



09 September 2013

Statement by the Prosecutor at the Press Conference on the Opening of Ruto and Sang trial

Good morning Ladies and Gentlemen,

At the close of 2007, the people of Kenya suffered through one of the most violent episodes in Kenya's history. During that period, more than a thousand people had their lives taken from, over 3 000 people were brutally maimed, while others were sexually violated. Hundreds of thousands of families were forced to flee their homes in panic. The crimes that were inflicted on the people of Kenya during that period deeply shocked the conscience of humanity. These are crimes under the Rome Statute of the International Criminal Court.

Ladies and Gentlemen, it is my mandate as the Prosecutor of the International Criminal Court to investigate and prosecute those who I believe to be most responsible for those crimes, irrespective of their status.

Your presence here, today, signifies the importance that you attach to justice for the victims of these crimes. The start of this trial is a milestone for the victims of these crimes – many who remain in IDP camps to this date.

It has been a long and difficult road since 31 March 2010, when my Office first started investigations in Kenya. We have had to overcome many serious obstacles, and finally, the process of unveiling the truth is upon us.

I wish to pay special tribute and thank all our witnesses, the courageous men and women who have risked their lives and the lives of their loved ones, to see justice done. They have resisted persistent threats, and offers of huge bribes for the sake of justice. Our witnesses, we salute you for your bravery and for the supreme sacrifices you are making for justice: we assure you of our support: Your safety and security has been and will remain our number one priority.

Let me also take this opportunity to thank my staff, who have worked tirelessly to meet the dead-lines set by the judges for this trial. Thank You, all, for your hard work and your dedication to the course of justice.

When the trial against Mr. William Ruto and Mr. Joshua Sang begin, we will present to the Judges the evidence that we have gathered during our investigation. In doing so, we will not only be seeking to assist the judges to uncover the truth, but we will also be sending a clear message to would be perpetrators that my Office will relentlessly pursue anyone alleged to be responsible for the commission of such crimes.

**Ultimately, it will be the Judges who will assess the evidence, and decide on the guilt or innocence of Mr. Ruto and Mr. Sang.** Mr Ruto and Mr Sang are presumed innocent until proven guilty. Mr Ruto and Mr Sang will be given every opportunity to challenge the evidence my Office will present in support of the allegations against them. On all accounts, this will be a fair process, overseen by three independent and impartial judges, at the end of which will deliberate and decide on all issues presented to them and determine the outcome for both Mr Ruto and Mr Sang.

Let me remind everyone that the OTP only begun to investigate the 2007-2008 post-election violence after Kenyan officials themselves acknowledged that domestic efforts to establish a Special Tribunal had failed. The Government of Kenya chose to commit Kenya to the ICC process, now justice must run its course.

Today, I wish to reassure the people of Kenya that contrary to what has now become a rallying call for those who do not wish to see justice for victims of the PEV, our cases have never been against the people of Kenya. My cases have never been against any tribe in Kenya. These cases are about the individual criminal responsibility of Mr. Ruto and Mr. Sang.

Let me also make this clear; my mandate to pursue justice includes taking all necessary measures to protect the integrity of these proceedings. Corruptly influencing witnesses, obstructing or interfering with the attendance or testimony of witnesses, retaliating against witnesses and interfering with the collection of evidence are all serious offences under the Rome Statute that carry a maximum penalty of 5 years imprisonment. Rest assured that my Office's efforts to track down those responsible for these crimes remain undeterred.

In conclusion, I cannot and will not forget the innocent Kenyans who are no longer alive to tell their story. I will not forget those who did live to tell their stories of survival - and who have waited too long for justice. These survivors are crying out for more justice, not less. I will continue to fight for the justice they deserve.