



Kenya

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A big step towards ending impunity for 2008 post-election violence in Kenya: ICC Prosecutor announces list of 6 main suspects

Today, in The Hague, the ICC Prosecutor, Luis Moreno Ocampo, announced the list of 6 suspects he believes are the most responsible for the crimes committed during the 2007/2008 electoral process in Kenya, when more than 1500 persons died and hundreds of thousands were displaced.

The ICC Prosecutor applied for summons to appear for suspended Education Minister William Ruto, Industrialisation Minister Henry Kiprono Kosgey and radio executive Joshua Arap Sang on charges of murder, deportation, persecutions and torture. He also requested summons for the Secretary to the Cabinet Francis Kirimi Muthaura, Finance Minister Uhuru Muigai Kenyatta and former Police chief Mohammed Hussein Ali on allegations of murder, deportation, persecutions and rape.

Until now impunity for these crimes has prevailed. As a result of the failure of the Kenyan authorities to ensure the effective to investigation and prosecution of the perpetrators of crimes committed during post-election violence, the ICC Prosecutor applied to the ICC judges for authorisation to open an investigation on the situation in Kenya, in accordance with the ICC Rome Statute. "Today's announcement, following more than 8 months of investigations which started on 31 March 2010, paves the way for future trials of alleged perpetrators of the most serious crimes and is a strong step towards ending impunity in the country", said Muthoni Wanyeki, KHRC Executive Director.

The ICC Prosecutor today highlighted that suspects must respect strict conditions including informing the Court of their contact details and whereabouts, abstaining from making contacts with other suspects and from approaching victims and witnesses.. Suspects must surrender voluntarily to the ICC at the time of hearings before the Court. If suspects fail to comply with these conditions, the ICC Prosecutor will call for arrest warrants to be issued.

FIDH and KHRC call on the Kenyan authorities to take all necessary measures to protect victims and witnesses and urge the government to fully cooperate with the ICC, in accordance with the orders of the court and in the event of issuance of arrest warrants.

FIDH and KHRC underline that if a national special tribunal is established to try perpetrators of the post-election violence, as announced by President Kibaki during a crisis cabinet meeting on 13 December, it must act in complementarity with ICC proceedings and must not obstruct international justice.

"Today's announcement brings renewed hope to the victims of these international crimes, who have waited too long for justice, and should be accompanied by renewed efforts to ensure the respect of the rule of law in Kenya", said

Souhayr Belhassen, FIDH President.

<http://www.fidh.org/A-big-step-towards-ending-impunity-for-2008-post>