

ANNEXURE 1

The Coalition for the International Criminal Court (CICC) in its press release dated 8 July 2005 has reported extracts, from the speech of the President of the Republic of Kenya, delivered at the Forty-Fourth Session of AALCO, wherein the President has mentioned the keen interest that his Government had taken in the affairs of the ICC.

“In the second article, Agence France Presse reports that Kenya's President Mwai Kibaki told delegates attending a week-long conference of Asia-Africa Legal Consultative Organisation (AALCO) that Kenya would implement the Rome Statute which it recently ratified. Kibaki also appealed to other African and Asian countries to sign the Rome Statute by stating that nations must take common positions on issues that affect the world. 2. Agence France Presse, "Kenya pledges to implement ICC deal despite pressure from Washington" - 27 June 2005 (Full text not available)

Kenya pledged Monday to implement the International Criminal Court (ICC) statutes, despite mounting pressure from the United States to sign a separate deal to give US citizens immunity from prosecution by the ICC. Kenya's President Mwai Kibaki told delegates attending a week-long conference of Asia-African Legal Consultative Organisation (AALCO) here that the country had already signed and ratified the statutes and was currently preparing to implement the deal. “We have already published the international crimes bill of the year 2005, which will domesticate the Rome Statute of the International Criminal Court,” Kibaki said. [...] But Kibaki maintained that war crimes and crimes against humanity and genocide were of serious concern in Africa, which has been wracked by conflicts for several decades. In March, the US approached the east African nation to ratify the so-called “Article 98 agreement” that shields American citizens from prosecution by the ICC or face losing millions of dollars in military aid. [...] Kibaki, in a veiled appeal to other African and Asian countries to sign The ICC treaty, said nations must take common positions on issues that affect the world. “The world is increasingly becoming interdependent and actions taken by one state impact on others... We are faced with serious challenges which cannot be addressed by individual countries,” he said. “Since countries of Africa and Asia started from a disadvantaged position due to the colonial past and underdevelopment, it was necessary for us to pool our resources together in order to play an important role in the formulation of international law and practices,” he added. [...]”