



**Press Statement:**

**25<sup>th</sup> November 2016**

**Human Rights Violations and Brutality on Residents of Mumias Following the Raid on Booker Police Post:**

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The Kenya National Commission on Human Rights is deeply concerned by the brutality meted out on *Wananchi* by the GSU and the other police units following a raid at the Booker Police Post by unknown people on Tuesday 22<sup>nd</sup> November 2016. We are similarly concerned that the said assailants assaulted and subsequently injured a police officer in their mission that saw them make away with guns and bullets from the police post. We wish the police officer quick recovery so that he can continue with his duty of ensuring that Kenyans are safe and secure.

However, following extensive media reports, the Commission is gravely concerned about the manner in which the police have gone about in their bid to recover the said stolen guns and bullets. It appears to us that the police have gone on a wild rampage of collective punishment in their so-called operation to recover the stolen weapons. As a result, a number of serious human rights violations, including wanton destruction of property, theft and actual bodily harm, have been visited on the innocent civilians and residents of Booker in Mumias and its environs during the overnight operation by security officers.

It is unfortunate that in this age and era of constitutionalism, security agents continue to endanger the very lives of the Citizens they swore to protect. The Commission has learnt that women and children are the greatest victims of the security agencies' uncalled for action, with many innocent

residents suffering blunt object injuries. The Commission is also in receipt of reports and accusations of threats of rape issued by the security officers ostensibly to compel the residents of Mumias and its environs to produce the lost guns and ammunitions.

The Commission wishes to retaliate that the right to security of the person as protected by Article 29 of the Constitution of Kenya must be upheld at all times by the security officers in the course of their work. The raid of Booker Police Post is a pointer to the gaps in the security system and is another reminder to the National and County Governments to work together and ensure the speedy setting up of County Policing Authorities in all Counties so that the police and the citizens can have an avenue for intelligence gathering and sharing, which will in turn play a crucial role in detecting and preventing incidents like the Booker Post Police raid or intelligently following up on the same when they do occur. What is needed in this case is intelligence-led recovery efforts of the stolen gun and munitions and not collective punishment of whole communities.

The attack on Women and Children is an affront to Article 100 of our Constitution. While various legislative efforts have been made to ensure that women and children are fully protected under the law, it is unfortunate that they continue to be casualties of security operations in Kenya, a trend that has been documented by the Commission over the years.

The right to privacy as entrenched in Article 31 of the Constitution protects Citizens unwarranted home searches and seizure of property. The raid by security agencies in Mumias town and its environs has contravened these provisions and the Commission urges the Inspector General of Police to issue instructions for the release of confiscated Motor-bikes that are said to be in police custody to ensure residents continue with their lives.

The Commission will institute immediate investigations into all the human rights violation allegations that have been brought to our attention, and working together with IPOA, ensure individual responsibility for the security officers who will be found to have broken the law

The Commission is therefore urging the affected residents to report to the Commission by sending a short code message to 22359 or call 0724 256 448 or 0733 780 000.

*Signed:*

**George Morara**

**Vice Chairperson**

**Kenya National Commission on Human Rights**