

Statement on rising cases of extra-judicial killings and police violence
Presented to the National Conference on COVID19 policing
5 June 2020

Twenty human rights organisations under the auspices of the Police Reforms Working Group welcome the invitation by the Ministry of Interior and Coordination of National Government to dialogue on ways of improving human rights-based and professional policing during COVID19 period.

The urgency of such a dialogue at this time could not be clearer. Millions have broken emergency measures and physical distancing protocols in one global protest. The singular moment was the brutal 8-minute strangulation of George Floyd by Officer Derek Chauvin as Alexander Kueng, Thomas Lane and Tou Thao stood and watched. It would be a grave mistake to assume that the triggers for the murder and the global protests are not present in Kenya.

Hundreds of African Americans have been murdered and families splintered in countless deadly incidents involving police officers. Officer Chauvin who murdered “Big Floyd” was a serial offender. He and others like him fear no consequences for his actions. With unemployment, economic distress and time on their hands, public frustration and anger are at an all-time high. We fail to learn from the Minneapolis, Los Angeles, New York, Chicago and elsewhere at our peril.

The recent spike in unlawful killings, torture and assault is unacceptable to all who believe that all have the right to life. Khamis Juma, Calvince Omondi, David Kiiru, Peter Gacheru, Eric Ngethe, Idris Mukolwe, John Muli, Ibrahim Onyango, Samuel Maina, James Waitheru “Waite” and Yassin Moyo among others. The names should be familiar, but the officers that violated the sixth schedule of the National Police Service Act, brutalized and killed them are still largely unknown.

We acknowledge and salute the leadership of the Cabinet Secretary, Inspector General, police officers, investigators, prosecutors who have led to the disciplinary measures, arrest and prosecution of no less than 16 officers in the last months. We have, however, always maintained that the culture of disrespect for human rights and integrity has to be uprooted for the public to have confidence in the police service.

Consequently, we call for the following to be acted on;

- 1. Office of the Inspector General to publicly express zero tolerance for police violence, refer all cases to independent agencies and hold commanding officers directly accountable for their subordinates' actions;**
- 2. Office of the Inspector General to cite the names, ranks and stations of officers who are being disciplined on human rights and corruption grounds in the quarterly crime reports;**
- 3. Office of the Attorney General to operationalize the National Coroners Service Act and the Prevention of Torture Act;**
- 4. Office of the Director of Public Prosecutions to re-consider police led inquests into police brutality and refer such cases to Independent Policing Oversight Authority and the Internal Affairs Unit;**
- 5. Office of the Interior Cabinet Secretary to gazette IPOA, KNCHR and human rights organisations as critical and essential services**
- 6. Office of the Interior Ministry Cabinet Secretary to issue a public notice on the moratorium on evictions until the country can flatten COVID19 and recover from the economic distress it has caused families;**
- 7. Office of the Interior Ministry Cabinet Secretary to issue a public notice on the moratorium on evictions until the country can flatten COVID19 and recover from the economic distress it has caused families;**
- 8. Office of the Interior Ministry Cabinet Secretary to re-establish the now-defunct security sector multi-stakeholder taskforce to facilitate mutual understanding, dialogue and open governance.**

Like America, Kenya has clear constitutional, legal and operational policies that embed the respect for human rights. Breathing life into them at this time will transform public confidence levels. It will also raise the level of professionalism that is desired by all of us in this room.

This statement is endorsed by members of the Police Reforms Working Group, an alliance of several organisations committed to professional and rule of law policing. They include the Social Justice Centres Working Group, International Justice Mission, Independent Medical Legal Unit, Katiba Institute, Kenya Human Rights Commission, Defenders Coalition, Haki Africa, Amnesty International Kenya, International Centre for Transitional Justice, The Kenyan Section of International Commission of Jurists (ICJ Kenya), Usalama Reforms Forum, Federation of International Women Lawyers (FIDA-K) Legal Resources Foundation, Transparency International Kenya, Shield For Justice, Wangu Kanja Foundation, Peace Brigades International and Katiba Institute