



A Society Free From Torture and Related Violations

## PRESS STATEMENT

FOR IMMEDIATE RELEASE

### STATEMENT CALLING FOR URGENT ACCOUNTABILITY IN THE ENFORCED DISAPPEARANCE OF BRIAN ODHIAMBO

Nairobi, 24<sup>th</sup> March 2025.

On this International Day for the Right to the Truth Concerning Gross Human Rights Violations and for the Dignity of Victims, the Independent Medico-Legal Unit (IMLU) reaffirms its commitment to seeking justice for victims of enforced disappearances and extrajudicial executions. Families of victims have an undeniable right to the truth—the right to know what happened, who was responsible, and why these violations occurred. Denying them this truth is a continuous form of psychological torture, deepening their suffering.

IMLU strongly condemns the enforced disappearance of Brian Odhiambo, who was last seen in the custody of Kenya Wildlife Service (KWS) rangers in Nakuru. His case is a stark reminder of the unchecked impunity among state agencies and the devastating toll such violations have on families left behind. Brian's loved ones remain trapped in unimaginable anguish, forced to endure the horror of uncertainty while institutions meant to uphold justice fail to act decisively.

Last week, IMLU, other civil society actors, and government authorities accompanied Brian's family to Nakuru National Park, where shallow graves and disturbed earth were identified. One of these areas had been previously flagged as a possible burial location, yet no body was found, raising serious concerns about possible tampering or relocation. The Directorate of Criminal Investigations (DCI) has since taken over the site to enable further forensic analysis, as the family continues their relentless search for the truth.

Despite these disturbing findings, justice remains elusive. IMLU had previously filed a habeas corpus application, at the High Court in Nakuru, to compel the state to produce Brian, a legal recourse designed to protect against unlawful detention and enforced disappearances. However, the court threw this application out due to a "lack of sufficient evidence." This ruling directly challenges an affidavit submitted by Kenya Wildlife Service (KWS) in which they acknowledged having had Brian in their custody. The contradiction between the court's ruling and Kenya Wildlife Service's admission underscores the systemic failures in ensuring accountability and the persistent barriers families face in their pursuit of justice.

IMLU continues to stand with Brian's family, providing psychosocial rehabilitation, legal aid, and sustained advocacy to ensure accountability. As the search continues, IMLU has filed a notice of appeal to challenge the flawed ruling and demand transparency and justice.

The right to the truth is not just a legal principle but a fundamental human right. Families of victims of extrajudicial executions, enforced disappearances, missing persons, abductions, and torture must receive answers, including the circumstances of the violations and the identities of those responsible. Anything less is a gross miscarriage of justice.

IMLU demands:

1. Immediate disclosure of Brian Odhiambo's whereabouts by KWS and relevant authorities.
2. Full accountability for those responsible, ensuring perpetrators face legal consequences.
3. Commitment to truth and justice, including the implementation of the National Coroners Service Act to ensure proper forensic investigations into deaths and disappearances.

As the world marks this International Day of Right to the Truth Concerning Gross Human Rights Violations and for the Dignity of Victims, IMLU calls on all stakeholders—including the government, human rights organizations, and the public—to demand accountability and systemic reforms to prevent future disappearances. Silence is not an option. The truth must be revealed, and justice must prevail.

Signed

Wangechi Grace Kahuria  
Executive Director