

REPUBLIC OF KENYA

MINISTRY OF FOREIGN AFFAIRS

The Fifth Report

of

The Cabinet Secretary to the  
National Assembly

on

Treaties Ratified by the  
Republic of Kenya

2021

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THE NATIONAL ASSEMBLY  
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**The Fifth Report**

**of**

**The Cabinet Secretary to the  
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**on**

**Treaties Ratified by the Republic of Kenya**

**2021**



## TABLE OF CONTENTS

PREFACE.....	3
EXECUTIVE SUMMARY .....	4
PART I.....	5
1.0 INTRODUCTION .....	5
PART II .....	6
2.0 THE TREATY MAKING AND RATIFICATION PROCESS IN KENYA .....	6
2.1 INITIATION OF THE TREATY MAKING PROCESS .....	6
2.2 NEGOTIATIONS .....	6
2.3 RATIFICATION PROCESS .....	6
2.3.1 APPROVAL BY CABINET .....	6
2.3.2 CONSIDERATION BY THE NATIONAL ASSEMBLY .....	7
2.4 APPROVAL FOR RATIFICATION .....	7
2.5 PREPARATION OF INSTRUMENTS OF RATIFICATION .....	7
2.6 DEPOSIT OF INSTRUMENTS OF RATIFICATION.....	7
PART III .....	8
3.0 STATE REPORTING OF IMPLEMENTATION MEASURES .....	8
PART IV .....	9
4.0 THE STAGES OF THE TREATY MAKING AND RATIFICATION PROCESS IN KENYA .....	9
PART V .....	10
5.0 POLICY RECOMMENDATIONS .....	10
PART VI.....	11
6.0 CONCLUSION.....	11
PART VII.....	12
7.0 TREATIES RATIFIED BY KENYA FROM THE YEAR 2013 TO 2021 .....	12
7.3 TREATIES RATIFIED IN THE FINANCIAL YEAR 2020/2021 .....	13
7.4 TREATIES RATIFIED IN THE FINANCIAL YEAR 2019/20 .....	21
7.5 TREATIES RATIFIED IN THE FINANCIAL YEAR 2018/2019 .....	23
7.6 TREATIES RATIFIED IN THE FINANCIAL YEAR 2017/2018.....	24
7.7 TREATIES RATIFIED IN THE FINANCIAL YEAR 2016/17 .....	26
7.8 TREATIES RATIFIED IN THE FINANCIAL YEAR 2015/16.....	29
7.8.1 TREATY ACTION (DECLARATION BY KENYA).....	32
7.9 TREATIES RATIFIED IN THE FINANCIAL YEAR 2014/15 .....	33
7.10 TREATIES RATIFIED IN THE FINANCIAL YEAR 2013/14.....	36
ANNEX I—LIST OF TREATIES RATIFIED BY KENYA SINCE INDEPENDENCE....	39
ANNEX II—KENYA’S MEMBERSHIP TO INTERNATIONAL, REGIONAL AND SUB-REGIONAL ORGANIZATIONS .....	50



## PREFACE

I submit this Fifth (5th) Report to the National Assembly on Treaties ratified within the Financial Year 2020/2021 in fidelity the Constitution of Kenya and Section 15 of the Treaty Making and Ratification Act No 45 of 2012 (*Rev 2018*).

Article 2(6) of the Constitution provides that any treaty or convention ratified by Kenya shall form part of the law of Kenya. This Report seeks to outline sub-regional, regional, and international treaties ratified by Kenya. These Treaties establish international rules or standards that bind States and other actors of the international community. At present, Kenya is a party to Three Hundred and Thirty-Three Multilateral Treaties (333).

In addition to Treaties, Kenya is also a member of several inter-governmental organisations, notably the United Nations (UN), the World Trade Organisation (WTO), African Union (AU), the East Africa Community (EAC), the Common Market for Eastern and Southern Africa (COMESA).

The ratification and implementation of International Agreements advances the progressive realization of Kenya's development goals and priorities as envisaged under the Big 4 Agenda which focuses on enhanced manufacturing, food security and nutrition, universal health coverage and affordable housing. Consequently, the Constitution requires that the Public is informed on Treaties ratified by Government and implementation measures undertaken to fulfil obligations arising from these Treaties.

An effective and balanced treaty framework is central to the successful implementation of international obligations. The Ministry of Foreign Affairs is charged with the overall mandate to manage all aspects of Kenya's treaty making and ratification process, including the mechanisms of initiation, the requirements and procedures as to the signature, ratification, adoption, reporting and compliance.

It is therefore my pleasure to present to you this report which is a public awareness tool on Kenya's international obligations. It also highlights policy recommendations that can address the inherent challenges of monitoring and reporting of Kenya's international obligations.

  
AMB. RAYCHELLE OMAMO, SC, E.G.H.  
*Cabinet Secretary,*  
*Ministry of Foreign Affairs.*

## EXECUTIVE SUMMARY

Section 15 (1) of the Treaty Making and Ratification Act, No. 45 of 2012 (*Rev. 2018*) herein referred to as the Act, requires the Cabinet Secretary to submit to the National Assembly, once every financial year, a report containing a record of all treaties which Kenya has ratified and which may in any way bind Kenya to specific actions. This Fifth Report has therefore, been prepared in compliance with the Act.

The report provides the public with a concise breakdown of treaties ratified by Kenya during the Financial Year 2020/2021. This is anchored on the principles of transparency and accountability, which require the Ministry to disseminate treaty information annually to ensure public awareness of our international obligations. Additionally, the report outlines the steps involved in the treaty making and ratification process.

The Report comprises of the following sections:

- Part I** — Introduction;
- Part II** — Treaty Making and Ratification Process in Kenya;
- Part III** — State Reporting of Implementation Measures;
- Part IV** — Stages of the Treaty Making and Ratification Process in Kenya;
- Part V** — Policy Recommendations;
- Part VI** — Conclusion; and
- Part VII** — A matrix of Treaties Ratified by Kenya from 2013 to 2021.

The report also comprises of two annexes namely: **Annex I**—List of Treaties Ratified by Kenya since Independence and **Annex II**—Kenya's Membership to International, Regional and Sub-Regional Organizations.

During the reporting period, Kenya ratified Four (4) treaties, namely the Convention on the International Hydrographic Organization, the Economic Partnership Agreement between the Republic of Kenya and the United Kingdom, the African Charter on Elections, Governance and Democracy and the Convention on Mutual Administrative Assistance in Tax Matters.

In addition, Kenya entered into twenty Bilateral Memoranda of Understanding and Agreements with the following countries: United Republic of Tanzania, Republic of Sierra Leone, Democratic Republic of Congo, Republic of Burundi, United Kingdom of Great Britain and Northern Ireland, United States of America, the Republic of San Marino and the Arab Republic of Egypt.

