



PRESS STATEMENT

July 20th, 2022

ATTN: ALL MEDIA HOUSES

IMLU CONDEMN EXTRAJUDICIAL KILLINGS OF FOUR YOUNG MEN IN KWA MAIKO, NAKURU COUNTY

We refer to the Daily Nation news story published on July 19th, 2022 in which four young men were killed by National Police Service Officers on the night of July 14, 2022 at Kia Maiko, Nakuru County. Collins Kibet, 16 years, Collins Kipkorir, 21 years, Kevin Kipyegon, 20 years, and Dennis Kipchirchir, 23 years, were summarily killed by bullets discharged from police officers' guns.

On July 15, 2022, during a media briefing, the new Nakuru Police Commander, Peter Mwanzo, confirmed that the suspects were gunned down by police officers who were on a night patrol. He alleged that the young men were part of a notorious gang known as "Confirm" that had been earmarked earlier by security agencies and blamed for a spate of violent crimes including murder of various people, mostly women, in Nakuru. He alleged that they were killed by his officers in self defence

Our preliminary findings clearly point to a police service gone rogue! It is not beyond imagination that the execution of the 4 was pre-meditated, planned and executed.

- ✓ **Family members and the neighbours witnessed as the police officers picked the four from their houses in Kwa Maiko village, Barut, Nakuru West sub-county. From the manner in which they were identified, it is apparent that the officers knew who they were looking for. They were thereafter taken to Dennis Kipchirir's house in Kwa Maiko village, where they were executed in cold blood. Witnesses reports indicate that there was no violent confrontation with the officers as earlier reported the Police Commander, Peter Mwanzo.**
- ✓ **Our findings indicate that after execution, police officers from the Ronda police station came and took the four bodies to the Nakuru County Referral Hospital Level 5 Hospital (PGH) for preservation.**
- ✓ **Further witnesses report shows that the police officers who executed the four had picked other suspects and upon roughing them up and slapping them, they released them. This act strongly suggest that killer officers had marked the four for execution.**

Further post-mortem examinations conducted on July 19, 2022 indicate:

- ✓ **The victims were shot at close range. This was manifested by gunshot wounds that were identified on the head, chest, and abdomen.**
- ✓ **Two of the victims were shot standing in an upright position and the other two were kneeling thus the gun's barrel was faced downwards.**
- ✓ **Three were shot from behind and one from the side**
- ✓ **Further examination of the bodies showed that the bodies were dragged on the ground which implies that the place where they were collected was a secondary crime scene**
- ✓ **There was no evidence of defensive wounds on the bodies.**

The above witness statements and the forensic findings clearly point to a case of cold blooded murder by police officers.

The summary execution by the police demonstrates a failure by the government to respect the rule of law and the right to life. The executions are a gross violation of human rights including the right to life as prescribed under Article 26, right to a fair trial for suspected criminals under Article 50 (1), protection from inhumane and degrading treatment under Article 29 (f), and other incidental rights that extend to family members and the communities where the alleged criminals reside.

The presumption of innocence is the cornerstone of any fair criminal justice system. This right guarantees that everyone is considered innocent during the entire period of suspicion, investigation, and arrest. This period lasts until the defendant is either convicted or acquitted.

Apparently the execution of the 4 is not an isolated one in policing in Kenya. In 2020 and 2021, we documented a total of 115 cases of police killings; 41 in 2020 and 74 in 2021, an increase of 80%. The 2021 police killings happened in 59 police stations across 25 counties, meaning the practice is widespread.

We condemn this heinous act in the strongest terms possible and call upon;

- 1. The immediate suspension and investigation of the Nakuru County Commander's responsibility in these executions including the ones that have happened in other jurisdictions where he has been in command. It is not lost on us that the execution of the 4 has happened a few weeks after he assumed office, and less than two months after similar executions happened in his immediate former jurisdiction;**
- 2. The Independent Policing Oversight Authority (IPOA) and the Internal Affairs Unit (IAU) undertake thorough investigations into the killings. The police officers suspected of committing the executions to be suspended, investigated, charged, and prosecuted without further delay;**
- 3. The public to come out and share any information regarding this matter to IPOA and the IAU;**
- 4. The government to reinforce the core duty of a police officer as stated in the National Police Service Act 2011 which is to protect life and property and respect human rights;**

5. The immediate placement in witness protection of all witnesses and other acquaintances of the deceased who are willing to give evidence.

We will continue to monitor the situation, especially the police conduct in public order management as we draw close to the August 9 general elections.

Lastly, we convey our sincere condolences to the families and friends for the loss of their loved ones.

Signed:

**Peter Kiama,
Executive Director,
Independent Medico-Legal Unit**