



Independent Medico-Legal Unit  
A Just World Free From Torture

## **PRESS STATEMENT**

30<sup>th</sup> January, 2021

**ATTN; ALL MEDIA HOUSES**

### **POLICE EXECUTION: AN INSULT TO THE POLICE REFORMS!!!**

The Independent Medical Legal Unit (IMLU) vehemently would like to strongly condemn the gruesome killing of a General Service Unit (GSU) Operation Commander Emadau Tebakol and Chief Inspector of Police in charge of Rapid Redeployment Unit (RDU). The killings are a gross violation of the fundamental human right to life. These killings threaten the very viability of those men in service who commit themselves to ensuring national security. The Unit reinforces its condemnation of these killings and calls upon the government to ensure that the families of the deceased's see justice to be done. We also convey its sincere condolences to the families, colleagues and friends of the departed officers for the loss of their loved ones.

Further to this, our attention is drawn to media reports received on 20<sup>th</sup> January, 2021 where six men aged between 27 and 47 years were allegedly abducted at Chemolingot Town in Baringo County. According to reports by family members, the deceased persons were selected from a public place by people who seemed to have authority over them. They were hauled in a vehicle and driven away from Chemolingot and were later found having been killed at Shirata area in Arabal on the 20<sup>th</sup> January 2021. The bodies had visible injuries and were transported to Baringo County Referral Hospital Mortuary.

Based on the discovery of the bodies, we deployed a team for a fact finding mission and prepared a preliminary report on the current happenings.

The team undertook both legal documentation and post mortem examinations for the six deceased persons. According to the preliminary reports provided by our team, it was reported that the deceased had;-

- i) Their hands tied before being shot to death;

- ii) The bodies had multiple gunshot wounds on the head, neck, chest, back, abdomen, perineum and both upper and lower limbs;
- iii) Bodily wounds that may have been inflicted after death;  
**That;**
- iv) The bodies had at least one contact gunshot wounds especially to the head;
- v) The bodies had their heads blown off and deformed. The gunshot wounds ranged between four to ten gunshots per head;
- vi) Some of the bodies had clean cuts, broken fingers and mechanical fractures of the upper limbs which had no tissue bruising;
- vii) All bodies had signs of putrefaction with the skin peeling off

The findings from the autopsy point to a clear execution of the six men and this violates the right to life and right against torture as per Section 26 and 29 of the Constitution. The alleged torture disregards article 5 of the Universal Declaration of Human Rights and article 7 of the International Covenant on Civil and Political Rights, both of which provide that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. Further, based the post-mortem examinations findings, there is a clear violation of the sixth schedule of the NPS Act 2014.

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

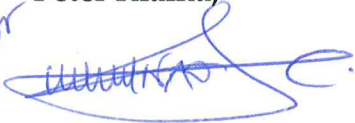
1. The Independent Policing Oversight Authority (IPOA), the Internal Affairs Unit (IAU) and the Kenya National Commission on Human Rights (KNCHR) to undertake thorough investigations to establish whether any officers from any arm of the disciplined forces were involved in the killings. These investigations should be undertaken with the ultimate goal of prosecuting the perpetrators and ensuring that the families realize justice;
2. The public to come out and share any information regarding this matter to IPOA and the IAU;
3. The National Police Service Commission to undertake the due disciplinary process for any officers found culpable based on its Human Resource function;
4. The government to reinforce the core duty of a police officer as stated in the National Police Service Act 2014 which is to protect life and property;
5. The NPS to support and enhance the practice of **Community Policing in Kenya** in a bid to ensure that amicable ways of resolving disputes are adopted. This can immediately be effected through expanding the partnership to all other Government Agencies, with the residents in that area. This will not only improve public safety but also the quality of life for all persons within the County.

We will continue to monitor the situation especially the police conduct during the operations with an aim of instituting criminal proceedings against the officers found to be taking the law into their own hands. The police officers found to be using unnecessary and illegal lethal force will be individually held accountable.

For further inquiries please contact **Sarah Mwangi**, Advocacy and Communications on  
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**Signed:**

**Peter Kiama,**

For 

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