

EXTERNAL (for general distribution)

AI Index: AFR 32/33/93

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Further information on UA 333/93 (AFR 32/12/93, 21 September 1993) - and follow-ups (AFR 32/13/93, 29 September; AFR 32/14/93, 11 October; AFR 32/15/93, 25 October; AFR 32/16/93, 19 November; AFR 32/18/93, 26 November; AFR 32/20/93, 10 December; AFR 32/22/93, 15 December) - Torture/Legal concern

KENYA: Koigi wa Wamwere - human rights activist, former political prisoner, former member of parliament  
Geoffrey Kuria Kariuki - cousin of Koigi wa Wamwere, former political prisoner

John Njoroge Wamwere - brother of Koigi wa Wamwere  
Stefan Kariuki Muigai  
Francis Ngigi Kabete - bus conductor  
Wilfred Kinuthia Ngengi - businessman, brother of Geoffrey Ngengi Njuguna

Charles Kuria Wamwere - former political prisoner (see UA 413/93 AFR 32/17/93 AFR 32/20/93)

James Maigwa - brother-in-law of Koigi wa Wamwere and farmer (see UA 413/93 AFR 32/17/93 AFR

32/20/93)

Ephran Muchiri Muhoro

Jimmy James Waigwa - businessman

Samuel Mwangi Kariuki

Geoffrey Ngengi Njuguna - councillor for Molo and farmer, brother

of Wilfred Kinuthia Ngengi

Douglas Wokabi (nicknamed "Toto")

Daniel Kigochi

George Karuki Wanjau - man in his 70s, farmer

Jackson Mutonye Ndegwa

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The trial of **Koigi wa Wamwere** and the 14 others charged with him (listed above) was adjourned on 28 December 1993 at the request of the prosecution, for the second time. The police file is still with the Attorney General. The case is now due to go for mention on 12 January 1994 when the opinion of the Attorney General will be heard and a new trial date set.

**Ephran Muchiri Muhoro**, **Jimmy James Waigwa** and **Samuel Mwangi Kariuki** are still in police custody in Nakuru. The doctor's report given in court on 28 December failed to mention the fractured leg and ruptured bladder sustained by Ephran Muchiri Muhoro, apparently the result of torture while in police custody. The doctor has subsequently been ordered to appear in court on 12 January 1994

to report further on his condition.

The other 12 are still being held in Nakuru Prison where it is reported that food for them is poor. No ruling has yet been made enabling their families to provide food for them. They are suffering from overcrowding and are denied basic medication. They are also forbidden to speak in their language (Kikuyu) at family visits due to the absence of a police officer who could check that they do not discuss matters pertaining to the trial.

Amnesty International is continuing to call for an independent and impartial inquiry into the death of **Jackson Mutonye Ndegwa**.

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

- calling for an independent investigation into the torture of Ephran Muchiri Muhoro, Stefan Kariuki Muigai, Jimmy James Waigwa and Samuel Mwangi Kariuki;
- seeking public assurances of humane treatment of those still held and assurances that the prison authorities are aware of the United Nations' Standard Minimum Rules for the Treatment of Prisoners;
- expressing concern that Koigi wa Wamwere and the other prisoners may be prisoners of conscience and stating that Amnesty International will be watching the judicial proceedings very closely in view of the pattern of unfair political trials of peaceful government opponents and of doubts about their alleged involvement in the raid on Bahati Police Post;
- expressing concern that if found guilty they would face the death penalty;
- calling for an independent and impartial inquiry into the death of Jackson Mutonye Ndegwa.

**APPEALS TO:**

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

**Telegrams: President Moi, Rais, Kenya**  
**Telexes: 22003 FOREIGNRB or 22796 FOREIGNRB**  
**Faxes: +254 2 337340**  
**Salutation: Your Excellency**

2) Mr Amos Wako  
Attorney General  
P O Box 40112, Nairobi, Kenya  
**Telegrams: Attorney General Wako, Sheria, Kenya**  
**Faxes: +254 2 211082**  
**Salutation: Dear Attorney General**

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

**COPIES TO**

- 1) Mr Justice Fred Apaloo, Chief Justice,  
Law Courts, PO Box 30041, Nairobi, Kenya
- 2) Law Society of Kenya, PO Box 72219, Nairobi, Kenya

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 12 February 1994.