

URGENT ACTION

FORCED EVICTION LEAVES 3000 PEOPLE HOMELESS

On 1 October, residents from Dagoretti Corner settlement, in Nairobi, Kenya, were forcibly evicted from their homes by government agencies, 'Kenya Railways Corporation' and 'Kenya Power & Lighting Company' leaving more than 3,000 people homeless. This unlawful act was done in utter disregard of the Presidential moratorium on evictions during the COVID-19 pandemic, issued on 11 May 2020. We call upon all stakeholders to act in cognizance of the need to safeguard the good health and life of all those forcibly evicted in the unlawful eviction.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

H.E Uhuru Kenyatta

The President of the Republic of Kenya and Commander in Chief of the Armed Forces

Office of the President

PO Box 62345 – 00200

Nairobi, Kenya

president@statehouse.go.ke

Dear H.E, President Uhuru Kenyatta,

*I am deeply concerned of the forced evictions of **residents of Dagoretti Corner settlement** in Nairobi, carried out by government agencies, 'Kenya Power & Lighting Company' and 'Kenya Railways Corporation' on the morning of 1 October. The forced evictions have rendered more than 3,000 persons homeless. The demolition of homes and places of work was carried out with utter disregard for the presidential moratorium on evictions during the COVID-19 pandemic issued on 11 May 2020 and Kenya's international human rights obligations.*

Access to adequate housing is a human right and is critical to protecting oneself from COVID-19, stopping its spread and also recovering from it. I, therefore, condemn in the strongest terms the forced evictions of residents of the Dagoretti Corner settlement. The demolition, that began at 10:00 am, was overseen by more than 100 armed and uniformed police officers. The forced eviction has also led to the destruction of more than 200 small business establishments. The authorities failed to put in place due process requirements including the requirement to provide adequate notice of eviction. The forced eviction has not only increased the risk of possible exposure to COVID-19 for the affected people and destabilized their lives and livelihoods, but it also constitutes a violation of human rights including the right to adequate housing.

In light of the above, I call on you to:

- Ensure the Ministries in charge of Lands, Housing and Energy to take full responsibility for the injustices that these families have suffered and provide effective remedy including provision of adequate alternative housing, compensation and guarantees of non-repetition.*
- Call upon Parliament to investigate and summon all responsible officers from the Kenya Railways Corporation and Kenya Power & Lighting Company to establish why the Presidential moratorium on all evictions in Nairobi during COVID-19 was disregarded.*
- Call upon the Inspector General of Police to issue an advisory to all officers against facilitating unlawful activities related to evictions and to investigate and take administrative action on all officers who contributed to the forced eviction of Dagoretti Corner settlement residents.*

Yours sincerely,

ADDITIONAL INFORMATION

On 11 May, five days after the Kariobangi forced evictions, the President of Kenya, through the Cabinet Secretary for Interior and Co-ordination of National Government, announced that “until the country is done with the COVID-19 pandemic challenges, no evictions should take place”.¹ He also announced that the police had been instructed to cease all evictions and that police officers were required to confirm court orders on evictions through the Office of the Attorney General.

The Dagoretti Corner settlement forced eviction on 1 October was carried out to reclaim the parcel of land said to belong to the Kenya Railways Corporation. The Kenya Power & Lighting Company also demolished houses that were built along a power line. Most of the residents were away at work during the demolition and had no time to salvage their belongings. We have been informed that the residents have lived there for more than 25 years. The action of demolition of the residential dwellings, considering the prevailing circumstances, not only increases their vulnerability to COVID-19 but is also a gross violation of human rights including the right to adequate housing enshrined in the Constitution of Kenya and in the international human rights treaties ratified by the state. We call upon all stakeholders to act in cognizance of the need to safeguard the human rights and health of all.

PREFERRED LANGUAGE TO ADDRESS TARGET: English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 27 NOVEMBER 2020

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PRONOUN: 3000 residents of the Dagoretti Corner settlement in Nairobi (they)

¹47th Sitting (CS Interior) Senate Ad-Hoc Committee https://drive.google.com/file/d/1e_h5siPS2NkEQR7S8S9-5vPu6J-HbEpg/view (Starts from 1:10:00)

ADDITIONAL TARGETS

Ministry of Interior & Coordination of National Security

P.O Box 30510- 00100, Nairobi

Twitter: @CSMatiangi and @FredMatiangi

Email: ps.interior@kenya.go.ke and tomsaka@ymail.com – Deputy Secretary of the Ministry of Interior

Salutations: Honourable, Minister

Principal Secretary

Charles Hinga Mwaura

Nairobi Metropolitan Services under the State Department for Housing and Urban Development

P.O Box 52692 - 00200

Nairobi, Kenya

Salutations: Dear Hon.

Chairperson

Sen. Mwangi Paul Githiomi

Committee on Lands, Environment and Natural Resources

Email: csenate@parliament.go.ke

Salutation: Dear Sen.

Chairperson

Hon. Rachael Kaki Nyamai

National Assemblies Committee on Lands

Email: clerk@parliament.go.ke

Salutation: Dear Hon.

Managing Director & Chief Executive Officer

Mr. Bernard Ngugi

The Kenya Power and Lighting Company

Email: CorporateComms@kplc.co.ke

Salutation: Dear Mr.

Managing Director

Mr. Philip J. Mainga

Kenya Railways Corporation

Email: info@krc.co.ke

Salutations: Dear Mr.

And copies to:

His Excellency Mr Caleb Manoa Esipisu

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