



Dying for Justice: Who Killed Oscar Kingara and George Paul Oulu?

By Isaac Otidi Amuke



Whenever one drives along Ring Road in Kilimani, and glances across the hedge of the Kileleshwa Police Station, where several vehicles are parked inside the compound, one is likely to spot an abandoned white Mercedes Benz E200, registration number KAJ 179Z, with a missing rear windshield, The last time the Mercedes Benz moved before it was towed to the police station was when it was forcefully shoved by enraged University of Nairobi students into the entrance of Hall 2, one of their hostels located adjacent to State House Road. Pushing the Mercedes Benz onto the sloped university terrain wasn't difficult. It had stood stationary on State House Road, its occupants shot dead.

It was Thursday 5 March 2009 at about 6 p.m when Oscar Kamau Kingara, the Executive Director of the Oscar Foundation Free Legal Aid Clinic Kenya (OFFLACK), and George Paul Oulu, also known as GPO, his Communications and Advocacy Officer, were caught in evening Nairobi traffic on State House Road. One would expect to run into a little traffic at that hour and place. However, what the duo were unaware of, as narrated by a number of university students who witnessed what next transpired at close range, was that the gridlock was stage-managed.

“A group of us were coming from lectures that evening,” Mathew (not his real name) told me. “Others were walking from the hostels towards town and the main library. The killers acted as if we

were nonexistent. We saw everything.”

A Mitsubishi Pajero drove out of a University of Nairobi gate, the one located right next to Hall 11 in front of one of the university’s clinics, pretending to be joining State House Road. It then stopped midway on the road once it had cut off the flow of traffic, its occupants staying put, as if unperturbed by the intentional inconvenience they were inflicting on the now slowly building up stream of vehicles coming down from the State House Girls School side. The Pajero rudely cutting off traffic was the first red flag for the students.

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“We saw the Pajero interrupting traffic, but didn’t think much of it,” said Andrew (not his real name) who was part of Mathew’s group from the lecture halls. “We imagined it was one of those big-car uncivil Nairobi drivers.”

One of the vehicles the Pajero forced to stop was the Mercedes Benz. Kingara was its driver, Oulu the passenger. In under a generous estimate of three minutes of the students encountering the Pajero, the students heard a series of loud gunshots. By this time, they had walked into the Lower State House residential unit, which holds Halls 10, 11, 1 and 2. Knowing the frosty relationship between University of Nairobi students and the police, the gunshots instantly triggered anxiety among the students already settled inside their hostel rooms. They all started screaming from their windows, expecting the worst. Had the police shot one of their own?

Cutting the University of Nairobi’s main campus halls of residence right into two – Lower State House and Upper State House clusters of hostels – students from both sides of State House Road were now scrambling in their hundreds out of windows, confused and wanting to catch a piece of the action. Looking at the under 100 metre distance between the huge tree behind Hall 11 where the shooting took place and the little gate from where the Pajero had stalled, the students who had the best vantage point to witness everything were those looking out from the upper floors of Halls 11 and 9, the two male student hostels sandwiching the scene.

“The gunshots were so loud, which made us suspect the shooting was happening within the university’s vicinity,” James (not his real name), a third year Bachelor of Arts Hall 9 resident told me. “It wasn’t difficult to locate the Mercedes Benz from my window on the second floor. It was the only vehicle with men hovering around it.”

After the first gunshots, students with a quicker reflex directed their attention to the scene and caught sight of the two men dressed in similar suits finishing the job. Occupants of nearby vehicles didn’t dare step out, possibly paralysed by the display of impunity by the shooters who had the audacity to summarily execute the driver and his passenger in broad daylight right in the environs of the University of Nairobi, which is known for its protests.

“After shooting the vehicle’s occupants,” James from Hall 9 went on, “the shooters in identical suits shot in the air before slowly strolling towards a minivan that was about three vehicles behind the Mercedes Benz. They got into it, and as it was turning around before driving away, my friends and I noticed its driver was wearing what resembled a police uniform. Our observation would later be corroborated by other students.”

For a long time, whether having beers at Senses or standing in groups outside the library, the tens

of student witnesses I have interviewed spoke about that Thursday evening in surgical detail, piecing together minute bits of information crowd sourced from whoever saw anything, eventually managing to reconstruct the scene.

