

EXTERNAL (for general distribution)

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15 January 1993

KENYA **Koigi wa Wamwere, former member of parliament**
Mirugi Kariuki, lawyer
Geoffrey Kuria Kariuki, farmer
and Rumba Kinuthia, lawyer

Amnesty International is concerned about reports that prison food given to Koigi wa Wamwere, Mirugi Kariuki and Geoffrey Kuria Kariuki on 9 January 1993 may have been poisoned in an attempt to kill or endanger the health of these three political prisoners. When given the food together, they reportedly detected an unusual smell and taste in the food and refused it. A portion of it which they retained to try to send outside the prison for analysis was reportedly confiscated by the prison authorities, who have merely denied the allegation without offering any independent verification. The three have now resumed eating prison food, with a prison official tasting it in their presence. Their lawyer has applied to the High Court for them to be allowed to have food sent into the prison by their relatives.

Koigi wa Wamwere, Mirugi Kariuki and Geoffrey Kuria Kariuki, who are held in Kamiti prison near Nairobi, are charged with treason, which carries a mandatory death sentence. They were arrested in October 1990 and accused of a violent conspiracy against the government. Their trial has not yet started. At their most recent appearance before the High Court in Nairobi on 14 January 1993, their lawyers applied for court orders for resumption of regular visits by their relatives, lawyers and medical doctor, which have been stopped or restricted in recent weeks. Their health is reportedly deteriorating and prison officials have refused to allow Geoffrey Kuria Kariuki, who is suffering from "very high blood pressure", according to his doctor, to be admitted to hospital. Court orders for improvement in their conditions have in the past often been ignored by the prison and security authorities. They will appear in court again in two weeks' time.

Rumba Kinuthia (see EXTRA 64/92, AFR 32/07/92, 9 July 1992), who has been undergoing medical treatment in Kenyatta National Hospital for some months, is also charged with treason in the same case. However, a judge ruled in December 1992 that due to his ill-health he would not stand trial until he was medically fit. He has had dangerously fluctuating high blood-pressure for a long period. This has also prevented doctors from operating to remove infected tonsils. He is held under armed guard and has been constantly chained to his hospital bed each night - conditions which further imperil his health. Amnesty International's numerous appeals for the removal of the wrist-chain, which the organization has severely criticized as "cruel, inhuman and degrading treatment or punishment" and, as such, prohibited by international law, have been ignored by the Kenyan authorities.

Amnesty International is investigating the cases of these four political prisoners as possible prisoners of conscience and is concerned about their claims that they were tortured, whether they will receive a fair trial, and the probability that, if convicted, they will be sentenced to death.

BACKGROUND INFORMATION

On 29 December 1992 multi-party parliamentary and presidential elections were held for the first time for 16 years, following a constitutional change in

December 1991 ending the one-party state. After the elections, many aspects of which were widely criticised as unfair, President Daniel arap Moi was sworn in again as Head of State. The ruling Kenya African National Union (KANU) took 100 seats in the new parliament (including several disputed seats) as against 88 seats for the combined opposition parties.

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

- expressing concern at reports of a poisoning attempt against prisoners Koigi wa Wamwere, Mirugi Kariuki and Geoffrey Kuria Kariuki on 9 January 1993, and urging an independent and impartial inquiry into the incident, with early publication of the findings;
- calling for them to be given regular access to their families, lawyers and medical doctor, and also to an international humanitarian organization with the necessary expertise;
- requesting assurances of their safety and humane treatment in prison;
- appealing for Geoffrey Kuria Kariuki, suffering from very high blood pressure, to be admitted to hospital;
- expressing concern about Rumba Kinuthia's continuing ill-health and renewing appeals for an immediate end to his cruel chaining in hospital.

APPEALS TO

1) President Daniel arap Moi
President of the Republic of Kenya,
Office of the President
PO Box 30510
Nairobi

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

Salutation: Your Excellency

2) Mr Amos Wako
Attorney General
Office of the Attorney General
PO Box 40112
Nairobi

Faxes: +254 2 211 082

Salutation: Dear Attorney General

3) Minister of Health
Ministry of Health
P O Box 30016
Nairobi

Salutation: Dear Minister

COPIES TO:

Mr James Mareka
Commissioner of Prisons
Kenya Prisons Service Headquarters

P O Box 30175
Nairobi

Law Society of Kenya
P O Box 72219
Nairobi

Professor William Lore
Chair, Kenya Medical Association
P O Box 48502
Nairobi

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 26 February 1993.