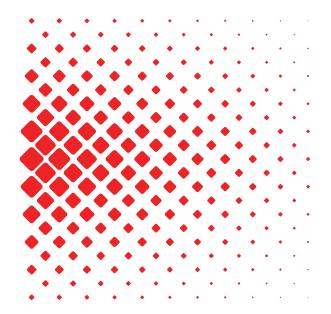


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### INTRODUCTION



#### **Operating context**

In 2010, Kenyans adopted a new constitution with the hope that it would fully uphold human rights. However, the weak implementation of legal frameworks, caused by inadequate funding, political meddling, and corruption, has hindered this progress. Key legislative measures, such as the Public Benefits Organizations Act, 2013, and the implementation guidelines for the Prevention of Torture Act, 2017, remain largely unexecuted. Instead of strengthening human rights protections, the state has relied on legal restrictions, impunity, and political repression to curtail fundamental freedoms and entrench social injustices.

Over the past year, violations of freedom of expression and access to information have escalated. The William Ruto regime has introduced and enforced restrictive laws to suppress civil society, stifle political opposition, and weaken judicial independence. These abuses were particularly evident during the youth-led protests in 2024, when the regime deployed its security forces to crush dissent.

Many young protesters who demanded better governance were killed, forcibly disappeared, or subjected to torture. Despite existing legal frameworks for investigations and prosecutions, no police officers have been held accountable for these crimes. Meanwhile, bodies continue to be discovered in an Embakasi quarry, and the primary suspect in these killings mysteriously "escaped" from police custody. Reports suggest that some of the victims were among those targeted during the Gen Z protests.

KHRC firmly believes that Safaricom played a role in facilitating the identification, tracking, and arrest of protestors. A Nation investigation supports this claim. It exposes a troubling collaboration between the telecommunications giant and law enforcement. The exposé revealed that Safaricom provided customer data to the police without a court order,

enabling operations linked to enforced disappearanness, extrajudicial executions, and renditions.

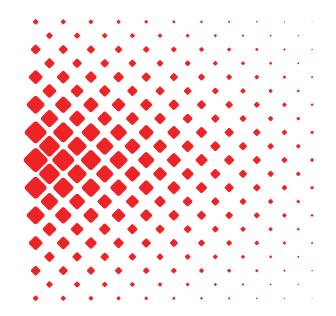
In response, Safaricom has sought to suppress these allegations, issuing threats against KHRC, Nation, and its journalists to prevent further exposure. This situation reveals the growing risks posed by tech companies, as digital technologies are increasingly being weaponized to silence dissent, spread propaganda, and facilitate misinformation and disinformation.

With the next general election just two years away, Kenya grapples with concerns over electoral integrity. Contentious political transitions have long raised questions about the credibility of elections, with opaque electoral and political processes exacerbating the situation. Currently, the selection of the Independent Electoral and Boundaries Commission chairperson and six commissioners is underway. However, the process has been mired in controversy, as members of the selection panel have close ties to the ruling elite. The Free Kenya Movement has already challenged the panel's composition in court, arguing that it is designed to deliver a predetermined outcome.

Meanwhile, Kenya is witnessing alarming levels of degrading cruel and treatment, transnational repression. In 2024, Kenyan security and foreign affairs agencies were involved in the refoulement of four Turkish nationals—Mustafa Genç, Öztürk Uzun, Alparslan Taşçı, and Hüseyin Yeşilsu—from Kenya to Turkey. In a similar case, 36 members of Uganda's Forum for Democratic Change were arrested in Kisumu and deported to Uganda, where they were charged with terrorism despite lawfully entering Kenya with valid immigration documents. In November the same year, Ugandan opposition leader Kizza Besigye and Hajj Obeid Lutale were abducted in Nairobi and transferred to a military facility in Uganda.







# TRANSFORMATIVE JUSTICE



# Court wins, police changes mark battle against impunity

Police chief throws in the towel as pressure mounts over human rights violations



Protesters
carry the body
of their
colleague,
draped in the
Kenyan flag,
after he was
shot dead by
police outside
parliament
building on June
25, 2024
//ERNEST CORNEL

In 2024, KHRC and its partners doubled down on their efforts to address systemic police brutality and human rights violations.

A series of high-profile interventions, including legal actions, press conferences, and documentation, shone a spotlight on state-sanctioned violence during the Gen Z protests and other incidents of excessive force.

One major victory came on July 12, 2024, when then Inspector General of Police Japhet Koome resigned. This followed months of pressure over his role in the violent crackdown on peaceful protesters.

His exit marked a big step forward for accountability. Another senior police leader, Noor Gabow, who had also been accused of abuse, was moved out of a position where he had abused.

KHRC and its partners didn't stop. During the protests, we documented over 63 police

killings and 83 cases of enforced disappearances. This evidence was used in court, and it paid off. Judges made two significant rulings, banning police from using deadly weapons for crowd control and demanding that all officers must clearly identify themselves while on duty.

The two court decisions shift the legal landscape, making it more difficult for state security forces to operate anonymously or use disproportionate force during protests.

