

“The Standard” reported the following news item on 28 June 2005

Kibaki steers clear of US immunity call

By Nyakundi Nyamboga and PPS

The Government yesterday steered clear of the proposed bilateral non-surrender agreement with the US.

President Kibaki, Justice minister Kiraitu Murungi and Attorney General Amos Wako did not make any reference to the agreement in their speech during the the 44th session of the Asian-African Legal Consultative Organisation at the Kenyatta International Conference Centre, Nairobi.

The agreement is a US initiative that seeks to provide immunity against prosecution in Kenya and other countries for US citizens who commit crimes against humanity.

The proposed non-surrender agreement, if signed by the Government, would allow the US to have discretion on whether or not to investigate crimes by their nationals, contrary to international law.

The President emphasised the country's commitment to the International Criminal Court aimed at ending genocide, crimes against humanity and war crimes.

Kenya signed the Rome Statute in 1999 becoming the 98th member state of the International Criminal Court. It ratified the statute on March 15, 2005.

President Kibaki said the country was committed to rooting out corruption and had taken the right steps.

"We have enacted the Anti-corruption economic crimes Act and established the Kenya Anti-Corruption Commission," the President said.

The President said Kenya was the first country to sign the United Nations convention against corruption.

He the Government was holding consultations on terrorism and a Bill on suppression of terrorism would be tabled in Parliament.

Attorney General Amos Wako becomes the president of AALCO taking over from Indonesian minister for law and human rights, Dr Ahmid Khwalidin.

The conference on environmental law and sustainable development, will end on Friday.

At the same time President Kibaki was confident that the country would have a new constitution by the end of the year.

He noted that many reforms had been effected since the Government came to office, the most important being the review of the constitution.

"The purpose of the constitution review process is to establish a free and democratic system," said Kibaki.

Noting that terrorism is a threat to international peace and stability, Kibaki expressed the need for increased international cooperation to tackle the problem.