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FOR IMMEDIATE PRESS RELEASE

NAIROBI, Kenya, July 7th 2023 – Once again, the Kenya civil society organizations under the umbrella of Civic Freedoms Forum condemn the way the security agencies have handled the Saba Saba nation-wide demonstrations and mass protests that have resulted in injuries and arbitrary arrests of peaceful protesters. This has gravely threatened the freedom of assembly.

Following the nation-wide Saba Saba protests across the country, we have witnessed the police, yet again, lobbing tear gas to otherwise peaceful protesters, arbitrarily arresting peaceful protesters and brutally handling them. For instance, in Nairobi, 17 human rights defenders have reportedly been arrested in Nairobi CBD by police during the protest. We witnessed protesters being dragged on the ground while others were being carried to the police vehicles to be transported to police stations.

In Vihiga County, 8 human rights defenders were arrested and detained in Mbale Police Station as they marched to present their petition to the relevant state agencies while in Turkana County, three human rights activists were arrested. In Kisii, Migori and Mombasa Counties, the police disrupted the protests by throwing tear gas and in other instances, stones to the crowds. In Kisumu, police lobbed tear gas to the protesters which created tension in the CBD leading to businesses being shut down.

All these come a few days after Mbeere North Member of Parliament Geoffrey Ruku, in what appeared to be a move to tame the opposition and anti-government protests, proposed an amendment Bill to regulate the conduct of demonstrations and actions of picketing. In the Bill, the MP proposed that organizers of protests be held liable for any damage or loss of lives and property, and that those who engage in outlawed protests be liable for one-year imprisonment.

The Saba Saba protests have led to a series of events that we condemn:

- a) The arbitrary arrests of peaceful protesters.
- b) The police brutality experienced by peaceful protesters.
- c) Police officers disrupting peaceful protesters by throwing tear gas and stones at the crowds.
- d) Police refusing to accept notifications of the protests and using this as an excuse to label peaceful protests as “illegal”.
- e) The excessive and arbitrary use of force by police officers.

We reiterate that the Constitution of Kenya Article 37 gives any person the right to protest, picket or petition any public office while peaceful and unarmed. Article 33 confers the right to self-expression. These rights should not be denied or interfered with by police or any government officers.

We, therefore, call upon:

- The National Police Service to adhere to the law and conditions as to the use of force as per NPS Act and Service Standing Orders.
- The Ministry of Interior & National Administration and particularly the Cabinet Secretary to engage all key stakeholders in consultation forums to ensure that the proposed regulations and amendments to Public Order Act are within the constitutional threshold.
- IPOA to conduct investigations on the human rights violation to establish the level of police compliance with Article 244 of the Constitution, the Public Order Act and all regional and international legal instruments that Kenya has ratified.
- The immediate release of all the arrested peaceful protesters.
- The Kenya Kwanza government to take action on the demands made by Kenyans during the Saba Saba protests.

Signed by

1.	Kenya Human Rights Commission - KHRC	6.	Muslims for Human Rights - MUHURI
2.	Independent Medico Legal Unit - IMLU	7.	Defenders Coalition
3.	Article 19 Eastern Africa	8.	Poverty Eradication Network – PEN
4.	Constitution and Reform Education Consortium - CRECO	9.	InformAction
5.	Initiative for Inclusive Empowerment - IIE	10.	Inuka Kenya Ni Sisi!

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