“We all saw different bits of whatever happened that evening,” a now thirty-something Mathew told me. “But when we pieced everything everyone saw together, which became the widely accepted narrative, our conclusion was that once the Pajero created a temporary traffic jam, the men in identical suits disembarked from the minivan with their guns. They then looked inside each of the vehicles ahead of the minivan, until they got to the Mercedes Benz. On identifying the two men as their targets, they summarily executed them.”

“I’ve been told by a Hall 9 student that the driver of the minivan was wearing a military fatigue jacket, the ones worn by the police. Did any witness you interacted with share the same view?” I asked Mathew.

“I’ve heard the same thing before from third parties,” Mathew replied, “but I can’t confirm its veracity.”

However, what the students didn’t need to reconstruct was what happened after Oulu and Kingara were shot.

“Not too long after those in Halls 9 and Hall 11 watched the men in suits in action,” Mathew recollected, “those of us from the lecture halls ran to State House Road and surrounded the scene. We wanted to see who had been shot. That is when we heard another gunshot. As we dispersed temporarily, two men walked from the direction of the Pajero, wanting to access the Mercedes Benz, each holding a pistol. We watched them ransack the pockets of the two shot men before taking documents and a laptop from the back seat.”

“Can you identify the men if you saw them or their photos?” I asked Mathew.

“I don’t want to answer that,” Mathew said. “I don’t like the idea of killers thinking I can recognise them.”

According to Mathew, the men from the Pajero were in no hurry. Going by that evening’s series of events, the students arrived at an inescapable conclusion: the killers were policemen. No other logical conclusion could explain such a display of meticulous organisation and absolute impunity – the Pajero cutting off traffic, the men in suits shooting the Mercedes Benz occupants, and finally the men from the Pajero taking their time at the scene as if crossing the T’s and dotting the I’s.

It was when the two men were milling around the scene of the killing that the group of students tried to engage them in small talk.

“*Mbona humuwabebi?*” a student asked as the men left the scene. Why aren’t you taking away the bodies?

“Wengine watakujia,” one of the men casually replied, unruffled. Others will come to clear the scene up.

After the men in the Pajero left, the students realised that Oulu was still breathing. Unlike Kingara, whose death best illustrates the term summary execution (he was shot at least three times in the head, possibly in quick succession, and his body remained in an almost upright position in the driver’s seat) Oulu had used his left hand to block a bullet, which went through his wrist and through his head. Seeing that the university sanatorium was less than 100 metres from the scene,

daring students removed Oulu's body from the vehicle, but before they could move beyond 20 metres, they noticed he had stopped breathing.

Just before nightfall, a few senior students managed to positively identify Oulu. He had been a celebrated Vice Chairman of the Students Organisation of Nairobi University (SONU). On leading a protest in 2004 against tuition fee increment, he had received a 1,000-day or three academic year suspension. He came back to the university in 2007 to complete his degree course in Mathematics and Economics. He hadn't graduated by the time he was shot in March 2009.

The students' original police-and-robbers theory was disproved. One of the victims was, in fact one, of their own, as was initially feared when they first heard gunshots. Knowing the University of Nairobi students' modus operandi, State House Road was immediately shut at the first sign of protest. News had to get to the president, who lived barely 500 metres away.

It was under these circumstances that the students shoved the Mercedes Benz into Hall 2. Thereafter, Kingara's bled-out body was hidden under a staircase. Wanting to forcefully retrieve the body, anti-riot police engaged in an overnight battle with students. In the process, a first-year student, Edwin Gesairo, was shot dead.

"I am the one who hid Kingara's body," a former student told me. "We were going for an all-out war."

But, some still ask, were the students even half right in their *prima facie* police-and-hardcore-wanted-criminals hypothesis? Who were Kingara and Oulu, and what had they been doing that might have led to their violent and bloody death?

