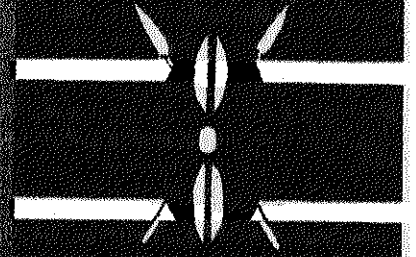


REPUBLIC
OF
KENYA



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STATEMENT

BY

H.E. MS. AMINA C. MOHAMED
AMBASSADOR/PERMANENT REPRESENTATIVE
OF KENYA TO THE UNITED NATIONS IN GENEVA

AT THE

GENERAL DEBATE

OF THE

FIRST COMMITTEE
OF THE
58TH SESSION OF THE
UNITED NATIONS GENERAL ASSEMBLY

NEW YORK
THURSDAY, OCTOBER 9, 2003

Mr. Chairman,

I wish to warmly congratulate you on your assumption of the Chair of the First Committee for the 58th Session of the United Nations General Assembly, I wish to assure you and the Bureau, of my delegation's full support and cooperation.

May I also take this opportunity to pay our tribute to the former Chair, the Permanent Representative of Uganda, Ambassador Semakula Kiwanuka for successfully steering the First Committee during the 57th Session of the General Assembly.

I would also like to congratulate our new Under-Secretary-General for Disarmament Affairs, Mr. Nobuyasu Abe of Japan on his appointment to this high post.

Mr. Chairman,

Our recent experience in Kenya when we were twice rocked by terrorist attacks in 1998 and again in 2002, has taught us only too well that in today's world, no nation is an island. We are all interdependent. What happens in one corner of the globe has an almost immediate effect on and touches upon other nations elsewhere. Kenya is therefore, more convinced than ever before that no one nation can by itself address the myriad challenges faced by a world that is a global village. In our efforts to address common threats brought about by the proliferation of both conventional and non-conventional weapons, we must act collectively to address the issues of non-proliferation, arms control and disarmament. In our endeavours, multilateral, legally binding and verifiable arms control treaties must be adopted as the tools of choice.

Mr. Chairman,

It is of particular concern to us that the perpetrators of terrorism have brought terrorism to the door steps of the United Nations, the symbol of our collective will and purpose. The bombing of the United Nations Headquarters in Iraq on 19th August 2003 and consequent loss of United Nations personnel was a wake-up call that terrorism respects neither creed nor boundaries. In our case, terrorist attacks have merely strengthened our resolve to fight this scourge. Kenya is totally committed to the fight against terrorism. We urge all states to support international efforts to fight this evil in all its manifestations. We also support all measures aimed at preventing terrorists from acquiring weapons of mass destruction, their means of delivery and associated technologies. It is for that reason that we commend the activities of the Subscribing States to the Hague Code of Conduct Against Ballistic Missile Proliferation (HCOG) to achieve universalisation of the code and reiterate our support to the code and other initiatives aimed at achieving universal nuclear non-proliferation.

Mr. Chairman,

Terrorism in our region is especially exacerbated by the easy availability of Small Arms and Light Weapons. Measures to curb the proliferation of SALW's would therefore, greatly advance the war against terrorism. The 2001 International Conference on Illicit Arms Trade constituted a watershed of multilateralism. The Program of Action (POA) adopted by the Conference is an unprecedented achievement in global norm setting and concrete road mapping. The First Biennial Meeting held in July this year was a testimony to the rising ground swell of a vibrant political

momentum to create, sustain and support national mechanisms for the implementation of the Program of Action. My Government wishes to congratulate Ambassador Koniko Inoguchi of Japan for urging the Biennial Meeting to focus its attention on the critical role of international assistance for the implementation of the POA.

We believe that the Biennial Meeting was highly effective in advancing the process of implementation of POA. It strengthened the already strong case for global resource mobilization to meet a global threat. And it echoed a candid expression of the voice of the countries most affected by the wrongful use of illicitly circulating weapons. *After all, the wearer knows best where the shoe pinches most.*

As a country that has suffered greatly from an influx of Small Arms and Light Weapons, Kenya is a key player in our sub-regional efforts to combat the trafficking in Small Arms and Light Weapons. In March 2000, Kenya hosted the historic Great Lakes and Horn of Africa Conference on the Illicit Trafficking on Small Arms and Light Weapons that brought together 10 countries. The Conference was unique because it brought together, countries some of which were at that time still in conflict. They were brought together by their common desire to rid their countries of the enormous quantities of SALWs which continued to fuel the raging conflicts. The realization that there was no light at the end of the tunnel unless they came to grips with the situation, provided the necessary impetus for a successful conference and outcome. The Conference adopted a Declaration and the Nairobi Plan of Action and established the Nairobi Secretariat on SALWs to follow up on the agreed Plan of Action.

