



Independent Medico-Legal Unit
A Just World Free From Torture

DEATHS FROM POLICE BULLETS FROM JANUARY TO DECEMBER 2016

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:

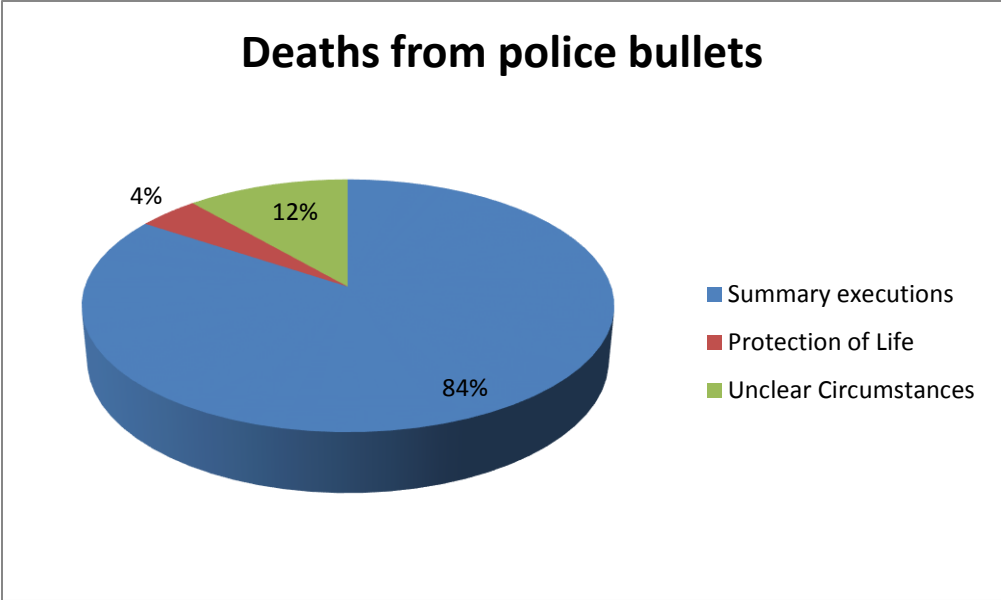
- a) Saving or protecting the life of the officer or other persons; and
- b) Self-defense or in defense of other person against imminent threat of life or serious injury.'

The Independent Medico- Legal Unit monitors police conduct through reports submitted by victims, through our network of monitors and monitoring the print and electronic media. IMLU has noted that the incidences of use of lethal police leading to extra judicial executions (EJEs) has been rising amidst a clamor for fundamental reforms in the police service.

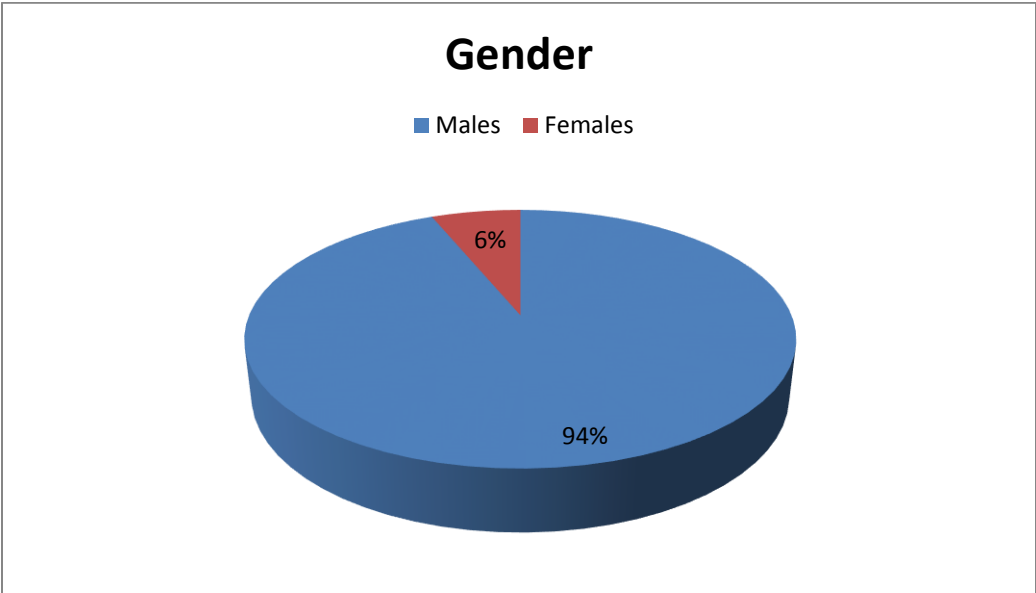
Since the beginning of the year (2016) IMLU has recorded **one hundred and twenty two (122) cases** of summary executions by police officers. These statistics put into question the commitment of the National Police Service to respect the right to life prescribed under Article 26 of the constitution and 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 namely the Inspector General of Police, Independent Policing Oversight Authority (IPOA), the Internal Affairs Unit (IAU) and the National Police Service Commission (NPSC) are therefore urged to enhance mechanisms of bringing to end indiscriminate executions of people without due process of the law.