The answer came in agenda item three during the May 2009 11th session of the United Nations Human Rights Council in Geneva. In [an addendum](#) to his presentation, Prof. Philip Alston, the UN's Special Rapporteur on extrajudicial, summary or arbitrary executions, confirmed that Oulu and Kingara were among members of civil society with whom he had met during his February 2009 visit to Kenya to investigate rampant extrajudicial killings by death squads within the security system and the police. In affirming the student's suspicion that the killing of Oulu and Kingara was premeditated assassination, Alston stated:

"Moreover, we urge your Excellency's Government to expeditiously carry out an independent investigation into the killing of Oscar Kamau Kingara and George Paul Oulu. While we do not in any way prejudge the question of the responsibility for this assassination, it is inevitable under the circumstances that suspicion should fall upon the Kenya Police."

However, if one were to argue that the police per se weren't involved in the assassination or shouldn't be the primary target of investigations, as alluded to by the Special Rapporteur's statement, then the outlined mandate within which Prof. Alston was basing his request carried a more comprehensive scope of what was meant by his suspicion of the state's complicity. He was asking for an investigation into:

"Deaths due to the attacks or killings by security forces of the State, or by paramilitary groups, death squads, or other private forces cooperating with or tolerated by the State; death threats and fear of imminent extrajudicial executions by State officials."

There was no doubt that Kingara and Oulu had made enemies in high places. But did they, eighty-four days before their slaying, sign their own death warrants?

On New Year's Day 2009, the Oscar Foundation wrote a letter to the Office of the Chief Prosecutor at the International Criminal Court (ICC) at The Hague, calling for investigations into suspected state-sponsored extrajudicial killings targeting alleged members of Mungiki - the predominantly Kikuyu cultural and sometimes spiritual grouping, which from time to time ventured into the political sphere, and which was in other instances accused of criminality. Mungiki was accused of enforcing a parallel taxation regime in the public transport sector in Nairobi and Central Kenya, and of running a shakedown racket in informal settlements in Nairobi, where it demanded payment in exchange for protection of businesses.

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Fashioned as Mau Mau reincarnate, Mungiki swept through Central Kenya in an unprecedented manner, a form of peasant uprising against the moneyed and ruling Kikuyu elite, which at the time controlled the levers of state power. The group was condemned as being some sort of loose-cannon ragtag militia prone to extortionist tendencies, a ready gun for hire for politicians, sometimes including suspected state actors. It was therefore a messy, complicated affair, where it now appeared its leadership and membership - who knew too much and became unruly according to the powers that be - had become a liability to the political and security establishments. The extrajudicial killings of Mungiki members came after its members were suspected to have been deeply involved in revenge attacks during the 2007/2008 post-election violence, hence resulting in extrajudicial and enforced disappearances of some within its ranks. It was therefore anyone's guess as to who had authorised the mopping up of Mungiki.

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The Oscar Foundation's audacious request to the Office of the Chief Prosecutor at the ICC was for warrants to be immediately issued against the President of the Republic of Kenya, Mwai Kibaki, the Minister of Interior, Prof. George Saitoti and his outspoken predecessor John Michuki, and the Commissioner of Police, Maj. Gen. Hussein Ali, alongside his subordinates who were allegedly directly linked to extrajudicial killings and enforced disappearances in Kenya.

The timing of the letter couldn't have been worse. In January 2009, the Kenyan political establishment was jittery. There were rumours of probable indictments of prominent Kenyans by the ICC, with elements within Mungiki being perceived as likely corroborators in sections of the prosecution's evidence, which could be used against leading political players implicated in the violence following the 2007/2008 post-election violence - violence where over 1,200 lives were lost and over half a million citizens got displaced in under two weeks. The Oscar Foundation request to ICC's Chief Prosecutor, Luis Moreno Ocampo, asking him to direct his investigative torch towards Kenya, seemed like an affront to the political establishment.

This letter was followed by Kingara's and Oulu's presentation of evidence on extrajudicial killings in February 2009 to the UN's Prof. Philip Alston in a public event at the United Nations Office in Gigiri, Nairobi. Feathers were surely ruffled.

The Oscar Foundation wasn't a huge organisation. Run from a small but tastefully furnished rented office in China Centre on Nairobi's Ngong Road, the organisation's operations were pretty specific – to document cases of extrajudicial killings and enforced disappearances, and to offer free legal aid to families of victims of the same. The partitioned office had two sections, the first one filled with thousands of files neatly arranged in a series of wall-to-wall cabinets surrounding an open plan office for paralegals. The second partition was where Oulu and Kingara operated. It was a lean, mean team causing the state considerable discomfort.

