

EXTERNAL (for general distribution)

AI Index: AFR 32/29/91

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5 September 1991

Further information on UA 291/91 (AFR 32/38/91, 29 August 1991) - Legal Concern/fear of torture

**KENYA: Joseph Owour Nyong'o and at least 11 others**

including: **Maurice Odhiambo Onyango**  
**Maurice Awuor Nyaoke**  
**William Odero Okelo**  
**Peter Ochieng Olang'**  
**James Ochieng Alego**  
**John Odhiambo Masundi**

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**Joseph Owour Nyong'o**, bodyguard of opposition leader, Oginga Odinga, was arrested in Nairobi on 23 August 1991 while on his way to collect 5,000 printed copies of pamphlets issued by the Forum for the Restoration for Democracy (FORD). He was held for four days, first at Kamukunji Police Station, where he was interrogated for more than four hours, and then at Central Police Station, Nairobi. Amnesty International has now been informed that Joseph Owour Nyong'o was released from police custody on 27 August 1991.

The four alleged members of FORD, arrested on 24 August 1991 in the central district of Murang'a, have also recently been released.

**No further action is required on these five cases.** Thank you to all those who sent appeals in their behalf.

**Maurice Odhiambo Onyango, Maurice Awuor Nyaoke, William Odero Okelo, Peter Ochieng Olang', James Ochieng Alego and John Odhiambo Masundi**, six of the remaining seven men arrested on Saturday 24 August 1991 in Nairobi are still being held. They were arrested for carrying placards with slogans in support of FORD, and have now been charged with "creating a disturbance in a manner likely to cause a breach of the peace by acting contrary to the penal code", and remanded in custody without bail. It is not clear whether the seventh person arrested has yet been charged.

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

- expressing concern that the six who have been charged, Maurice Odhiambo Onyango, Maurice Awuor Nyaoke, William Odero Okelo, Peter Ochieng Olang', James Ochieng Alego and John Odhiambo Masundi, are prisoners of conscience imprisoned for their non-violent opinions;
- urging that, as prisoners of conscience arrested for exercising their freedom of expression, a right guaranteed by Article 19 of the International Covenant on Civil and Political Rights to which Kenya acceded in 1972, they should be released immediately and unconditionally;
- requesting assurances that those arrested are not being subjected to torture or ill-treatment, and urging that they be given immediate access to legal

representatives, family and, if required, medical attention.

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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 Philip Kilonzo  
Commissioner of Police  
Kenya Police HQ  
PO Box 30083  
Nairobi, Kenya

**Dear Commissioner**

**Telegrams: Police Commissioner Kilonzo, HQ Kenya Police,  
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 Jackson Angaine  
Minister of State of Internal Security  
Office of the President  
PO Box 30510  
Nairobi, Kenya

Mr James Kanyotu  
Director of Dept of State Security Intelligence  
Kenya Police HQ  
PO Box 30083  
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 17 October 1991.