

SMS Africa – Kenya – |January 2016_1

1) Twitter Monitoring and Justice

Arrests associated with the use of social media—*Twitter*, in particular, are increasing in their regularity. A week after January 6th when Moderncorps warns that *Twitter* is being monitored, a journalist falls afoul of the law for a retweet:

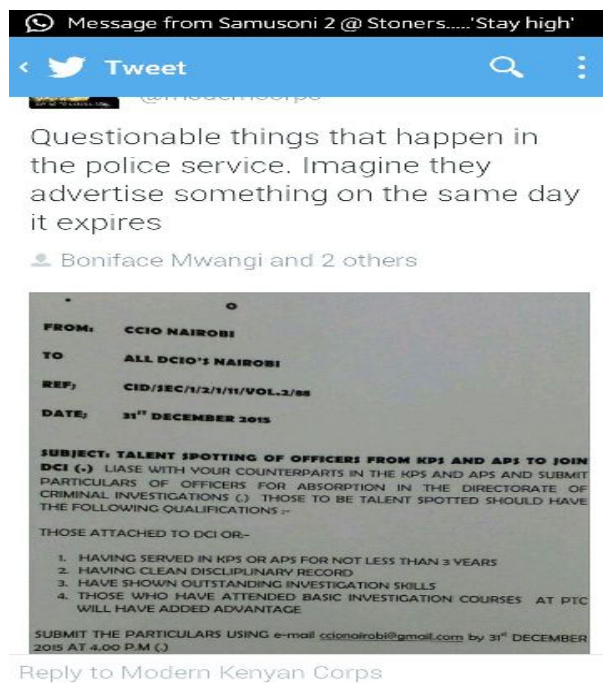
There is a group of detectives monitoring what you Tweet or Retweet....Moism is back. #KOT Beware..msiseme sikuwachanua [don't say I didn't update you] (Moderncorps, 2016)

Police have summoned a KBC journalist simply coz of Retweeting a Tweet. Why is @NPSOfficial_KE targetting people who are using social media? (Moderncorps, 2016)

So its a crime to Retweet in Kenya? @C_NyaKundiH was arrested for Retweeting, now am told a KBC journalist has been arrested coz of a Retweet ? (Moderncorps, 2016)

@estherlynne2 Peoplw (sic) are getting arrested for retweeting stuff, some KBC journalist. Here's the link <http://www.monitor.co.ke/2016/01/06/kbc-journalist-judith-akolo-questioned-for-retweeting/> ... (KevBosire, 2016)

Moderncorp must have been particularly interested in this case as Judith Akolo had retweeted his post that questioned the police recruitment process.



Source: <http://www.monitor.co.ke/2016/01/06/kbc-journalist-judith-akolo-questioned-for-retweeting/>

Moderncorp however, did not seem to get into trouble, although he has in the past (update: as I hand this report, he has been ‘taken’ by CID. Cyprian Nyakundi was also arrested three days ago. From now on, it might be best to refer to Moderncorps using his given name of Patrick Safari. He changed the name and handle of his *Twitter* account to ‘A Kenyan Citizen’ on 20/1/2016—might be related to his arrest).

The charge of “misusing a communication gadget” was also lodged against Elijah Kinyanjui, a Nakuru journalist who had cast the daughter of the Nakuru Governor in what was reportedly an unflattering light. He then continued to write about her on his *Whatsapp*, which led to the arrest. *The Star* quotes him as saying: “‘I fear there are people after my life due to the exposes I frequently give on my WhatsApp pages’” (Kimani, 2016). Which suggests that he uses *Whatsapp* as a means of disseminating stories, rather than simple messaging.

Cyprian Nyakundi who a month previous had allegedly retweeted something that led to an arrest, still has not received the equipment that was confiscated by the police. He used his *Twitter* cachet to rally followers behind #ReleaseKinyanjui and advocate for the return of his belongings #BoinnetListenToNyakundi. It should be noted that he has been sued by *Safaricom* and Bob Collymore for content he produced on his blog which they regarded as defamatory.