Mr. Chairman,

The Plan of Action calls for international support for collective projects. We would particularly welcome support to for those projects aimed at lawful seizure, voluntary surrender and public destruction of wrongfully acquired small arms and light weapons. The international community's priority must be to support sub-regional initiatives since illicit arms trafficking intrinsically thrives upon loopholes resulting from divergent national practices to regulate private arms possession and trading.

We have some concrete ideas for specific projects that would simultaneously address three inter-related problems in our region; reducing further the number of weapons in illicit circulation; discouraging their likely users for wrongful purposes; and improving monitoring of the avenues for unaccounted transfers. In designing and carrying out these projects, we look forward to receiving advice and support, particularly from the Conventional Arms Branch of the Department of Disarmament Affairs which is uniquely equipped to assist us in project designing and resource mobilization from the international donor community.

The French and Swiss Governments initiative on tracing and marking deserves special mention and we hope that the current session will indeed launch negotiations on an international instrument on the same.

Mr. Chairman,

My delegation wishes to take this opportunity to commend Thailand for its successful hosting of the 5th Meeting of State Parties to the Ottawa Convention on the Prohibition of the Use,

Stockpiling, Production and Transfer of Anti-Personnel Landmines and on their Destruction in Bangkok from 15th - 19th September 2003. It is encouraging to note that 141 states have ratified the Convention and we wish to call upon these states who have not ratified it to do so. The Ottawa Convention is approaching a crossroad in its implementation. The 1st Review Conference will be held from 29th November - 3rd December 2004 in Nairobi, Kenya, to consider the future operations of the Convention. I wish to take this opportunity to invite you all to actively participate in the Review Conference in Nairobi as well as in Preparatory Meetings for this Conference which will be held in Geneva in February and June 2004.

Mr. Chairman,

Kenya is encouraged by the signing of the Comprehensive Nuclear Test Ban Treaty (CTBT) by 168 states including 41 of the 44 required for its entry into force, and welcomes the ratification of 104 states, including 32 of the 44 needed for its entry into force, including 3 nuclear weapons states. We urge all states to refrain from any activities that could lead to a resumption of the arms race and to respect their commitments with regard to nuclear weapons test explosion and any other nuclear explosions pending the entry into force of the treaty. Kenya calls on all those states that have not yet done so to sign and ratify the CTBT, without conditions, in particular those ratifications required for the Treaty to enter into force.

The commitments already made by nuclear weapon states on nuclear disarmament need to be addressed. They have a special responsibility and maybe in an ironic twist of events, a unique opportunity to do so in light of our common concern over the acquisition and use of those weapons by terrorists or non-state actors. We do hope Sir, that they will rise to the occasion and we stand ready to cooperate in any way feasible. As always, we re-affirm our commitment, expectation and aspiration to the noble goals and objectives of International Instruments on Disarmament and Non-Proliferation of Weapons of Mass Destruction. We must however, express our disappointment with inadequate progress made in the application of the Thirteen Measures on Nuclear Disarmament which were included in the Final Document of the Conference of the Year 2000, and express our hope that in fact, a way forward to strengthen and revitalize them will be found.

The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) is the lynchpin of the global non-proliferation regime and the basis upon which the argument for nuclear disarmament is founded. Whereas, the Treaty does not prohibit the use of nuclear energy for peaceful purposes, international safeguard mechanisms for compliance with the spirit and the letter of the Treaty must be adhered to. In this respect, the IAEA's international safeguards system must be promoted and strengthened as the main component of the global nuclear Non-Proliferation regime. We urge all states that have not yet done so to accede to the NPT.

Kenya attaches great importance to the successful implementation of both the Chemical Weapons and the Biological and Toxic weapons conventions. We urge States Party to the Chemical Weapons Convention to make use of the facilities offered by the Organization for the Prohibition of Chemical Weapons (OPCW) in order for them to be able to meet their obligations under the Treaty. With regard to the implementation of the Convention on Biological and Toxic Weapons, Kenya urges State Parties to utilize the forthcoming meeting of State Parties to agree on mutually acceptable legislation that each country can effect, to cover the national implementation of the Convention's obligations and other related issues.