

PUBLIC ANNEX B

William Ruto's speeches

No.	Date of item	Item type & event	Transcript reference & witness	ERN, EVD/MFI number of item and transcript (if any)	Extract from item / transcript
1. 2005 Referendum & 2007 Campaign Period: William Ruto speaking against tribalism, calling for unity of Kenyans and peaceful elections					
1.	9 September 2005 ¹	Video of 64 Stadium 'No Rally'	P-0800 T-158, 88:21-94:4; T-159, 3:9-4:1. P-0658 T-171, 52:16-72 :2.	Video: KEN-D09-0042-0553 / MFI-T-D09-00303 Translation: KEN-D09-0042-0554 / MFI-T-D09-00304	161 [11:33] 162 William Ruto : Tungange yaliyomo na yajayo. Si inasemwa hivyo? Tunashangaa katika sheria 163 hii, tunaambiwa ya kwamba sisi watu wa Uasin Gishu sasa tutafanyiwa kesi kwamba wewe 164 mlipigana na fulani, wewe ukapigana na fulani, wewe ukapigana na fulani. Hiyo maneno 165 tunataka hapa Uasin Gishu ama tunataka kuishi pamoja? Hiyo maneno tunataka hapa Uasin 166 Gishu ama tunataka kuishi pamoja? Tunataka kuishi pamoja ama tunataka kufanyiana kesi ? 167 Translation: We should focus on what is there now and on the future. We are shocked that in 168 this constitution, we are being accused that us people from Uasin Gishu we have been fighting 169 other people. Is that what we want here in Uasin Gishu or do we want to co-exist peacefully 170 with others? Do we want to co-exist with others or do we want cases? 171 [11:58] 172 Crowd: Kuishi pamoja! 173 Translation: To co-exist with others! 174 [11:59] 175 William Ruto: Wale wanataka tuishi pamoja tueke mikono juu tuone. 176 Translation: Those ones who would like us to live with others let's raise up our hands. 177 [12:02] 178 Crowd: (Raising their hands) 179 [12:04] 180 William Ruto: Sawa sawa? Kwa sababu tunataka kuishi pamoja kama ndugu na dada bila ya 181 kujali wewe ni wa urefu gani, wewe ni wa umri gani, wewe ni wa kabila gani, wewe ni wa

					<p>182 kutoka dini gani. Sisi kama watu wa Uasin Gishu tunataka kukaa kama ndugu na dada wa</p> <p>183 Kenya na hatutaki sheria ambayo itakuja kutugawanya eti tuende kortini tuanze kufanyiana</p> <p>184 makesi. Tunaelewana? Na kwa hivyo mimi ninawaulizeni watu wa Uasin Gishu District na</p> <p>185 Wakenya wenzetu, tarehe 21 tuseme?</p> <p>186 Translation: That is okay. This is because we would like to live together as brothers and sisters</p> <p>187 without discriminating whether you are tall, what your age is, what your tribe is or what your</p> <p>188 religion is. As Uasin Gishu people we would like to live harmoniously as brothers and sisters</p> <p>189 from Kenya, and we do not want laws that will come to divide us so that we go to the courts to</p> <p>190 accuse each other. Have we understood each other? And that is why I am requesting people</p> <p>191 from Uasin Gishu District and my fellow Kenyans; what are we going to say on 21?</p> <p>192 [12:42]</p> <p>193 Crowd: NO!</p>
2.	26 September 2005	Video of rally at Moi Stadium, Kisumu ²	P-0637 T-149, 62:7-64:21.	<p>Video: KEN-D09-0041-0780 / EVD-T-D09-00273</p> <p>Translation: KEN-D09-0041-0781 / EVD-T-D09-00274</p>	<p>53 [01:24]</p> <p>54 William Ruto: Sisi zote kama taifa la Kenya tunataka kufanya kazi pamoja, tuko pamoja?</p> <p>55 Translation:</p> <p>56 We as the nation of Kenya want to work together, are we together?</p> <p>57 [01:32]</p> <p>58 Crowd: Ndio!</p> <p>59 Yes!</p> <p>60 [01:33]</p> <p>61 William Ruto: Na sisi zote kama wananchi wa Kenya hatutaki ukabila.</p> <p>62 Translation:</p> <p>63 And all of us as Kenyans we do not want tribalism.</p> <p>64 [01:38]</p>
3.	19 October 2005	Newspaper article reporting on the centenary celebrations of Koitalel arap Samoei	P-0658 T-171, 11:15-12:23	Newspaper article: KEN-D09-0043-0153 / EVD-T-D09-00299	President Kibaki should not use today's centenary celebrations of legend Koitalel arap Samoei to campaign for the Banana team, said two MPs yesterday. Mr Henry Kosgey and Mr William Ruto said the President was welcome to grace the occasion, which will give Mr Samoei the status of a national hero for resisting British occupation of Kenya.

