

2023 QUARTER 1 STATE OF THE NATION HUMAN RIGHT REPORT: TORTURE AND RELATED VIOLATIONS IN KENYA.

INTRODUCTION

Independent Medico-Legal Unit is a governance, health, and human rights NGO whose vision is a society free from torture and related violations. IMLU's work is fostered by a holistic approach that includes litigation, medical and psycho-social rehabilitation, socio-economic empowerment, oversight of government compliance with human rights obligations, and advocacy of political, legal, and institutional reforms that promote accountability, healing, and justice. Over the last three decades, the organization has supported more than 6,000 victims of torture, cruel, degrading, and inhumane treatments. We have a national presence of over 300 professionals; doctors, trauma counsellors, lawyers, human rights monitors, and journalists

2023 QUARTER 1 STATISTICS OF TORTURE AND RELATED VIOLATIONS IN KENYA

For the period January 1, 2023, to March 31, 2023, IMLU documented and processed 76 torture and related violations (TRVs), 58 males (76.32%), 18 (23.68%) females and 0 (0%) intersex. Out of 76 torture and related violations of torture and related violations, 26 case torture and related violations or 34.21% were extrajudicial, summary, and arbitrary executions; 49 or 64.47% are Torture, Cruel, Inhuman, or Degrading Treatment or Punishment and, 1 or 1.32% enforced disappearance. As illustrated in figure 1 below.

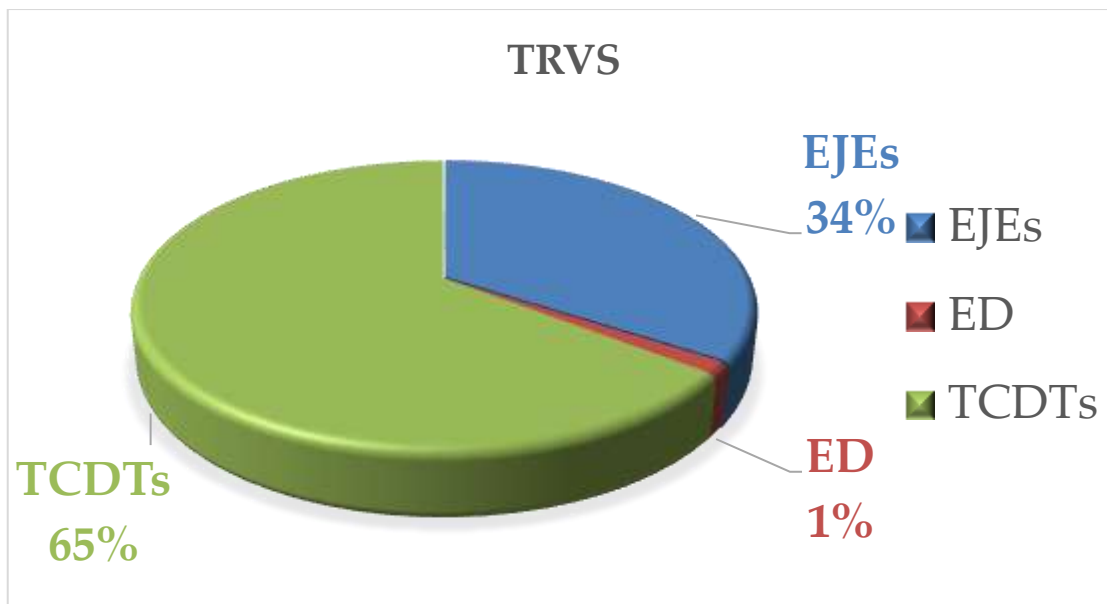


Figure 1 Type of torture and related violations processed and documented in 2023 (IMLU 2023)

