



EVERY VOICE MATTERS

Every Voice Matters

*An Ushirikiano Mwema Kwa Usalama
Publication, February 2020*





***This publication
is dedicated to
shujaa Carol
Mwatha:
a human rights
monitor within
the UMKU
project who
lost her life in
February 2019.***



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CREATING SPACES FOR DIFFICULT CONVERSATIONS

By Carolyne Njihia- UMKU Project Manager

Ushirikiano Mwema kwa Usalama (UMKU) Project is the working name of the project submitted to and funded by the European Union which aims at fostering collaborative approaches by civil society as well as state actors to enhance political and socio-economic justice, non-violent conflict resolution, as well as good governance and rule of law. The name was chosen by members of the consortium since it resonates well with both the community and the police in terms of use of local language as well as building trust and relationships between communities and the police. Translated, it means “Better relationships for Safety/ Security”.

The two year project which comes to a close in March 2020 was being Implemented by four consortium members; Peace Brigades International, Saferworld, Mathare Social Justice Centre and Ghetto Foundation. This unique combination of International organisations and local grassroots organisations brought together the various strengths of the different organisations to build a formidable team which was able to meet the intended objectives of the project. The four members of the consortium developed and fostered a collaborative working relationship which ensured the smooth running of operations within the project. The project areas covered by the project were Kamukunji, Mathare and Embakasi North Constituencies.

The project was able to extensively build the capacity of Grassroots Human Rights Defenders (GHRDs) from the three project areas (Mathare, Kamukunji and Embakasi North) through trainings on topics such as documentation, human rights, participatory action research, digital security, advocacy and networking.

This was also in form of equipping of justice centres involved in documentation of extrajudicial killings (EJKs) with computers and printers to be able to carry out the documentation exercise. The Human Rights Defenders also received psychosocial support to help them cope with the emotional toll, the documentation exercise takes on them. A total of 55 cases on extrajudicial killings were documented by the Human Rights Defenders.

A key output of this project were the over 60 community dialogues and human rights education workshops within the project areas to engage communities on matters of EJKs and provide safe spaces for expression and learning. Here, community members were able to have candid conversations and recount their experiences related to extrajudicial killings and police brutality. The Human Rights workshops carried out within the project areas empowered community members in terms of information on their rights and steps to take if they feel violated. As a result of this, different members of these communities were able to narrate experiences where they had been confident engaging with the police when they had reports to make or any queries.

The project also was able to train journalists from the mainstream and community media stations on conflict-sensitive reporting of EJKs in the informal urban settlements within Nairobi County in a bid to encourage balanced reporting on matters of extrajudicial killings. These conversations were followed up with a meeting with editors from the various media outlets. Editors were sensitised on the plight of victims of EJKs and the importance of giving space to articles on EJKs which may not be popular but essential in terms of shedding light on societal ills.

Two successful speaker tours were carried out within the UMKU project in 2018 and 2019 in Brussels, Geneva, Berlin and London. This was to link the human rights work done in the project with international advocacy efforts as well as the UPR process for Kenya.

A very crucial component of the project was on engagement with the police and court officials within the project areas so as to have a balanced overview of the subject matter on extrajudicial killings. Through a strategic partnership with the Makadara Court Users Committee, the project was able to train a number of police in the project area and other members of the Makadara Court Users Committees. The engagement with judicial officers continued through the Office of the Director of Public Prosecutions where joint meetings were held with the police working in the project areas on collaborative approaches to case management in Makadara law courts which handles a bulk of cases from the three project areas. Communities in the project areas were also sensitised on court processes through the court users committee community outreach programmes carried out within the project.

Overall, the project has been able to bring out very difficult conversations between the various stakeholders whether state agents or communities in order to bring to light extrajudicial killings which are happening in the informal settlements. It is our hope as the UMKU project that the gains made with this project can be carried forward by all the stakeholders to end the EJK menace and ensure that every individual has access to justice.

Network Of Victors: Justice Be Our Shield And Defender

By Kanyi Wyban

I am solely bound by moral obligation to the unheard voices of a deliberately silenced people, the stunned mourning of approximately 500,000 inhabitants of what the modern world will easily refer to as a dystopian Eden - Mathare Valley. Those people comprising the majority of Kenya's discarded souls, locked within the notion of an enormous 'slum' population and informal sector work force that is founded on a hand-to-mouth existence and self-help spirit in the face of a climate of unregulated corruption, decaying public services, power abuses and continuous oppression of the urban poor. Most importantly, I am utterly beholden to one Christopher Maina - Maich, for short, and his inspiring heroic soul whose existence was cut short, like many others before him, by the outcome of systemised oppression interwoven into policing and governance structures.

Maich was rare. His vim and zeal for work would never allow him to idle around in the company of lazy age-mates. He worked one casual job after the other, chiefly handling tasks in the informal electricity sector where he would connect households to power for a manageable monthly fee. In the weekends, every Saturday to be precise, you would catch Maich pulling a handcart, fully loaded with garbage from a few residential flats of Mlango Kubwa, for a few extra perks. Both of these were his ultimate side hustles in a neighbourhood where the choices between entrepreneurship, opportunistic group crime and idling are integral to youth's daily struggle. Maich was the epitome of a hardworking youthful male, his diligent fervor to make a living owing up to the brutal reality of being a young breadwinner for an expectant girlfriend, siblings and a sickly mother back at home.

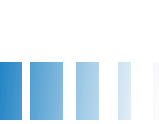
Our hopes for the future as the vulnerable young people of Mathare suffered a fatal arrow when our brother, Maich, was murdered by the police in Mlango Kubwa on the Tuesday afternoon of February 21, 2017. "The overwhelming grief crashed and stressed my basic will to live," said Wambo, the mother of his child, who he had successfully relocated from Mathare to another part of the city during her expectant days, and from where, at least, together, they hoped to design a new future for themselves and the baby. During a profound conversation with her, Wambo recounted the particulars of the ordeal that would immediately change her life forever, and how she would later find her true hope and strength from the most unlikely of places:

"I was at our new house in Githurai that fateful day, heavy with child. That morning, visiting Mathare was far from my intention since I had woken up extremely exhausted and a little too nauseous. I was set to deliver in a week or two, which is how my mother had managed to convince me to heed her advice, that a pregnant woman must keep her body active and not rest on it too much. She wanted me to meet her at her place of work. So I left. My arrival to Mathare was curiously greeted by the sight of people gathered on the road, young and old, facing the same direction and speaking in whispers among each other. Upon inquiry, I was informed that a young man had just been rounded up by two of the most notorious killer policemen. They had taken him with them, leaving clusters of disoriented residents in their wake."

