

SECURITY COUNCIL

The Security Council agreed a statement by the President (S/PRST/1998/31, November 1998) in which the Council, *inter alia*: welcomed the agreement reached on 1 November 1998, in Abuja, between the government and the Self-Proclaimed Military Junta; affirmed its firm commitment to preserve the unity, sovereignty, constitutional order and territorial integrity of Guinea-Bissau; considered the agreement to be a positive step towards national reconciliation and lasting peace; particularly welcomed the decision immediately to put in place a government of national unity and to hold general and presidential elections not later than the end of March 1999; appealed to states and organizations concerned to provide urgent humanitarian assistance to displaced persons and refugees; called upon the government and the self-proclaimed military junta to continue to respect relevant provisions of international law, including humanitarian law, and to ensure safe and unimpeded access by international humanitarian organizations to persons in need of assistance as a result of the conflict; and welcomed the decision to open the international airport and the seaport at Bissau.



KENYA

Date of admission to UN: 16 December 1963.

TREATIES: RATIFICATIONS AND RESERVATIONS

Land and People: Kenya has not submitted a core document for use by the treaty bodies.

Economic, Social and Cultural Rights

Acceded: 1 May 1972.

Kenya's second periodic report is due 30 June 2000.

Reservations and Declarations: Paragraph 2 of article 10.

Civil and Political Rights

Acceded: 1 May 1972.

Kenya's second through fourth periodic reports were due 11 April 1986, 1991 and 1996 respectively.

Optional Protocol: Acceded: 1 May 1972.

Discrimination against Women

Acceded: 9 March 1984.

Kenya's third and fourth periodic reports were due 8 April 1993 and 1997 respectively.

Torture

Acceded: 21 February 1997.

Kenya's first periodic report was due 22 March 1998.

Rights of the Child

Signed: 26 January 1990; ratified: 30 July 1990.

Kenya's initial and second periodic reports were due 1 September 1992 and 1997 respectively.

THEMATIC REPORTS

Mechanisms of the Commission on Human Rights

Extrajudicial, summary or arbitrary execution, Special Rapporteur on: (E/CN.4/1998/68, paras. 14, 17, 32, 39, 70; E/CN.4/1998/68/Add.1, paras. 244–251)

The report notes that cases related to deaths in custody — due to attacks or killings by security forces, paramilitary groups or private forces cooperating with or tolerated by the state — were transmitted to the government. One case involving the death of a lawyer was also referred to the government.

The addendum to the main report cites the October to December 1996 quarterly report of the Kenyan Human Rights Commission stating that 632 persons had died in 1996 due to acts of "omission or commission" by the government, including 180 persons killed by bandits — whom the Commission said the government had done little to control, 95 by mobs, and 130 by security forces. In respect to those killings alleged to have been committed by security forces, the Commission reportedly stated that only 12 police officers had been charged and only 2 had been convicted. The Special Rapporteur (SR) also noted information related to the high number of deaths occurring in Kenyan prisons, with the majority of deaths reportedly the result of widespread illnesses due to unsanitary conditions, lack of food, lack of sunlight, and torture. Additional reports indicated deaths in custody or detention as a result of ill-treatment or torture. With regard to the death of a lawyer, who was working on a file about an armed robbery of the Standard Chartered Bank, information suggested that the individual had been killed after he had accused police officials of having kept part of the recovered money for themselves.

The government responded to some of the concerns related to deaths in custody arising from torture or ill-treatment, stating that in one case the police officer responsible had been arrested and charged with murder and that the case would be heard in 1997 and, in another, no post mortem investigation could be performed because by the time a doctor was available the body had decomposed badly, owing to the fact that the District Hospital mortuary had no refrigeration facilities. In the latter case, the Provincial State Counsel had returned the inquest file to the District Criminal Investigation Officer, acknowledging the difficulty of establishing the cause of death in view of the situation and recommending that the file be closed unless tangible evidence incriminating someone could be presented.

The SR reiterated his concern regarding the large number of deaths in custody and again urged the government to take all necessary measures to avoid further such