

HUMAN RIGHTS SITUATION IN KENYA

EXCESSIVE USE OF FORCE, EXTRA-JUDICIAL
KILLINGS AND ENFORCED DISAPPEARANCES

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INDEPENDENT MEDICO LEGAL UNIT (IMLU)

- A **governance, health, and human rights NGO** advocating against torture, extra-judicial killings, and other related violations.
- Our Mission: To promote **accountability, healing, and justice** through holistic interventions, including
 - legal support,
 - psychosocial rehabilitation,
 - and medical documentation.
- Our Reach: Over **6,000 survivors of torture supported**, with a national network of **300+ professionals**.

Key Issues Addressed



1. Police torture and excessive use of force.
2. Extra-judicial killings.
3. Enforced and involuntary disappearances.

Issue 1 – Police Torture and Excessive Use of Force

Current main issues

- Incidences of police brutality during peaceful protests has significantly increased, rising from **26 cases** reported by IMLU during the previous UPR cycle to **829 cases** documented between 2023 and 2024.
- Continued use of non-lethal weapons causing injuries (teargas, rubber bullets, water cannons and batons) that has led to documented death of **128 victims** between 2023-2024.

Recommendations Issue 1 – Police Torture and Excessive Use of Force

- **Amend the Prevention of Torture Act (2017) by 2026 to mandate an overseeing body, the Independent Policing Oversight Authority (IPOA), to monitor all state security officers, ensuring accountability across all security agencies.**
- **Safeguard victims and witnesses of police torture and excessive use of force by strengthening the Witness Protection Act and the Victim Protection Act.**
- **Fast-track investigations and prosecutions of police officers implicated in torture and excessive use of force, ensuring at least a 50% increase in resolved cases by 2026.**

Issue 2 – Extra-Judicial Killings

Current situation:

- High number of EJK: 128 cases documented by IMLU (2023–2024) (vs. 26 cases reported in the last cycle).
- Kenya has initiated **security sector reforms** through the Steering Committee on police reforms of August 2024
- Calls for an official invitation to the UN special mechanism on EJK remains **ignored**
- The government has initiated the process of review of the National Coroner Services Act 2017 in 2024 to operationalize it, however, the said process is **slow with no clear timelines for completion.**

Recommendations Issue 2 – Extra-Judicial Killings

- **Establish a fully functional Coroners Service Agency** with the necessary legal and operational framework to conduct independent investigations into suspicious deaths.
- **Increase by 50% budgetary allocation to IPOA, ODPP and the KNCHR in the 2025/2026 financial year** to strengthen their capacity in conducting independent investigations.

Issue 3 – Enforced and Involuntary Disappearances

Current main issues:

- No progress on ending enforced disappearances in Kenya
- Enforcement of the UN convention on Enforced Disappearance and development of domestic laws on Eds not implemented
- 68 cases documented between 2023–2024, with 67 EDs reported between June and August 2024. Use of unmarked vehicles and heavily masked security personnel in the abductions.
- Survivors have reported use of torture, threats and intimidation not to report violations

Recommendations Issue 3 – Enforced and Involuntary Disappearances

- **Initiate and develop a legislation** that criminalizes enforced disappearances by 2026
- **Establish a national database** of all persons subjected to enforced disappearance in Kenya by July 2025

Thank you

From all the members of our coalition:

- ❑ Amnesty International Kenya
- ❑ Kenya Human Rights Commission
- ❑ Defenders Coalition Kenya
- ❑ Missing Voices Coalition
- ❑ Kituo cha Sheria
- ❑ Social Justice Centres, Kenya
- ❑ Human Rights Agenda
- ❑ Peace Brigades International
- ❑ Usalama Reforms Forum
- ❑ Law Society of Kenya