



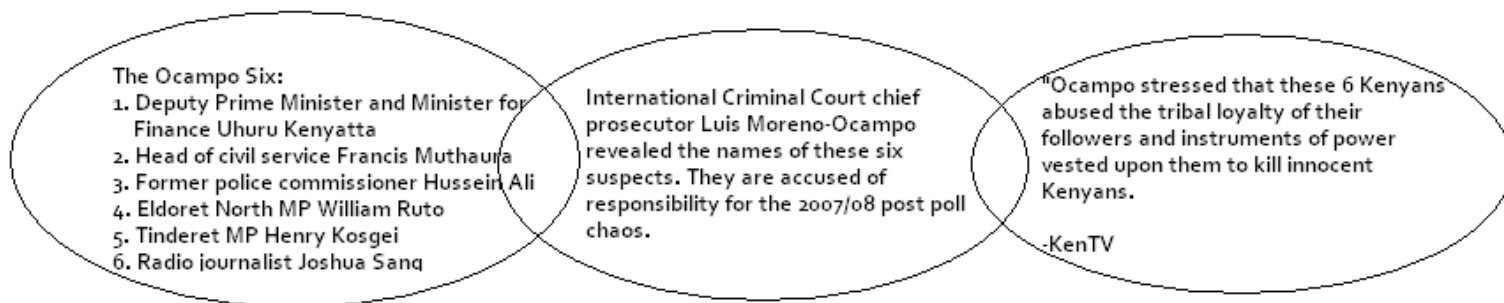
# Kenya: Domestic Media Monitoring Report

Montreal Institute for Genocide and Human Rights Studies

May 13th to 30th  
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1. The Ocampo Six: the International Criminal Court rules that the Kenyan government had not established a credible judicial mechanism to try the six suspects accused of financing or organizing post-election violence in 2007/2008.
2. Election news: Both the president and the Prime Minister gave their support to the Judicial Service Commission Nominees, raising criticism from various MPs as only one name was presented for each post
3. Current Affairs: Arrest of members of secessionist group; Somali refugee camps; President's statement on border conflict with Ethiopia
4. State of the media: Kenyan state broadcaster launches vernacular Maasai radio station; President Kibaki's adviser on media relations calls for youth to shun tribalism

## 1. The Ocampo Six :



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### **ICC's Ocampo accuses Kenya of sabotage in post-poll violence probe The Star, privately-owned Kenyan daily newspaper May 30, 2011**

International Criminal Court (ICC) Chief Prosecutor Luis Moreno-Ocampo issued a statement accusing the Kenyan government of trying to sabotage his two cases against the six post-election violence suspects.

"My question to the Kenyan government is this: does the government of Kenya want justice for the victims? ... Is the Government of Kenya protecting witnesses or protecting the suspects from investigations?" wrote Ocampo.

In 2009, President Mwai Kibaki and Prime Minister Raila Odinga stated their commitment to cooperate with the ICC. However, since the names of the six suspects were announced, Ocampo cites a shift in the government's position.

Ocampo says that high-ranking members of the government are smearing the ICC efforts to do justice for the victims by framing them as an attack on Kenyan sovereignty. This campaign, says Ocampo, is promoting a climate of fear that is intimidating potential witnesses.

A team from the ICC has been sent to assess the witness protection mechanisms available in the country and discuss it with the relevant authorities.

**Kenyan police probe up to 3,500 post-poll cases**  
**The Standard, privately-owned Kenyan newspaper**  
**May 24, 2011**

The [Kenyan] Criminal Investigations Department is investigating up to 3,500 post-election violence cases ranging from rape, murder, to arson and mass eviction.

The Commissioner of Police said he had launched investigations into all the Ocampo Six suspects.

The CID or Criminal Investigations Department's line of investigation differs from that of the ICC. They will not pursue the theory of a suspect being held criminally responsible for crimes committed. [*Reporter's reading: they will not hold an individual responsible for the crimes they were ordered to carry out*].

There is question as to whether the police will summon their former boss, Maj-Gen (Rtd) Hussein Ali for questioning.

A confidential letter from the CID director revealed how "surprised" the State was when the list of six Kenyans accused was released by the ICC. Before this revelation, the CID had been focusing their investigation solely on PM William Ruto for post-election crimes. In this letter, it was stated that Ruto is still under investigation but it does not entail any probe of the five other Ocampo Six suspects.

The CID is challenging the ICC on the admissibility of its cases saying that it is already investigating the Ocampo Six.

**ICC judges throw out Kenya's admissibility case,**  
**Berbard Momanyi, Capital FM, privately-owned radio station**  
**May 30, 2011**

Judges at the International Criminal Court have dismissed a case filed by the Kenyan government challenging the admissibility of the ICC's cases against five Kenyan leaders and a radio journalist accused of financing or planning the post election violence in 2007.

The Kenyan government's request to try the Ocampo Six within the country was refused. The court stated that the Kenyan government has not been able to provide details of investigative steps currently underway.

The ICC's ruling came a day after Chief Prosecutor Luis Moreno-Ocampo accused the Kenyan government of obstructing justice.

Kenyan Attorney General Amos Wako called Mr. Ocampo's remarks "unwarranted".