					<p>[...]</p> <p>They should not be used by either the Orange or Banana groups to campaign, said Mr Ruto, the Eldoret North MP, who, however, said that, President Kibaki was free to attend the occasion on the family's invitation. "If the family has welcomed him, we (the Nandi) have no problem," he said. "We in the Orange camp, will be there as invited guests.</p>
4.	3 June 2006 ³	Video of event at Eldoret Sports Club	<p>P-0356 T-77, 82:21-99:3; T-78, 2:7-8:12.</p> <p>P-0405 T-121, 27:22-42:14; T-122, 53:12-56:5.</p>	<p>Video: KEN-OTP-0033-0102 / EVD-T-OTP-00037</p> <p>Transcript: KEN-OTP-0069-0127 / EVD-T-OTP-00038</p> <p>Translation: KEN-OTP-0085-1200 / EVD-T-OTP-00039</p>	<p>29 William RUTO [WR]: I am fine ... thank you ... thank you ... thank you.</p> <p>[...]</p> <p>1419 WR: I am grateful and I would like to say the following. I have two things to say. First, there is poverty 1420 in our country, KENYA. And there are great differences between those who are wealthy and those 1421 who are poor. As leaders of our country, KENYA, we have to start thinking ... how we are going to 1422 remove the differences between the poor people and the wealthy people. We have to start thinking 1 423 and come up with strategies, so that when we say that KENYA's economy is growing by 5 percent, it 1424 doesn't grow by 5 percent for some, while others have no idea how much the economy is growing. 1425 When we talk about the national economy, we want to distribute the national economy equally so that 1426 it belongs to everyone and not just to a few people. We have to think about the fact that the current 1427 constitution, that was put in place forty years ago, has brought the differences between those who 1428 have riches and those who don't. In our country, there are a few wealthy people, while many Kenyans 1429 don't even have enough food. And we have to start thinking, as Kenyans, how we are going to live, so 1430 that all Kenyans can enjoy the fruits of independence. Secondly, and I am addressing my fellow 1431 leaders, the time has come for us, as leaders of the country KENYA, to speak the truth. The NARC 1432 party, which was elected by the people of KENYA in an uproar, disintegrated because of hypocritical 1433 leadership of people who don't believe in cooperating with others. And I say that the future leadership</p>

					<p>1434 of the nation KENYA has to be leadership that respects other leaders and that bring together all</p> <p>1435 Kenyans.</p> <p>1436 [Clapping, 01:34:29]</p> <p>1437 WR: We united as people of the ODM; not because we wanted to divide up the positions; not</p> <p>1438 because of the interest of the leaders. We came together as ODM leaders because we were united by</p> <p>1439 the interests and the needs of the citizens of KENYA. We never sat down as ODM leaders to discuss</p> <p>1440 how we would divide up any positions. So, fellow leaders, let's be truthful; let's not deceive each</p> <p>1441 other. Finally, I would like to say that, as people of the RIFT VALLEY, we are here today and we want</p> <p>1442 to assure our ... fellow Kenyans that we are ready to work with other Kenyans to build our nation and</p> <p>1443 make it a country that benefits us all.</p> <p>1444 [Clapping, 01:35:34]</p> <p>1445 WR: We're ready to work together with people from NYANZA; we're ready to work with people from</p> <p>1446 WESTERN PROVINCE; we're ready to work with people from ... from UKAMBANI; we are ready to</p> <p>1447 work with ... with people from COAST PROVINCE and people from CENTRAL PROVINCE and</p> <p>1448 people from NORTH EASTERN PROVINCE, for they are Kenyans just like us.</p> <p>1449 [Clapping, 01:35:53]</p> <p>1450 WR: And I'm saying that, among our current leaders, there aren't any leaders who can be in charge of</p> <p>1451 KENYA by themselves. We have to start thinking about how we will cooperate, as leaders of KENYA,</p> <p>1452 so that all Kenyans participate during this move forward as one country. And because today is my big</p> <p>1453 day, and I don't want to say too much. I say thank you to all of you who have come to witness this, so</p> <p>1454 you know that those who have any doubts whether Honourable RUTO will run for president, well, I</p> <p>1455 think those doubts have been thrown out today.</p>
5.	19 August 2007 ⁴	Video of 64 Stadium rally	P-0487 T-56, 18:6-22:19.	Video: KEN-D09-0023-0004 / EVD-T-D09-00073	<p>13 [1:27]</p> <p>14 William Ruto: We do not want anymore confusion. Sasa leo tunasema uchaguzi mkuu</p>

				<p>Translation: KEN-D09-0023-0005 / EVD-T-D09-00074</p>	<p>15 ujao--- The coming general elections is going to be between the people who believe this</p> <p>16 country belong to a few and those of us who believe this country belongs to all of us.</p> <p>17 Translation: We do not want anymore confusion. Today we are saying the coming general</p> <p>18 elections---The coming general elections is going to be between the people who believe</p> <p>19 this country belongs to a few and those of us who believe this country belongs to all of us.</p> <p>20 [1:58]</p>
6.	4 October 2007 ⁵	Video of Kibaki campaigning in Eldoret and event at Kipchoge Keino Stadium, Eldoret ⁶	P-0613 T-120, 45:2-46:17.	<p>Video: KEN-D09-0036-0025 / EVD-T-D09-00208</p> <p>Transcript: KEN-D09-0036-0026 / EVD-T-D09-00209</p>	<p>19 [00:47](speaking in Kiswahili)</p> <p>20 William Ruto: Tunakukaribisha, uzungumze na hawa watu, wengi wao, kisiasa, wameamua</p> <p>21 tayari mambo ya siasa, lakini unakukaribisha kizungumuza nao kwa sababu ni demokrasia.</p> <p>22 Translation:</p> <p>23 We welcome you to address these people, majority of them have already made their</p> <p>24 decisions politically, but you are welcome to address them because it is democracy.</p> <p>25 [01:08]</p> <p>[...]</p> <p>27 [01:12]</p> <p>28 William Ruto: We are committed your Excellency, to make this election or the coming</p> <p>29 general election, an election about issues and about the agenda that is going to change the</p> <p>30 lives of the people of Kenya. It will not be an election about violence or insults.</p> <p>31 [01:36]</p> <p>[...]</p> <p>39 [01:48]</p> <p>40 William Ruto: Just the same way they say in athletics and in sports the best man or woman</p> <p>41 will win, am sure the best man or woman will win the next general elections.</p>

