



## **DIRECTOR OF THE IMO LEGAL AFFAIRS AND EXTERNAL RELATIONS DIVISION DELIVERS IMLI'S INAUGURAL LECTURE**

Mr. Frederick J. Kenney Jr. (Director, IMO Legal Affairs and External Relations Division) visited the IMO International Maritime Law Institute (IMLI) on 23 October 2017 and delivered the Institute's inaugural lecture for the academic year 2017-2018 on *"The IMO Treaty-Making Process: How Does IMO Make Law?"*



*Mr. Frederick J. Kenney Jr. (Director, IMO Legal Affairs and External Relations Division),  
Professor David Attard (Director, IMLI) with the IMLI Class of 2017-2018*

Mr. Kenney started his lecture by recognising the unique contribution of IMLI graduates to the work of the IMO. He reminded the students that they are at IMLI to acquire the necessary skills and knowledge to be applied in the service of their respective countries whether at home or as delegates to the IMO. The students were further reminded that the duty to ratify and effectively implement relevant IMO Conventions is the responsibility of States and that they are expected to play a pivotal role in guiding their respective States to comply with these obligations.

Mr. Kenney's lecture introduced students to the work of IMO; the relationship between the IMO and United Nations; and how conventions are made at the IMO, from the development of a proposal to the adoption of the finished product and its implementation by member States. He explained that proposals for a new IMO instrument must emanate from the member States or the Secretary-General. He mentioned the development of the ISPS Code as an example of a proposal being made by the Secretary-General resulting in swift action by the member States. He said that Non-Governmental Organizations could bring proposals for development into law only if such a proposal is sponsored by a member State. The students also learnt that amendments to IMO Conventions and other instruments, particularly those of a technical nature, are achieved through the tacit acceptance procedure. Mr. Kenney also discussed the instrumentality of the five committees and seven sub-committees.

The lecture was very well received by the students.

*In an Interview with the Editor of the IMLI e-news, Mr. Kenney described the role of IMLI Graduates as follows:*

On the domestic side, the IMLI graduates going back to their home governments have the opportunity to play a major role in developing domestic implementing legislation for IMO instruments. To that extent, the drafting project is a key factor and should be chosen very carefully, and the graduates need to be given concrete support in their home States to make that project become law. We are proud that many IMLI graduates go on to become delegates at the IMO and assist the work of the Organization using the knowledge they gained from IMLI.

*On IMLI's role in facilitating the work of IMO Legal Committee, Mr. Kenney said:*

I think it is not just the Legal Committee, but all the Committees, the Council and Assembly where IMLI graduates have a significant impact. Every Committee forms a drafting committee that usually requires lawyers in the room to assist in the drafting. IMLI graduates can use the knowledge they gain from the Institute and be especially helpful to the drafting groups. IMLI graduates can also go out to assume leadership role in the Organization particularly as heads of delegation or key members of delegation, probably the best examples are Dr. Kofi Mbiah (Ghana) the outgoing Chairman of the Legal Committee with a distinguished six-year term as Chair and the current Head of the Legal Affairs Division, Dr. Dorota Lost-Sieminska, who is also an IMLI graduate. There are many opportunities for IMLI graduates to continue serving the IMO.

The Inaugural Lecture was followed by the Institute's annual Flag Raising Ceremony.



*National Flags of the Countries represented at IMLI for the academic year 2017-2018*

Students hoisted their respective national flags in the Institute's foyer to mark their presence in Institute's programmes.

Mr. Frederick J. Kenney Jr. currently serves as the IMO Director of Legal and External Affairs. In this capacity, he is responsible for advising the Secretary-General on all legal issues associated with the functioning of the Organization, with special emphasis on matters of treaty law and the law of the sea. He provides legal counsel to the Secretariat staff supporting IMO's committees and subcommittees and has a particular responsibility as Secretary of the Organization's Legal Committee. He oversees the Organization's role as depositary for the 53 multilateral conventions adopted under the aegis of IMO. He also oversees the operation of the IMO's Public Information Service, its Maritime Knowledge Centre and External Relations Office.

Prior to joining IMO, Mr. Kenney served as the Judge Advocate General and Chief Counsel of the United States Coast Guard, attaining the rank of Rear Admiral. He was responsible for the delivery of all legal services to the Coast Guard around the globe, with oversight of nearly 300 attorneys and 100 legal support personnel. He served as a Coast Guard Judge Advocate for 22 years of a thirty-three-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 US delegation to twelve different IMO committees and subcommittees and from 2009-2011, was the Head of the US Delegation to the IMO Legal Committee.

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.

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