As a result, community members now have stronger legal backing to claim their rights to peaceful assembly and expression.

For communities historically targeted by police brutality, especially the youth, this win means that the police leadership that oversees abuses is no longer untouchable.

This builds trust in the possibility of justice and encourages communities to speak out against future violations.

Our support for protests also saw the release of over 1,400 peaceful protestors unlawfully arrested. This has emboldened more youths to organize, mobilize, and participate in civic actions without the same fear of repression.

In a separate case, residents of Mukuru Kwa Njenga were shocked by the discovery of mutilated bodies in their area. KHRC and its partners quickly led a fact-finding mission to uncover the truth.

This work pushed the Directorate of Criminal Investigations to act. The autopsies were done, and evidence was collected. Although a suspect was arrested, officials later claimed he "escaped" from custody.

63+ police killings, 83+ enforced disappearances

#### 05

#### **VICTORY**

# Ruto's big climbdown on punitive 2024 finance bill

Youths storm parliament in defiance, symbolically take back their power



Young Kenyans marched through the streets of Nairobi carrying banners rejecting the 2024 finance bill and Kenya Kwanza's leadership, accusing the regime of failing to deliver on promises

/CY MUGANDA

The 2024 finance bill, like the 2023's, proposed punitive taxes that threatened to significantly raise the cost of living in Kenya.

After nearly two months of pressure from the public, including the Okoa Uchumi campaign partners, KHRC being one of them, the MPs bowed to public demands and scrapped eight controversial tax proposals on June 18, 2024.

These included 16 per cent VAT on bread and other taxes on sugar, transportation, financial services, and foreign exchange transactions. Others were new excise duties on mobile money transfers, vegetable oil, and locally manufactured products like diapers, phones, and motorcycles.

The bill's second and third readings on June 24 and 25 showed a notable shift in parliamentary voting, owing to growing dissent, partly fueled by the work done under Okoa Uchumi.

While 204 MPs initially supported the bill, the number dropped to 196 in the third reading, as eight MPs responded to public pressure by voting against it.

In a historic turn, William Ruto vetoed the bill on June 26, citing mounting public disapproval.

Ruto's decision was another sign that policymaking cannot ignore the people it impacts.

Additionally, the visible drop-in MPs supporting the bill was a notable shift in legislative behavior, with parliamentarians becoming more sensitive to public opinion. It set a precedent that elected officials can—and will—be held accountable by a politically conscious electorate, particularly young people.

But before Ruto climbed down, public rage reached a tipping point on June 25, when Kenyans stormed parliament in a vote of no confidence in the legislators and executive.

The government's attempt to bypass public participation in the finance bill had sparked nationwide protests, led mainly by the youth, popularly referred to as Gen Z.

In line with article 37 of the constitution, protests were held twice weekly in June and early July. While the protests succeeded in forcing Ruto to veto the bill, they came at a high cost—loss of lives, enforced disappearances, and widespread property destruction.

KHRC contributed to mobilizing public opposition to the bill. We launched a media campaign through the Okoa Uchumi, press conferences, combining press conferences, news releases, social media messaging, and interviews to amplify the public's concerns.

This ensured that the voices of ordinary Kenyans were not drowned out by government propaganda.



### Victory as corrupt Adani deals fail

Deals open the lead on ever mounting graft cases

A proposed 30-year lease of Jomo Kenyatta International Airport to Adani Group was blocked by courts before William Ruto ordered its revocation following allegations of illegality and potential misuse of public funds.

The deal, criticized for lacking transparency, came under fire as Kenyans reeled from months of anti-tax protests and growing frustration over corruption and public finance mismanagement.

KHRC and the Law Society of Kenya filed a lawsuit challenging the lease on September 9, 2024, and consequently, the court issued conservatory orders halting the agreement.

The case was set for a hearing on December 17. However, on November 21, about a month earlier, Ruto cancelled the deal, including another that Adani had entered with KETRACO to construct power lines.

The controversial agreements had sparked widespread discontent with Kenya's fiscal management.

Reports by the Controller of Budget and Auditor General continue to reveal billions lost to irregular expenditures, corruption, and poor oversight across government agencies. A 2023

report by KHRC on the independent fiscal institutions further exposed governance failures and called for urgent reforms to protect public resources.

The revocation of the Adani deals ensured that public resources were not siphoned off through non-transparent and potentially corrupt agreements. It safeguarded public funds at a time when Kenyans are already overwhelmed by a rising cost of living and increased tax burdens.

For airport and aviation workers, the decision to cancel JKIA-Adani agreement protected their livelihoods from the instability and job insecurity that often accompany large-scale privatization deals. Many workers feared possible retrenchments or restructuring under new management by a foreign entity with little accountability to Kenyan labor laws or worker welfare.

The public also stood to lose the most if funds were diverted into questionable deals rather than used to improve access to healthcare, education, water, and other basic services.

Blocking the lease keeps public resources available for investment in development that directly benefits these communities.



