



(MSJC)
**IN DEFENCE
OF SOCIAL
JUSTICE**



12.02.2025

TO:

Douglas Kanja,
The Inspector General of Police,
National Police Service
Jogoo House, Nairobi

REF: PETITION AGAINST SYSTEMIC VIOLATIONS AND CRIMINALIZATION OF YOUNG ENVIRONMENTAL DEFENDERS WORKING ALONG MATHARE RIVER.

The Ecological Justice Network - Mathare writes to formally petition your office regarding the ongoing gross social justice and human rights violations, police brutality, and systemic attacks against young people in Mathare who have been engaging in environmental restoration and social rehabilitation efforts.

The Ecological Justice Network is a network of different youth groups doing environmental work along Mathare River- in defense of their river, their livelihoods, climate justice and as a constitutional duty to defend their environment. The history of Mathare has been a history of political violence and gross human rights violations, the youth groups therefore rehabilitate themselves from Drugs, Crime and Violence by rehabilitating Mathare River.

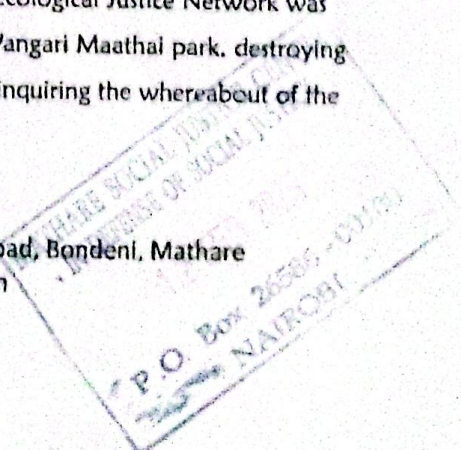
These attacks, orchestrated by security agencies and facilitated by vigilante groups in the guise of community policing, have resulted in the unlawful arrests, brutal assaults, and even the killing of innocent youths.

Background of the Violations

1. **Unlawful Arrests and Harassment:** Young people who have been occupying riparian spaces to rehabilitate themselves from drugs, crime, and violence have become the target of arbitrary arrests by police officers from Muthaiga Police Station and Mathare Police Station. In recent weeks, officers have launched systematic crackdowns, arresting and detaining these individuals without due process. On most occasions, the police stations do not charge the young people before a court of law but instead extort the young people thereby undermining rule of law and human rights. For instance:

1. On 4th November 2024, Muchangi Nyaga, a member of Ecological Justice Network was arrested after police officers from Mathare Police Station raided Wangari Maathai park, destroying the trees and carrying farming tools, Muchangi was arrested after inquiring the whereabouts of the

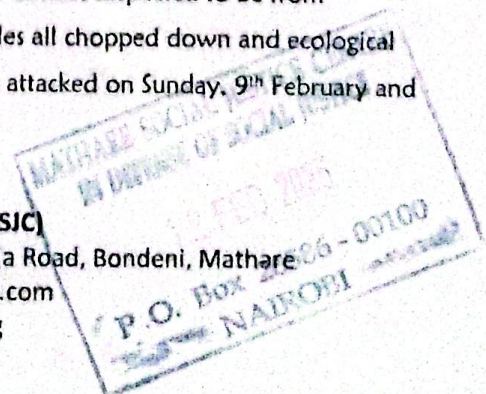
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farming tools. He was detained at the station on the charge of incitement. He was not charged in court. //

