

# AMNESTY INTERNATIONAL

## Public Statement

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### **Kenya: The Government should fully investigate recent deaths in custody in Meru district**

Amnesty International welcomes the Kenyan government's decision to probe into the death on Monday of six prisoners in Meru district. It should now ensure that a full post-mortem is carried out on the victims and that the investigation is independent and thorough. The findings of the investigation should be made public.

On 27 September 2004 George Kimathi, Festus Ntombura, Bafa Gitonga, Joseph Thuku and Patrick Muriungi were found dead in their cell at Meru G.K. Prison in Eastern Kenya. Another unidentified prisoner died on the way to hospital. Prison officials publicly admitted the deaths but attributed them to "a drunk-related illness". However, the District Medical Officer reportedly said the five died of suffocation and sustained injuries consistent with congestion.

Amnesty International is gravely concerned that the Government of Kenya is failing to protect the lives of citizens in its custody.

Reports indicate that on the same day of 27 September, 23 other prisoners in a critical medical condition were admitted to Meru District Hospital with injuries. Local human rights organizations alleged that some inmates continued to be tortured by prison warders not only in Meru district but also in other parts of the country.

"The Kenyan government should also investigate all allegations of torture and take legal action against those prison authorities found responsible," the organization said.

Amnesty International has made several appeals to Kenyan authorities to ensure that prison conditions do not amount to cruel, inhuman and degrading treatment or punishment. However, prison conditions in Kenya continue to be harsh. The six prisoners who died in Meru were sharing a 6 by 3 feet cell with seven other inmates. Information gathered by Amnesty International indicates that Meru G.K. Prison, designed for 500 inmates, currently accommodates at least 1400 prisoners, with some spending the night in the corridor, and other sharing beds. The organization strongly denounces unacceptably overcrowded accommodation in prisons in Kenya including in Meru prison. Such severe overcrowding affects inmates' health conditions.

The Government of Kenya should honour its international obligation to end torture in Kenyan prisons and urgently take practical steps to address harsh prison conditions in accordance with the UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment and the UN Standard Minimum Rules for the treatment of Prisoners, Amnesty International said.

## **Background**

In September 2000, six prisoners on death row were killed at King'ong'o Prison. Prison officers alleged that the prisoners died as a result of falling from the eight-metre high perimeter fence. This was confirmed by a post-mortem. However, due to pressure from human rights organizations and family members, a second post-mortem was carried out. Medical evidence obtained indicated that the bodies had been subjected to repeated blunt trauma, injuries that were not consistent with a fall. This led, after a lot of pressure, to a criminal case which is still pending in a Kenyan court.