



STATEMENT

BY

THE BOARD OF DIRECTORS

OF THE

OF

OF THE

OF THE

Mr. Chairman,

My delegation aligns itself with the Statements delivered by the distinguished representative of the Islamic Republic of Iran on behalf of the Non-Aligned Movement and by the distinguished representative of The Gambia on behalf of the African Group. We appreciate the report of the Secretary General contained in document A/74/144 which provides useful insights on state practice and shall enrich these deliberations

At the outset allow me to reaffirm Kenya's commitment to the rule of law, fight against impunity and the principles enshrined in the United Nations Charter that guarantee the

sovereign equality of States. We believe that the challenges posed by heinous crimes must be addressed at both national and international levels and that universal jurisdiction must be considered together with other deterrent mechanisms. This is also in line with the African Union's commitment to the importance of the universality principle to the international criminal justice that is critical to ending impunity and ensuring that heinous crimes that affect the international community do not go unpunished.

Mr. Chairman,

Kenya enacted the International Crimes Act Number 16 of 2008 to make provision for the punishment of certain international crimes, namely genocide, crimes against humanity and war crimes. It was also to enable Kenya to co-operate with the International Criminal Court. It is worthy of note however that the presence of the accused is a strict requirement for commencement of prosecution proceedings for

unilateral application of universal jurisdiction by States can become subject to abuse and may become a threat to international peace and security.

~~It is recommended/ view that where the principle of Universal Jurisdiction should apply~~

the basic concepts, definitional and foundational aspects relating to universal jurisdiction must be clearly set out and the conceptual framework comprehensively outlined for a full and proper understanding of the principle and its application.

Mr. Chairman,

We reiterate that the UN provides the best venue with the broadest legitimacy for addressing the divergence views on the type and range of crimes for which the doctrine could be invoked. We are hopeful that this committee can inject fresh impetus into our deliberations by being open to discussing the principle's exact parameters, its scope and limitations. We must also be willing to make adjustments as necessary in order to respond to the complexities and circumstances of global demographics and social