According to the murmurs, the young man had been in the middle of installing a water tank for his youth base when the police picked him. They did not even let him put his shirt back on. Wambo asked if they knew who the young man was but all she got was, "He is a plump boy from Pirates Youth Group, very light in complexion. I've heard people call him Maich or something." It is the last answer which shook her stiff. How could it possibly be? She hurriedly dropped her bag at her mother's and they both took to follow the direction in which the police had gone.

"On our way, a woman stopped us and called my mum aside. She confirmed that my Maich had been collected by the police, had pleaded for his life with all the Swahili there is in the world and all the vernacular he could find at his disposal, but to no avail; and that he was in grave danger should we not make it to his rescue in good time," she said. I could savour the regret in her words as she expressed how kneeling for amnesty, too, had done him no good. The police had been determined. Religiously.

"I could no longer just stand there listening. Time was moving fast and wherever he was, Maich needed me more than ever. My heart was in my mouth. Shortly after deciding to walk on, my phone rang. A friend of mine's, in hysterics, asked me to rush where he was, since the police had Maich there and were going to kill him. Community members



had tried to come to his defense but the law enforcers were hell bent on listening to no one. In fact, they soon began to forcefully disperse people from the scene.”

Not so long after the call, the sound of distant gunshots.

“I can still hear them clearly in my head. By the time I got to the scene, I found a heavy police presence still struggling to disperse the crowd,” Wambo continued. Luckily, one policeman present knew her well. He also knew Maich to be her boyfriend. She therefore trusted that he would help her, at least, view the body. Unfortunately, however, he would also greet her with the same degree of stern coldness as the rest of his colleagues: “Get out of here right now with that your pregnancy, before I kick you and drop you in this stream!” He thundered, pointing to a filthy turbid of raw sewage nearby. The women around held her as they very quickly escorted her to a corner out the scene.

It’s when she was seated in that corner, soaking in her tears, that Wambo saw two policemen pass by from behind, with a motorcycle they had confiscated at the matatu stage. They were going to plant it as an item Maich had stolen and use it to justify their execution. At the time, she remembers not mustering enough ability to think straight. Wambo went on about how residents had become incredibly furious as to start protesting against the police. It had suddenly turned to a steamy two-hour battle of bullets and stones. Only later were the police able to carry Maich’s body away. That day, Wambo and her sister, in the company of Maich’s mother and a multitude of angry community members, took to demand answers at the police station, only to meet yet another state official drenched in impunity – the OCS responded that it is their job to sweep away ‘trash’. Imagine!

“The father of my unborn child had unapologetically, almost immediately, been equated to garbage.” Tears lingered in her eyes and I noticed her struggling to hold them back.

The commotion had brought together concerned human rights defenders, community media and drawn the attention of a former member of parliament, who then acted to manage the situation before it could get further out of hand. That’s when the police felt a little too exposed, too intimidated. They now claimed that Maich had been killed by accident. That he was an outcome of a mistaken identity and they would conduct necessary investigations to look more into the matter.

The nature of police killings in Mathare is that death permits are never issued for ‘thieves’. Inherent in this logic is that thugs deserve to die and to bury themselves after! What the state quietly implies by this, therefore, is that it holds a special claim to when our dead do count and when they don’t. For many bereaved families, this only adds more salt to injury, largely slowing down the development of burial plans and making the situation all the more difficult. Maich’s case was treated no different. He did not count. As a matter of fact, it was only upon his dad parting with ‘something small’ and the intervention of a few human rights activists that a permit was secured, as well as mortuary clearance to access the body.

Police officers did not fancy the level of public scrutiny they had attracted with this recent killing. They realized that the family and activists were going to stop at nothing in their attempt to hold them accountable for their recklessness. “We would later find his body in a devastating mess. His eyes were piercingly damaged as though to erase something in them. Fluids still oozed out of his wrecked eye sockets the next time we saw his body. None of it makes sense to this day,” Wambo recalled. What followed was the police coming to Maich’s funeral fundraising ceremony one night to intimidate the family by causing mayhem. They used force to close down the ceremony, pocketing the little money gracefully collected from well-wishers. They took with them the notes and tossed away the coins right before they left. All they have ever had is a sickening flare for the theatrical.

“The world began to feel so empty and I was all alone in it. I did not for the life of me fathom why God would take away my child’s father before they ever got to meet. I hated God’s wantonness, His cruelty and I hated myself, too much. It is this soul-crushing loss that taught me all about hate. It started deep down in my gut, where it stirred and churned; and then it rose, fast and volcanic. How could I not get bitter when the person I most loved and admired in this world had been stolen from me? He was so young, full of life and dreams ...” I bore witness to the hatred she spoke very familiarly about. It had erupted, hot on her breath as her eyes went wide with fire. The more she spoke, she clenched her teeth so hard I thought they’d shatter.

What most people probably do not understand about the murder of Maich, and I purposed to call it a murder for reasons of accuracy, is the significance it bears in view of the larger group of young people trapped within the radicalization of an environment they did not ask to be born in. An environment within which inherited poverty dictates how big one should dream, think, or the lengths at which you can possibly go to make those dreams come true. Maich was not the first of his kind, and neither was he going to be the last. There is a great deal of poor urban youth being unjustly suspected, publicly accused, apprehended, and eventually executed at point-blank range. Ours is a criminal justice

system that operates on the presumption of guilt, and then challenges the defendant to prove their innocence. Maich is an absolute basket case.

Soon after Maich's burial, Wambo became the mother of a bouncing baby girl. About two weeks in, she was summoned by human rights defenders from the Mathare Social Justice Centre (MSJC) to formally document Maich's case, which would be the first step towards a long journey of seeking justice and redress. Upon arrival at MSJC, she met another lady, way younger than herself, whose boyfriend had also been executed by the same policeman as Maich recently, leaving her widowed with a 3-month-old baby. The young lady was also here to document her case. It was when reality would finally dawn on both ladies that this was a crisis bigger than any of them.

