



Independent Medico-Legal Unit  
A Just World Free From Torture

## DEATHS BY POLICE OFFICERS FROM JANUARY TO DECEMBER 2017

### PREAMBLE

According to Article 26 of the Constitution, every person has the right to life. A person shall not be deprived of life intentionally, except to the extent authorized by this Constitution or other written law.

The National Police Service Act 2011 Schedule 6 (B) provides that 'Firearms may only be used when less extreme measures are inadequate, and for the following purposes:

- a) Saving or protecting the life of the officer or other persons; and
- b) Self-defense or in defense of other person against imminent threat of life or serious injury.'

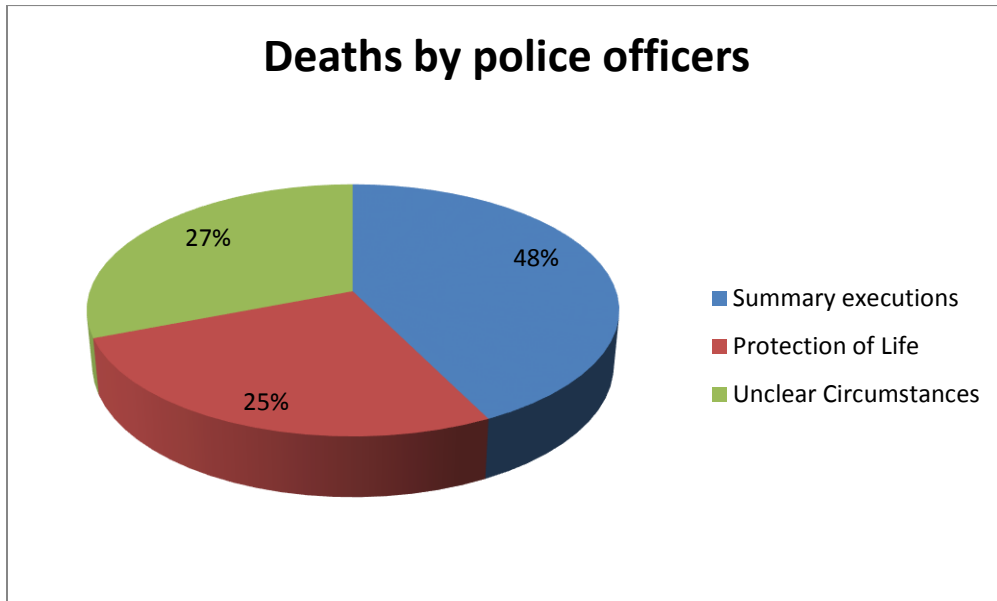
The Independent Medico-Legal Unit monitors police conduct through reports submitted by victims, our network of monitors and reviewing the print and electronic media. IMLU has noted that the incidences of use of lethal police leading to extra judicial executions (EJEs) has risen amidst a clamor for fundamental reforms in the police service and possibly occasioned by the August 8<sup>th</sup> Elections and the repeat polls in October.

Since the beginning of the year (2017) IMLU has recorded **seventy-four (74) cases** of summary executions by police officers. These statistics put into question the commitment of the National Police Service to respect the right to life prescribed under Article 26 of the constitution and the assumption of innocence until proven guilty by an impartial judicial process. Of concern, is that the continued misuse of firearms by police officers is against the sixth schedule of the National Police Service Act that provides guidelines for use of force and firearms.

The relevant authorities led by Inspector General of Police, Independent Policing Oversight Authority (IPOA), the Internal Affairs Unit (IAU) and the National Police Service Commission (NPSC) are urged to enhance mechanisms of bringing to end indiscriminate executions of people without due process of the law.