Al illustrations /domnic odipo

#### Leaders held accountable over teen pregnancies

Kenya faces an alarming teenage pregnancy crisis, with 20 counties identified as hotspots in the 2022 Kenya Demographic and Health Survey report.

KHRC responded with a Red Card campaign, launched in March 2023, that put governors and key government officials on the spot for failing to address the crisis.

Governors from the affected counties and health and education cabinet secretaries were issued "red cards," symbolizing their negligence.

The health CS was accused of failing to enact preventive policies, while the education CS faced criticism for not ensuring pregnant teenage girls could return to school.

Machakos Governor Wavinya Ndeti, one of those red-carded, admitted the challenge in her county and called for support.

We focused on the lack of comprehensive sexuality education and systemic failures and later targeted gaps in reproductive health services and justice for victims.

KHRC also petitioned the national assembly and senate to summon the implicated leaders to explain their efforts to tackle teenage pregnancies.

The campaign has pushed leaders to recognize their failures and commit to providing better access to reproductive health education and services, which improves the chances of girls finishing school.

The public pressure has triggered county governments to start policy conversations and accountability, compelling them to take the teenage pregnancy crisis seriously and begin crafting targeted interventions.

number of counties red carded

#### 07

#### **STATE OF THE NATION**

# CSOs' media statements expose Ruto's misrule

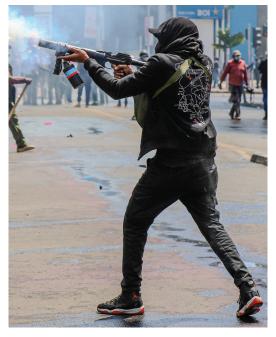
A rare collective scrutiny sheds light on abuses regime wanted hidden

From September to November 2024, KHRC and other civil society organizations and grassroots groups exposed systemic human rights abuses under the Kenya Kwanza regime.

Through a series of media statements and reports, KHRC kept the country informed about state-sponsored violations, including police brutality, enforced disappearances, and torture.

On November 20, 2024, we released a comprehensive state of the nation statement that detailed gross human rights violations and the government's deliberate failure to address or curb these abuses.

Throughout this period, KHRC worked closely with the KNCHR to run a situation room that tracked and verified human rights violations in real-time.



A plain-clothed cop fires teargas canister during the 2024 Gen-Z protests rennest cornel

This enabled us to provide the public and media with credible

information that shed light on the harsh tactics used by security forces during the Gen Z protests in June and July.

Our media efforts further galvanized broader accountability.

On November 16, 2024, the Kenya Conference of Catholic Bishops publicly condemned state-sponsored abductions, disappearances, and torture.

This rare statement from the Catholics showed a growing national outrage and heightened scrutiny of the regime's misgovernance.

The exposure of Kenya Kwanza's human rights abuses from September to November 2024, supported by KNCHR and culminating in KCCB's condemnation, amplified national outrage and scrutiny of the regime's actions.

# Reparations bill offers hope for victims of colonial abuse

Step towards justice for historical wrongs follows decades of denial by colonial govt

Efforts to secure justice for victims of colonial-era repression in Kenya are gaining ground.

KHRC, Mau Mau War Veterans Association and the Muindi Mbingu Foundation have pushed the British government to start talks with affected communities to address past injustices.

Through our influence, the Senate Justice and Legal Affairs Committee has also drafted a reparations bill that could compensate survivors and formally acknowledge the regime's failure to address these issues in the past.

During Kenya's fight for independence in the 1950s, British colonial forces carried out widespread atrocities against civilians suspected of supporting the Mau Mau rebellion.

Thousands were detained in concentration camps, where they faced torture, forced labor, and sexual violence.

Entire villages were destroyed, and many were killed.

Survivors have long demanded reparations for the horrors they endured, but progress has been slow. For survivors, this bill offers hope for long-overdue recognition and justice.

Our work has kept the fight for reparations alive so that the stories remain part of the national conversation.

44

For survivors, this bill is more than compensation as it is long-overdue recognition of their pain and dignity



### KHRC leads fight against shrinking civic space Kenya's civic space gets the second-worst rating after deadly police violence



Police arrested a youth in Nairobi, who protested the high cost of living during the heroic GenZ led June 24, 2025 protests /ERNEST CORNEL

Kenya's civic space has increasingly suffered repression, with state agencies defying court orders, cracking down on dissent, and targeting civil society organizations.

KHRC pushed back against this wave of authoritarianism, which has increased since William Ruto's regime took over.

In September 2024, KHRC and the Civic Freedoms Forum convened the fourth Annual Civic Space Summit, themed "Contestation of Civic Space in the Context of Constitutional Democracy in Kenya."

The summit addressed state overreach in regulating NGOs, police violence during protests, digital activism under threat, and the human cost of defending civil liberties.

The event also highlighted urgent cases, including the unlawful abduction and detention of human rights defenders Jamil Longton, Aslam Longton, and Bob Njagi.

Sustained advocacy efforts, including a press conference addressing their abduction and the urgency to release them, led to their freedom.

KHRC also challenged government's disregard for court orders. A targeted media campaign forced the then-acting Inspector General of Police, Gilbert Masengeli, to appear in court after defying six judicial orders.

