

# Kenyan journalists harassed, detained, reporting on election violence

NAIROBI, Kenya - Authorities in Kenya should credibly investigate incidents of harassment against journalists covering the aftermath of August 8's disputed elections and should reform Kenya's Firearms Act to lower the barriers on journalists' ability to wear protective gear, the Committee to Protect Journalists said last week.



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In the week following Kenya's national election, CPJ spoke with 10 journalists who said they were assaulted or harassed in the course of their reporting. As CPJ [has documented](#), journalists were also targeted for attack and intimidation during the pre-election campaign period.

Opposition leader Raila Odinga said he would contest incumbent President Uhuru Kenyatta's victory at the Supreme Court, according to [press reports](#).

"Journalists in Kenya must be permitted to report without fear of violence or hindrance from security forces or anyone else," CPJ Africa program coordinator, Angela Quintal, said from New York. "Kenyan authorities should make sure that these cases are credibly investigated to make clear that journalists cannot be harassed with impunity and that the public has a right to information from a wide variety of sources."

On August 12, Kenya Television Network (KTN) journalist Duncan Khaemba was reporting on violent post-election protests in Nairobi's Kibera slum when he [was arrested](#) for allegedly possessing a helmet and body armour without a proper license, according to police documents seen by CPJ and Khaemba. Police told CPJ that the charges were dropped on August 15.

"Authorities in Kenya and elsewhere should remove the bureaucratic hoops that make it difficult for journalists to keep themselves safe while working in hostile conditions," CPJ emergencies director Maria Salazar-Ferro said from New York.

## Journalists assaulted

Kenya's [Firearms Act](#) classifies bulletproof vests as firearms and stipulates that no one may acquire or possess them without a license. Khaemba told CPJ he had a copy of the [end-user certificate](#) for the gear at the time of arrest. The commanding officer of Kilimani police division, Joseph Muthee, told CPJ that a license was needed in addition to this certificate. He added that the licensing law was meant to guard against misuse of body armour by criminals.

Khaemba and KTN managing editor, Joe Ageyo, told CPJ that security forces had never previously questioned them about licenses for their protective gear. Kenya Union of Journalists secretary general, Erick Oduor, told CPJ he believed the arrest was intended to disrupt Khaemba's reporting.

Protests broke out in parts of Nairobi and Kenya's western Nyanza region, after the election commission on August 11 announced that Kenyatta was the winner of the presidential race. Kenyatta's main rival, Raila Odinga of the National Super Alliance (NASA), dismissed the elections as fraudulent, and protesters took to streets in parts of the country where NASA is most popular.

Khaemba was not the only journalist to face trouble while reporting from Kibera. Matina Stevis, Africa correspondent with *The Wall Street Journal*, told CPJ that one police officer [hit her](#) over the head with a wooden stick on August 12. The helmet she was wearing protected her from injury.

Also on August 12, Neil Shea, a freelance journalist shooting a documentary in Kibera, told CPJ he was attacked by four or five security officers who beat him and destroyed his camera. He told CPJ that another officer, who was familiar with his work, rescued him, but by then his memory cards were gone. He said he did not know who took them.

In the western city of Kisumu, an opposition stronghold, police officers blocked journalists from approaching demonstrators, according to [media reports](#) and two reporters who spoke to CPJ on the condition of anonymity for fear of reprisal.

Simon Achola, a reporter with government-owned Kenya Broadcasting Corporation (KBC), told CPJ that security personnel took his phone and deleted his photographs of the protests. According to [media reports](#), the police also [harassed](#) reporters from the privately owned Citizen Television at the Miruka Hotel in Kisumu.

## Complaints

When contacted by CPJ, Mwenda Njoka, a spokesperson for the Kenyan Ministry of the Interior, denied that security officials deliberately targeted journalists covering the elections. Although he declined to comment on specific cases, he told CPJ that altercations between police and journalists began when security officials tried to move reporters away from dangerous areas.

"By and large I can tell you that it is unfortunate that journalists have been injured in those situations. We would encourage anybody who says they've been hurt by police or anyone else [to] record statements, and we will investigate," Njoka told CPJ.

The Independent Policing Oversight Authority, a government watchdog that investigates police misconduct, told CPJ that it had received no complaints from journalists, but that it would investigate any allegations it received that police were "culpable for assaulting journalists" or "curtailing their work".

Journalists told CPJ that civilians also attacked them. Caleb Kingwara, a freelance reporter, told CPJ that three men [beat](#)

[him](#) after he attended an August 10 press briefing by Ochilo Ayacko, an independent political candidate in Migori County. Kingwara told CPJ that the assailants accused him of being biased against Ayacko.

Ayacko told CPJ he had no knowledge of the attack. Gladys Rutere, officer in command of Migori police, told CPJ she could not provide an immediate update on investigations.

Evans Habil, a photographer with the privately owned Nation Media Group, told CPJ that on August 11, just after the presidential results were announced, two men attacked him while he was taking pictures in the Nairobi neighborhood of Kawangware. The men threw him into a ditch, beat him up, and [stole his camera](#), he said. Another Nation Media photographer, Dennis Onsongo, said someone stole his lens as he moved through a crowd in the aftermath of a child's death in post-election protests in the Mathare area of Nairobi.

On August 13, NASA told its supporters to [boycott Nation Media Group](#) newspapers and television, alleging bias. Tom Mshindi, editor-in-chief of the Nation Media Group, told CPJ that the company had subsequently relocated two reporters from their duty stations in Kisumu, a NASA stronghold, out of concern for their safety.

"It is also dangerous when leaders make such remarks," Charles Kerich, chairman of the industry regulator the Media Council of Kenya, said on an August 14 [television show](#). "Supporters take cue to mean that you should now take action."

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