



Although most Kenyans are confident that the International Criminal Court probe is an impartial process, there's increased anxiety as they await the verdict of the court concerning the fate of the 2007 post elections violence suspects. The ICC, which is conducting a pre-trial hearing to determine if there is adequate evidence to proceed to a full trial, is expected to hold a 12-day hearing of the case before deciding within 60 days whether to proceed. The first part has already kicked off.

The hearings proceed after the appeals chamber dismissed Kenya's appeal to have ICC's cases stopped. This step has been considered by many to be a milestone on the long road to justice. The ICC prosecutor Luis Moreno-Ocampo accused three more MPs of helping Ruto and Kosgey plot attacks on PNU supporters in a secret session with the judges. The prosecution has qualified the group as an organization with Ruto being named as the group's top commander. Former Kenyan ministers William Ruto and Henry Kosgey, and radio journalist Joshua Sang were allegedly leading a network of planners of the country's post-election violence, which killed 1,300 people. The three could be tried for six counts of crimes against humanity, forcible transfer of populations and deportations. The overall charges against the six men include *murder, deportation, rape, inhumane acts, persecution and torture*.

Ruto defended himself by saying that the prosecution failed to carry out a complete investigation and asked the court to drop the charges and avoid a waste of time by going to a full trial without adequate evidence. Mr. Kenyatta will appear before ICC judges along with Francis Muthaura and former police Chief Mohammed Hussein Ali on the 21st of September.

Kenyans are keenly watching in the hope that justice will be delivered without a 'witch-hunt'. It is time for the suspects to prove their innocence as they have been telling Kenyans that they had no role in planning the post-election violence. It appears that the month of September is going to be crucial to the Kenyan judiciary, which is currently undergoing major reform.

The judiciary will have a lot to learn from the proceedings at the ICC, given that it is lack of faith in the Kenyan judiciary that pushed the cases to The Hague. The confirmation hearing has once more put Kenya and the judiciary under the global spotlight. Kenyans are not ready to see their livelihoods destroyed every election year and the international community has decided to help Kenya put a stop to this vicious circle. Unfortunately, some elements in the Kenyan body politic are resisting justice and would like impunity to persist. While the so-called Ocampo Six have the right to adequate legal representation, the victims, who are generally vulnerable, would also like to see justice done. Greater accountability and an end to impunity is the key to addressing the underlying problems and preventing further outbreaks, thereby reinforcing the ongoing reconciliation process and power-sharing agreement.