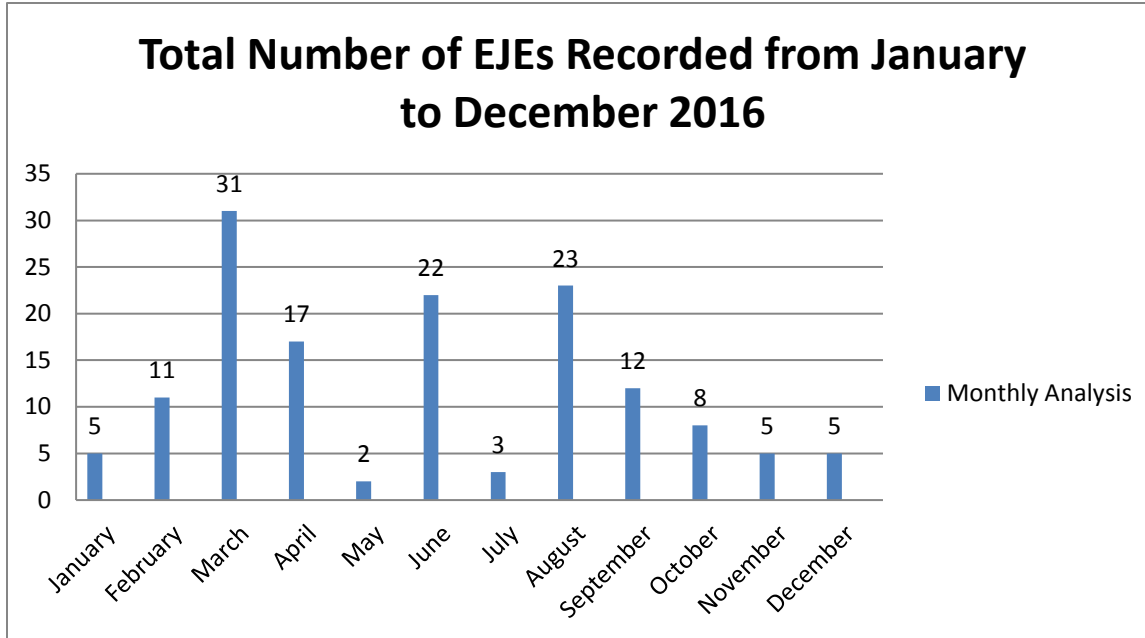
The total number of people killed by police from January to December 2016 is one hundred and forty four (144); one hundred and twenty two (122) of who were summarily executed, six (6) killed to protect life and sixteen (16) killed in unclear circumstances. This is shown in the illustration below;



In terms of gender for the period between January to December 2016, the number of males executed by the police was one hundred and thirty five (135) while the number of females was nine (9). This is shown by the chart below;

