



Kenya

Successive U.S. Administrations have viewed Kenya as a strategic partner and critical to counterterrorism efforts in East Africa. It is sub-Saharan Africa's third largest economy, a regional finance and transportation hub, and a top tourism destination known for its biodiversity. Kenya holds a nonpermanent seat on the U.N. Security Council until 2023, and is home to one of four major U.N. offices worldwide. It hosts the largest U.S. embassy in Africa and U.S. forces supporting regional counterterrorism efforts. Kenya ranks among the top U.S. aid recipients globally.

The country's reputation as an anchor state in a volatile region has been threatened by periodic domestic turmoil, including ethnic tensions and election violence. Economic frustrations, corruption, and other abuses of power have fueled grievances among the diverse population. Perceived impunity has also been a source of tension with donors.

President Uhuru Kenyatta was reelected to a second five-year term in 2017 in polls marred by violence, allegations of rigging, and police brutality—the latest in a series of flawed election processes since 2007. The 2017 elections tested the independence of Kenya's judiciary and spurred questions about its democratic trajectory. A subsequent deal between Kenyatta and longtime opposition leader Raila Odinga (sons of Kenya's first president and vice president, respectively) lessened tensions, and has led to a major reconfiguration of political allegiances. Kenyatta, who faces term limits, has endorsed Odinga's bid for the presidency (his fifth) in the upcoming August 2022 elections over that of Deputy President William Ruto, who also seeks the post.

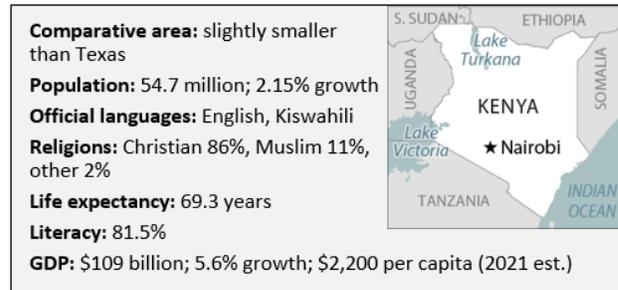
The Somalia-based Al Qaeda affiliate Al Shabaab poses a persistent threat in Kenya, which contributes troops to the African Union Mission in Somalia (AMISOM). High-profile attacks in Nairobi—on a mall in 2013 and on a hotel complex in 2019—underscore Al Shabaab's reach. A U.S. servicemember and two U.S. contractors were killed in a January 2020 attack on Manda Bay Airfield, a Kenyan base near the Somali border used by the U.S. military. Al Shabaab says its attacks are retaliation for Kenya's military intervention in Somalia; it labels Kenyan and U.S. military operations there as part of a "Western crusade against Muslims." Studies suggest that security force abuses contribute to radicalization and extremist recruitment in Kenya. See also CRS In Focus IF10170, *Al Shabaab*.

Background

Kenya was essentially a one-party state from 1964 to 1991. Its long-serving second president, Daniel arap Moi, dominated Kenyan politics through repression and electoral manipulation until he retired under donor pressure in 2002. Elections that year were hailed as historic: for the first time, Kenya's fractious and primarily ethnically based opposition parties came together, defeating Moi's chosen successor, Uhuru Kenyatta. That coalition unraveled after the

elections, however, and a political storm fueled by ethnic grievances was brewing as the next elections approached.

Figure 1. Kenya Facts



Sources: CRS, with data from CIA and IMF reference databases.

Kenya is home to over 50 ethnic groups; none constitutes a majority. The largest group, the Kikuyu (roughly 17% of the population), is perceived as historically dominating the political class and business community. Under Kenya's first president, Jomo Kenyatta, the Kikuyu were seen to benefit disproportionately from the allocation of state resources, namely land and government jobs and contracts. When Moi, Kenyatta's third vice president, took office after his death in 1978, Moi's Kalenjin group was seen as favored.

For almost 40 years, the heartlands of these communities—the central highlands for the Kikuyu and adjacent central Rift Valley for the Kalenjin—received the greatest state investment in schools, roads, and health services. Other areas were marginalized and remained comparatively underdeveloped, including the predominantly Muslim coast and northeast, and western Kenya, home to the second and fourth largest ethnic groups, the Luhya and Luo. This dynamic of ethnic favoritism reinforced divisions.

No ethnic group constitutes a large enough voting bloc for its political leaders to gain or maintain power alone; they must form alliances, which periodically shift. Ethnic identity, rather than ideology, is widely seen as the primary line of cleavage in political alignment and voting behavior.

The crisis that followed Kenya's 2007 elections is relevant to understanding its politics today. Realignment ahead of those polls created a particularly volatile ethnic dynamic, and when the incumbent, President Mwai Kibaki (a Kikuyu), was declared the winner of a close race amid charges of rigging, opposition protests turned violent. The violence occurred largely along ethnic lines in urban areas and parts of the country where Kikuyu had settled after independence. Some of the worst of it was in the Rift Valley, between Kikuyu and Kalenjin, whose politicians had supported the opposition candidate, Raila Odinga (a Luo). In six weeks, 1,300 people were killed, and 600,000 were displaced. Police were implicated in hundreds of deaths. Kenya was paralyzed for months before Kofi Annan mediated a power-sharing deal in which Kibaki formed a

coalition government with Odinga as prime minister. A commission of inquiry subsequently attributed the crisis to the manipulation of perceived ethnic marginalization by politicians and a culture of impunity, among other factors.

