

25 July 1997

Further information on UA 229/97 (AFR 32/41/97, 22 July 1997) - Arbitrary arrest/fear of ill-treatment/fear of refoulement

KENYA**More than 80 Rwandese nationals including:**

Emmanuel Bizimana, Spéciose Kayitesi (f), Appollinaire Kanyenzi and his wife, Alfred Munyandekwe, Moise Ntunda, Bertrude Mukasanga (f), Evariste Nyerengoga, Médiatrice Mukantagara (f), Marie-Thérèse Mbonabarigi, Chris Kabera, Straton Bizimana

New names: Dr Imelda Kanyange (f), Jeanne Françoise Bucyana (f, aged 20), Patricia Bucyana (f, aged 8), Cécile Nakure (f, aged 55) and her two daughters, the wife of Jean-Baptiste Ngarambe and her two children aged 5 and 2, Claudien

At least 30 Burundi nationals, including :

Stéphanie Mbanzendore (f) aged 40, Jean Bosco Ntakarutimana, Alexis Harushukuri, Albert Nshimirimana, Meetusela, student, Cyprien Manirakiza, secondary school student, Déo, secondary school student, Pamela Magérique, secondary school student, Daphrose Manitakiza (f), secondary school student, Amélia Magari, secondary school pupil, Idi Amin Niyonzima, secondary school pupil, Venant Nicishatse, secondary school pupil, Thierry Niyongabo, aged 15, secondary school pupil, Albert Nshimirimana, secondary school pupil, Béatrice Niyungeko, secondary school pupil, Ncuti Noel Mathieu, aged 12, primary school pupil, David Gatore, aged 10, primary school pupil, Ivan Gasore, aged 9, primary school pupil, Didier Nigimbere, aged 12, primary school pupil, Christelle Akimana, aged 13 (f), primary school pupil, Pascal Niyongabo, aged 22, Stéphanie Mbanzendore, Louise Ndizigiye, her sister and five children

Amnesty International has received further information on the arrest of a number of Rwandese and Burundi nationals in Kenya. The total number of arrests is not known and arrests appear to be continuing. The motive for the arrests is not clear and none of those arrested are known to have been charged. The detainees are held in various detention centres including Muthangari Police Station, Langata Police Station and Kilimani Police Station.

The organization fears that those arrested may be at risk of deportation to Rwanda and Burundi respectively where they could face serious human rights violations on their return.

Refugees from several other countries, including Ethiopia, Somalia, Uganda, Yemen, Nigeria and the Democratic Republic of Congo are also reported to have been arrested. Their names are not yet known to Amnesty International.

Many children are reported to be among the Burundi and Rwandese nationals arrested. Amnesty International has received the names of seven secondary school children and five primary school pupils who are currently detained. At least six other children, including one who is paralysed, are reported to be held. At least one woman was reportedly arrested with her baby.

One Burundian man, Antoine Sinzumusi, was released without charge on 23 July 1997. He had been arrested on 20 July with Jean-Bosco Ntakarutimana, a former Burundi diplomat, and Alexis

Harushukuri. The three were initially reported to be held at Nairobi central prison. However, it appears that Jean-Bosco Ntakirutimana and Alexis Harushukuri are now held at Gigiri Police Station.

Amnesty International has not been able to confirm reports that several other Burundi nationals have been released.

Other Rwandese nationals are reported to have been harassed by Kenyan police officials who have threatened them with arrest and extorted money in exchange for not arresting them. To date, Amnesty International has not received confirmation that detainees have been ill-treated. However, their conditions of detention are described as harsh and some detainees who require medical attention have reportedly only been able to obtain access to a doctor by paying officials in the detention centres.

FURTHER RECOMMENDED ACTION: Please send telegrams/faxes/express/ airmail letters in English or in your own language:

- expressing concern that more than 80 Rwandese nationals, at least 30 Burundi nationals and nationals of several other countries are reported to have been arbitrarily arrested since 18 July 1997; mentioning that a number of children are reportedly among those arrested;
- asking for information on the identity of those arrested, their current whereabouts and whether there are any charges against them;
- calling for their immediate release unless they are promptly charged with a recognizably criminal offence and seeking assurances that they are not being ill-treated and have access to medical care, lawyers and visits from their families;
- seeking immediate assurances that they will not be forcibly returned to Rwanda or Burundi where they would be at risk of serious human rights violations.

APPEALS TO:

Commissioner Duncan Wachira
Commissioner of Police, Police HQ
PO Box 30083, Nairobi, Kenya

Faxes: +254 2 211082

Salutation: Dear Attorney General

**Telegrams: Police Commissioner Wachira,
Nairobi, Kenya**

**Faxes: +254 2 330495 (if no tone please try
later)**

Salutation: Dear Commissioner

Mr Stephen Kalonzo Musyoka
Minister of Foreign Affairs and International
Cooperation
Harambee Avenue, PO Box 30551
Nairobi, Kenya

**Telegrams: Minister Foreign Affairs,
Nairobi, Kenya**

Faxes: +254 2 335494 or 214733

Salutation: Dear Minister

Mr Amos Wako
Attorney General, PO Box 40112, Nairobi,
Kenya

**Telegrams: Attorney General Wako,
Sheria, Kenya**

COPIES TO:

International Commission of Jurists (ICJ)

PO Box 59743, Nairobi, Kenya

Faxes: +254 2 562098

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 5 September 1997.