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**KENYA: GOVERNMENT FAILS TO TAKE ACTION TO STOP TORTURE**

A year on from a damning report on the use of torture throughout Kenya, its government has failed to take any concrete steps to ensure that no more men, women or children face further horrific abuses, Amnesty International said today.

The human rights organization visited Kenya twice during 1996 to investigate allegations that the police, security forces and members of the Youth Wing of the ruling Kenyan African National Union (KANU) party had tortured detainees, and that some health professionals had also been involved.

“Despite all the evidence that torture of detainees is endemic and systematic throughout the country, the Kenyan authorities prefer to deny that these abuses take place and criticize anyone who seeks to publicize them, rather than actually try to remedy the situation,” Amnesty International said.

“In fact, the overwhelming weight of testimony indicates that there is at least one establishment set up specifically to torture opponents of the current government in Kenya.”

Amnesty International is urging the government to take concrete steps to halt torture and improve prison conditions, and has called on the Kenya Medical Association (KMA) to make clear its opposition to torture and any involvement of health professionals in the ill-treatment of detainees.

“The Kenyan Government has had a year in which it could at least have tried to remedy the widespread torture it presides over, but instead it has done nothing effective about the situation,” the organization said. “After another year’s worth of evidence, if the authorities again fail to take action then the conclusion must be that they condone the use of torture in Kenya.”

The conditions inside Kenyan jails are appalling, especially as a result of severe overcrowding. A government committee set up in 1996 to assess ways of reducing the prison population has yet to report and in 1996 alone the prison population has increased by 8,000.

Men and women are kept together; children as young as nine years old have been held with adults and some reportedly raped, and prisoners often have to fight each other for food. Victims of torture in Kenya can be men or women, young or old and detained for political or common law offences. The methods used are basic and brutal, sometimes leading to death. During 1996 Amnesty International received reports of the following methods of torture being used:

Electric shocks; sexual abuse including rape, the tightening of wire tied around testicles, insertion of objects into the rectum, pricking of genitals with a sharp object; burns; beatings on both sides and all over the body, on the soles of feet, of ears, sometimes with a sharp-edged pole; being kept in a small hole which is gradually filled with water; forcing prisoners to maintain a tiring position; and confinement in the dark.

Prisoners in Kenya are not automatically given access to a doctor and attempts by medical professionals to visit them are frequently delayed. In some cases the authorities put pressure on health professionals to collaborate in the ill-treatment meted out. On other occasions, doctors’ evidence of torture has been rejected or blocked by officials.

The majority of those tortured in Kenya are alleged criminals from the poorest sectors of society. Most people arrested by the police are given some sort of beating, Amnesty International said. Victims are often threatened by the police not to talk about what happened to them or face rearrest -- or worse -- and are then too scared to go to a police station to complain.

In a new 26-page report, the human rights organization reveals that in some cases, while torture was being administered, some 12 to 13 people would be in the room; four carrying out the torture and the remainder observing and encouraging. Before and after the torture, a doctor reportedly administered painkillers and advised whether the prisoner was still fit enough to sustain another bout of "interrogation".

One 19-year-old man, who was arrested in 1995, said he was made to hang from a door and was beaten on the soles of his feet. The following day interrogators tied a wire around his testicles and pulled for around three minutes. This was repeated several times. The man was then taken back to his cell, where he was seen by a doctor who gave him two Panadol painkillers. He was subsequently submitted to further torture such as the "boxing" [beating] of his ears and beating on the body with a wooden pole.

Two women who were arrested in July 1996 were reportedly severely tortured: one, Jane Wanbui, who was five months' pregnant at the time of her arrest, miscarried after a senior police officer kicked her repeatedly in the stomach. The other, 17-year-old Virginia Nyambura Wambui, was whipped and beaten with sticks, kicked and had salt put in her vagina. She was subsequently treated in hospital.

Amnesty International believes that at least five prisoners have died in custody during 1996 as a result of torture. Yet by the end of September 1996 no public inquests had been set up into any of the deaths. In one case, according to local human rights activists, there had been a "coordinated effort by the police, the District Administration and the hospital staff to cover up the case, to conceal the truth and to frustrate investigations".

Health professions can also play a major role in the protection of human rights through the exposure of torture and other abuses, the organization said. The KMA should make public its opposition to unethical practices by doctors, including collusion with torture and the poor state of medical care in prison. The KMA should be supporting doctors actively promoting human rights and medical ethics in Kenya.

Amnesty International is calling on the Kenyan Government to take concrete measures to end the widespread torture. These should include an end to arbitrary arrest and incommunicado detention, strict controls over interrogation procedures and the prohibition of the use of confessions extracted under torture, the investigation of all reports of gross human rights violations, timely post-mortem examinations and public inquests in all cases of death in custody.

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