



**GET UP
SIGN UP**

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

EXTERNAL
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Amnesty International
International Secretariat
1 Easton Street
London WC1X 8DJ
United Kingdom

KENYA

THREAT OF DEREGISTRATION OF THREE KENYAN HUMAN RIGHTS NON-GOVERNMENTAL ORGANIZATIONS

In this the year of the 50th anniversary of the Universal Declaration of Human Rights (UDHR) and Amnesty International's UDHR campaign we are calling for urgent, immediate action on this clear attack on human rights defenders in Kenya.

CONCERNS

Three Kenyan Non-Governmental Organizations (NGOs) have been threatened with deregistration following their support of the National Convention Executive Committee (NCEC), a loose alliance of political parties, human rights, legal, religious and other groups calling for Constitutional reform in Kenya. In 1997 peaceful rallies calling for reform organized by the NCEC were violently broken up by police officers using tear-gas, batons, live ammunition and rubber bullets and the head of the NCEC, Professor Kivutha Kibwana has been abducted and received death threats and threatening phone calls since the beginning of the year.

BACKGROUND

On Saturday 14 March the NCEC held a peaceful rally in Kamakunji, Nairobi during which they passed a series of resolutions calling on the government to carry out a number of reforms including:

- ◆ An end to the harassment of itinerant street vendors (hawkers) in Nairobi which has resulted in the death of one hawker and destruction of their property.

- ◆ The readmission of students expelled from Kenyatta University on Monday 16 March for protesting about the rise in tuition fees, the sale of university degrees by the Administration and the continued political violence in the Rift Valley which has resulted in the death of over 100 people since the middle of January 1998.
- ◆ The arrest and prosecution of corrupt individuals in the government and private sector.

The NCEC and their supporters threaten mass action beginning with a peaceful strike on 3 April if the government does not respond positively to their demands.

The NCEC attempted unsuccessfully to present these resolutions to the offices of the President and several other cabinet ministers on 17 March. That afternoon in a statement issued at State House, Nairobi, President Moi said that "*some members of the illegal National Convention Executive Council (NCEC) belong to various non-governmental organisations*" and warned that the NGOs concerned risked deregistration. He went on to state that NGOs should advise their members who wished to engage in politics to join legally-constituted political parties. On 17 March the Kenya Human Rights Commission (a key human rights NGO in Kenya), Kituo cha Sharia (a legal NGO giving free legal advice to the poor) and Econews Africa (a grass roots media organization) responded with a statement. In it they said "*lobby groups do not require registration. The NCEC is such a group and does not require registration nor can it be de-registered*". Following this statement the NGO Coordination Board, the government regulatory body for NGOs, announced that it would be calling the three NGOs to appear before it to explain their activities. This has yet to happen. The Citizens Coalition for Constitutional Change (4Cs) a project of various registered organizations (including Kituo cha Sharia and the Kenya Human Rights Commission (KHRC)) and so not requiring registration, also issued a press release in support of the right of NGOs to freedom of expression and association. They have since received a number of threatening anonymous telephone calls.

On 24 March the offices of the NCEC were searched by the police, some documents were removed and three staff members were held for several hours for questioning. The police presence was in response to an attempted attack on the offices of the NCEC by a small group of drunken men earlier the same day. The NCEC maintains that the strike on 3 April will go ahead and will be followed by others on May 4 - 5, June 2-5 and continuous strikes from July 1 until "*the people's struggle is successful*". We are concerned at this attack on the legitimate activities of the human rights community in Kenya. Also given the violent response to peaceful calls for reform in Kenya during 1997 by the police that these proposed days of action may result in further human rights violations.

WHAT YOU CAN DO

Send appeals into Kenya

Please send faxes and letters to the President, the Attorney General and the NGO Coordination Board (responsible for the registration of NGOs). (See addresses below.)

- ◆ Urge them to ensure that human rights defenders are allowed to function without fear of threats and harassment.
- ◆ Remind them that Article 20 of the UDHR allows for "*the right to freedom of peaceful assembly and association*". This gives everyone the right to form or join societies, trade unions, political groups and other associations.

- ◆ Remind them that Article 19 of the UDHR allows for *"the right to freedom of opinion and expression"*. This gives everyone the right to express their views without fear of punishment.
- ◆ Call on President Moi to reaffirm his commitment to human rights by signing Amnesty International's pledge and make this commitment: *"I promise to do everything in my power to ensure that the rights set out in the Universal Declaration of Human Rights become a reality throughout the world"*.

_Please send copies of your letters to the four NGOs, the NCEC and the NGO Council (the umbrella body for all NGOs in Kenya). (See addresses below.)

Write to your own government

_Please send faxes to your Foreign Ministry expressing concern at the escalating deterioration in the human rights situation in Kenya following the elections. Urge them to raise with the Kenyan government their concerns at the threats to the legitimate activities of the human rights community in Kenya. Urge them to raise concerns with the Kenyan delegation at the United Nations Commission on Human Rights taking place at the moment. Urge them to keep their focus of attention on Kenya to be in a position to prevent a political and human rights crisis in the country.

_Please also contact your Embassy in Nairobi urging them to take action to prevent further harassment of the human rights community in Kenya.

ADDRESSES

President Daniel arap Moi
Office of the President
PO Box 30510
Nairobi
Fax: + 254 2 337340

Mr Amos Wako
Attorney General
PO Box 40112
Nairobi
Fax: +254 2 211082

Chair
NGO Coordination Board
PO Box 44617
Nairobi
Fax: + 254 2 250702

Mr Maina Kiai
Director
KHRC
PO Box 55235
Nairobi
Fax: + 254 2 574997

Ms Jane Weru
Director
Kituo cha Sharia
PO Box 7483
Nairobi
Fax: + 254 2 751633

Ms Lynne Wanyeki
Program Director
Econews Africa
PO Box 76406
Nairobi
Fax: + 254 2 604682

Ms Alice Mudiri-Ogolla
Acting Chief Executive Officer
NGO Council
PO Box
Nairobi
Fax: +254 2 574660

Professor Kivutha Kibwana
Co-Convenor
NCEC
PO Box 59743
Nairobi
(No fax)

Mr Erastus Wamugo
Director
4Cs
PO Box 65646
Nairobi
Fax: + 254 2 571432