					42 [02:03]
7.	6 October 2007 ⁷	Video of ODM rally at Uhuru Park.	P-0326 T-47, 43:7-47:12.	Video: KEN-D09-0020-0005/ MFI-T-D09-00038 Translation: KEN-D09-0020-0016 / MFI-T-D09-00039	<p>William Ruto: [01:01] 37 I have a report here from ODM that I have been given the opportunity to read for you but before I read I 38 want to say two things. Are we together? I know many of you have been informed that there are people who 39 tried to attack us with bows and arrows, and ...eh...I don't know flour...but it's not like that. I want to 40 inform you, I want to tell you we as ODM have forgiven them. We would like to tell them that we have a 41 very powerful weapon that is greater than a machete, bows, arrows and that weapon is our votes. This year 42 we will show them dust. 43 Are we together? [02:15]</p> <p>[...]</p> <p>[04:47] William Ruto: We in the Orange Democratic Movement believe that Kenya is a great country whose people have tremendous potential. If our competitors accuse us of euphoria, that we are a party of euphoria, if the passion I see in this park, the passion of Kenyans to be party and to participate in deciding their destiny is what is called euphoria, then we are truly guilty. [05:23]</p> <p>[06:00] William Ruto: In ODM, we believe in building a Kenya with a vibrant economy that expands opportunity to create wealth. A Kenya with modern infrastructure that facilitates flow of goods and services. A Kenya whose resources are shared equitably. We believe in building a Kenya where poverty no longer holds the majority of our people captive. A Kenya where education and knowledge is not the preserve of the affluent. Where affordable health care is accessible. We believe in building a secure, prosperous country. We know for sure that a prosperous, vibrant, equitable, stable and secure Kenya is possible. We know for sure. Because, why do I say that? I say that because John Johnson tells me and tells us and we believe the way he believes, that men and women are limited, not by the place of their birth, not by the colour of their skin, but by the size of their hope. [07:13]</p>

					<p>William Ruto: In ODM, we have assembled a team under the leader of Raila Amollo Odinga, that has what it takes to bring about change. We have a manifesto and a comprehensive programme and an action plan deliver on the agenda of change. To tackle poverty, unemployment, insecurity and inequality, our economy must grow in double digits. Through public private partnerships, concessions and long term government bonds we intend to inject massive resources into developing our infrastructure.</p> <p>[08:01]</p> <p>[08:21]</p> <p>William Ruto: We believe modern infrastructure and an economy growing in double digits and managed by people appointed on merit alone and not because of tribe or creed or patronage, will generate sufficient employment to meet the demands of the job market.</p> <p>[08:41]</p> <p>[09:23]</p> <p>William Ruto: There is a Chinese saying, and you better listen to me, there is a Chinese saying that says, tell me and I will forget, show me and I might remember, but involve me and I will understand. ODM believes in consultative participatory and inclusive leadership. That is why we are committed to devolution. Devolution is not just about sharing, is not just about sharing resources. Devolution leads to increased decision making at the grass roots as a progressive means of enhancing democracy. Devolution nurtures responsive leadership. Devolution enables us to anchor development on locally developed priorities. More importantly, devolution promotes accountability through direct public audit. We intend, not only to devolve resources and decision making to the grass roots, but to use devolution as an instrument of universal suffrage. Of universal empowerment, to bring on board and mainstream the ideas, the talent, the expertise and the effort of many [unintelligible 10:48] Kenyans in our villages and towns and thereby harness their potential [unintelligible 10:54] social economic development so that together we shall bake a much bigger cake for everyone to share.</p> <p>[11:03]</p> <p>[11:32]</p> <p>William Ruto: The ODM government will seek to equalise the opportunities of all so that we have a Kenya for all Kenyans.</p> <p>87 Sio Kenya ya wachache kujivunia na mamilioni kuvumilia.</p> <p>88 Interpretation: Not a Kenya that few are proud of and millions are persevering....</p>
--	--	--	--	--	---

