

29 August 2000

Further information on EXTRA 71/00 (AFR 32/05/00, 29 August 2000) -

Ill-treatment / Fear for Safety

KENYA Pro-democracy activists

The pro-democracy rally planned to take place in Mombasa on 26 August was called off at the last moment by Ford-Kenya MP James Orengo, who claimed that President Moi had "hijacked" the Tononoka venue. However, there are plans to hold the rally at the same venue on 9 September, and Amnesty International remains concerned for the safety of those attending.

Police had refused permission for the rally to go ahead on the grounds that President Moi would be addressing another meeting in Mombasa at the same time. A legal amendment to the Public Order Act introduced in the run-up to the 1997 elections allows the police to prevent a meeting from taking place for various reasons, including if there is a clash between two meetings. Amnesty International considers that such legislation contravenes international human rights law on the right to freedom of expression and assembly.

When police and security forces broke up a similar pro-democracy rally in Nairobi on 19 August, at least one person was killed and many others were injured. Police reportedly fired rubber bullets and teargas into a crowd waiting for members of parliament to arrive and address the meeting. People fled into a nearby housing estate, where teargas fumes caused families to flee their homes. Several members of the opposition were prevented from addressing the rally and were forcibly confined in the Parliament buildings. Twenty-one people were arrested in connection with the demonstration and charged with "creating a disturbance".

Please continue to send appeals.

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

- seeking assurances that peaceful protests and activities organised by pro-democracy advocates will not be subjected to violence, threats, harassment or arrests by the police;
- urging that when dealing with protests, the security forces follow international guidelines, including the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;
- expressing concern about police brutality and ill-treatment of peaceful demonstrators protesting at the Kamukunji grounds, Nairobi, on 19 August, and urging the authorities to set up a prompt and impartial investigation, ensuring that those responsible for using excessive force are brought to justice.

APPEALS TO:

Philemon Abong'o
Commissioner of Police
Police HQ
PO Box 30083
Nairobi
Kenya

Telegrams: Police Commissioner Abong'o, Nairobi, Kenya
Faxes: + 254 2 330 495
Salutation: Dear Commissioner

Mr Amos Wako
Attorney General
PO Box 40112
Nairobi
Kenya

Telegrams: Attorney General Wako, Nairobi, Kenya
Faxes: + 254 2 315 105
Salutation: Dear Attorney General

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 9 September 2000.