



MUHURI

MUSLIMS FOR HUMAN RIGHTS

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STATEMENT ON THE LIKONI FERRY BRUTALITIES

Muslims for Human Rights (MUHURI) would like to condemn the brutal operation against innocent Kenyans at the Likoni Ferry Crossing yesterday the 27th March 2020.

The chaotic handling of the Ferry Crossing, the brutal attacks on citizen who were peaceful, and the forcefully interference with those who were carrying out legitimate and important work including journalists, first responders and humanitarian service providers is a violation of human rights, illegal and unacceptable.

MUHURI supports all legitimate, constitutional, legal and humane actions by government, government agents and others to address the COVID-19 (CORONAVIRUS) pandemic.

We are also involved in interventions to address the effects of the pandemic using a human rights approach.

We would like to make the following observations concerning this incident:

1. The National Government issued an order to streamline the operations of the Ferry services during the pandemic. The Ferry operations posed a high risk to citizens and could have become a source of infections. It was hoped by allocating the role of managing the operations to the police service and the Kenya Coast Guard service will implement the required preventive measures for the crossings. These measures included the recommended social distancing, the washing of hands etc.
2. The planning and execution of the Government measures had a modicum of effectiveness during the morning crossings on 27th March 2020.
3. The crossings during the evening of 27th March 2020 had many challenges including poor management of crowds, slow ferry services, and contradicting instructions given by different government agents.
4. The trigger of panic and surging of crowds was a government statement given by a moving vehicle with an address system announcing that ferry services will be stopped at 6pm. The response to the surging crowds by the security agents was a violent attack on all persons on sight. The violence included physical attacks and teargassing. Several persons were injured and/or lost their property.

We demand the following from the authorities:

- A. The Government apologises for the human rights violations that were committed yesterday against peaceful and law-abiding citizens who were trying to get home by trying to cross the ferry.
- B. That security officers involved in the illegal attack against citizens and those on duty including journalists be individually held accountable for their actions. They should be suspended pending investigations and consequent necessary action.
- C. The Inspector general of the police publishes the applicable standing orders guiding police actions during this period.
- D. The Government disavows the illegal actions of rogue police officers and reaffirm their role during this pandemic as driven and informed by the imperatives of saving lives, promoting the wellbeing of citizens and the nation, and enforcing law and order in accordance with the law.

We make the following recommendations:

- 1. That the Independent Police Oversight Authority (IPOA) to start urgent investigations on this incident.
- 2. The officers managing the operations of the ferry crossing to work with all stakeholders including civil society organizations to orient the ferry users through urgent education on requirements of the safe use of ferry services including abiding with preventive measures against the pandemic. We make commitment to support such invention technically and financially including by the production of information, education and communication (IEC) materials and deploying civic educators on both ends of the ferry crossing.
- 3. Employers should consider allowing workers using the ferry to arrive late at work and leave early from work but not later than 3pm.
- 4. For citizens to adhere to all legitimate and lawful directions given by government, government officials and local authorities. Promoting preventive measures to counter the pandemic will require all citizens to play their roles responsibly and actively.
- 5. All Constitution Commissions and independent offices, under the chapter 15 of the Constitution, should publish the special arrangements they have put in place during this pandemic and how they will continue to carry out their basic mandates as provided for under the constitution.
- 6. For the Independent Police Oversight Authority (IPOA) to publish special arrangements they have put in place during this pandemic to safeguard citizens and to hold to account the police service and individual officers for any violations under the law.

As MUHURI, we make the following commitments:

- 1. We will continue to work with citizens, the National Government, County governments and other local authorities, communities, non-state actors and all other stakeholders to counter the COVID-19 pandemic with zeal and commitment.
- 2. We will continue to advocate for the use of a human rights approach in countering the pandemic and all our other work.
- 3. We will continue to monitor human rights violations during these trying times. On yesterday's incident we have collected video footage, eyewitness accounts against and

other evidence on what took place. We are continuing to collect more evidential materials.

4. We will publish periodic reports on the status of human rights in the country during this pandemic. The first report will be published in the first week of April 2020.

Finally, we call on all Kenyans to play their part in the countering of this pandemic. We ask all Kenyans' to be their sister's and brother's keepers'.

We appreciate and support all Kenyans working in the frontlines against this pandemic including doctors, nurses and other health and medical workers, safety and security officers, humanitarian workers, journalists and all those who put themselves at risk to save our nation.

God Bless you all.

Issued in Mombasa.

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