



Australian Government
Refugee Review Tribunal

Country Advice

Kenya

Kenya – KEN39764 – Mungiki – Women –
Female Genital Mutilation (FGM) –
State protection – Recent attack

13 January 2012

1. Is it usual for women to become members of the Mungiki?

While no precise membership figures were located for the Mungiki – a secretive criminal organisation banned by the government in 2002 – sources estimate that females make up about 20-25 per cent of the group's members. An October 2010 book published by the African Institute of Security Studies (ISS), comments that Mungiki 'membership cuts across all ages and sexes'.¹ According to 2004 information in the *Revolutionary and Dissident Movements of the World*, 80 per cent of Mungiki members are male.² In a 2001 journal article Grace Wamue of the Kenyatta University, Nairobi, wrote that the 'movement is estimated by its national co-ordinator to have about one and a half million members, including 400,000 women', representing about 26 per cent.³

2. Are women given positions of responsibility in the Mungiki?

Information indicates that in general Mungiki women are restricted to domestic duties but some examples were found of Mungiki women participating in the group's day-to-day operations. In a detailed 2010 study that drew upon extensive field research in the Mungiki community, Jacob Rasmussen observed that Mungiki women primarily engaged in domestic activities and did not participate in politics.⁴ In his report Rasmussen quotes a booklet produced by the Mungiki that states a woman is 'the guardian of, and has obligation to, the house of her husband and his children'.⁵ Rasmussen reported that while a few women had informal jobs, most looked after their home and children. In contrast, Mungiki men are

¹ Institute for Security Studies 2010, *Militias, Rebels and Islamist Militants Human Insecurity and State Crises in Africa*, October <http://www.issfrica.org/uploads/MilitiasRebelsIslamistMilitantsNov2010.pdf> p. 154 – Accessed 13 January 2012

² *Revolutionary and Dissident Movements of the World*. 2004. 4th Edition. Edited by Bogdan Szajkowski. John Harper Publishing: London. Cited in Immigration and Refugee Board of Canada 2007, *KEN102637.E - Kenya: The Mungiki sect; leadership, membership and recruitment, organizational structure, activities and state protection available to its victims (2006 - October 2007)*, 1 November http://www.irb-cisr.gc.ca/en/research/rir/index_e.htm?action=record.viewrec&gotorec=451542 – Accessed 21 January 2009

³ Wamue, G. 2001, 'Revisiting our Indigenous Shrines through Mungiki', *African Affairs*, Vol. 100, <http://www.kenyanpundit.com/wp-content/uploads/2008/04/wamue-revisitingour-indigenous-shrines-through-mungiki.pdf> p 454 – Accessed 13 January 2012.

⁴ 'Rasmussen, J. 2010, 'Mungiki as youth movement: Revolution, gender and generational politics in Nairobi, Kenya', *Young*, 18:3, http://www.maths.manchester.ac.uk/~mrm/Download/Mattia/Rasmussen_Young18.pdf p 301-319 – Accessed 13 January 2012

⁵ 'Rasmussen, J. 2010, 'Mungiki as youth movement: Revolution, gender and generational politics in Nairobi, Kenya', *Young*, 18:3, http://www.maths.manchester.ac.uk/~mrm/Download/Mattia/Rasmussen_Young18.pdf p 301-319 – Accessed 13 January 2012

reported to discuss politics and resourcing for the group.⁶ The same report, however, gives an example of a woman ‘leader and teacher of new female recruits to the movement’.⁷ Similarly, in a 2008 article *The Australian* referred to a Mungiki women recruiting new members in the Nairobi slums.⁸ These examples suggest that some Mungiki women are given duties to perform in support of the movement.

3. What does the initiation ceremony for female members of the Mungiki involve?

Detailed descriptions of female specific initiation rituals could not be located.⁹ A 2008 article in *The Australian* mentions female circumcisions as part of the group’s initiation ceremony but no corroborating reports could be located. According to the article the ‘Mungiki demand that female members undergo ritual genital cutting’ as part of initiation and a women in charge of initiations reported that women who changed their minds were forcibly restrained.¹⁰

Information on Mungiki initiation rituals, including oath taking, is provided in *Country Advice KEN38528* from April 2011.¹¹ In particular, the response draws upon the account of a professed former member, recorded in a 2010 Norwegian Country of Origin Information Centre (Landinfo) report. The report describes initiation as involving oath taking, the removal of clothing and the performance of rituals in the dark. The ceremony is said to involve the slaughtering of a goat, followed by the eating of its raw flesh and drinking its blood. Landinfo cautions that it is not clear whether all members undergo the same rituals and that practices may change over time.¹²

