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STATEMENT

BY

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PERMANENT MISSION OF THE REPUBLIC OF KENYA  
TO THE UNITED NATIONS

TO THE

**SIXTH COMMITTEE**

ON

**AGENDA ITEM 84:  
"THE RULE OF LAW AT THE NATIONAL  
AND INTERNATIONAL LEVELS"**

DURING THE

**72<sup>ND</sup> SESSION OF THE  
UNITED NATIONS GENERAL ASSEMBLY**

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**Mr Chairman,**

Thank you for affording me the floor.

Kenya aligns itself with the Statement 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 Algeria on behalf of the African Group.

Kenya welcomes the Secretary-General's report and notes that the theme for the 72<sup>nd</sup> Session is apt and timely. Strengthening the rule of law is central to achieving the vision of the United Nations for a just, secure and peaceful world.

**Mr. Chairman,**

Kenya is of the view that dissemination of international law promotes bilateral and multilateral cooperation and strengthens the rule of law at the international level. Unlike the traditional modes of dissemination, the digital era and the Internet gives us a vast array of tools and platforms that if used optimally, can ensure that this dissemination is done in a quick, effective, efficient and inexpensive manner with an outreach to all the corners of the globe. At the click of a button on smart phone, tablet or desktop computer these resources are available. We should therefore move towards the full utilization of these mediums. The use of UN Webcast, PaperSmart and other portals by this Committee is a welcome start.

The Programme of Assistance, plays an important role in advancing the teaching, study and application of international law, particularly in developing countries. Member States are thus encouraged to ensure that this programme receives funding from the regular budget of the United Nations so that it can free the Secretariat to source for scholars and teaching staff, plan for activities and programmes rather than spending countless hours agonizing about their budgets or sourcing for funding to run the very programs that we can all agree to be key and fundamental in promotion of international law and strengthening of the rule of law.

Kenya is convinced that Capacity building is key for the promotion of the rule of law and for strengthening national capacities of Member States, including through enhanced technical assistance.

We believe that, for effectiveness, capacity-building and rule of law activities, should be anchored by two interrelated concepts namely determining needs and

priorities and local or national ownership. Together these principles require partnership and mutual respect between the providers and recipients.

Nevertheless, I must emphasize that it is also necessary to take into account the customs and national political, socioeconomic realities and laws of each recipient State.

**Mr. Chairman,**

Kenya firmly believes that Rule of Law cannot exist without a transparent legal system. The main components are a clear set of laws that are freely and easily accessible to all, strong enforcement structures, and an independent judiciary, that is functional and predictable, to protect citizens against the arbitrary use of power by the State, individuals or any other organization.

The Rule of Law therefore enables people and institutions to fulfill their dreams and aspirations, individually and collectively and ensures that No One is left behind. It can generate economic reform and unlock the social, political and economic potential that exists in societies thereby entrenching the SDGs and the implementation of Agenda 2030.

**Mr. Chairman,**

As a strong defender of a balanced approach towards both levels of the rule of law, national and international, Kenya is fully committed to an effective implementation of our international obligations at the national level guided by our domestic systems and according to our national legislative framework. We urge States, tribunals, whether local, regional or international, to contribute to the Rule of Law by ensuring that the rules of various international law instruments adopted by States are interpreted and implemented in a just, fair and predictable manner that is not counterproductive or antagonistic to the very ideals contained in these instruments.

**I thank you for your attention.**