

Filed by Munyao Kayugira & Co.  
Advocates on 26.06.2025  
Paid by Receipt No. RA-097047  
Name Antony Sign [Signature]

REPUBLIC OF KENYA  
IN THE HIGH COURT OF KENYA AT NAIROBI  
MILIMANI LAW COURTS  
CONSTITUTIONAL AND HUMAN RIGHTS DIVISION

PETITION NUMBER \_\_\_\_\_ OF 2025

IN THE MATTER OF: ARTICLES 1, 2, 10, 29, 37, 43, 238 AND 244 OF THE  
CONSTITUTION OF KENYA

IN THE MATTER OF THE NATIONAL POLICE SERVICE ACT (Cap 84, Laws of  
Kenya)

IN THE MATTER OF THE HEALTH ACT, (Cap 241, Laws of Kenya)

IN THE MATTER OF THE FIRST AND FOURTH GENEVA CONVENTIONS  
AND CUSTOMARY INTERNATIONAL HUMANITARIAN LAW

AND

IN THE MATTER OF: AN APPLICATION FOR ORDERS PURSUANT TO  
ARTICLES 22 AND 23 THE

CONSTITUTION OF KENYA 2010

AND

IN THE MATTER OF THE JUNE 25TH COUNTRYWIDE DEMONSTRATIONS  
IN 2024 AND 2025

BETWEEN

THE KENYA HUMAN RIGHTS COMMISSION.....PETITIONER

VERSUS

THE INSPECTOR GENERAL OF POLICE.....1<sup>ST</sup> RESPONDENT

THE HON. ATTORNEY GENERAL.....2<sup>ND</sup> RESPONDENT

**CERTIFICATE OF URGENCY**

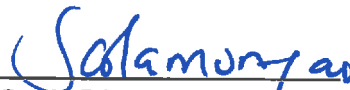
I, **Scola Munyao-Kayugira**, an Advocate of the High Court of Kenya, practising in the name and style of Munyao-Kayugira & Co., Advocates and of Post Office Box Number 7168-00200 Nairobi in the Republic of Kenya, being the advocate who has the conduct of this matter on behalf of the Petitioner hereby certify that the Petition filed herewith is extremely urgent, meriting hearing on priority basis for the reasons, *inter alia*, **THAT:-**

1. The Petition herein involves a matter of great public importance.
2. The 1<sup>st</sup> Respondent's officers herein, were duly notified of demonstrations to be held on 25.06.2025 in commemoration of the lives of young Kenyans that were lost during the Anti-Finance Bill demonstrations in 2024.
3. The 1<sup>st</sup> Respondents officers, instead of providing security to the said demonstrators cordoned off roads leading to the Nairobi and Kenyatta National Hospitals, hurled tear gas canisters and fired live bullets towards the protestors leading to chaos, injuries and even deaths.

4. A section of the Kenya Medical Association, the Sikika Road Safety Ambulances and other well-wishers organised and set up a medical response centre near Jamia Mosque where those injured in the demonstrations., including police officers, were given first-aid, treated and discharged or referred to medical facilities for specialised treatment.
5. In a bizarre and most unexpected and unfathomable twist of events, the 1<sup>st</sup> Respondent's officers at around 2 p.m. hurled teargas cannisters at the said medical unit thus hurting the personnel working hard to treat the injured and those who had already suffered other injuries and had been rushed here for care and treatment.
6. That incident, coming hot on the heels of the brazen attack on demonstrators who were seeking medical assistance and had sought refuge in the All-Saints Cathedral, Nairobi during the June 2024 demonstrations shows a pattern where the 1<sup>st</sup> Respondent's officers in total disregard of the law, attack safe spaces contrary to the law and the same ought to be stopped once and for all.
7. That the Petition herein seeks a declaration by this Honourable Court that medical units, places of worship and such other safe places may not be the object of attack but shall at all times be respected and protected by parties to any conflict, including during demonstrations.
8. That there is a risk that with the country experiencing these demonstrations that the 1<sup>st</sup> Respondent's officers will continue to attack such safe spaces to the detriment and suffering of medical personnel who volunteer to assist the injured under difficult circumstances, contrary to the law.
9. It is therefore in the interests of justice and in the public interest that the application herein be certified as urgent, heard and determined as soon as possible.

