

PUBLIC

AI Index: AFR 32/008/2003

11 April 2003

Further Information on UA 360/02 (AFR 32/024/2002, 13 December 2002) - Fear for safety/medical concern/fear of torture and ill-treatment/incommunicado detention

KENYA

**Darius Auka (m), high school student, aged about 16
Ibrahim Otaka Nyabere (m), high school student, aged about 16**

Following their arrest, Darius Auka and Ibrahim Otaka Nyabere were charged in a Court of Law with "wilfully obstructing police officers". They pleaded not guilty and were released on police bond (similar to bail) pending their trial. The date of their trial is unknown.

Responding to one UA appeal writer, the former Commissioner of Police, Philemon Abong'o stated "we received hundreds of letters all expressing their concern about the fate of the two school boys". The Commissioner's response gave no information on the boys' health.

Darius Auka and Ibrahim Otaka Nyabere were arrested by police on 4 December 2002 at a hospital in Trans Mara, northern Kenya, where they were receiving treatment for critical gunshot wounds. It is thought they were shot by stray police bullets during a security operation targeting cattle rustlers.

Many thanks to all who sent appeals. The UA network was effective in calling the authorities to account on behalf of the two boys and Amnesty International will continue to monitor their case. If possible, please send a final round of appeals to arrive as quickly as possible, in English or your own language:

- welcoming the release of Darius Auka and Ibrahim Otaka Nyabere, who were arrested by police at Akemo Valley Nursing Home in Trans Mara on 4 December;
- calling for immediate, impartial and thorough investigations into the forcible removal of the boys from hospital, which could have endangered their lives, and also into the shooting of the two boys;
- urging the authorities to ensure the results of both investigations are made public, and the police officers responsible are brought to justice.

APPEALS TO:

Commissioner Edwin Otiende Nyaseda
Kenya Police Headquarters
PO Box 30083
Nairobi
Kenya

Fax: + 254 2 330 495 (please ask for a fax tone)

Salutation : Dear Sir

COPIES TO:

The Officer in Charge
Gucha Divisional Headquarters
PO Box 246 Ogembo
Southern Kisii Division

Salutation: Dear Sir

Mr Kiraitu Murungi

Minister of Justice and Constitutional Affairs
Harambee Avenue
PO Box 40112
Nairobi, Kenya

Fax: + 254 2 315105

Salutation: Dear Sir

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 23 May 2003.