

EXTERNAL (for general distribution)

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Further information on UA 79/91 (AFR 32/09/91, 4 March 1991, and follow-ups AFR 32/11/91 (11 March 1991) and AFR 32/14/91 (23 April 1991) - Fear of Torture/Legal Concern and Medical Concern:

KENYA: Gitobu Imanyara, journalist, lawyer, human rights activist

Gitobu Imanyara, who collapsed in a cell at the Nairobi Law Courts on Friday 19 April 1991, is currently in custody at the Kenyatta National Hospital in Nairobi, where he is reportedly denied family visits and contact with his legal representatives. Following his collapse, caused by a severe migraine headache leading to loss of consciousness, Gitobu Imanyara was taken back to his cell at Kamiti prison. On Tuesday 23 April he was admitted to Kenyatta National Hospital, but was taken back to prison before tests were completed. He was re-admitted to hospital the next day when his lawyer obtained a court order.

In the past, political prisoners in hospital have been chained to their beds and returned to prison before making a full recovery. Some have refused surgery, fearing interference in their treatment.

A doctor who examined Gitobu Imanyara in prison after his collapse has strongly recommended that tests be undertaken by a neurologist and cardiologist as soon as possible, including tests for suspected brain damage and epilepsy, and has further recommended that he be released from solitary confinement.

The court has yet to rule on his application for bail, stating that it would hear evidence from his doctor.

Gitobu Imanyara was arrested on 1 March 1991 and charged with publishing a seditious publication, namely The Nairobi Law Monthly. He was also charged with publishing the magazine without proper government clearance. Amnesty International has appealed for his immediate and unconditional release as a prisoner of conscience.

FURTHER RECOMMENDED ACTION: Telexes/faxes/express and airmail letters:

- expressing concern that, although now in hospital, Gitobu Imanyara is still being kept prisoner and is still in a serious medical condition following his collapse in court;
- appealing for him to be allowed daily private visits from his family and legal representatives;
- urging that in view of his serious medical condition he be given the appropriate medical treatment, as recommended by independent doctors, without restrictions, and that he not be returned to prison while any risk to his health remains;
- calling for his immediate and unconditional release as a prisoner of conscience and urging that the sedition charges against him be dropped.

APPEALS TO:

President Daniel arap Moi
President of the Republic of Kenya

Office of the President
P O Box 30510
Nairobi, Kenya

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

Mr Matthew Muli
Attorney General
Office of the Attorney General
PO Box 40112
Nairobi, Kenya

Telegrams: Attorney General Muli, Nairobi, Kenya
Telexes: 22003 FOREIGNRB; 22696 FOREIGNRB
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COPIES TO:

Mr James Kanyotu
Director of Dept of State Security Intelligence
Kenya Police HQ
PO Box 30083
Kenya

Mr Philip Kilonzo
Commissioner of Police
Kenya Police HQ
PO Box 30083
Nairobi, Kenya

Mr James Mareka
Commissioner of Prisons
Kenya Prison Service HQ
PO Box 30175
Nairobi, Kenya

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 13 June 1991.