

Inmates May Soon Be Allowed to Vote

By Joyce Mulama

Rights organisations are demanding that Kenya's draft constitution be adopted to allow inmates to vote in 2007. The draft constitution, which is being discussed by 629 delegates, contains a clause that suggests voting rights of prisoners.

As in most African countries, Kenyan prisoners

mates can vote or not. The government that ruled Kenya from 1963 to 2002 simply disfranchised inmates of this right. Now campaigners want the rights of prisoners, including voting, to be recognised by the new constitution.

"There is no negotiating or debating about the issue. If you are a citizen of

Campaigners said time has come for civic education to be introduced in all prison facilities to sensitise inmates and wardens about the importance of voting. Already the programmes have begun, targeting prison staff who will supervise voting of inmates.

At a recent training session for prison officials organised by the Kenya National Human Rights Commission (KNHRC) and Institute of Education in Democracy (IED), the idea emerged that prisons could serve as polling stations, with officers assisting election officials.

The two organisations are liaising with the Electoral Commission of Kenya (ECK), which is expected to spell out the mode of polls in prison facilities, right from registration to the casting of ballots. ECK Commissioner, Jack Tumwa said: "We want as many Kenyans as possible to vote—prisoners, people working in foreign countries and even patients in hospitals."

Kenya's prison population ranges from 30,000 to 40,000 inmates. Kamiti Maximum Prison in the capital Nairobi, Shimo la Tewa Prison in the coastal city of Mombasa, and Kodiaga Prison in western Kenya each has an average 2,000 to 3,000 inmates.

Campaigners said the participation of prisoners in a democratic process would help integrate them in communities.

Politicians are also lobbying the government to ensure that every prison has a department to avail voting information to inmates. Kenya's prison population, said one politician, is "tempting" for any potential parliamentary candidate, in terms of votes.

"It is our role to ensure that prison walls do not separate prisoners from the ballot because we have been there, and know how wrong it is to be deprived of basic democratic rights," said former Member of Parliament, Njeru Gathangu, who is also an official of Citizens for Justice, a pressure group whose members have been imprisoned for political reasons.

If Kenya allows its prisoners to vote, it will be the second African country—after South Africa—to do so.

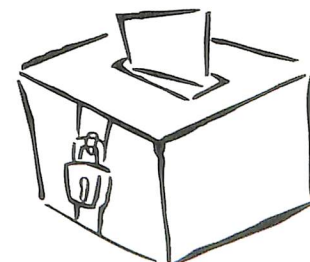
Source: Inter Press Service, 20 October 2003, <<http://www.ips.org>>

"There is no negotiating or debating about the issue. If you are a citizen of Kenya and convicted of a crime, which is not related to the electoral process, nobody has the power to take away your right, including the right to vote. It is a fundamental right of every adult of sound mind."

do not vote. "They are treated as a condemned lot and sidelined from democratic activities," said Mwangi Waititu of Litigation Fund against Torture (LIFAT), a human rights body that helps survivors of torture.

Kenya's existing laws do not spell out whether in-

Kenya and convicted of a crime, which is not related to the electoral process, nobody has the power to take away your right, including the right to vote. It is a fundamental right of every adult of sound mind," said Kang'ethe Mungai of Release Political Prisoners, a Nairobi-based pressure group.



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