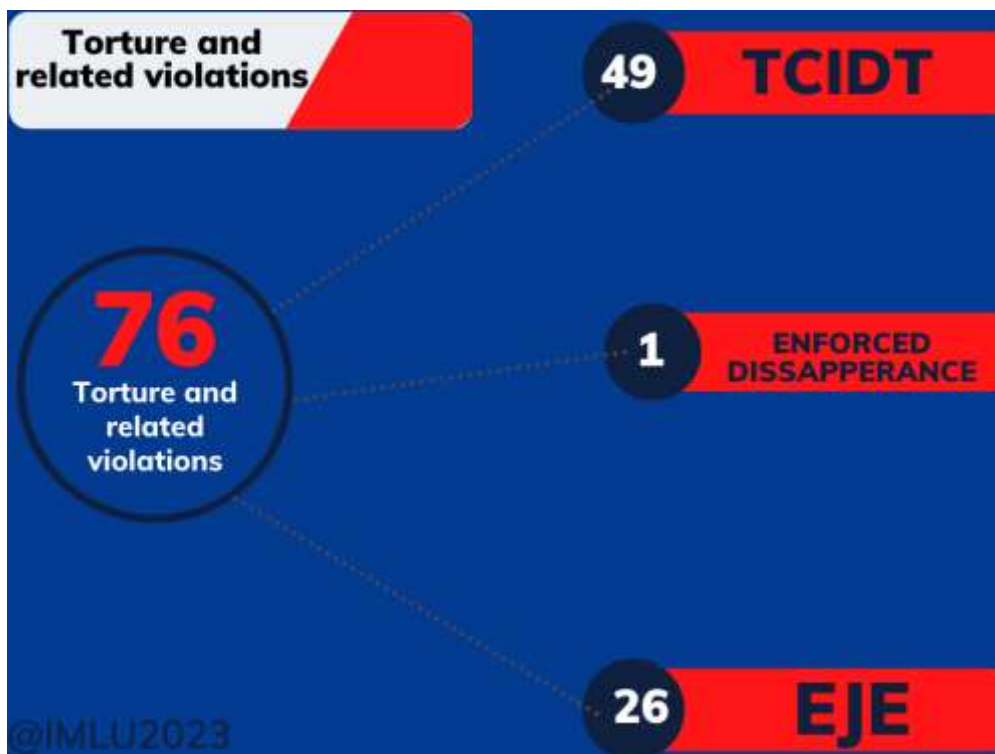


Figure 2 Type of torture and related violations processed and documented in 2023 (IMLU 2023)

As supported by the 2022 to 2023 IMLU data there is an increase in torture and related violations in the same period. This is an increase of 72.73% or 32 torture and related violations in comparison to the 44 torture and related violations received, documented and processed in 2022 quarter one. This points to a worrying trend of increased torture and related violations in Kenya as shown in Figure 3 below.

