

EXTERNAL (for general distribution)

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PRIORITY

UA 282/91 Fear of Torture/Legal Concern

19 August 1991

KENYA

Paul Amina, journalist

Paul Amina, freelance journalist and former prisoner of conscience, was arrested by security police at the International Press Centre in Nairobi on Friday 16 August 1991. He was taken to an unknown destination where he is believed to be held incommunicado. He has not yet been brought to court to be charged with any offence. Under Kenyan law, he should be charged within 24 hours - or 14 days in the case of a capital charge - or otherwise released.

It is feared that Paul Amina may have been taken to Nyayo House, the Nairobi province headquarters of the Department for State Security Intelligence (DSSI), formerly known as the Special Branch of the police. Many political prisoners have been tortured there in recent years.

BACKGROUND INFORMATION

There is no obvious reason for the arrest of Paul Amina, who is a freelance journalist who has, in the past, filed reports on current events in Kenya for a variety of international media, including Reuters and German Radio. He has reported on sensitive political issues both recently and in the past, and is thought to have covered a press conference given last week by recently released political detainee and former prisoner of conscience, Raila Odinga, son of former Vice-President and opposition leader, Oginga Odinga, at which Raila Odinga criticized the government of President Daniel arap Moi. There is, however, no clear indication that this led to his arrest on Friday.

Paul Amina was previously arrested in August 1987 (see UA 214/87, AI Index AFR 32/29/87, dated 11 August 1981) and detained under Kenya's public security regulations, which provide for the indefinite detention without charge or trial of those held to be endangering public security. No reason was given for his arrest in 1987, but it is believed that he was detained because of his reporting of politically sensitive court cases. He was held in unlawful custody for over two weeks before being officially detained and was tortured and ill-treated during that time. He was adopted by Amnesty International as a prisoner of conscience and was released in February 1988.

Amnesty International is concerned that Paul Amina may have been arrested by the Kenyan police because of his journalistic activities. It is feared that he may be tortured or ill-treated while in custody.

RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters:

- expressing concern at Paul Amina's arrest and fears for his safety in custody;
- urging that he be brought to court and formally charged, or released forthwith, in accordance with Kenyan law;
- requesting assurances that he is not being subjected to torture or

ill-treatment, and urging that he be given immediate access to his legal representative, family and, if required, to his medical doctor;

- urging that if he was arrested for his non-violent opinions or professional journalistic activities, he should be immediately and unconditionally released.

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APPEALS TO

1.

President Daniel arap Moi
President of the Republic of Kenya
Office of the President
P O Box 30510
Nairobi, Kenya

Your Excellency

Telegrams: President arap Moi, Kenya
Telexes: 22003 FOREIGNRB or 22696 FOREIGNRB
(via Ministry of Foreign Affairs)
Faxes: + 254 2 33 7340 (Ministry of Foreign Affairs)

2.

Mr Amos Wako
Attorney General
Office of the Attorney General
PO Box 40112
Nairobi, Kenya

Dear Attorney General

Telegrams: Attorney General Wako, Nairobi, Kenya
Telexes: 22003 FOREIGNRB or 22696 FOREIGNRB
(via Ministry of Foreign Affairs)
Faxes: + 254 2 33 7340 (Ministry of Foreign Affairs)

3.

Mr James Kanyotu
Director of Dept of State Security Intelligence
Kenya Police HQ
PO Box 30083, Kenya

Dear Sir

Telegrams: Director Special Branch, Police HQ, Nairobi, Kenya

COPIES TO:

Mr. Wilson Ndolo Ayah
Minister of Foreign Affairs
Ministry of Foreign Affairs
Harambee Avenue
P O Box 30551
Nairobi, Kenya

Mr Philip Kilonzo
Commissioner of Police
Kenya Police HQ
PO Box 30083

Nairobi, Kenya

Mr Jackson Angaine
Minister of State for Internal Security
Office of the President
PO Box 30510
Nairobi, Kenya
and to diplomatic representatives of Kenya in your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 30 September 1991.