

PRWG-Kenya welcomes court ruling halting illegal protest panel, demands activation of Victims Protection Fund

September 8, 2025, Nairobi, Kenya

The Police Reforms Working Group-Kenya (PRWG-Kenya) welcomes the ruling of the High Court in Kerugoya, which on September 8, 2025, issued conservatory orders temporarily suspending the operations of the Panel of Experts on Compensation of Victims of Demonstrations and Public Protests.

On August 29, 2025, PRWG-Kenya stated that the establishment of this Panel was unconstitutional, irregular, arbitrary, duplicitous, and wasteful. It was conceived as a political ploy to shield state agencies, particularly the National Police Service, from accountability for the killings, injuries, and widespread violations committed against citizens exercising their constitutional right to assemble, demonstrate, and petition under Article 37 of the Constitution.

This ruling is, therefore, a decisive victory for the rule of law, constitutionalism, and judicial oversight. It exposes the illegality of executive actions that undermine Kenya's governance framework and affirms that no arm of government, including the Presidency, is above the Constitution. The diversion of public resources to fund an unconstitutional entity is unlawful, contrary to the principles of public finance under Article 201 of the Constitution.

Kenya does not need a parallel, illegitimate body created outside the constitutional framework. The Constitution already establishes independent institutions such as the Kenya National Commission on Human Rights (KNCHR) under Article 248 and the Independent Policing Oversight Authority (IPOA) under the Independent Policing Oversight Authority Act, 2011. These institutions have the constitutional and statutory mandate to investigate violations, recommend reparations, and hold perpetrators to account. Any attempt to bypass them undermines the Constitution and the rights of Kenyans to access justice.

Therefore, PRWG-Kenya demands full accountability for all atrocities committed by this regime, including extrajudicial killings, enforced disappearances, torture, and other gross human rights violations, and insists that those responsible, from individual officers to the highest levels of command, must be held to account.

We also call upon the KNCHR to publicly state its position and to exercise its constitutional powers under Article 59(2) to institute an independent inquiry into the widespread violations committed during protests and demonstrations, and to recommend comprehensive measures for justice, reparations, and institutional reforms.

In addition, PRWG-Kenya reiterates the urgent need to operationalize the Victims Protection Fund as established under the Victim Protection Act, 2014. This regime has already confirmed the availability of funds earmarked for this unlawful framework, and those resources must be



redirected immediately to the Victims Protection Fund to provide lawful, effective, and sustainable support to victims and survivors of state violence.

Ends...

This statement is signed by the Police Reforms Working Group-Kenya, an alliance of national and grassroots organizations committed to professional, accountable, and human rights-compliant policing. They include: Independent Medico Legal Unit (IMLU), Kariobangi Paralegal Network, Defenders Coalition, Katiba Institute, Social Justice Centres Working Group (SJCW), Kenyan Section of the International Commission of Jurists (ICJ Kenya), International Justice Mission (IJM-K), HAKI Africa, Women Empowerment Link, Social Welfare Development Program (SOWED), Kenya Human Rights Commission (KHRC), Federation of Women Lawyers (FIDA- Kenya), International Centre for Transitional Justice (ICTJ - Kenya), Transparency International Kenya, Shield For justice, Wangu Kanja Foundation, Constitution and Reform Education Consortium (CRECO), Kenyans for Peace, Truth and Justice (KPTJ), Peace Brigades International Kenya (PBI Kenya)