

EXTERNAL

AI Index: AFR 32/20/97

This is a limited action. Please restrict appeals to 20 per Section.

UA 134/97

Ill-treatment / Fear for safety

6 May 1997

KENYA

Pro-democracy activists

On 3 May 1997 Kenyan police and security forces violently prevented a peaceful pro-democracy rally from taking place in Nairobi. With further pro-democracy activities planned for the near future, Amnesty International fears for the safety of those preparing and participating in a pre-election campaign for legal and constitutional change, including human rights improvements.

Over 100,000 people, led by leaders of opposition parties, human rights activists and church leaders, were attempting to gather in the Nairobi suburb of Kamakunji for a public meeting organized by the non-governmental National Constituent Assembly (NCA). However they were prevented from doing so by some 2,000 members of the police and the paramilitary General Service Unit who cordoned off the venue and the surrounding streets. Many were beaten with whips and batons and people were dispersed with tear gas.

A number of prominent convenors of the meeting were injured, but it appears that the police attacked the crowd at ransom when members of the ruling Kenya African National Union party (KANU), who were mingling with the predominantly anti-KANU crowd, allegedly began to throw stones at the police in order to provoke a retaliation. There were no arrests reported.

The government claims that the meeting was illegal as the NCA had not applied for a permit required under the Public Order Act. The NCA maintained that the meeting was an educational gathering and did not need to be licensed under the Act, which the organization in any case believes is unconstitutional and should be repealed.

The NCA is calling for a series of constitutional, legal and administrative reforms which it considers the government must pass if the general election, due to be held before the end of the year, is to be free and fair. The NCA, an alliance of opposition parties, churches and non-governmental organizations, is planning a series of peaceful activities running up to the election, including prayer meetings and mass meetings at all Kenya's provincial headquarters towns.

Kamakunji is a historic location for meetings by pro-democracy activists. In November 1991 up to 300 such activists were arrested when a rally called for by the FORD opposition party was violently disrupted by police who sealed off the area and forcibly dispersed peaceful protesters with tear-gas and batons.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English or your own language:

- expressing concern about police brutality and ill-treatment against peaceful demonstrators on 3 May 1997 in Nairobi;
- seeking assurances that future peaceful demonstrations, and activities organized by the National Constituent Assembly, will not be subjected to violence, threats, harassment or arrests by the Kenyan police;
- urging that democracy activists and human rights defenders be allowed to carry out their non-violent activities without fear of harassment and intimidation.

APPEALS TO:

Commissioner Duncan Wachira
Commissioner of Police, Police HQ,
PO Box 30083, Nairobi, Kenya
Telegrams: Police Commissioner Wachira, Nairobi, Kenya
Faxes: +254 2 240955 or 330495 (if no tone please try later)
Salutation: Dear Commissioner

Mr Amos Wako
Attorney General
PO Box 40112
Nairobi, Kenya
Telegrams: Attorney General Wako, Sheria, Kenya
Faxes: +254 2 211082
Salutation: Dear Attorney General

COPIES TO:

Professor O Mutungi
Chairman
Standing Committee on Human Rights
PO Box 74359
Nairobi

National Constituent Assembly
PO Box 65646
Nairobi

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 25 June 1997.