## PART I

### 1.0 INTRODUCTION

- 1.1 The making and ratification of treaties internationally is governed by the The Vienna Convention on the Law of Treaties (VCLT) 1969. The Convention is a multilateral treaty that has codified existing customary international law and the progressive development of the law of treaties.
- 1.2 The VCLT defines a treaty as “*an international agreement concluded between States in written form and governed by international law, whether embodied in a single instrument or in two or more related instruments and whatever its particular designation*”. Treaties can be referred to by various terms such as, Conventions, Agreements, Covenants, Final Acts, Charters, Protocols, Pacts, and Accords including Constitutions establishing Intergovernmental Organizations.
- 1.3 Treaties can be bilateral, multilateral or pluri-lateral: bilateral treaties are those between two subjects of international law; multilateral treaties are those between three or more subjects of international law, generally developed under the auspices of International Organizations and pluri-lateral treaties are between groups of States that come together to formulate, influence or negotiate outside multilateral frameworks.
- 1.4 According to the VCLT, A treaty only becomes binding on a State upon ratification. The Treaty Making and Ratification Act defines ratification as the international act by which the state signifies its consent to be bound by a treaty, and includes acceptance, approval and accession where the treaty provides for it; thereby adopting the approach of the Vienna Convention.
- 1.5 The Government's decision on whether the ratification of a treaty is in the national interest is based on information obtained during consultations with various Ministries, Departments and Agencies (MDAs) and other relevant stakeholders. The consultation as required by the Act is meant to analyse the treaty in question and develop a consensus within the Country before taking definitive treaty action. Inevitably, the final decision necessarily involves a balancing of competing interests.
- 1.6 The Constitution and the Treaty Making and Ratification Act allocate primary responsibility for initiating the treaty making process to the Executive branch. However, Parliament, as the Legislative Arm, has the final say as to whether a treaty shall form part of the law of Kenya.
- 1.7 Every treaty in force is binding upon Kenya and must be performed in good faith. Kenya cannot invoke the provisions of its domestic law as a justification for its failure to perform its obligations under a treaty.
- 1.8 Generally, treaties do not apply retroactively, unless a different intention appears or is established in the provisions of the treaty. In addition, a treaty applies and is binding to the entire territory of Kenya.
- 1.9 Some treaties have a periodic reporting obligation to the treaty bodies on implementation of the respective treaty at the national level. Pursuant to Section 16 of the Act, the Cabinet Secretary for Foreign Affairs in conjunction with the Attorney General and the relevant Ministry and State Department, facilitate the preparation of the periodic reports for submission to the relevant treaty bodies, through a consultative process involving all stakeholders.
- 1.10 The Ministry of Foreign Affairs through the Office of the Registrar of Treaties is charged with the overall management of Kenya's treaty actions.



## **PART II**

### **2.0 THE TREATY MAKING AND RATIFICATION PROCESS IN KENYA**

The Treaty Making and Ratification Act provides for the process of ratification. This section of the Report outlines the salient features of the Act.

#### **2.1 INITIATION OF THE TREATY MAKING PROCESS**

- 2.1.1 The national executive is responsible for initiating the treaty making process, negotiating and ratifying treaties.
- 2.1.2 When deciding whether or not to initiate the treaty-making process, the relevant Ministry shall in consultation with the Ministry of Foreign Affairs and the Office of the Attorney-General and Department prepare a proposal and a country position paper in respect of the subject treaty, consider and ensure that the conditions under Section 5(2) of the Act have been fulfilled.

#### **2.2 NEGOTIATIONS**

- 2.2.1 The relevant Ministry, in consultation with the Ministry of Foreign Affairs and the Office of the Attorney General and Department of Justice, shall nominate a negotiating team of suitably qualified and competent officers from among the stakeholders to form part of the Government delegation to negotiate the draft treaty in the interest of the people of Kenya.
- 2.2.2 After receipt of the names of the Negotiating Team from the relevant Ministry or State department, the Ministry of Foreign Affairs shall prepare the Credentials authorizing the Government delegation to negotiate the treaty on behalf of Republic of Kenya.
- 2.2.3 The Negotiating Team shall uphold national interest and put their best efforts and skill in analyzing and negotiating the text of the draft treaty until consensus is achieved upholding the national interest. The Negotiating Team shall be bound by the values and principles of the Constitution and shall take into account the regulatory impact of any proposed treaty.

#### **2.3 RATIFICATION PROCESS**

##### **2.3.1 APPROVAL BY CABINET**

- 2.3.1.1 The relevant Ministry shall in consultation with the Cabinet Secretary for Foreign Affairs, the Attorney General, and in the case where there are financial implications, the Cabinet Secretary responsible for the National Treasury, prepare and present a Memorandum to Cabinet to commence treaty making for approval by the Cabinet pursuant to section 5(3) of the Act.
- 2.3.1.2 Cabinet shall consider the proposal for treaty-making within a reasonable time and provide its directions, either approving or disapproving the proposal for treaty-making.
- 2.3.1.3 Upon Cabinet approval, the Cabinet Secretary for Foreign Affairs shall within a reasonable time submit the Treaty and a Memorandum on the Treaty to the Speaker of the National Assembly.



## **2.3.2 CONSIDERATION BY THE NATIONAL ASSEMBLY**

2.3.1.4 Upon receipt of the Treaty and the Memorandum by the Speaker of the National Assembly, the relevant parliamentary committee shall consider the treaty and ensure public participation in accordance with the laid down parliamentary procedures.

2.3.1.5 The National Assembly may approve or disapprove the ratification of a treaty. The decision on ratification shall be in writing and communicated within fourteen (14) days by the Clerk of the National Assembly.

2.3.1.6 The National Assembly shall not approve the ratification of a treaty if that treaty, or part of its provisions are contrary to the Constitution of Kenya.

## **2.4 APPROVAL FOR RATIFICATION**

2.4.1 Where the ratification of a treaty is approved by the National Assembly without any reservations to the treaty, the relevant Cabinet Secretary of the Ministry shall, within **thirty (30) days** from the date of the approval of the ratification of the treaty, request the Cabinet Secretary for Foreign Affairs to prepare the instrument of ratification of the treaty.

## **2.5 PREPARATION OF INSTRUMENTS OF RATIFICATION**

2.5.1 Upon receipt of a request to prepare the instrument of ratification of the treaty and Certificate of Approval on the ratification of a treaty from the National Assembly, the Office of the Registrar of Treaties shall prepare the Instrument of Ratification, Accession, or Acceptance (as the case may be) for signature by the Cabinet Secretary for Foreign Affairs.

2.5.2 It is a criminal offence for a person to ratify any treaty on behalf of the Republic of Kenya without consideration and approval by Cabinet and Parliament in accordance with the law. Such a person shall be liable to imprisonment for a term not exceeding fifteen (15) years or to a fine not exceeding KSh. 20 million or to both fine or imprisonment.

