

EXTERNAL (for general distribution)

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Further information on EXTRA 08/95 (AFR 32/01/95, 20 January 1995) and follow-up (AFR 32/02/95, 2 February) - Prisoners of conscience

KENYA Njenga Mungai, member of parliament (MP) for Molo
Dr Lawali Oyondi, MP for Nakuru Town, released
Francis John Wanyange, MP for Nakuru East, released
John Njenga Mungai, brother of Njenga Mungai, released
Mwangi Gikonyo, councillor from Longonot, released
Joel Odoyo Ondiala, FORD-Kenya official, released on bail

Amnesty International is concerned at the continued detention of Njenga Mungai.

He is still being held in Nakuru provincial hospital under armed guard and is chained to the bed at night. Although the charge of "promoting warlike activities" was withdrawn on 6 February, he is still charged with "uttering words with seditious intention". On 7 February he was refused bail by the High Court on the grounds that he has two previous charges of sedition outstanding - in 1991 and 1992. Neither of these cases have yet come to court.

However, there appears to be pressure from the authorities to try the current case quickly. It is due to go for mention on 10 February when a trial date is expected to be set. If convicted, Njenga Mungai faces up to 10 years' imprisonment.

All the charges against four of his co-accused, Dr Lawali Oyondi, Francis John Wanyange, John Njenga Mungai and Mwangi Gikonyo were also withdrawn on 6 February and they were released the same day. The charges against Joel Odoyo Ondiala were also withdrawn but replaced with the charge of obstructing a police officer. If convicted he faces up to five years' imprisonment. He was released on bail on 7 February.

Dr Lawali Oyondi and Joel Odoyo Ondiala are still in Nakuru provincial hospital receiving treatment. They and Njenga Mungai were admitted to hospital at the end of January with chronic diarrhoea following an outbreak in Nakuru remand prison.

FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters

- welcoming the withdrawal of charges against, and release of, Dr Lawali Oyondi, Francis John Wanyange, John Njenga Mungai and Mwangi Gikonyo, but urging that the new charge against Joel Odoyo Ondiala be dropped on the grounds that if convicted he would be a prisoner of conscience;
- expressing concern at the continuing detention of Njenga Mungai and urging that he be immediately and unconditionally released as a prisoner of conscience;
- expressing concern about the health of Njenga Mungai and urging that he receive appropriate medical treatment;
- expressing concern at the appalling prison conditions in Nakuru remand prison that resulted in Njenga Mungai, Dr Lawali Oyondi and Joel Odoyo Ondiala requiring hospital treatment.

APPEALS TO

President Daniel arap Moi
Office of the President
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Nairobi

Kenya

Telegrams: President Moi, Kenya

Telexes: 22003 FOREIGN ROB or 22796 FOREIGN RB

Faxes: +254 2 337340

Salutation: Your Excellency

Mr Amos Wako

Attorney General

Office of the Attorney General

PO Box 40112

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Telegrams: Attorney General Wako, Nairobi, Kenya

Faxes: +254 2 211082

Salutation: Dear Attorney General

COPIES OF YOUR APPEALS TO:

Dr Willy Mutunga

Chairman

Law Society of Kenya

PO Box 72219

Nairobi

Kenya

and to diplomatic representatives of Kenya accredited to your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 3 March 1995.