4. Is there any information on the way the Mungiki conduct their meetings?

As a secretive organisation, limited information is available on their conduct of Mungiki meetings. In his field studies, Rasmussen attended several meetings with men from the group and provides a brief description in his 2010 report. According to Rasmussen, before a meeting commences the attendants pass around snuff tobacco, which is a traditional practice for males in the Mungiki community. One meeting that is described is conducted in the dark, with most of those in attendance sitting on the floor.¹³

⁶ ‘Rasmussen, J. 2010, ‘Mungiki as youth movement: Revolution, gender and generational politics in Nairobi, Kenya’, *Young*, 18:3, http://www.maths.manchester.ac.uk/~mrm/Download/Mattia/Rasmussen_Young18.pdf p 301-319 – Accessed 13 January 2012

⁷ ‘Rasmussen, J. 2010, ‘Mungiki as youth movement: Revolution, gender and generational politics in Nairobi, Kenya’, *Young*, 18:3, http://www.maths.manchester.ac.uk/~mrm/Download/Mattia/Rasmussen_Young18.pdf p 301-319 – Accessed 13 January 2012

⁸ ‘Kenya turn to gangs for security’ 2008, *The Australian*, 2 February <http://www.theaustralian.com.au/news/kenyans-turn-to-gangs-for-security/story-e6frg6uf-111115457384> – Accessed 13 January 2012

⁹ A search for female initiation rituals was conducted via ISYS, CISNET and refworld. Reports from major human rights groups were consulted.

¹⁰ ‘Kenya turn to gangs for security’ 2008, *The Australian*, 2 February <http://www.theaustralian.com.au/news/kenyans-turn-to-gangs-for-security/story-e6frg6uf-111115457384> – Accessed 13 January 2012

¹¹ RRT Country Advice 2011, *Country Advice KEN38528*, 14 April

¹² Landinfo Country of Origin Information Centre 2010, ‘Kenya: Mungiki – Abusers or abused?’, 29 January, http://www.landinfo.no/asset/1123/1/1123_1.pdf – Accessed 13 January 2012

¹³ ‘Rasmussen, J. 2010, ‘Mungiki as youth movement: Revolution, gender and generational politics in Nairobi, Kenya’, *Young*, 18:3, http://www.maths.manchester.ac.uk/~mrm/Download/Mattia/Rasmussen_Young18.pdf p 301-319 – Accessed 13 January 2012

5. Do the Mungiki force women in their thirties to undergo FGM?

Several sources report that the Mungiki force women affiliated with the sect to undergo circumcision; however, few make specific reference to the age of those targeted.¹⁴ Although dated, news articles from 2002 describe Mungiki members in central Kenya publically issuing an ultimatum to all women between 13 and 65 to undergo circumcision.¹⁵ No further reports were found that clarify whether this threat was carried out. Landinfo provides the below summary on the 2002 threats:

A number of sources refer to Mungiki having issued a three-month ultimatum in 2002 to all women between 13 and 65 years in the Kiambu district who had not undergone circumcision to do so. According to East African Standard, the sect members gave women in parts of Kikuyu and Kiambaa divisions until July 7, commonly known as *sabasaba*, to undergo FGM as according to Kikuyu custom. Should they fail to do so, Mungiki would perform it by force. There is, however, no information to what extent this ultimatum was enforced.¹⁶

Sources in general indicate that the Mungiki demand for females to undergo FGM is not restricted to young girls but also adult women affiliated with the group. According to Landinfo, the Mungiki has been 'criticised for encouraging, demanding and enforcing female genital mutilation practices upon *girls* and *women* in its communities' (emphasis added).¹⁷ No age is specified here.

Of particular note, women married to current members and defectors have been singled out in the reporting as being at risk. A 2009 article in the *Courthouse News Service* reported that the Mungiki 'requires women, including the wives of defectors, to undergo female circumcision'.¹⁸ Based on the expert testimony of Dr Knighton from the Royal Anthropological Institute, in 2008 the United Kingdom Asylum and Immigration Tribunal (AIT) found that:

There is evidence that the Mungiki organisation seeks to impose FGM and other forms of violence, on women and children other than those who have been initiated into their sect. In particular, such women and children include the wives, partners, children and other female family members of those men who have taken the Mungiki oath. Insufficient protection is available from the Kenyan authorities for such persons.¹⁹