However, the dark cloud hanging over the Oscar Foundation was that it was a cover for Mungiki. On the morning of 5 March 2009, the day Oulu and Kingara were killed, the Government of Kenya's spokesman, Dr. Alfred Mutua, issued a scathing attack on the organisation, repeating allegations that it was a conduit through which Mungiki received foreign aid and laundered money. In a move which would later come back to haunt the state, Dr. Mutua issued a not-so-veiled threat against the organisation, promising that the state would act firmly on Mungiki and its sympathisers. Less than 12 hours later, Oulu and Kingara were dead.

Within civil society, there were murmurs that a plausible trigger for the assassination of Oulu and Kingara was the abrasive nature of their approach to activism. For instance, on the day of their shooting, the duo had paralysed public transport on major routes in Nairobi. They worked with matatu touts and drivers who went on a go-slow in solidarity with the families of those within their ranks who had been killed on suspicion of being members of Mungiki. It wasn't the first time the Oscar Foundation had coordinated such a protest.

“Kingara owned this huge roadshow truck on which he displayed life-size images of the president and a number of cabinet ministers, all of whom the accompanying texts were effectively calling murderers,” a civil society executive who wished to remain unnamed told me in Nairobi. “That was extremely audacious.”

Was the Oscar Foundation a cover for Mungiki, or was it that since the majority of its clients (families and friends of those suspected of having been summarily executed by the state) were members of Mungiki, therefore the organisation and those it served were conflated into one? This will remain a matter of conjecture, since the Kenyan state has never released evidence to prove the claim. That the state declined a formal offer by the United States Ambassador to Kenya to have the FBI join in on the investigations into the assassination of Oulu and Kingara – among other pointers towards possible complicity – continues to fuel the theory that very highly placed elements within government had something to do with the killing of the two human rights activists.

To date, the assassination of Oulu and Kingara remains unresolved.

The killing of Oulu and Kingara shook the Kenyan human rights fraternity to the core. It was no longer a question of human rights defenders receiving empty threats; death by execution was officially on the cards.

“The most profound case I have ever encountered in the defence of human rights defenders has to be the assassination of Kingara and Oulu,” Sam Mohochi, a lawyer and human rights defender who at the time of the killings was the Executive Director of the Independent Medico-Legal Unit (IMLU), told me. “I made a deliberate attempt to escalate the matter legally, but one of the families kindly requested that we shouldn't.”

IMLU had been one of the few lone voices in the wilderness speaking against extrajudicial killings, which were backed by its numerous autopsy reports. In what may appear to be as a stroke of genius, IMLU combined medicine and the law, somehow playing the role of Kenya's non-existent coroner at a time when doing such wasn't mainstreamed.

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As Executive Director, Mohochi found himself having to stick his head out several times. He recalls that in December 2008, on the sidelines of the United Nations Human Rights Council meeting in Geneva, he met Prof. Philip Alston and his assistant Sarah - now a professor in New York - who told him that finally, the Kenyan government had agreed for the Special Rapporteur to pay Kenya an official visit. Prof. Alston was therefore asking for support. When Mohochi got back to Kenya, he started readying things.

"I told them they can do their preparations," Mohochi told me, "and that on our end, we would provide them with suggestions on which organisations they should consult, and plan for which victim groups they would meet. The fact that Alston was having meetings at the Kenya National Commission on Human Rights or using church facilities whenever he went outside Nairobi, were all very deliberate choices from our end, much as we weren't part of his mission. The only thing I did was to invite Alston's interlocutors, including Kingara."

According to Mohochi, he hadn't agreed with Kingara, especially on the claim by the Oscar Foundation that over 8,000 individuals were victims of either enforced disappearances or extrajudicial killings by the police, since the only evidence backing up that claim were names and photos, and there was no way of ascertaining whether those were over 8,000 unique names and images. In a word, the data wasn't solidly verifiable.

"I didn't agree with Kingara's modus operandi for arriving at those very high figures," Mohochi said. "That notwithstanding, I invited him to speak to Prof. Alston because in this struggle, all contributions are valid."

