

Appendix 1: Chart of Abuses against Journalists and Bloggers

	Name	Media/ Location	Nature of violation	Incident Date	What happened?	Investigation Status
1.	John Kituyi	<i>Mirror Weekly</i> , Eldoret	Killed	April 30, 2015	Attacked by unknown assailants outside his house.	Investigations are incomplete, no one has been arrested or charged.
2.	Denis Otieno	Freelance photojournalist, Kitale	Killed	September 7, 2016	Attacked by unknown assailants inside his house at night.	No one has been arrested or charged.
3.	Emmanuel Masha	KNA, Tana River	Assaulted	October 13, 2016	Administration Police officers attacked but did not destroy his camera.	No official investigations were opened.
4.	Duncan Wanga	K24 TV, Eldoret	Assaulted and his camera destroyed	September 27, 2016	Uasin Gishu Deputy OCS assaulted him and destroyed his camera.	No investigations, but the OCS later apologized and compensated Wanga for the damaged camera.
5.	Julius Kareithi	Royal Media, Murang'a	Assaulted	September 4, 2016	Security guards of private company attacked and injured him.	No investigations so far and no one held to account.

6.	James Mburu	Royal Media, Murang'a	Assaulted	September 4, 2016	Security guards of private company attacked and injured him.	No investigations so far and no one held to account.
7.	Grace Gitau	Nation Media Group, Nyeri county	Assaulted, equipment confiscated	August 23, 2016	Nyeri members of county assembly attacked them for focusing only on negatives.	No evidence of investigations or prosecution.
8.	Lydia Nyawira	Standard Group, Nyeri county	Assaulted, equipment confiscated	August 23, 2016	Nyeri members of county assembly attacked them for focusing only on negatives.	No evidence of investigations or prosecution.
9.	Jane Wangechi	The <i>Star</i> , Lamu county	Assaulted	August 22, 2016	Lamu Member of County Assembly attacked her for supplying NCIC with evidence on hate speech.	No evidence of investigations or prosecution.
10.	Moses Masinde	Mediamax, Busia county	Assaulted	July 20, 2016	Allegedly Attacked and injured by supporters of Kenya's leading opposition party.	No evidence of investigations or prosecution.
11.	Reuben Ogada	Citizen TV, Tana River	Assaulted	April 18, 2015	Beaten by GSU officers, camera destroyed.	Investigations opened, no evidence of anyone being held to account.

12.	Nehemiah Okwembah	Nation TV, Tana River	Assaulted	April 18, 2015	Beaten by GSU officers, camera destroyed.	Investigations opened, no evidence of anyone being held to account.
13.	Wanjeri Nderu	Blogger, Nairobi	Assaulted	June 29, 2015	Unknown assailants attacked and warned her not. to talk about corruption	No investigations.
14.	Moses Odhiambo	<i>Daily Nation</i> , Kisumu county (now with Star, Nairobi)	Assaulted	September 23, 2015	Beaten by people linked to county government officials and working with police.	Reported to police but no investigations happened.
15.	Faith Matete	The <i>Star</i> , Kisumu county	Assaulted	September 23, 2015	Beaten by hired men linked to county government officials and working with police.	Reported to police but no investigations happened.
16.	Justus Ochieng	<i>Daily Nation</i> , Kisumu county	Detained in a secret cell and beaten	October 2014	Police Officers from flying quad unit arrested, detained and beat him.	Matter reported to police but no investigations. Officers transferred.
17.	Kevin Omollo	Standard, Kisumu county	Teargassed	May 23, 2016	Anti-riot police deliberately lobbed teargas canisters in their van twice.	Reported to police and Kisumu county commissioner. No investigations.

