

IMLIe-News

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IMO DIRECTOR OF LEGAL AFFAIRS AND EXTERNAL RELATIONS DIVISION DELIVERS THE INAUGURAL LECTURE AT IMLI

IMLI had the honour to host Mr. Frederick J. Kenney Jr., Director of Legal Affairs and External Relations Division of the IMO, on Friday 16 October, 2015. During his visit to the Institute, Mr. Kenney lectured on “*Development, entry into force and amendment of IMO Conventions*”. Mr. Kenney’s lecture was the official inaugural lecture of IMLI’s 27th annual LL.M. programme.



*Mr. Frederick J. Kenney Jr. (Director, Legal Affairs and External Relations Division, IMO)
meeting the students of the IMLI Class of 2015/2016*

In his lecture, Mr. Kenney outlined, with examples, the ways in which States can become Members of IMO. In the discussions that ensued, he also mentioned Associate Members and Members with observer status in IMO. Mr. Kenney further discussed its structure and organization. He provided a detailed explanation of all the components that make up the Organization, including the Assembly, the Council, the Committees and the Sub-Committees.

Mr. Kenney then provided an explanation, through the use of practical examples, of how new conventions, or amendments to existing instruments, are placed on the IMO's programme of work. In explaining the stages through which an IMO convention is born, Mr. Kenney described the mechanics by which entities can bring a proposal before one of IMO's five Committees, the process of getting that proposal approved and brought into the work programme, either as a planned output approved by the IMO's Council and Assembly, or as an unplanned output approved by the Committee itself. He then described the processes involved in conducting a diplomatic conference to adopt a new instrument and other processes for amending existing conventions.

Mr. Kenney also discussed the general legal structure of IMO conventions and addressed the different methods and rules for amending the main body of a convention, an annex to a convention, or a code developed under the authority of an IMO convention. He explained in detail the tacit acceptance process for amending IMO codes and the annexes to many IMO instruments and the benefits and legal risks to this amendment process.

Mr. Kenney, prior to becoming a member of the IMO Secretariat, served as the Judge Advocate General and Chief Counsel of the United States Coast Guard, attaining the rank of Rear Admiral. He also served as a Coast Guard judge advocate for 22 years of a 33 year military career, including service as the Coast Guard's Chief of Maritime and International Law and a secondment to the US Department of State in the Office of Oceans Affairs.

He was a member of the U.S. delegation to twelve different IMO Committees and Subcommittees from 2009-2011, and was the Head of the US Delegation to the IMO Legal Committee.

He also served on several legal capacity-building missions in developing countries on behalf of the United States. Mr. Kenney has spent nearly 5 years at sea, including service on a polar icebreaker as a deck watch officer and conducting law enforcement and security operations. Previously, Mr. Kenney served as a judge on the Coast Guard Court of Criminal Appeals, and has extensive experience as prosecutor, defense counsel and appellate counsel in criminal cases. He also served as lead agency counsel in cases before the United States Supreme Court, and in the litigation arising from the Macondo 252/Deepwater Horizon oil spill.

Mr. Kenney holds a juris doctor from the University of San Francisco School of Law, where he was editor-in-chief of the USF Maritime Law Journal. He also holds a B.A. in Economics from Michigan State University. Mr. Kenney has published several law review articles, has lectured widely, and was an adjunct professor of maritime law at Georgetown University Law Centre and the US Defense Institute for International Legal Studies.

The Director, staff and students of IMLI very much appreciated his visit.

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