					<p>[11:45]</p> <p>[12:37]</p> <p>William Ruto: We, we commit ourselves not only to a growing economy but using devolution to inspiring equity and social justice for a balanced society. The alarming resurgence of tribalism over the last 5 years is as a result of failure by the leadership to embrace equitable sharing of our national resources. We know for sure that Kenyans can stand above tribalism. And there are two occasions I want to enlist. In 2002, Kenyans stood together from all communities and voted into office the Honourable Mwai Kibaki. In 2005 the people of Kenya from all communities voted out a bad constitution. I am sure, in this year's general elections the people of Kenya will stand together to vote in the Honourable Raila Amollo Odinga as the fourth president of the Republic of Kenya.</p> <p>[13:48]</p>
8.	October 2007 ⁸	Video of women's rally at William Ruto's home	P-0604 T-136, 7:23-8:5.	<p>Video : KEN-D09-0036-0065 / EVD-T-D09-00258</p> <p>Translation : KEN-D09-0036-0066 / EVD-T-D09-00259</p>	<p>19 [01:19]</p> <p>20 William Ruto: Wale wanaopinga serikali ya mashinani ama serikali ya majimbo ni matajiri na</p> <p>21 watu ambao hawaamini uchumi wa Kenya hii inapaswa kuwa katika mikono ya kina mama na</p> <p>22 vijana.</p> <p>23 Translation: Those who are opposing government to go to the grassroots or a devolved system</p> <p>24 of government are wealthy people who do not believe that the economy of this country is</p> <p>25 supposed to be in the hands of women and youths.</p> <p>26 [01:39]</p>
9.	23 November 2007 ⁹	Video of rally at William Ruto's house in Sugoi ¹⁰	P-0604 T-135, 45:10-49:16	<p>Video: KEN-D09-0018-0098_Track 1 / EVD-T-D09-00247</p> <p>Translation (track 1): KEN-D09-0038-0695 / EVD-T-D09-00248</p>	<p>113 [5:40]</p> <p>114 WR: We have said we do not want tribalism. Is it true or not true? Listen keenly. If someone is born in a</p> <p>115 particular tribe it is not his mistake, it is God's will. Is it true or not true? But we do not want leadership where</p> <p>116 you take issues of God, distort them and come and lie to us Kenyans. Mr Kibaki is not fit to lead anything. And</p> <p>117 all those joining hands with Mr Kibaki, are like him.</p> <p>118 Crowd: Applause. 119 [6:16]</p>
10.	23 November 2007 ¹¹	Video of road trip from Sugoi to Eldoret for William Ruto to present his	P-0604 T-135, 49:17-52:12	<p>Video: KEN-D09-0018-0098_track 2/ EVD-T-D09-00247</p> <p>Translation (track 2):</p>	<p>43 [8:39]</p> <p>44 WR: Harambee.</p> <p>45 Crowd: ODM.</p> <p>46 WR: Orange.</p> <p>47 Crowd: Orange.</p>

		nomination papers ¹²		KEN-D09-0027-0006 / EVD-T-D09-00249	<p>48 WR: People of Maili Nne, I am happy to stop here at home. And we are saying that this year is the year of</p> <p>49 change. Is it true or not true?</p> <p>50 Crowd: It is true.</p> <p>51 WR: This year we will change the government, to make it stop being a government of big people so that it</p> <p>52 becomes a government for all Kenyans. Are we in agreement or not? We are saying that this year, resources will</p> <p>53 come from Nairobi, privileges will come from Nairobi and come to the grassroots. It true or not true?</p> <p>54 Crowd: True.</p> <p>55 [9:16]</p> <p>56 WR: That is why we are saying that we want a grassroots' government. [Unintelligible-9:23] has become a</p> <p>57 government that gives opportunity to a few people, while many people are living in poverty. This year we are</p> <p>58 saying, we will change. Is it ok or is it not ok?</p> <p>59 Crowd: Ok. It is ok.</p> <p>60 [9:35]</p>
11.	23 November 2007 ¹³	Video of William Ruto presenting nomination papers and addressing a rally in Eldoret town ¹⁴	P-0604 T-135, 52:13-57:15	<p>Video: KEN-D09-0018-0098_track 3/EVD-T-D09-00247</p> <p>Translation (track 3): KEN-D09-0027-0010 / EVD-T-D09-00250</p>	<p>25 [3:33]</p> <p>26 WR: ...cooperation from the constituents of Eldoret North. I think I can speak on their behalf. We want, as the</p> <p>27 people of Eldoret North, a peaceful election because we believe in an open contest and we believe in fairness</p> <p>28 and I am looking forward to a very good [unintelligible-3:58]</p> <p>29 [Crowds following WR to rally venue – 4:00-7:58]</p> <p>30 [7:59]</p> <p>[...]</p> <p>48 WR: The youth of this country are ready to take their country and develop it. Is it true or not?</p> <p>49 Crowd: True.</p> <p>50 WR: And we are saying as the youth, speaking from Eldoret, this place is Kenya. There is no Kenyan who is not</p> <p>51 represented in Eldoret. Is it true or not?</p> <p>52 Crowd: True.</p> <p>53 [10:32]</p> <p>54 WR: And we are saying, from Eldoret, that we want our Kenya for all Kenyans. We do not want tribalism. Is it</p> <p>55 true or not true?</p>