## **2.6 DEPOSIT OF INSTRUMENTS OF RATIFICATION**

2.6.1 The Office of the Registrar of Treaties shall deposit the signed Instrument of ratification, accession or acceptance with the relevant Depository of the treaty or at the requisite international body and a copy thereof shall be filed with the Registrar of Treaties.

2.6.2 Following the deposit of the instrument of ratification, accession or acceptance, the Ministry of Foreign Affairs shall undertake to register the treaty with Secretary-General of the United Nations pursuant with Article 102 of the Charter of the United Nations.

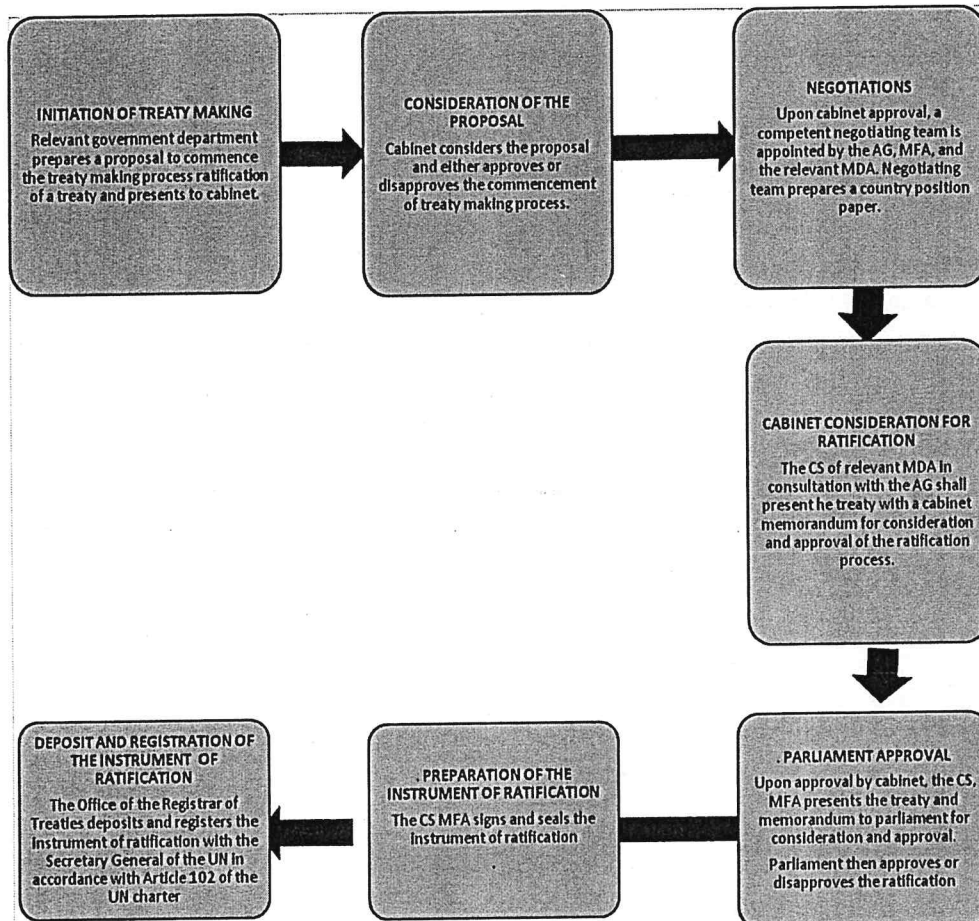
### **PART III**

#### **3.0 STATE REPORTING OF IMPLEMENTATION MEASURES**

- 3.1 Under international law, a State party is under obligation to respect, protect and promote the provisions of international treaties and conventions hence the special procedures aforementioned to ensure that this is done uniformly.
- 3.2 Article 132 (1) (c) (iii) of the Constitution of Kenya requires the President of the Republic of Kenya, once every year, to submit a report to the National Assembly for debate on the progress made in fulfilling the country's international obligations. Consequently, H.E. the President has for far, submitted seven (7) annual reports to the National Assembly for debate.
- 3.3 In addition, various Treaties ratified by Kenya oblige it to render periodic reports to the relevant treaty bodies. These reports contain information on the legislative, administrative and other measures taken by Kenya to implement its obligations under a treaty.
- 3.4 The reports also note key trends and identify challenges and/or obstacles to the full realisation of the aspirations of a treaty/ convention.
- 3.5 Generally, initial state reports are due in one or two years after a country ratifies a treaty (the treaty dictates the reporting cycle); thereafter periodic reports on implementation are due every four or five years.

## PART IV

### 4.0 THE STAGES OF THE TREATY MAKING AND RATIFICATION PROCESS IN KENYA



*Figure 1: Illustrates Kenya's Treaty Making and Ratification Procedure*

## **PART V**

### **5.0 POLICY RECOMMENDATIONS**

5.1 In order to enhance fulfillment of Kenya's international obligations as stipulated under the various treaties and conventions that have been signed and ratified, it is recommended that:

- (a) The Inadequate institutional capacity to apply, implement and enforce many of the protocols, conventions and treaties have been cited as a major shortcoming is addressed. These include lack of experienced human resource, limited financial resources and technical expertise.
- (b) Existing policy and legal treaty framework is urgently reviewed in order to streamline legal and institutional gaps that cause the lengthy ratification process.
- (c) The National Assembly should enhance budgetary allocation to the Ministry of Foreign Affairs to ensure optimal monitoring and reporting of treaty implementation by MDAs and County Governments.
- (d) The Judiciary should recognize the place of international treaties in Kenya to ensure conformity, enforcement and implementation of international obligations.