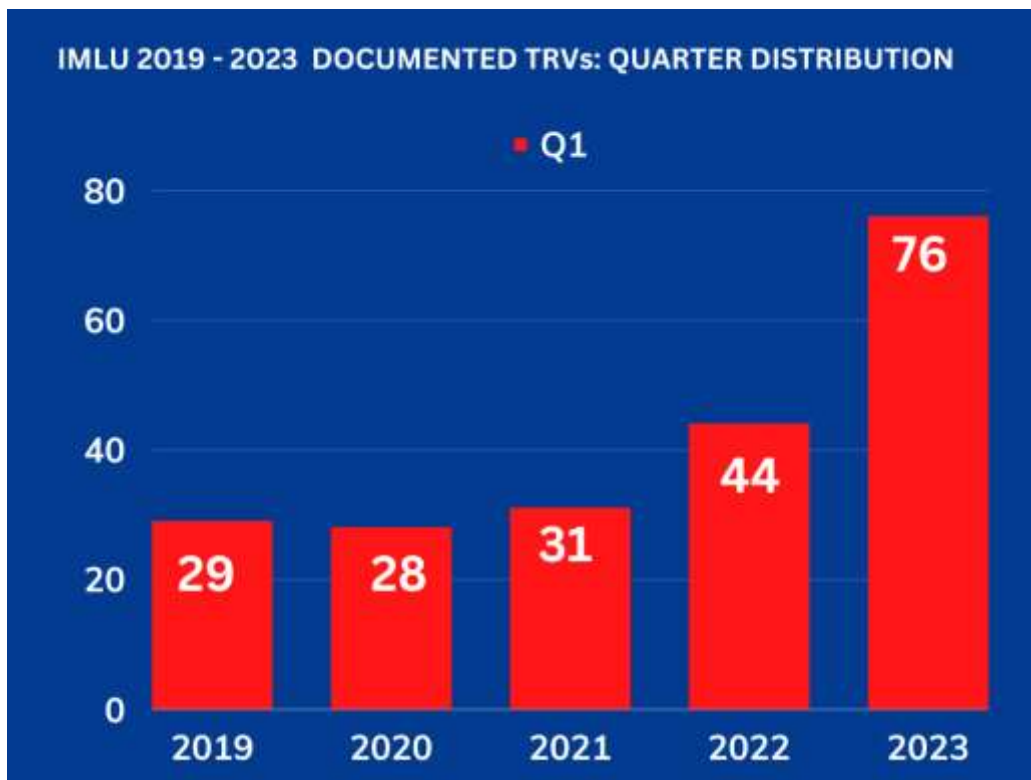


Figure 3 Quarterly distributions of torture and related violations recorded in 2019, 2020, 2021 2022, and 2023

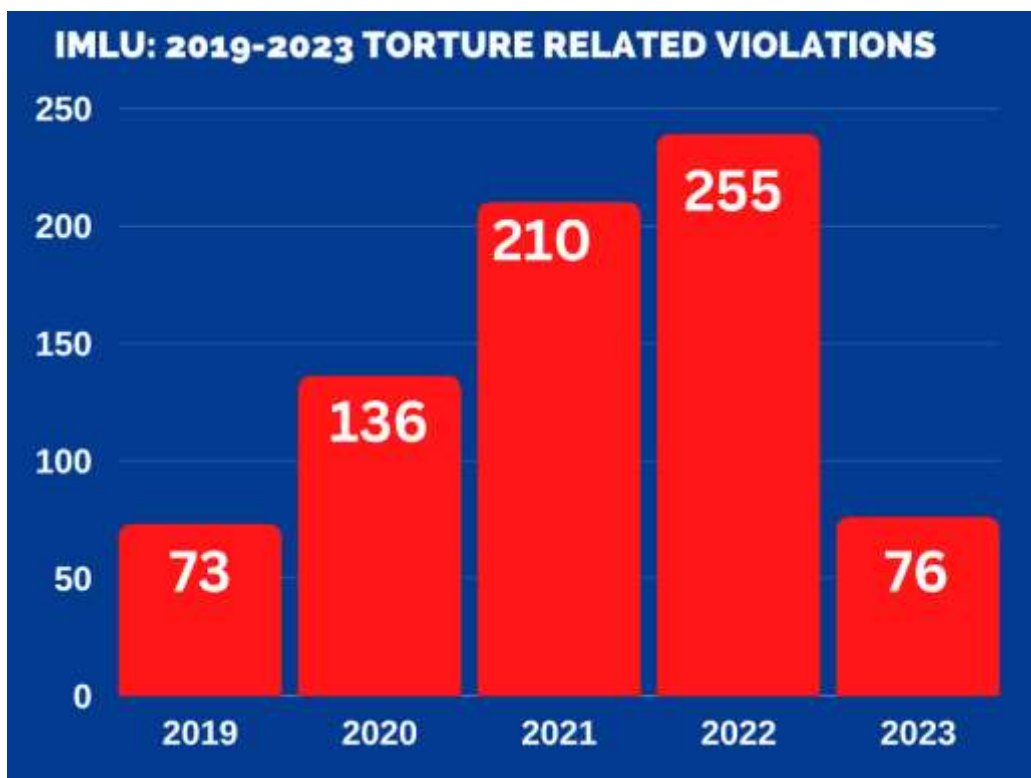


Figure 4 Number of torture and related violations recorded in 2019, 2020, 2021 2022, and 2023: (IMLU)

Men are most likely to be victims of state-perpetrated human rights violations accounting for 76.62% of the Torture, cruel inhumane and degrading treatment, enforced disappearances and extrajudicial executions.

