



Kenya Medical Association

Champion the Welfare of Doctors and Quality Healthcare in Kenya



STATEMENT ON THE ARBITRARY ARRESTS OF CONTENT CREATORS

22 June 2024. 12:30: Twenty-five human rights associations of content creators, lawyers, medical officers and human rights defenders across the country have called on the Directorate of Criminal Investigations to clarify the whereabouts of content creator Billy Simani, also known as “Crazy Nairobiian”. The agencies include the Bloggers Association of Kenya, The Law Society, Kenya Medical Association, Defenders Coalition, the Independent Medical Legal Union and Amnesty International Kenya. Reports from family and friends that Billy Simani has been arrested and is currently detained by the National Police Service in an undisclosed location.

We also call for;

2. The immediate release of any other content creators currently under arrest;
3. The Government of Kenya to issue a public undertaking that no content creators or any Kenyan for that matter will be arrested for expressing their opinion online or for supporting the current protests;
4. The Government to guarantee the right to freedom of expression for all Kenyans in line with our Constitution;
5. Lastly, we call on the independent state agencies to independently investigate these arrests with a view to holding those responsible accountable.

The rights of arrested persons are clearly laid out in Cok Art.49 as follows;

- (1) An arrested person has the right--
 - (a) to be informed promptly, in language that the person understands, of--
 - (i) The reason for the arrest;
 - (ii) To remain silent; and
 - (iii) the consequences of not remaining silent;
 - (b) to remain silent;
 - (c) to communicate with an advocate, and other persons whose assistance is necessary;
 - (d) not to be compelled to make any confession or admission that could be used in evidence against them;
 - (e) to be held separately from persons who are serving a sentence;
 - (f) to be brought before a court as soon as reasonably possible, but not later than--
 - (i) twenty-four hours after being arrested; or
 - (ii) if the twenty-four hours ends outside ordinary court hours, or on a day that is not an ordinary court day, the end of the next court day;
 - (g) at the first court appearance, to be charged or informed of the reason for the detention continuing, or to be released; and (h) to be released on bond or bail, on reasonable conditions, pending a charge or trial, unless there are compelling reasons not to be released.

We remind all state officers and the public that any infractions of this article and forcibly abducting, holding of persons incommunicado or the denial of visitation rights are crimes under our laws. Further, individual state officers can be held accountable in a court of law.

We invite Kenyans with any information on this case and any other cases to immediately contact

Defenders Coalition 0716200100

Independent Medical Legal Unit 0800721401

Amnesty International 0759464346

Also

Independent Policing Oversight Authority Toll Free 1559

Kenya National Commission on Human Rights 0800720627