

EXTERNAL (for general distribution)

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Further information on UA 413/93 (AFR 32/17/93, 23 November 1993) - Unacknowledged detention/Legal Concern/Torture/Health Concern

KENYA: S W Mwangi - medical doctor in Nakuru - released

Peter Kariuki - former commander of the Kenya Air Force - released

David Kuria and Zachariah Kamau - local officials of the opposition Ford-Asili party - released

James Maina Kabuthia - local politician from Nakuru - released

Kiguru Ng'ang'a

Charles Kuria Wamwere - former political prisoner

James Maigwa

Thomas Njoroge

Stephen Maina

David Njenga Ngugi - opposition Democratic Party official and businessman in Limuru and five others

& new name Njunguna Njui - local official of opposition Ford-Asili party and former Councillor in Nakuru

On 23 November 1993 **Dr S W Mwangi** was charged with sedition and being in possession of explosives and released on bail.

Peter Kariuki was released without charge on 22 November after having been held for seventeen days, three days beyond the legal limit prescribed by Kenyan law. **David Kuria, Zachariah Kamau and James Maina Kabuthia** have also been released without charge in the last few days.

Charles Kuria Wamwere is being held in Nakuru Police Station, where he was moved from Nairobi earlier this week. It is believed he is still being held incommunicado. The whereabouts of **James Maigwa** who was arrested in Thika on 16 November are still unknown.

Njunguna Njui was arrested on 22 November in Nakuru and has not yet been charged.

David Njenga Ngugi was reported in court on 17 November to have suffered torture to his genital organs and feet. **Babu Achieng**, the Nairobi Chief Magistrate, ordered that he and the other five charged with him should receive medical attention while on remand and be allowed access to their own doctors. It is not known if they have yet received medical treatment. They are currently being held at Kamiti Maximum Security Prison near Nairobi.

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

- expressing concern about the recent arrests of suspected government opponents;
- urging the authorities to allow James Maigwa, Charles Kuria Wamwere and Njunguna Njui immediate access to their families, lawyers and doctors;
- calling for all those held to be released without delay if they are not charged with a recognisable criminal offence within the legally permitted limit of time;
- calling for an independent investigation into reports that some of those arrested, particularly David Njenga Ngugi, were tortured or ill-treated by police and seek public assurances of humane treatment, including medical treatment of those still held;

APPEALS TO

(1) His Excellency President Daniel arap Moi
Office of the President
P O Box 30510
Nairobi, Kenya
Telegramms: President Moi, Rais, Kenya
Telegrams: 22003 FOREIGNRB or 22796 FOREIGNRB
Faxcs: +254 2 337340
Salutation: Your Excellency

(2) Mr Amos Wako
Attorney General
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Salutation: Dear Attorney General

(3) Mr Shadrack M'Laaria Kiruki
Commissioner of Police
Kenya Police Headquarters
P O Box 30083
Nairobi, Kenya
Telegramms: Commissioner Kiruki, Police, Kenya
Salutation: Dear Police Commissioner

COPIES TO

(1) Mr Justice Fred Apaloo
Chief Justice
Law Courts
P O Box 30041
Nairobi, Kenya

(2) Law Society of Kenya
P O Box 72219
Nairobi, Kenya

and to diplomatic representatives of Kenya to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 7th January 1994.