## **PART VI**

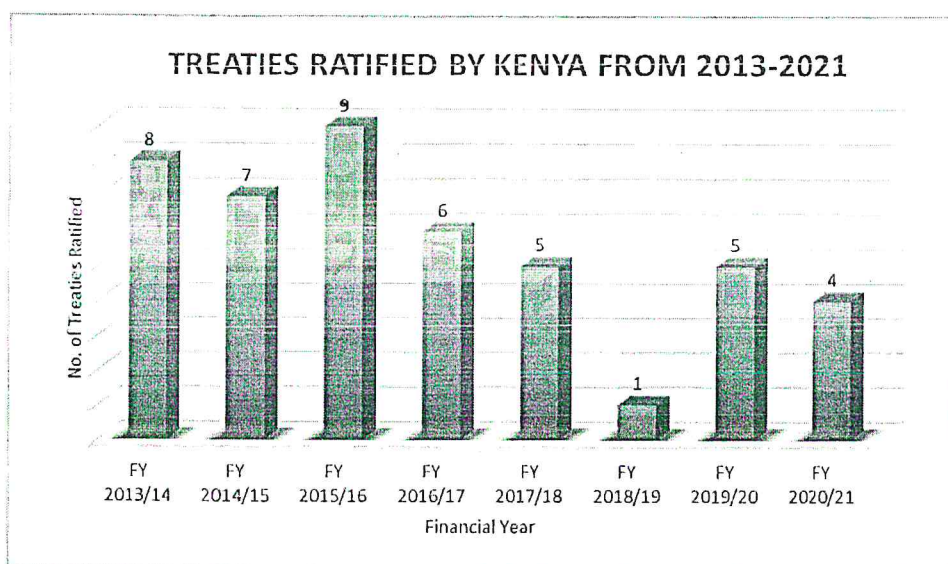
### **6.0 CONCLUSION**

- 6.1 Since independence, much has been achieved in fulfilling Kenya's international obligations arising from treaties as highlighted in previous reports. The implementation of these treaties enable the realization of Vision 2030 and the Big 4 Agenda which are aimed at improving the social, political and economic welfare of all Kenyans as well as promote sustainable development.
- 6.2 In addition, the treaty reporting structures ensure compliance by various state agencies. It is vital that Kenya is up to date with its reporting obligations so that concluding observations are addressed on time and the benefits of ratifications flow to the respective targets. In this regard, Parliamentary oversight should be strengthened and enforced.

## PART VII

### 7.0 TREATIES RATIFIED BY KENYA FROM THE YEAR 2013 TO 2021

- 7.1 Kenya has ratified (44) Multilateral Treaties and signed Two Hundred and Fifty-Nine (259) Bilateral Treaties and Memoranda or Understanding from the year 2013 to date.
- 7.2 The Agreements are in the realms of Elections, Democracy and Governance; Lands, Housing and Urban Development; Safety of Life at Sea; Corruption; Marine Environment; Telecommunications; Justice; Health; Environment; Forestry and Agriculture; Trade; Peace and Security; Transport; Diplomatic Relations; Fisheries; Human Rights; Intellectual Property; Education, Science and Technology and Fiscal Matters.



*Figure 2. Multilateral Treaties Ratified by Kenya since 2013*

### 7.3 TREATIES RATIFIED IN THE FINANCIAL YEAR 2020/2021

#### 7.3.1 MULTILATERAL TREATIES

During this period, four (4) Multilateral Treaties were ratified by the Republic of Kenya as follows:

LANDS, HOUSING AND URBAN DEVELOPMENT
<p><b>1. The Convention on the International Hydrographic Organization</b> <b>Adopted at:</b> Monaco on 3rd May, 1967 <b>Entry into Force:</b> 8th November, 2016 <b>Date of Ratification:</b> 7th January, 2021 <b>Date of Deposit:</b> 25th June, 2021 <b>Instrument of Ratification signed by:</b> Amb. Raychelle Omamo SC, E.G.H., Cabinet Secretary, Ministry of Foreign Affairs <b>Object of the Convention:</b> To facilitate coordination of hydrographic activities among the Member States and international organizations and to enhance cooperation on hydrographic activities among States on a regional basis <b>Depository:</b> The Government of His Serene Highness the Prince of Monaco <b>Legislative Status:</b> Domesticated <i>vide</i> Survey Act, 2010 (Rev. 2012)</p>
FISCAL MATTERS
<p><b>2. Economic Partnership Agreement between the Republic of Kenya and the United Kingdom</b> <b>Adopted at:</b> London on 8th December, 2020 <b>Signed on:</b> 8th December, 2020 <b>Entry into Force:</b> 1st January, 2021 <b>Date of Ratification:</b> 22nd March, 2021 <b>Instrument of Ratification signed by:</b> Betty C. Maina, E.G.H., Cabinet Secretary Ministry of Industrialization Trade and Enterprise Development <b>Object of the Agreement:</b> To ensure that all companies operating in Kenya benefit from duty free access to the United Kingdom market</p>
<p><b>3. The Convention on Mutual Administrative Assistance in Tax Matters (as amended)</b> <b>Adopted on:</b> 27th May, 2010 <b>Signed on:</b> 8th February, 2016 <b>Entry into Force:</b> 1st June, 2011 <b>Date of Deposit:</b> 22nd July, 2020 <b>Instrument of Ratification signed by:</b> Amb. Raychelle Omamo SC, E.G.H., Cabinet Secretary, Ministry of Foreign Affairs <b>Object of the Convention:</b> To facilitate international co-operation for a better operation of national tax laws, while respecting the fundamental rights of tax payers <b>Depository:</b> Secretary General of the Organization for Economic Co-operation and Development (OECD) and Secretary General of the Council of Europe <b>Legislative Status:</b> Domesticated <i>vide</i> The Tax Laws (Amendment) Act, 2020</p>



## ELECTIONS, DEMOCRACY AND GOVERNANCE

### **4. The African Charter on Elections, Governance and Democracy**

**Adopted at:** 30th January, 2007

**Entry into Force:** 15th February, 2012

**Date of Accession:** 7th January, 2021

**Instrument of Ratification signed by:** Amb. Raychelle Omamo SC, E.G.H., Cabinet Secretary, Ministry of Foreign Affairs

**Object of the Charter:** To commit Member States to the adherence of universal values and principles of democracy and respect for human rights. The Charter promotes the respect of the rule of law, periodic free and fair elections, consolidation of democratic institution and the rejection of unconstitutional change of Government

**Depository:** Chairperson of the African Union Commission

**Legislative Status:** Domesticated *vide* The Constitution of Kenya, 2010; Political Parties Act, 2011; Elections Act, 2011; Election Offences Act, 2016; and the Election Campaign Financing Act, 2013



### 7.3.2 BILATERAL TREATIES

During this period, twenty (20) Bilateral Treaties were signed between Kenya and the following countries:

#### UNITED REPUBLIC OF TANZANIA

1. Memorandum of Understanding between the Government of the Republic of Kenya and the Government of the United Republic of Tanzania on Cooperation in Culture, Arts, Social Integration and National Heritage

Date of Signature: 4th May, 2021

Signed on behalf of Kenya by: Amb. Amina Mohammed, E.G.H., Cabinet Secretary, Ministry of Sports, Culture and Heritage

Key sector: Culture, Arts and Heritage

Ministerial Responsibility: Ministry of Sports, Culture and Heritage

2. Memorandum of Understanding between the Government of the Republic of Kenya and the Government of the United Republic of Tanzania relating to Cooperation on the Development of a Natural Gas Export Project from Kenya to Tanzania

Date of Signature: 4th May, 2021

Signed on behalf of Kenya by: Hon. John Munyes E.G.H, Cabinet Secretary, Ministry of Petroleum and Mining

