

**FOR IMMEDIATE RELEASE**

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## **Withdrawing from ICC Will Not Stop Upcoming Trials of Kenyan Officials** African Civil Society Speaks Out Against Proposed Pull-Out

**New York/The Hague**—A planned parliamentary vote on withdrawal from the Rome Statute of the International Criminal Court (ICC) will do nothing to affect the upcoming trials of Kenyan President Uhuru Kenyatta and Deputy President William Ruto, the Coalition for the ICC said today.

The Jubilee alliance, a coalition of political parties supporting Kenyatta and Ruto, plans to introduce a bill to withdraw from the ICC during an emergency session of parliament on Thursday, 5 September, arguing that the cases against Kenyatta and Ruto, as well as journalist Joshua Arap Sang, are politically motivated.

“Kenya gains no legal advantage by withdrawing from the ICC,” **said William Pace, convener of the Coalition for the ICC.** “The Rome Statute makes quite clear that obligations related to existing investigations continue even in the event of a withdrawal.”

If the measure is adopted by the parliament, Kenyatta, as president, would need to act in order for it to take effect. Even then, under the rules set forth in the Rome Statute, withdrawal would not technically occur for one year.

“This motion to leave the ICC is a significant setback for a country that once proudly ratified the Rome Statute in 2002,” **said Pace.** “In the long run, the promoters of this action are hurting the reputation of Kenya as a nation that supports international human rights and the rule of law.”

Civil society from around Africa has spoken strongly against withdrawal.

“Kenyan suspects have been emboldened by the support of the AU and some African leaders and now use their leadership position to have Kenya out of the ICC,” **said Oby Chibuluma, spokesperson of SACCORD, a Zambia-based NGO.** “African leaders committed to justice for victims must vehemently denounce such action.”

“The act by the Kenyan government to withdraw its membership from the Rome Statute and the ICC is only a move to protect individuals within Kenya but not the 600,000 citizens who suffered from the post-election violence and today live with fresh memories, the wounds, the disappeared, the dead relatives and are waiting for justice,” **said Daniel Okello, coordinator of Lira NGO Forum in Uganda.** “The Kenya of today is the same Kenya that committed to the Rome Statute and the establishment of ICC in 2002, the difference is individuals who have assumed power now and then. With the trend of events, it would be a sign of guilt for Ruto and Kenyatta. This is not the interest of Kenyans.”

“The attempt by Kenya to withdraw from the Rome Statute is very unfortunate as it sets a very bad precedent,” **said Luke Tembo, coordinator of Center for Human Rights and Rehabilitation in Malawi.** “Kenya would be the first state party to leave the ICC and set a terrible example that no African and non-African states parties should follow.”

“Withdrawing from the ICC treaty while Côte d’Ivoire has recently joined the Court is a setback in the fight against impunity in Africa,” **said Ali Ouattara, president of the Côte**

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**d'Ivoire Coalition for the ICC.** “This goes to show how much Kenyan victims need the ICC if they ever hope to get justice for crimes committed during the post-election violence.”

The proposal to leave the ICC comes as the trial of Ruto and Sang is set to open in The Hague on Monday, 9 September.

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**BACKGROUND:** The ICC is the world's first permanent international court to prosecute war crimes, crimes against humanity, and genocide. Central to the Court's mandate is the principle of complementarity, which holds that the Court will only intervene if national legal systems are unwilling or unable to investigate and prosecute perpetrators of genocide, crimes against humanity and war crimes.

The Coalition for the International Criminal Court is a global network of civil society organizations in 150 countries working in partnership to strengthen international cooperation with the ICC; ensure that the Court is fair, effective and independent; make justice both visible and universal; and advance stronger national laws that deliver justice to victims of war crimes, crimes against humanity and genocide. For more information, visit: [www.coalitionfortheicc.org](http://www.coalitionfortheicc.org)