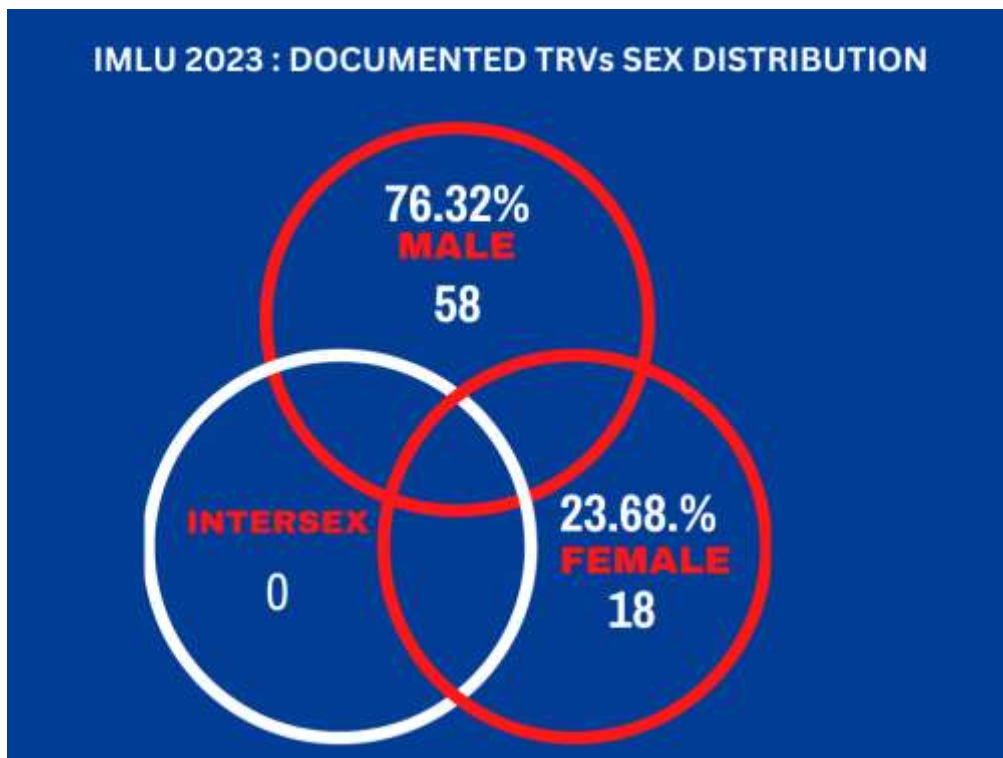


Figure 5 Sex representation: (IMLU, 2023)

MONTHLY DISTRIBUTION OF VIOLATIONS

IMLU received, documented and processed torture and related violations every single month in quarter one showing “nonstop” occurrences of state impunity, with an average of 25 torture and related violations per month. March had the highest number, documented as 45 violations, with February having the lowest number of torture and related violations as shown in Figure 6 below.