Notwithstanding the above, the Mungiki has denied forcibly carrying out female FGM. According to Wamue's 2001 article, the Mungiki insisted that 'their sect does not advocate

¹⁴ Clarfield, G. 2008, 'From Mau Mau to Kungiki: 50 years later, Kenya is still a bloody mess', *National Post*, 5 February; International Crisis Group 2008, 'Kenya in Crisis' *Africa Report*, 137, 21 February http://www.crisisgroup.org/~media/Files/africa/horn-of-africa/kenya/137_kenya_in_crisis_web.pdf – Accessed 13 January 2012

¹⁵ Kanja, D. 2002, 'Get Circumcised, Mungiki Sect Tells Women', *East African Standard*, 23 April <http://www.wrn.org/articles/58/?§ion=mungiki> – Accessed 13 January; 'KENYA: Rights activists decry Mungiki circumcision threat' 2002, *IRIN news*, 25 April <http://www.irinnews.org/report.aspx?reportid=31538> – Accessed 9 January 2012

¹⁶ Landinfo Country of Origin Information Centre 2010, 'Kenya: Mungiki – Abusers or abused?', 29 January, http://www.landinfo.no/asset/1123/1/1123_1.pdf p. 11 – Accessed 13 January 2012

¹⁷ Landinfo Country of Origin Information Centre 2010, 'Kenya: Mungiki – Abusers or abused?', 29 January, http://www.landinfo.no/asset/1123/1/1123_1.pdf – Accessed 13 January 2012

¹⁸ 'Seventh Circuit Calls Asylum Denial 'Absurd'' 2009, *Courthouse News Service*, 24 August http://www.courthousenews.com/2009/08/24/Seventh_Circuit_Calls_Asylum_Denial_Absurd_.htm – Accessed 26 July 2010

¹⁹ Asylum and Immigration Tribunal 2008, 'VM (FGM-risks-Mungiki-Kikuyu/Gikuyu) Kenya CG [2008] UKAIT 00049', UNHCR Refworld website, 14 May <http://www.unhcr.org/refworld/pdfid/484d4a22.pdf> – Accessed 26 July 2010

the physical act of circumcision *per se*, but the moral grounding that is associated with the traditional rite'.²⁰ The group goes on to 'assert that less than 10 per cent of *Mungiki* women are circumcised and that no one is insisting that they undergo circumcision'.²¹

For further details on the prevalence of forced female circumcisions in the Mungiki community and state protection of victims, see *Country Advice KEN38226* and *Country Advice KEN37004*.²²

6. Are the Mungiki still engaged in violence in Kenya? If yes, whom do they target?

Recent news reports were located of violent attacks attributed to Mungiki members and reporting more generally continues to refer to the Mungiki as a violent criminal organisation. The Mungiki has been reported to target those who refuse to join the group and defectors, rival gang members, and ordinary citizens that fail to pay their extortion fees.

Recent Mungiki violence

Although some senior Mungiki leaders have sought enter into mainstream politics and claim the group has disbanded²³, reports of the group's violent criminal activity continue. Several news reports were found from the past six months that document suspected Mungiki violence. In December 2011, the *Nairobi Star* reported that police arrested 31 suspected Mungiki members 'believed to be behind a recent spate of robberies and killings in Kirinyaga county'.²⁴ In September 2011, the Mungiki assaulted a minibus operator that had protested the group's extortion, according to the *Daily Nation*.²⁵ In the same month, the *Nairobi Star* reported that a policeman was attacked by three suspected Mungiki members in Kiambu County.²⁶ In August 2011, the *Nairobi Star* reported recent attacks by suspected members of the group. A section of the article is provided below:

Nineteen suspected members of the outlawed Mungiki sect have been arrested in connection with spates of thuggery in Gatundu South, Kiambu District. ...Gatundu police chief Peter Katam said the eight arrested have been charged with assault, malicious damage to property and drinking after hours. Two of them, he said were prime suspects in an incident in which five people were slashed and injured. Katam said the other 11 were charged yesterday.

Two weeks ago, a suspected Mungiki member attacked a taxi operator and robbed him of his phone. This angered boda boda [motor cycle taxi] operators who

²⁰ Wamue, G. 2001, 'Revisiting our Indigenous Shrines through Mungiki', *African Affairs*, Vol. 100, <http://www.kenyanpundit.com/wp-content/uploads/2008/04/wamue-revisitingour-indigenous-shrines-through-mungiki.pdf> – Accessed 13 January 2012.

