

EXTERNAL (for general distribution)

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Further information on UA 333/93 (AFR 32/12/93, 21 September 1993) - Legal concern/Fear of ill-treatment

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

Mirugi Kariuki, lawyer and human rights activist, former political prisoner

Susan Wangui (f), nurse, wife of Mirugi Kariuki - released

Francis Mureithi Kanothe, farmer

Joseph Thiga Kariuki, brother of Mirugi Kariuki, cooperative society official

Geoffrey Kuria Kariuki, cousin of Koigi wa Wamwere, former political prisoner

John Njoroge Wamwere, brother of Koigi wa Wamwere

John Kinyanjui, member of a faction of the Release Political Prisoners (RPP) campaigning group - released

and new

names: Kariuki Kiboi, former trade unionist, former political prisoner
Joseph Njoroge

On 22 September 1993 the first seven of the above, who had been arrested on 18 September 1993, were brought to court in Nakuru and given access to their lawyers for the first time. They refused to plead to charges which were made against them of possession of weapons and seditious publications and illegally entering a restricted security zone. They claimed the charges were defective as regulations regarding new restricted security zones had not been published or approved by parliament. They are said to deny the accusations of possession of weapons.

Susan Wangui was released on bail, but bail applications by the six others, who are held in poor conditions in Bondeni prison in Nakuru, have not yet been judged. Access to relatives is now allowed.

John Kinyanjui was transferred to police custody in Nairobi and released without being charged.

Four of the prisoners - **Francis Mureithi Kanothe, Geoffrey Kuria Kariuki John Njoroge Wamwere and John Kinyanjui** - were reportedly beaten by police. In the court hearing, the magistrate ordered that the first three, who were still held in Nakuru, should be given medical treatment, which had been denied. **Dr Lukas Munyua**, an independent doctor and human rights activist, had been refused access to them and was himself threatened by police.

Two other members of the National Democratic Human Rights Organization

(NDEHURIO), which is headed by Koigi wa Wamwere, have also been arrested. They are **Kariuki Kiboi**, a former Railway Workers Union official, and **Joseph Njoroge**. They were arrested when they went to the police to ask about these prisoners. They are reportedly being held incommunicado without having been brought to court or charged with any offence.

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

- calling for an independent investigation into reports that four of those arrested were beaten by police, and were held unlawfully beyond the prescribed period before being taken to court;

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- seeking public guarantees and assurances of humane treatment of those still held;

- expressing concern at the additional arrests of Kariuki Kiboi and Joseph Njoroge, who appear to have been arrested solely for inquiring about the prisoners, and calling for their immediate release and assurances of their safety and humane treatment;

- reiterating concern that Koigi wa Wamwere, Mirugi Kariuki 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 sedition trials of peaceful government opponents, and doubts about the alleged finding of weapons in their possession.

APPEALS TO:

1) President:

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) Attorney General:

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) Commissioner of Police:

Mr Shadrack M'Laaria Kiruki (**note corrected name**)
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 accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 10 November 1993.