

Annex A
Public

Seventeenth Periodic Report on the general situation of victims in the case of *The Prosecutor v. William Samoei Ruto and Joshua Arap Sang* and the activities of the Victims Participation and Reparations Section (the “VPRS”) and the Common Legal Representative in the field

(23 July – 24 September 2015)

Introduction

1. During the reporting period the Common Legal Representative (the “CLR”) reported that he met five victims in person, four of whom were registered to participate in the case of *The Prosecutor v. William Samoei Ruto and Joshua Arap Sang* (the “Case”). According to the information available to the Registry, the total number of victims verified as within the scope of the Case by the CLR now stands at 953. The present report will cover information concerning the activities of the CLR in the field.

Information concerning the activities of the CLR in the field

2. In accordance with the 3 October 2012 Decision, the CLR provided the VPRS with detailed information relating to his activities.¹ During the reporting period, the CLR reported that he and his team communicated with 76 victims through the telephone on procedural matters including the Prosecutor’s request for admission of prior recorded testimony. According to the CLR, the victims consulted also raised concern over the political prayer rallies taking place in the country and suggested that they betrayed a lack of sensitivity on the part of Government officials to the continuing plight of victims of the Post-Election Violence “PEV” of 2007-2008. The CLR reported that the vast majority of victims consulted remain committed to the ICC process and consider calls to withdraw from the Rome Statute to be unjust.
3. Furthermore, during the reporting period, the CLR reported that he and his team met with two groups consisting of 64 situation victims from Nyeri County. However, following the verification exercise,² only four victims were deemed to fall within the scope of the Case and thus permitted to participate through the

¹All data in relation to the activities of the CLR in the field are derived from the meeting forms submitted to the VPRS on a bi-monthly basis for the purposes of the periodic report.

² ICC-01/09-01/11-460, para. 53.

CLR. The detailed statistics and general situation of the participating victims are presented in the tables below.

Meeting 1	
Location: Nyeri County	Category: Newly Registered Victims
Detailed Statistics	
<p>The CLR met with 3 victims for the first time from Nyeri County. The newly registered victims include one man and two women from the Kikuyu community.</p> <p>According to the CLR,</p> <ul style="list-style-type: none"> • One victim alleged that rumours were being spread by ODM Supporters that all PNU supporters would be evicted from Yamumbi during the run up to the elections of 2007. The victim reported that when the violence erupted, she ran for safety to a neighbouring church and managed to escape unhurt but her home and her business were both burned down. • Another victim alleged that she managed to escape the violence in Turbo town unharmed because her neighbour hid the victim and her family in the neighbour's home. The next day, the victim reportedly managed to return to her home and collect personal documents and a few items from their home before seeking refuge at the local police station. The victim alleged that, during the PEV, her home was burned down and all of her remaining property was destroyed. • A third victim alleged that he and his family managed to escape the violence in Eldoret thanks to assistance from a friend from the Kalenjin community. The victim reported that during the PEV, he was informed by his friend that members of the Kalenjin community were holding meetings every evening in order to plan which area they would attack next. According to the victim, his friend committed to warning him in advance of an attack on his area. When the friend of this victim told him to escape, the victim and his family reportedly sought refuge at Eldoret Police Station. During the attack, the victim alleged that his home was burned down and his property was destroyed. The victim reported that when he tried to report the matter to the District Commissioner in Eldoret, he was told to report the matter in Central Province (a known Kikuyu community stronghold) instead. 	

General Situation	
<p>The CLR reported that the victims in this group are living in makeshift transit camps together with their families. The victims explained that the tents they are using are tattered and offer little protection against the cold, rain and sun. According to the CLR, the victims in the camps have no access to food, clean water or medicine and they routinely succumb to illness as a result. The victims reported that they have received neither meaningful support from the government nor assistance from non-governmental organisations. The victims explained that they have been reduced to casual employment as manual labourers in order to earn enough money to meet their basic needs. The CLR reported that the victims in Nyeri County are disappointed with the local administration and the county government for having made no efforts to enter into dialogue with them in order to better appreciate how the victims can be assisted, resettled or relocated.</p>	

Meeting 2	
Location: Nyeri County	Category: Previously Registered and Newly Registered Victims
Detailed Statistics	
<p>The CLR met with two victims, one of whom was registered for the first time from Nyeri County. The newly registered victim was a man from the Kikuyu community. According to the CLR, when the violence broke out in Eldoret, the victim and his family fled for safety. The victim reported that his house and his wife's business were burned down.</p>	
General Situation	
<p>The CLR reported that the two victims in this group are living in makeshift transit camps together with their families. The victims were troubled that a number of their fellow Internally Displaced Persons ("IDPs") have had children that were born in the IDP camps and that these children continue to live in the camps to this day. According to the CLR, these children have never lived inside a proper home and the government has failed to meaningfully resettle or compensate these victims. The CLR reported that the victims appear to be psychologically affected by their PEV experience and the subsequent indifference shown to them by the Government of Kenya which, according to the CLR, has failed to take significant steps to redress the harm that these victims have suffered.</p>	