

AMNESTY INTERNATIONAL

PRESS RELEASE

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Kenya: A human rights memorandum to the new Government

As the new Government takes office Amnesty International calls on the newly-elected leaders to commit themselves to respect and uphold the fundamental rights and freedoms of the people, enshrined in domestic law as well as in the international human rights treaties signed and ratified by Kenya.

In a memorandum sent to the new Government today, Amnesty International welcomes the positive signs for human rights in Kenya, namely expressions of commitment to abolish the death penalty, transitional justice, the prosecution of suspected perpetrators of torture and the provision of compensation to survivors of torture, steps to protect the rights of street children and a change in policy for refugees.

"In line with these commitments, the Government of Kenya should take prompt actions in these areas by introducing the appropriate legislations in parliament where these are required and taking any other required administrative steps," the organization said.

Amnesty International further urges the Kenyan Government to consider, in particular, the following areas:

Impunity: The Government should launch thorough and independent investigations into all alleged human rights abuses that have been reported in the run up to the December 2002 elections; into the human rights abuses described in the Akiwumi Commission report; and into all political assassinations and "disappearances". Those found responsible must be brought to justice.

Torture and ill-treatment: The Government should make a clear statement that it will not tolerate torture and ill-treatment by law enforcement officials; that any allegations of torture will be considered by the presiding magistrate; that doctors will be trained to document acts of torture; that it will complete the implementation of all recommendations contained in the 1999 report of the UN Special Rapporteur on Torture.

Violence against women: The Government should reform laws and practices to make all acts of violence against women, including marital rape, criminal offences; the establishment of mechanisms in police stations, hospitals and medical clinics to facilitate sensitive and effective handling of violence against women cases, as well as programs to educate and train judicial officers about gender-based crimes.

Administration of Justice and Judicial Reform: Amnesty International urges the Government to guarantee the right to a fair trial for all Kenyans; press forward with judicial reform by ensuring that a comprehensive set of procedures to deal with corrupt court officers and judges is in place; provide adequate financial and technical resources for judicial reform and improving the professional standards of all court officers through training.

The Review of the Constitution of Kenya: The organization urges the Government to prioritize the constitutional reform process in order to guarantee the human rights of all Kenyan in the long term.

Ratification of International Human Rights Instruments: The Government should ratify all the international human rights instruments that Kenya has not yet ratified.

"Every Kenyan has the right to live in a society where their basic rights are respected in law and in practice. All those who now govern Kenya should commit themselves publicly to making human rights a reality for Kenyans," Amnesty International said.

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