DATED at Nairobi this 26<sup>th</sup> day of June

2024<sup>5</sup>

  
**Scola Munyao-Kayugira**  
**Advocate for the Petitioner**

**DRAWN AND FILED BY:-**

Munyao-Kayugira & Co., Advocates  
Lower Hill Duplex, 2nd Floor Suite No. 51  
Bunyala Road/ Lower Hill Road  
P.O Box 7168-00200  
**NAIROBI**  
Email: info@smkadvocates.com  
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**THE HON.ATTORNEY GENERAL.....2<sup>ND</sup> RESPONDENT**

**NOTICE OF MOTION**

(Under Rules 2, 3, 4, 13, 19, 23 of the Constitution of Kenya (Protection of Rights and Fundamental Freedoms) Practice and Procedure Rules, 2013 (Legal Notice No. 117 of 2013) And Articles 2, 3, 10, 29,37,43,238 AND 244 and other relevant Articles of the Constitution of Kenya, 2010)

**TAKE NOTICE** that this Honourable Court will be moved on \_\_\_\_\_ the day of \_\_\_\_\_ 2025 at 9.00 O'clock in the forenoon or soon thereafter as may be convenient as Advocate for the Petitioners may be heard on an application **FOR ORDERS:-**

1. **THAT** on the grounds specified in the Certificate of Urgency filed herewith, the petition filed herewith be certified as urgent and heard *ex parte* in the first instance.
2. **THAT** pending hearing and determination of this application a conservatory order be issued barring the 1<sup>st</sup> Respondent through its officers from attacking, throwing teargas canisters, firing at or in any other way disrupting the delivery of

services in medical units, hospitals and facilities, churches and other safe spaces and the personnel therein generally but particularly during demonstrations.

3. THAT pending hearing and determination of the Petition filed herewith a conservatory order be issued barring the 1<sup>st</sup> Respondent through his officers from attacking, throwing teargas canisters, firing at, or in any other way disrupting the delivery of services in medical units, hospitals and facilities, churches and other safe spaces and the personnel therein, generally but particularly during demonstrations.
4. THAT the costs of this Application be in the Petition.

WHICH APPLICATION is grounded on the annexed affidavit of DAVIS MALOMBE and is based on grounds that:

1. The Petition herein involves a matter of great public importance as it relates to the exercise of the rights and freedoms guaranteed by the Constitution of Kenya, 2010.
2. The Petitioner/Applicant herein is a not-for-profit organization duly registered in the Republic of Kenya since 1994. It is dedicated to the implementation of the Kenya Constitution, including protection of fundamental rights and freedoms and has relevant expertise in Constitutional Law and human rights law.
3. The Applicant herein works with than thirty (30) Human Rights Networks (HURINETs) and other grassroots community organizations in the furtherance of its mission which is to foster human rights, democratic values, human dignity, and social justice in Kenya and beyond.
4. The Petition herein seeks the intervention of this Honourable Court to declare that that medical units, ambulances, hospitals, places of worship and such other safe places may not be the object of attack but shall at all times be respected and protected by parties to any conflict, including demonstrations.
5. It is, therefore, imperative that this Honourable Court intervenes to declare and safeguard the rights of the injured as well as the medical, spiritual and other personnel attending to them in times of conflict, including demonstrations.
6. It is in the interest of justice and in the public interest that the Petition herein be heard and determined as soon as possible.

Dated at Nairobi this 26<sup>th</sup> day of June 2025

  
Munyao-Kayugira & Co.,  
Advocate for the Petitioner

**DRAWN AND FILED BY:-**

Munyao-Kayugira & Co., Advocates  
Lower Hill Duplex, 2nd Floor Suite No. 51  
Bunyala Road/ Lower Hill Road  
P.O Box 7168-00200

**NAIROBI**

Email: [info@smkadvocates.com](mailto:info@smkadvocates.com)  
Tel: 0701137022/0737604951

**TO BE SERVED UPON:-**

1. The Inspector General- Kenya National Police Service

2. The Hon Attorney General

3. Nelius Njuguna

Kenya Human Rights Commission

849 Amboseli Road, off Gitanga Road

P.O. Box 410-00900

NAIROBI.

E-mail:njuguna@khrc.or.ke

Tel:254722264497/+254733629034

**REPUBLIC OF KENYA  
IN THE HIGH COURT OF KENYA AT NAIROBI  
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**THE HON.ATTORNEY GENERAL.....2<sup>ND</sup> RESPONDENT**

**AFFIDAVIT IN SUPPORT OF MOTION**

I, **DAVIS MALOMBE**, a male adult of sound mind residing in Nairobi within the Republic of Kenya do make oath and state as follows:

1. **THAT** I am the Executive Director of the Petitioner/Applicant “hereinafter referred to as **the Applicant**”).
2. **THAT** the Applicant is a not-for-profit organization duly registered in the Republic of Kenya since 1994. In the over three (3) decades of work, it has consistently committed to the full realization and enjoyment of fundamental rights and freedoms by all Kenyans through lobbying, strategic public interest litigation as well as community engagements and follow ups which has earned it the title “*the Vanguard of Human Rights*”.
3. That I adopt the facts in my Affidavit sworn in Support of the Petition as if the same were set out in this affidavit in support of the Notice of Motion application for certification of Urgency.

