



FOR IMMEDIATE PRESS RELEASE

NAIROBI, Kenya, April 4th, 2024 – Respect Citizens Right to Record Law Enforcement Officers.

Civic Freedoms Forum (CFF) through its members condemn the actions of [Nairobi County Governor Jonson Sakaja ordering his law enforcement officers to arrest](#) anyone seen filming or taking photos of officers on duty. Over the years, concern over brutality and other forms of misconduct by city askaris (kanjos) has led many citizens to record interactions with law enforcement.

Our Constitution 2010 envisages civilian oversight of the law enforcement to ensure accountability and professionalism by and among the officers. The basis of the right to record a police officer performing their duties is that each citizen has a right to discuss political matters and the performance of government officials. Citizens also have a right to access information regarding these topics. In other jurisdictions, including United Kingdom, where Kenya borrows most of its laws, any member of the public or media crews can film and photograph incidents in public places. Similarly, in the United States the First Amendment protects the right to record officers in public so long as it does not interfere with the officer's duties and is not done secretly. The French law also allows journalists and individuals to film or photograph the police in the public space and to publish the images.

The right to film or photograph the police is a key safeguard of human rights and civil liberties, particularly in situations that present a high risk of violations, such as stop-and-search operations, identity checks, or protests. It is public knowledge that filming the law enforcement in action is a way to de-escalate tensions and potential violence, as the officer is forced to behave in accordance with the law. The videos and photos also provide evidence to support victims' claim against the officers in cases where abuse occur. In November 2021, Former Inspector-General of Police Hillary Mutyambai, while at a public forum acknowledged that police officers can be recorded while on duty so long as the person taking the photos or videos does not do so out of malice. The same rules apply to everyone including security guards, traffic marshals, county askaris, court bailiffs, the emergency services etc.



We, therefore, call upon Nairobi County Governor, Johnson Sakaja, to withdraw his order and apologize to Kenyans for the illegal, inhumane treatment of traders and innocent civilians by the city askaris.

Signed by

1	Article 19 Eastern Africa
2	Constitution and Reform Education Consortium - CRECO
3	Defenders Coalition
4	Independent Medico-Legal Unit - IMLU
5	InformAction TV
6	Initiative for Inclusive Empowerment - IIE
7	Inuka Kenya Ni Sisi!
8	Kenya Human Rights Commission - KHRC
9	Muslims for Human Rights - MUHURI
10	Partnerships 4 Empowerment and Networking in Kenya (PEN KENYA)