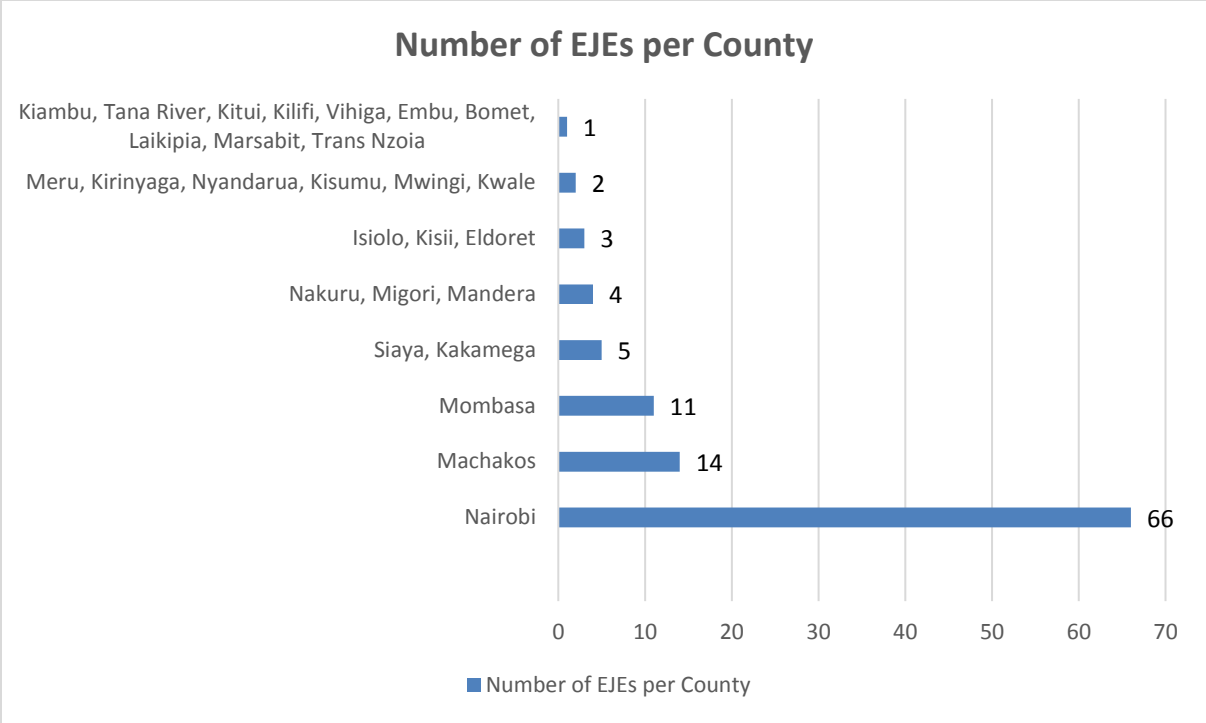


By monthly analysis, January recorded five (5) executions, February recorded eleven (11), March thirty one (31), April seventeen (17), May two (2), June twenty two (22), July three (3), August twenty three (23), September twelve (12), October eight (8), November (5) and December (5) executions as shown below;



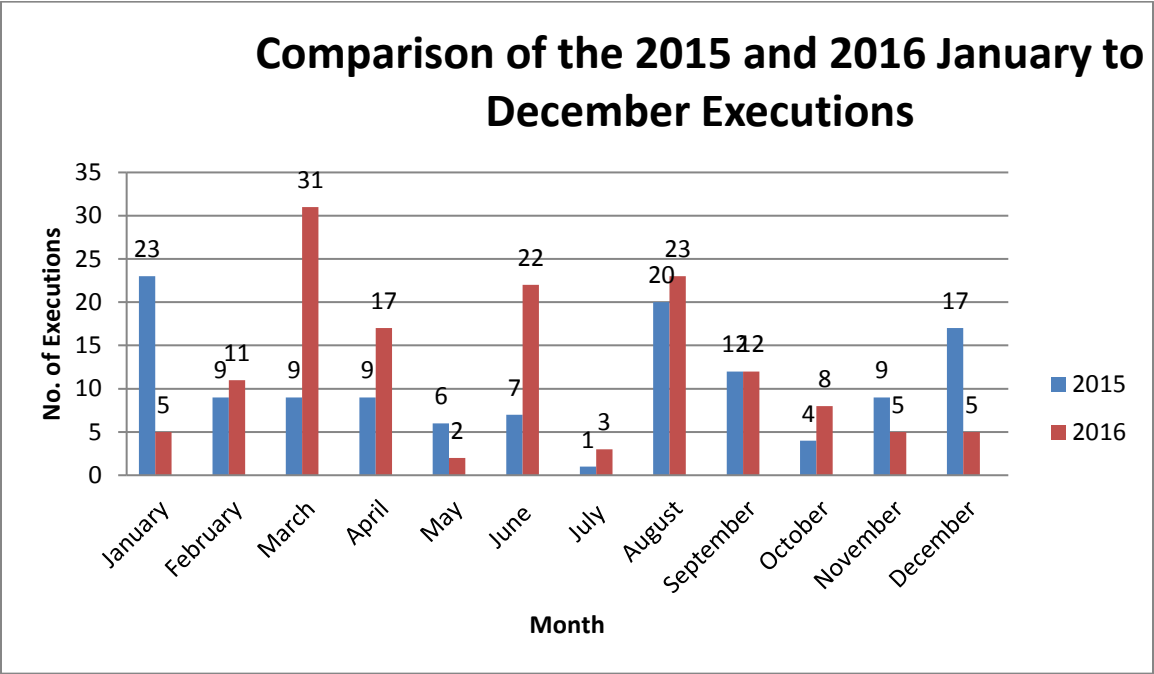
Total number of extra judicial executions recorded per month

In the twelve months, Nairobi County tops with the highest number of executions recording a total of sixty six (66), Machakos with fourteen (14), Mombasa with eleven (11), followed by Siaya and Kakamega (5), Migori, Mandera and Nakuru with four (4), Kisii, Isiolo and Eldoret with three (3), Kirinyaga, Meru, Nyandarua , Kisumu, Kwale and Mwingi had two (2), Kiambu, Tana River, Kitui, Kilifi, Vihiga, Embu, Bomet, Laikipia, Marsabit and Trans Nzoia each with one (1). The analysis is shown in the representation below;



Extra judicial executions per county for the period between January and December 2016.

In comparison to last year’s (2015) EJE report, there was a reduction in the number of executions by police officers in January, May, November and December but in February, March April, June, July, August and October the number of executions increased. In September, the number remained the same in both years. The analysis is shown in the representation below;



COMPARISON OF EJE CASES FROM 2013 TO 2016

The total number of extra-judicial executions from 2013 to 2016 is 612; out of which 498 summary executions, 55 executed to protect life and 59 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
Total	498	55	59	612

A graphical analysis of the situation in the last four years is shown below;

