

EXTERNAL (for general distribution)

AI Index: AFR 32/07/94  
Distr: UA/SC

14 April 1994

Further information on UA 333/93 (AFR 32/12/93, 21 September 1993) - and follow-ups (AFR 32/13/93, 29 September; AFR 32/14/93, 11 October; AFR 32/15/93, 25 October; AFR 32/16/93, 19 November; AFR 32/18/93, 26 November; AFR 32/20/93, 10 December; AFR 32/21/93, 15 December; AFR 32/22/93, 30 December; AFR 32/03/94, 1 February) - Torture concern/Legal concern/Fear of ill-treatment: and new concerns: Death penalty and Health concern

**KENYA:Koigi wa Wamwere - human rights activist, former political prisoner, former member of parliament**

**Charles Kuria Wamwere - former political prisoner**

**James Maigwa - brother-in-law of Koigi wa Wamwere and farmer**

**Godfrey Ngengi Njuguna - councillor for Molo and farmer**

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The trial of the four men named above began in Nakuru on 12 April 1994. They are charged with attempted robbery with violence and if convicted they face mandatory death sentences.

Amnesty International believes that the charges against them may have been fabricated and that they are probable prisoners of conscience. In the past the Kenyan police have frequently charged peaceful government critics with political offences, and in a major trial in 1991 fabricated prosecution evidence was used to convict prisoners of conscience in an unfair trial.

Kenyan lawyers and human rights activists have appealed for international observers to attend the trial and Amnesty International will be sending an observer.

Koigi wa Wamwere, James Maigwa and Charles Kuria Wamwere are currently held in Nakuru prison. Charles Kuria Wamwere suffered from typhoid while in pre-trial detention and Godfrey Ngengi Njuguna has been hospitalised since his imprisonment, reportedly suffering from kidney problems and swelling in the lower limbs. Prison conditions are harsh. There is severe overcrowding, diet is poor and frequently prisoners have been denied adequate medical treatment. Amnesty International is concerned about the immediate impact of prison conditions on their state of health and fitness to stand trial.

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

- expressing concern that Koigi wa Wamwere, Charles Kuria Wamwere, James Maigwa and Godfrey Ngengi Njuguna may be prisoners of conscience, in view of the serious doubts about their alleged involvement in the raid on Bahati Police Post, near Nakuru;
- expressing concern that if convicted on these charges they would be sentenced to death and stating Amnesty International's opposition to the death penalty in all cases;
- seeking guarantees that they will be provided with all the medical treatment and necessary medication they require;
- stating that, in view of a pattern of unfair political trials in Kenya, Amnesty International is watching closely to ensure that the trial of the four men conforms to international standards of fair trial as set out in the International Covenant on Civil and Political Rights, to which Kenya acceded in 1972.

**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**  
**Faxes: +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**

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

2) Law Society of Kenya  
P O Box 72219, Nairobi, Kenya

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat,  
or your section office, if sending appeals after 26 May 1994.