



*Permanent Mission of the Republic of Kenya to the United Nations*  
866 U.N. Plaza, Rm 304, New York, NY 10017

**STATEMENT**

**BY**

**AMBASSADOR SOLOMON KARANJA MAINA  
DIRECTOR MULTILATERAL AFFAIRS  
MINISTRY OF FOREIGN AFFAIRS**

**AGENDA ITEM 83  
RULE OF LAW AT THE NATIONAL AND INTERNATIONAL  
LEVELS**

**SIXTH COMMITTEE**

**67<sup>TH</sup> SESSION OF THE  
UNITED NATIONS GENERAL ASSEMBLY**

**10<sup>TH</sup> OCTOBER, 2012  
NEWYORK.**

**Mr. Chairman,**

At the outset my delegation aligns itself with the statement delivered by the representative of Iran on behalf of the Non-Aligned Movement. We appreciate the Secretary General's reports under this agenda item for the insight they bring to our deliberations.

Kenya supports an international order that is firmly grounded on the rule of law. This is based on our belief that the rule of law is the bedrock of peaceful co-existence and sustainable development in any society. Indeed, this principle is substantively embedded in the Charter of the United Nations which is the foundation of the rule of law at the international level. The Charter envisages States' collective responsibility in the maintenance of international peace and security and international cooperation in addressing issues of economic, social, cultural, humanitarian and human rights character.

My delegation welcomes the declaration adopted during the just concluded high level meeting on the rule of law and hopes that it will give the necessary impetus for our collective action in the promotion of rule of law at all levels.

**Mr. Chairman,**

A fundamental requirement for the rule of law in any society is the presence of an impartial and independent judiciary that is able to resolve disputes and assure respect for the laws. The Kenya judiciary is undergoing fundamental and positive reforms. The reforms include increased transparency and public participation in the process of staffing the judiciary, improved terms of service for judicial officers thus attracting high calibre work force and increased recruitment of both judicial and administrative staff. The judiciary is now independently funded pursuant to Article 173 of the Constitution. This has enabled it to undertake structural reforms including streamlining of court processes that have led to the expeditious dispensation of matters brought before the Courts. Judges are increasingly making independent decisions. Further, the judicial reforms are being complemented by additional reforms in the justice sector including the establishment of an independent office of the Director of Public Prosecutions, Commission on Administration of Justice, National Gender and Equality Commission, reforms in the security sector and the restructuring of the Kenya National Human Rights Commission. We believe that all these reforms will lead to an efficient, effective and coherent justice sector that is accessible to all.

**Mr. Chairman,**

Laws must be strengthened and compliance ensured in order to achieve sustainable development. Promoting rule of law remains as important today as it was at our independence. As a result of promoting the rule of law there has been increased activity

across all sectors of our economy and there is greater participation of the Kenyans in the development and governance of the country. Further, the Constitution declares equity to be an underlying principle of governance in the country. The provisions on devolved governance institutionalize this principle. Among other objectives, devolution will ensure equitable sharing of national and local resources, promote social economic development and easy access to public services throughout the country.

**Mr. Chairman,**

Transnational organized crimes undermine the rule of law and have far reaching negative effects on national security and development. No single country can win the war against transnational organized crime alone. Therefore collective efforts based on the principle of shared responsibility must be employed. We will continue to play our role in the fight against transnational organized crimes including terrorism, piracy and proliferation of illicit small arms and light weapons. We encourage the United Nations and the international community to continue working together to strengthen existing national and regional initiatives to counter transnational organized crimes.

As I conclude, **Mr. Chairman**, let me reiterate my Government's commitment to upholding the rule of law at both national and international levels. The complexities of challenges in the promotion of the rule of law require collaborative effort at national, regional and international levels. These complexities pose an even bigger challenge to developing countries due to competing budgetary demands. These challenges could be addressed through capacity building and technology transfer.

**I thank you.**