4. That what is deponed to herein is true to my own knowledge, information and belief save where the sources and basis whereof have been disclosed.

SWORN at NAIROBI by the said

DAVIS MALOMBE

this 26<sup>th</sup> day of June 2025

BEFORE ME

COMMISSIONER FOR OATHS

DRAWN AND FILED BY:-

Munyao-Kayugira & Co., Advocates  
Lower Hill Duplex, 2nd Floor Suite No. 51  
Bunyala Road/ Lower Hill Road  
P.O Box 7168-00200

NAIROBI

Email: info@smkadvocates.com

Tel: 0701137022/0737604951

TO BE SERVED UPON:-

1.The Inspector General- Kenya National Police Service

2. The Hon Attorney General

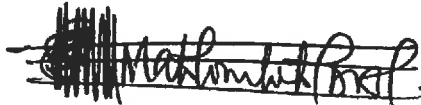
3. Nelius Njuguna

Kenya Human Rights Commission  
849 Amboseli Road, off Gitanga Road  
P.O. Box 410-00900

NAIROBI.

E-mail:njuguna@khrc.or.ke

Tel:254722264497/+254733629034

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(XXV)**

**IN THE MATTER OF THE FIRST AND FOURTH GENEVA CONVENTIONS  
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**THE HON.ATTORNEY GENERAL.....2<sup>ND</sup> RESPONDENT**

**TO:**

**THE HIGH COURT OF KENYA, NAIROBI**

**PETITION**

The Humble petition of the KENYA HUMAN RIGHTS COMMISSION whose address of service for purposes of this Petition is as follows care of:-

Munyao-Kayugira & Co., Advocates  
Lower Hill Duplex, 2nd Floor Suite No. 51  
Bunyala Road/ Lower Hill Road  
P.O Box 7168-00200

**NAIROBI**

Email: info@smkadvocates.com

Tel: 0701137022/0737604951

**A. NAMES AND DESCRIPTION OF PETITIONER AND OTHER PARTIES**



1. The Petitioner is a not-for-profit organization duly registered in the Republic of Kenya since 1994. In the over three (3) decades of work, it has consistently committed to the full realization and enjoyment of fundamental rights and freedoms by all Kenyans through lobbying, strategic public interest litigation as well as community engagements and follow ups which has earned it the title "*the Vanguard of Human Rights*".
1. The 1<sup>st</sup> Respondent is the Inspector General and commander of the National Police Service (NPS) established under Article 243 and 244 of the Constitution. The 1<sup>st</sup> Respondent has an obligation to, *inter alia*, train staff to the highest possible standards of competence and integrity and to respect human rights and fundamental freedoms and dignity; as well as to foster and promote relationships with the broader society.
2. The 2<sup>nd</sup> Respondent is the principal legal adviser of the Government of Kenya (the "Government") and is made party to this application on behalf of the Government of Kenya.

## **THE LEGAL FOUNDATIONS OF THE PETITION**

### **A. THE FACTS**

3. The 1<sup>st</sup> Respondent's officers herein, were duly notified of demonstrations to be held on 25.06.2025 in commemoration of the lives of young Kenyans that were lost during the Anti-Finance Bill demonstrations in 2024.
4. The 1<sup>st</sup> Respondents officers, instead of providing security to the said demonstrators cordoned off roads leading to key hospitals such as the Nairobi Hospital and the Kenyatta National Hospital, hurled tear gas canisters and fired live bullets towards the protestors leading to chaos, injuries and even deaths.
5. A section of the Kenya Medical Association, the Sikika Road Safety Ambulances and other volunteers organised and set up a medical response centre near Jamia Mosque where those injured in the demonstrations, including police officers, were given first-aid, treated and discharged or referred to medical facilities for specialised treatment.
6. In a bizarre and most unexpected and unfathomable twist of events, the 1<sup>st</sup> Respondent's officers at around 2 p.m. hurled teargas cannisters at the said medical unit thus hurting the personnel working hard to treat the injured and those who had already suffered other injuries and had been rushed here for care and treatment. This led to confusion as medical personnel dropped their supplies and sprinted away, choking in the thick clouds of smoke that swept through the tented area. Others stumbled and fell as tear gas cannisters landed nearby thus disrupting their life and limb saving work.
7. That incident, coming hot on the heels of the brazen attack on demonstrators who had sought refuge in the All Saints Cathedral during the June 2024 demonstrations shows a pattern where the 1<sup>st</sup> Respondent's officers in total disregard of the law, attack safe spaces contrary to the law and the same ought to be stopped once and for all.
8. The Petition herein seeks a declaration that safe places such as churches, mosques, ambulances, hospitals and emergency/ temporary medical units should not be teargassed or shot at during public demonstrations or any other form of civil unrest.

