



Permanent Mission of the Republic of Kenya  
to the United Nations – New York  
Security Council - 2021-2022

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BRIEFING BY THE PROSECUTOR OF THE INTERNATIONAL CRIMINAL COURT ON  
THE SITUATION IN DARFUR PURSUANT TO UNSCR 1593

WEDNESDAY, 9 MAY 2021 (10:00AM)

STATEMENT BY MS. CATHERINE NYAKOE, LEGAL COUNSEL

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Thank you, Mr. President

1. I thank Ms. Fatou Bensouda, Prosecutor of the International Criminal Court for her briefing. I also welcome the presence of the Representative of Sudan to this meeting.
2. Kenya commends the people of Sudan for their steadfast commitment to rebuilding peace in their country including in addressing issues relating to transitional justice and national reconciliation.
3. We also take note of the positive steps that Sudan is taking towards ensuring that their national institutional and legal framework is supportive of international efforts according to the United Nations Security Council resolution 1593. It is important that these efforts be reciprocated as provided for by the resolution.
4. During its meeting of April 13, 2021, the African Union Peace and Security Council acknowledged the readiness of the Transitional Government to address issues relating to transitional justice, including accountability for

human rights violations, through a truth and reconciliation process. They called on AU Member States to share with Sudan experiences, lessons and best practices.

5. Kenya sees this as a critical step towards reconciliation, unity, peace and stability in Sudan. We therefore commend Sudan for the operationalisation of the Truth and Reconciliation Commission in relation to Darfur and a Special Court for Darfur crimes.
6. Alongside strengthening of the national judicial capacity for Sudan, we encourage similar investment into national dialogue and reconciliation processes for the sustainability of the peace process.
7. Kenya recalls the Security Council's invitation to the Court and the African Union to discuss practical arrangements that will facilitate the Court's work including the possibility of conducting proceedings in the region, under resolution 1593.
8. We would like to hear from the Prosecutor the status of engagement with the AU, if any, towards this end, particularly considering that the International Criminal Court is, under Article 1 of the Rome Statute, complementary to national criminal jurisdictions.
9. Finally, we take this opportunity to congratulate you Ms. Fatou Bensouda as you successfully complete your tenure as the Prosecutor of the International Criminal Court in a couple of days. We wish you success in your future endeavours.

Thank you, Mr. President