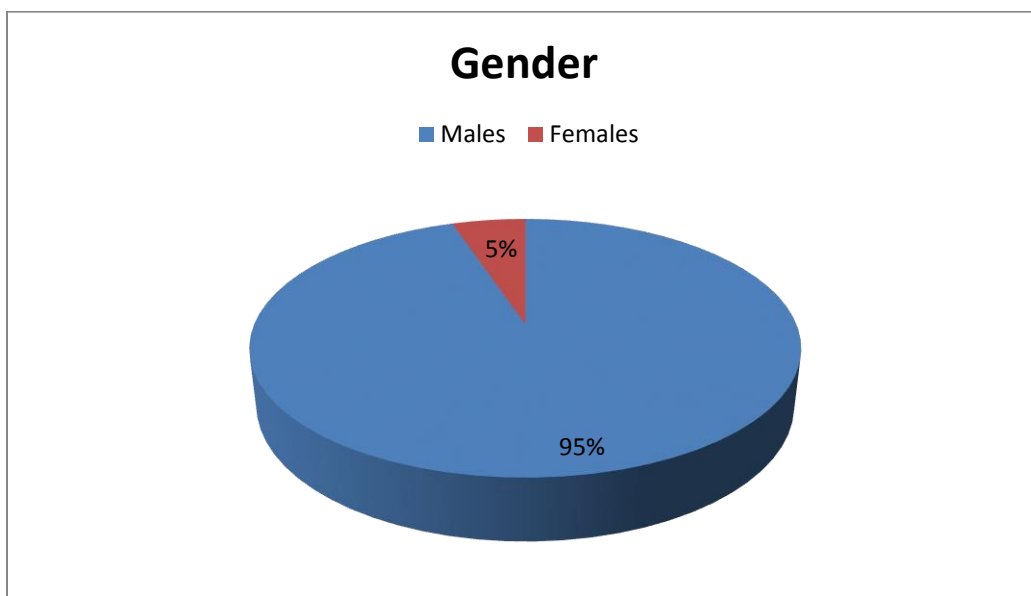
The total number of people killed by police from January to December 2017 is **one hundred and fifty-two (152)**. This is an increase as compared to last year's (2016) which

was **one hundred and forty four (144)**. Out of the one hundred and fifty-two (152), seventy-four (74) were summary executions, thirty-eight (38) killed to protect life and forty (40) killed in unclear circumstances. This is shown in the illustration below;

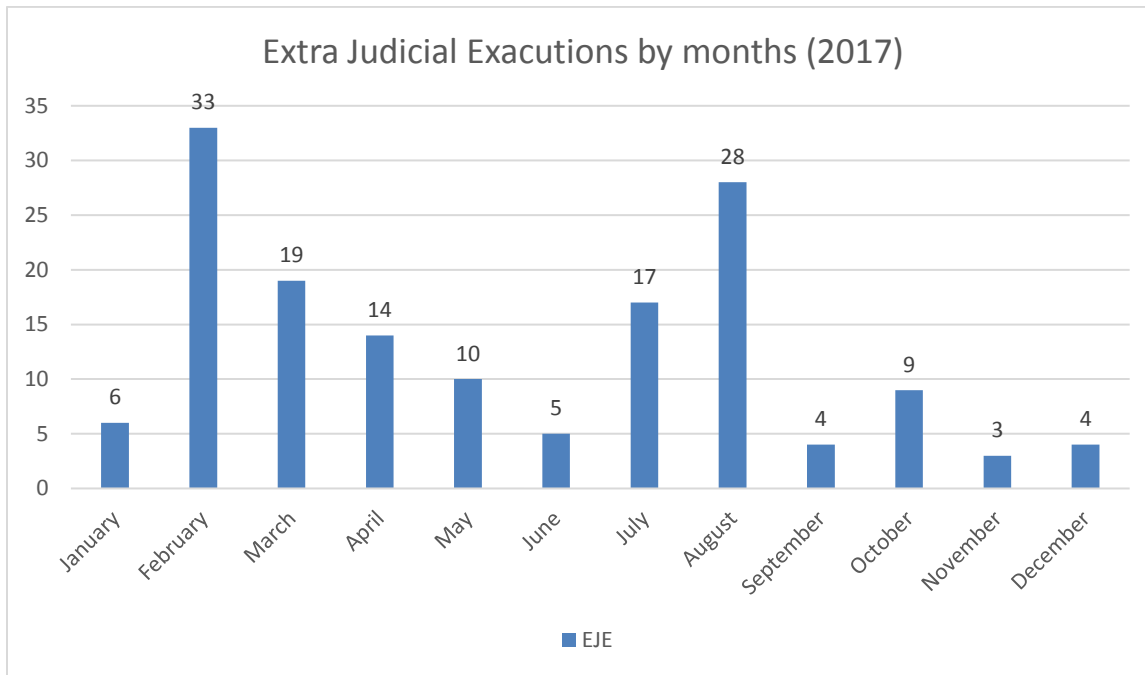


Out of the 152 cases recorded, thirty-eight deaths (38) occurred during the electioneering period including that of the 6-month-old Samantha Pendo from Nyalenda Estate, Kisumu County, 7-year-old Geoffrey Mutinda from Nairobi's Pipeline Estate and 9-year-old Stephany Moraa from Mathare North of Ruaraka Constituency, Nairobi County.