### **B. THE LEGAL FOUNDATIONS OF THE PETITION**

9. Article 1 of the Constitution that all sovereign power belongs to the people of Kenya and shall be exercised only in accordance with this Constitution. It further provides that the people may exercise their sovereign power either directly or through their democratically elected representatives.
10. Article 2 of the Constitution provides that it is the supreme law of the Republic and binds all persons and all State organs at both levels of government and that no person may claim or exercise State authority except as authorised under this Constitution. It further provides that the general rules of international law shall form part of the law of Kenya and that any treaty or convention ratified by Kenya shall form part of the law of Kenya under this Constitution.
11. Article 10 of the Constitution provides the national values and principles of governance that bind all State organs, State officers, public officers and all persons whenever any of them— (a) applies or interprets this Constitution; (b) enacts, applies or interprets any law; or (c) makes or implements public policy decisions. (2) The national values and principles of governance include— (a) patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people; (b) human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalised; (c) good governance, integrity, transparency and accountability; and (d) sustainable development.
12. Article 23 of the Constitution provides that the High Court has jurisdiction, in accordance with Article 165, to hear and determine applications for redress of a denial, violation or infringement of, or threat to, a right or fundamental freedom in the Bill of Rights.
13. Article 29 provides that every person has the right to freedom and security of the person, which includes the right not to be— (c) subjected to any form of violence from either public or private sources;
14. Article 37 of the Constitution provides that every person has the right, peaceably and unarmed, to assemble, to demonstrate, to picket, and to present petitions to public authorities.
15. Article 43 of the Constitution provides that every person has the right— (a) to the highest attainable standard of health, which includes the right to health care services, including reproductive health care;
16. Article 238. Provides for the principles of national security, particularly that the same is subject to the authority of this Constitution and Parliament and that it shall be pursued in compliance with the law and with the utmost respect for the rule of law, democracy, human rights and fundamental freedoms;
17. Article 244 provides the Objects and functions of the National Police Service and particularly that the National Police Service shall— (a) strive for the highest standards of professionalism and discipline among its members; (b) prevent corruption and promote and practice transparency and accountability; (c) comply with constitutional standards of human rights and fundamental freedoms; (d) train staff to the highest possible standards of competence and integrity and to respect human rights and fundamental freedoms and dignity; and (e) foster and promote relationships with the broader society.
18. The National Police Service Standing Orders provide clear limitations on the use of force during public order management. Chapter 41 Part II(3)(e) of the Standing

Orders requires officers to "*protect the health and safety of responding personnel*," while subsection (j) mandates "*promoting and facilitating self-help in affected communities*." These provisions take on particular significance when applied to medical responders and the mentioned establishments during protests.

19. Furthermore, the eighth Schedule 1(o) of the National Police Service Act contains an absolute prohibition against discharging weapons "*without orders or without reasonable lawful cause*."
20. Section 12(1) of the Health Act reinforces these constitutional protections by mandating "*the right to a safe working environment that minimizes risk of injury*." This
21. Kenya's international obligations under the Geneva Conventions, incorporated through Article 2(6) of the Constitution, provide additional layers of protection. **The First Geneva Convention under Article 23 and Fourth Geneva Convention under Article 14** establishes protected areas such as hospitals, while **Rule 35 of Customary International Humanitarian Law** explicitly prohibits "*directing an attack against a zone established to shelter the wounded, the sick and civilians*." These instruments affirm that medical facilities, churches, mosques and other safe places established for refuge enjoy special protected status that must be respected in all circumstances, including during civil unrest. The convergence of these legal frameworks creates an unequivocal prohibition against targeting these protected spaces.

#### **C. SPECIFIC CONTRAVENTIONS OF THE CONSTITUTION & THE LAW**

22. The firing of teargas canisters on the medical unit at Jamia Mosque and the attack on the All-Saints Cathedral where another medical unit had been set up in 2024-
  - i. Contravened the medical personnels' and volunteer's rights to human dignity by subjecting them to violence contrary to Article 29 of the Constitution.
  - ii. Contravened the medical personnels' and volunteer's rights and entitlement to a safe working environment as guaranteed under Section 12 of the Health Act.
  - iii. Contravened the rights of the injured civilians and police officers to highest attainable standard of health, which includes the right to health care services contrary to Article 43 of the Constitution.
  - iv. Contravened Rule 35 of Customary International Humanitarian Law, the first and fourth Geneva conventions which explicitly prohibit "*directing an attack against a zone established to shelter the wounded, the sick and civilians*."