During Prof. Alston's first closed-door meeting with the Kenyan civil society at Hotel Intercontinental, Oulu and Kingara arrived early to erect three Oscar Foundation drop-top banners. No one else had brought any publicity or similar material. When Prof. Alston walked into the room, he asked Mohochi what the banners were.

"I called Oulu and asked him to kindly put the banners away," Mohochi said. "At that moment, we noticed the presence of two suspicious characters in the room. When asked who they were by Muthoni Wanyeki of the Kenya Human Rights Commission, they couldn't explain themselves properly. I told them I was the one who had sent out the invitations, meaning I hadn't sent them any, and asked them to kindly leave."

In subsequent days, Oulu and Kingara had the opportunity to present their evidence on extrajudicial killings and enforced disappearances to Prof Alston. The next time Mohochi saw them was at the United Nations Office in Nairobi on the day Prof. Alston released his damning report, which labelled Attorney General Amos Wako as the embodiment of impunity and which demanded the resignation of Commissioner of Police Maj. Gen. Hussein Ali. In Prof. Alston's eyes, it appeared, extrajudicial killings in Kenya needed urgent mitigation.

Even to Mohochi, who had played a leading role during Prof. Alston's visit, the final report was shocking.

"I hadn't had a look at the report," Mohochi said. "I was part of the crowd just like everyone else. If you consider Alston's career as a rapporteur, he had never gone that far. That report was quite undiplomatic, partly because there had been attempts of state interference on his investigations in places like Bungoma."

A fortnight after the report came out, Oulu and Kingara were assassinated.

Did Alston's report contribute to their deaths, or were there more complicated reasons behind their killing?

During the subsequent sitting of the United Nations Human Rights Council in May 2009 in Geneva, barely two months after the assassination of Oulu and Kingara, the Government of Kenya sent two high-powered delegations to Switzerland. One was led by the Minister of Interior, Prof. George Saitoti, while the second was led by the Minister of Lands, Senior Counsel James Orengo. There were certainly jitters in Nairobi.

Attending a discussion at which Prof. Alston, Mohochi and the Kenya National Commission on Human Rights (KNCHR)'s chairperson, Florence Simbiri-Jaoko, were panelists, Mutea Iringo, the Principal Secretary in the Ministry of Interior, asked to be provided with specifics on the threats faced by human rights defenders so that the government could intervene. It was farcical, given that not too long before, Oulu and Kingara had been killed in death squad style. Mohochi decided to play along, giving two death threats against him as an example.

"I couldn't risk giving details about anyone else's death threats," Mohochi said, "and so I volunteered my own two death threats, going as far as giving the Occurrence Book (OB) Number under which I reported them at Parklands Police Station. To date, neither Mr. Iringo nor Parklands Police have ever contacted me about the same."

It was under these tension-filled circumstances that organisations such as Mohochi's IMLU, the Kenya Human Rights Commission (KHRC), the Release Political Prisoners (RPP) pressure group, among others, upped the ante in the protection of human rights defenders. They had already operationalised the National Coalition of Human Rights Defenders (NCHRD) back in 2007 - a clear sign that threats to activists didn't start with the killing of Oulu and Kingara - which was hosted at different times by either IMLU, KHRC or RPP. It wasn't until 2012 that NCHRD established a fully functional secretariat from where it solidified its programmes and countrywide protection networks, with Mohochi as founding chairman of its board of trustees.

"We were already protecting human rights defenders starting from as early as 2001," Mohochi told me, "not just as IMLU but as a broader coalition of actors. We were meeting at the Kenya Human Rights Commission, and had a budget for this. It's not that we woke up in 2007. That's only when we formalised the NCHRD to proactively put in place further mitigation measures for human rights defenders to do their work without fear of recrimination. Defenders were always alive to the sorts of risks their work attracted."

"It was in the early 90s when we started having conversations about who defends the defenders," Salome Nduta, a protection officer at NCHRD, told me at their near-clandestine Nairobi nerve

center. “Before a functioning protection network was in place, activists had to be each other’s keepers, in the literal sense.”