Key sector: Petroleum and Mining

Ministerial Responsibility: Ministry of Petroleum and Mining

#### REPUBLIC OF SIERRA LEONE

3. Agreement on Lending of Tablets and Power Banks and other Accessories for Census Undertaking between the Kenya Bureau of Statistics and Statistics Sierra Leone (STATS SL)

Date of Signature: 15th April, 2021

Signed on behalf of Kenya by: Mr. Macdonald G. Obudho, MBS, Director General, Kenya Bureau of Statistics

Key sector: Statistics

Ministerial Responsibility: Kenya Bureau of Statistics

**DEMOCRATIC REPUBLIC OF CONGO**

**4. Addendum No. 2 of the Agreement on Maritime Freight Management between the Democratic Republic of Congo and the Republic of Kenya**

**Date of Signature:** 21st April, 2021

**Signed on behalf of Kenya by:** Hon. John Munyes E.G.H, Cabinet Secretary, Ministry of Petroleum and Mining

**Key sector:** Maritime Freight

**Ministerial Responsibility:** Ministry of Petroleum and Mining

**5. Agreement on Defence Cooperation between the Government of the Democratic Republic of Congo and the Government of the Republic of Kenya**

**Date of Signature:** 21st April, 2021

**Signed on behalf of Kenya by:** Amb. Raychelle Omamo SC, E.G.H, Cabinet Secretary, Ministry of Foreign Affairs

**Key sector:** Defence

**Ministerial Responsibility:** Ministry of Defence

**6. General Cooperation Agreement between the Government of the Democratic Republic of Congo and the Government of the Republic of Kenya**

**Date of Signature:** 21st April, 2021

**Signed on behalf of Kenya by:** Amb. Raychelle Omamo SC, E.G.H, Cabinet Secretary, Ministry of Foreign Affairs

**Key sectors:** Trade Agriculture, Livestock development, Fisheries, Industry, Mining Education, Culture and Arts, Health, Environment, Tourism, Enterprise, Youth Affairs, Sports, Urbanization, Transport and Infrastructure Development, Defence and Security and ICT

**Ministerial Responsibility:** Ministry of Sports, Culture and Heritage; Ministry of Transport, Infrastructure, Housing, Urban Development and Public Works; Ministry of Defence; Ministry of Trade Industrialization and Enterprise Development; Ministry of Petroleum and Mining; Ministry of Education; Ministry of Health; Ministry of Tourism and Wildlife; Ministry of ICT, Innovation and Youth Affairs

**7. Bilateral Security Cooperation Agreement between the Government of the Democratic Republic of Congo and the Government of the Republic of Kenya**

**Date of Signature:** 21st April, 2021

**Signed on behalf of Kenya by:** Amb. Raychelle Omamo SC, E.G.H, Cabinet Secretary,  
Ministry of Foreign Affairs

**Key sector:** Defence

**Ministerial Responsibility:** Ministry of Defence

**REPUBLIC OF BURUNDI**

**8. Memorandum between the Ministry of Foreign Affairs of the Republic of Kenya and the Ministry of Foreign Affairs and Development Cooperation of the Republic of Burundi on Diplomatic Training**

**Date of Signature:** 31st May, 2021

**Signed on behalf of Kenya by:** Amb. Raychelle Omamo SC, E.G.H, Cabinet Secretary,  
Ministry of Foreign Affairs

**Key sector:** Diplomacy

**Ministerial Responsibility:** Ministry of Foreign Affairs

**9. Memorandum of Understanding between the Republic of Kenya and the Republic of Burundi on Cooperative Technical Assistance and Co-operative Development**

**Date of Signature:** 31st May, 2021

**Signed on behalf of Kenya by:** Hon. Peter G. Munya E.G.H, Cabinet Secretary, Ministry of  
Agriculture, Livestock, Fisheries and Co-operatives

**Key sector:** Training and Capacity Building and Co-operative Technical Assistance

**Ministerial Responsibility:** Ministry of Agriculture, Livestock, Fisheries and Cooperatives

**10. Memorandum of Understanding between the Government of the Republic of Kenya and the Government of the Republic of Burundi on Cooperation in the field of Sports, Culture, Arts and Heritage**

**Date of Signature:** 31st May, 2021

**Signed on behalf of Kenya by:** Amb. Amina Mohammed, E.G.H., Cabinet Secretary,  
Ministry of Sports, Culture and Heritage

**Key sector:** Sports, Culture, Arts and Heritage

<p><b>Ministerial Responsibility:</b> Ministry of Sports, Culture, Arts and Heritage</p>
<p><b>11. Memorandum between the Ministry of Foreign Affairs of the Republic of Kenya and the Ministry of Foreign Affairs and Development Cooperation of the Republic of Burundi on Political Consultations</b></p> <p><b>Date of Signature:</b> 31st May, 2021</p> <p><b>Signed on behalf of Kenya by:</b> Amb. Raychelle Omamo SC, E.G.H, Cabinet Secretary, Ministry of Foreign Affairs</p> <p><b>Key sector:</b> Diplomacy</p> <p><b>Ministerial Responsibility:</b> Ministry of Foreign Affairs</p>
<p><b>12. Memorandum of Understanding between the Republic of Kenya and the Republic of Burundi on Cooperation in the area of Public Service</b></p> <p><b>Date of Signature:</b> 31st May, 2021</p> <p><b>Signed on behalf of Kenya by:</b> Amb. Raychelle Omamo SC, E.G.H, Cabinet Secretary, Ministry of Foreign Affairs</p> <p><b>Key sector:</b> Public Service</p> <p><b>Ministerial Responsibility:</b> Ministry of Public Service and Gender</p>
<p><b>13. Memorandum of Understanding between the Republic of Kenya and the Republic of Burundi on Cooperation in the field of Tourism</b></p> <p><b>Date of Signature:</b> 31st May, 2021</p> <p><b>Signed on behalf of Kenya by:</b> Amb. Raychelle Omamo SC, E.G.H, Cabinet Secretary, Ministry of Foreign Affairs</p> <p><b>Key sector:</b> Tourism</p> <p><b>Ministerial Responsibility:</b> Ministry of Tourism and Wildlife</p>
<p><b>14. Memorandum of Understanding between the Republic of Kenya and the Republic of Burundi on Cooperation in the area of Agriculture, Livestock and Fisheries sectors</b></p> <p><b>Date of Signature:</b> 31st May, 2021</p> <p><b>Signed on behalf of Kenya by:</b> Hon. Peter G. Munya E.G.H, Cabinet Secretary, Ministry of Agriculture, Livestock, Fisheries and Co-operatives</p> <p><b>Key sector:</b> Agriculture, Livestock and Fisheries</p> <p><b>Ministerial Responsibility:</b> Ministry of Agriculture, Livestock, Fisheries and Co-operatives</p>



**UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND**

**15. Memorandum of Understanding on Health Partnership between the Government of the Republic of Kenya and the United Kingdom of Great Britain and Northern Ireland**

