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Kenya: Government tells Kenyans to "forget" about torture

Amnesty International is shocked and appalled that Major Marsden Madoka, Kenya's Minister of State responsible for internal security, yesterday told Kenyans to "forget" about the widespread acts of torture committed by the country's security forces.

His statement followed the Kenyan government's first ever admission that torture is widespread among Kenya's security forces.

"In the 50th anniversary week of the Universal Declaration of Human Rights, which explicitly forbids torture and cruel, inhuman and degrading treatment or punishment, it is beyond belief that Kenyan politicians are trying to undermine the suffering of people who have been tortured, as well as their human rights, and to give the torturers impunity," Amnesty International said.

The government's admission that torture is widespread in Kenya came as no surprise to Amnesty International. In March 1998 the organization presented the United Nations' (UN) Commission on Human Rights with the case of Geoffrey Ngungu Gichuki and over 150 other members of the religious group Mungiki, who were arrested as they prepared to celebrate Kenya's independence day in 1994.

While in Special Branch police custody, Geoffrey Ngungu Gichuki was hung from a tree, string tied around his upper arms preventing blood circulation, and a rope tied around his forehead to keep his head against the tree trunk while Special Branch officers beat him all over his body. During the torture his right arm was so badly injured that he developed gangrene, and had to have his arm amputated at the shoulder. Geoffrey Ngungu Gichuki was never charged with a criminal offence and to Amnesty International's knowledge, his torturers remain at work.

Impunity for torturers whose identity is known is common in Kenya. Ali Hussain Ali was beaten to death in a police station in Wajir, North Eastern Kenya, in March 1997, and in June 1998 a Magistrate ruled that two policemen and an army corporal were responsible. But despite repeated representations to the Attorney General, Amos Wako -- by the victim's family, the media as well as human rights organisations -- the three men are still free.

"The stories of people like Geoffrey Ngungu Gichuki and Ali Hussain Ali, and the fact that their torturers remain unpunished, illustrates the urgent need for the Kenyan government to honour their obligations under the UN Convention against Torture, which they ratified in February 1997," Amnesty International said.

In a 1997 letter to the Kenyan government, the UN Special Rapporteur on Torture noted that the security forces apparently use torture for many purposes, including intimidating detainees, dissuading political activism and obtaining "confessions" and bribes.

In a 1997 report, *Detention, torture and health professionals* (AFR 32/01/97), Amnesty International recommended that the Kenyan authorities implement a full program of

measures to combat torture, including prevention of arbitrary arrest and detention, establishing strict controls of interrogation procedures, investigation of all reports of gross human rights violations, and conducting a full inquiry into the use of torture by security forces in Kenya.

The apparent impunity given to Special Branch and other police officers is a major impediment to justice in Kenya. Amnesty International therefore calls for the suspension of all police and security officers suspected of committing acts of torture, followed by prompt, full and impartial investigations into all allegations of torture. The results of these investigations should be made public and those found to be responsible should be tried and brought to justice promptly, with reparations made to victims where appropriate.

"The statement that the many, and continuing, acts of torture committed by security forces in Kenya should simply be forgotten is a blatant attempt to deny ordinary Kenyans' their fundamental human rights. And if torture can be forgotten, what other abuses could the government allow the security forces get away with?" Amnesty International said.
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