#### **D. RELIEFS SOUGHT**

**THE PETITIONERS THEREFORE** pray for the following reliefs:-

- (a) THAT a declaration be an attack, firing at, or teargassing of safe places such as churches, mosques, ambulances, hospitals and emergency/ temporary medical units should not be teargassed or shot at, or in any other way attacked during demonstrations or any other form or civil unrest and that any such attacks are unconstitutional.
- (b) THAT a further declaration be issued that the attack and teargassing of the medical unit set up at Jamia Mosque on 25.06.2025 by the 1<sup>st</sup> Respondent's officers and the teargassing of the All saints Cathedral on 25.06.2024 are both

illegal and unconstitutional acts and an order of prohibition be issued against the 1<sup>st</sup> Respondent against such illegal and unconstitutional acts.

(c) Any other or further relief that this Honourable Court may deem fit and just to grant.

DATED at NAIROBI this 26<sup>th</sup> day of June 2025

  
Munyao-Kayugira & Co.,  
**Advocate for the Petitioner**

**DRAWN AND FILED BY:-**

Munyao-Kayugira & Co., Advocates  
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**TO BE SERVED UPON:-**

1. The Inspector General- Kenya National Police Service
2. The Hon Attorney General
3. Nelius Njuguna  
Kenya Human Rights Commission  
849 Amboseli Road, off Gitanga Road  
P.O. Box 410-00900  
NAIROBI.  
E-mail: [njuguna@khrc.or.ke](mailto:njuguna@khrc.or.ke)  
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THE HON.ATTORNEY GENERAL.....2<sup>ND</sup> RESPONDENT**

**AFFIDAVIT IN SUPPORT OF THE PETITION**

I, DAVIS MALOMBE, a male adult of sound mind residing in Nairobi within the Republic of Kenya do make oath and state as follows:

1. **THAT** I am the Executive Director of the Petitioner/Applicant “hereinafter referred to as **the Applicant**”).
2. **THAT** the Applicant is a not-for-profit organization duly registered in the Republic of Kenya since 1994. In the over three (3) decades of work, it has consistently committed to the full realization and enjoyment of fundamental rights and freedoms by all Kenyans through lobbying, strategic public interest litigation as well as community engagements and follow ups which has earned it the title “*the Vanguard of Human Rights*”.
3. **THAT** the 1<sup>st</sup> Respondent’s officers herein, were duly notified of demonstrations to be held on 25.06.2025 in commemoration of the lives of young Kenyans that were lost during the Anti-Finance Bill demonstrations in 2024.



4. THAT the 1<sup>st</sup> Respondents officers, instead of providing security to the said demonstrators cordoned off roads leading to Nairobi and Kenyatta Hospitals, hurled tear gas canisters and fired live bullets towards the protestors leading to chaos, injuries and even deaths.
5. THAT a section of the Kenya Medical Association, the Sikika Road Safety Ambulances and other well-wishers organised and set up a medical response centre near Jamia Mosque where those injured in the demonstrations., including police officers, were given first-aid, treated and discharged or referred to medical facilities for specialised treatment.
6. THAT in a bizarre and most unexpected and unfathomable twist of events, the 1<sup>st</sup> Respondent's officers at around 2 p.m. hurled teargas cannisters at the said medical unit thus hurting the personnel working hard to treat the injured and those who had already suffered other injuries and had been rushed here for care and treatment. This led to confusion as medical personnel dropped their supplies and sprinted away, choking in the thick clouds of smoke that swept through the tented area. Others stumbled and fell as tear gas cannisters landed nearby thus disrupting their life and limb saving work they were undertaking. Patients who were being treated had to be taken away by those assisting them as the medical unit as no longer safe for them.

**Annexed hereto and marked as DM-1 & DM-2 is a copy of the report by K-24 and a social media page post by Sikika Road Safety.**

7. THAT that incident, coming hot on the heels of the brazen attack on demonstrators who had sought refuge in the All Saints Cathedral during the 2024 demonstrations shows a pattern where the 1<sup>st</sup> Respondent's officers in total disregard of the law, attack safe spaces contrary to the law and the same ought to be stopped once and for all.

**Annexed hereto and marked as DM-3 is a copy of the report on the attack on All Saints Cathedral.**

**The Petitioner shall avail video footage of these incidents at the hearing of this matter.**

8. That the right to health creates an obligation for the state to ensure medical facilities remain accessible and fully operational during all circumstances, including during protests.
9. That the right to a safe working environment under the Health Act creates a specific obligation to protect both healthcare workers and patients from unnecessary harm. The use of teargas in medical zones violates this right by intentionally creating hazardous conditions in spaces that should remain safe for treatment and recovery. The Act's protections apply to ambulances and emergency medical responders during protests.
10. That in dealing with demonstrators, the National Police Service must strive for the highest standards of professionalism as well as comply with constitutional standards of human rights and foster relationships with the broader society These obligations require the police to exercise restraint around medical facilities and places of worship, as teargassing such spaces demonstrates unprofessional conduct, violates health rights, and damages community relations.