To date, the NCHRD has taken up hundreds of protection cases from across Kenya while doing what every responsive organisation in its shoes would ordinarily do – to continue disrupting itself and adopting fresh strategies as new threats emerge. From the word go, the difficult question has been – and not only for the NCHRD: How does one ascertain what comprehensive protection entails? With time, the scope of what it means to offer protection has kept expanding, as new, more complicated cases have landed at the NCHRD.

The broad strokes with which protection has been painted include offering legal, medical and psychosocial support, and in extreme cases, relocation. The practicalities of these range from bailing out activists during protests, to offering them advocates for those charged in courts of law, paying their medical bills and offering counselling, all meant to cushion human rights defenders, especially those in the frontlines at the grassroots.

“Since our inception, protection has evolved,” Salome told me. “Now we have situations where an activist gets killed, and the idea of protection means you may now have to intervene and support their families for a time in whatever way possible, since a lot of times the deceased happens to be the sole breadwinner.”

These sorts of interventions can be difficult, since organisations such as the NCHRD almost always have budgetary constraints. The idea that anyone can knock on their doors anytime and seek assistance has similarly created the impression that the organisation is swimming in wads of cash, something Salome tells me is far from the truth. Interestingly, the largest chunk of their budget goes into offering legal support.

“I cannot quantify the amount of money we’ve spent on paying for bail and bond so far,” Salome says. “A lot of times our legal kitty runs dry sooner than expected. The arrest and harassment of activists doesn’t stop, while the ongoing cases take forever. This means ours is a continuous, long game of legal support.”

According to Mohochi, the evolution of the concept of protection cannot happen without local context.

“I have always maintained that we can’t blindly copy Westernised ideas of protection without factoring in our circumstances,” he says. “Something like temporary relocation. You can imagine how many people one might need to relocate, but then after they come back what next? I therefore believe in a proactive approach to protection, where we built a nationwide grassroots network of defenders who continuously assess their risk levels and act to mitigate threats before things escalate. We encourage them not to take suicidal risks.”

Yet no matter how fool-proof protection programmes got, and despite the numerous cautionary measures human rights defenders employed at a personal level, there were no guarantees that more soldiers of justice wouldn’t lose their lives in the line of duty.

On 27 June 2016, Kenya woke up to a strongly trending social media hashtag #FindLawyerWilly. Willy Kimani, an advocate working for International Justice Mission (IJM), had gone missing four days earlier. Missing alongside Willie were his client, Josephat Mwenda – a bodaboda rider and victim of a supposed accidental shot in the arm by Senior Sergeant Fredrick Leliman – and Joseph Muiruri, their taxi driver. They had last been seen thirty odd kilometers from Nairobi, at the Mavoko

Law Courts where Mwenda had sued Senior Sergeant Leliman.

“There was a sense that IJM didn’t want to make a lot of noise publicly about the matter,” a lawyer who was involved in the early stages of the investigation, but who sought anonymity, told me. “They believed the police would speed up investigations, possibly because they had received assurances from senior state officials, or out of high-level interventions by the U.S. embassy, seeing that IJM is an American charity.”

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Soon, the Law Society of Kenya, of which Willy was a member, the U.S. embassy in Nairobi, representing Willy’s employer, hundreds of taxi drivers and bodaboda riders standing in for Mwenda and Muiruri, were all up in arms, unrelenting in their demand for justice. The state quickly complied and moved to investigate.

Four days later, Willy’s, Mwenda’s and Muiruri’s dead bodies were discovered in Ol-Donyo Sabuk River. All were stuffed in the kind of gunny sacks usually used to package agricultural produce. The autopsy revealed that the trio had been clobbered on their heads by a blunt object before being strangled. The killers had hit Willy the hardest; his skull had the severest fracture. Mwenda appeared to have been physically tortured the most, as if someone sought a confession from him. Muiruri, the taxi driver, seemed to have been collateral damage, a case of being in the wrong place at the wrong time.

