STATEMENT BY
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THE UNITED NATIONS IN GENEVA AND
HEAD OF THE KENYA DELEGATION TO THE THIRD
SESSION OF THE PREPARATORY COMMITTEE FOR THE
2005 REVIEW CONFERENCE OF THE PARTIES TO THE
TREATY ON THE NON-PROLIFERATION OF
NUCLEAR WEAPONS (NPT)

NUCLEAR DISARMAMENT

NEW YORK - 3RD MAY 2004
Mr. Chairman,

I would like to take this opportunity to associate myself fully with the statement made by Malaysia on behalf of the Non-Aligned States Parties to NPT.

At the 1995 Review and extension conference, of which I had the honour to lead the Kenya delegation, the Movement had hoped that the conference would decide on a rolling 25 year extension of the NPT as a kind of commitment that nuclear weapon states would disarm. As it were, we supported the consensus decision on an indefinite extension.

The indefinite extension of the Treaty was reinforced by commitments by all States Parties and in particular nuclear states, on a number of key areas towards disarmament. It is therefore incumbent upon all states parties to redouble their efforts to halt the vertical and horizontal proliferation of nuclear weapons and the genuine pursuit of nuclear disarmament. The mutual understanding in 1995 was that an indefinite extension did not provide a license for proliferation or an indefinite possession by nuclear weapon states of their nuclear weapon arsenals. Any assumption to the contrary would be a serious negation of the desire by the international community to achieve international peace and security.

The 1995 bargain was promised on performance with accountability. At the 2000 Sixth review conference, the Nuclear-weapon states agreed on an “unequivocal understanding” to accomplish the total elimination of their nuclear arsenals. The Final Declaration recognized the need for “legally binding security assurances” and called on the 2005 review conference to make suitable recommendations in that direction.

The “Thirteen steps” constitute an indivisible package that must be implemented as a whole and must not be treated as a la carte menu. Kenya calls upon the nuclear weapon states to take practical steps to fulfill their part of the bargain. With the end of the cold war one
and a half decades ago, there can be no more justification for continued possession of nuclear arms. It is time to engage in good faith negotiations so as to achieve total nuclear disarmament. It is a matter of great regret that the NPT continues to be undermined by state and non-state actors.

The announcements by the Democratic People's Republic of Korea of its intention withdrawal from the Treaty is truly regrettable. We appeal to DPRK to return to full compliance with its international obligations including its safeguards agreement with the IAEA. We urge DPRK to pursue peaceful negotiations of all outstanding issues within the framework of the six party talks.

We commend the recent bold steps taken by Libya in which she has demonstrated the intention to work in good faith with the international community in dismantling its nuclear programmes. Similar efforts need to be taken by the non-state party in the Middle East in order to create a conducive atmosphere for the resolution of the conflict in that region. We appeal to India and Pakistan to join the NPT as non-nuclear states.

The implementation of thirteen practical steps to achieve nuclear disarmament agreed upon in 2000 would go a long way in efforts towards complete nuclear disarmament. Nuclear weapon states must demonstrate political resolve to pursue these objectives.

In particular, we emphasize the importance of resuming negotiations in the conference of Disarmament for a non-discriminatory multilateral and internationally verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. It is a matter of grave concern to us that the Conference on Disarmament continues to be in a state of stalemate and is unable or unwilling to agree even on a programme of work. It is for this reason that during Kenya's Presidency of the Conference in January, we made concerted efforts to break this stalemate and we remain hopeful that with a demonstration of political will, the Conference should begin discussions based on the A5 proposal. The agenda should include
the establishment of four ad hoc committees on nuclear disarmament, fissile materials, PAROS and negative security assurances.

We are convinced that the Conference should adopt a flexible approach that would enable it discuss other equally pressing issues including terrorism and weapons of mass destruction.

As a member of the Conference, Kenya will continue to play its role in the search for a breakthrough so that the enormous expertise in the CD can be put to productive use. We appeal to all members of the Conference to demonstrate the necessary flexibility and good will.

In the area of landmines, Kenya will be honoured to host the Review Conference of the States Parties to the Ottawa Convention on the Prohibition of the Use, Stockpiling, Prohibition and Transfer of Anti-personnel Mines and on Their Destruction in Nairobi from 29th November to 3rd December 2004. We are hopeful that this Conference will consolidate significant achievements already made under the treaty in stockpile destruction and that it will enhance efforts towards its universalization. It is a matter of great concern that major producers of anti-personnel landmines still remain outside the Convention. We thank all those who are working round the clock to ensure the Conference is a success and look forward to receiving many of you in Nairobi.

To conclude, Mr. Chairman, we appeal to this Precom to address the question of participation of NGOs in the work of the Treaty. The civil society is an important player in the field of disarmament and there can be no more justification whatsoever for excluding them. The Treaty would benefit from the invaluable expertise they have in this complex field.

Thank you.