

## PRESS STATEMENT

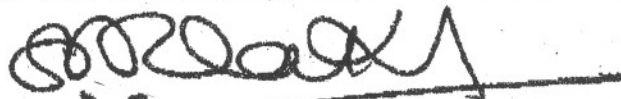
I have learnt of the decisions of the Pre-Trial Chamber II of I.C.C. dismissing the Government of Kenya's application challenging the admissibility of the two Kenya cases before the I.C.C.

I am surprised that the Pre-Trial Chamber II reached this decision without according, at the very minimum, on oral hearing to the Government of Kenya. This issue of giving an opportunity to the state Party which has applied for it, an oral hearing is fundamental to the development of international criminal law. The Government of Kenya is therefore reviewing the ruling with a view of appealing against both decisions to the Appeals Chamber of the I.C.C. In this regard I will be meeting our lawyers, Sir Geoffrey Nice, Q.C. and Rodney Dixon in London on Friday the 3<sup>rd</sup> of June 2011.

The Government of Kenya is confident that the Appeals Chamber will not only receive up to date information of the progress of investigations that the Pre-Trial Chamber declined to receive, but that, by the time of the hearing of the Appeal, yet further reforms will have taken place demonstrating that these cases can be tried in Kenya itself.

As I have stated before, the ultimate success of the Government's application will depend on the manner, speed, determination and unity with which we carry out Constitutional reforms and in particular Judicial and Police Reforms. Any squabbling and acrimonious debate and delays in timeous implementation of the Constitution only sends negative signal and makes the Government's success difficult. Let us therefore resolve to pursue the Reforms soberly, expeditiously and with maximum determination.

Dated at Geneva, Switzerland this 31<sup>st</sup> of May 2011.05.31



S.AMOS WAKO  
ATTORNEY GENERAL  
REPUBLIC OF KENYA