

# THE KENYA HUMAN RIGHTS NETWORK (K-HURINET)

Kenya Human Rights  
commission, Release Political  
prisoners, Independent medical  
Legal Unit,  
National Convention Executive  
Council,  
People Against Torture,  
Citizens Coalition for  
Constitutional Change, Legal  
Resource Foundation,  
Chemi Chemi ya Ukweli,  
National Youth Movement,  
Youth Agenda,  
Litigation Fund Against Torture,  
Social Development Network,  
Futa Magendo Network,  
Muungano wa Wanavijiji,  
Kutuo Cha Sheria,  
Muslims for Human Rights,  
Moutn Kenya Human Rights  
Watch,  
Association of Sisterhoods of  
Kenya, Views Media,  
Amnesty International (K),  
Refugee Consortium of Kenya,  
Kenya National Students  
Union, Kenya Medical  
Women's Association,  
Muslim Consultative Council,  
Supreme Council of Kenya  
Muslims, Kimathi Movement,  
Young Muslims Association,  
Consortium for Empowerment  
an Development of  
Marginalised Communities,  
Northern Aid, Friends of  
Nomads International,  
Womankind Kenya,  
Muslim Civic Education Trust,  
Tawassal Foundation,  
Kenya Pastoralist Forum,  
Garbatula Development  
Organisation, COVAW.  
Mulika Communications, 5Cs,  
Muslim Youth Forum,  
ASOFT Educational Placement  
Service, CLARION, FIDA  
(K), Citizens for Justice.

## CAMPAIGN AGAINST ENACTMENT OF THE SUPPRESSION OF TERRORISM ACT IN KENYA

If you join this campaign and would like to be kept abreast of developments, please contact us at [patorture@iconnect.co.ke](mailto:patorture@iconnect.co.ke) or [admin@khrc.or.ke](mailto:admin@khrc.or.ke)

The Ministry of Justice and Constitutional Affairs through the office of the Attorney General in Kenya has published the Suppression of Terrorism (SOT) Bill, 2003. This bill is meant to be the government of Kenya's response to the threat of terrorism. The Bill is most likely to be tabled for discussion and enactment in Parliament before Christmas.

The K-HURINET would like to categorically declare that we condemn all terrorist acts, state-sponsored or otherwise. Our opposition to the SOT Bill must not be taken to be support for terrorism or terrorists. Terrorism must be curbed and contained. K-HURINET would support any positive effort to avert and to combat terrorism.

The K-HURINET however views the **SOT Bill as the greatest threat to the fundamental rights and freedoms of Kenyans, since the dark days of one-party dictatorship in Kenya** The SOT Bill does little to suppress terrorism. Instead, it suppresses our rights; all the SOT Bill does is take away, wholesomely, the fundamental rights of Kenyans without effectively dealing terrorism.

### The SOT BILL:

1. **Contravenes the Kenya Constitution**
2. **Brings back the era of indefinite detention in Kenya**
3. **Mandates the police to hold a suspect incommunicado.**
4. **Empowers the police to take away one's property without due redress.**
5. **Ensures that once a person or an organisation is declared a "terrorist" by the Minister there is nothing such a person or organisation can do to revoke the declaration. This is a great threat to civil society organisations and human rights defenders in the front line in Kenya, and all those who may voice opposition to government.**
6. **Makes it possible for a police officer to shoot anyone with impunity in the pretext of fighting terrorism**
7. **Makes it illegal to stand surety for a accused person.**
8. **Makes it illegal to offer any services, including legal services, to a suspect.**
9. **Outlaws dissent and the freedom of assembly and expression.**

It is our belief that any bill that seeks to fight terrorism must respect the following five fundamental pillars, which the Suppression of Terrorism Bill violates with impunity.

- SOVEREIGNTY OF THE PEOPLE OF KENYA.
- SUPREMACY OF THE CONSTITUTION.
- SOVEREIGNTY OF THE KENYA NATION.
- STABILITY OF THE KENYA NATION.
- EQUAL ACCESS AND TREATMENT BEFORE THE LAW.

## **Act now! Please send urgent appeals in your own words:**

1. Appealing for the immediate withdrawal of the SOT BILL 2003.
2. Stating that enacting the SOT BILL 2003 will be adding another bad law to the many bad laws in the Kenyan penal code.
3. Stating that the current Kenyan penal code (though not 100% human rights friendly) can adequately deal with terrorism, under heinous crimes' provisions. The penal code has already proved effective in arresting and bringing to justice a good number of terrorism suspects in Kenya.
4. Stating that the enactment of the SOT BILL 2003 will be defeating the ongoing Constitutional Review Process in Kenya.
5. Asking for guarantees that no such bill that abrogates our rights will be introduced to parliament in future.
6. Asking the US and British governments to cease exacting undue influence on the Kenya government to enact this bad law. Asking the two and other interested parties to instead facilitate the capacity building of our security forces to curb this menace by securing our borders and security information gathering.

**SEND APPEALS TO:**

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His Excellency, Hon. Mwai Kibaki,  
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