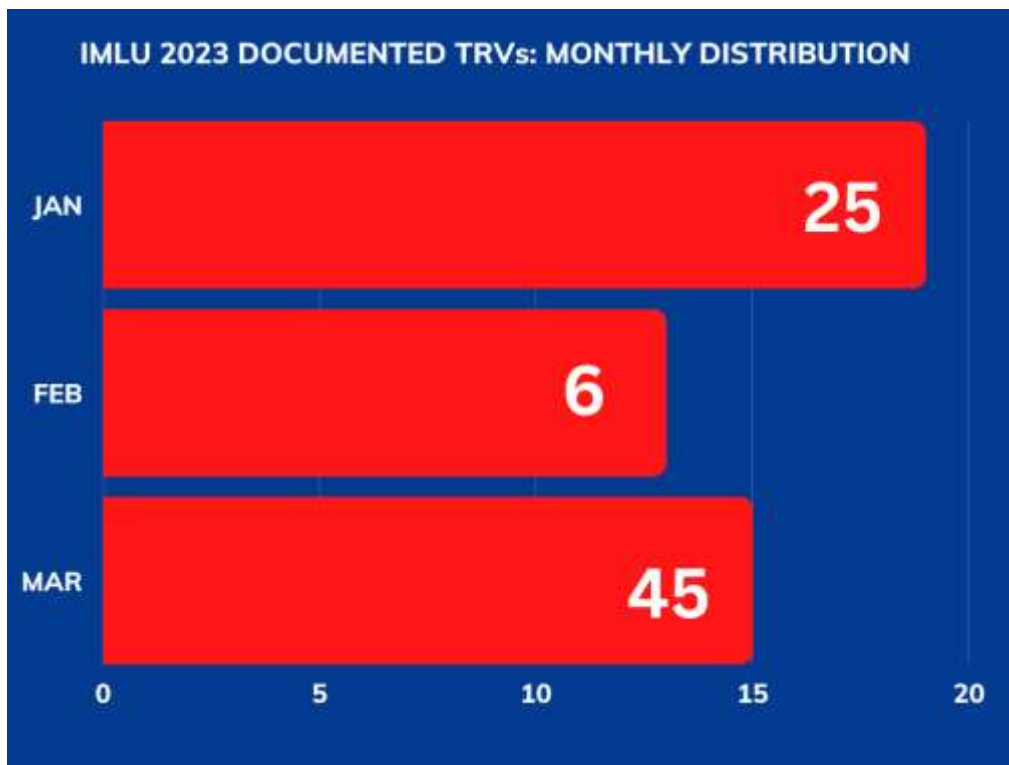


Figure 6 Monthly distribution of torture and related violations: (IMLU, 2023)

CIRCUMSTANCES UNDER WHICH THE VIOLATIONS WERE COMMITTED

It is important to contextualize the circumstances within which the violations occurred to expound more on the attitudes and behaviour of law enforcement agencies and begin to explore solutions to these violations.