Nakuru journalist Elijah Kinyanjui arrested for depicting Nakuru Governors’ daughter in bad light #ReleaseKinyanjui (Wamathai, 2016)

No Blogger should be arrested 4 Retweeting Something. This has now become the precedent . Soon it will be a crime to Tweet #ReleaseKinyanjui (C_NyaKundiH, 2016)

Have Cartels taken over Criminal Investigation department In. Arresting Bloggers and Journos for Retweets @Boinnet #BoinnetListenToNyakundi (C_NyaKundiH, 2016)

#BoinnetListenToNyakundi may be GOVT is looking for Laptops they promised primary school kids. Lol (Emkaloki, 2016)

7. Facts about this #ReleaseKinyanjui trend. Most importantly, why are civil cases increasingly being made criminal?,

#BoinnetListenToNyakundi Thought You were Digital ? @JBoinnet Why are Parklands CID officers still confiscating his gadgets?,

Duncan Ondimu (matundura78), Senior Prosecution Counsel at the Office of the Director of Public Prosecution (ODPP has a tendency to agree with the Twitterteriat and did so in this instance:

@C_NyaKundiH the @ODPP_KE has further directed that he should not be taken to court until the file is perused #ReleaseKinyanjui (Matundura78, 2016)

Did @ODPP_KE give reasons why Kinyanjui was arrested, should be released, and not prosecuted? #ReleaseKinyanjui (Kensaska, 2016)

Robert Alai, another blogger who has gained notoriety for stirring the pot and constantly being at loggerheads with someone, was also breaching whatever laws are being used to straighten out wayward social media usage:

Why should @RobertAlai be charged for Questioning waqo's degree? Lets Unite & Stand with Alai. #iStandWithAlai (moderncorps, 2016)

Nyayo-era laws designed to scare citizens into silence. @desunovabeach @moderncorps @RobertAlai (Gathara, 2015)

This is a link to one person's analysis of the *Information and Communications Act*. Which might be one of the laws being used to get the *Twitter* hype mavens in line:

http://sidneyochieng.co.ke/2016/01/unraveling-the-kenya-information-and-communications-act-ammendment-zero-drafts/#utm_source=rss&utm_medium=rss&utm_campaign=unraveling-the-kenya-information-and-communications-act-ammendment-zero-drafts

I advocate for adding Duncan Ondimu of the Office of the Director of Public Prosecutions to the list of potential interviews as someone who can provide insight into pertinent statutes, case law, etc.

2) Kudos

The security services were 'visible' over the holidays. Issuing security alerts through various media and also presenting a physical presence in the streets. This effort seems to have been noticed and appreciated.

A big thank you to all the security personnel who kept us safe this festive season amidst heightened threats (Kenyanpundit, 2016)

@savvykenya When we've suffered attacks we are quick to lambast @NPSOfficial_KE. When they foil attacks we are indifferent (DavidNdungu, 2016)

@DavidNdungu @NPSOfficial_KE well that's good. we of course rarely acknowledge successes but trump up failures (Savvykenya, 2016)

I wish our security agencies a happy 2016 & wish them well as they protect KE in 2016 @NPSOfficial_KE @APSKENYA @PoliceKE @NPSC_KE @IPOA_KE (JLetangule, 2016)

08:13 @npsofficial_ke motoristknocked down at near nation printers msa rd no police via @mrleeka82

Our officers at IC3 have picked this up and are taking the necessary action.
@mrleeka82 @GroundHawkKE @Ma3Route

I SaluteThose @APSKENYA who go beyond the call of their duty to assist the public. Cc @NPSoOfficial_KE @IPOA_KE (ViktaRopta, 2016)

@NPSoOfficial_KE rescues more than 200 children from radical teachings in Athi River #EpukaUgaidi #AthiRiverRaid (EpukaUgaidi, 2016)

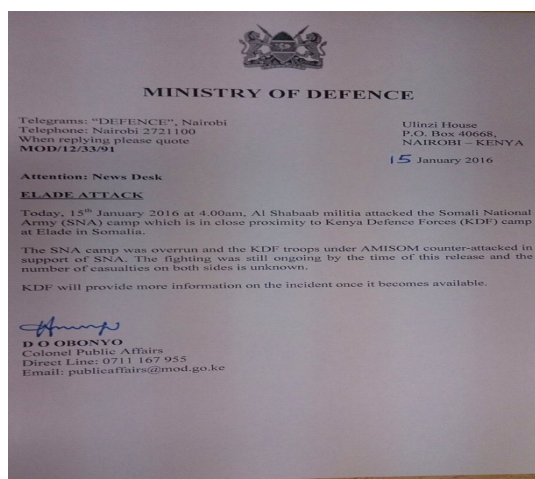
GODEC: U.S. Recognizes Kenya's Effort in Security Interventions Amid Challenge of Radicalization... <http://fb.me/6We94I9PG> (CTNSIS, 2016)

3) El Adde

The attack on an AMISOM-KDF camp in El Adde, Somalia dampened the mutual good feeling between the public and the security structures. It is likely to be a turning point with respect to the public perception of the KDF presence in Somalia and how the GoK handles public communications about war and security. News began filtering in of the attack, though it seems that initial sources were not official military or government sources:

BREAKING: #AlShabaab militants attack a KDF base in EL-Adde, somalia early morning. Fatalities reported. So far No word from Kenyan Govt (moderncorps, 2016)

Eventually, the letter from the Ministry of Defence was generated, and a photograph of the letter was shared on social media.