Typically, police killings kept escalating and more women came out to document cases of their fell sons and husbands. The most notorious killer policeman became untouchable. He still is. He has often boasted of having a godfather who protects him and bigheadedly claimed that nothing can be done to him. Whether you are considered a criminal or not, is not the point. To him and to other policemen, there seems to exist an extremely fragile line between 'guilty' and 'innocent', and at any moment a young person could fall into one category or the other. We, the youth of Mathare, have thus been left to carry on our backs huge trunks of nametags, are often referred to as 'Ghetto thugs' and in the event we attempt to organize for resistance, 'Ghetto gangs'! Middle and upper classes who have never set foot in informal settlements buy in that narrative of ghetto residents being criminals, which in turn justifies police violence as an answer. This is the world in which we dwell, that which we are compelled to call home, every single day.

In response to ever-increasing police killing rates, Wambo and Mama Victor (whose son was also killed by the police in the company of his friend as they came back home from work during the 2017 post-election hullabaloo in Mathare

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We, the youth of Mathare, have thus been left to carry on our backs huge trunks of nametags, are often referred to as 'Ghetto thugs' and in the event we attempt to organize for resistance, 'Ghetto gangs'

4A) purposed to organise a network of mothers of victims and survivors of torture and police killings who, in principle, would do what they can within their little pockets to make sure more women do not come to know such pain. Their mandate became to actively document new cases of extrajudicial executions, follow them up as they offered much-needed psychosocial support to each other, in an attempt to foster a joint resilience against an oppressive system.

"Following up cases can be extremely difficult every often due to basic financial issues such as transport, communication and food. I could walk up and down and not have anything to eat all day. Still, justice is not an assured commodity. It has become a stale fruit that is only capable of leaving a foul taste in a victim's mouth. Nobody even knows what the word 'justice' means anymore. Among other numerous factors that make it problematic to attain, the lack of adequate witness protection arrangements bears deep tentacles. Seeking it has, in effect, taken countless lives. It also has, ironically, made careers and is being used to enrich many people. Once you are caught up in this life, it becomes increasingly easy for people as well as institutions to enslave you. They use your wounds to accumulate wealth and build their name brands. At the grassroots, you are only destined to revisit the very fundamental source of your grief every once in a while for the thrill of NGO professionals, who then task themselves with the duty of representing your pain on 'higher' platforms, where they enjoy nice heavy meals and fruit. If anything, the real victims like myself should be the ones to dialogue directly with policy-makers, since our issues have for a long time been eclipsed by a pool of people who do not resonate with our circumstances at a practical human level," clarified Mama Victor.

She continued, "Why do I continue to pursue justice, you may ask? My heart is only ever going to comprehend peace when the case of my son's murder by the police makes it to court and unsympathetic action is taken against the

perpetrators. That is the only justice I know. The one I choose to believe in. Now, more than 30 women in our network, hold on to this hope. If for nothing else, we become each other's support system. It's the only way we have kept going stronger than our individual losses. I am because we are. This sense of belonging, for us, is akin to being stuck, and knowing that there is no other place to go, but also reflects an optimistic tone of desire to improve the conditions of life in our 'mtaa' from the inside out. Our hope is that one day we cry so loud that our voice can no longer be ignored. That one day, one time, justice will prevail. And that when it does, it will not only be our shield and defender, but also the ultimate medicine for our bleeding scars!"



Participants from Justice Centres during a psychosocial wellbeing workshop in Limuru (March 2019)

I Come As One, But Stand As Ten Thousand (Maya Angelou)

By Peace Brigades International - Kenya Project

In early 2017, PBI Kenya invited three of the organisations we'd been working with, and known in various ways beforehand, to come together in order to develop a joint project proposal to tackle the normalisation of extrajudicial killings in Nairobi's settlements and help improve relationships between human rights defenders, community members and police. At this point, PBI Kenya had already been working closely with Mathare Social Justice Centre (MSJC) for several years going back to when they were a couple of Mathare-based activists just starting to formalize their social justice work to become the first justice centre.

When the four partnering organisations sat down for the first time to develop a joint proposal, little did we know about the amazing journey we were about to embark. PBI Kenya's vision was to create a project that would combine the strength and determination of two grassroots organisations with strong community support and two international organisations with valuable networks in Kenya and abroad. Having known what each part was capable of on their own, PBI Kenya believed that by bringing together our unique approaches and expertise what we could achieve together would be so much more than what any of us could on our own.

From the concept note stage to the start of the project more than a year later in April 2018, trust and relationship building was key in order to ensure the success of this unique project. As a non-hierarchical, consensus-based organisation PBI strongly believed that collective and inclusive decision making would yield impressive results, given the different perspective and organisational cultures of each organisation. We also knew this process wouldn't always be easy, but the results are surely worth the effort. Three years later, as we embark towards the closure of this project, we feel privileged to have been part of an incredibly rewarding project, while the topic of the work is distressing we have still managed to foster new forms of learning, new insights, new partnerships and more importantly new friendships.

Our consortium of four was a mirror reflection of a larger movement occurring in Kenya. Over the duration of the UMKU project social justice centres began popping up, growing from just one into an entire movement with thirty across the country today, and still growing! At the time we set out to develop this project in the summer of 2017, MSJC was the only social justice centre. With the establishment of the Dandora Community Justice Centre (DCJC) in late 2017/ early 2018, we decided to bring them into the project to support MSJC in case documentation. Since then, the social justice centre movement has gained local, national and international recognition and legitimacy as established (I)NGOs and the International Community now turn to the centres for first-hand information on cases and trend analysis on extrajudicial executions (EJEs). Having contributed to this growth makes us extremely proud!

Apart from PBI Kenya's role as bridge builder, our contribution has been mainly in the areas of capacity development for human rights monitors and project staff in the areas of documentation, security management, networking and advocacy. While not envisioned in the first place, it soon became clear that psychosocial support for the human rights monitors and justice centre activists at the forefront of documentation was absolutely key. The darkest moment of the UMKU project was when we learned of the death of Carol Mwatha, a founding member of Dandora Community Justice Centre (DCJC) and human rights monitor for the UMKU project who had disappeared in early February 2018. This sent shock waves through the whole human rights community and deeply affected the morale of grassroots activists. In order to help the justice centre activists to come to terms with the loss, while at the same time developing a support system that would help them continue with the work, PBI Kenya and other NGOs carried out a number of psychosocial support workshops throughout 2018 and have incorporated this into our work since.