18.	Wycliffe Odera	Qwetu radio	Teargassed	May 23, 2016	Anti-riot police deliberately lobbed teargas canisters in their van twice	Reported to police and Kisumu county commissioner. No investigations
19.	Leonard Wamalwa	West FM, Kitale	Slapped, kicked, camera damaged	June 9, 2015	Hired men led by a county government security guard attacked him.	Two men arrested, charged in court, but charges dropped by police.
20.	Duncan Waswa	Imani TV, Kitale	Slapped, kicked, camera damaged	June 9, 2015	Hired men led by a county government security guard attacked him.	Two men arrested, charged in court, but charges dropped by police.
21.	George Wanyama	Nyota FM, Kitale	Beaten	2014	Unknown people beat him.	Reported to Kitale police station, no investigation.
22.	Michael Olinga Oruko	Standard, Eldoret	Kidnapped and drugged	March 22, 2015	Unknown people angry over land stories bundled him in a car and drove. Found after two days, drugged.	No evidence of investigations or prosecutions.
23.	Godfrey Wamalwa	African Press International, Bungoma	Assaulted	September 30, 2015	Unknown people angry with negative stories about Bungoma country sprayed his face with a chemical.	Reported to Webuye police station, no one has been charged.

24.	Isaiah Gwengi	Standard newspaper	Arrested, assaulted	March 22, 2017	Administration Police officers arrested and assaulted him for his stories.	Reported to Usenge police station, Siaya. IPOA Investigation ongoing.
25.	Amos Wasai	<i>Trans Nzoia Weekly</i> , Kitale	Threatened	June 2014	Threatened for story on land.	No investigations.
26.	Roseleen Lusweti	<i>Weekly Citizen</i> , Kitale	Threatened	November 2016	Threats over story on defilement of minor.	No investigations.
27.	Paul Letiwa	<i>Daily Nation</i> , Samburu county	Threatened	June 15, 2016	Phone threats over a story on corruption	No investigations.
28.	Charles Njama	Gukena 92.8 FM, Nyeri county	Threatened	May 11, 2016	Phone threats over a story on environmental pollution.	No investigations.
29.	Charles Lwanga	Nation Media Group, Kilifi county	Threatened	March 22, 2016	Threats by phone call from Ganze legislator, Peter Shehe.	Reported to police but no investigations.
30.	Timothy Chemno	Kass FM, Elgeyo Marakwet	Threatened	March 15, 2016	Face to face threat by the Elgeyo Marakwet governor, Alex Tolgos, over “negative” stories on county.	No investigations.

31.	Mathew Ndanyi	The <i>Star</i> , Eldoret	Threatened	Continuous threats from 2013 to 2016	Threats on phone, parcels. Warned about writing on ICC cases and DP Ruto's Sh1.2 bn home.	No investigations.
32.	Fred Kibor	<i>Standard newspaper</i> , Eldoret	Threatened	March 2016	Threatened by a senior Elgeyo Marakwet politician over a story on corruption.	No investigations.
33.	Peter Ochieng	Standard photographer, Eldoret	Threatened	2016 and 2017	Phone threats from unknown callers.	Reported to police but no progress in investigations.
34.	Eliud Kipsang Kosgey	KTN TV cameraman, Eldoret	Threatened	September 15, 2014	Summoned and threatened by Eldoret county secretary over nurses' strike, stopped adverts to Standard.	No investigations. Adverts to KTN resumed after several months.
35.	Elvis Wasike	Education Newspaper, Eldoret	Threatened	Early 2016	Phone and face to face threats by a Uasin Gishu county leader over a story on land.	No investigations.
36.	Robert Wafula	<i>Mirror Weekly</i>	Threatened	December 24, 2013	Confronted and threatened by men who introduced themselves as CID officers in Eldoret and threatened on ICC related issues.	No investigations.

37.	Godfrey Mwampembwa	Formerly with <i>Daily Nation</i>	Threatened, sacked	2015 and 2016	Faced persistent threats and pressure over editorial cartoons.	Gone to court for wrongful dismissal.
38.	Stella Murumba	<i>Business Daily</i> , Nation Media Group	Threatened	October 26, 2016	Threats by health ministry Principal Secretary over corruption story there.	Principal Secretary apologized.
39.	Kitavi Mutua	<i>Daily Nation</i> , Kitui	Threatened	April 2015	Threatened by education officer.	No evidence of investigation.
40.	Ali Abdi	<i>Standard</i> , Isiolo	Threatened	May 2015	Threatened by police officers.	No evidence of investigation.
41.	John Ngirachu	<i>Daily Nation</i> , Nairobi	Harassed, detained, questioned over a story on corruption. Denied access to lawyer	November 9, 2015	Waylaid on duty at parliament by CID officers and taken to CID head office for interrogation.	Not charged with any offense. Not told of complainant.
42.	Alphonse Shiundu	<i>Standard</i> , Nairobi.	Harassed, detained, questioned over a story on corruption. Denied access to lawyer	November 9, 2015	Summoned to CID head office for interrogation	Not charged with any offense. Not told of complainant

