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ICC Prosecutor receives Sealed Envelope from Kofi Annan on Post-Election Violence in Kenya

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On 9 July, the Prosecutor of the International Criminal Court (ICC), Luis Moreno Ocampo, received from Kofi Annan, the Chairman of the AU Panel of Eminent African Personalities, the sealed envelope and supporting materials previously entrusted to Mr. Annan by the Waki Commission on the post-election violence that erupted in Kenya in late 2007 and early 2008.

The situation in Kenya has been under preliminary examination by the Office of the Prosecutor since 2008. Last week, following the visit of a high-level governmental delegation from Kenya to The Hague, all the actors involved in ensuring accountability for post-election violence in Kenya agreed on the need to move the process forward now to prevent the recurrence of such events.

The Kenyan authorities, while continuing all efforts to set up national proceedings, have committed to start sharing information on the current status of investigations and prosecutions arising out of the post-election violence as well as on measures taken to protect witnesses, with a view to assisting the Prosecutor's work. Should efforts to conduct national proceedings fail, the government of Kenya agreed last week to refer the situation to the Court in accordance with Article 14 of the Rome Statute within one year. "The transmission of documents by Mr. Kofi Annan forms part of these collaborative efforts to ensure that justice is not delayed and that future crimes can be prevented," Prosecutor Moreno-Ocampo stated.

The International Criminal Court is an independent, permanent court that investigates and prosecutes persons accused of the most serious crimes of international concern, namely genocide, crimes against humanity and war crimes.

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