For the UMKU project, PBI Kenya organised two highly successful speaker tours, the first in 2018 and the second in 2019 during which we managed to have a total of 50 advocacy and networking meetings with relevant stakeholders from the international community. Having enabled grassroots defenders from MSJC and Ghetto Foundation to travel to Europe to directly engage with government, EU and UN representatives in Berlin, Brussels, London and Geneva (including this year's UPR pre-session on Kenya), was a powerful way to considerably contribute to their increasing of their protection networks.

This three-year journey has been gratifying for us at PBI Kenya, having played a role in not only shedding light on the struggles and afflictions caused by EJEs in Nairobi's

settlements in hopes of bringing about positive change, but also in revealing the dedication, resilience and strength within the settlements taking on the form of justice centres, like our two partners Ghetto Foundation and MSJC.



PBI Kenya's vision was to create a project that would combine the strength and determination of two grassroots organisations with strong community support and two international organisations with valuable networks in Kenya and abroad



This photo was taken during the UPR pre-session in Geneva in December 2019.

Left to right: Rita French, First Human Rights Ambassador from the British High Commission in Geneva/ Rahma Wako (MSJC Secretariat Member), Kim Mai-Vu (Advocacy Coordinator, PBI Switzerland)

UMKU Database Analysis

By Wangui Kimari

Between April 2018 and December 2019, monitors for a number of social justice centres in Eastlands documented extrajudicial killings by the police in their communities.

An analysis of the 55 cases of extrajudicial killings they reported and that were entered into the UMKU database, and which took place between May 2018 and December 2019, make evident a number of trends. Although the UMKU project focused primarily on three constituencies; Kamukunji, Mathare and Embakasi North, other cases from outside the jurisdiction were received by the justice centres.

Findings are outlined below:

- 1) All victims were young men, with an average age of 25; six of the victims were between 15 – 18 years of age, although some of the victims could have been younger as we were unable to get the ages of 11 victims.

- 2) 18 victims were from Mathare;
14 from Dandora;
3 from Mowlem;
12 Kayole;
2 Mukuru;
2 Roysambu;
3 Eastleigh;
2 from Majengo.

These incidences continue to illustrate the high rate of police killings in poor neighbourhoods in Eastlands

- 3) As in MSJC's previous report *Who is Next*, and as also reported widely, most of the victims were conducting mundane activities, such as walking, sleeping or even hanging out with family members before they were taken by the police and killed. A significant number of these victims were beaten before they were executed.
- 4) In addition, most of those killed were employed in low-paying jobs, were casual workers and a few were students. In this regard, the two young teenagers who were murdered on Christmas Day 2019 in Mathare, Peter Irungu and Brian Mung'alu, had just finished their form four KCSE exams a few weeks earlier, and were both 18 years old.
- 5) Overwhelmingly, those reporting the cases were family members, and predominantly victim's mother's and wives.
- 6) The vast majority of the extrajudicial killings happened in the evening and early morning: after 6 pm and before 8 am.
- 7) Known police killers, such as Rashid of Pangani Police Station, continue to kill youth with impunity in the Mathare/Eastleigh area, even after many cases have been lodged against him at IPOA. Related, Pangani, Huruma and Dandora police stations continue to be known as spaces where killer police are based.
- 8) Unfortunately, from our information, roughly only a fifth of the cases have been reported to IPOA (10/55). Related, those who reported their cases at IPOA were likely taken there by social justice activists. Certainly, IPOA is not viewed favorably by many families of victims.
- 9) From our information, less than 3% reported the killing of their family members at a police station- likely out of fear. And it is only a similar percentage, 3%, who carried out postmortems for the victims: this is, as well, probably as a result of the cost and fear of conducting this necessary exercise.
- 10) None of the 55 cases has made it to court as yet, and would require the Office of the Director of Public Prosecution's approval, via investigation at IPOA, to get to this stage. In view of the few cases reported to IPOA, unfortunately very few of these cases will likely ever get to court.

MY STORY MATTERS

AGE: 15 years

“We are paying a high price for our freedom...”

In Eastleigh, if you're a young Somali man, it's difficult to walk comfortably past 6 pm because of the police. They drive around the neighbourhood in a Probox arresting any young Somali man they find. They neither identify themselves nor ask for your identification. When they take you to the police station, they plant weapons on you like pangas and book you on trumped up charges of possession of these weapons with the intention to carry out crime.

It has happened to me too. I was arrested by the police on my way home from playing football. They took me to Pangani Police Station and charged me with attempted murder. I was very frightened. I tried to plead with them. I have never killed anyone in my life. They called my mother and demanded that she send Ksh. 50,000 in order for them to release me.

When the police release you after paying your ransom, they can get in touch with other officers on patrol and it's not uncommon for you to be arrested by another group of police officers shortly after you have been released. This group will also demand a high ransom.

AGE: 16 years.

“What future do we have if we spend our lives constantly running from the police yet we are innocent?”

I have been arrested several times. If it's past 6 pm, it's a big risk to walk out of the house. I cannot go to the mosque to say my evening prayers. If the police find you outside, they will accuse you of being a member of the gang Superpower and arrest you. If you want peace, don't walk outside the house past 6 pm.

Recently during Ramadhan, I was on my way to the mosque for the evening prayer when I was arrested by the police. They bundled me into the boot of their Probox. They took my phone, took a picture of me and sent it to my mother. They told her they would kill me because I belonged to Superpower. It was a false accusation but it doesn't matter because the police are not interested in the truth. All they want is money. They took me to the police station. No charges were written in the Occurrence Book. I was not taken to court either. They asked my mother for Ksh. 45,000. I spent three days in the cell while my mother raised the amount for my freedom.

On another occasion, they arrested me with another group of young boys. They told us to strip down to our underwear. Then they paraded us on 9th Street. When they were satisfied, they extorted Ksh. 50,000 from each of us. In a week, you can be arrested up to four times. It's crazy.

To cope, our parents send us to boarding school because they assume we will be safe from the greedy claws of the police but the boarding schools are full of drugs. We end up using the drugs and getting addicted. You leave high school and go to rehab. What kind of life is that? What future is there for us?