In another significant legal move, KHRC joined other civil society organizations in filing a petition against the Public Benefits Organization (PBO) Regulatory Authority.

The petition seeks to block oppressive regulations that threaten the existence of NGOs in Kenya.

Justice Chacha Mwita extended conservatory orders to protect civil society operations from the authority's overreach.

The fights against shrinking civic space has mitigated state repres-

sion by challenging defiance of court orders and advocating for human rights defenders who have been detained contra wise to the law thus leading to their release.

The legal action against oppressive NGO regulations secured conservatory orders, protecting civil society operations. Our effort with other partners also drew international attention, with CIVICUS, a global watchdog on civic freedoms, downgrading Kenya's status repressed." The report cited escalating restrictions on freedoms of association, assembly, and expression.

The downgrading of Kenya's civic space to "repressed" by the global watchdog CIVICUS, citing escalating restrictions on freedoms of association, assembly, and expression, carries significant ramifications for the nation's international reputation, potentially impacting diplomatic ties, development aid, and its standing within the global human rights community, signaling a concerning trend.

#### LIVES AT RISK

# Court orders flood action after government chaos

Historic ruling puts state on notice over disaster mismanagement



Kisumu residents navigate a submerged road after the Nyando River burst its banks during the deadly 2024 floods.

Floods devastated Kenya between March and May 2024, leaving 291 dead, 188 injured, and 75 missing, according to the National Disaster Operations Centre.

More than 278,000 people were displaced, and nearly 413,000 were affected.

Despite accurate warnings from the Kenya Meteorological Department, the the regime's response was marked by chaos and neglect.

The constitution and disaster management laws designed to mitigate such crises were ignored, leading to unnecessary suffering, particularly among vulnerable populations, including women, children, and persons with disabilities.

The regime regime was criticized for disregarding scientific advice predicting heavy rains and for its response, which revealed inequality.

While dwellers in informal

settlements were forcibly evicted under the guise of safety measures, residents in affluent estates, facing similar risks, were left undisturbed.

KHRC convened partner organizations to coordinate relief efforts and prevent duplication, with flood-affected areas such as Nairobi, Kisumu, Busia, Mai Mahiu, and Baringo visited.

We also held two press conferences condemning the government's handling of the crisis.

The pressers brought the voices of flood victims to the front and center and demanded accountability and an immediate halt to evictions without adequate compensation, reparation and notice.

KHRC also filed a petition against the Interior CS for mismanaging the crisis, arguing it had led to violations of fundamental human rights.

The case resulted in interim court orders on May 17,.

The regime was compelled to act.

KHRC also extended psychosocial support to 13 human rights defenders from Nairobi, Kisumu, and Busia, traumatized by the disaster. Counseling sessions helped them resume their critical work in communities.

people killed by floods

people injured after floods hit homes



### KHRC pushes accountability at ACHPR sessions

Action comes amid concerns over state impunity, erosion of democratic norms



The 81st
Ordinary
session in
progress at Sir
Dawda Jawara
International
Conference
Centre, Banjul,
The Gambia
//DOMNIC ODIPO

At the 81st Ordinary Session of the African Commission on Human and Peoples' Rights in Gambia, KHRC spearheaded critical discussions on governance, human rights violations, and resource exploitation.

Through eight high-level events, we highlighted Kenya's deepening human rights crisis and Africa's broader challenges.

On October 21, KHRC tackled the growing problem of disinformation in Africa.

ACHPR's Special Rapporteur on Freedom of Expression, Ourveena Geereesha Topsy-Sonoo, pledged to develop a resolution addressing misinformation and its impact on governance.

On October 23, KHRC presented a detailed account of Kenya's rights violations, including enforced disappearances and shrinking civic space, to ACHPR commissioners Solomon Dersso and Litha Musyemi.

The meeting emphasized the Commission's need for swift, decisive action to address these issues.

On October 25, we examined electoral-related enforced disappearances, featuring the launch of a report by the UN Working Group on Enforced Disappearances.

KHRC provided critical insights into patterns of state-sponsored abductions in Eastern Africa.

Another session focused on internet shutdowns during elections, with KHRC giving safeguards on digital rights during politically sensitive periods.

KHRC also turned its focus to the extractive sector, hosting a discussion on community rights and resource governance.

Dersso, the Commission's Special Rapporteur on Extractive Industries, guided on aligning Kenya's policies with article 21 of the ACHPR Char-

ter. Following this, KHRC committed to conducting a detailed study on Kenya's legal framework for extractive industries.

The study, which will be completed in 2025, will identify gaps, propose reforms, and empower communities to fight exploitation and demand equitable sharing of resources.

Beyond these sessions, KHRC submitted a statement and made oral contributions, urging ACHPR to hold Kenya accountable for widespread violations.

Informal lobbying with ACHPR Chair Remmy Lumbu and other commissioners shored up the call for immediate action on Kenya's deteriorating human rights record.