					<p>56 Crowd: True.</p> <p>57 WR: These old men are the ones bringing us tribalism. Is it true or not true?</p> <p>58 Crowd: True.</p> <p>59 WR: They are the ones bringing us tribalism and this year we are packing their belongings for them to go home.</p> <p>60 And we are saying, let them listen, in broad daylight, we want our country back. Are we together or not?</p> <p>61 Crowd: We are together.</p> <p>62 WR: [Unintelligible-11:16] Kenya has become a country for a few people. ... we have to tell this people properly.</p> <p>63 Crowd: Applause.</p> <p>64 WR: But, this hammer, we will use it to crash tribalism, poverty, crime, mercenaries, Mungiki, and all those we</p> <p>65 will crash them.</p> <p>66 Crowd: Applause</p>
12.	23 November 2007 ¹⁵	Video of a rally in Eldoret town ¹⁶	P-0604 T-135, 65:23-66:13.	<p>Video: KEN-D09-0018-0098 _track 4/EVD-T-D09-00247</p> <p>Translation (track 4): KEN-D09-0018-0129/ EVD-T-D09-0252</p>	<p>69 [7:10]</p> <p>70 WR: We do not want again a Kenya of a few people; a Kenya of Moi and Kibaki and their friends. We are saying</p> <p>71 no. We want a Kenya for all Kenyans. Is it true or not?</p> <p>72 Crowd: It is true?</p> <p>73 WR: Are we together or not?</p> <p>74 Crowd: We are together.</p> <p>[...]</p> <p>90 WR: We have said that we do not want violence. The leaders of PNU, the ministers and the assistant ministers,</p> <p>91 they are the ones leading criminals in Kenya. Mr Nyachae has a group of youth called Chingororo who wield</p> <p>92 machetes, axes and arrows. Like yesterday, the Assistant Minister called Wanjala was found carrying weapons</p> <p>93 in a GK vehicle. He was carrying machetes, axes, arrows – these</p> <p>government people have a plot to bring conflict</p> <p>94 in Kenya because they have seen that their days are over. Our weapon is the vote and they will see come the</p> <p>95 27th.</p>
13.	5 December 2007 ¹⁷	Video of William Ruto	P-0268	Video: KEN-OTP-0036-0101/ EVD-T-D09-00086	1071 [William Ruto] WR: A KENYA where there are a few billionaires and millions of poor people; that is what we, ODM,

		addressing a rally in Kapsabet	<p>T-64, 51:19-66:16, 83:20-104:17.</p> <p>P-0658</p> <p>T-166, 73:19-74:24.</p>	<p>Translation: KEN-OTP-0090-0545 / EVD-T-D09-00088</p>	<p>1072oppose. [...] 1078 WR: ... when we talk about a KENYA to be proud of, we mean a KENYA that all of us can be proud 1079 of. [...] 1308 WR: If you are a Luhya, don't be deceived. They say, "You know, with this devolution, you will be 1309 chased out". If you have bought a farm here, whether you are from WESTERN PROVINCE, or from 1310 POKOT, or from LAMU or from VANGA, if you have your farm here, this is your home. 1311 [Applause from the crowd, 01:09:06] 1312 WR: Do you understand me? 1313 USS1:Yes. 1314 WR: And the constitution guarantees the rights of every Kenyan. 1315 Unidentified Speaker 42 [US42]: Yes. 1316 WR: Do you understand me or not? 1317 USS1:We do. 1318 WR: Kenyans fighting against Kenyans is not on ODM's agenda. ODM's struggle is against the 1319 poverty, unemployment and discrimination ... 1320 Unidentified Speaker 43 [US43]: Yes. 1321 WR: ... that we have experienced in Kenya during all these years. 1322 [Applause from the crowd, 01:09:34] 1323 WR: That's indeed our struggle. Do you understand me or not? 1324 USS1: We do.</p> <p>[...]</p> <p>1337 WR: Therefore, don't be deceived about devolution, when they claim you will be chased out.</p> <p>[...]</p> <p>1346 WR: In Kenya as it is now, for you to get a good business, you must necessarily be well known in 1347 NAIROBI. Your father has to be well known. For you to get business opportunities or work. We say 1348 that we want the children of all Kenyans. whether they are well known or not, to have the same</p>
--	--	--------------------------------	--	---	--

					<p>1349 opportunities. Are you listening?</p> <p>[...]</p> <p>1392 WR: We want the poll to be democratic.</p>
14.	24 December 2007 ¹⁸	Final ODM rally in Nyayo Stadium, Nairobi	<p>P-0326</p> <p>T-47, 47:13-21</p> <p>P-0604</p> <p>T-136, 4:15-5:14.</p>	<p>Video: KEN-D09-0020-0009 / MFI-T-D09-00040</p> <p>Transcript : KEN-D09-0020-0031 / MFI-T-D09-00041</p>	<p>[02:05]</p> <p>Ladies and gentlemen, we have come here as ODM before you, the people of Kenya to make our final submission. And to ask for your votes. We have come here in humility. Because we believe this election is going to be decided by the power of the vote and not by the power of the barrel.</p> <p>[02:42]</p>
15.	27 December 2007	KEN-D09-0035-0115 / EVD-T-D09-00295	<p>P-0268</p> <p>T-169, 80:20-83:14</p>	Daily Nation – print article titled: ‘Rigging fears ignite violence in towns as APs stage sit-in against new gun order’	ODM chairman Henry Kosgey and Pentagon member William Ruto called for calm but warned the Government not to attempt any rigging.
2. Immediate aftermath of announcement of presidential results: William Ruto supporting peaceful demonstrations against internationally condemned presidential election					
16.			<p>Opening submissions</p> <p>T-27, 79:2-25, 80:20-25</p>		<p>79: 2 But leaving all that aside, let's watch something where we say there's a great truth</p> <p>3 that is revealed and I would ask to play the first section of the video.</p> <p>And, your</p> <p>4 Honour, we'll have to listen carefully - everybody will have to listen carefully - to the</p> <p>5 audio.</p> <p>6 (Viewing of the video excerpt)</p> <p>7 MR KHAN: Your Honour, let's listen to another segment and listen very carefully to</p> <p>8 the whisper. Let's hear who the whisper comes from.</p> <p>9 (Viewing of the video excerpt)</p> <p>10 MR KHAN: Your Honour, these videos are publicly available. We will see in the</p> <p>11 last segment who utters these words - and the third video can be played - who</p> <p>12 whispers in the hearing of the cameraman, and your Honour this is dated 31</p>

