

AIDE MEMOIRE



RE-ELECTION OF THE REPUBLIC OF KENYA TO THE INTERNATIONAL MARITIME ORGANIZATION COUNCIL UNDER CATEGORY 'C' MEMBER STATE

Preamble

The Republic of Kenya became a member of the International Maritime Organization (IMO) in 1973 and is currently a Council under Category 'C', having first been elected in 2001 and re-elected to date.

Kenya desires to continue serving the maritime transport community in the Council under Category 'C' representing the West Indian Ocean and Horn of Africa Region and therefore, seeks the support of Member States in its bid for re-election during the elections to be held during the 30th Regular Session of the IMO Assembly in London between 23 November and 02 December 2017.

Introduction

The Republic of Kenya has a land area that is approximately 582,650 Km², bordering the Indian Ocean and Somalia to the East, South Sudan and Ethiopia to the North, Uganda to the West and Tanzania to the South. The total sea area is approximately 221,778 Km², with an Exclusive Economic Zone stretching 350 nautical miles and strategic inland water bodies covering approximately 10,812 Km².

The Kenyan coastline lies along major maritime trading and tanker routes between Europe, the Far East and the Americas. The Kenyan Port of Mombasa is the largest and most important gateway to the Eastern and Central Africa region which has over three hundred (300) million people.

Kenya has special interests in maritime transport and navigation as a coastal, port and flag State, and due to her strategic location along the East African coast, the country is a most important cog in the wheel steering regional shipping. Her re-election to Council under Category "C" therefore, will ensure continued representation of a major geographic area in Eastern Africa and the Great Lakes region consisting of the countries Burundi, Democratic Republic of Congo, Djibouti, Eritrea, Ethiopia, Kenya, Rwanda, Somalia, South Sudan, Tanzania and Uganda and in this regard, Kenya reaffirms its commitment to the Region and

International Community to remain focused in ensuring that all their interests are upheld.

Kenya and the IMO

1. Kenya has up to date ratified a total of 27 Conventions emanating from the IMO maintained a strong association with the Organization as an active participant in all its meetings of the Assembly, Council and the five Committees. Kenya's strategic geo-location along the East African coast and eminent profile among the community of nations have defined her position and role at IMO. The country's willingness and resolve to tackle current-day global and regional challenges related to shipping have earned the country international respect.
2. A Kenyan consortium comprising of Jomo Kenyatta University of Agriculture and Technology (Host Institution), Kenya Ports Authority and Kenya Maritime Authority Kenya was recently awarded the contract to host the Africa Region Maritime Technology Cooperation Centre (MTCC).
3. Military operations by Kenyan troops in Somalia, especially in and around Kismayu – which was previously the bedrock of Somali piracy - are directly linked to the near-eradication of piracy in the Indian Ocean. There has not been a single reported case of actual ship seizures by Somali pirates from 2013 hence contributing to saving global shipping billions of dollars from the reduction in insurance premiums that had seen astronomical hikes at the height of the piracy scourge between 2005 and 2012. Ship-owners have also been saved from the heavy cost incurred on shipboard counter-piracy measures.
4. The Government of Kenya in Nairobi in 2008 hosted the High-Level International Conference on Piracy, a consultative meeting on Acts of Piracy and Armed Robbery against Vessel. The country thereafter offered its national courts for the prosecution of suspected pirates leading as a result of which a total of one hundred and seventy three pirates have since been convicted to serve their jail terms in Kenyan prisons.
5. The country's other crucial associations with the IMO include:
 - i. Hosting in Nairobi since 1999 the office of IMO's Regional Coordinator for Eastern, Central and Southern Africa region and seconding staff to the office. The office serves 21 countries and has been pivotal in the implementation and delivery of technical assistance thereby greatly advancing the wide ratification and implementation of IMO conventions in the region;
 - ii. Kenya is a major proponent of the Djibouti Code of Conduct (DCoC), an IMO supported initiative concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden. Kenya participated in the January 2017 meeting in Jeddah that saw the amendment of the Code to include

information sharing on other maritime crimes. Kenya's Regional Maritime Rescue Co-ordination Centre (RMRCC) in Mombasa, covering on behalf of the international maritime community, the maritime search and rescue region of Somali, Kenya, United Republic of Tanzania and the Seychelles is expected to provide a very useful point of contact where ships regularly seek advice or assistance when sailing in waters off the coast of Somalia and also report security concerns about other ships movements or communications in the area. All this has been very useful in the monitoring of piracy and armed robberies in waters off the Coast of Somalia. The Regional Maritime Rescue Coordination Centre (RMRCC) in Mombasa is expected to play a bigger role in achieving the new expanded mandate of the Code.

- iii. In May 2007, Kenya successfully hosted the first IMO International Diplomatic Conference in Africa whose outcome was the adoption and signing of the Nairobi International Convention on the Removal of Wrecks, 2007.
- iv. On 3rd to 5th October 2012, the Government of Kenya hosted the Inaugural Heads of African Maritime Administrations and Ship Registrars' Conference in Mombasa, under the theme of "Africa in Preparation for a Maritime Strategic Take-off". The conference brought together maritime authorities in Africa with the aim of deliberating on measures necessary to implement the African Integrated Maritime Strategy, 2050 as envisaged in the African Maritime Transport Charter.
- v. In supporting the IMO program for the integration of women in the maritime sector, the Government of Kenya has extended the capacity building by appointment of Kenyan women to high ranking positions in the maritime sector. The Kenya Government has further supported regional initiatives towards this goal by hosting the Association for Women in the Maritime Sector for East and southern Africa (WOMESA) which covers a region of twenty five countries in the East and Southern African Region. WOMESA's secretariat is hosted at the Kenya Maritime Authority in Mombasa.

Kenya in the Region

- i. Kenya plays a very crucial role in the Eastern and Central African maritime sector and maritime trade, by hosting in Mombasa, the secretariats of the following three sub-regional organizations that are very active in dealing with maritime issues:
- ii. Port Management Association of Eastern and Southern Africa (PMAESA) – with fourteen (14) member countries. PMAESA has observer status with IMO and has been playing a major role in the implementation of port and maritime security programs to ensure compliance with the ISPS Code by the regions ports as well as marine prevention programs.
- iii. Intergovernmental Standing Committee on Shipping (ISCOS) – of four (4) members

States, namely Kenya, Uganda, Tanzania and Zambia.

- iv. Northern Transit Transport Co-ordinating Authority (NTTCA) – of five (5) member States. NTTCA oversees the facilitation of transit traffic of international trade for Uganda, Northern Tanzania, Southern Sudan, Southern Ethiopia, Rwanda, Burundi and Democratic republic of Congo and is therefore key to the continued growth in the economies of these countries. The NTTCA is thus crucial to the implementation of the Facilitation of Maritime Traffic Convention, 1965.
- v. Kenya is a committed member of the Indian Ocean Memorandum of Understanding on Port State Control (IOMOU). The country continues to cooperate with members to enhance the region's maritime safety infrastructure, as well as requirements in accordance with the International Maritime Conventions to eliminate sub-standard ships from the Region.

Re-Election of Kenya to Council

- i. The Government of the Republic of Kenya is committed to strengthening its relationship with the IMO and its Member States and firmly believes that its re-election to the Council under Category 'C' for the period 2018-2019 will serve the interests of the Eastern and Central Africa Sub-Region, Horn of Africa, West Indian Ocean and the International Maritime Community in general.
- ii. Kenya thanks all Member States which voted for her election in 2015. The Government is grateful to have served in the Council in this Biennium and for having been given the opportunity to actively participate in a wide range of IMO issues.