



Kenya

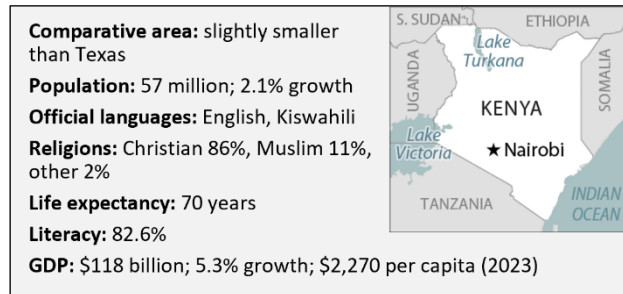
Successive U.S. Administrations have viewed Kenya as a strategic partner and critical to counterterrorism efforts in East Africa. The country is sub-Saharan Africa's fourth-largest economy, a regional finance and transportation hub, and a top tourism destination known for its biodiversity and conservation efforts. It is a regional leader in clean energy, drawing over 90% of its electricity from renewable sources. Kenya is home to one of four major UN offices worldwide. It hosts the largest U.S. embassy in sub-Saharan Africa and U.S. forces supporting counterterrorism efforts in Somalia. Kenya regularly ranks among the top U.S. foreign aid recipients globally. Congressional interests in Kenya are wide-ranging; legislative action has focused predominately on democracy, human rights, and terrorism concerns.

Election-related violence has threatened Kenya's reputation as an anchor state in a volatile region on several occasions. Economic frustration, historical land disputes, corruption, and other abuses have fueled grievances. Perceived impunity has been a trigger for protests and violence, and a source of tension with donors. Freedom House ranks Kenya "Partly Free" in its *Freedom in the World* index, noting that despite regular elections, pervasive corruption and police brutality are serious problems, and journalists and human rights defenders face restrictive laws and intimidation.

Kenya's August 2022 elections were the most recent polls to test its democratic institutions. With President Uhuru Kenyatta term limited, the race was a close contest between his deputy, William Ruto, and longtime opposition leader and five-time presidential candidate Raila Odinga. In a twist, Kenyatta backed his formal rival over Ruto. When Ruto—who waged a populist, anti-establishment campaign—was declared the winner with just over 50% of the vote, Odinga challenged the result in court, alleging fraud. The court upheld Ruto's victory. Election observer reviews were mixed: they described the polls as more peaceful and transparent than the three preceding, but marred by rigging allegations and other controversies. Tax hikes and the cost of living have driven anti-government protests in 2023.

The Somalia-based Al Qaeda affiliate Al Shabaab poses a persistent threat in Kenya, which contributes troops to the African Transition Mission in Somalia (ATMIS), the UN-backed regional stabilization operation previously known as AMISOM. While attacks near the border with Somalia are more common, high-profile attacks in Nairobi—on a mall in 2013 and a hotel in 2019—underscore Al Shabaab's reach in the country. In 2020, a U.S. servicemember and two U.S. contractors were killed in an attack on Manda Bay Airfield, a Kenyan base used by the U.S. military near the Somali border. Al Shabaab says its attacks are retaliation for Kenya's 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 in Kenya have contributed to radicalization and extremist recruitment. See also CRS In Focus IF10170, *Al Shabaab*.

Figure 1. Kenya Facts



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

Political Context & Background

Kenya was essentially a one-party state from 1964 to 1991. After the transition to a multiparty system, ethnic identity, rather than ideology, became the primary line of political cleavage. No ethnic group has a large enough voting bloc for its political leaders to gain or maintain power alone, so they form cross-ethnic alliances, which periodically shift.

For almost 40 years after independence, the ethnic groups of Kenya's first and second presidents—the Kikuyu and Kalenjin—were seen to benefit disproportionately from the allocation of state resources, namely land, government jobs, and contracts. The heartlands of these communities, the central highlands and Rift Valley, received greater state investment in schools, roads, and health services. Western Kenya and the predominately Muslim coast and northeast remained comparatively underdeveloped. The disparities and perception of ethnic favoritism fostered divisions.

Daniel arap Moi, Kenya's long-ruling second president (1978-2002), dominated politics through repression, patronage, and electoral manipulation until he retired, under donor pressure. Opposition parties came together, briefly, to defeat his chosen successor, Uhuru Kenyatta (son of Moi's predecessor, Jomo Kenyatta), in the historic 2002 elections.

The crisis that followed the 2007 elections is relevant to understanding Kenya today. Political realignments created a volatile ethnic dynamic, and when the incumbent president, Mwai Kibaki (a Kikuyu), was named the winner of a close race amid rigging charges, protests led to violence, largely along ethnic lines. Some of the worst violence was between Kikuyu and Kalenjin, whose political leaders backed Kibaki's leading opponent, Odinga (a Luo). In six weeks, 1,300 people were killed and 600,000 displaced. Kenya was paralyzed for months, until a power-sharing deal was brokered, with U.S. support, between Kibaki and Odinga.

An International Criminal Court (ICC) investigation into the post-election violence led to charges of crimes against humanity against four people, including then-Deputy Prime Minister Uhuru Kenyatta and Kalenjin politician William Ruto, both protégés of Moi who were on opposing sides in 2007. The ICC cases were prominent in the 2013 elections,

when Kenyatta ran with Ruto as his deputy, against Odinga. They portrayed the cases as emblematic of racial bias by the ICC and Western meddling. Kenyatta narrowly won, avoiding a runoff against Odinga by less than 1% of votes.

The ICC trials were plagued by political interference and witness intimidation. The Prosecutor withdrew the charges against Kenyatta in 2014 and terminated the Ruto case in 2016, citing insufficient evidence and noncompliance by the government. Neither was acquitted, leaving the possibility of new charges but allowing their reelection run in 2017. A new ICC trial opened in 2022, against a Kenyan lawyer accused of witness tampering “for the benefit of, and in collaboration with” Ruto, but was terminated when the accused died weeks after Ruto took office.