					<p>13 December 2007. So we have the video and the audio of William Ruto on 1 January.</p> <p>14 This is 31 December, directly relevant we say to the absolutely unsupported false and</p> <p>15 erroneous allegations that he's being made to answer by the Office of the Prosecutor</p> <p>16 of the ICC.</p> <p>17 Let that be played, please.</p> <p>18 (Viewing of the video excerpt)</p> <p>19 MR KHAN: Your Honour, I hope everybody saw, or otherwise I can play it again.</p> <p>20 It is very clearly William Ruto who utters the words "peaceful." He wasn't centre</p> <p>21 stage. The whisper to the leader of the ODM, Raila Odinga, is a qualification and it's</p> <p>22 a qualification that is very important to William Ruto regarding democracy and the</p> <p>23 rule of law. It is a whisper that we say speaks volumes. It's a whisper that we say</p> <p>24 silences this Prosecution. It's a whisper that we say is deafening in its importance to</p> <p>25 this case and in giving the Bench an insight into how erroneous this prosecution is.</p> <p>[...]</p> <p>80:20 Your Honour, I will play once again, because I understand some people missed it, the</p> <p>21 last video clip and then I will sit down. As I said, it's a video clip that speaks</p> <p>22 volumes.</p> <p>23 I'm grateful and those are my submissions. If that video can be played? I'm</p> <p>24 grateful.</p> <p>25 (Viewing of the video excerpt)</p>
3. During the PEV: William Ruto pleading with Kenyans to stop the violence and calling for peace					
17.	2 January 2008 ¹⁹	Video of William Ruto at press conference	P-0326 T-47, 29:1-32:13	KEN-D09-0020-0010 / EVD-T-D09-00034	[00:08] William Ruto: 'We abhor any acts of violence. We ask Kenyans to shun and to avoid any acts of violence, any acts of looting, any acts of destruction of

		in Nairobi			property which is unnecessary.’ [00:25] [01:30] William Ruto: ‘We are telling our people across the country that burning property, destroying life, engaging in acts of violence is go... is actually against the democracy we are fighting for.’ [01:47]
18.	2 January 2008 ²⁰	KEN-OTP-0028-0055_Track 8 / EVD-T-D09-00035	P-0326 T-47, 26:12-28:25	Video of William Ruto at press conference	[00:00] Anchorwoman: ODM leaders led by Member of Parliament elect William Ruto appealed to all Kenyans to remain calm and observe peace as the country continues to witness the electoral violence across the wo... across the country. [00:17] William Ruto [WR]: We have said very clearly and loudly that we want a peaceful nation; we are asking Kenyans wherever they are across the country, that we want to protest against what happened to us in this country but we want to do it peacefully. We abhor any acts of violence; we ask Kenyans to shun and to avoid any acts of violence, any acts of looting, any acts of destruction of property which is unnecessary. We are telling our people across the country that burning property, destroying life, engaging in acts of violence is go... is actually against the democracy we are fighting for. We want every Kenyan to be heard, to participate in em, eh, freedom of association and freedom of expression but within the limits of peace. [01:28]
19.	3 January 2008 ²¹	Video of William Ruto speaking at a press conference at Pentagon House ²²	P-0326 T-47, 65:20-66:3.	KEN-D09-0020-0107 / EVD-T-D09-00044	[00:51] William Ruto: ‘We have put our position very clear on the table. And it is two points only: number 1, ODM recognises that we have a serious grave crisis in our country and that crisis needs to be resolved in the shortest time possible to stop the kind of mayhem and anarchy that our country has now become. It is urgent. It needs immediate attention.’ [01:27]
20.	During the period of the media ban ²³	Audio of William Ruto speaking on Kass FM ²⁴	P-0658 T-167, 28:7-29:16 P-0356 T-79, 3:24-8 :20 P-0524	KEN-D11-0013-0058 / EVD-T-D11-00026 Transcript: KEN-D11-0014-0083 / EVD-T-D11-00073	[00:00] William Ruto: ODM believes that the loss of life, the destruction of property that is going on in our country is unnecessary, unwarranted and should stop immediately. Urgent steps should be taken. We are prepared as the ODM to make urgent steps towards resolving this issue. We just hope the other side realises the urgency with which the situation in our country needs to be dealt with. [00:34]