**Date of Signature:** 20th January, 2021

**Signed on behalf of Kenya by:** Sen. Mutahi Kagwe, E.G.H., Cabinet Secretary of the Ministry of Health

**Key sector:** Health

**Ministerial Responsibility:** Ministry of Health

**16. Supplemental Arrangement to the Framework on Strategic Partnership between the United Kingdom of Great Britain and Northern Ireland and Republic of Kenya**

**Date of Signature:** 20th January, 2021

**Signed on behalf of Kenya by:** Amb. Raychelle Omamo SC, E.G.H, Cabinet Secretary, Ministry of Foreign Affairs

**Key sector:** Diplomacy

**Ministerial Responsibility:** Ministry of Foreign Affairs

**17. Security Compact between the Government of the Republic of Kenya and the United Kingdom of Great Britain and Northern Ireland**

**Date of Signature:** 25th January, 2021

**Signed on behalf of Kenya by:** Fred O. Matiang'i, PhD, E.G.H., Cabinet Secretary, Ministry of Interior and Co-ordination of National Government

**Key sector:** Internal Security

**Ministerial Responsibility:** Ministry of Interior and Co-ordination of National Government

**UNITED STATES OF AMERICA**

**18. Agreement between the Government of the United States of America and the Government of The Republic of Kenya on employment of dependents of official employees**

**Date of Signature:** 13th May, 2021

**Signed on behalf of Kenya by:** Amb. Raychelle Omamo SC, E.G.H, Cabinet Secretary, Ministry of Foreign Affairs

**Key sector:** Diplomacy

**Ministerial Responsibility:** Ministry of Foreign Affairs

#### REPUBLIC OF SAN MARINO

**19. Agreement between the Government of the Republic of San Marino and the Government of The Republic of Kenya on the establishment of Diplomatic Relations**

**Date of Signature:** 12th May, 2021

**Signed on behalf of Kenya by:** H.E. Dr. Martin Kimani, Ambassador Extraordinary and Plenipotentiary Permanent Representative of the Republic of Kenya to the United Nations

**Key sector:** Diplomacy

**Ministerial Responsibility:** Ministry of Foreign Affairs

#### ARAB REPUBLIC OF EGYPT

**20. Technical Agreement on Defence Cooperation between the Arab Republic of Egypt and the Government of the Republic of Kenya.**

**Date of Signature:** 26th May, 2021

**Signed on behalf of Kenya by:** Amb. (Dr.) Monica K. Juma (Oxon) E.G.H., Cabinet Secretary, Ministry of Defence

**Key sector:** Defence

**Ministerial Responsibility:** Ministry of Defence

## 7.4 TREATIES RATIFIED IN THE FINANCIAL YEAR 2019/20

During this period, five (5) Multilateral Treaties were ratified by the Republic of Kenya as follows:

### ETHICS AND ANTI CORRUPTION

#### 1. Agreement for the Establishment of the International Anti-corruption Academy

**Adopted at:** Vienna, 2nd September 2010

**Signed on:** 2nd September, 2010

**Entry into Force:** 8th March, 2011

**Date of Ratification:** 18th March, 2020

**Date of Deposit:** 8th August, 2020

**Instrument of Ratification signed by:** Amb. Raychelle Omamo SC, E.G.H., Cabinet Secretary, Ministry of Foreign Affairs

**Object of the Convention:** Establish the Academy which shall promote effective and efficient prevention and combating of corruption by; providing anti-corruption education and professional training; undertaking and facilitating research into all aspects of corruption; providing other relevant forms of technical assistance in the fight against corruption and foster international cooperation and networking in the fight against corruption.

**Depository:** The Federal Minister for European and International Affairs of the Republic of Austria

### INTELLECTUAL PROPERTY

#### 2. The Beijing Treaty on Audio Visual Performances

**Adopted at:** Beijing, 24th June, 2012

**Signed on:** 26th June, 2012

**Entry into Force:** 28th April, 2020

**Date of Ratification:** 4th November, 2019

**Date of Deposit:** 15th November, 2019

**Instrument of Ratification signed by:** Ambassador Monica Juma, DPhil, C.B.S., Cabinet Secretary, Ministry of Foreign Affairs

**Object of the Convention:** To grant performers four kinds of economic rights for their performances fixed on audio-visual fixations such as motion pictures: the right of reproduction, the right of distribution, the right of rental and the right of making the performances available.

**Depository:** Director General, World Intellectual Property Organization (WIPO)

**Legislative Status:** Domesticated vide the Copyright (Amendment) Act, 2019

### ICT AND COMMUNICATION

#### 3. The East African Community Protocol on Information, Communications and Technology Networks

**Adopted at:** 30th June, 2013



**Entry into Force:** 30th June, 2013

**Date of Ratification:** 30th October, 2019

**Date of Deposit:** 5th December, 2019

**Instrument of ratification signed by:** Ambassador Monica Juma, DPhil, CBS, Cabinet Secretary, Ministry of Foreign Affairs

**Object of the Protocol:** To promote ICT services in the EAC Common Market Protocol, harmonize ICT policies and establish and manage technology networks across the bloc.

**Depository:** The East African Community (EAC) Secretariat

**Legislative Status:** Domesticated vide the Kenya Information and Communications Act, 1998 (Rev. 2012)

## TRANSPORT AND INFRASTRUCTURE

### 4. The Revised Constitution of the African Civil Aviation Commission

**Adopted at:** Dakar, 16th December, 2009

**Entry into force:** 11th May, 2010

**Date of Accession:** 20th September, 2019

**Date of Deposit:** 4th November, 2019

**Instrument of Accession signed by:** Ambassador. Monica Juma DPhil, CBS, Cabinet Secretary, Ministry of Foreign Affairs

**Object of the Protocol:** To coordinate civil aviation matters in Africa and to cooperate with the International Civil Aviation Organization (ICAO) and other relevant organizations and other bodies which are involved in the promotion and development of civil aviation in Africa.

**Depository:** The African Union Commission

**Legislative Status:** Domesticated vide the Civil Aviation Act, No.23 of 2013

## HEALTH

### 5. The Protocol to Eliminate Illicit Trade in Tobacco Products

**Adopted at:** Seoul, 12th November, 2012

**Signed on:** 29th May, 2013

**Entry into Force:** 25th September, 2018

**Date of Ratification:** 15th July, 2019

**Date of Deposit:** 4th May, 2020

**Instrument of ratification signed by:** Ambassador Monica Juma, DPhil, C.B.S., Cabinet Secretary, Ministry of Foreign Affairs

**Object of the Protocol:** To eliminate all forms of illicit trade in tobacco products through a package of measures to be taken by countries acting in cooperation with each other.