I am a teenager and I just want to be a teenager and enjoy spending time with my friends but it is impossible to do that because I cannot visit them. Whatever little money my older brothers get from work, it goes to the police in the form ransom for our freedom.

The police who are supposed to keep us safe are destroying our future.

AGE: 17 years.

“Our biggest problem in Eastleigh is the police...”

Our biggest problem in Eastleigh is the police. From 5 pm – 10 pm, it's not safe to be outside because of them. They park their Probox cars everywhere. You might even think they are taxis. The police are plain clothed making it difficult to distinguish them from ordinary citizens or thieves because they hardly identify themselves.

When they arrest you, they take your picture and force you to call your mother. They force you to tell her that were caught stealing and that she needs to send money for your release. Sometimes they even park right outside the apartment buildings and arrest any young man who comes out of the door.

I was arrested by a group of police men on my home from the football ground. I didn't know who they were as they were dressed in plain clothes and they smelt of alcohol. I tried to defend myself thinking they were thieves. That was

a big mistake. All of them started hitting me with blows. Passersby were wondering what I had done but they could do very little to help. They asked for my ID. I only had my student ID which I showed them. They told me because I am Somali, I have money. They put me in the boot of the ProBox and took me to Amana Petrol Station.

They handcuffed my hands behind my back and forced me to lie face down on the ground. They took out pangas from the boot of the car and placed them next to me. Then they took my phone and took a picture of me with the weapons and sent it to my mother. They told her I was a notorious criminal and I had been caught stealing. My mother was very scared and she sent the Ksh. 10,000 that they were demanding.

My mother only sends my sisters out of the house because she doesn't want me to go through that again.

AGE: 16 years

"Here in Eastleigh, the police call us goats and Eastleigh is like one big market place where they arrest us at will and extort us for large amounts of money. They say because we are Somali, we have money."

I was arrested last night at 7.30pm. My mother had sent me to the shop to get milk. The police did not tell me why they were arresting me. One of them just slapped me and put me in the Probox. He insulted me by calling me stupid.

They drove me to a secluded place which I'm not familiar with. One of them held a gun to my head and threatened to shoot me if I did not confess on camera that I was a member of Superpower. I was very frightened so I did what they asked me to do. They sent that video and the pictures they took to my mother. Then they called her and told her they have arrested me because I was a member of Superpower. They asked her for Ksh. 10,000. My mother didn't have any money to give them so she had to take a loan and borrow from other people. I stayed in the police cell for one week before I was released to go home.

This is not the first time that they have arrested me. Here in Eastleigh, the police call us goats and Eastleigh is like one big market place where they arrest us at will and extort us for large amounts of money. They say because we are Somali, we have money. If you are properly dressed or have a nice hair cut, they arrest you and accuse you of stealing the items that you are wearing. I remember on one occasion when a group of police officers raided a wedding party and rounded up the young men. They started squabbling amongst themselves who would get what number of goats which is us, and what price each goat would go for. It was very humiliating.

The police are driving us away from our neighborhoods and our childhoods. I am Somali, but I was born in Kenya. All my life, the only home I have known is Kenya yet I am being criminalised for something I have no control over. It is something I cannot change. I did not choose to be Somali so why are the police making it a crime to be one?

"Here in Eastleigh, the police call us goats and Eastleigh is like one big market place where they arrest us at will and extort us for large amounts of money. They say because we are Somali, we have money."

AGE: 17 years.

"I wanted to be a criminologist but I have given up on that dream because I don't want to be taught to become a brutal human being like the police."

I was a student of Pumwani Boys High School but I had to leave the school because of drugs and sodomy cases in the school. I was in the process of looking for another school during the school holidays which also coincided with Ramadhan. I had gone to study at a public library here on 8th street. I had a backpack which had my books. When I came out of the library, I was arrested by the police and joined a group of young boys who had also been arrested in the boot of the ProBox. They drove us to a muddy, secluded alley in between two buildings with short walls. The alley

had corrugated iron sheets as a shade. They told us to strip and remain naked then they started beating us. They hit me in my genitals. I pleaded with them. I told them I was a student and that they can confirm this by checking my backpack which had my student ID from Pumwani and my books. They dismissed me and scattered my books and continued beating me. When they were tired, they told themselves that what was left was to kill us. They fired two gun shots in the air to scare us. They said they were killing us because we were notorious criminals which was false because I was not a criminal. I have never been involved in crime.

To secure our freedom, they told us we had to roll in the mud naked. All of us rolled in the mud several times. Then they let us go. We did not have our clothes. They went away with them. It was some good samaritans who gave us some lessos to cover our nakedness as we went home.

It is as if the police get medals when they harass us and kill us. Nowadays, they don't even take you to the police station, they take you to Amana Petrol Station. If you go to Amana, you go for two things, to collect your loved one from the police, or to buy petrol. I wanted to be a criminologist but I have up on that dream because I don't want to be taught to become a brutal human being like the police.

What I have observed is that almost all Somali police officers in Eastleigh are Ogaden, so they don't arrest their fellow Ogaden. If they recognise you as one of them then they release you. Ahmed Rashid is also a big menace. I don't think he is a human being. If he arrests you, you are doomed. He will kill you for sure. We call him *singum*, Angel of Death, Mujamaa or *Mkulaji* (one who eats).

I have just finished my KCSE but I feel hopeless because what lies ahead of me is dodging the police. The police say young Somali men in Eastleigh are members of Superpower. That is false. It is true that Superpower was a criminal gang that terrorised Eastleigh from 2010 to 2016, but the police really cracked down on them and killed them. Those who were not killed fled from Kenya. There are no Superpower left in Eastleigh.



A member of Ghetto Foundation, Daniel Wainaina, facilitates a community dialogue

Leadership & Facilitation of Dialogue and Conflict Resolution

By Ghetto Foundation

Ghetto Foundation (GF) is a community-based organization set up by a group of men who have been able to escape a life of crime in Mathare, Nairobi. Their hard and long journey out of crime and poverty has taught them the importance of self-esteem, positive role models and access to opportunities. These lessons are what GF's trained and highly experienced social workers now offer to their community.

