

**Catherine Ashton**  
High Representative of the Union  
for Foreign Affairs & Security Policy  
Vice President of the European Commission

**AMNESTY  
INTERNATIONAL**



**European Institutions Office**

Brussels, 19 February 2013

Our Ref: B1414

Dear Baroness Ashton,

**LACK OF PROGRESS ON POLICE REFORM IN KENYA RISKS WIDESPREAD HUMAN RIGHTS ABUSE**

Violence in the aftermath of the 2007 Kenyan elections, which claimed 1,300 lives, shows how vital it is for the Kenyan police to be properly prepared ahead of the polls in March. Amnesty International's new report, [Police reform in Kenya: "A drop in the ocean"](#), outlines our serious concerns about the lack of progress on police reform in Kenya. While some measures to reform the police have been introduced, implementation is weak. Consequently, the very policing structures blamed by many for serious human rights violations during the 2007-8 post-election violence will remain in place for the 2013 elections.

Kenya's new constitution, together with new legislation, has created a promising framework for police reforms. The Independent Policing Oversight Authority (IPOA), the National Police Service Commission (NPSC), and the post of Inspector General of Police (IGP), provide an encouraging new institutional structure. However, many delays in properly establishing these institutions and implementing new laws indicate limited political commitment to police reform. The barriers to implementation include the government's unwillingness to comply with the law, dual mandates within the police, failure to adapt to the new constitutional framework, and failure to vet police officers.

The police continue to commit human rights violations, and little has been done to hold them to account. As the elections approach, the police have not yet changed their behaviour. The organisational ethos has not been addressed, nor have past corruption and human rights violations, raising the strong possibility of widespread human rights abuse.

On 24 January, you said that *"peaceful elections are essential for democracy, security and prosperity in Kenya"*. We are concerned that the elections will be marked by human rights abuses unless the authorities take tangible steps. We therefore urge the EU to press the authorities to prioritise and publically commit themselves to implementing the wide-ranging reform agenda and act immediately to reduce the risk of violence and human rights abuses throughout the election cycle. The EU should press the authorities to:

- Develop and publish a clear strategy on election security, including mapping hot spots, that prioritises human rights concerns and community engagement
- Take measures ahead of the elections to prevent and deter individuals and groups from committing human rights abuses and ensure that such measures do not involve human rights violations
- Comply with international human rights law standards on use of force in the conduct of policing
- Ensure NPSC and IPOA are given sufficient resources to hire independent staff for their secretariats, enabling them to conduct effective and independent investigations

Please do not hesitate to contact me should you need anything further.

Yours sincerely,

Dr Nicolas J Beger  
Director

CC:

Nicholas Westcott, European External Action Service, Managing Director for Africa

Véronique Arnault, European External Action Service, Director for Human Rights and Democracy

Koen Vervaeke, European External Action Service, Director for Horn of Africa, East and Southern Africa, and Indian Ocean

Claudia Wiedey Nippold, European External Action Service, Head of Division for Horn of Africa, East Africa, and Indian Ocean

Lodewijk Briet, EU Ambassador to Kenya

Fiona Lunny, Chair of the Council Working Party on Africa

Alojz Peterle MEP, EU Election Observation Mission to Kenya 2013, Chief Observer

Gillian McCormack, Election Observation Mission to Kenya 2013, Deputy Chief Observer