Ocampo's team was sent to Nairobi where they determined that Kenya had not established a credible judicial mechanism to try the suspects locally.

## **2. Election News :**

**"Kibaki, Raila endorse JSC [Judicial Service Commission] nominees"**  
**Daily Nation, Kenyan privately-owned newspaper**  
**May 17 2011**

President Kibaki and Prime Minister Raila Odinga both endorsed the nominees for top judiciary posts. The nominees will now be sent to parliament and, if approved, will be sent back to the president for final approval.

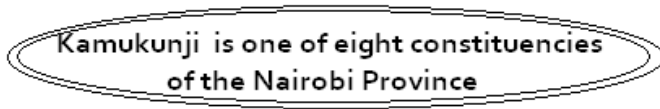
Nairobi lawyer Harrison Kinhanjui and several MPs oppose the nominees as the Judicial Service only submitted one name for chief justice and one name for deputy chief justice.

Several MPs have vowed to reject the names in parliament. However one MP, Gitobu Imanyara said the JSC was wise to nominate a single candidate for each post due to “the earlier mistake by the president in the nominations”

### **Shock as Kamukunji mini poll halted**

**KenTV News, owned by the Communication Commission of Kenya**

**May 31 2011**



The by-elections in the Kamukunji area have been halted by the High Court.

Businessman Waweru Mwangi submitted his nomination to run in the by-elections for the National Vision Party. His nomination was refused by returning officer Masindet Joseph Leboo.

The High Court proclaimed the nomination process to be flawed. The Kamukunji by-election has been halted until the case is heard and determined.

Two MPS have claimed that there was a political scheme behind the High Court’s ruling and accused their coalition partner PNU Alliance of orchestrating it.

Narc-K, the President’s political party, placed blame on the coalition partners for the disturbance, saying they had sensed defeat.

## **3. Current Affairs**

### **Kenyan police arrest 30 members of outlawed secessionist sect**

**The Star, privately-owned Kenyan daily newspaper**

**May 23**

The Kenyan police arrested 30 members of the outlawed secessionist group, the Mombasa Republican Council (MRC) on Saturday May 21<sup>st</sup>. The 30 were rounded up by police officers moments after giving a media briefing which criticized the government having linked them to the illegal recruitment for Al-Shabab, a terrorist group. Several weeks ago, the MRC members sent a memorandum to Ernest Munyi, the Provincial Commissioner, calling for further dialogue with the government. The suspects risk being charged with participating in an illegal assembly and being members of an outlawed group.

### **Kenyan camps receive influx of Somali refugees fleeing conflict –UN**

**Somali Shabeelle Media, privately-owned website**

**May 23**

Hundreds of thousands of Somali refugees are currently living in Kenyan camps. The number of refugees in the Kenyan camps is three times higher than initially planned. The spokesman for the United Nations agency for refugees said that the camps of Ifo, Dadaab and Dhagahley have been filled beyond their capacity by fleeing Somali refugees.

### **Kenyan president orders army tight security at border points**

**IN2EASTAFRICA, privately-owned web daily newspaper that covers Kenya, Uganda, Rwanda, and Burundi**

**May 20, 2011**

“My government responded promptly to this security challenge by deploying additional security personnel in the affected border area. Following this deployment, peace and security has since been restored.” said President Kibaki in wake of a conflict on the Kenya-Ethiopia border. The conflict involved the Turkana community and the Merille militia of Ethiopia. At least 20 people were killed.

President Kibaki asserts that border conflicts are one of Kenya's biggest security threats. He assures that patrols will be intensified to avoid further attacks.

## **4. The state of the media :**

**“Broadcasting signal distributors shortlisted”**

**The Star, Nairobi privately-owned Kenyan daily newspaper**

**May 13, 2011**

Broadcasting Signal distribution in Kenya is currently provided by SIGNET, a state-owned subsidiary of the Kenya Broadcasting Corporation. Next month, Communications Commission of Kenya will award two firms with a Broadcasting Signal Distribution contract. Six firms have been invited to submit their bids.

**Kenyan state broadcaster launches Maasai radio**

**Text of report by state-owned Kenya Broadcasting Corporation website**

**May 21, 2011**

The national broadcaster Kenya Broadcasting Corporation (KBC) has launched the first-ever Maasai vernacular radio station. Communication Minister Samuel Poghiso urged the political class to make use of the new programming that would be responsive to the needs of the people. KBC's managing director promises that other vernacular stations are on their way.

**Kenyan national cohesion commission in bid to foster unity among youth**

**The Standard, privately-owned Kenyan newspaper**

**May 29, 2011**

The National Cohesion and Integration Commission in with the help of the Kenya Hope Foundation is launching a program to help promote integration among Kenyan youth.

Raphael Tuju is the founder of the Kenya Hope Foundation as well as President Kibaki's adviser on media relations. He is calling for Kenyans to shun tribalism.

“Ethnicity is a major enemy of development. I call on Kenyans to come up with initiatives that will help fight poverty.” Tuju said.

“We want the media to help us preach the message to all Kenyan communities in the main cause of uniting all country men ... We want all Kenyans to understand that we will not tolerate anybody who perpetrates hate speech, no matter the positions.”

NCIC President Kibujia said the NCIC would revive the use of media monitors to track politician and their speeches leading up to the 2012 General Election.