

PUBLIC

AI Index: AFR 32/17/98

UA 158/98 Prisoner of conscience / Possible prisoner
of conscience

20 May 1998

**KENYANjuguna Mutahi, human rights activist
Wahome Karengo, journalist**

There are serious concerns for Njuguna Mutahi and Wahome Karengo, who were arrested on or around 15 May 1998.

Njuguna Mutahi, the publications officer of the Kenya Human Rights Commission (KHRC), a non-governmental organization (NGO), was arrested at his home in Kikuyu, Central Province, on the morning of 15 May.

His arrest took place after Thiong'o Kagicha, the Executive Director of a new pro-government NGO, NGO Watch, accused him of stealing an advanced copy of a confidential report and some personal property. Following his arrest Njuguna Mutahi was taken under police guard to the KHRC office, which were searched. A copy of the report was found, which Njuguna said he was given by Wahome Karengo, a journalist with the opposition newspaper *The Star*. Wahome Karengo was arrested around the same time.

Njuguna Mutahi and Wahome Karengo were reportedly illegally held for four days in incommunicado detention before being brought to court on 19 May 1998 and charged with theft.

The two men have been denied bail and are currently on remand at Kikuyu police station. They were allowed to see their lawyers and colleagues at the court for the first time yesterday, and are due to return to court on 22 May for another bail hearing.

The arrest of Njuguna Mutahi, on what appear to be spurious charges, is part of a pattern of harassment of human rights NGOs and activists and he is therefore considered to be a prisoner of conscience. It is possible that Wahome Karengo is also a prisoner of conscience.

BACKGROUND INFORMATION

In March 1998 three human rights NGOs, including the KHRC, were threatened with de-registration by President Moi. This threat followed their support for the National Convention Executive Council, which was questioning the government's proposed process for human rights reform.

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

- appealing for the immediate release of Njuguna Mutahi on the grounds that he is a prisoner of conscience arrested on spurious charges;
- asking for further information surrounding circumstances of the arrest of Wahome Karengo, who is a possible prisoner of conscience.

APPEALS TO:

President Daniel arap Moi

Office of the President

PO Box 30501, Nairobi, Kenya

Telegrams: 22003 FOREIGN ROB / 22796 FOREIGN RB

Faxes: + 254 2 337340 (if no tone, please try later)

Salutation: Your Excellency

Mr Amos Wako
Attorney General
PO Box 40112
Nairobi, Kenya

Telegrams: Attorney General Wako, Nairobi, Kenya

Faxes: + 254 2 211082

Salutation: Dear Attorney General

COPIES TO:

Kenya Human Rights Commission

PO Box 55235

Nairobi

Kenya

Fax: + 254 2 574997

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 8 July 1998.