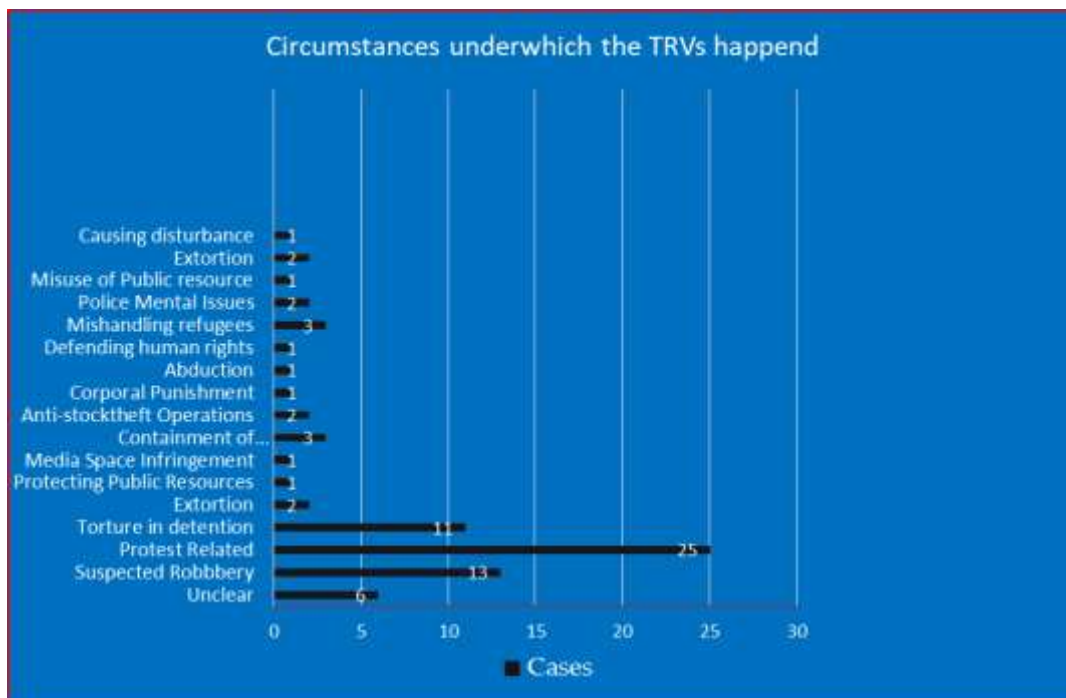


Figure 7 Circumstances under which the violation was committed: (IMLU, 2023)

AGE OF SURVIVORS/VICTIMS

SEX	0 - 5	6 - 11	12-18	19 - 23	24 -31	32 -44	45-60	60 and Above	TOTAL
Female	0	0	1	3	3	7	3	1	18
Male	0	0	4	12	20	15	7	0	58

Table 1 Age representation of the victims: (IMLU, 2023)

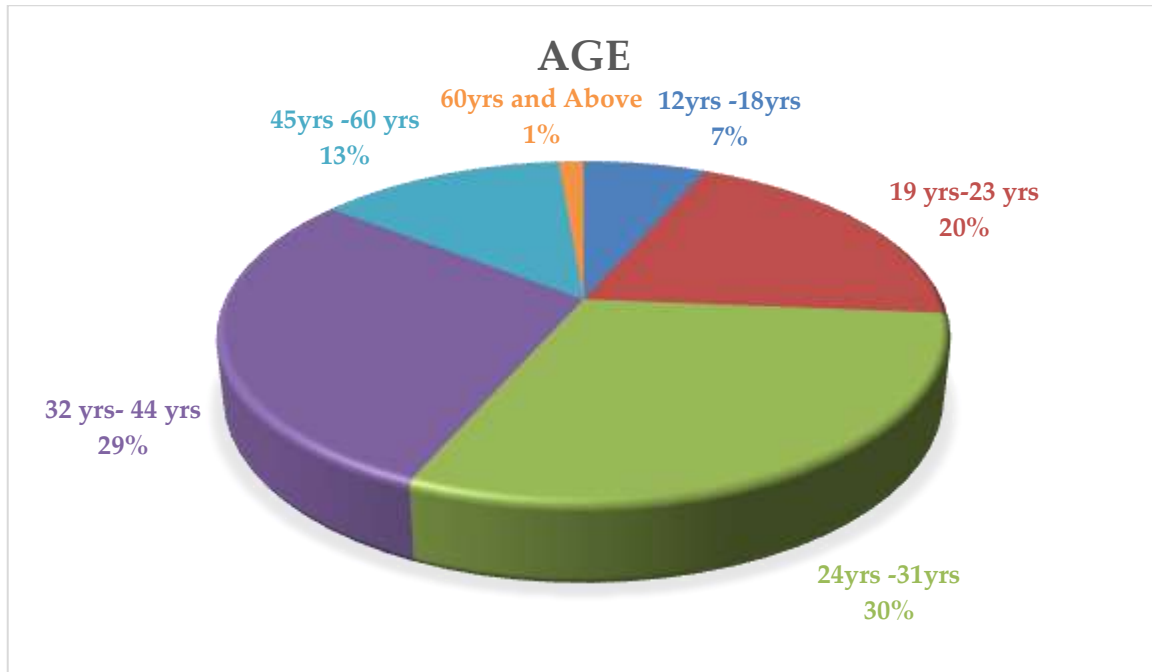


Figure 8 Age representation of the victims: (IMLU, 2023)

DISTRIBUTIONS PER COUNTY

The distribution of torture and related violations of violations in 2023 depicts a national, systematic and widespread problem, not a case of a few rogue officers or stations. IMLU has received and processed torture and related violations from **21 or 44. 68% out of 47** counties.