43.	James Mbaka	The <i>Star</i> , Nairobi	Harassed, detained, questioned over a story on corruption. Denied access to lawyer	November 9, 2015	Summoned to CID head office for interrogation.	Not charged with any offense. Not told of complainant.
44.	Judith Akolo	Kenya Broadcasting Corporation (KBC)	Detained, questioned, denied access to lawyer	January 5, 2015	Summoned by CID to Nairobi Central Police station and questioned over retweeting a tweet about an internal CID job advert published on day of expiry.	Not charged.
45.	Robert Alai	Blogger, Nairobi	Summoned and questions by CID	March 2013	Questioned over a tweet that a senior government official had met a judge at the height presidential election petition.	Charged with “annoying a public officer”.
46.	Robert Alai	Blogger, Nairobi	Arrested by police	May 2013	Arrested for tweeting that a county opposition candidate was ruling clique mole.	Charged with misuse of communication gadget and annoying the candidate.

47.	Allan Wadi	Blogger, Coast region	Arrested by police over a tweet about President Kenyatta	December 2014	Charged with demeaning the authority of a public officer	Sentenced within 2 hours to 2 years. Released after 8 months on appeal by ARTICLE 19.
48.	Nancy Mbindala	Blogger, Meru county	Arrested over tweets on corruption tweets against Meru county governor	January 2014	Charged with spreading hate and inciting the public against the governor.	Charges dropped after the mother pleaded with the governor.
49.	Abraham Mutai	Blogger, Isiolo	Arrested from Mombasa over tweets about corruption in Isiolo county and quickly airlifted to Nairobi. Blog post taken down and tweet page deactivated	January 2015	Charged with misusing a licensed communication gadget and undermining public authority.	Charges on misuse of communication gadget dropped.
50.	Adika Adeya	Blogger, Nairobi	Arrested released, then rearrested and charged	March 2015	Charged with misuse of a licensed communication gadget, his phone.	Charges dropped.
51.	Msingi Bekko	Photographer and blogger, Nairobi	Arrested for taking pictures of a Nairobi mall	March 23, 2015	Held at a Nairobi police station on alleged terrorism charges	Released without charge.

52.	Mbuvi Kasina	Blogger, Kitui county	Arrested and questioned over blog on corruption	February 3, 2016	Charged with six counts of misuse of licensed of communication gadget.	Charges dropped.
53.	Brian Odhiambo Otieno	Blogger and journalist, Kisumu	Arrested over a tweet on corruption	2016	Charged with misuse of a licensed communication gadget.	Charges dropped.
54.	Yassin Juma	Journalist and blogger	Arrested over tweets on Al Shabab attack on Kenya military camp in Somalia	January 23, 2016	Held for two nights under section 29 of KICA, misuse of communications gadget.	Released after two days.

Appendix 2: Letter to ICT Ministry

April 5, 2017

Hon Joe Mucheru,
Cabinet Secretary,
Ministry of Information and Communications Technology,
Reliance Centre, 3rd Floor,
P.O Box 55476 – 00200,
Nairobi, Kenya.

The logo for Human Rights Watch, consisting of the words "HUMAN RIGHTS WATCH" in white, uppercase, sans-serif font, arranged in three lines within a dark blue square background.

H U M A N
R I G H T S
W A T C H

HRW.org

Email:

Dear Sir,

I am writing to solicit your input regarding our ongoing research on media freedom and free expression in the run-up to the August 2017 general elections.

As you may know, Human Rights Watch is an international non-governmental organization that documents human rights abuses in more than 90 countries around the world. Human Rights Watch is committed to producing material that is comprehensively documented, verified, and objective. Article 19 is an international non-governmental organization that works on freedom of expression and media.