#### **INTEGRITY WATCH**



# Campaign demands integrity on Rutos' cabinet nominees

Public, legal pressure forces uprecedented scrutiny on tainted nominees

In response to widespread anti-government protests and growing calls for accountability, William Ruto dismissed his cabinet, including the Attorney General, on July 12, 2024.

However, his new cabinet nominations sparked concern, as 10 former members, previously criticized for their lack of integrity, were reappointed.

KHRC quickly launched a campaign against these nominees. Aided by research and legal analysis, KHRC raised constitutional and human rights concerns over their suitability for office.

On July 31, 2024, through the National Integrity Alliance, we submitted a detailed affidavit to the national assembly, arguing that several nominees failed to meet ethical and legal standards.

The submission recommended action for parliamentary consideration. Several MPs picked our concerns during vetting and grilled the nominees.

Separately, our social media campaign intensified, with many demanding further scrutiny of the nominees. We also had live polls that gauged public opinion on each nominee, and it amplified public demand for ethical leadership and transparency.

Intense public scrutiny led to tough questioning of nominees during vetting and forced the Ethics and Anti-Corruption Commission to reaffirm its commitment to integrity.

On July 29, 2024, EACC advised against the confirmation of Wycliffe Oparanya as Co-opera-tives CS due to integrity concerns that we had raised. The campaigns succeeded in placing unprecedented pressure on cabinet nominees, and many



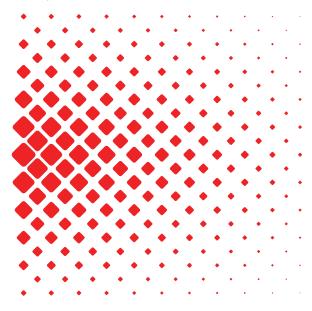
now face direct accountability for their past actions.

KHRC doubled down and, withWanjiru Gikonyo, filed a case challenging the appointments of nominees withquestionable integrity. The case is ongoing.



day EACC rejected Oparanya





# SOCIAL AND ECONOMIC JUSTICE

#### **EDUCATION**

# New funding model halted, students, parents relieved

Court intervention exposes flaws in government's higher education plan

Students pursuing higher education, along with parents and guardians funding their studies, received a significant reprieve on December 20, 2024, when the court declared the new university funding model unconstitutional

Justice Chacha Mwita condemned the government's shift of the financial burden onto parents, stating that it was unconstitutional.

In October 2023, KHRC, the Elimu Bora Working Group, Boaz Waruku and the Students' Caucus challenged the model introduced by the government in May 2023.

The model shifted the burden of

university funding from the state to students and parents, significantly increasing costs and threatening to make higher education unaffordable for many Kenyans.

Our case argued that the model undermined the right to education and deepened inequality by making it difficult for students from lower-income backgrounds to access higher education.

On October 3, 2024, Justice Mwita had issued conservatory orders halting the implementation of the new university funding model.

In his December judgment, Justice Mwita declared the model as lacking a legal founda-

tion, discriminatory, and failing to meet the legal requirements for public participation.

The court's verdict is a reprieve from the model's potential negative impacts, such as reduced access to education and increased financial strain on families.

44

We just want a system that gives every child a fair chance to learn and succeed, not one that shuts doors on their dreams.

# Endarasha tragedy wasn't the first, but must be the last

Deadly inferno exposes years of government neglect and unheeded warnings

On October 9, 2024, the Nyeri High Court issued a ruling that prevented Endarasha Hillside Academy from reopening its boarding facilities.

A tragic fire at the school claimed 21 young lives on September 5, 2024. It broke out in one of the school's dormitories, which housed 156 boys aged nine and 13.

The dorm was overcrowded, violating the Safety Standards Manual for Schools in Kenya. KHRC and the Elimu Bora Working Group filed the case, which prompted the court's decision.

The court also ordered the school to submit reports on its students' health and safety and the structural integrity of the boarding facilities.

The petition argued that the school hastily attempted to reopen without addressing critical health and safety issues and

Young boys '

died

The Ministry of Education was forced to issue a directive requiring schools to meet safety standards. And when some failed, the Education CS ordered

properly reconstructing the

damaged dormitory.

the closure of 348 boardingschools nationwide.

Our case sought

institutional reforms

that will keep learners safe. School fires have been a recurring problem in Kenya, with incidents dating back to 2001, when a fire at Kyanguli Mixed Secondary School killed 67 boys.

While some fires have been attributed to arson, overcrowding and negligence are often blamed for others.

The court's decision to close the school's boarding section and the subsequent actions by the Ministry of Education prevented further tragedies.



### KHRC secures acquittal of five Ndabibi land activists

Case highlights ongoing tensions over land ownership and historical injustices

More than 4,000 acres of land in Ndabibi, Naivasha, have been seized by powerful political elites who deployed heavy security to block the local community from accessing their ancestral land.

Reports from the area indicate the use of excessive force, including torture and degrading treatment, to intimidate residents attempting to reclaim or even access the land.

The community's resistance culminated in an interdenominational prayer meeting to seek solidarity and divine intervention.