11. The National Police Service Standing Orders provide clear limitations on the use of force during public order management. Chapter 41 Part II(3)(e) of the Standing Orders requires officers to "*protect the health and safety of responding personnel*," while subsection (j) mandates "*promoting and facilitating self-help in affected communities*." These provisions take on particular significance when applied to medical responders and the mentioned establishments during protests.
12. Furthermore, the eighth Schedule 1(o) of the National Police Service Act contains an absolute prohibition against discharging weapons "*without orders or without reasonable lawful cause*." The deployment of teargas in medical zones constitutes a clear violation of these regulations, as it endangers rather than protects health personnel, undermines community medical response efforts, and lacks any reasonable justification when used against neutral healthcare facilities.
13. Kenya's international obligations under the Geneva Conventions, incorporated through Article 2(6) of the Constitution, provide additional layers of protection. **The First Geneva Convention under Article 23 and Fourth Geneva Convention under Article 14** establishes protected areas such as hospitals, while **Rule 35 of Customary International Humanitarian Law** explicitly prohibits "*directing an attack against a zone established to shelter the wounded, the sick and civilians*." These instruments, while relating to international and non-international armed conflict affirm that medical facilities enjoy special protected status that must be respected in all circumstances, including during civil unrest. The convergence of these legal frameworks creates an unequivocal prohibition against targeting these protected.
14. That the 1<sup>st</sup> Respondent, through the actions of its officers has contravened the above laws both national and international.
15. It is therefore in the interests of justice and in the public interest that the orders sought in this Petition be granted as prayed.
16. That what is deponed to herein is true to my own knowledge, information and belief save where the sources and basis whereof have been disclosed.

**SWORN at NAIROBI** by the said

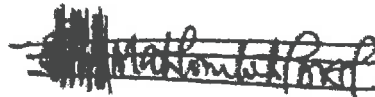
**DAVIS MALOMBE**

this 26<sup>th</sup> day of July 2025

**BEFORE ME**



**COMMISSIONER FOR OATHS**



Deponent

**DRAWN AND FILED BY:-**

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**NAIROBI**

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Tel: 0701137022/0737604951

**TO BE SERVED UPON:-**

1.The Inspector General- Kenya National Police Service

2. The Hon Attorney General

3. Nelius Njuguna

Kenya Human Rights Commission

849 Amboseli Road, off Gitanga Road

P.O. Box 410-00900

NAIROBI.

E-mail:[njuguna@khrc.or.ke](mailto:njuguna@khrc.or.ke)

Tel:254722264497/+254733629034





ePaper

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This is the exhibit marked "DM-1"  
referred to in the annexed Affidavit/Declaration  
of Davis Malombe  
Sworn / declared before me this 26th  
day of June, 2025 at Nairobi  
In the Republic of Kenya  
[Signature]  
COMMISSIONER FOR OATHS

411

# Police teargas medical camp near Jamia Mosque, disrupting emergency response

Ascah Mwango 25th June, 2025 02:20 PM



Teargas hits medical camp at Gen Z protest, forcing medics and injured to flee. PHOTO/Screengrab by K24 Digital



**Watch Live**

The incident unfolded as tensions escalated during the ongoing anti-government demonstrations in Nairobi, further fuelling outrage among demonstrators.

The camp, which had been positioned strategically to offer first aid to injured civilians near the heart of the protests, became the target of a teargas attack just moments after crowds swelled in the area.

A video shared by a local TV station on Instagram showed scenes of confusion as medics dropped their supplies and sprinted away, choking from the thick clouds of smoke that swept through the tented area.

The volunteers, some of whom had been treating minor injuries from earlier confrontations, were seen stumbling as canisters landed nearby, cutting short their efforts to stabilise affected protesters.

Protesters who had sought medical help were also caught in the chaos, with several being assisted to safety by fellow demonstrators.



[Watch Live](#)



David Maraga speaking to youth during protests. PHOTO/Screengrab by K24 Digital of Instagram video by @SPM Buzz

Police officers lobbed teargas into the heart of the crowd, prompting Maraga and his team to be hastily escorted away as the gathering erupted in chants and panic, with others seen scrambling for safety.

[Watch Live](#)

A medic who was clad in a green uniform was seen raising his hands in disapproval, visibly stunned as to why, of all places, the police had chosen to target the medical response camp.

A section of citizens who were around the area were heard jeering and urging others to redirect the tear gas canisters by kicking them towards a nearby tree to prevent the choking fumes from engulfing the injured.

