



PRESS STATEMENT FOR IMMEDIATE RELEASE:

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STATEMENT BY THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS ON THE DISRUPTION OF DEMONSTRATIONS ORGANIZED BY THE CIVIL SOCIETY AT THE FREEDOM CORNER, UHURU PARK.

The Kenya National Commission on Human Rights (KNCHR) today dispatched its officers to monitor the demonstrations organized by the Civil Society. The Commission is concerned at the conduct of the police officers that led to the forceful dispersal of demonstrators and the arbitrary and brutal arrest of 10 of them.

Our monitors observed that the Police cordoned off the entire freedom corner and then discharged tear gas canisters at those who were gathered at the venue. This uncalled for violence was extended to other members of the public who were innocently undertaking their daily businesses bringing the business to a standstill at the busy Uhuru Park. This is in clear contravention of Article 37 of the Constitution of Kenya that guarantees every person the right to peaceably and unarmed, to assemble, to demonstrate, to picket and to present petitions to public authorities. The Commission observed that the demonstrators were unarmed and did not at any time become unruly or exhibit any hooliganism to warrant the kind of force that was meted by the police. In doing so, the police action had the effect of ensuring that the demonstrators did not exercise their right to present their petition as they had intended.

Article 244 (c) of the Constitution requires that the National Police Service shall comply with constitutional standards of human rights and fundamental freedoms. As the constitutionally mandated body to advise government on compliance with its human rights obligations, the Commission advises that the Cabinet Secretary in charge of Interior and National Coordination assures us that this action did not enjoy the sanctions of the Executive. Having established that the actions were in blatant breach of the Constitution, we further advise that the Inspector General immediately initiate disciplinary proceedings against the officers who were deployed. Nothing less than these two actions would suffice to purge the offences by the police officers.

The Commission reiterates that the rights as articulated under Article 37 of the Constitution are a key ingredient to the realization of the national values as laid out in Article 10 and Chapter 6 of the Constitution. The Commission urges all Kenyans to remain vigilant in ensuring fidelity to the Constitution in its entirety and guard against reverting back to the painful old days characterized by suppression and inhibiting public participation in matters of national interest.

KAGWIRIA MBOGORI

CHAIRPERSON