However, a massive police deployment disrupted the gathering, leading to the arrests of five elderly men and over 10 young performers hired for the event.

KHRC was present at the disrupted prayer meeting and took immediate action following the arrests.

Witnessing the unlawful detention, the commission mobilized local human rights defenders to provide support, including sourcing food and warm clothing for detainees.

KHRC successfully negotiated the release of the hired performers, bailed out the five elderly men, and retained their legal representation in court.

After relentless advocacy and support, a magistrate in Naivasha unconditionally acquitted the men, marking a victory against systemic oppression.

The Ndabibi case is a modern chapter in Kenya's fraught history of land injustice, a legacy that dates to colonial rule.

During the colonial era, the British seized vast tracts of fertile land, displacing indigenous communities and concentrating land ownership in the hands of settlers and a few local collaborators.

The "White Highlands" establishment relegated many Kenyans to reserves or forced labor on their ancestral lands.

Hopes of land redistribution were dashed at independence in 1963, as land reforms largely favored the political elite.

Instead of addressing historical grievances, post-independence governments perpetuated inequality by allocating public and former colonial lands to influential figures.

Successive regimes used land as a political tool, rewarding allies and punishing dissenters, further entrenching disparities.

The Ndabibi land seizure reflects Kenya's long history of land injustice rooted in colonial displacement.

Powerful individuals continue to exploit weak land governance systems and manipulate law enforcement to dispossess communities.

Efforts to address these injustices, such as the 2010 constitution's provisions on land rights and the establishment of the National Land Commission, have faced resistance and underfunding, leaving many communities vulnerable to exploitation.

Cases like Ndabibi are common. From the displacement of the Endorois in Baringo to the evictions of the Sengwer in Embobut Forest, Kenya's history is loaded with systemic land injustices that

disproportionately affect marginalized communities.

4000+

acres of land siezed by powerful political elites

44

This victory belongs to every villager who refused to give up despite threats and harassment. It shows that when communities stand together, truth and justice can prevail

44

We have endured arrests, intimidation, and endless court sessions simply for defending what is rightfully ours. The court's ruling restores our hope that justice can still serve the poor

44

Our fight has never been about defying authority

#### 15

#### **RESOURCE JUSTICE**

# Haki Madini Kenya leads extractive sector reforms

Initiative strengthens governance and community participation in mining sector

In November 2024, the Parliamentary and Senate committees on environment, forestry, and mining convened in Naivasha to address key issues in Kenya's extractive sector.

Top of the agenda were fiscal justice, benefit-sharing, and governance gaps. A significant outcome was the promise to include Haki Madini Kenya in a proposed regulatory mining body.

The committees acknowledged the coalition's role in governing resources. The proposed inclusion will strengthen communities' representation in decisions affecting their livelihoods and land rights.

The parliamentary committee on environment, forestry, and mining also vowed to summon the Mining and Treasury CSs to explain delays in distributing the mandated 10 per cent royalties to communities.



Artisanal miner in Ramula, Siaya during a visit by HMK, KHRC, and Siaya County Assembly | FERNEST CORNEL

The committee on mining also pledged to investigate illegal mining in national parks, citing revenue losses and environmental risks. Additionally, senators emphasized the need for

strategies to reinvest mining revenues sustainably, and ensure benefits for future generations.

Earlier, in September 2024, KHRC and HMK petitioned the Siaya County Assembly over land evictions, displacements, and environment taldamage linked to Shanta Gold Limited.

This escalated to the November meeting in Naivasha, where a community representative from Ramula voiced these grievances before the Senate committee.

The Senate committed to visiting affected areas and summoning Shanta Gold Limited and Directorate of Criminal Investigations officials to address claims of community intimidation.

#### Advocacy spurs inclusion in Kwale land use committee

KHRC and KMA secure community voices in post-mining land decisions

In March 2024, the Ministry of Mining inaugurated a post-mining land use committee to gather public input on land use in Kwale, anticipating the closure of Base Titanium's mining operations in Kinondo and Ramisi.

However, the committee's makeup excluded key stakeholders, including civil society groups, women, youth, and persons with disabilities.

KHRC and Kwale Mining Alliance challenged the exclusions through advocacy meetings with government officials, community members and local leaders, which happened between July and August 2024 in Kwale. On July 26, a meeting in Gombato-Bongwe brought together affected communities who criticized the committee's exclusionary setup. Similar concerns were raised in Denyenye and Ramisi forums on August 7 and 8.

The push led to the State Department of Mining expanding the committee to include representatives from KMA, women, youth, PWDs, and community leaders. The revised committee ensures local communities affected by mining have a say

in land-use decisions.

The ministry's initial approach, excluding those directly impacted, ignored legal requirements for public participation. Including marginalized groups and civil society aims to address their concerns and provide technical input.

44

This is what we have been fighting for — a seat at the table where land decisions are made



# NLC investigates land claims against Kakuzi PLC

Long-silenced families finally confront history in pursuit of restitution



One of the disputed parcels of land claimed by Kakuzi PLC, where locals are pressing the NLC to resolve historical injustices

On August 27, 2024, the National Land Commission returned to Kakuzi PLC for a second site visit—five months after the first tour—to address decades-old land disputes involving displaced families and local communities.

