



**STATEMENT BY H.E. AMBASSADOR PHILIP RICHARD O. OWADE,
ALTERNATE HEAD OF DELEGATION OF KENYA AT THE
FIRST SESSION OF THE PREPARATORY COMMITTEE FOR THE
2010 NPT REVIEW CONFERENCE
VIENNA, AUSTRIA**

WEDNESDAY, 2 MAY 2007

Mr. Chairman

1. On behalf of the Kenya delegation, I wish to congratulate you for your election to preside over the First Preparatory Committee of the 2010 Review Process. We assure you and your Bureau of our fullest support.
2. We associate ourselves fully with the Statement made by the distinguished Ambassador of Cuba on behalf of the Non-Aligned Movement Parties to the NPT.
3. The disarmament agenda has been replete with setbacks and disappointments over the last decade. The Conference on Disarmament has been unable to agree on a programme of work. The 2005 Prepcom was unable to agree on a substantive outcome due to the intransigence of a few states despite emerging convergence on a wide range of issues. The 2006 Review Conference on the UN Programme of Action on Small Arms and Light Weapons ended in a failure. We have recently witnessed a general escalation of military expenditure. A number of Nuclear Weapon States have embarked on programmes to improve their nuclear weapon arsenals and their delivery systems. The CTBT has yet to enter into force, more than ten years after its conclusion. Significant bilateral agreements have been made – with potential negative consequences - outside the framework of the NPT. These are just a few examples.
4. Despite these setbacks, Kenya remains hopeful that this Prepcom marks the beginning of the new cycle in the long struggle to rid the world of nuclear weapons. It is time to move away from the period of pessimism to optimism. We remain hopeful that the Conference on Disarmament in Geneva will soon agree on a programme of work that would enable it to embark on substantive negotiations on the basis of a balanced and non-selective approach. In this regard, we commend the efforts of the six Presidents in moving the process forward through structured discussions.

Mr. Chairman

5. The 1995 Review and Extension Conference – at which I had the privilege to be leader of the Kenya delegation – marked a significant watershed in the history of the NPT. Following the adoption of that controversial consensus decision, I cautioned that the indefinite extension of the treaty did not constitute a licence for indefinite possession of nuclear weapons. We must reiterate this Statement which remains as valid today as it was then. What has been invariably referred to as the unspoken bargain involved an understanding of “permanence with accountability”. The indefinite duration of the Treaty was accompanied by a commitment by all states to specific substantive actions and to a strengthened review process pertinent to their implementation.
6. The 2000 Review Conference was a remarkable achievement in terms of the conclusions reached. It is however a matter of concern that a number of those conclusions including the 13 Practical Steps recommended by the Conference are yet to be implemented. In this regard, we reiterate the call for an early entry into force of the CTBT.

7. In our view, the NPT remains the only instrument for achieving international peace and security, based on the principles and objectives of the 1995 Review and Extension Conference and the 13 Practical Steps agreed upon at the 2000 Review Conference. Kenya is convinced that it is only through the total elimination of nuclear weapons that we can guarantee against the use or threat of use of nuclear weapons.
8. We must emphasize that this Review Conference must place equal emphasis on the three pillars of the NPT regime, namely nuclear disarmament, non-proliferation and peaceful uses of energy. Of these three, the most important is nuclear disarmament. There can be no guarantee that nuclear weapons – so long as they exist – cannot fall into the hands of terrorists or that nuclear accidents cannot happen. It is for these reasons that Kenya places the highest priority on the conclusion of a legally binding treaty banning possession of nuclear weapons. In our considered opinion, the moral, legal and military arguments for the total elimination of nuclear weapons are compelling. Pending this, we must conclude legally binding security assurances against the use of nuclear weapons.
9. With regard to peaceful uses of energy, we reiterate the position stated by the African Union leaders when they adopted the Plan of Action on Peaceful Uses of Energy in which they have underscored the inalienable right of African States to the free access to nuclear energy and technology for peaceful purposes. We urge the IAEA to render the necessary assistance to developing countries so that they can have access to this invaluable technology in conditions of safety, security and transparency. We take this opportunity to congratulate the IAEA on its 50th anniversary and look forward to the continuation of their good work.
10. We are convinced that all existing nuclear disputes can be resolved through diplomacy and within the multilateral framework.
11. We reiterate the importance of universality of NPT and appeal to those countries that have not done so to join the Treaty. We urge this Conference to address itself to the issue of withdrawal from the Treaty. Attempts by States to conclude bilateral agreements on nuclear energy outside the framework of the Treaty must be discouraged as they can only undermine the integrity of the Treaty.

Mr. Chairman,

12. In conclusion, The NPT constitutes an important bargain between Nuclear Weapon States and Non-Nuclear Weapon States. It behoves on us to strengthen the NPT regime. We appeal to the delegates to reach a quick agreement on procedural issues so that we can embark on the more invaluable substantive negotiations towards this end.

We assure you of Kenya's cooperation and support.

Thank you.