Although we have been in contact with some of your staff in the course of our research, we have not yet had an opportunity to meet with you since you were appointed to the ministry. Given the importance of your sector to our current research, we would very much appreciate an opportunity to meet and discuss our ongoing concerns for media freedom, as well as the specific queries attached to this letter.

In order for us to include your response in our work, we would very much appreciate a written answer to the questions below by April 27, 2017. Alternatively, we would be happy to collect a written response at your convenience, prior to April 27.

We seek your input on specific concerns regarding the role of the Government Advertising Agency (GAA), which is under your ministry. Media managers and sales executives allege

that when media houses publish articles critical of the government or senior officials, the GAA either withdraws advertising or withholds payment for advertisements already published. As of November 2016, media managers put the total amount owed to all private media by government and related agencies at Ksh2 billion or (US\$20 million).

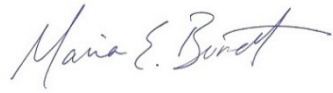
We are also concerned that some of Kenya's laws regulating the media, particularly the Media Council Act of 2013 and the Kenya Information and Communications Act 2013 violate Kenya's constitution and international law, regarding protection for free expression. Specifically, the laws allow government tight control on media regulatory bodies and enhance powers of governmental agencies in the enforcement of codes of journalists and broadcasting code.

Questions

- 1) What measures is the ministry taking to ensure that government policies and laws initiated by government do not infringe on freedom of expression and that the media is guaranteed freedom to report on issues of national interest?
- 2) Prior to March 2017 when government stopped advertising in private media, how did the GAA set payment schedules for media outlets and were there any content-based clauses in contracts to encourage or discourage media outlets running government advertising from reporting on certain topics? If so, what were those topics and who decided how such a framework was established?
- 3) Is there any formal or informal government policy that informs delays of payments of advertising revenue to media outlets by the GAA?
- 4) If and when GAA delays to pay media outlets for advertising, what is the best procedure for media houses and managers to follow in order to be paid advertising revenue which is overdue?
- 5) Could you kindly share how much the GAA owes to which media outlets in total from 2015 to present?
- 6) Does the ministry have any plans of reviewing the Official Secrets Act, Preservation of Public Security Act, the Penal Code, Media Council Act and Kenya Information and Communications (Amendment) Act with the view to initiating bills to parliament for repeal of provisions that are inconsistent with Kenya's constitution and international laws on freedom of expression/media?

Please communicate your response to **Maria Burnett** at...or Henry Maina at... We would also be pleased to discuss the research findings in person should you be available to meet with us.

Sincerely,

A handwritten signature in cursive script that reads "Maria E. Burnett". The signature is written in a dark ink and is positioned above the printed name.

Maria Burnett
Director, East and Horn of Africa, Human Rights Watch

Appendix 3: Letter to Police

April 5, 2017

Joseph Kipchirchir Boinett,
The Inspector General,
Kenya Police Service,
Nairobi (Kenya).



HRW.org

Tel: +254 020 3341411

Email:

Dear Sir,

I hope this letter finds you doing well in the New Year. Thank you for our meeting in July 2016 with my colleagues to discuss our reporting on allegations of abuses during counterterrorism operations in northeastern Kenya and Nairobi. Investigations into those who are missing and last seen in government custody remain important and we look forward to continued dialogue with your office and Kenya's accountability institutions.

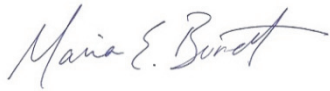
Given our commitment to producing material that is comprehensively documented, verified, and objective, I am writing to solicit your input regarding ongoing research into free expression and media freedom in the run-up to the forthcoming elections.

Given the breadth of our work in Kenya and the important role of the police in protecting human rights, we would very much appreciate an opportunity to meet and discuss our ongoing concerns for human rights abuses in Kenya as well as the specific queries attached to this letter.

Your response to the attached inquiry is especially important so that we can accurately reflect your views in our forthcoming research on freedom of expression in Kenya. In order for us to include your response in our work, we would very much appreciate a written answer to the questions below by April 27, 2017. Alternatively, we would be happy to collect a written response at your convenience, prior to April 27.