Nairobi County accounts for the highest number of human rights violations at (47.37%) followed by Nakuru at 7.89%.

26 or 55.32% of counties registered 0 torture and related violation. However, this does not mean there were no similar violations in those counties since our scope and capacity are limited while many torture and related violations go unreported.

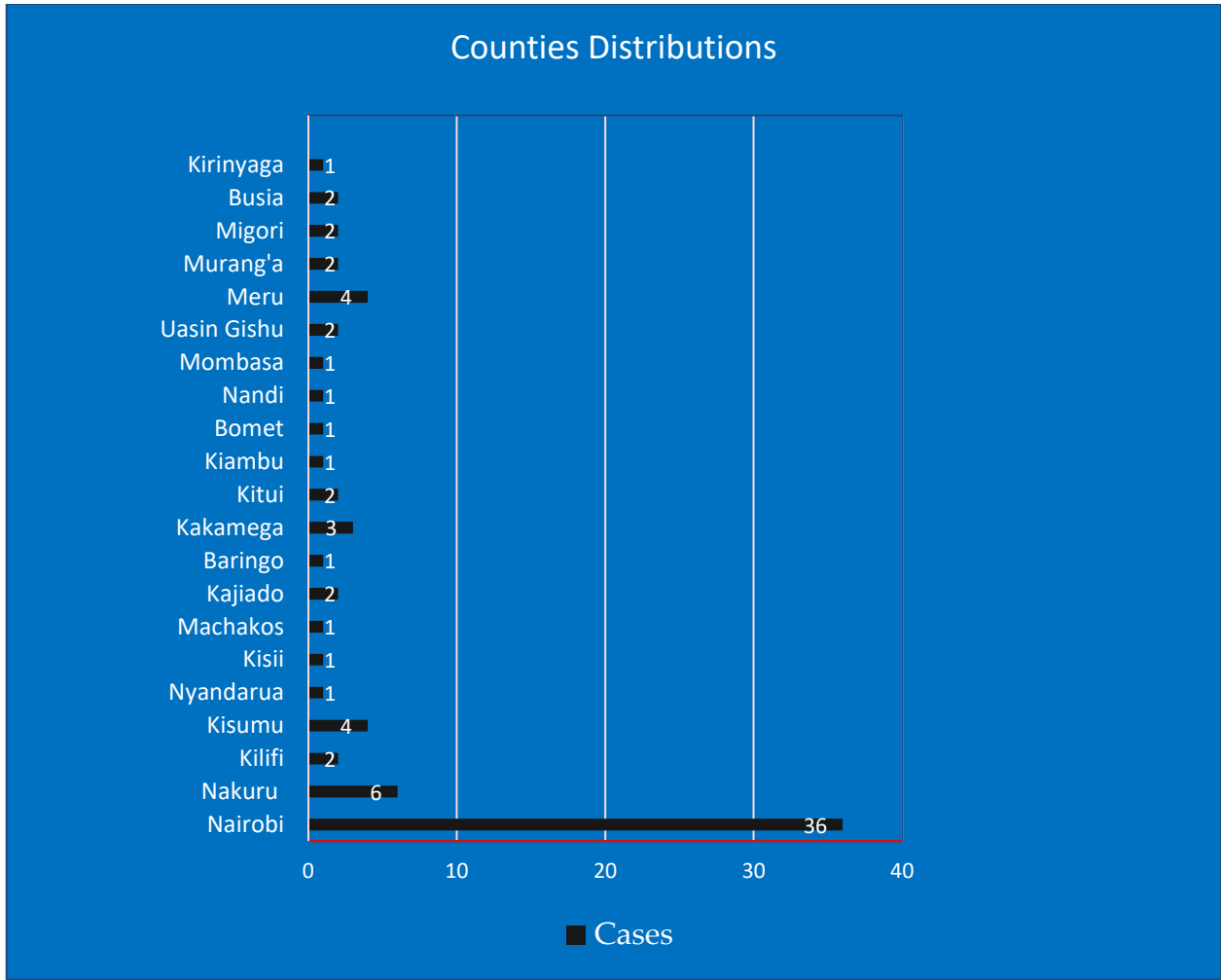


Figure 9 County distribution of the violations - TRVs (IMLU 2023)

ALLEGED PERPETRATORS



