

PUBLIC

AI Index: AFR 32/001/2008

30 January 2008

UA 29/08

Death threats/Fear for Safety

KENYA

Maina Kiai (m), Chairman of Kenya National Commission for Human Rights
Muthoni Wanyeki (f), Executive Director of Kenya Human Rights Commission
Haroun Ndubi (m), human rights lawyer, member of Kenya Domestic Observers Forum
David Ndii (m), author of report on electoral irregularities
Gladwell Otieno (f), Director of Africa Centre for Open Government
Ndung'u Wainaina (m), staff member of National Convention Executive Council
Njeri Kabeberi (f), Executive Director of the Centre for Multi-Party Democracy
Nahashon Gachehe (m), employee of Independent Medico-Legal Unit
James Maina (m), member of People's Parliament (Bunge La Mwananchi)

The human rights defenders and pro-democracy activists named above have received a number of anonymous threats, including death threats, in the last two weeks. As a result, they have had to take precautions for their safety such as moving from their house, or not making public statements, after receiving anonymous SMS messages, telephone calls and emails threatening them.

These threats are in response to statements or actions by those named above about the results of the Kenyan General Election held on 27 December 2007, or about human rights abuses that have occurred during the violence that has followed the elections. The results of the election are contested, and have resulted in significant political conflict in Kenya that has become divided on ethnic lines. The Kikuyu ethnic group are largely perceived to have supported President Kibaki while the Luo and Kalenjin ethnic groups in Kenya, are thought to have supported the opposition candidate, Raila Odinga.

All except one of the human rights defenders and pro-democracy activists listed above are of Kikuyu ethnicity. The threats they have received include accusations that they are "traitors" to their ethnicity, because they have spoken out about what they believe to have been irregularities in the election result, or about human rights abuses committed by the police and armed gangs, including gangs of Kikuyu people, throughout the country.

Four of the human rights defenders and activists are also named in an anonymously authored pamphlet that has been circulating within the Kikuyu community in Kenya by print and email in recent days. The pamphlet includes the four as part of a list of more 25 people of Kikuyu origin, who it calls "traitors (who) live among us in peace", and included a veiled threat that they should be killed.

BACKGROUND INFORMATION

There has been widespread violence in Kenya following the General Election and President Mwai Kibaki's inauguration on 30 December 2007. This violence has been witnessed in different parts of Kenya, including parts of Nairobi, Nyanza province, Western Province, the Rift Valley and Coast Province.

The violence was largely instigated by supporters of the opposition party, the Orange Democratic Movement (ODM), who believed the presidential election had been rigged in favour of President Kibaki. There were reports of excessive use of force by the police against protesters, including protesters being shot dead.

There have been many attacks on Kikuyu people, often with machetes, stones, clubs, and bows and arrows. Recently the number of retaliatory attacks by Kikuyu gangs on Luo and Kalenjin people has increased. Over 600 people have been killed in the violence, and the UN has stated that over 250,000 people have been displaced from their homes. Thousands have crossed into Uganda and Tanzania as refugees.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- expressing concern about the death threats against the human rights defenders and pro-democracy activists listed above (naming them);
- urging the authorities to ensure the safety and protection of human rights defenders and pro-democracy activists in Kenya;
- calling on the Kenyan government to investigate these threats and to bring those responsible to justice through fair trials;
- calling on the authorities to guarantee that right to freedom of expression and the rights of human rights defenders are respected;
- urging the government to take effective action to ensure all public servants, including the security forces, act to recognise the legitimacy of the work of human rights defenders and to abstain from making unsubstantiated allegations against human rights defenders.

If you live in an EU member country, please also copy your embassy in Nairobi, asking the EU to intervene to support these human rights defenders, in accordance with the European Union Guidelines on Human Rights Defenders.

APPEALS TO:

Hon. Mwai Kibaki C.G.H. M.P
President of Kenya
PO Box 30510-00100, Nairobi, Kenya
Fax: +254-20-313600
Email: pps@statehousekenya.go.ke
Salutation: Your Excellency

Major General Mohamed Hussein Ali, M.G.H.
Commissioner of Police
PO Box 30083, Nairobi, Kenya
Fax : +254-20-240955
Salutation: Dear Commissioner

Hon. Prof George Saitoti
Minister of State for Internal Security
Harambee House, Harambee Avenue
P. O. Box 30510-00100, Nairobi, Kenya
Fax: +254-20-313600
Salutation: Dear Minister

COPIES TO:

Maina Kiai
Chairperson, Kenya National Commission for Human Rights
PO Box 74359 – 00200, Nairobi, Kenya
Fax: +254202716160
Email: mkiai@knchr.org

and to diplomatic representatives of Kenya accredited to your country. **Please visit www.embassyworld.com for details of your own country's representatives in Kenya.**

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 13 March 2008.