

EXTERNAL (for general distribution)

AI Index: AFR 32/36/91
Distr: UA/SC

16 December 1991

Further information on EXTRA 80/91 (AFR 32/32/91, 15 November 1991) and follow-up (AFR 32/33/91, 18 November 1991) and follow-up (FR 32/35/91, 25 November) - Fear of Torture/Legal Concern

Kenya: Oginga Odinga, 76, former Vice-President
Gitobu Imanyara, lawyer and editor of the Nairobi
Law Monthly Journal
Dennis Akumu, former secretary general of the
Organization of African Trade Union Unity
George Nthenge, former member of parliament
Luke Obok, former member of parliament
Philip Gachoka, businessman
Salim Ndamwe, secretary general of Oginga
Odinga's unofficial opposition National
Democratic Party
Oginga Odinga's bodyguard
Masinde Muliro, 69, former government minister
Martin Shikuku, former assistant minister
Paul Muite, chairman of the Law Society of Kenya
James Orengo, lawyer, former member of parliament
Japheth Shamalla, lawyer
John Kamangara, politician
Gervase Akhabi, lawyer

Charges against all of the above have now been dropped. They had been arrested between 14 and 16 November 1991 in connection with a pro-democracy rally banned by the Kenyan authorities. After a short period in custody, they had all been charged with offences under the Public Order Act, such as publicizing an illegal meeting, and had been released on bail. It appears that as many as 300 people were arrested in different parts of Kenya in connection with the Forum for the Restoration of Democracy (FORD) rally planned for 16 November.

The dropping of charges coincides with a decision by the government and the ruling party to change to a multi-party system of government in Kenya. This change was announced by President Daniel arap Moi on 3 December 1991 and approved by the Kenyan parliament on 10 December. These moves came soon after a decision by major aid donors at talks in France on 25 November 1991 to withhold aid to Kenya, provisionally for six months, until human and democratic rights improve.

Since the announcement that opposition parties would be legal in Kenya a second demonstration by FORD youth supporters in Nairobi was broken up

violently by police on 9 December 1991 and 17 people were reportedly arrested. There have been further arrests of FORD supporters in Nakuru, including John Kamangara (listed above), but they appear to have been freed on bail after being charged with organizing an illegal meeting.

No further action required. Thank you to all those who sent appeals on his behalf.