Source: <https://pbs.twimg.com/media/CYvonMtUQAAfRQY.jpg:large>

This letter perhaps is a good illustration of institutional processes and protocols that govern how such news can be disseminated to the public. These (slow-moving) process seem to

belong to another age, and they meant that the social media savvy Al Shabaab were able to drive the narrative and become 'the go-to source':

Awaiting comment from Kenyan govt as Al-Shabaab claim to have taken control of a KDF base in Somalia & say they've killed over 60 soldiers (Samirasawlani, 2016)

Just spoken to an AMISOM official- declines to comment on how many casualties from today's al-shabaab attack, but says it was 'well planned' (Samirasawlani, 2016)

AMISOM can confirm that there was an attack on our troops in El-Adde. More to follow with factual details. #Somalia (Amisomsomalia, 2016)

@amisomsomalia Sad news. This statement is IMHO not the best response when you lost soldiers and Alshabaab propaganda machine flies high (AliMohamoud, 2016)

@amisomsomalia please give details of the attack. There is a lot of unsubstantiated reports going around? Casualties? (Muthendu, 2016)

@amisomsomalia alshabab propaganda is taking world yet ur relaxing wake up (KenyaTopTrends, 2016)

@Muthendu @amisomsomalia I would trust those reports rather than theirs. They will try to minimize their loss and not look like a fuck up. (NadeefOfficial, 2016)

As seen in the last comment, there seemed to be a tendency to give more credence to the reports from Al Shabaab. There was an expectation that the KDF/GoK would seek to save face by minimising casualties; yet that Al Shabaab would not attempt to exaggerate them. There were those who were aware of the possibility of propaganda from Shabaab, and were leery of repeating the information that was coming out of Somalia, but they seemed to be in the minority.

I can't believe what the Al Shabaab are reporting on El-Adde KDF attack. Pure propaganda #IStandWithKDF (Dantonios1, 2016)

@modern corps if anyone ever been in a military camp knows getting such info isn't so easy, esp numbers. This is just propaganda (JAlwada, 2016)

The official military and government attempted to present a case for why Al Shabaab's reports should be taken with a grain of salt:

@HarunMaruf The objective of raising figures is to counter possibility of high losses on their side. It's psychological/Information warfare (CTNSIS, 2016)

We urge all Kenyans & people of goodwill to stand with @amisomsomalia & #KDF by refusing to be conduits for terrorist propaganda @InteriorKE (NCTC_Kenya, 2016)

Rather than discussing the attack, the official military sources retaliated with news of their own retaliation on *Twitter* and *Facebook*:

BREAKING: Kenya Airforce fighter jets currently bombing AlShabaab militants near El-Adde, Somalia. Heavy fighting reported (CTNSIS, 2016)

Expect No Mercy in El-Adde, Somalia, we will give glory, valor and victory to our Motherland! KDF Soldiers vow (CTNSIS, 2016)

#BREAKING News Kenya Fighter Jets have struck targets in El-Adde. Kenya Military Intelligence reports 103 Al-Shabaab fighters now dead (CTNSIS, 2016)

Update on El-Adde & El-Gaduud Airstrikes by Kenya Army (KDF) Target 'El-Gaduud': The Al-Shabaab camp in El-Gaduud was completely destroyed in the second wave of airstrikes. Residents report None of the militants managed to leave the camp. This means all weapons the terrorists stole from the base were also completely destroyed and rendered "unusable". Target 'El-Adde': Airstrikes & Attack helicopter operations successfully destroyed and dislodged enemy fighters from the AMISOM base. Base completely destroyed to deny enemy ability to mount defenses and gain tactical advantage. More updates to follow (Strategic Intelligence Service, 2016)

Some Kenyans were unimpressed and incredulous:

Huge PR move. Are there issues we need to know? How well armed are the soldiers? What is the command like under Amisom? How prepared for reinforcements is Amisom at any one time? What happened to the drone surveillance programme? How can so many terrorists move and strike without being detected? Did the community stop being friendly? I think we should pull out and build the wall (Kimemia, 2016)

None of the militants managed to leave the camp they just sat there with their looted weapons waiting patiently for KDF jets to attack them they couldn't go anywhere, danganya toto [you can only lie to children] (Sengobavnikov, 2016)

Overall, the sentiment was sorrow over the attack and unity in terms of supporting soldiers, #IStandWithKDF was trending for several days.

