

Universal Periodic Review Working Group – 35th Session

Universal Periodic Review of Kenya

Statement by Australia

23 January 2020

Thank you, [President/Vice President]

Australia welcomes Kenya's efforts to build a political environment that can better protect and promote human rights. However, Australia urges Kenya to take further action to implement the recommendations it accepted in its 2015 UPR to address ongoing concerns.

Australia recommends that **Kenya**:

1. Conduct independent and impartial investigations into reports of the unlawful use of force and extra-judicial killings by police and security forces and fully implement the National Coroner's Service Act and the Prevention of Torture Act.
2. Amend relevant laws to give effect to Kenya's international human rights obligations, including by repealing all provisions which criminalise consensual same-sex relations, and adopt appropriate policies and measures to tackle stigmatisation, harassment, discrimination, and violence against individuals because of their sexual orientation.
3. Uphold the right to freedom of expression, including for media organisations and human rights defenders, in accordance with Article 19 of the ICCPR.
4. Building on the 2017 Supreme Court ruling against mandatory death sentences, establish a formal moratorium on the death penalty and commute all existing death sentences with a view to ratifying the Second Optional Protocol to the ICCPR.

[188 words]