

EXTERNAL (for general distribution)

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Ill-treatment of peaceful demonstrators

5 March 1992

KENYA:

Wangari MAATHAI (female), environmental activist  
and several other women hunger-strikers

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Women hunger-strikers campaigning for the release of all political prisoners in Kenya were severely beaten by riot police in Nairobi's Uhuru (Independence) Park on 3 March 1992. Professor Wangari Maathai, 53, chairperson of the Green Belt Movement, an environmental organization, and three other women were clubbed unconscious. They were taken to hospital by supporters and are recovering there, although one of them is said to be in a serious condition.

The women belong to a recently-formed group of about 50 women called the Release of Political Prisoners Group (RPPG), who include mothers of some of the political prisoners. Other women hunger-strikers were injured at the same time by clubs or were affected by tear-gas thrown into a tent they were using. Some stripped naked in protest.

Riot police attacked the women, already weakened by their hunger-strike, after a presidential order was suddenly issued for the four-day-long protest and hunger-strike to be stopped. Those who still defied the order were later arrested and held in custody overnight, and were reportedly forced to return to their home areas. Police chased other demonstrators through the streets with tear gas and shots in the air.

The previous day, 2 March, an opposition march in Nairobi by members of the opposition Forum for the Restoration of Democracy (FORD) supporting the hunger-strikers was broken up by riot police. Several marchers were beaten, including two former prisoners of conscience, Raila Odinga and Gitobu Manyara, editor of The Nairobi Law Monthly. FORD had previously called for a general strike on 2 March but had postponed this to 2 April.

Some political prisoners also started a hunger-strike on 2 March.

#### BACKGROUND

Several new political parties opposing the ruling Kenya African National Union (KANU) party, of which FORD is the most prominent, have functioned openly since the Constitution was amended on 11 December 1991, ending the one-party state. Multi-party elections are due within the next year. However, there have been several incidents of harassment, threats and violent attacks against government opponents. In Ngong town on 19 February 1992 Raila Odinga and Mrs Wambui Otieno, a prospective FORD parliamentary candidate, were injured by supporters of Vice-President George Saitoti as police reportedly initially failed to prevent the assaults. Wangari Maathai and ten other FORD members are currently free on bail since being arrested in January 1992 and charged with "spreading false rumours" (see UA 19/92, AFR 32/01/92, 14 January 1992 and follow-up AFR 32/02/92 of 20 January 1992).

Calls for the release of political prisoners in Kenya (said to number over 50) have intensified. Four prisoners of conscience, including George Anyona, a former member of

parliament, and Edward Oyugi, a university professor, were released on bail on 14 February 1992 from seven-year jail sentences for holding a supposedly seditious (see UA 233/91, AFR 32/24/91, 11 July 1991). The Attorney General has promised a review of the cases of all political prisoners. They include at least ten people convicted of political offences in previous years after unfair trials; Koigi wa Wamwere and seven co-defendants charged with treason, who are currently awaiting trial; and people imprisoned after a coup attempt in 1982.

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**RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters:**

- protesting at the severe beating and ill-treatment on 3 March 1992 of the women hunger-strikers in Uhuru Park;
- calling on the government to respect the internationally recognized right to peaceful assembly and expression of opinion, as guaranteed also by the Kenya Constitution;
- reiterating the international principle that "in the dispersal of assemblies that are unlawful but non-violent, law enforcement officials shall avoid the use of force or, where that is not practicable, restrict such force to the minimum extent necessary" ("Basic Principles on the Use of Force and Firearms by Law Enforcement Officials", adopted by the Eighth United Nations Congress on the Prevention of Crime and Treatment of Offenders on 7 September 1990 and endorsed by the United Nations' General Assembly in December 1990.)
- requesting a public inquiry into the incident of 3 March 1992 and guarantees of safety for peaceful critics of the government and that they will not be subjected to assaults or beatings on account of the peaceful expression of their opinions.

**APPEALS TO:**

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

**Your Excellency**

**Telegrams: President arap Moi, Kenya**

**Telexes: 22003 FOREIGNRB or 22696 FOREIGNRB (via Ministry of Foreign Affairs)**

**Faxes: + 254 2 33 7340 (Ministry of Foreign Affairs)**

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

**Dear Attorney General**

**Telegrams: Attorney General Wako, Nairobi, Kenya**

**Telexes: 22003 FOREIGNRB or 22696 FOREIGNRB (via Ministry of Foreign Affairs)**

**Faxes: + 254 2 33 7340 (Ministry of Foreign Affairs)**

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

**Dear Commissioner**

**Telegrams: Police Commissioner Kilonzo, HQ Kenya Police, Nairobi, Kenya**

**COPIES OF YOUR APPEALS TO:**

Mr Paul Muite

Chairman  
Law Society of Kenya  
P O Box 72219  
Nairobi, Kenya

any of the following newspapers:

The Weekly Review  
PO Box 42271  
Nairobi, Kenya

The Kenya Times  
PO Box 30958  
Nairobi, Kenya

The Daily Nation  
PO Box 4910  
Nairobi, Kenya

The Standard  
PO Box 30080  
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 16 April 1992.