



ARTICLE 19

KENYA: UPR OUTCOMES

ITEM 6

ARTICLE 19 – Delivered by Andrew Smith
25 JUNE 2015

Mr. President,

ARTICLE 19 thanks member states for their recommendations made during the 21st session which seek to protect and promote freedom of expression and association in Kenya.

Since the review, there has been an increase in attacks against journalists in Kenya. ARTICLE 19 has documented 16 attacks against journalists this year with only two of these cases resulting in a prosecution at present while others have not been properly investigated.

We respectfully ask member states to call for the immediate end to attacks against journalists and for robust and effective investigations into violence against media professionals.

We welcome the recommendations by Latvia and Lithuania to “abolish criminal sanctions for media offences” and to “decriminalize defamation to ensure that journalists were able to practice in a free and safe environment, to investigate all attacks on journalists” respectively. Criminal sanctions for ‘defamation’ continue to be leveled against journalists.

We also welcome recommendations by the Czech Republic and Germany concerning the commencement of the Public Benefits Organisations (PBO) Act and the promotion of freedom of expression and association as necessary for an enabling environment for the protection of civic space in Kenya. We call upon the Kenya government to make public the Task Force report on Public Benefits Organizations.

Since the last UPR, human rights organizations, MUHURI (Muslims for Human Rights) and Haki Africa, have experienced harassment and intimidation, under the guise of the prevention of terrorism. Their records have been seized and accounts frozen without due process.

The harassment and intimidation of civil society organizations must cease. In particular, we call for the immediate removal of MUHURI and Haki Africa from the terrorism list and the immediate lifting of any asset-freezing or restrictions of their activities.

Finally, we wish to reiterate the necessity for the enactment of the long overdue Access to Information Bill, as recommended by Greece and Latvia.

We urge all member states to continue to monitor the implementation of these vital recommendations especially given the increasingly precarious situation of civic space in Kenya.

Thank you.