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STATEMENT

BY

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TO

THE

**2005 REVIEW CONFERENCE  
OF THE PARTIES TO THE TREATY ON  
THE NON-PROLIFERATION OF NUCLEAR WEAPONS**

*TUESDAY, MAY 10, 2005  
NEW YORK*

*Mr. President,*

May I congratulate you on your assumption of the Presidency of this important Conference. I assure you of my delegation's support and cooperation.

My delegation fully associates itself with the statement made by the Minister of Foreign Affairs of Malaysia on behalf of the Non-Aligned Movement, and by Nigeria on behalf of the African Group. We wish to add our voice on certain issues that my delegation feels are critical to the success of this conference.

*Mr. President,*

First and foremost I wish to reiterate Kenya's support and commitment to the nuclear disarmament and non-proliferation. Kenya was among the first countries to sign the Non-Proliferation Treaty (NPT) in 1968 and we ratified it in 1970.

Some thirty years ago, following the horrifying aftermath of Hiroshima and Nagasaki nuclear bombings, and in recognition of the lethal threat posed to international peace and security and to humanity, by nuclear weapons, the international community came together and collectively agreed to address this common threat by the adoption of the Treaty on the Non-Proliferation of Nuclear Weapons. The objective was to work towards an eventual total elimination of nuclear weapons. In the interim, measures would be taken to prevent proliferation while at the same time facilitating the peaceful application of nuclear energy. To-date, these remain the three pillars of NPT.

While the NPT Regime has served us well, we are still far from achieving our goal – the total elimination of nuclear weapons. It is unfortunate that the road to achieving this common goal is littered with many obstacles. The delicate balance between the three pillars of the NPT remains uncertain.

*Mr. President,*

The non-nuclear weapon states gave up their sovereign right to receive, manufacture or otherwise acquire nuclear weapons on the understanding that there would be a corresponding commitment by nuclear weapon states to disarm. It is a matter of regret that nuclear weapon states have backtracked on their commitment. While we welcome their recent efforts to reduce their arsenals, we urge them to take concrete steps in that direction. Nothing less than complete nuclear disarmament can eliminate the continued threat posed by nuclear weapons. With continued possession, the possibility of use and/or proliferation cannot be eliminated.

In view of the foregoing, we support the 13-step approach adopted by the 2000

Review Conference, on systematic and progressive efforts to implement article VI of the NPT. We believe this approach presents a comprehensive road map to a nuclear-weapon free world. It is our hope that this conference will build upon the groundwork that was laid down at the 2000 Review Conference.

The need to negotiate and conclude an international convention for the total elimination of nuclear weapons cannot be over-emphasized. We also underscore the need for legally binding security assurances to non-nuclear-weapon states. The African Group has advocated the commencement of multilateral negotiations leading to the conclusion of a Convention prohibiting the development, testing, deployment, stockpiling, transfer, threat or use of nuclear weapons and on their total elimination. It is the conviction of my delegation that this is the only solution to the nuclear weapons threat.

*Mr. President,*

The 1995 extension compromise was based on the twin principles of permanence and accountability. An indefinite extension did not provide license for proliferation or indefinite possession by nuclear weapon states, of their nuclear weapon arsenals. At the 2000 Review Conference, the nuclear weapon states agreed on an "unequivocal undertaking" 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.

Any attempt to re-open debate on agreed commitments will ultimately lead to a weakening of the Treaty regime. We believe that a satisfactory Conference outcome can only be achieved if all aspects of the Treaty are addressed in a balanced manner. Equal treatment should be accorded to the three pillars of nuclear non-proliferation, nuclear disarmament, and peaceful use of nuclear energy. Non-proliferation requirements should be balanced by equivalent undertakings and commitments to nuclear disarmament under Article VI of the NPT.

