



REPUBLIC OF KENYA

**STATEMENT ON AGENDA ITEM 80
“CRIMES AGAINST HUMANITY”**

BY MS. CATHERINE NYAKOE, MINISTER COUNSELLOR

DURING THE

79TH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY

10 OCTOBER 2024

Thank you Chair

1. My delegation associates itself with the statement delivered on behalf of the African Group by the distinguished Representative of Uganda, and makes the following additional remarks in national capacity.
2. Chair, in the interest of humanity, we must all share the collective responsibility to prevent crimes against humanity and the impunity thereof. Central to that responsibility is the importance of accountability towards the ends of justice and by extension, peace, stability and social and economic wellbeing.
3. This responsibility further implies that domestic law must be at the front line in setting pace for the prevention, punishment and accountability for crimes against humanity. Therefore, we acknowledge the relevant laws in place in our various national jurisdictions and regional and other international mechanisms developed in complementarity, while mindful of the overarching principle of sovereignty and the sovereign equality of all Member States.

4. We appreciate the important role that the International Law Commission has played in developing the draft articles that have been subject of our discussions in the previous two sessions including the resumed sessions under the seventy-seventh and seventy-eighth sessions of the General Assembly, and the pressing need to now determine how to treat them in view of the Commission's recommendations.

Chair,

5. My delegation followed closely these discussions with particular note of the points of divergence. We have observed that there is convincing consensus among us in the majority of the issues. We also find merit in the calls for further analyses of the various constructive proposals brought up which in our considered view should not be impediment in moving the discussions forward with the aim of strengthening the international framework for the prevention and accountability of especially the most serious crimes and sealing the normative gaps within the overall international framework on accountability.
6. Additionally, in order to continue pursuing the beneficial manner that this Committee conducts its work – through consensus – it is important that any process moving forward encompasses all the comments and proposals submitted throughout the Committee's consideration of the topic according to resolution 77/249.

Finally Chair,

7. Cognisant of the centrality of the foundational character of national laws in lending implementing power to international laws, we envisage a process that should also crucially encompass the related objectives of a framework for States

to develop and strengthen their own national capacities for tackling crimes against humanity and provide the necessary structure for international cooperation starting from within their respective regions.

8. We remain committed to constructive discussions aimed at moving us forwards and towards building stronger consensus in this regard.

Thank you.