

Nairobi, 17 May 2024

**INTERNATIONAL CONCERN: Police incursion into the offices of Mathare Social Justice Centre and Ghetto Foundation and arrest of 27 human rights defenders on Wednesday 8 May 2024.**

Peace Brigades International is a non-governmental organisation founded in 1981 that aims to open spaces for peace by offering international accompaniment to human rights defenders. It is registered by the Economic and Social Council of the UN since 2014 and its work is formally endorsed by a range of national and international human rights organisations. PBI Kenya have worked closely with Mathare Social Justice Centre and Ghetto Foundation, community justice organisations in Mathare, Nairobi, since 2013.

## **Incursion to Ghetto Foundation and Mathare Social Justice Offices and arrest of 27 HRDs**

On Wednesday 8 May 2024 around 11.30 AM, police officers arrested 26 human rights defenders (HRDs) inside and around the offices of Ghetto Foundation and Mathare Social Justice Centre, which share the same building. HRDs had gathered in the offices of MSJC to discuss plans for the funeral of their fellow HRDs who lost their lives in the recent floods, as well as support for victims of evictions and floods.

The arrests followed [demonstrations](#) in the morning by the Mathare community who protested evictions and displacement of people living close to the river and lack of humanitarian support to people affected by the floods. Earlier that morning, the police had already arrested one HRD from Kayole Community Justice Centre, Innocent Onyango, who was documenting the protest in his capacity as a journalist.

[Police entered into the MSJC offices](#) and [arrested 14 people from different social justice centres](#), including MSJC, Dandora Social Justice Centre and the Social Justice Centres Travelling Theatre. In the Ghetto Foundation office, they arrested all 12 people present including visitors who had brought donations. Over twenty police officers were counted. It is of concern that the two organisations offices and their leadership were specifically targeted; we have reports that HRDs in coordinating roles were identified by police and for a short time separated from the group. HRDs reported instances of beatings by police and being 'roughed up' during the arrests.

The [26 human rights defenders were held overnight in Pangani Police Station](#) while Mr Onyango was held in Ruaraka Police Station. On Thursday 9 May, a charge sheet accusing the HRDs of engaging in unlawful assembly and taking part in a riot was presented to the Director of Public Prosecutions at Makadara Law Courts, however it was [rejected citing](#) lack of sufficient evidence to prosecute. The police were advised to release the HRDs on cash bail pending further investigation. The [National Coalition for HRDs Kenya \(Defenders Coalition\)](#) and [Kenya Human Rights Commission \(KHRC\)](#) provided direct legal support to the HRDs and posted a cash bail of 10,000 KES per person, securing their release on Thursday 9 May around 3 PM. The HRDs were told to present themselves in Makadara Law Courts on Thursday 16 May 2024, however, on this day, the cash bail was extended without any charge stated. PBI Kenya team members were present at the Pangani Police Station, and Ruaraka Police Station on 9 May and spoke to some of the HRDs arrested to understand the situation, and had a conversation with officers both from the NPS and the DCI at the stations.

## **Context**

Human rights defenders in Kenya have been subjected to numerous incidents, particularly during protests. In 2023, the Independent Medico Legal Unit documented 67 extrajudicial executions, 228 instances of

torture, and enforced disappearances from 22 protests. The [Missing Voices](#) coalition argues that these incidents indicate the use of police by the administration to settle political scores and the continued impunity displayed by the police. With regards to the arrests on 8 May, the Defenders Coalition [observed](#), that “arbitrary arrests and malicious prosecution of human rights defenders is a common harassment and intimidation tactic that the police in Kenya consistently use to silence HRDs and other groups perceived to question government policy”. It has been observed by organisations that arresting protestors and then letting them go without charges indicates a tactic to break up protests, for example on 7 July 2023 (‘Saba saba’).

In 2023, Mathare Social Justice Centre [documented a number of human rights violations in Mathare](#) during demonstrations, including the death of a baby and a 13-year-old child. MSJC and Ghetto Foundation have been experiencing repeated security incidents, including surveillance, arbitrary arrests and intimidation by police officers. In 2020 Ahmed Rashid, then a police officer of Pangani Police Station and currently in court accused of the extrajudicial execution of two young men in Mathare, [entered the MSJC offices](#). MSJC and Ghetto Foundation have been vocal about human rights violations in the Mathare area and are widely recognised for their activism and documentation of excessive police violence. MSJC also faces challenges from the government body implementing the [Community Groups Registration Act, 2022](#) (CGRA). On November 9, 2023, MSJC received a letter stating that one of the objectives in MSJC’s constitution-providing a platform for legal redress and political accountability for all members of the community, ‘may be interpreted as ‘championing a political cause contrary to the provisions of the CGRA’, and was directed to change their objectives.

**The recent incident points to a deterioration of the safety of the human rights defenders of the social justice centres, especially Mathare Social Justice Centre and Ghetto Foundation. The targeting of their offices and coordination indicates a heightened risk for these human rights defenders. PBI expresses concern for the safety and security of the HRDs of Mathare.**

#### **Recommendations to the Kenyan government:**

- We call that the right to protest be guaranteed, respecting national and international standards on the matter.
- We call on the authorities of Kenya to recognise the legitimate work of human rights defenders in order to avoid future acts of unlawful arrests and unwarranted incursions into human rights organisations’ offices.
- We encourage the establishment of spaces for peaceful dialogue between the corresponding police officers, county administration, and the communities.

#### **Recommendations for the International Community:**

- We urge the international community to recognise the legitimate work of the human rights defenders of Mathare Social Justice Centre, Ghetto Foundation and other social justice centres, and call on the Kenyan government to fulfil its duty to protect and guarantee the security conditions for human rights defenders.
- Express your concern about the raids of the offices of Mathare Social Justice Centre and Ghetto Foundation to the relevant Kenyan authorities, especially the National Police Service and the Ministry of the Interior.
- Express concern for the risk of grassroots human rights defenders and the vulnerable communities in the urban settlements.