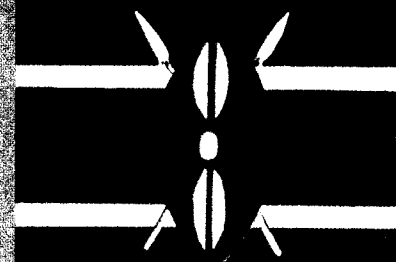




**REPUBLIC  
OF  
KENYA**



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**60<sup>TH</sup> SESSION OF THE  
UNITED NATIONS GENERAL ASSEMBLY**

**SIXTH COMMITTEE**

**STATEMENT BY**

**MR. WANJUKI MUCHEMI  
SOLICITOR-GENERAL OF THE REPUBLIC OF KENYA**

**ON**

**AGENDA ITEM 108**

**MEASURES TO ELIMINATE INTERNATIONAL  
TERRORISM**

**NEW YORK - 6<sup>th</sup> OCTOBER, 2005**

*Please check against delivery*

*Mr. Chairman,*

May I commend you for the excellent manner you are steering the work of this Committee and reassure you and your entire bureau of the full support of my delegation.

Kenya aligns itself with the statement made by Namibia on behalf of the African Group.

*Mr. Chairman,*

International terrorism remains one of the most serious challenges to global peace security and stability. Terrorism attacks the values enshrined in the Charter of the United Nations; respect for human rights, the rule of law; protection of civilians; tolerance among peoples and nations; and the peaceful resolution of conflicts. Experience shows that terrorism knows no frontiers; it does not discriminate on the basis of religion, nationality, colour or sex. It makes no distinction between developed and developing nations. In sum, no one and no country is immune from acts of terror.

While it is true that measures to combat terrorism continue to be put in place at national, regional and international levels, it is also true that terrorists are quick to find ways to circumvent such measures. Indeed, the list of cities that have suffered heinous acts of terrorism continue to grow. As recently as July this year, London was added to this list. During this session of the General Assembly, Bali has once again suffered terrorist attacks. We convey our heartfelt condolences to the Governments and the people of the United Kingdom and Indonesia. These recent incidences once again brought to the fore the urgent need for the international community, to redouble their efforts in order to effectively eliminate the vice. Elimination of terrorism in all its manifestations is a duty we owe to ourselves and future generations.

*Mr. Chairman,*

My delegation recognizes the central role of the United Nations in coordinating anti-terrorism efforts and appreciates that the matter has continued to be at the centre of debates within the United Nations system. We also endorse the five pillars that should form basis of the strategy for fighting terrorism as outlined in the statement of the Secretary-General

contained in document A/59/2005 entitled “*In larger freedom: towards development, security and human rights for all*” outlining the five pillars that should form the strategy for fighting terrorism. These pillars comprise; dissuading people from resorting to terrorism or supporting it, denying terrorists access to funds and materials, deterring states from supporting or sponsoring terrorism, developing State capacity to defeat terrorism and defending human rights in the fight against terrorism. In this respect, we welcome the establishment, by the Secretary-General, of an implementation task force to coordinate system-wide efforts to implement the five-pillar based strategy.

***Mr. Chairman,***

The Kenya delegation fully supports the important work of the United Nations Security Council and in particular, that of the Counter Terrorism Committee (CTC) established pursuant to Resolution 1373 in addressing terrorism. We note with satisfaction that the Committee’s Executive Directorate has become fully operational. Only recently, the Directorate conducted a needs assessment mission to Kenya. We are certain that its report will be of significant importance to us in determining how best to improve our counter-terrorism efforts.

Kenya commends the United Nations Office on Drugs and Crime (UNODC) for its role in providing technical support and development of state capacity to prevent terrorism through its Terrorism Prevention Branch. We encourage continued close coordination with the Security Council Counter-Terrorism Committee to ensure that the assistance programmes are well focused and targeted at identified needs. Close cooperation with other agencies of the United Nations as well as other international organizations on anti-terrorism related initiatives should also be strengthened in order to avoid duplication.

***Mr. Chairman,***

As we collectively work in the fight against terrorism, States should similarly undertake measures at the national level. Kenya has ratified all the twelve International Conventions on terrorism as well as the 1999 OAU Convention on the Prevention and Combating of Terrorism. The treaties are at various stages of implementation. We remain on course in the submission of the annual country Reports to the Security Council Counter Terrorism Committee pursuant to Resolution 1373. At the national level we have put in

place a number of measures and structures aimed at preventing the perpetration of terrorist acts within our territory;

- The Counter Terrorism Center which was inaugurated in January 2004 to collect and analyze all information related to potential terrorist threats is now fully operational.
- The Anti-Terrorism Police Unit was established in February 2004 to investigate, and apprehend persons associated with terrorist activities.
- The Suppression of Terrorism Bill (2003) is in the process of being republished in order to take on board views resulting from consultations with stakeholders. The Bill provides for clear investigative, preventive as well as prosecution mechanisms on individuals and organizations suspected to be involved in terrorist activities.
- The preparation of a draft legislation on Money Laundering to provide for freezing of funds and other financial assets and confiscation of property of persons or organizations associated with terrorist activities has been finalized and is awaiting debate by Parliament.
- A specialized prosecution unit has been established at the Office of the Attorney General to prosecute terrorism and money laundering cases and to deal with forfeiture of assets emanating from terrorist activities.

***Mr. Chairman,***

Let me now comment briefly on the work of the Ad Hoc Committee established by General Assembly resolution 51/210 of 1996. The conclusion and adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism is indeed a welcome development. We commend the Ad Hoc Committee under the chairmanship of Mr. Rohan Perera for this landmark achievement in our anti-terrorism crusade. The convention will, certainly, make a substantive contribution towards strengthening the international legal framework for the suppression and combating of terrorism. Kenya was among the countries that signed the Convention during the September 2005 Treaty Event. We have already commenced the process

towards its ratification. We call upon all other States to move in this direction so as to facilitate a quick entry into force of the Convention.

*Mr. Chairman,*

The international legal framework for the suppression and combating of terrorism will not be as effective as intended until our desire for a comprehensive convention on international terrorism is fully realized. It is disheartening that the elaboration of the draft comprehensive convention on international terrorism has not been completed because of a few outstanding issues, including the definition of terrorism. While we recognize that the outstanding issues are complex and political in nature, we believe that the differences of opinion on them are not insurmountable, so long as we remain focused on our common goal and purpose of eliminating terrorism.

We should use the momentum arising from the adoption of the international Convention for the Suppression of Acts of Nuclear Terrorism to narrow our differences and move with speed towards a consensus. We should, as guided by our heads of state and government during the just concluded Millennium Review Summit, aim at finalizing and adopting this convention during this 60<sup>th</sup> session of the General Assembly. Kenya believes, that this goal is attainable. Towards this end, my delegation will continue to exercise flexibility with regard to the definition of terrorism and will continue to support the work of the Ad Hoc Committee.

*I thank you.*