

EXTERNAL (for general distribution)

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Further information on UA 413/93 (AFR 32/17/93, 23 November 1993) - and follow-up: (AFR 32/19/93, 26 November 1993) - Unacknowledged detention/Legal Concern/Torture/Health Concern

KENYA Kiguru Ng'ang'a - released
Charles Kuria Wamwere - (see UA 333/93 21 September 1993 and updates)
James Maigwa - (see UA 333/93 21 September 1993 and updates)
Thomas Njoroge
Stephen Maina
David Njenga Ngugi - opposition Democratic Party official and businessman in Limuru and five others
Njuguna Njui - corrected name - local official of opposition Ford-Asili party and former Councillor in Nakuru

Amnesty International is concerned about the safety of Njuguna Njui who was arrested on 22 November 1993 in Nakuru and has been held without charge for 24 days, 10 days beyond the 14 day limit prescribed by Kenyan law.

Kiguru Ng'ang'a is believed to have been released.

Charles Kuria Wamwere and James Maigwa have been charged with robbery with violence in the same case as that of Koigi wa Wamwere. Charles Kuria and James Maigwa are both close relatives of Koigi wa Wamwere. They and twelve others are charged with two counts of armed robbery, possession of a firearm without a certificate and possession of ammunition without a certificate. The trial due to be held in Nakuru Magistrates Court was adjourned on 14 December 1993, at the request of the prosecution. The police file is currently with the Attorney General. The case is due to go for mention on 28 December 1993 when the opinion of the Attorney General will be heard and a new trial date possibly set for early 1994.

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

- calling for Njuguna Njui to be released without delay if he is not charged with a recognisably criminal offence and expressing concern about his safety given he is now being held beyond the legally permitted limit prescribed by Kenyan law;
- urging the authorities to allow Njuguna Njui immediate access to his family, lawyer and doctors;
- expressing concern that Koigi wa Wamwere, Charles Kuria Wamwere and the other prisoners may be prisoners of conscience and stating that Amnesty International will be watching the judicial proceedings very closely in view of the pattern of unfair political trials of peaceful government opponents and doubts about their alleged involvement in the raid on Bahati Police Post;
- expressing concern that if found guilty they would face the death penalty;

APPEALS TO:

1) His Excellency President Daniel arap Moi
Office of the President
P O Box 30510
Nairobi, Kenya

Telegrams: President Moi, Rais, Kenya
Telexes: 22003 FOREIGNRB or 22796 FOREIGNRB
Fax: +254 2 337340
Salutation: Your Excellency

2) Mr Amos Wako
Attorney General
P O Box 40112
Nairobi, Kenya
Telegrams: Attorney General Wako, Sheria, Kenya
Faxes: +254 2 211082
Salutation: Dear Attorney General

3) Mr Shadrack M'Laaria Kiruki
Commissioner of Police
Kenya Police Headquarters
P O Box 30083
Nairobi, Kenya
Telegrams: Commissioner Kiruki, Police, Kenya
Salutation: Dear Police Commissioner

COPIES TO

Mr Justice Fred Apaloo
Chief Justice
Law Courts
P O Box 30041
Nairobi, Kenya

Law Society of Kenya
P O Box 72219
Nairobi, Kenya

and to diplomatic representatives of Kenya to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 28 January 1994.