2. In 11th November 2024 Five environmental defenders from Destiny Youth group were arrested and detained at Mathare Police Station on a charge of trespass of riparian land. They were released on a cash bail of Ksh 10,000. Again, they were not charged before a court of law.
 3. On 13th November 2024, Fred Ndichu, from Destiny, was then arrested for following up on the arrest of members of his group. He was charged with creating disturbance and has an ongoing case in Makadara Law Court, MCCR/5535/2024.
 4. Four environmental defenders from Sun city youth groups (including the father on one of the youths) were arrested by officers from Mathare Police Station while at their park. They were detained at the station under the trumped up charge of possession of narcotic drugs.
 5. On 23rd January 2025, an environmental defender from Miami environmental park was attacked in his home at night by masked police officers suspected to be from Muthaiga Police station, in full violation of the constitutional right to freedom and security of the person. OB NO 20/25/01/25 0823hours/02/25
 6. On 24th January 2024, Fifteen (15) environmental defenders were unlawfully held at Muthaiga Police station; Three (3) from Yellow Bench Park, ten (10) from big dreams and two from Miami Park. Again, these young people were not charged before a court of law.
 7. On the 24th January 2024, the excavator manned by Nairobi County, mercilessly destroyed the Jungle green park, its vegetables and trees and eight months' work of mental and physical rehabilitation.
 8. On the 9th January four young environmental defenders were arrested by officers of Muthaiga Police station while fundraising towards the Funeral of one of their members, Stephen Onyango, who was brutally beaten by criminal gangs and succumbed to his injuries. The young people were booked under the vague charge of Obstruction but were not presented to court.
2. **Collaboration with Criminal Gangs:** Instead of upholding law and order, officers have allegedly been working alongside vigilante groups to attack and intimidate these young people, which forms a history of political violence in Mathare and the ethicizing of security agencies and organs, who are then used to spark political violence, creating fear to the citizens of Mathare. This has led to violent raids, destruction of ecological spaces, and physical harm inflicted on unarmed individuals. On Friday 7th February 2025, Ecological Defenders from Miami Florida youth group were attacked by criminal gangs, under community policing efforts in collaboration with officers suspected to be from Muthaiga Police Station. The group woke up to their vegetables all chopped down and ecological space destroyed by these criminal gangs. The group was then attacked on Sunday, 9th February and

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one of their members arrested. On the night of Sunday 9th, four group members were arrested and unlawfully detained at Muthaiga Police Station. OB NO 44/07/02/25, OB NO 42/07/02/25

3. **The Killing of Stephen Onyango Abuka:** On the night of 24th January 2025, a group of armed vigilantes, allegedly supported by law enforcement officers, forcefully entered the home of 17-year-old Stephen Onyango Abuka. He was brutally beaten and later succumbed to his injuries on 2nd February 2025. Despite the heinous nature of this murder, no arrests have been made, and the perpetrators continue their unlawful activities with impunity. This matter was reported to Muthaiga police station under OB NO 20/25/01/25
4. **Detention of Four environmental defenders:** On 10th February 2025, four young individuals were unlawfully detained at Muthaiga Police Station without due process:
 - o Dickens Ochieng
 - o Fidel Omondi
 - o James Otieno
 - o Rodgers Ochieng

Their arrest and continued detention violate their fundamental rights, including the right to due process and a fair hearing, as enshrined in the Constitution of Kenya, exposing the systemic brutality and criminalization of environmental defenders. OB NO 41/07/01/25

5. **Destruction of Environmental Spaces:** Members of the Miami Florida Group and other ecological defenders in Mathare have been tirelessly working to rehabilitate riparian lands and create urban green spaces. However, these efforts have been repeatedly sabotaged by security forces and vigilante groups who are in most cases protecting drug barons and criminal gangs in Mathare. The green Parks, urban farms, and tree nurseries have been destroyed in acts of unwarranted aggression that undermine both environmental conservation and social justice.

Legal and Constitutional Violations

The ongoing violations contravene multiple provisions of the Constitution of Kenya, including:

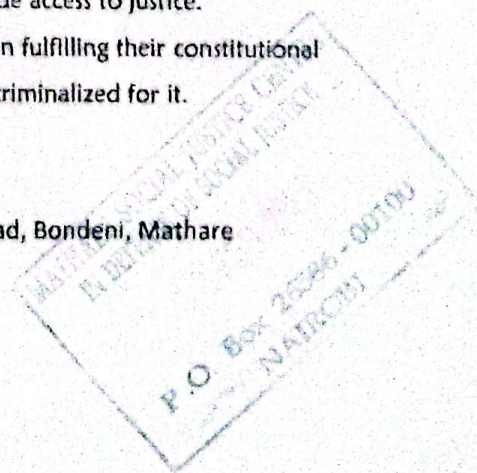
- **Article 26 - Right to Life:** The systemic murder of Stephen Onyango Abuka is a direct violation of this fundamental right.
- **Article 29 - Freedom and Security of the Person:** The unlawful arrests, detentions, and beatings contravenes this Constitutional provision.
- **Article 43 - Economic and Social Rights:** The destruction of parks and urban farms undermines the rights of these youths to sustainable livelihoods.
- **Article 48 – Access to Justice:** The State organs have a duty to ensure access to justice for all persons and, if any fee is required, it shall be reasonable and shall not impede access to justice.
- **Article 69(2) - Environmental Rights:** These young people have been fulfilling their constitutional duty to conserve and protect the environment, yet they are being criminalized for it.

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- **Article 238** – Principles of National Security, the NPS being organs of National Security have a duty to protect the people, their rights, freedoms, property, peace, stability and prosperity, and other national interests.


Our Demands

In light of the above, we demand the following urgent actions from your office:

1. **Investigation and Prosecution of Perpetrators:** We call for an immediate, independent investigation into the murder of Stephen Onyango Abuka and the attacks on ecological defenders. The officers and vigilantes involved must be identified, arrested, and prosecuted.
2. **End to Police Brutality and Vigilante Collaboration:** The National Police Service must cease all unlawful collaborations with vigilante groups and ensure that all policing activities are carried out in accordance with the law and human rights standards.
3. **Protection of environmental defenders:** The government must recognize and protect young people engaged in ecological justice work, ensuring their safety from harassment and attacks.
4. **Restoration of Destroyed Spaces:** The county government and relevant agencies should compensate and support the restoration of the parks and urban farms destroyed during these unlawful attacks.
5. **Create constructive Engagement with the youth who are doing great work rehabilitating the environment and rehabilitating themselves from Drugs, Crime and Violence in the spirit of their constitutional duty and breathing life to the Climate Act.**

We urge your office to act swiftly to prevent further loss of life, uphold the rule of law, and ensure justice for the affected individuals and communities. We expect a prompt response and look forward to your commitment to addressing these grave concerns.

Yours sincerely,


Wanjira Wanjiru

Coordinator, Ecological Justice Network.

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CC.

1. Deputy County Commissioner, Mathare.
2. Kenya Human Rights Commission (KHRC).
3. UN Commission on Human Rights (UNOHCR).
4. Green Belt Movement.

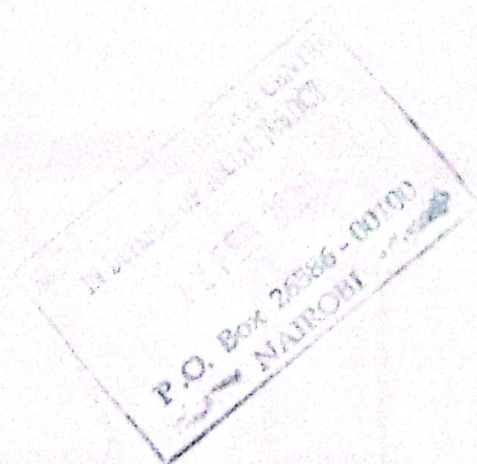
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5. Kenya National Commission on Human Rights (KNCHR).
6. Ministry of Environment, Climate Change and Forestry.
7. Law Society of Kenya (LSK).
8. Legal Empowerment Fund.
9. Haki Africa.
10. UN Habitat.
11. Office of the Former Chief Justice, 2011-2016.
12. Wangari Maathai Foundation.
13. Legal Education Forum.
14. Defenders Coalition.
15. US Embassy.
16. The Climate Reality Project
17. Nairobi Rivers Commission
18. Independent Policing Oversight Authority (IPOA)
19. Internal Affairs Unit (IAU).



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