The game-changer in the Willy, Mwenda and Muiruri case arose from a most unlikely quarter. Peter Ngugi Kamau, a police informant whom preliminary investigations had placed inside the murder syndicate, unleashed a 21-page confession, detailing how the three men were abducted after leaving Mavoko Law Courts before being driven away in the vehicle of Senior Sergeant Leliman, the man accused of shooting Mwenda. Leliman was in charge of the Syokimau AP Camp, which is where he held the abductees in a cell. According to the confession, Willy, Mwenda and Muiruri were later driven to an open field where they were killed one after the other before their bodies were disposed. Other suspects in the murders were Sergeant Leonard Maina Mwangi, Corporal Stephen Chebulet and Constable Silvia Wanjiku Wanjohi. Their dramatic trial is still ongoing.

Questions have been asked as to why the police moved swiftly in the matter. Was it the Americans, or was it because the decision to kill was made by junior officers, or both? Does the level at which a decision to kill is made affect the nature and speed of investigations? For now, hope abounds that justice will be served.

“My sense was that the police officers who committed the murders considered Willy a disposable small fish,” the lawyer told me, “thinking that they could kill him and his colleagues and that no one would raise a finger. They were mistaken. Lawyers and other human rights defenders saw the deaths as a wake-up call.”

The next big hashtag campaign a couple of years later resulted in serious contestation. On 10 February 2019, #FindCarolineMwatha was the big fuss online. A founding member of the Dandora Social Justice Centre, Caroline Mwatha had disappeared four days earlier. Described by Wangui Kimari of the Mathare Social Justice Centre as one of the kindest and most likable individuals she had ever met, Mwatha and her colleagues had received a series of death threats for their work documenting extrajudicial killings in Dandora, considered one of Nairobi’s hotspots.

“They shared with me the threats they had received,” Wangui told me, “after which I wrote emails to a number of organisations seeking support. Seeing that it was December 2018 and organisations were preparing to break for the holidays, there is a real possibility that some of those pleas went unheeded, or those concerned planned to act in the New Year. We evacuated a few individuals, with the majority retreating to their home villages.”

A hardcore grassroots organiser, Mwatha was part of a ground-up human rights movement, where instead of waiting to write and release reports in air-conditioned offices, they operated at the very front lines, shielding disadvantaged communities from rampant police brutality. In her Dandora locale, Mwatha and her colleagues were investigating a number of extrajudicial killings, especially of young men killed in cold blood on the pretext of fighting crime. It was because of this work that trigger-happy policemen were slowing down.

“It isn’t uncommon for well-known killer cops to issue public death threats to those working at social justice centres,” Wangui told me. “In Mathare, some of our colleagues can’t go to places such as Mlango Kubwa because the reigning killer cops in those areas have given them direct warnings. It isn’t child’s play.”

After the hashtag trended for a few days, on February 11, activists met and decided to hold a protest the following day to put pressure on the state to either produce Mwatha, or give a progress report on their investigations, if any. The protest never materialised. That morning, news broke that Mwatha’s body was found at the City Mortuary. According to subsequent investigations, the police alleged that Mwatha had been brought to the facility after dying from bleeding at a clinic in Dandora, where she was procuring an abortion.

Through a series of media leaks, the police alleged that from their analysis of her phone records, Mwatha was having an extramarital affair which resulted in an unwanted pregnancy, hence the abortion. In what was alleged to be Mwatha’s last communication with the man believed to be her secret lover – once again leaked to the press – the messages revealed a woman in distress.

Was someone concocting a predetermined narrative with the calculated media leaks?

“We have never believed the abortion theory,” one of Mwatha’s colleagues who has since withdrawn from human rights work told me. “She was a powerhouse in Dandora and silencing her has had a chilling effect on everyone here. We have been asking ourselves, if they could kill Caroline, then who can’t they kill?”

The autopsy, which was witnessed by leading members of civil society, revealed that Mwatha bled to death courtesy of a ruptured uterus. However, the looming question the pathologist left for investigators was: Did Mwatha procure the botched abortion voluntarily, or was it done to her against her will – for her to bleed to death and for the abortion narrative to be used as a cover-up for murder? In the world of activism, it is common for perpetrators to employ such seemingly picture-perfect techniques in eliminating a target. It has been hard to convince Mwatha’s colleagues of the abortion theory. To them, it remains an assassination.

For now, human rights defenders keep watching their backs, hoping they won’t become a hashtag. A few others whose names couldn’t trend fell through the fissures of social media, slipping away quietly.

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