



PRESS RELEASE

NAIROBI

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STATEMENT

We, the organisations united in the search for truth and justice, welcome the report of the United Nations Special Rapporteur on Extra Judicial Executions, Prof Philip Alston.

We praise it for its clarity and candour, perceptiveness and precision as well as its bold recommendations. The mountain of evidence in the report is only a confirmation of what our membership that is engaged in human rights work have known and condemned for a long time – that sections of the security forces have been turned into killer squads with no respect for human life; they have become a law unto themselves.

These findings, though shocking, are not new to the Government. They have been presented to it in numerous reports here and abroad.

For example, last year, in September, the Kenya National Commission on Human Rights released its report on extra-judicial killings and disappearances, 'Cry of Blood' which was received with derision and open dismissal by the police and other official circles. Earlier, the KNCHR had released its report about the excesses of the security forces in Mt Elgon District in the report, 'Mountain of Terror'. The Independent Medico-Legal Unit followed this with the release of 'Double Tragedy', a report with similar findings, and was supported by the international Human Rights Watch report, 'All the Men Have Gone: War Crimes in Kenya's Mt Elgon District'.

Later last year, at the 41st session of the United Nations committee Against torture, the Kenya Government delegation acknowledged the occurrence of extra-judicial killings – including those carried out by agents of the State.

Prof Alston's unmasking of Kenya's security forces and the complicit inaction of the Attorney General should catalyse the Government to take urgent measures to punish

those who sanctioned and committed these violations, reform the institutions that housed the perpetrators, and make reparations to the victims.

The issues that the human rights community in Kenya has been raising cannot be wished away by denials and diversionary tactics. In this regard, we take great exception to the statement by the police purporting to deny the statements of the murdered whistleblower, Bernard Kiriinya. The police have chosen to evade the serious indictments made in the late Mr Kiriinya's confession and instead singled out the vice-chairman of the Kenya National Commission on human Rights, Mr Hassan Omar, and commission staff for intimidation through threats and dirty-tricks propaganda. The entire human rights movement, and civil society in general, stand with the commission on the probity and accuracy of their reports. And it unreservedly supports and endorses the findings and recommendations of the UN Special Rapporteur on Extra-Judicial Executions. It is the police in the dock, and they cannot turn accuser now.

The UN Special Rapporteur's report cannot be denied or wished away either. It echoes much of what the Commission of Inquiry into the Post-Election Violence, chaired by Justice Philip Waki found: That the security forces are culpable for gross human rights violations, including crimes against humanity, for which justice can be obtained at the International Criminal Court – if it is not locally forthcoming.

Prof Alston's report is an opportunity for the Government to radically reform the security services and inculcate in those who serve in them a respect for human life and rights, while securing justice for the victims of its agents' actions.

In light to this the undersigned organization hereby demand that the government takes all necessary measures to:-

Forthwith retract their ill-advised dismissal of the UN Special rapporteur's report and acknowledge the widespread of state perpetrated executions.

1. Immediately Seize perpetrating the misconception that the Special Rapporteurs report is based on a mere ten day visit, because the rapporteur requested for this visit in October 2007 and has been in constant communication on the same and conducted background research on the matter prior to his visit.

2. Dismiss from office and Institute criminal proceedings against the well known Police officers perpetrating the on-going systematic executions and the superiors issuing orders for execution..
3. Establish an independent police oversight body as recommended by the Waki commission, the UN committee against torture and the UN Special rapporteur on extra-judicial killings.
4. Fast track the recommendations of the Waki commission, which included the urgent, overlooked radical reforms in the security forces in Kenya.
5. Immediately effect the removal from office of the Commissioner of police Major. General Hussein Ali and the Attorney General Hon. Amos Wako on account of their evident incompetence in curbing increasing cases of extra-judicial Killings.

Independent Medico-Legal Unit

Kenya Human Rights Commission

International Commission of Jurists- Kenyan Section

Africa Center for open Governance

Release Political prisoners trust

Haki Focus

Law Society of Kenya

Christian Legal Education Aid and Research

Amnesty International-Kenyan section.

Legal Resources Foundation

Kituo cha Sheria

Kenyans for Peace Truth and Justice

**'Kenyan for Peace with Truth & Justice' is a coalition of over 30 Kenyan and east African legal, human rights, and governance organisations, together with ordinary Kenyans and friends of Kenya, convened in the immediate aftermath of the 2007 election debacle. Administrative headquarters: Africa Centre for Open Governance, P.O. Box 18157 – 00100, Nairobi, <admin@africog.org>*