Violence, rigging allegations, and police brutality marred the Kenyatta-Odinga rematch in 2017. When Kenyatta was declared the winner, Odinga went to the Supreme Court. It nullified the result in a landmark ruling, citing “irregularities and illegalities” in the process that “affected the integrity of the poll.” The justices, who faced threats, ordered fresh elections, but Odinga boycotted the re-run, terming the process flawed. Unopposed, Kenyatta won. The opposition continued to contest his legitimacy, and held a mock inauguration for Odinga that the government termed treasonous. The ensuing crackdown and state defiance of court orders led former U.S. officials and Members of Congress to raise alarm; U.S. diplomats worked to reduce tensions. When Kenyatta and Odinga announced a deal to end the standoff, Ruto saw it as a betrayal, and major reconfiguration of political allegiances followed.

The 2022 polls occurred amid public frustration with high living costs, disillusion with the political class, and fear of another post-election crisis. Ruto capitalized on economic frustrations and, with a Kikuyu running mate and political allies, divided the Kikuyu vote. Odinga also had a Kikuyu running mate—Kenya’s first female candidate on a major ticket—and Kenyatta’s endorsement, but incumbent support was not enough to secure a win. Lower turnout hinted at voter apathy, particularly among young Kenyans.

President Ruto has sought to court international investment, and to position Kenya as a global voice on climate change and an advocate, on Africa’s behalf, for climate finance and reforms to the international financial system. Political challenges at home distract from his agenda, however. The opposition continues to contest his presidency. Inflation, tax hikes, and discontent have fueled anti-government protests, during which police have reportedly killed over 30 people. The state’s response prompted a civil society warning in July 2023 that Kenya risks becoming “a police state.”

Human rights groups caution that Kenya could follow Uganda in passing strict anti-LGBTQ legislation. While a colonial-era law bans gay sex, Kenya has been a relative refuge in the region for those fleeing LGBTQ persecution.

Humanitarian Issues

Parts of Kenya are struggling with the region’s longest drought in decades. Over 4 million Kenyans need food aid. Pastoralist communities have been hit particularly hard. Kenya hosts over 550,000 refugees, most from Somalia and South Sudan. After previously threatening to close its

refugee camps, Kenya adopted a law in 2021 that provides new opportunities, rights, and protections for refugees.

The Economy

Kenya is one of Africa’s most diverse and fastest growing economies. Agriculture dominates, but manufacturing and real estate also drive growth; the services sector leads in job creation. The telecom industry is a global pioneer in mobile banking. Development challenges persist: Kenya has made limited progress in cutting extreme poverty, food insecurity, and maternal mortality. Drought, supply-chain disruptions, and Russia’s invasion of Ukraine have fueled inflation.

Kenyatta’s government led reforms to improve the business environment and attract investment, including from China, which has backed major infrastructure projects, including a controversial railway that is part of China’s Belt and Road Initiative. External debt rose from 42% of GDP when Kenyatta took office to almost 70% in 2022; about 50% of government revenue now goes to debt payments. Ruto pledged spending cuts and more transparency on loans from China (totaling over \$6 billion). The International Monetary Fund supports his tax hikes, which are publicly unpopular.

U.S. Policy and Assistance

Bilateral ties have been historically close, although human rights, governance, and corruption concerns sometimes complicate the relationship. The Trump and Kenyatta Administrations launched a “Strategic Partnership” during Kenyatta’s White House visit in 2018. Nearly \$900 million in commercial deals were announced during his visit; direct flights, once blocked over security concerns, started later that year. Free trade agreement (FTA) negotiations began in 2020, but the Biden Administration has not pursued them. Instead, the United States and Kenya announced a Strategic Trade and Investment Partnership (STIP) in July 2022.

On his first official trip to Africa, Kenya was Secretary of State Antony Blinken’s first stop. He emphasized the strategic partnership and Kenya’s regional peacemaking role during the 2022 U.S.-Africa Leaders Summit, during which U.S. and Kenyan officials signed a civil nuclear cooperation deal. Kenya’s 2021/2022 UN Security Council term presented additional opportunities to collaborate, including on Ethiopia, Ukraine, and climate change.

President Ruto has sought to reset U.S. perceptions and strengthen bilateral ties. At the same time, he seeks to maintain a “robust friendship” with China, and his party has sought to cultivate ties with the China’s ruling party. Kenya was a vocal critic of Russia’s invasion of Ukraine, and more recently its exit from the Black Sea Grain deal, which has raised food prices. Ruto has pursued more trade with Russia, but he declined to attend its latest Africa summit.

Kenya is routinely among the top recipients of U.S. foreign aid. Bilateral aid, largely focused on HIV/AIDS and other health programs, totaled over \$507 million in FY2022; humanitarian aid totaled over \$315 million. The FY2024 budget request includes over \$511 million for the country. Kenya is a top African recipient of U.S. security assistance, although security force abuses have posed some challenges for cooperation. Alongside State Department-managed military assistance, the Defense Department has provided over \$400 million in counterterrorism aid in the last decade.

Lauren Ploch Blanchard, Specialist in African Affairs

Disclaimer

This document was prepared by the Congressional Research Service (CRS). CRS serves as nonpartisan shared staff to congressional committees and Members of Congress. It operates solely at the behest of and under the direction of Congress. Information in a CRS Report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to Members of Congress in connection with CRS's institutional role. CRS Reports, as a work of the United States Government, are not subject to copyright protection in the United States. Any CRS Report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS Report may include copyrighted images or material from a third party, you may need to obtain the permission of the copyright holder if you wish to copy or otherwise use copyrighted material.