT (MzalendoAfrican, 2016)

----@okeng_o go tweet from the streets and we will join you. Senji! [Idiot!] (PrizzyPrince, 2016)

----@okeng_o I feel your frustration; however don't under rate the power of social media in bringing about change (Mainakingori, 2016)

----@okeng_o of course you make sense.we are powerless..its social control..we rant & do nothing..battles r won with actions,not rants (Blacksauti, 2016)

----Tweeting IS action and there's nothing cowardly about citizens expressing themselves. Why do you think autocrats fear it so? (Gathara, 2016)

----@okeng_o @IamProvisional @gathara #KOT works. It is one of many avenues of democracy. A first step of action. Long live #KOT (MzalendoAfrican, 2016)

----@okeng_o after going to the streets then what? same old (Finest_MF, 2016)

A report by iFreedom seem to echo social media activist Gathara's sentiment that government agencies were interested in curtailing internet freedoms. Evidence of this has been the arrest and detention of journalists and bloggers.

"Kenya's Online Freedoms R Increasingly Coming Under Threat, The State of the Internet 2016 Report Shows" @iafrikan <http://bit.ly/2fFyvg5> (Hsherman, 2016)

However, the report also reveals that these arrests have not yet led to prosecution. In fact, the section on 'misuse of communication devices' which was the legal reason given for many of these detentions, was deemed unconstitutional in April, 2016. In another post, the same organisation reported that the Cyber Security and Protection Bill had failed to pass the senate and had been referred back to the public. Thus, it can be said that just as there might be sections of government that are interested in curtailing internet freedoms, there are others that work to prevent this.

The Cyber Security and Protection Bill 2016 withdrawn by Senate committee <http://www.ifree.co.ke/2016/12/cyber-security-protection-bill-2016-withdrawn-senate-committee/> ...via @ifreeke

Finally, A Cheery Christmas Message

Let's watch over our children during this holiday! Cowards Al Shabaab radicalisers might be hunting for them #EpukaUgaidi (EpukaUgaidi, 2016)

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