Kenya's ICC Cases

When Kenya's parliament declined to establish a tribunal to prosecute the worst crimes from the post-election crisis, the commission of inquiry gave a list of key suspects to Annan, who presented them to the International Criminal Court (ICC) Prosecutor. The ICC confirmed charges against four people in 2012, including Kalenjin politician William Ruto and then-deputy Prime Minister Uhuru Kenyatta. Kenya's government objected to the cases, despite being an ICC state party. The cases were prominent in the 2013 elections, when Kenyatta and Ruto—on opposing sides in 2007—ran together on a presidential ticket. They portrayed the cases as a Western conspiracy and emblematic of racial bias by the ICC. Voting largely followed ethnic lines in 2013, but the Kikuyu-Kalenjin combination on one ticket reduced prospects for violence. It was a close race: Kenyatta avoided a runoff, against Odinga, by less than 1% of votes.

The ICC trials were plagued by witness intimidation and political interference. The Prosecutor ultimately withdrew the charges against Kenyatta and Ruto, citing insufficient evidence. Neither was acquitted, leaving the possibility of new charges, but allowing them to run for reelection.

The 2017 Elections and The Handshake

Elections in 2017 were a major test for Kenya's political institutions. Amid a polarized political landscape, several scandals rocked the electoral board. Civil society, election monitors, and the opposition raised concerns about ballot procurement, the voters' roll, and the murder of an election official who oversaw the results-transmission technology. Election monitors gave the voting and counting processes positive reviews, but noted issues with the transmission and tallying of results. When Kenyatta was declared the winner, Odinga and the opposition went to Kenya's Supreme Court, which nullified the presidential result in a landmark ruling. The court ordered a fresh election, citing "irregularities and illegalities" in the transmission of results that "affected the integrity of the poll." The justices faced threats, including from senior officials. Odinga boycotted the re-run. Turnout dropped roughly by half, and Kenyatta won by 98%.

The opposition contested Kenyatta's legitimacy into 2018 and held a mock inauguration to name Odinga "the people's president." The government termed it treasonous, cut media coverage and arrested some opposition figures. Authorities ignored court orders countering the crackdown, leading the chief justice and his predecessor to issue public warnings about threats to judicial independence and the rule of law.

Kenyatta and Odinga declared a surprise deal, dubbed "the Handshake," to end the standoff in March 2018, and they launched an initiative to "foster national cohesion." This eased tensions between the government and opposition, but friction within the ruling coalition rose as it became increasingly apparent that Ruto did not enjoy Kenyatta's support to succeed him. Ruto's allies accused Kenyatta of pursuing an anticorruption drive that disproportionately targeted politicians linked to the deputy president, and Ruto has since characterized the Handshake as a betrayal. In March 2022, Kenyatta officially endorsed Odinga. Ruto's

ICC case could reemerge as an issue during the elections: the ICC trial of a lawyer accused of witness tampering in the Kenya cases, purportedly "for the benefit of, and in collaboration with" Ruto, began in early 2022.

Refugees in Kenya

Kenya currently hosts roughly 540,000 refugees (76% are women and children), including over 286,000 Somalis and 136,000 South Sudanese. The government has periodically threatened to close the refugee camps since 2015, citing security concerns, particularly with the largest camp complex, Dadaab, which primarily hosts Somali refugees. A Kenyan court blocked Dadaab's closure in 2016, calling it discriminatory and unconstitutional. Kenya revived the threat in 2019, and in 2021 told the U.N. Refugee Agency (UNHCR) that it would expel camp residents if UNHCR did not devise a plan to close them by June 2022. While a plan for the camps' closure now exists, humanitarians say returns to Somalia and South Sudan are not sustainable and have urged Kenya to offer refugees durable solutions.

The Economy

Kenya is one of Africa's fastest growing economies, though the economic slowdown as a result of COVID-19 caused significant hardship. Agriculture is the backbone of the economy, but real estate and manufacturing have also driven growth. Kenya has a vibrant telecom industry that is a global pioneer in mobile banking technology. Under his ambitious economic agenda, President Kenyatta sought to improve the business environment and attract foreign investment, including from China, which is financing major infrastructure projects. Kenya's debt, of which China holds a growing share, rose from 42% when Kenyatta took office to 70% of GDP in late 2021. Development challenges persist: Kenya has made limited progress in reducing extreme poverty, food insecurity, and maternal mortality.

U.S. Policy and Assistance

U.S.-Kenya ties have been historically close, but human rights, governance, and corruption concerns sometimes complicate the relationship. The Trump and Kenyatta Administrations took steps to improve relations, and agreed to a "Strategic Partnership" during Kenyatta's White House visit in 2018. Economic and counterterrorism cooperation were discussed during the visit, and nearly \$900 million in commercial deals were announced. Direct flights, once blocked over security concerns, started in late 2018. U.S.-Kenya free trade agreement (FTA) negotiations began in 2020, but are on hold as the Biden Administration reviews its trade policy priorities. See CRS In Focus IF11526, *U.S.-Kenya FTA Negotiations*. Kenya was Secretary of State Antony Blinken's first stop on his first official trip to Africa in late 2021. Kenya's current role on the U.N. Security Council has presented opportunities for collaboration on shared interests, including on Ethiopia and Ukraine.

Kenya is routinely among the largest recipients of U.S. foreign aid and is a top recipient of U.S. security assistance in Africa. It received over \$560 million in FY2020 bilateral aid, most of it focused on health programs; the FY2022 request includes over \$505 million for Kenya. Security force abuses, including in the context of anti-terrorism efforts, have posed challenges for security cooperation. Alongside State Department-managed military aid, the

Department of Defense has provided over \$400 million in CT “train and equip” support to Kenya in the past decade.

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