*"Gonga hiyo iende kwa mti, gonga itoke hapa,"* a man was heard shouting as thick white smoke billowed from two canisters that had been hurled just metres away from where they stood.

The teargas incident is one among several that have characterised the protests, which were initially intended to be peaceful commemorations for Kenyans who lost their lives in the clamour for better governance, particularly during the June 2024 anti-Finance Bill demonstrations.



1. Introduction

2. Methodology

3. Results

4. Discussion

5. Conclusion

6. References

7. Appendix

8. Acknowledgments



6/26/25, 5:34 PM

(66) WhatsApp Business



Mary

Yesterday at ...



Edit  
Image



This is the exhibit marked " DM-2 " referred to in the annexed Affidavit/Declaration of Davis Malombe Sworn / declared before me this 26th day of June 20 25 at Nairobi In the Republic of Kenya  
  
COMMISSIONER FOR OATHS



**Sikika ROAD Safety**

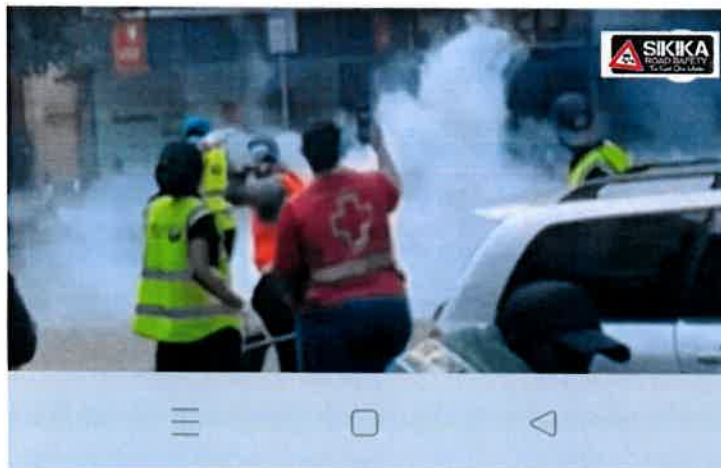
41m · 🌐

...



It's with a heavy heart 💔 we are writing this post.

**National Police Service** have teargased medical camp near Jamia Mosque, where all multi emergency response including us are treating and responding to injured protesters hence disrupting emergency response.....SAD 😞.....Police kindly show support to emergency teams as they are doing alot to save lives.





COUNTY (/NEWS/COUNTY/25)

POLITICS (/NEWS/POLITICS/46)

CLIMATE (/NEWS/CLIMATE/91)

INFOGRAPHICS (/NEWS/INFOGRAPHICS/70)

AFRICA (/NEWS/AFRICA/87)

INTERNATIONAL (/NEWS/INTERNATIONAL/36)

WORLD (/NEWS/WORLD/88)

BIZARRE (/NEWS/BIZARRE/47)

FACT-CHECK (/NEWS/FACT-CHECK/90)

ELECTIONS 2022 (/NEWS/ELECTIONS-2022/55)

This is the exhibit marked "OM-3" referred to in the annexed Affidavit/Declaration of Davis Malombe Sworn/declared before me this 26th day of June 2025 at Nairobi In the Republic of Kenya

