

Kenya Police News

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A Kenyan woman gang raped during the post-election violence in her country has accused policemen of carrying out the crime. Beatrice, who was interviewed by Al Jazeera seven months ago over the same attack, now says she was raped at a showground by "police in uniform". The rape left her pregnant and HIV positive. Beatrice has since given birth to a baby girl. She said: "I went and got checked and when they tested me they found that I was pregnant and that I was HIV positive. "I had been raped by people who were HIV positive. I began agonising about the pregnancy. I was wondering what to do with the baby. A friend told me not to kill the baby." But after Beatrice had given birth she realised whom her attackers were. "I saw the people who did this to me - they were dressed in police uniforms," she said. The men had told Beatrice and her friends that they were coming to take care of them. Rape was used as a tool of violence during the ethnic conflicts that erupted nationwide in December last year, she said. Many police officers were implicated in rapes and the election violence. "Nobody knows how many 'rape babies' were conceived during the post-election violence," Ndege said. "Part of the problem is that many of the women who were raped are just too afraid to come forward." But 29 women have come forward to Dr Rose Owaga, a clinical psychologist. She found that many of them were raped by groups of three men, Ndege said. At least 14 of the women were HIV positive before they were raped, but the rapists did not seem to care, she added. Some of the women pleaded with their assailants, telling them that they were HIV positive. But the women said that they were beaten and their pleas went unheeded. The police say they are investigating the sexual crimes that were committed during the mayhem. But they have been doing so for months and no officer has been charged despite hundreds of allegations, Ndege said. "Many of the women told me that they had tried to go to the police with their accusations and on many occasions they found that they were unwilling to take statements." Ndege said that a government report released last Friday about the violence highlights such behaviour. It also recommends that a female police unit and tribunal should be set up and any people who have committed crimes be brought to justice. Hassan Omar Hassan, vice chair of Kenya's National Commission on Human Rights, told Al Jazeera that the report says that there could be about 900 rape victims.

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"The Kenyan police are a law unto themselves and they kill often with impunity," Philip Alston, the UN Special Rapporteur on extrajudicial, arbitrary or summary executions, said in a preliminary report. The government had invited Alston to investigate allegations of unlawful killings by the police, violence in the western Mt Elgon district and murders during the post-election violence in early 2008. "It is clear from the many interviews I conducted that the police are free to kill at will," he said. "Sometimes they do so for reasons of a private or personal nature. Sometimes they kill in the context of extortion, or of a ransom demand. Often they kill in the name of crime control, but in circumstances where they could readily make an arrest." There was also compelling evidence that police death squads operated, primarily in Nairobi and Central Province, with the explicit mandate to exterminate suspected Mungiki

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(an outlawed sect) members. Outlining 11 preliminary recommendations, which he said would be given in a final report to President Mwai Kibaki as well as the UN, Alston said the president should publicly acknowledge the widespread problem of extrajudicial executions and commit to systematic reform. "Effective leadership on this issue can only come from the very top, and sweeping reforms to the policing sector should begin with the immediate dismissal of the Police Commissioner," Alston said. "Given his role in encouraging the impunity that exists in Kenya, the Attorney-General should resign so that the integrity of the office can be restored." On Mt Elgon, Alston said the government should immediately set up an independent commission because there was compelling evidence the police and the military committed torture and extrajudicial executions against civilians during their 2008 operation to flush out the Sabaoth Land Defence Force (SLDF) militia. "For two years, the SLDF militia terrorised the population and the government did far too little," he said. "And when the government did finally act, they responded with their own form of terror and brutality, killing over 200 people." Police spokesman Eric Kiraithe told IRIN the force gave Alston "all the documents within our resources but he expected too much". A comprehensive response to Alston's findings would be made by the government, "but from the point of view of the police, we welcome his suggestions that a police officer from another country be invited to vet the internal operations of the force". Contrary to claims that no action had been taken, some 206 police officers had been prosecuted between 2005 and 2008 for various offences, Kiraithe said. Some 667 officers had been dismissed during the same period for reasons "including criminal offences". He said the force had offered Alston a chance to peruse some of its files, "but he declined". Kiraithe dismissed the existence of police death squads as "totally false". A day earlier, the Kenya National Commission of Human Rights released details of a report it issued in 2008. The Cry of Blood gives accounts of alleged executions and disappearances of suspected Mungiki members. The commission also released a video recording in which a police officer, who was killed by unknown persons in October 2008, claims he witnessed police killings of at least 58 people suspected to be Mungiki members.