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## **Kenya: New government must ensure justice for victims of post-election violence**

As the new Kenyan coalition government prepares to take office, Amnesty International today called on the new government to ensure that those responsible for the human rights abuses committed during the post-elections violence are brought to justice.

“This new chapter in Kenya’s political history must not be built on a foundation of impunity -- but rather justice for the Kenyan people who suffered during this traumatic period. There can be no impunity for human rights violations,” said Amnesty International.

The organization called on the new government to ensure that perpetrators of human rights abuses during the post-election violence -- including members of the security forces who may have used excessive force against demonstrators -- are promptly brought to justice in trials that comply with international standards.

Amnesty International also called on the new government to guarantee victims of human rights abuses will receive reparations and that the thousands of internally displaced persons receive restitution and are able to return to their homes in safety as soon as possible or are resettled elsewhere.

“Since the post-election violence, action by the Kenyan government to bring the perpetrators and organizers of violence to justice has been limited, at best,” said Amnesty International. “This must change now, if the new government is going set the stage for a just future for all Kenyans.”

On 4 March, parties to the Kenyan mediation reached an agreement on the establishment of a non-judicial commission of inquiry into the post-election violence and a truth justice and reconciliation commission (TJRC). According to the 4 March agreement, the TJRC “will inquire into human rights violations, including those committed by the state, groups or individuals ...between December 12, 1963 and February 28, 2008.”

“In order to avoid extensive delays in justice for victims, as well as the deterioration of vital evidence, the Kenyan government must establish the proposed Commission of Inquiry into the post-election violence without further delay and ensure that it is independent and impartial,” said Amnesty International.

The organization called for the mandate of the proposed Commission of Inquiry to be defined in terms consistent with international human rights law and said that the Inquiry should investigate human rights abuses by both state and non-state actors, and include an investigation of the organized and/or spontaneous nature of the post-election violence, the involvement of different armed youths or groups, the role played by the politicians in the violence, and the role of the police and other security forces.

Amnesty International urged the new government to ensure that the proposed TJRC forms part of a broader,

long-term, comprehensive action plan to uphold the rights of victims of past human rights abuses and obtain truth, justice and reparation. The organization recommended that national and international civil society organizations, victims, human rights defenders and persons belonging to minorities and vulnerable groups be fully involved in the discussions on the establishment, mandate and powers of the truth commission, as well as in the selection of its members.