

PUBLIC

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Further information on EXTRA 53/99 (AFR 32/08/99, 20 April 1999) - Fear for safety/Excessive use of force by police

KENYA **James Orengo, MP, and others**

Amnesty International has learned that political rallies on 24 April 1999 were disrupted by violence by police and others.

Two people, one a plainclothes police officer, were seriously injured during fighting in Ugunja town at a *harambee* (fundraising meeting) organised by Raila Odinga MP, leader of the National Development Party (NDP). The two were reportedly beaten by NDP youth members, armed with whips, clubs and sling shots, who thought they were supporters of James Orengo. The policeman who was beaten had his gun stolen by his attackers. Five people were reportedly arrested.

James Orengo, MP for the Forum for the Restoration of Democracy (FORD - Kenya), the organiser of a rival political meeting scheduled to be held simultaneously, was detained by police at a road block about 5km outside Ugunja Town until the *harambee* ended. Police had declared Mr Orengo's rally illegal that morning to try to prevent it from going ahead. On reaching Ugunja town, Mr Orengo and his supporters addressed a crowd of approximately 3000.

After an hour, the police fired into the air and used tear gas to try to disperse the crowds fighting in the streets. They are reported to have clubbed people freely as they ran for cover. It is also reported the police beat two journalists covering the rally and smashed their car windscreens. Riot police charged at other journalists as they attempted to file their stories from nearby phone booths.

The deployment of large numbers of riot police did not prevent violence. It was reported that police searched vehicles entering the town for supporters of James Orengo but did not prevent over 100 Odinga supporters, who clearly arrived with violence in mind, from attacking dozens of people they thought were supporters of James Orengo.

Elsewhere in Kenya that day, Social Democratic Party leader Charity Ngilu, MP, needed hospital treatment for her injuries after youth wing members of the ruling party Kenya African National Union (KANU) threw stones at her car in Mutomo (in Nyambene District, central Kenya). Charity Ngilu was attending the count at a local by-election, during which KANU supporters allegedly handed out money to voters at the polling station. Police are reported to have triggered the violence by forcibly ejecting KANU and NDP supporters from the local counting hall.

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

- expressing concern that police did not prevent or effectively end violence by political supporters at the rally organized by James Orengo on 24 April 1999;
- requesting an inquiry into police use of excessive force at political meetings and policing of such meetings;

- urging the authorities to issue a public statement to the police, military and other security forces responsible for policing political meetings saying that excessive use of force will not be tolerated;
- seeking assurances that future policing of peaceful demonstrations and activities organized by MPs, other organizations and human rights activists will not result in police brutality, arrests, threats or harassment of those attending.

APPEALS TO:

Major Marsden Madoka
Minister of State (responsible for internal security)
Office of the President
PO Box 30510
Nairobi, Kenya
Telegrams: Major Madoka, Nairobi, Kenya
Faxes: + 254 2 337340 (if no tone please try later)
Salutation: Dear Major

Commissioner Philemon Abong'o
Commissioner of Police
PO Box 30083
Nairobi, Kenya
Telegrams: Police Commissioner Abong'o, Nairobi, Kenya
Faxes: + 254 2 330495
Salutation: Dear Commissioner

COPIES TO:

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

The Daily Nation, PO Box 49010, Nairobi, Kenya
Faxes: + 254 2 213946

and to diplomatic representatives of Kenya accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.