			T-178, 47:2-50:5		
21.	Before 5 January 2008 ²⁵	Audio William Ruto speaking on Kass FM	<p>P-0268</p> <p>T-65, 27:1-29:10.</p> <p>P-0356</p> <p>T-79, 9:1-19.</p>	<p>Audio: KEN-D09-0024-0012/ EVD-T-D11-00024</p> <p>Translation: KEN-D09-0024-0013 / EVD-T-D11-00025</p>	<p>William Ruto: I would like to appeal to the Kalenjin people wherever they are, and the people of Kenya to persevere and renounce violence. Let us desist from any action that may ruin peace in our country Kenya, so that we may find a peaceful solution to these issues and that every voter in the just concluded elections may find justice. We are trying to find a peaceful solution on behalf of the people and all of us who voted; so we would like to appeal to all people.</p> <p>I have heard that there is much violence and insecurity in many areas in Kenya (eeh)-in Eldoret, in Kericho, in Sotik, in Kisumu, Busia, Mombasa, Nairobi and many other places. We appeal that, please let us exercise restraint: let there be peace in this land. We do not want to use unlawful methods. We want to use peaceful means, until we find justice.</p> <p>So I would like to appeal to the Kalenjin people wherever they are, and all the people of Kenya that we refrain from violence and pursue peace so that our country may prosper.so...we would like to appeal for patience and beseech the Kalenjin people and all the people of Kenya to live in peace and wait as we seek a solution to the political problems of our country in a peaceful manner.</p>
22.	27 January 2008 ²⁶	Testimony of P-0189 about William Ruto's visit to the Moi Referral Hospital to visit PEV victims	<p>P-0189</p> <p>T-50, 44:14-46:17</p>		<p>14 Q. Madam, do you recall either hearing or seeing on TV Mr Ruto calling for peace</p> <p>15 and telling people to stop looting, to stop burning and to stop killing? Do you</p> <p>16 recall?</p> <p>17 A. Yes.</p> <p>25 Q. Now, madam, during this visit, Mr Ruto joined worshippers at the Eldoret AIC</p> <p>1 you remember such an event?</p> <p>2 A. Yeah. Yes.</p> <p>3 Q. And you recall that from here, Mr Ruto proceeded to the Moi Referral Hospital</p> <p>4 and he went there to visit victims of the post-election violence. You recall?</p> <p>5 A. Yes.</p> <p>[...]</p> <p>16 Q. And those victims, madam, according to you, those with arrow wounds, they</p> <p>17 were Kikuyus mostly, yes?</p> <p>18 A. Yes.</p> <p>19 Q. And, madam, you'll also recall that during this visit Mr Ruto, he spent time</p> <p>20 there and he was talking to these victims and they were explaining to him what had</p> <p>21 happened to them and how they lost their property, you recall?</p> <p>22 A. As I was not there, I cannot tell.</p> <p>23 Q. Maybe you would have heard about it?</p> <p>24 A. All I heard is he was in the hospital.</p>

					<p>25 Q. And after -- in fact, madam, am I right that what you heard was that the victims were very happy to receive Mr Ruto? They spoke to him and they told him what 2 had happened and he sympathised with them; correct? That's what you heard?</p> <p>3 A. I can't say of that</p> <p>4 Q. Madam, you remember that on this occasion Mr Ruto also addressed the press 5 and he called for peace and for the violence and killings to stop? Do you recall that 6 happened?</p> <p>7 A. Yes.</p> <p>8 Q. Madam, I'm right, am I not, that when Mr Ruto was attending public places, 9 especially during the campaigns and during anything associated with the 10 post-election violence, that at the places he went to there was always quite a number 11 of press who were interested and who would be present, am I right?</p> <p>12 A. Yes.</p> <p>13 MS ALAGENDRA: Your Honours, if I may make a request, during the opening of 14 the Defence we played a video of this visit I'm referring to, but it was not included in 15 our list of evidence that we provided to the Prosecution and so I wonder if my 16 learned friend would object strenuously to me playing that video for this witness on 17 this occasion?</p>
23.	28 March 2008 ²⁷	Audio William Ruto speaking on Kass FM	P-0356 T-79, 18:14-22:24.	<p>Audio: KEN-OTP-0075-0042/EVD-T-D11-00027</p> <p>Translation : KEN-OTP-0106-0312/ EVD-T-D11-00028</p>	<p>[...]</p> <p>442 WR: The other thing was, we wanted to know, it was not only the election that led to the clashes .</p> <p>443 JS: Mm..m. m .</p> <p>444 WR: Clashes happened in 1991, clashes happened in 1993 .</p> <p>445 JS: Mm..m. m .</p> <p>446 WR: Clashes happened in 1995, they also happened in 2002. Every time there are elections .</p> <p>447. JS: Mm..m. m .</p> <p>448 WR: Whenever ...</p> <p>449 JS: We are fighting .</p> <p>450 WR: We said that we can no longer fight and we do not want to fight anymore .</p> <p>451 JS: Mm..m. m .</p> <p>452 WR: Because fighting, it is said that when you fight with somebody, even if you defeat them, you are 453 also affected .</p> <p>454. JS: Mm..m. m .</p> <p>455 WR: Even when you have stopped, you still feel the effects, there is always a strain. Who wants to 456 fight all the time?</p> <p>457 JS: Mm..m. m .</p> <p>458 WR: We told them no, we do not want that. And what is the use of fighting, it</p>

					<p>might be said that the 459 Kalenjin people like to fight. 460 JS: Mm..m. m . 461 WR: And the Kalenjin people are people who love peace, they are the first. 462 JS: Mm..m. m.</p> <p>[...]</p> <p>654 WR: In NANDI. Somebody who originally moved from RURIGII in KIAMBU, and has brought the 655 name to ELDORET and when they are asked to go back home then they go to RURIGII first and start 656 from there. 657 JS: To look for the place. 658 WR: As a bearing. 659 JS: Eeh. 660 WR: To look for the place. They start there to look for the original place and they can be told the 661 place. So there is nobody who does not know their home, that is a lie. 662 JS: Mm..m. m. 663 WR: Now, Arap SANG, we want peace. 664 JS: Mm..m. m. 665 WR: In KENYA, we don't want the people from KENYA to fight because when they fight then there 666 will be damages. 667 JS: That is true. 668 WR: And it affects everybody. If the country develops, it develops for everybody, if it lags behind, it 669 affects everybody. 670 JS: Mm..m. m. 671 WR: If we want to develop the counrty, be it tourism, investment. or whatever, peace is necessary. 672 JS: Mm..m. m. 673 WR: And unity. We want to solve this problem and I mentioned it in parliament. That we do not want a 674 short term solution. 675 JS: Mm..m. m. 676 WR: We did not solve it in 91, there was fighting, we did not solve it in 93, fighting followed, every 677 time we do not solve it there is fighting. We now want to solve it forever. 678 JS: Mm-mm. 679 WR: So that we have peace that has a foundation. 680 JS: Mm-mm. 681 WR: People should prepare so that they can tell the truth. 682 JS: Mm-mm.</p>
--	--	--	--	--	---