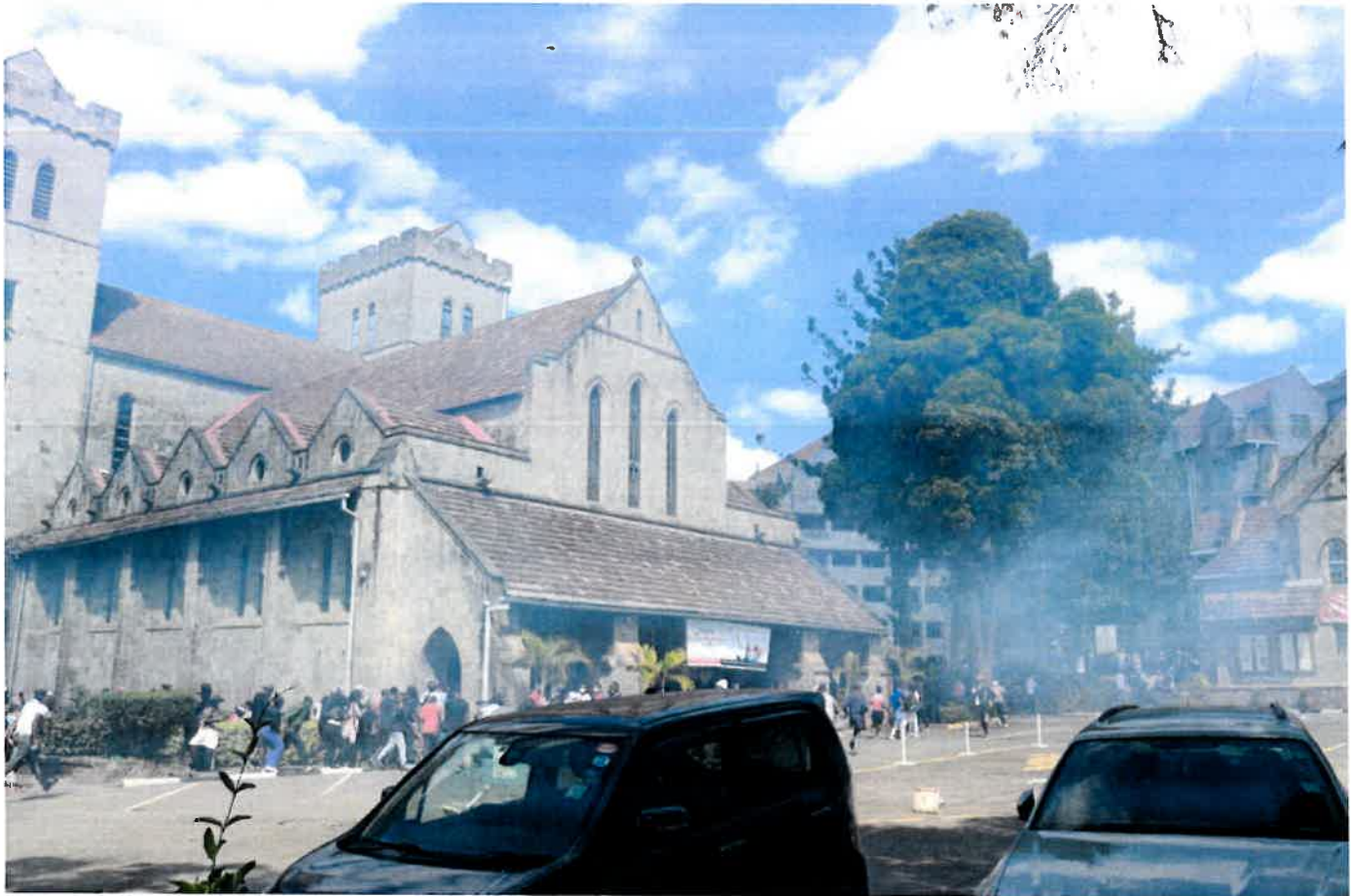
# All Saints Cathedral condemns police teargas assault during Finance Bill protests

By Citizen Reporter (/author/citizen-reporter-72454)



(/author/citizen-reporter-72454) Published on: June 25, 2024 05:25 (EAT)

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*Anti-Finance Bill protestors scamper for safety at the All Saints Cathedral in Nairobi after police fired teargas cannisters to disperse them. PHOTO/COURTESY: X/ @allsaintsnrb*

**The All Saints Cathedral has criticised the National Police Service (NPS) for lobbing teargas on its premises in an attempt to disperse Kenyans protesting the Finance Bill 2024/25.**

**In a statement on X the church condemned the police's actions, requesting law enforcement agencies to respect the sanctity of religious institutions amidst the ongoing demos which turned chaotic on Tuesday as protestors stormed Parliament.**

**"It is unfortunate that the police have proceeded to lounge teargas into the All Saints Cathedral church compound in a bid to immobilize unarmed protestors," the church said.**

#### **ALSO READ**

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- MP Barasa leads calls for Gachagua's arrest over alleged role in June 25 protests ([/news/mp-barasa-leads-calls-for-gachaguas-arrest-over-alleged-role-in-june-25-protests-n365265](#))
- Two police officers electrocuted while installing radio mast in Ainamoi ([/news/two-police-officers-electrocuted-while-installing-radio-mast-in-ainamoi-n365262](#))

"We call on the police to exercise their duty within reason and respect neutral spaces like worship centres."

All Saints' statement comes just three days after The Holy Family Basilica issued a statement clarifying its decision to deny entry to protestors ([https://www.citizen.digital/news/holy-family-basilica-defends-denying-protestors-entry-during-anti-finance-bill-demos-n344465?preview=true&user\\_id=1037](https://www.citizen.digital/news/holy-family-basilica-defends-denying-protestors-entry-during-anti-finance-bill-demos-n344465?preview=true&user_id=1037)) seeking refuge from the police during the anti-Finance Bill demonstrations in Nairobi last week.

The Basilica found itself at the centre of a storm of criticism on social media following the incident, with Kenyans highlighting that while the church denied entry to protestors, Jamia Mosque provided them with shelter, food, and water during the protests.

The incident subsequently sparked a debate about the role of religious institutions in times of social unrest.

## **TAGS:**

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Teen Fathers of Kibra: Young fathers are the sole caregivers to their children

