

PUBLIC

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Fear for safety / Impunity

18 December 2002

KENYA

**Civic, Parliamentary and Presidential candidates,
Voters in 27 December 2002 General Elections**

Amnesty International fears for the safety of candidates and voters in the run-up to the forthcoming civic, parliamentary and presidential elections on the 27 December. A number of people have been injured and at least one person has died as a result of politically motivated violence.

On 19 November, one person was stabbed to death and at least ten injured when supporters of the ruling Kenya National African Union (KANU) and those of the opposition National Alliance Rainbow Coalition (NARC) clashed in the capital Nairobi. The clashes occurred as two presidential candidates, Uhuru Kenyatta (KANU) and Mwai Kibaki (NARC) presented their nomination papers to the Electoral Commission of Kenya. The police took no action against those involved.

On 21 November, Ekuwam Adou, a journalist from the *Daily Nation* newspaper, was attacked and stabbed in the left arm with a knife by KANU supporters, during parliamentary nominations in Isiolo district, Eastern province.

The next day, two people were killed in Changamwe, Mombasa, and Vihiga, Western Province, during a confrontation between supporters of rival candidates contesting NARC parliamentary seats. At least 15 people suspected of having caused the violence were arrested.

Charles Lwali Oyondi, the NARC candidate for the Nakuru town parliamentary seat was reportedly shot outside his house on the night of 22 November. One the bullets hit him in the chest and exited through his right side. He was admitted to Pine Breeze hospital and believes that the attack by a gang of six people was politically motivated.

At least twelve people were reportedly injured after supporters from KANU rival groups clashed in Wajir South, North Eastern Province on 22 November. They attacked each other with machetes and swords at the Burder nomination center. According to press reports, the groups were divided along ethnic lines with each supporting their own candidate.

Scores of people were injured when armed police dispersed KANU supporters protesting nomination results in Maua town, Eastern Province, on 23 November.

BACKGROUND INFORMATION

Opposition political parties were legalized by the KANU government in December 1991. This was followed by Kenya's first multiparty presidential and parliamentary elections, which were held concurrently in December 1992. These and the second multiparty elections in 1997 have been marred by politically-motivated violence and an increase in human rights abuses committed by the Kenyan government and private militia.

Between 1991 and the end of 1994, over 1,500 people are estimated to have been killed and over 300,000 displaced as a result of violence. Presidential and parliamentary elections in December 1997 were preceded by an intensification of politically motivated "ethnic" clashes. For example, in August 1997, bands of raiders from the Digo ethnic group attacked disproportionately pro-opposition minority groups in Coast Province, claiming at least 104 lives.

Since early 2001, there has been an increase in ethnic tension in Rift Valley Province with scores of people killed in clashes similar to the violence, which struck the area during the 1992 and 1997 elections. At least 28 people are reported to have been killed in ongoing clashes between Maasai and Kisii groups in Gucha and Transmara Districts since early 2001. In Tana River District, 54 people are reported to have been killed in clashes between the Pokomo and Orwa communities in December 2001.

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

- expressing concern at the failure of the government to take effective action to end politically motivated human rights abuses, protect citizens from violence and uphold the law;
- urging the Kenyan government to take urgent steps to end impunity by investigating and bringing to justice those responsible for election violence;
- urging the police and provincial administration to provide impartial and adequate policing of political rallies and security for all political parties;
- calling on the authorities to guarantee citizen's rights to physical integrity, freedoms of expression, assembly and association.

APPEALS TO:

The Attorney General

Mr Amos Wako

Office of the Attorney General

State Law Office

PO Box 40112

Nairobi, Kenya

Telegram: Attorney General, Nairobi, Kenya

Fax: +254 2 315 105

Salutation: Dear Attorney General

The Commissioner of Police

Commissioner Philemon Abong'o

Kenya Police Headquarters

PO Box 30083

Nairobi, Kenya

Telegram: Commissioner of Police, Nairobi, Kenya

Fax: +254 2 333 641

Salutation: Dear Commissioner of Police

COPIES TO:

The Police Spokesperson

Mr King'ori Mwangi

Kenya Police Headquarters

PO Box 30083

Nairobi, Kenya

Telegram: Police Spokesperson, Nairobi, Kenya

Fax: +254 2 333 641

Salutation: Dear Police Spokesperson

and to diplomatic representatives of Kenya accredited to your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 29 January 2003.