Through its longitudinal work with bazes, which are groups dominantly perceived as youth gangs in Mathare, Korogocho, Eastleigh, Muthurwa and Majengo, GF has an extensive network among youth leaders (mainly young men, but also women, we term 'influential youth' below) from all sides of social and political divides and cutting across these neighbourhoods. Through painstaking effort and collaborative research and action, GF has been able to develop relationships of trust with these leaders and their following. These relationships have allowed GF to guide these groups in grassroots social justice work, development projects and mentor programs that also include local government, NGOs and businesses. In order to continue and expand on this work with bazes, it is pivotal to engage in a longer-term capacity building process of the youth leaders and their bazes.

GF has developed a unique method for "Dialogue and Conflict Resolution" that resonates with lived experiences of youth leaders in different communities. 'Mazungumzo Mtaani' (Ghetto Talks) emerged as a result of the power vacuum and potential for violence that followed the expulsion of Taliban groups in Mathare in 2009. GF has redesigned, strengthened and further applied this method during the run-up to the 2013 elections when tensions surged between rival groups in Mathare and in Korogocho. Since then, GF has employed and again further improved this method to quell emerging conflicts successfully in different neighbourhoods in Nairobi.

The method constantly evolves in relation to a profound understanding of relentlessly changing local dynamics per locality, and starts from a shared sense of ownership by the participants of specific problems (first through identifying problems in detail and second by developing and implementing solutions collectively).

Over the past project period of 17 months, GF has been a consortium member for the Ushirikiano Mwema kwa Usalama (UMKU) project. Within the UMKU project, GF has organized and facilitated community dialogues and human right trainings with 'influential youth' twice a month, thus ensuring that there will be a continuous learning process with regard to taking responsible leadership roles that will have positive impacts on social justice while mentoring future generations of youth. Where desired by participants, GF has also involved other stakeholders (village elders, political figures...et.), partners (Peace Brigades International, Saferworld, the Court Users Committee...et.) and have worked closely with Social Justice Centres to connect our work to other interventions geared towards reducing police violence and improving justice.

Within the UMKU project, GF has been able to engage more than 2000 influential youth during the community dialogues and the human rights training. Some of the challenges that GF faced during this period was engaging the local police who frequently did not honour any of our invitations to attend the dialogues and were sometimes reluctant to give us the permission required to hold meetings.

All in all, GF has contributed to the level of awareness of human rights and the constitution in the community and also helped the community develop home-grown strategies to counter human rights violations. On the forefront of our discussions were extrajudicial killings and enforced disappearances. Some of the youth participants of the dialogues have joined the social justice movement to further engage in research and action to address these grave human rights violations. GF will continue guiding these youth in their social justice work, long after the end of the project period.



*Human Rights
Education
Training
workshop*



Field Visit of Maria Gotsi (Policy Officer for Kenya for the European External Action Service) to Mathare (March 2019)

The Gun Song

The Gun Sings

The chase ain't new

The blast ain't new

The fall ain't new

The cries ain't new

The wounds ain't new

Broken heart beat ain't new

The gun sings

Unfinished investigations ain't new

Unreal evidence ain't new

Head and heart shots ain't new

Fake evidence ain't new

Celebrating kills ain't new

Protectors turned hunter ain't new

Wrong narratives ain't new

The gun sings

Mistaken identities ain't new

Mass graves ain't new

Open lies ain't new

Stalled cases ain't new

Kidnapped fellas ain't new

Burned evidence ain't new

Shunned constitution ain't new

The gun sings

Fake eye witnesses ain't new

Fake lawyers ain't new

Fake judges ain't new

Historical repetitions ain't new

Heads counts as headline ain't new

Rogue officers on pay ain't new

New energy is we,

Change is we,

Voice of all is we.

The Gun must not sing

Composed and written by Javan The Poet.

Empowering Communities to Access Provision of Justice

By Saferworld

Saferworld's experience in preventing violent conflict and building safer lives has enabled the Ushirikiano Mwema kwa Usalama (UMKU) project to access and engage with the media, national security structures and actors within the criminal justice system to address the grievances and inequalities that drive conflict and other forms of human rights violations.

At the end of 2018, Saferworld brought together 36 editors and journalists from the mainstream media and community media stations for a sensitization workshop on conflict sensitive reporting of extrajudicial killings (EJKs). The two objectives of the workshops were to ensure editors and journalists critically reflect on their own practice in order to report on victims of extrajudicial killings and trauma in a humane and transformative way while also ensuring they dismantle their predetermined narratives of the police and communities when contextualizing extrajudicial killings.

Mid this year Saferworld in collaboration with the Makadara Court Users Committee held a training with representation from the Judiciary, National Police Service, prisons and probation department, Office of the Director of Public Prosecutions, Witness Protection Agency and community justice centres within Eastlands. The main objectives of the training were to build capacity in the areas of access to justice and observance of human rights by the security actors; and also adopt a human rights approach to prevent extrajudicial killings, with the understanding that law enforcement agencies together with the criminal justice actors have the primary responsibility to promote and protect the rights of all.

Building better relationships

Saferworld conflict sensitive approach to programming has led to improved engagements between the community, grassroots human rights defenders, police officers, the Office of Director of Public Prosecution and the Makadara law courts officials. Through joint Court Users Committee outreaches, the communities, especially the grassroots human rights defenders in Mathare and Dandora, are now able to closely resolve issues around arbitrary arrest and criminalisation of youths, both which at times can lead to extrajudicial killings.

Furthermore, majority of the trained police and judicial officers have remained in the project target areas. This allows for consistency and follow up on issues related to violations of human rights. A good example being the arrest of 12 members of the justice centres some of who belong to the UMKU consortium after 'Saba Saba' celebrations (an important day in the Kenyan freedom calendar) in Mathare. The improved relationship between the Office of the Director of Public Prosecutions and Huruma police station saw that the malicious charges of incitement and malicious destruction of property were dropped, as they had a lack of sufficient, credible, and admissible evidence.