In terms of gender for the year 2017, the number of males executed by the police was one hundred and forty-five (145) while the number of females was seven (7). This is shown by the chart below;

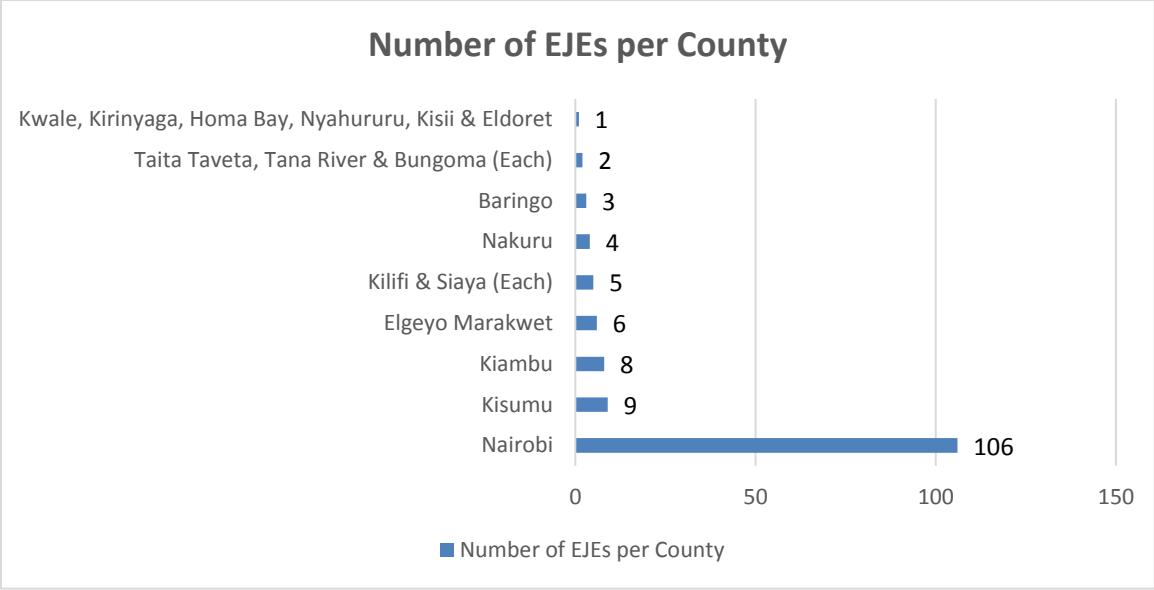


By monthly analysis, January recorded six (6) executions, February recorded thirty three (33), March recorded twenty one (19), April recorded fourteen (14), May recorded ten (10), June recorded five (5), July recorded nineteen (17), August recorded (28), September (4), October (9), November (3) and December (4) as shown below;



***Total number of extra judicial executions recorded per month***

During the reporting period, Nairobi County topped with the highest number of executions recording a total of ninety one (106), Kiambu with eight (8), Elgeyo Marakwet with (6), Kilifi and Siaya with five (5), Nakuru with four (4), Baringo with three (3), Kisumu (9), Taita Taveta, Tana River and Bungoma with two (2) while Kwale, Kirinyaga, Homa Bay, Kisii, Eldoret and Nyahururu each had one (1). Below is an illustration:



The total number of extra-judicial executions from 2013 to 2017 is 764; out of which 572 summary executions, 95 executed to protect life and 92 were killed in unclear circumstances.

Year	Summary Executions	Protection of Life	Unclear Circumstances	Total
2013	98	15	30	143
2014	181	14	4	199
2015	97	20	9	126
2016	122	6	16	144
2017	74	40	38	152
<b>Total</b>	<b>572</b>	<b>95</b>	<b>92</b>	<b>764</b>

A graphical analysis of the situation is shown below;

### Extra-judicial Executions 2013- 2017