Focused initially on Milimani internally displaced persons and Kituamba Kaloleni claims, the visit expanded to include all unresolved grievances against the company.

During the visit, community representatives presented detailed maps outlining their ancestral land claims, which are set to undergo NLC's review.

This high-stakes fact-finding mission clarified ownership disputes, addressed lingering grievances, and paved the way for resolutions rooted in justice.

KHRC played a critical role in ensuring communities

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For decades, local communities have lived in the shadow of powerful corporations. This investigation by the NLC gives us hope that the truth about historical land injustices will finally come to light and that those affected will see real redress.

32,900

acres of land Kakuzi controls participated in the NLC visit. We organized logistical support to navigate the vast and often inaccessible terrain, enabling affected families to present their evidence directly to the commission.

Over the years, KHRC has filed petitions, offered legal counsel, and represented communities during hearings and site visits.

Kakuzi is a classic case of Kenya's broader struggle with historical-land injustices. Large tracts of land were allocated to colonial settlers during British rule, dispossessing indigenous communities.

After independence, the displacement continued as influential figures acquired land through dubious means, leaving thousands without restitution.

#### **EXPLOITATION**



# Uproar as Simba Cement leaves many destitute

KHRC's fact-finding mission reveals human and environmental toll

In September 2024, the Kenya Human Rights Commission uncovered severe human rights and environmental violations linked to Simba Cement's operations during a fact-finding mission in Kambe Ribe, Kilifi County.

The investigation, conducted in partnership with local community leaders and environmental experts, revealed massive environmental degradation, air and noise pollution, unsafe working conditions, forced relocations, and disruption of livelihoods for nearby residents.

Villagers reported that blasting activities and dust emissions from the factory have contaminated water sources, destroyed farmland, and endangered their health.

According to testimonies collected by KHRC, families were displaced without

adequate compensation, while others continue to live in unsafe proximity to mining sites. Local schools and health facilities have also been affected, with rising respiratory illnesses and declining agricultural productivity

reported across several villages. KHRC noted that these findings expose systemic governance failures and weak enforcement of environmental and social safeguards in Kenya's extractive and industrial sectors.



The blasts from this quarry have destroyed nearby homes in Kambe Ribe /ELIZABETH

# UK retailers shun Del Monte products over rights abuses

Decision sparks debate on ethical sourcing and corporate accountability

In June 2024, several leading UK retailers, including Tesco and Sainsbury's, removed Del Monte products from their shelves following mounting evidence of serious human rights abuses at the company's pineapple plantation in Central Kenya.

The move came after years of disturbing reports that Del Monte's contracted security guards were implicated in the killings and assaults of individuals accused of stealing pineapples from the vast farm.

Witness accounts and investigations by local and international

media revealed that guards had shot or beaten suspected trespassers without due process, sparking outrage in Kenya and abroad.

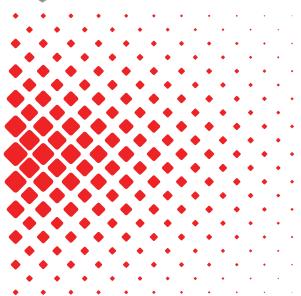
KHRC, working alongside UK law firm Leigh Day, played a central role in documenting these violations, publishing findings that exposed the extent of the abuses, and advocating for justice for the victims and their families.

KHRC's investigation, supported by survivor testimonies and forensic evidence, amplified the issue internationally, drawing attention to the systemic failures in corporate accountability and security oversight within Kenya's agricultural export sector.

The growing public pressure led UK retailers to boycott Del Monte products, marking a turning point in the campaign for corporate responsibility.

In response, Del Monte commissioned an independent Human Rights Impact Assessment to examine its operations and address the grave allegations against its security personnel.





# INSTITUTIONAL EXCELLENCE

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### 30 years of rights and fights

Celebrating resilience, partnerships, and human rights



The launch of KHRC's legacy book, Rights and Fights, marking 30 years of defending human rights/

On December 4, 2024, KHRC gathered friends, partners, and allies to celebrate a remarkable journey of over three decades of defending human rights and social justice in Kenya.

It was a moment to honor those who built and sustained the movement, to revisit the struggles and triumphs of the past, and to imagine the next chapter of KHRC's story.

More than 320 guests filled the room, drawn from civil society organizations, government agencies, diplomatic missions, and development partners, all united by a shared belief in freedom, dignity, and equality.

At the heart of the event was the launch of KHRC's legacy book, Rights and Fights, a stirring chronicle of courage, advocacy, and persistence.

The book captures KHRC's evolution since 1994, its founding ideals, the campaigns that defined its voice, and the partnerships that shaped its impact. Beyond being a historical record, Rights and Fights opens a window into KHRC's soul.

It offers Kenyans, especially the next generation, a chance to trace where the organization came from, what it stands for, and the vision that continues to guide it.