Figure 10 Alleged perpetrators: (IMLU, 2023)

SERVICE PROVIDED BY IMLU

We provided various levels of support to all 76 victims, survivors, witnesses and their family members. This included responding to distress calls through urgent action support, legal documentation, recording of critical evidence, autopsies, medical and psychological rehabilitation, advocacy, and legal advise/litigation and representation.

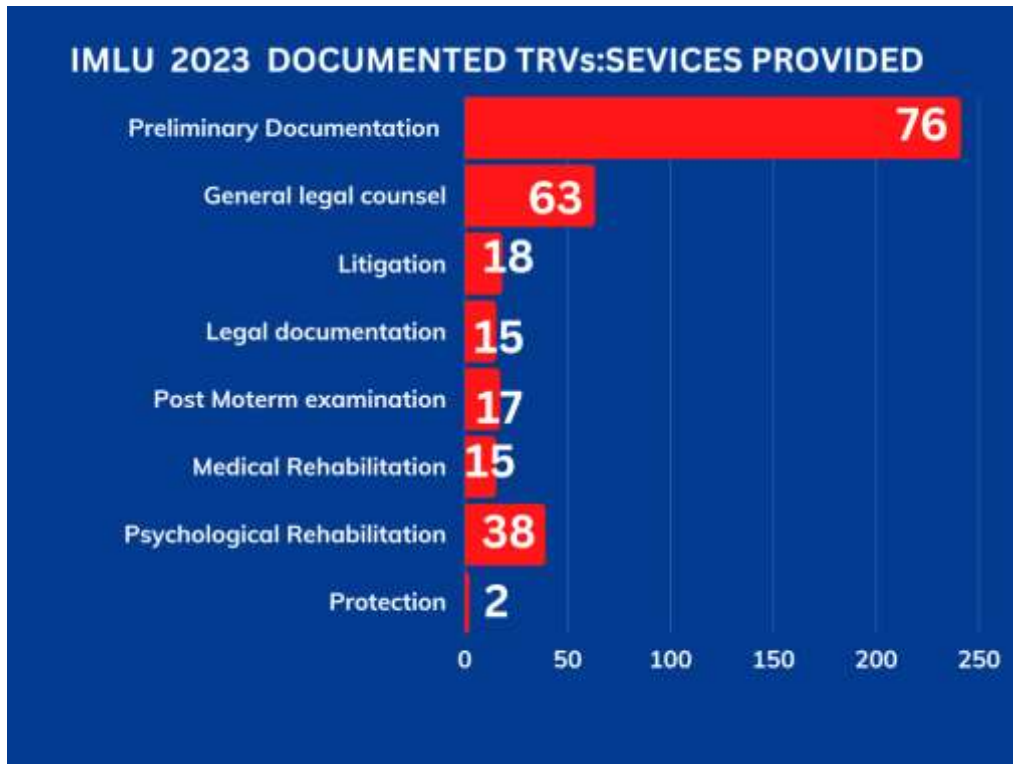


Figure 11 Services provided: (IMLU, 2023)