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*Statement of the Prosecutor on the Situation in Kenya*

On Monday a team from the Office of the Prosecutor will be in Kenya to discuss protection of witnesses with Kenyan authorities.

We will assess not just the specific protection program, but will also want to understand the current position of the Government in relation with the Post Electoral Violence.

On 5 November 2009, President Kibaki and Prime Minister Odinga stated their commitment to cooperate with the Court. We received strong cooperation, but since we announced the names of the 6 suspects we have seen a shift in position: high ranking members of the government are misrepresenting ICC efforts to do justice for the victims as an attack against Kenyan sovereignty.

They are pursuing regional and political campaigns to stop the case. Not only is this sending the wrong signal, but it is also promoting a growing climate of fear that is intimidating potential witnesses and ultimately undermining national and international investigations.

Our Office is doing what we promised to do: Justice for the victims. It was in the point 4 of the Agenda. Everyone agreed on the need to clarify the problem before the next election.

My question to the Kenyan government is this: does the government of Kenya want justice for the victims? We need an unequivocal answer, an answer that Kenyans and the world could understand. Is the government of Kenya protecting witnesses or protecting the suspects from investigation? That is the question.