



**62<sup>nd</sup> ORDINARY SESSION OF THE AFRICAN COMMISSION ON HUMAN AND  
PEOPLES RIGHTS IN NOUAKCHOTT MAURITANIA**

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**STATEMENT BY THE INDEPENDENT MEDICO-LEGAL UNIT (IMLU)  
TO THE CHAIRPERSON OF THE WORKING GROUP ON DEATH PENALTY AND EXTRAJUDICIAL, SUMMARY  
OR ARBITRARY KILLINGS IN AFRICA**

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**[Thank you]**

Honorable Commissioners,

IMLU appreciates this opportunity to address the Commission and wishes to bring to the attention of the Chairperson of the working group on Death penalty and Extrajudicial, summary or arbitrary Killings in Kenya;-

1. We are concerned that the victims of the 2007/2008 police violations are yet to be compensated by the Government, nor perpetrators prosecuted. To make matters worse, police were once again involved in excessive use of force during the 2017 general elections. IMLU documented 64 cases of excessive use of force by the police, with 57 people being shot, 28 suffered torture and beatings and 2 suffered suffocation after inhaling teargas fumes. Out of the 57 who were shot, 37 succumbed to their injuries. This incidents happened mostly in opposition dominated areas. We are concerned that no tangible investigations have commenced nor measures taken to address the rehabilitation or compensation of victims and their families.

**While we appreciate the Commission's public pronouncements concerning the situation during the elections, we call upon the Commission to urge Kenya to send a clear message against police impunity, by facilitating full investigation of 2017 election violence and facilitating the compensation of the 2007/2008 post-election violence and prosecution of perpetrators.**

2. Madam Chairperson, the situation of extra judicial killings and excessive use of force by the police is not limited to managing public assemblies during election but it is a more systemic and deep rooted problem in Kenya for instance, between the years January 2013 to March 2018, the Independent medico legal unit has documented a total of 792 cases, majority of them being extrajudicial executions (shootings, strangulations and drowning).

**We appeal to the commission to set up an independent inquiry to investigate all case of use of force by the police and extrajudicial executions in Kenya.**

**We further ask the commission to urge the Kenyan government to fast track the implementation of the National coroners Act by establishing the National Coroners services. This will facilitate independent investigations of all suspicious deaths including deaths in police custody.**

Thank you Madam Chairperson

Date this 30<sup>th</sup> April 2018

Sign

Peter Kiama

Executive Director

Independent Medico Legal Unit- IMLU

Nouakchott- Mauritania