*Mr. President,*

Recent events have brought into question the viability of the current international security system, especially the issue of weapons of mass destruction and the threat posed by nuclear terrorism. The General Assembly and the Security Council, have on their part, sustained their efforts to counter these threats. The adoption last March, of the Convention on Nuclear Terrorism was a welcome development. However, it is a matter of great concern to us that the Conference on Disarmament has been unable to agree on an Agenda for Nuclear Disarmament. It is regrettable that a deadlock has prevailed at the Conference

for eight years. We believe that progress at the Conference on Disarmament would contribute to allaying our common fears. We also urge the Conference on Disarmament to start negotiations on a Fissile Material Cut-Off Treaty, which would serve both as a disarmament and a non-proliferation tool. We believe that the establishment of a subsidiary body in the Conference on Disarmament to begin negotiations on a non-discriminatory, multilateral Treaty banning the production of fissile materials for nuclear weapons and other nuclear explosive devices would strengthen controls over nuclear materials.

*Mr. President,*

There is no doubt that nuclear weapon treaties are vital to the success of nuclear disarmament and non-proliferation regimes. It is for this reason that we must strive to attain universal adherence to disarmament and non-proliferation instruments. It is noteworthy that the NPT has almost achieved this status. We therefore, urge states that are not party to the treaty, especially those with nuclear capability or possessing nuclear weapons, to join the NPT.

We believe that the Entry into Force of the Comprehensive Nuclear Test Ban Treaty (CTBT) would give impetus to the nuclear disarmament process. In this connection, Mr. President, I am glad to report that Kenya is contributing to the international monitoring regime by hosting two international monitoring stations under the auspices of the CTBTO-PREPCOM. We have a primary seismic monitoring station PS 24 and an infrasound station IS 32 which are networked with the other 321 stations worldwide that use the four complimentary monitoring technologies (infrasound, radio-nuclide, seismic and hydro-acoustic technologies). Kenya ratified the CTBT in the year 2000. We urge those states that have not ratified the treaty (especially those listed in Annex II to the CTBT) to do so, in order to accelerate its entry into force.

*Mr. President,*

The 2000 Review Conference re-affirmed that "every effort should be made to implement the treaty in all its aspects and to prevent the proliferation of nuclear weapons and other nuclear explosive devices, without hampering the peaceful uses of nuclear energy by states parties to the Treaty". We are aware of the challenges the IAEA is faced with in implementing article III and IV of the Treaty. Nonetheless, no state party should be unduly limited in the exercise of its right to peaceful use of nuclear energy, provided it is in compliance with the Treaty regime. We believe that an effective and non-discriminatory safeguards system can eliminate the risk of diversion of nuclear materials intended for peaceful use. It is incumbent upon member states to respect the letter and the spirit of the Treaty.

*Mr. President,*

The 2000 Review Conference recognized the need to give preferential treatment to developing countries, in all activities designed to promote peaceful uses of nuclear energy. For a developing country such as Kenya, access to nuclear technology is vital. It should be provided on an assured and predictable basis, and in conformity with the NPT and IAEA regimes.

Nuclear-Weapon Free Zones contribute significantly to the promotion of nuclear non-proliferation. The Treaty of Pelindaba, to which we are signatories, is a symbol of Africa's commitment to the nuclear disarmament and non-proliferation regime. We encourage regions that have not established Nuclear Weapon Free Zones to do so in accordance with the Declaration adopted recently at the Nuclear-Weapon Free Zones Conference in Mexico.

The problem of illicit trafficking of nuclear materials in a number of developing countries is a matter of growing concern. Most developing countries cannot afford the detection and monitoring equipment for purposes of surveillance at their border entry points. In this regard, we urge strengthened technical co-operation to assist developing countries in monitoring and surveillance of nuclear materials. We urge that strict controls be established for nuclear waste disposal activities and further urge states that generate nuclear waste to employ strict control measures for the disposal of such waste.

*Mr. President,*

In conclusion, I wish to reiterate Kenya's support and commitment to nuclear disarmament and non-proliferation. We appeal to each and every state to demonstrate the necessary flexibility in order to overcome the challenges before us. We owe it to future generations to bequeath them a nuclear-free world. We must not let them down.

*Thank You, Mr. President.*