

PRESS RELEASE :

CONFIRMATION OF CHARGES

ICJ Kenya supports the decision the International Criminal Court (ICC) Pre-trial Chamber II on confirmation of charges against the suspects before the court. This decision is an important step forward in ensuring justice for the victims of the terrible crimes of the post election violence of 2007/8.

ICJ Kenya notes that the Kenyan government has signed and ratified the Rome Statute and therefore has an obligation to cooperate with the International Criminal Court as per Article 86 of the Rome Statute as well as Kenya's International Crimes Act.

In addition, ICJ Kenya notes that the Kenyan leadership has made 2 distinct commitments regarding the Kenyan cases by the ICC:

1. The President and the Prime Minister, on the 5th November, 2009, jointly issued a press statement committing themselves to cooperate with the ICC within the framework of the Rome Statute and the International Crimes Act of Kenya.
2. The President, on the 15th of December, 2010 stated that the 6 Kenyan suspects named by the ICC Prosecutor had not yet been fully investigated and, therefore, no action would be taken by the government until confirmation of charges.

Now that the charges are confirmed ICJ Kenya calls upon His Excellency the President the Right Honorable Prime Minister to fulfill their obligations and suspend from office the Deputy Prime Minister Uhuru Kenyatta and Head of Civil Service Francis Muthaura in line with Chapter 6 of the Constitution.

We also call upon these accused persons to vacate office of their own volition in pursuant to the statements they issued also on the 15th December 2010 to cooperate with the ICC.

We urge the Kenyan government to uphold the rule of law and continue to implement the Constitution including chapter 6 on integrity in leadership for the benefit of all Kenyans. The ICC process should be allowed to take its due course and the suspects should present themselves to the court of their own volition.

ICJ Kenya wishes to reiterate that the ICC process is judicial and not political – it seeks to respond on behalf of the 1200 people killed, 900 sexually assaulted and thousands in Internally Displaces Persons Camps.

ICJ Kenya urges all Kenyans to be confident in the ICC process and to let justice run its course.