Kenya's Kenyatta to urge ICC to drop charges  Al Jazeera  18 March 2013-03-18  Lawyer
s for Uhuru Kenyatta are to push the International Criminal Court (ICC) to drop charges against
Kenya's president-elect after the case against Francis Muthaura, his co-accused, collapsed.

The case against Kenyatta, charged with crimes against humanity over deadly violence in the
wake of Kenya's election in 2007, has been further complicated by his victory in a ballot which
was held largely peacefully this month.

A status conference, or pre-trial hearing, has been called by judges in The Hague for 14:00GMT
on Friday, and will look at the consequences of the withdrawal of the charges against Muthaura
for the case against Kenyatta.

Kenyatta and former civil servant Francis Muthaura were among six suspects initially charged
by ICC prosecutors with orchestrating violence after the 2007 election, when some 1,200
people were killed.

On March 11, prosecutor

Fatou Bensouda said the decision of a key witness to recant testimony had forced her to drop
charges against Muthaura.

Bensouda said the decision would have no impact on Kenyatta's case. Kenyatta's lawyers will
call on Friday for the case against him to be dropped or at least postponed, said one lawyer
who was familiar with the case, but did not want to be quoted by name. (…)

Kenyatta, elected by a slim margin earlier this month, faces a big challenge in bridging Kenya's
ethnic divides even without the court case. His opponent, Raila Odinga, challenged the election
result in court on Saturday, alleging widespread ballot rigging. Prosecutors are expected to
resist any moves to drop the charges against Kenyatta, which were brought by Bensouda's
predecessor.

Kenyatta's lawyers say so much information was disclosed by prosecutors at the last minute
that the case is fundamentally different from the one judges initially approved. They will also
argue that the prosecution case has changed so much in the past year that the case should be
moved back to the pre-trial "confirmation of charges" phase. The prosecution would then have
to show again that it has a strong enough case to go to trial.

Judges have not yet formally dropped the case against Muthaura. The case is an important test
for the Netherlands court, which was set up more than a decade ago as the world's first
permanent war crimes tribunal, but has so far only secured one conviction.

See the full article here.