Group discussion during Court Users Committee training




Mathare Community members consulting judicial staff and the police on unresolved cases in courts

The Last Man Standing

By Naomi Van Stapele

The spices in the large, plastic burlap sacks were stacked close to one another outside the road-side kiosks. They teased his nose and triggered happy memories of steaming pilau while he pushed through the crowd with a heavy heart. The makeshift market of hawkers selling cheap clothes and toys made in China blocked the entire muddy road. He jumped over a pothole only to land in a pool of dirty water, wearing just slippers. He cursed under his breath. The containers with hot food in the thin bags he was holding swayed dangerously against passers-by. He feared they might spill and decided to hold them in his hands. Ignoring the heat burning his hands, he focused on manoeuvring through the sea of people that all seemed to walk in the opposite direction. Women covered in bui bui and colourful summer dresses, young men like him in football jerseys and pipe jeans rolled up at the ankle, older men in Muslim dress or business suits. It was hot and the dust seemed to hang low in the air where it mingled with exhaust fumes from the *matatu's*, it made breathing difficult. He ignored the attempts by hawkers to get his attention and buy their goods, and tried to make his way to the hospital as quickly as was possible in these crowded streets.

Arriving at Pumwani hospital, he noticed that he had arrived too early. Visiting hour had not begun yet. He called Nathalie to check if she needed anything else from the stores near the hospital, and bought diapers, fruits and juice. An hour later and with his arms full of groceries and containers of food, he walked into the hallway together with dozens of other visitors where they were met by a large pool of blood. In the corner, a woman sat crouched, a trail of blood ran from her legs to the dark, red puddle. There were no nurses or doctors in sight. The horrifying scene stopped the line of visitors in their tracks, including him. He froze, but a large woman behind him jumped into action, pushed him aside and ran towards the woman. A nurse appeared with a bucket to clean up the blood, but the large woman grabbed her arm to turn her attention to the woman in the corner. He left the scene glancing over his shoulders, still in shock. Was he imagining things or had he seen a dead baby between her legs? He shivered in fear. Too many dead babies on one day. Up the stairs, he was met by a group of doctors chatting in the hallway. He felt angry at the careless way they stood huddled together, but did not dare to say that a woman needed help downstairs. He was just a teenage boy, and he was on a different mission.



His knees slightly buckled when he entered the ward. He was afraid to look Nathalie in the face, see her pain. Kamaa, his 25 year old brother, had already told her that Baby Jim had died last night when he had brought her lunch in the afternoon. Their baby daughter was still in the emergency ward, and he wondered how she would take the loss of her nephew on top of worrying about her own prematurely born child. At her bedside, he avoided her eyes when he greeted her and placed the shopping on the night stand. She shared the single-bed with another woman who was in the midst of nursing her baby. Nathalie sat up, her dreads hung loose and her eyes were blank. She did not meet his eyes, but continued to stare out the window. He shook her hand and asked her about Lyla, her newly born daughter. She answered mechanically. "Lyla is fine". He tried to tell her how bad he felt that Baby Jim had passed away, so suddenly, but he couldn't. It felt as if there was a potato stuck in the back of his throat. He sat silently, awkwardly balanced on the narrow window sill, praying for another visitor to come as the silence grew heavy between them. He had no idea how to comfort Nathalie. She was like a sister to him, ever since she and Kamaa had moved in together, a ghetto marriage. She always cared for him, invited him to eat with them, gave him little jobs to do to earn some money, and now he could not do anything for her. He felt angry at himself, but still said nothing. He saw that her plate and cup were dirty so he busied himself cleaning those in the dirty sink near the bed. It felt a bit weird to do this in front of all these women eyeing him ironically from their beds, but he often helped Kamaa and Nathalie with the dishes at their hotelli (roadside restaurant) and did not mind to do women's chores. He also washed his own clothes and like Kamaa he could cook like any other woman. Their mother had died during a road accident when they had both been very young and Kamaa had taken care of him ever since.

Nathalie's younger sister Kelyn walked in with more diapers and fruits, and they instantly started chatting in rapid Kikuyu, a language he hardly spoke. Tears were welling in their eyes. He excused himself and started walking away, his shoulders drooping in shame and his heart even heavier as when he had come. How useless he felt, so utterly inadequate. Before he was able to cut the corner of the ward, Kelyn turned to him abruptly and yelled with a high-pitched voice: "Jamo, water is back, eh, so go help Kamaa and get water for the hotelli." One good thing, he thought, at least one good thing happened today. The entire ghetto had been without water for five weeks. It also had not rained. All public toilets and sewers were overflowing with human waste, and local ditches were filled to the brim with garbage, 'flying toilets' and putrid mud. The smell had become unbearable, and everyday more children woke up sick, crying their lungs out. Baby Jim had not survived. After just two days of what they all thought had been mild diarrhoea, he had died last night, he had not even cried that much. They had all been shocked early in the morning, when the ghetto was still enveloped in moonless darkness, right before sunrise. Jamo had woken up to Nathalie's youngest sister's piercing screams cutting through the pitch blackness of the early morning hour. Liz lived next door to the hotelli where he slept, and he had run to her house thinking she had been attacked by someone, maybe a customer as her small house doubled as a chang'aa bar. He found Liz clutching Baby Jim, shaking him to wake him up, but he looked dead, even from a distance. His skin had already turned ashy grey and his eyes had been open, staring into empty space without blinking. He had called Kamaa right away and soon the small bar was filled with family and neighbours, despite the early morning hour.

Back in the ghetto, he hurried to the water tap near the hotelli with several empty, yellow 20 litre jerry cans. A long line of jerry cans with names of people carved on the sides circled around the corner from the tap, this was going to be a long wait. He placed his jerry cans at the end of the line, and walked to a nearby kiosk to buy a banana. He had not eaten all day, only some strong tea, no milk or sugar, and a mandazi in the morning. Enjoying the warmth of the dark yellow sun casting long shadows in the late afternoon, he ate his banana and waited for his turn at the tap. He felt his shoulders relax a bit. It was already dark when he finished carrying the heavy jerry cans to the hotelli and to Liz's house. Family and friends were still cramped together in the small house/bar, sitting on wobbly wooden stools and broken seats, drinking tea and discussing the way forward. Judy, Nathalie's oldest sister, had taken Baby Jim's body to the near-by mortuary. Liz had not been able to go outside. She could hardly stand, overwhelmed as she was by grief. She lay on the bed in the corner of the bar, propped up by blankets and the big bodies of her two best friends who sat aside of her. Her frail body shook constantly, as if she was crying, but no tears came out of her eyes. He squatted in the corner against a wooden beam, waiting for someone to send him out to do something, anything. He silently prayed for someone to give him a chore. He hated sitting there, idle, with nothing to contribute, to help out, to do something to ease the pain.