²¹ Wamue, G. 2001, 'Revisiting our Indigenous Shrines through Mungiki', *African Affairs*, Vol. 100, <http://www.kenyanpundit.com/wp-content/uploads/2008/04/wamue-revisitingour-indigenous-shrines-through-mungiki.pdf> p. 461– Accessed 13 January 2012.

²² RRT Country Advice 2011, *Country Advice KEN38226*, 1 March; RRT Country Advice 2010, *Country Advice KEN37004*, 27 July

²³ 'Mungiki's New Man' 2010, *Africa Confidential*, Vol. 51, No. 14, 9 July – Accessed 13 January 2011;

²⁴ 'Mungiki suspects in Kerugoya court' 2011, *Nairobi Star*, 31 December <http://allafrica.com/stories/printable/201201030430.html> – Accessed 13 January 2012

²⁵ Cheploen, N. 2011, 'Kenya: Two Hurt in Matatu-Mungiki Clash', *Daily Nation*, 28 September <http://allafrica.com/stories/printable/201109290298.html> – Accessed 13 January 2012

²⁶ Wainaina, J. 2011, 'Policeman injured after being attacked by Mungiki in Githunguri', *The Star*, 19 September <http://www.the-star.co.ke/national/national/40888-mungikis-attack-policeman> – Accessed 13 January 2012

invaded Githurai estate where and beat the suspect to death. On Tuesday, the Mungiki suspects staged a revenge mission and injured two taxi drivers, two members of the public and a boda boda operator.²⁷

Targets of Mungiki violence

Reports of recent Mungiki violence note the group's targets include those who do not cooperate or collaborate with the group, as well as defectors. In an October 2010 article, the ISS reported that the Mungiki continued to levy taxes from the communities in which it operates and failure to pay the Mungiki fees 'results in death or loss of property through arson or malicious damage'. According to the report, the 'sect is also known to be brutal to persons who refuse to engage in their activities and/or collaborate with them'.²⁸ In an October 2010 book, *Militias, Rebels and Islamist Militants: Human Insecurity and State Crises in Africa*, the ISS described the Mungiki as a 'formidable militant group'.²⁹ It stated:

Recently, the gang has resorted to brutal methods, which include blackmail, violence and death threats, to force young men to join its outfit. In one case it sawed off the arm of a man in Nyeri when he declined to join, but there are indications that hundreds of others have enlisted for fear of being killed.³⁰

Two reports identifying Mungiki defectors as targets; however, reporting on the risk to defectors is mixed. According to the Safer Access³¹ the Mungiki has an armed wing, the Mungiki Defence Council (MDC), which is often involved in revenge killings of former members. Whereas, in its April 2011 guidance note the UK Home Office³² reported:

There is conflicting evidence regarding the safety on return of applicants claiming to be defectors from the Mungiki. The Independent Medico-Legal Unit (IMLU) has stated that Mungiki members who desert the organisation are at serious risk of being killed, or at least severely harassed. They reported that many police officers are involved in Mungiki business, and if there is risk of their connections being exposed, they choose to eliminate the deserter. IMLU stated that most attacks on protected Mungiki members are perpetrated by the police themselves, although the Mungiki do carry out revenge attacks. IMLU have provided shelter to ex-Mungiki members at secret locations. In contrast, the Kenyan National Commission on Human Rights (KNCHR) has said that defected Mungiki members will be left alone providing they do not threaten the movement's interests.³³

²⁷ Wainaina, J. 2011, '19 Mungiki suspects arrested in Gatundu crackdown', *The Star*, 20 August <http://www.the-star.co.ke/local/central/36938-19-mungiki-suspects-arrested-in-gatundu-crackdown> – Accessed 13 January 2012

²⁸ Institute for Security Studies 2010, 'Combating organised crime in Kenya', 14 October http://www.issafrica.org/iss_today.php?ID=1044 – Accessed 13 January 2011

²⁹ Institute for Security Studies 2010, *Militias, Rebels and Islamist Militants Human Insecurity and State Crises in Africa*, October <http://www.issafrica.org/uploads/MilitiasRebelsIslamistMilitantsNov2010.pdf> p. 154 – Accessed 13 January 2012

³⁰ Institute for Security Studies 2010, *Militias, Rebels and Islamist Militants Human Insecurity and State Crises in Africa*, October <http://www.issafrica.org/uploads/MilitiasRebelsIslamistMilitantsNov2010.pdf> p. 154 – Accessed 13 January 2012p 154

³¹ Safer Access is a not-for-profit formed to help support and facilitate the provision of humanitarian and development aid

³² UK Home Office guidance notes are policy documents that aim to provide guidance on whether the main types of claims are likely to justify the granting of asylum and are distinct from other Country of Origin information in that regard.

