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**Statement issued by Mr. Kofi Annan,**  
**Chairman of the African Union Panel of Eminent African Personalities**

**5 April 2011**

The process regarding the case of six Kenyans before the International Criminal Court is running its course. The procedural phase which begins this week is not a one-off event, but the start of a long process. As in any contentious judicial proceeding, tense moments will arise, which will test the patience of the parties.

On the eve of the departure of the individuals summoned by the ICC to The Hague, there is palpable tension in the air in Kenya, with the flames of hate language and ethnic incitement being fanned from various quarters. Words can soothe, as well as inflame. I urge all Kenyans, particularly leaders, to be wise in their use of language at this critical moment.

Let us recall how Kenya pulled itself from the brink in early 2008 and embarked on a comprehensive process of reform, national healing and reconciliation. Kenyans were resolved to hold accountable the perpetrators of the post-election violence, just as they were determined to see genuine and far-reaching reforms instituted, as evidenced in the promulgation of the new Constitution on 27 August 2010. These are unprecedented achievements for Kenya and they should not be squandered.

Let me also emphasize that neither Africa, nor Kenya, nor any ethnic group is on trial at the ICC. When I was in Kenya in December 2010, for the meeting to review progress in the implementation of the Kenya National Dialogue and Reconciliation agreements, I stressed that “bringing to justice those responsible for the post-election violence is essential to help Kenya heal its wounds, and prevent such crimes from being committed again. In doing so, we must understand that no single community or group is being targeted. It is about bringing individuals to account for crimes they may have committed and ensuring that the victims receive justice.” After all, justice is an essential component of the process of healing.

At this critical juncture, Kenyans, their leaders and the political elite must renew their commitment to the achievement of these goals, and abandon the language of hate and incitement and allow the ICC process to run its course. Throughout the reform process, the media and media owners have played a responsible role and I encourage them to continue to do so. A Kenya free of hate and fighting impunity will be a united and secure Kenya – a country that will prosper and ensure the welfare of all its people.

*[Statement ends]*

Taarifa ya Mwenyakiti wa Kasmati ya Viongozi Maamul wa Afrika, Mheshimiwa Kofi Annan kuhusu kesi ya Washukiwa sita wa mahakama ya ICC.

5 April 2011

Taratibu kuhusu kesi ya washukiwa sita wa mahakama ya ICC imeanza mkondo wake. Mkondo huu utakuwa mrefu. Sio tukio moja tu ila ni safari ndefu.

Kama vile ilivyo katika kesi za upinzani mkubwa, kutakuwa na nyakati za wasiwasi na hisia mbali mbali. Ili kwamba lazima kuwe na utulivukutooka kwa wa wahusika wote.

Kuamkia safari ya kuondoka Kenya kwa washukiwa walioitwa kwa mahakama ya ICC, kumekuwa na wasiwasi mwingi na hofu iliyotanda nchini kwa mujibu wa higha potovu na inayoweza kuleta machafuko iliyotumika kutoka kwa pande mbali mbali za kisiasa. Maneno yanaweza kutuliza. Vile vile yanaweza kuwasha. Kwa hivyo ninawaomba Wakenya, hasa viongozi, wawe na busara kwa higha wanayotumia wakati huu muhimu nchini.

Sharti tukumbuke mahala Kenya ilijiokoa na kuanza mpangilio wa kuleta mabadiliko muafaka, uwiano na maridhiano nchini. Wakenya waliafikiana kuwa wafadhili na waandamiki wa ghasia za baada ya uchaguzi wa 2007-2008 wachukuliwe hatua za kisheria madhubuti vile walivyoamua kufanya marekebisho kamili ya kisheria kwa mujibu wa katiba mpya.

Ningependa kusisitiza kwanba sio Afrika, Kenya au kabila lolote linakabiliwa na mashtaka katika mahakama ya ICC. Nilipokuwa nchini December 2010 kwa mkutano wa kutadhimini hatima ya maafrikano ya kitaifa kuhusu uwianona masidhiano "kuwachukulia hatua ya kisheria na haki wafadhili wa ghasia ni mchango mkubwa kwa kufamikisha uwiano na umoja wa kitaifa nchini Kenya" Kufanya hivyo ni kizima ieleweke kuwa hakuna jamii au kundi la jamii linalolengwa kudhahimiwa ila na watu binafsi wanaolengwa wanaolengwa kwa michango yao kibinafsi kwa ghasia.

Wakati huu muhimu ni sharti Wakenya wote, hasa viongozi, na wanasiasa wahamasishwe kujitolea kwa malengo yale ya kwanza ya uwiano na maridhiano ya kitaifa. Ni lazima wakome kutumia lugha ya kupotosha yake kwa mujibu kwa sheria. Ningependa kuhimiza vyombo vya habari na wamiliki wao waendeleo kutoa mchango bora kama vile walivyochangia kusuluhisha mgogoro na ghasia zilizokumba Kenya. Kenya hura pasi na uchochezi na kudhalilisha sheria itakuwa Kenya yenye usalama na mafanikia kwa wote.

[Statement ends]