Lets pray for our KDF troops in Somalia. Several soldiers have lost their lives. #IStandWithKDFSoldiers (moderncorps, 2016)

#IStandWithKDF The brave men and women who protect our borders must be saluted. They are our heroes (Asmali77, 2016)

However, there was a marked difference in terms of how people felt about institutions. There were those who believed that the lack of information was an attempt to cover up the truth—though they were not entirely sure what the truth that was being covered up was. They were sure, however, that the government would try to save face by reducing casualty numbers, or make the soldiers sound more valorous than they had been. Boniface Mwangi who has since deleted the tweets was at the forefront of this. His take, and that of many others reflected an

understanding of this situation as akin to the attack on Westgate, rather than military engagement in warfare. I tended to compare the amount of information provided, to the rate and quantity of the information that the public receives about the wars in Iraq and Afghanistan. However, the public mood was thus:

[...] citizens need information and have a right to know ! (MarthaKarua, 2016)

[...] releasing info will insulate citizens from propaganda (MarthaKarua, 2016)

#IStandWithKDF but Kenyans shouldn't have to rely on BBC for info on el-Ade

<http://www.bbc.com/news/world-africa-35321522> ... @JFJustice

@WanjikuRevolt @JFJustice (GabrielDolan1, 2016)

@GabrielDolan1 @JFJustice @WanjikuRevolt @BBCWorld so what makes you imagine "Kenyans" rely on BBC ? Get off your colonial high horse Mr (Kamicagachoki, 2016)

Perhaps stung by the reference to colonialism, Irish Father Dolan attached a picture of the headline from the local *Standard Newspaper*: 'Where Are Our Soldiers', when he wrote his tweet the following day:

#IStandWithKDF @InteriorKE shld just tell truth, foreign media more informed

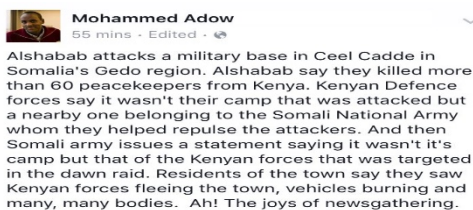
@kenyanpundit @Maskani254 @WanjeriNderu (GabrielDolan1, 2016)

If Al Shabaab had not reported about the attack, the public would probably never have been treated to so much detail. KDF information protocols have probably not been revised for the information age. The fact that the mainstream media seemed to give Al Shabaab information equal weight/preference annoyed the security services and some Kenyans.

Curiously/Peculiar how none is reporting about the losses suffered by Al-Shabaab today after El-Adde. Terrorists sympathizers (CTNSIS, 2016)

Nothing good comes out of BBC, no mention of how KDF dealt with the terrorist group #IStandWithKdf (Josagana, 2016)

Facebook account of AlJazeera TV puts it this [way] #IStandWithKDF (AbassAbdiaziz, 2016)



Source: <https://pbs.twimg.com/media/CYwnyOmWYAAPA6Q.jpg:large>

Here are links to official statements from KDF:

<https://twitter.com/InteriorKE/status/688691210010120192>

And from the Cabinet Secretary for Defence, Raychelle Omamo:

<https://twitter.com/InteriorKE/status/688695220343586816>

The appearance of CS Defence at this moment explains the difference between her role and that of Nkaissery—the MoD deals with external threats and the MoI engages with the local. It was CS Nkaissery who issued a directive that anyone caught sharing pictures of KDF casualties would be arrested:

The Kenya Interior Ministry issued a statement warning that Websites & social media accounts found publishing & distributing pictures of dead soldiers will be investigated and owners arraigned in court (Strategic Intelligence Service, 2016)

I've directed IG @JBoinnet to act against those spreading material online sympathetic to terrorists. ~@InteriorKE CS (MacOtani, 2016)

Those circulating graphic images of murdered @kdinfo officers are terror sympathizers. ~ @InteriorKE CS Nkaissery (MacOtani, 2016)

As the story unfolds, it is clear that the Kenyan military institutions were caught on the back foot in terms of information dissemination and controlling the narrative...and probably, according to the version of events that is out there, in terms of military preparedness and response to the attack. They have reacted quite strongly with a sense of betrayal over the acceptance of the Al Shabaab account. The coming weeks should provide much to discuss.

I find myself engrossed in how the space for neutrality is shrinking, since neutrality's representation in the form of KDF was hit. As the KDF story melds with the government's position, one must qualify whether 'standing with KDF' means mistrust in the government and its institutions but support for soldiers, or support for what one sees as a unified entity.

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