³³ UK Home Office 2011, *Operational Guidance Note: Kenya*, 14 April <http://www.unhcr.org/refworld/docid/4da7f7a12.html> – Accessed 13 January 2012

Country Advice KEN38528 and *Country Advice KEN38226* provide further information on Mungiki violence.³⁴

7. Do the Kenyan authorities provide protection to individuals against harm by the Mungiki?

Country Advice has provided several recent reports on state protection from the Mungiki. *Country Advice KEN38528* dated March 2011 and *Country Advice KEN37736* from December 2010 overview the capacity of the Kenyan security services generally and the effectiveness of the government's response to the Mungiki.³⁵ Both note the limited police capacity and high levels of corruption. In relation to the Mungiki, they note that while the government has carried out crackdowns on the group, elements within the government and the security apparatus reportedly collude with the Mungiki. It is this relationship with government elites that complicated the issue of state protection.

The ISS explains the relationship between the Mungiki and state elites as one that oscillates 'between outright repression and periods of cohabitation'. According to the report '[o]n the one hand, the state has persecuted, intimidated and jailed Mungiki followers' and on the other 'government functionaries have made use of the group during elections'.³⁶ Similarly, a 2008 report by the International Relations and Security Network notes that high-ranking officials have sought to use the Mungiki against rival political groups.³⁷

While the police have engaged in periods of intense crackdown, they have at other times ignored the Mungiki's illegal activities.³⁸ According to UN Special Rapporteur, Philip Alston, this strategy has 'brought no relief', instead 'distracting the police from their protection and investigative roles, [and] fuelling the cycle of violence'.³⁹ According to Landinfo, '[n]otwithstanding police crackdowns, most Mungiki members enjoy impunity for criminal and violent acts'.⁴⁰ Landinfo commented that the police 'completely failed to intervene' in the Mungiki attack on a town in Nyeri in April 2009, which resulted in the deaths of 29 people.⁴¹ In March 2010, *The Daily Nation* reported that Mungiki members operating in Kigumo in the Central Province 'are well known by security officers, but no action is taken against them'.⁴²

For information on state protection from FGM by the Mungiki see *Country Advice KEN37004*.⁴³ Sources cited in this response state that insufficient protection is available for women forced by the Mungiki to undergo FGM.⁴⁴

³⁴ RRT Country Advice 2011, *Country Advice KEN38226*, 1 March;

³⁵ RRT Country Advice 2011, *Country Advice KEN38528*, 14 April; RRT Country Advice 2010, *Country Advice KEN37736*, 2 December

³⁶ Institute for Security Studies 2010, *Militias, Rebels and Islamist Militants Human Insecurity and State Crises in Africa*, October <http://www.issafrica.org/uploads/MilitiasRebelsIslamistMilitantsNov2010.pdf> p. 163 – Accessed 13 January 2012

³⁷ Totolo, E. 2008, 'Kenya: The Mungiki Mess', *ISN Security Watch*, 17 November <http://www.isn.ethz.ch/isn/Current-Affairs/Security-Watch-Archive/Detail/?id=93861&lng=en> – Accessed 13 January

³⁸ UK Home Office 2011, *Country of Origin Information Report: Kenya*, 25 February; UK Home Office 2011, *Operational Guidance Note: Kenya*, 14 April <http://www.unhcr.org/refworld/docid/4da7f7a12.html> – Accessed 13 January 2012

³⁹ Landinfo Country of Origin Information Centre 2010, 'Kenya: Mungiki – Abusers or abused?', 29 January, p.15

⁴⁰ Landinfo Country of Origin Information Centre 2010, 'Kenya: Mungiki – Abusers or abused?', 29 January, p.15

⁴¹ Landinfo Country of Origin Information Centre 2010, 'Kenya: Mungiki – Abusers or abused?', 29 January, p.15

⁴² UK Home Office 2011, *Country of Origin Information Report: Kenya*, 25 February, p.47

⁴³ RRT Country Advice 2010, *Country Advice KEN37004*, 27 July

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⁴⁴ Asylum and Immigration Tribunal 2008, ‘VM (FGM-risks-Mungiki-Kikuyu/Gikuyu) Kenya CG [2008] UKAIT 00049’, UNHCR Refworld website, 14 May <http://www.unhcr.org/refworld/pdfid/484d4a222.pdf> – Accessed 26 July 2010

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