Kamaa called him from outside. Relieved Jamo jumped up and sneaked through the door, welcoming the evening chill after the muggy room. Kamaa stood tall, his head appearing above the low-rising iron-sheet houses, and his face was lit up by the security flood light. The rest of the alleyway was covered in darkness, the towering building near the bar blocking its bright light. This made the alleyway a favourite spot for thieves to hide and share loot. As Jamo talked with Kamaa he could see three of his friends hiding in the shadow of the houses. Kamaa saw them as well, but ignored

them this time. Normally, he chased them away because he did not want to attract police to the vicinity of the hotelli. He feared that he and Jamo might become police targets by association. Police roamed the ghetto at night in search of easy money through extortion and murdering young men like them under the pretext of fighting crime. When he had been younger, Kamaa had been persuaded by some of his friends to steal from passers-by to get money to take care of them and pay school fees for Jamo, until he had seen a plain cloth police officer shoot his best friend in the back while he was hiding underneath a lorry. Kamaa had told this life-changing event over and over to Jamo who at the time had still been in primary school. Ever since, Kamaa watched Jamo like a hawk to dissuade him from the temptation of stealing. He often said, “Yes, life is hard in ghetto, but as long as you have a life you can build a future. If you steal, you may have a bit of cash and one or two problems go away, but now you are on the death list and a cop can just come and kill you. That is our end, then and there.” Jamo had also often felt the urge to join his friends to steal because he saw how Kamaa and Nathalie were struggling to make ends meet and he felt such a burden to them. But he respected his brother and followed his advice conscientiously despite their daily hardship. Some days they would only eat ugali with salt, other days they just drank porridge the whole day. They would sell food in the hotelli that they themselves could not afford to eat, beans and chapatti and stomach stew. The memory of cooking and serving food while hungry still tormented him often, especially in his dreams. Fortunately, the hotelli was popular and their family income had increased slightly over the past year.

“


*Yes, life is hard in ghetto,
but as long as you have a
life you can build a future.*

Jamo was secretly dreaming of going back to secondary school and finish his education. He was saving a bit of money from his daily chores to surprise Kamaa. He really wanted to make Kamaa proud. Kamaa had dropped out of primary school after their mother died, but had pushed Jamo to continue until it became impossible. Jamo admired Kamaa and counted himself lucky to have an eight year older brother as a role model and guardian. Most of his friends lacked a male mentor and were overburdened with trying to take care of their mothers, siblings and oftentimes also their own young families. Kamaa had also become a teenage father at 16, just like many of Jamo’s friends, and he had been determined to be a good husband and father while also continuing his role as an older brother. How he managed it all was a mystery to Jamo, but somehow he and Nathalie made it work.

Jamo saw the strain on his brother’s face. Kamaa hardly slept now that Nathalie and their baby daughter were still in hospital. It had been two weeks since Lyla had been born and still the doctors kept her in the emergency ward. He had talked to them today, but he still did not understand what was wrong with Lyla. She had trouble breathing they had explained to him, and they had asked him to sign a form stating that the hospital was not responsible in case she would die. He had not dared to share this with Nathalie. She had told him that Lyla was getting better, was drinking well and had even gained some weight. Coping with the death of Baby Jim was enough for one day for her, he had decided. Baby Jim had felt like her own son, since she had raised Liz, her youngest sister, as her own child as well when her mother had died of cancer. Kamaa looked hard at Jamo: “We need money. The hospital bill is high, now the funeral costs, you need to open the hotelli tomorrow.” Jamo nodded his head in agreement.

The hotelli has been closed for two weeks, ever since Nathalie had gone to hospital to deliver the baby. Kamaa had continued to work at a construction site in Westlands to earn money, and Jamo had taken care of their other two children, taking them to school, and he had brought food to Nathalie every day. Content that he could do something, he went to the hotelli and started to prepare for the next day. Kamaa had gone to talk to a friend in the neighbourhood who could connect him to another construction site where the pay would be better.

While cleaning the hotelli, Jamo heard a gunshot and seconds later a woman’s voice screaming, another voice joined



in, then another. Jamo listened to locate where the voices came from. Was she robbed at the petrol station near the main road? Thieves rarely used guns, someone was shot, so he thought, this meant police. The voices multiplied, many people had gathered and he could hear people arguing and shouting. He strained his ear to hear what they were saying while removing the dust from the pots and pans in the hotelli. Fear gripped him by the throat when he thought he heard the name 'Kamaa' uttered. He waved his concern away. That was impossible, everyone knew Kamaa was not a thief anymore. The echo of the name 'Kamaa' continued to ring in his ears and he decided to walk to the petrol station just to ease his mind. Before he managed to step outside, several neighbours came barging in and grabbed him by the shoulder. They forcefully pulled him out of the hotelli and pushed him towards the petrol station. He did not dare to think anything.

At the petrol station, police had pushed the growing crowd to the edges of the compound that was covered in darkness, and he could see a body on the ground, bathing in light. Kamaa! He immediately recognised the frame of his lifeless body. Jamo felt as if someone was choking him and a heavy sensation grew in his chest, like a gaping black hole. He could no longer stand on his feet but was still held up by his neighbours. Gradually, he noticed that Kelyn and the others from the funeral gathering had also arrived at the scene. He heard wailing, shouting, but he did not register who or where. In fact, he remembered little from that night or the next day, dazed by pain and confusion.

Heartbroken, he learned later that the police who had murdered Kamaa had confused him with another young man, 'a mistaken identity' people around him called this. Jamo did not agree. Yes, he knew Kamaa was innocent, but he also thought of his friends who did go out at night to steal from people. He knew they had very few other options, not everyone had a wife like Nathalie and such unity within the extended family. Most young men he hung out with only had each other. So what does innocence mean? And police, he said out loud to himself while sitting on his bed, are the biggest criminals anyway.

He knew he had to go up and see Nathalie, talk with her, comfort her, it had been two days now, but for now the pain of losing his brother and the fear of the weight on his shoulders kept him paralysed. He kept staring at the moulded piece of wood which partitioned the hotelli in two to hide his bed. Kamaa's murder by police had made a widow out of Nathalie who also took care of her younger sisters, Liz and Kelyn. He slowly came to the realisation that he had now become the last man standing in an extended family of women and children. He was only 17 years old.



*Many thanks to everybody
who contributed to making
this project a success:
without your support and
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