Please communicate your response to **Maria Burnett** at...or Henry Maina at.... We would also be pleased to discuss the research findings in person should you be available to meet with us.

Sincerely,



Maria Burnett

Director, East and Horn of Africa, Human Rights Watch

Summary of allegations

Over the last four months, we have interviewed over 92 individuals, including 70 Kenyan journalists as well as government officials and police. We are concerned that police are increasingly using a range of tactics to undermine free expression rights in Kenya. We have found that over the past five years, police have arrested, detained and later released without charge or charged several journalists and bloggers with a range of criminal offences to silence their reporting on issues deemed sensitive to political elites.

In addition, we found that there have been cases where police officers or, in some instances, unidentified people, have allegedly physically attacked, harassed or threatened journalists and bloggers. Police allegedly intercept some journalists' and bloggers' communications without a court order. We are concerned that police have not effectively investigated threats and attacks on journalists and bloggers even when such cases have been reported.

In some instances, police officers have themselves physically attacked or threatened journalists, bloggers and other internet users. We found no evidence that police officers have been held to account for attacks on journalists and bloggers. In one case in Eldoret an OCS voluntarily agreed to compensate a journalist whose camera the OCS had damaged.

Questions

- 1) Could you please share your understanding of what happened in the following cases of deaths of journalists and whether there has been any progress with police investigations?
 - a. John Kituyi, publisher of Mirror Weekly, killed on April 30, 2015 by unknown attackers outside his home in Eldoret town, Uasin Gishu county.
 - b. Joseph Masha, a reporter with Standard newspaper, died on September 3, 2016 at his home in Kilifi county.
 - c. Denis Otieno, a photojournalist, killed on September 7, 2016 by unknown attackers in his house in Kitale town, Trans Nzoia county.
- 2) We have documented the following cases of physical attacks on bloggers and members of the traditional media. We understand some of the cases have been reported to various police stations in the jurisdictions where the incidents took place. We would appreciate if you could review the cases listed below and let us know whether they have indeed been reported to the police? Could you share with us progress of investigations, if any?
 - a. Emmanuel Masha, alleged to have been assaulted by administration police officers in Tana River on October 13, 2016.
 - b. Duncan Wanga, alleged to have been assaulted in Eldoret and his camera destroyed by a deputy OCS in Uasin Gishu county on September 27, 2016.
 - c. Julius Kareithi, alleged to have been assaulted in Murang'a by private security guards of Kakuzi Ltd on September 4, 2016.
 - d. James Mburu, assaulted in Murang'a by private security guards of Kakuzi Ltd on September 4, 2016.
 - e. Grace Gitau, alleged to have been assaulted in Nyeri by a member of the county assembly on August 23, 2016.
 - f. Lydia Nyawira, alleged to have been assaulted in Nyeri by a member of the county assembly on August 23, 2016.
 - g. Jane Wangechi, alleged to have been assaulted in Lamu by a member of the county assembly on August 22, 2016.
 - h. Moses Masinde, alleged to have been assaulted in Busia by opposition party supporters on July 20, 2016.

- i. Reuben Ogada, alleged to have been assaulted in Tana River by GSU officers on April 18, 2015.
 - j. Nehemiah Okwemba, assaulted in Tana River by GSU officers on April 18, 2015.
 - k. Wanjeri Nderu, a blogger assaulted in Nairobi by unknown people on June 29, 2015.
 - l. Moses Odhiambo, alleged to have been assaulted in Kisumu by people known to him on September 23, 2015.
 - m. Faith Matete, alleged to have been assaulted in Kisumu by people known to her on September 23, 2015.
 - n. Justus Ochieng, alleged to have been assaulted in Kisumu by Flying Squad police officers in October 2014.
 - o. Leonard Wamalwa, alleged to have been assaulted in Kitale by people suspected to be linked to the county government of Trans Nzoia on June 9, 2015.
 - p. Duncan Waswa, alleged to have been assaulted in Kitale by people suspected to be linked to the county government of Trans Nzoia.
 - q. George Wanyama, alleged to have been assaulted by unknown people in 2014.
 - r. Michael Olinga Oruko, alleged to have been kidnapped from Eldoret town and later released by unknown people on March 22, 2015.
 - s. Godfrey Wamalwa, alleged to have been assaulted in Bungoma by unknown people on September 30, 2015.
 - t. Isaiah Gwengi, alleged to have been assaulted in Siaya both during arrest and in detention by officers from Quick Response Team of the Administration Police on March 22, 2017.
- 3) What should members of the media do if they feel they are being threatened or physically attacked to silence their reporting?
 - 4) What measures do police have in place to ensure journalists and bloggers can report and receive protection if faced with threats, intimidation, phone and online surveillance, harassment and physical attacks during the 2017 election campaign period?

