

EXTERNAL (for general distribution)

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Further information on UA 433/90 (AFR 32/37/90, 29 October 1990) - Legal Concern

KENYA: Christopher KAMUYU, member of parliament  
D M KIMATTA, lawyer  
Michael Karanja GATHIRU, businessman  
Joe Njoroge KIMANI  
Timothy WANJAU, unemployed  
Kiarie MBUGUA

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Christopher Kamuyu has been released on bail. No date has been set for his trial for possession of a prohibited publication. Timothy Wanjau and Kiarie Mbugua were released without being charged. No information is yet available as to whether Michael Karanja Gathiru, Joe Njoroge Kimani and D M Kimatta have been granted bail or not.

There are now at least 20 people awaiting trial on political charges relating to publications criticising the government. They were charged with alleged possession of "seditious" publications, such as Africa Confidential or Africa Events, both published in London, or of leaflets of clandestine opposition organizations, or alleged possession of prohibited publications, such as the banned Kenyan magazines - Beyond, Financial Review or Development Agenda. One such person (not mentioned in UA 433/90), Charles Rukwaro, a mechanic, who was sentenced to six months' imprisonment on 25 October for possessing Financial Review, is being adopted by Amnesty International as a prisoner of conscience.

**FURTHER RECOMMENDED ACTION: Express or airmail letters:**

- expressing concern that Christopher Kamuyu, who has now been released on bail, is still to be tried for alleged possession of a publication that contained no advocacy of violence against the government;
- asking if D M Kimatta, Michael Karanja Gathiru and Joe Njoroge Kimani have now been released on bail, and if not, why bail should be denied where the accused were charged in connection with documents which do not advocate violence;
- urging that charges of possessing prohibited or seditious publications be withdrawn from all four named above as the offences contradict Kenya's obligation to uphold the right to hold and impart non-violent opinions, through Kenya's ratification of the International Covenant on Civil and Political Rights.

**APPEALS TO:**

President Daniel arap Moi  
President of the Republic of Kenya  
Office of the President  
P O Box 30510  
Nairobi, Kenya

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

Mr Davidson Ngibuini Kuguru  
Minister of Home Affairs  
Ministry of Home Affairs  
P O Box 30520  
Nairobi, Kenya

**COPIES TO:**

Mr James Kanyotu  
Director of Special Branch  
Kenya Police HQ  
PO Box 30083  
Kenya

Mr Fred Ojiambo  
Chairman, Law Society of Kenya  
P O Box 72219  
Nairobi, Kenya

Mr Justice Alan Hancox  
Chief Justice  
Law Courts  
PO Box 30041  
Nairobi, Kenya

and to diplomatic representatives of Kenya in your country.

Copies of letters referring to Christopher Kamuyu may also be sent to the Speaker of the National Assembly:

The Hon. Fred Mati  
Speaker's Office  
National Assembly  
PO Box 41482  
Nairobi, Kenya

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 24 December 1990.