

16 August 2017

## Kenya: De-registration and harassment of two prominent human rights NGOs

On 16 August 2017, Kenya Revenue Authority officials attempted to raid the African Centre for Open Governance's offices. On 14 and 15 August 2017, the Executive Director of the NGO Co-Ordination Board notified the **Kenya Human Rights Commission- KHRC** and the **African Centre for Open Governance- AfriCOG** that the Board would be cancelling their registration. The NGO Co-Ordination Board also called for the freezing of their accounts and the arrest of the Board of Directors and members of the African Centre for Open Governance (AfriCOG). Board members of AfriCOG include the Vice Chair of the United Nations Convention against Corruption Coalition Coordination Committee, Gladwell Otieno, the previous UN Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina Kiai and John Githongo, the founder and former Executive Director of the Kenya chapter of Transparency International.

The [Kenya Human Rights Commission](#) was founded in 1991 with the aim of promoting human rights and democracy. The [African Centre for Open Governance](#) advocates for good governance and for the full implementation of the 2010 Constitution and anti-corruption measures. Both non-governmental organisations (NGOs) champion electoral rights and transparency in the electoral process.

On 16 August 2017, Kenya Revenue Authority officials attempted to raid the AfriCOG offices, however, the search was called off in order to investigate complaints by the organisation. On 15 August 2017, the Executive Director of the NGO Co-Ordination Board sent a letter to the Director of Criminal Investigations stating that AfriCOG will be shut down and calling for the arrests of its directors and members. The NGO Co-Ordination Board has alleged that AfriCOG is not a registered organisation under the NGO Co-Ordination Act 1990 as required by law. The letter, in which AfriCOG and the Central Bank of Kenya were copied, also called for the freezing of accounts in the name of AfriCOG.

On 14 August 2017, the Kenya Human Rights Commission received a letter from the NGO Co-Ordination Board de-registering the NGO. In the letter, the Executive Director of the NGO Co-Ordination Board also asked the Central Bank of Kenya, who was copied in the correspondence, to freeze any accounts in the name of KHRC. The allegations by the Board include that the NGO has illegal bank accounts, that it illegally employs expatriates and that it is concealing illegal remuneration of board members.

These allegations are similar to those made by the NGO Co-Ordination Board about the KHRC in 2015 when the Board issued a press statement announcing that it had initiated the de-registration process for a number of NGOs, including the KHRC. In *Kenya Human Rights Commission v Non-Governmental Organisations Co-Ordination Board [2016] eKLR*, Judge Onguto found that the NGO Co-Ordination Board had violated Article 37 of the Constitution by not giving the KHRC a hearing before deciding to cancel its registration certificate and freeze its bank accounts.

Front Line Defenders is deeply concerned by the targeting of the KHRC and AfriCOG which it

believes is directly linked to their peaceful and legitimate work in promotion of human rights in Kenya.

**Front Line Defenders urges the authorities in Kenya to:**

1. Reverse the de-registration of KHRC and AfriCOG, and ensure that their members' are not arrested, and that their bank accounts are not frozen;
2. Cease all targeting of human rights defenders and their organisations in Kenya and guarantee in all circumstances that they are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions including administrative measures.