- 5) Are there any ongoing police investigations into cases of hate speech across the country? Could you please share with us details of these investigations?

Appendix 4: Letter to the Aga Khan

March 27, 2017

His Highness, The Aga Khan
Aga Khan Development Network
Geneva
Tel: 41 22 909 7200

The logo for Human Rights Watch, consisting of a dark blue square with the words "HUMAN RIGHTS WATCH" in white, uppercase, sans-serif font, arranged in three lines.

HUMAN
RIGHTS
WATCH

HRW.org

Email:

Dear Sir,

I am writing to solicit your views and input regarding our ongoing research on freedom of expression in Kenya over the past five years.

As you may know, Human Rights Watch is an international non-governmental organization that documents human rights abuses in more than 90 countries around the world. Human Rights Watch is committed to producing material that is comprehensively documented, verified, and objective. ARTICLE 19 is an international non – governmental organization that works on freedom of expression and media.

In the course of our research, we learned of a meeting between the Aga Khan and Kenyan government officials which occurred in December 2015. We seek your input as to what transpired in that meeting to better understand how the Kenyan government is managing concerns for media freedom and free expression.

We would appreciate your response to these questions.

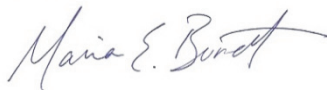
1. In the course of a meeting in December 2015, or at any other time, have any Kenyan government officials presented documents to any one from the Aga Khan foundation alleging that Nation Media Group (NMG) journalists are believed to be working with Kenya’s political opposition to undermine the government?

2. At any time has any Kenyan government official presented any Aga Khan Foundation or NMG officer with records of phone communications or documentation of journalists by any government agency?
3. Did President Uhuru Kenyatta himself present any such reporting to the Aga Khan at any time? Have any Kenyan government officials ever explicitly or implicitly suggested that specific NMG journalists should lose their jobs? And if so, could you please share in what context and what the outcome of such discussions was?

We have been in communication with the Aga Khan Foundation in Nairobi and have been advised that the questions can only be handled in Geneva. Your response to these questions is therefore particularly important so that we can accurately reflect your views in our forthcoming research on freedom of expression in Kenya. In order for us to include your response in our work, we would very much appreciate a written answer by April 15, 2017. We would also be pleased to discuss the research findings on phone should you find this more convenient.

Please communicate your response to **Maria Burnett** at...or Henry Maina at....

Sincerely,



Maria Burnett
Associate Director, Africa Division
Human Rights Watch

Appendix 5: Letter to NMG CEO

April 13, 2017

Joe Muganda,
Chief Executive Officer,
Nation Media Group,
Nairobi.

The logo for Human Rights Watch, consisting of a dark blue square with the words "HUMAN RIGHTS WATCH" in white, uppercase, sans-serif font, arranged in three lines: "HUMAN", "RIGHTS", and "WATCH".

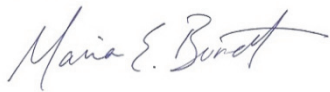
HUMAN
RIGHTS
WATCH

HRW.org

Dear Sir,

We are writing to follow up on the phone conversation with your staff and to therefore share with you a copy of the letter that we sent to His Highness the Aga Khan. The letter has questions that are certainly of interest to the Nation Media Group (NMG) management and we would appreciate if you will take a moment to respond to aspects of it, especially to the issue of whether there were any journalists fired by NMG management as a result of pressure from government as explained in the summary of some of our research findings in the attached letter.