The launch also reignited conversations about strategic renewal, inspiring KHRC to build on its legacy while adapting to emerging human rights challenges.

#### KHRC finds a home

For many years, KHRC dreamed of a place to call its own; a home that would reflect its identity, strengthen its sustainability, and nurture the spirit of community that has always defined its work.

That dream began to take shape in 2018, when the organization, with the support of its long-standing funders and partners, purchased land in Lavington, Nairobi.

After years of planning, building, and patience, the dream finally became reality in April 2024, when KHRC staff moved into their new home.

The space is bright and airy, with ergonomic workstations, modern systems, and thoughtfully designed rooms that encourage collaboration and creativity.

Since moving in, the new KHRC home has become a living, breathing space for human rights work, hosting staff retreats, partner meetings, and board sessions, as well as offering space to allies across the movement.

years KHRC has made a lasting impact in the communities it serves, and continues to serve today



# KHRC staff trained to enhance performance

Training targets stronger results, accountability, and institutional growth



At the heart of KHRC's success is a dedicated team whose expertise drives the organisation's programmes and advocacy work.

To ensure staff remain equipped with current skills and knowledge, KHRC continued to invest in capacity building and upskilling throughout the reporting period.

A total of seven staff members underwent targeted training sessions designed to strengthen their performance in critical operational areas, including procurement, finance, human resources, legal knowledge, and data protection.

In addition, one staff member was supported to participate in a Leadership Program for Women in Ghana, which deepened KHRC's commitment to

gender equality and leadership development within its work-force.

To further enhance project management and grant implementation, key project officers managing grants supported by Diakonia, Uraia Trust, and Oxfam participated in multiple capacity development sessions.

These sessions focused on effective grant management, financial accountability, and reporting to ensure that project teams are well-prepared to meet donor expectations and deliver measurable impact.

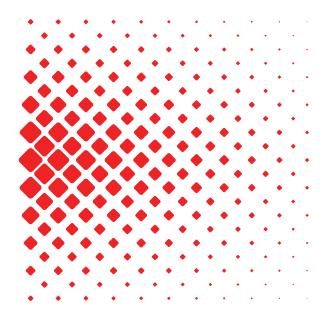
Recognising the growing importance of safeguarding both physical and digital assets, KHRC, with technical support from Defend Defenders, also undertook a comprehensive security audit of its premises and online infrastructure.

The assessment reviewed existing security protocols and identified potential vulnerabilities. As a result, KHRC implemented several key upgrades, including the installation of an alarm system, enhancement of antivirus software, and improvement of digital security systems, significantly reducing the organisation's exposure to risk.

Building on the audit's findings, KHRC plans to roll out a full staff training programme on digital and physical security awareness in the coming quarter to strengthen organisational preparedness and ensure a culture of safety and vigilance across all departments.







### CONSTRAINTS, OPPORTUNITIES AND LESSONS LEARNT

#### **Constraints and Opportunities**

Kenya's civic space has increasingly suffered repression, with state agencies defying court orders, cracking down on dissent, and targeting civil society organizations.

The year witnessed an increase in the number of forced disappearances as well as extra-judicial killings targeted at government critics.

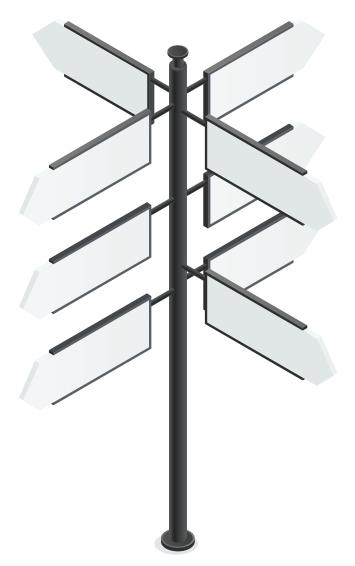
At the height of the Gen-Z protests against the finance bill in June 2024, the NGO Coordination Board enlisted the KHRC, among other organisations, for criminal investigation, alleging that we wanted to destabilise the government through our support for the demonstrations. This action was meant to intimidate and silence us, as no evidence was presented to support the allegations.

Furthermore, there is a growing concern that the country's leading telcos are perpetuating the shrinking civic space through internet throttling. A case in point is when users nationwide experienced outages and slow connections for hours during the protests.

This worrying trend has also manifested through the recent revelation of the telcos' alleged involvement in the unexplained abductions of government critics.

It is against this background that KHRC has massively embarked on a strategy to document and seek redress for the gross and systemic injustices faced by government critics, especially the youth. KHRC will work with like-minded partners to defend protest rights and seek redress for atrocities committed.





#### **Lessons learnt**

The year 2024 will go down in history as the period when Kenya experienced gross and systemic human rights violations perpetrated by security actors.

Our capacity to respond rapidly to the violations and offer strategic leadership to the civil society sector was stretched to the limit.

This situation calls on us to deepen our urgent action and response strategy to make it agile to the emerging human rights threats in both the political and digital landscape.

Our eyes must now focus on digital justice, as digital transformation is likely to negatively impact the gains made in democratic dispensation.



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