					<p>683 WR: And honestly. So that we can solve the problem and in a way that people can live in peace. We</p> <p>684 want peace in CENTRAL, we want peace in RIFT VALLEY. We want peace everywhere.</p> <p>685JS: Mm-mm.</p> <p>686 WR: But peace cannot prevail if we do not tell the truth.</p> <p>[...]</p> <p>696 WR: Arap SANG, before I talk about the, erm, clashes that happened, [clears throat, 00:35:08] I</p> <p>697 wanted to, erm, to finish off by telling the Kalenjin that no one should fight.</p> <p>698 JS: Mm-mm.</p> <p>699 WR: They should not fight with anybody.</p> <p>700 JS: Mm-mm.</p> <p>701 WR: The truth will be known.</p> <p>702 JS: Mm-mm.</p> <p>703 WR: We need to be patient until this commission that was mentioned, we need to tell the truth, justice</p> <p>704 and reconciliation commission.</p> <p>[...]</p> <p>714 WR: I would like the Kalenjin people to promote peace. And to know that we all have the opportunity</p> <p>715 now to put things right and [dears thoat, 00:35:57J bring peace to the RIFT VALLEY and to have an</p> <p>716 understanding.</p> <p>717 JS: Mm-mm.</p> <p>718 WR: Understanding with all the people of KENYA. We do not want to fight with the Kikuyu or the Luo</p> <p>719 or others.</p> <p>720 JS: Mm-mm.</p> <p>721 WR: We want respect for everybody and they need to respect us.</p> <p>722 JS: Mm-mm.</p> <p>723 WR: So that we have peace and unity in the country. Lastly, I want to say, Arap SANG, I want to say,</p> <p>724 erm, on the issue of land, we still need to talk about it, as the Kalenjin people.</p> <p>725 JS: Mm-mm.</p> <p>726 [00:36:33J</p> <p>727 WR: It is good to have land, and the erm, members of parliament had said something in KERICHIO.</p> <p>728 JS: Mm-mm.</p> <p>729 WR: They said that in KERICHIO, when the Europeans left, the first ones.</p> <p>730 JS: Mm-mm.</p>
--	--	--	--	--	--

					<p>731 WR: The colonialists left, they left the land for others.</p> <p>732 JS: Woes iis.</p> <p>733 WR: The land, thousands, that now belongs to the Europeans at the stock exchange in LONDON.</p> <p>734 JS: Mm-mm.</p> <p>735 WR: That is traded with tea, and it was supposed to belong to the original onwners when they left.</p> <p>736 JS: The land.</p> <p>737 WR: But we will follow that up in a peaceful way.</p> <p>738 JS: Mm-mm.</p> <p>739 WR: Because it will be returned to the original owners.</p> <p>740 JS: Mm-mm.</p> <p>741 WR: In a peaceful way. We need to follow it up slowly by slowly through the truth, justice and</p> <p>742 reconciliation erm, here.</p> <p>743 JS: Mm-mm.</p> <p>744- WR: We will follow it through so that there is justice for everybody.</p> <p>715 JS: Mm-mm.</p> <p>[...]</p>
--	--	--	--	--	---

¹ T-159, 3:21-4; T-171, 54:10-11, 69:9-11.

² T-149, 62:7-9.

³ T-121, 29:2, T-77, 87:8; T-121, 29:18-19, T-122, 46:5-47:5.

⁴ T-56, 17:21-18:3; T-56, 19:16-22; T-56, 26:13-17.

⁵ T-120, 44:9-14.

⁶ Location mentioned in video 00:20-00:47.

⁷ T-47, 43:8-46:11.

⁸ T-136, 8:3-5.

⁹ T-135, 70:21-71:2.

¹⁰ T-135, 45:8-46:22.

¹¹ T-135, 70:22-71:3.

¹² T-135, 50:17-52:5.

¹³ T-135, 70:22-71:3.

¹⁴ T-135, 53:5-54:19, 55:19-57:14.

¹⁵ T-135, 70:22-71:3.

¹⁶ T-135, 65:17-66:12, 69:8-13; T-169, 74:1-79:5.

¹⁷ T-61, 26:5-11; T-61, 28:21-24. T-64, 93:11-16.

¹⁸ T-136, 4:23-5:1.

¹⁹ T-178, 50:11-15.

²⁰ EVD-T-D09-00034.

²¹ T-47, 65:20-66:7.

²² Location mentioned at 00:02-00:04 of footage.

²³ T-178, 47:6-50:5.

²⁴ T-167, 27:20-29:12; T-178, 47:6-50:5.

²⁵ T-79, 9:1-19.

²⁶ T-50, 14-24.

²⁷ T-79, 22:17-24.