Sincerely,

A handwritten signature in cursive script that reads "Maria E. Burnett".

Maria E. Burnett

Maria Burnett
Associate Director, Africa Division
Human Rights Watch

Appendix 6: Police Response



**OFFICE OF THE INSPECTOR GENERAL
NATIONAL POLICE SERVICE
NAIROBI – KENYA**

**Telegraphic Address: "IG, NPS"
Telephone: Nairobi 020-2221969
When replying please quote**

**Jogoo House 'A', 4th Floor
P.O. Box 44249 – 00100
NAIROBI**

Ref. No. NPS/IG/SEC/2/11/4/VOL.11 (120)

27rd April, 2017

**The Director,
Human Rights Watch,
East and Horn of Africa**

Dear Maria,

RE: RESPONSE TO HUMAN RIGHTS CONCERNS

Dear Maria,

The Inspector General is in receipt of your letter dated April 5, 2017 requesting for an opportunity to meet and discuss ongoing concerns for human rights abuses in Kenya and respond to an attached inquiry.

We appreciate and thank you for thinking to work in partnership with the National Police Service on this critical issue on our Humanity.

We have perused your attached inquiry questions that you wanted answered. Kindly note:

For every death of a person on suspicious circumstances or reasons where it is believed another person was criminally responsible, an inquest is opened and proceedings subjected to cross examinations in a competent court of law. The court guides the Police on culpability and final disposal of the inquest.

On questions 1 (a), (b) and (c), it would be easier for us if you established with the Directorate of Criminal Investigations Officer or Officer Commanding police Division of the respective areas of crime. If no response is given, at this point, we can intervene.

On question 2 (a) to (t), it would be fair equally to check from the respective areas of jurisdiction and give contacts of the victims or their next of kin for purposes of contacting them.

Question 3, on what should members of the media do if threatened or physically attacked to silence their reporting:

Immediately report to the nearest police station, DCIO office, OCPD and in the event there are reasons one is not comfortable, report to the National Police Service- Internal Affairs Unit and IPOA. If no action is taken, the matter can be brought directly to the attention of the Inspector General.

Question 4, The NPS has elaborate measures that include as explained in question 3. We also have NPS tweeter account and website where we can interact and consult one another on any issue.

Question 5, I believe this question can best be handled by the National Cohesion and Reconciliation Commission (NCRC).

A handwritten signature in black ink, appearing to read 'G. Kinoti', with a horizontal line underneath.

GEORGE KINOTI (AIG)
For: INSPECTOR GENERAL
NATIONAL POLICE SERVICE



Nation Media Group Limited

Nation Centre
Kimathi Street
P.O.Box 49010 G.P.O.
Nairobi 00100
Kenya
Telephone: 3288000/1/2/337710/221222/211448
Telefax:2214565/213946/313332/2219882
Email:customer@nation.co.ke
Website:<http://www.nationmedia.com>

Appendix 7: NMG Response

Directors
W.D.Kiboro,Chairman
J.Muganda,Group Chief Executive
D.Aluanga
R.Dowden (British)
S.Gitagama
L.Huebner (American)
Y.Jetha (British)
S.Kagugube (Ugandan)

N. Karago
J.Montgomery (British)
T.Mshindi(Alternate)
O.Mugenda
L.Mususa(Tanzanian)
F.O.Okello
A.Poonawala (Swiss)
G.M Wilkinson (Irish)

April 24, 2017

Maria Burnett
Associate Director, Africa Division
Human Rights Watch.

Dear Madam,

We refer to your letter dated April 13, 2017.

Nation Media Group is a publicly listed company in Kenya, Uganda and Tanzania. We operate under a Board of Directors to which management reports to. As you would expect, given that we are a publicly listed company, our Board operates independent of the ownership structure.

We are not privy to any meetings between His Highness the Aga Khan and Kenyan government officials and hence are not competent to comment about the same.

Yours Faithfully,

For Nation Media Group Limited

Joe Muganda
Group Chief Executive Officer