



MINISTRY OF INTERIOR & NATIONAL ADMINISTRATION

PRESS RELEASE

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For Immediate Release

THE SANCTITY OF HUMAN LIFE MUST BE RESPECTED

The respect for the sanctity of human life as guaranteed by Article 26 of the Constitution of Kenya 2010 and the security of property is not negotiable.

The prevailing security situation in the country owing to acts of lawlessness arising from infiltration of peaceful demonstrations has been unfortunate.

What began as an expression of divergent opinion over the financial vision for the country has tragically escalated to a situation where we are sadly counting the number of lives lost, value of property destroyed and families deprived of livelihoods.

While the police are guided by the National Police Service Act which prohibits the use of excessive force in the execution of their duties, Section 49 of the Police Service Act allows the security officers to use force only when it is necessary and to the extent required in the execution of their duties.

Security agencies are under instruction to exercise restraint during peaceful protests and use of non-lethal force to ensure public safety. The police can indeed be compelled to use reasonable force when isolated and specific scenarios of protests escalate to criminalities including rioting, looting and burning of properties, disruption of traffic through erection of road blocks on major highways and invasion of critical and protected infrastructure. More security personnel have been deployed in hotspots and areas where security for critical infrastructure is prioritized.

In the interest of the public, the Independent Policing Oversight Authority (IPOA) has the power to investigate and recommend the prosecution of police officers involved in misconduct and unlawful acts. IPOA is already conducting independent investigations into several allegations of alleged police misconduct, killings and reported enforced disappearances.

All arrests made in any part of the country are subject to the Criminal Procedure Code that spells out how arrests are executed, and detention and trial of suspects. Anyone aggrieved by police actions is welcome to seek redress through our established criminal justice system, including the courts.

The Ministry has recommended to His Excellency, the President, to initiate the process of establishing the Coroner General's Office as per the National Coroners Service Act 2017 to investigate deaths, including those resulting from police action. The Coroner General's Office will also ensure accountability and transparency in cases of suspicious deaths.

We remain on high alert concerning the insecurity posed by protests infiltrations and the cases of violence and disruption of public order. A National Multi Agency Command to coordinate the security operations has been established.

Criminals camouflaging as peace-loving will be dealt with firmly in strict adherence with the law and the National Police will continue to pursue all those culpable, whether the crimes were committed today or on in the past.

We urge business and private building owners guarding their property to liaise with the area police for orderly management of security.

Organizers of public gatherings should also notify the police of their intentions, including location of their activities.

To improve public communication and in line with the Public Order Act, police will be issuing advisories on areas of deployment, official protest zones, areas cordoned off and contact persons to be reached following notification by organizers to enhance and ensure the peaceful conduct of public gatherings.

The Ministry respects and uphold citizens' fundamental rights and freedoms expressed in a lawful and peaceful manner.

ENDS