**Depository:** The Secretary General of the United Nations

**Legislative Status:** Domesticated vide the Tobacco Control Act, 2007



## 7.5 TREATIES RATIFIED IN THE FINANCIAL YEAR 2018/2019

During this period, one (1) Multilateral Treaty was ratified by the Republic of Kenya as follows:

ENVIRONMENT
<p><b>1. The East African Community Protocol on Cooperation in Meteorological Services</b></p> <p><b>Adopted at:</b> Arusha, 27th February, 2016</p> <p><b>Signature:</b> 2016</p> <p><b>Date of Ratification:</b> 31st March, 2019</p> <p><b>Date of Deposit:</b> 9th July, 2019</p> <p><b>Instrument of ratification signed by:</b> Ambassador. Monica Juma, DPhil, CBS, Cabinet Secretary, Ministry of Foreign Affairs</p> <p><b>Object of the Protocol:</b> To promote cooperation in the provision of meteorological services within the Community</p> <p><b>Depository:</b> The East African Community Secretariat</p>

## 7.6 TREATIES RATIFIED IN THE FINANCIAL YEAR 2017/2018

During this period five (5) Multilateral Treaties were ratified by the Republic of Kenya as follows:

DIPLOMATIC RELATIONS
<p><b>1. East African Community Protocol on Privileges and Immunities</b></p> <p><b>Adopted at:</b> Arusha, on 30th April, 2015</p> <p><b>Date of Ratification:</b> 31st May, 2018</p> <p><b>Date of Deposit:</b> 18th June, 2018</p> <p><b>Instrument of Ratification signed by:</b> Ambassador Monica Juma DPhil, C.B.S., Cabinet Secretary, Ministry of Foreign Affairs</p> <p><b>Object of the Agreement:</b> To accord the Community, its organs, institutions and employees with such immunities and privileges as are accorded to similar International Organizations in the territories of the Partner States</p> <p><b>Depository:</b> The East African Community Secretariat</p> <p><b>Legislative Status:</b> Domesticated vide the Privileges and Immunities Act, Cap 179 of the Laws of Kenya</p>
TRADE
<p><b>2. Agreement establishing the African Continental Free Trade Area (AfCFTA)</b></p> <p><b>Adopted:</b> Kigali, Rwanda on 21st March, 2018</p> <p><b>Entered into force:</b> 30th May, 2019</p> <p><b>Signed on:</b> 21st March, 2018</p> <p><b>Date of Ratification:</b> 6th May, 2018</p> <p><b>Date of Deposit:</b> 10th May, 2018</p> <p><b>Instrument of ratification signed by:</b> Ambassador Monica Juma, DPhil, C.B.S., Cabinet Secretary, Ministry of Foreign Affairs</p> <p><b>Object of the Agreement:</b> To promote intraAfrican trade by opening the trade flow of goods and services within Africa and as a result promote Africa's self-reliance</p> <p><b>Depository:</b> Africa Union Commission</p> <p><b>Legislative status:</b> Domesticated by the Kenya Trade Remedies Act No. 32 of 2017</p>
<p><b>3. Agreement establishing a Tripartite Free Trade Area among the Common Market for Eastern and Southern Africa (COMESA), the East African Community (EAC) and the Southern African Development Community (SADC)</b></p> <p><b>Adopted on:</b> 10th June, 2015</p> <p><b>Signature:</b> 10th June, 2015</p> <p><b>Date of Ratification:</b> 6th May, 2018</p> <p><b>Date of Deposit:</b> 10th May, 2018</p> <p><b>Instrument of Ratification signed by:</b> Ambassador Monica Juma DPhil, C.B.S., Cabinet</p>

Secretary, Ministry of Foreign Affairs

**Object of the Agreement:** To strengthen and deepen economic integration of the Southern and Eastern Africa region through harmonisation of policies and programmes across the three Regional Economic Communities (RECs) in the areas of trade, customs and infrastructure development

**Depository:** Common Market for Eastern and Southern Africa (COMESA) Secretariat

**Legislative status:** Domesticated by the Treaty Making and Ratification Act No. 45 of 2012 (Rev. 2014)

#### JUSTICE

#### 4. The Protocol to operationalize the extended Jurisdiction of the East Africa Court of Justice (EACJ)

**Adopted at:** Arusha, 20th April, 2015

**Signed on:** 20th April, 2015

**Date of Ratification:** 11th April, 2018

**Instrument of ratification signed by:** Ambassador Monica Juma, DPhil, C.B.S., Cabinet Secretary, Ministry of Foreign Affairs

**Object of the Protocol:** To extend the jurisdiction of the Court to cover trade and investment disputes arising out of the implementation of the Protocol on the Establishment of the East African Community Customs Union, the Protocol on the Establishment of the East African Community Common Market and the Protocol on the Establishment of the East African Community Monetary Union

**Depository:** The East African Community Secretariat

#### FISHERIES

#### 5. Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated (IUU) Fishing

**Adopted at:** Rome, Italy 22nd November, 2009

**Entry into force:** 5th June, 2016

**Signature:** 19th November, 2010

**Date of Ratification:** 1st August, 2017

**Date of Deposit:** 23rd August, 2017

**Instrument of ratification signed by:** Ambassador (Dr.) Amina C. Mohamed, E.G.H., C.A.V., Cabinet Secretary, Ministry of Foreign Affairs

**Object of the Convention:** To prevent, deter and eliminate Illegal, Unreported and Unregulated (IUU) fishing by requiring that fishing vessels request permission to dock at a port and disclose its fishing operations; and prevent illegally caught fish from entering the market place

**Depository:** Food and Agriculture Organisation (FAO), Rome

**Legislative Status:** Fisheries Management and Development Act No. 35 of 2016



## 7.7 TREATIES RATIFIED IN THE FINANCIAL YEAR 2016/17

During this period, six (6) Multilateral Treaties were ratified by the Republic of Kenya as follows:

PEACE AND SECURITY
<p><b>1. East African Community Protocol on Peace and Security</b></p> <p><b>Adopted at:</b> Dar es Salaam, 15th February, 2013</p> <p><b>Signed on:</b> 15th February, 2013</p> <p><b>Date of Ratification:</b> 23rd March, 2017</p> <p><b>Date of Deposit:</b> 23rd March, 2017</p> <p><b>Instrument of ratification signed by:</b> Ambassador (Dr.) Amina C. Mohamed, E.G.H., CAV, Cabinet Secretary Ministry of Foreign Affairs</p> <p><b>Object of the Charter:</b> To promote peace, security and stability within the Community and good neighbourliness among the EAC Partner States</p> <p><b>Depository:</b> East African Community Secretariat, Arusha</p> <p><b>Legislative Status:</b> National Cohesion and Integration Act No. 12 of 2008; Security Laws Amendment Act no. 19 of 2014</p>
INTELLECTUAL PROPERTY
<p><b>2. Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired, or otherwise Print Disabled</b></p> <p><b>Adopted at:</b> Marrakesh, Morocco 27th June, 2013</p> <p><b>Signature:</b> 28th June, 2013</p> <p><b>Date of Ratification:</b> 18th May, 2017</p> <p><b>Date of Deposit:</b> 2nd June, 2017</p> <p><b>Entry into force:</b> 30th September, 2016</p> <p><b>Instrument of Ratification signed by:</b> Ambassador (Dr.) Amina C. Mohamed, EGH, CAV, Cabinet Secretary, Ministry of Foreign Affairs</p> <p><b>Object of the Protocol:</b> To create a set of mandatory limitations and exceptions for the benefit of the blind, visually impaired and otherwise print disabled</p> <p><b>Depository:</b> World Intellectual Property Organization (WIPO), Geneva</p> <p><b>Legislative Status:</b> Domesticated vide the Persons with Disabilities Act No. 14 of 2003 (Rev. 2017)</p>
HUMAN RIGHTS
<p><b>3. Mauritius Declaration on the implementation of the United Nations Sendai Framework in Africa</b></p> <p><b>Adopted at:</b> Mauritius, 25th November, 2016</p> <p><b>Signature:</b> 25th November, 2016</p> <p><b>Declaration signed by:</b> Mr. Arthur Osiya Amug, Secretary, National Administration, Ministry of Interior and Co-ordination of the National Government</p> <p><b>Object of the Protocol:</b> Brings together African States to review progress in the</p>

implementation of the continental and global disaster risk reduction frameworks. The Platform also enables the sharing of good practices and lessons learnt with a view to enhancing coordination, increasing awareness, and mobilizing commitments to disaster risk reduction across Africa

**Depository:** Ministry of Interior and Co-ordination of the National Government

**Legislative Status:** National Disaster Risk Management Policy, 2016; Disaster Risk Management Bill, 2017

#### TRADE

#### 4. Economic Partnership Agreement Between the East African Community Partner States and the European Union and its Member States

**Adopted at:** The European Parliament on 25th March 2009

**Signature:** 1st September, 2016

**Date of Ratification:** 20th September, 2016

**Date of Deposit:** 27th September, 2016

**Instrument of Ratification signed by:** Ambassador (Dr.) Amina C. Mohamed, EGH, CAV, Cabinet Secretary, Ministry of Foreign Affairs and International Trade

**Object of the Agreement:** The agreement covers trade in goods and development cooperation. It also contains an extensive chapter on fisheries – aiming mainly to reinforce cooperation on the sustainable use of resources - and foresees further negotiations on services and trade-related rules in the future

**Depository:** The EAC Secretariat and the European Union

**Legislative Status:** Domesticated vide the East African Community Customs Management Act, 2004

#### ENVIRONMENT, FORESTRY AND AGRICULTURE

#### 5. The Paris Agreement on Climate Change

**Adopted at:** Paris on 12th December 2015

**Signed on:** 22nd April, 2016

**Entered into force:** 4th November, 2016

**Date of Ratification:** 13th December, 2016

**Date of Deposit:** 28th December, 2016

**Instrument of ratification signed by:** Ambassador (Dr.) Amina C. Mohamed, EGH, CAV, Cabinet Secretary, Ministry of Foreign Affairs

**Object of the Agreement:** To enhance the implementation of The United Nations Convention on Climate Change, including strengthening global response to the threat of climate change, in the context of sustainable development and efforts to eradicate poverty

**Depository:** Secretary General, United Nations

**Legislative Status:** Domesticated vide the Climate Change Act No. 11 of 2016

#### 6. East African Community Protocol on Sanitary and Phyto-Sanitary (SPS) Measures

**Adopted at:** Arusha, 12th July, 2013

**Signed:** 29th June, 2016

**Date of Ratification:** 11th August, 2016

**Date of Deposit:** 29th September, 2016

**Instrument of ratification signed by:** Ambassador (Dr.) Amina C. Mohamed, EGH, CAV,  
Cabinet Secretary, Ministry of Foreign Affairs and International Trade

**Entry into force:** Not operational because some partner states have delayed ratification.

**Object of the Measures:** To establish a common and improved framework in East African Community to promote trade in food and agricultural commodities and strengthen the application of a harmonized approach for implementation of Sanitary and Phyto-Sanitary (SPS) measures and activities

**Depository:** The East African Community Secretariat

**Legislative Status:** Seed and Plant Varieties Act Cap 326 (Rev. 2012); Animal Diseases Act Cap 364 (Rev. 2012); Fisheries Management and Development, 2016

## 7.8 TREATIES RATIFIED IN THE FINANCIAL YEAR 2015/16

During this period eight (8) Multilateral Treaties were ratified by the Republic of Kenya and one (1) declaration made as follows:

ENVIRONMENT, FORESTRY AND AGRICULTURE
<p><b>1. International Convention for the Protection of New Varieties of Plants (UPOV) of December 2, 1961, as Revised at Geneva on November 10, 1972, on October 23, 1978, and on March 19, 1991</b></p> <p><b>Adopted at:</b> 19th March, 1991</p> <p><b>Entry into Force:</b> 24th April, 1998</p> <p><b>Date of Accession:</b> 10th March, 2016</p> <p><b>Date of Deposit:</b> 11th April, 2016</p> <p><b>Instrument of accession signed by:</b> Ambassador (Dr.) Amina C. Mohamed, EGH, CAV, Cabinet Secretary, Ministry of Foreign Affairs and International Trade</p> <p><b>Object of the Convention:</b> To encourage breeders to develop new varieties of plants. Provides a unique form of intellectual property protection, specifically adapted for the process of plant breeding</p> <p><b>Depository:</b> Union for the Protection of New Varieties of Plants (UPOV), Geneva, Switzerland</p> <p><b>Legislative Status:</b> Domesticated vide the Seed and Plant Varieties Act Cap 326 Laws of Kenya</p>
EDUCATION, SCIENCE AND TECHNOLOGY
<p><b>2. The Africa Regional Cooperative Agreement for Research, Development and Training related to Nuclear Science and Technology-Fifth Extension of Agreement.</b></p> <p><b>Adopted on:</b> 4th April, 2015</p> <p><b>Entry into force:</b> 4th April, 2015</p> <p><b>Date of Accession:</b> 4th February, 2016</p> <p><b>Date of Deposit:</b> 25th September, 2017</p> <p><b>Instrument of Accession signed by:</b> Ambassador (Dr.) Amina C. Mohamed, EGH, CAV, Cabinet Secretary, Ministry of Foreign Affairs and International Trade</p> <p><b>Object of the Agreement:</b> To further strengthen and enlarge the contribution of nuclear science and technology to socio-economic development on the African Continent</p> <p><b>Depository:</b> The African Union Commission</p> <p><b>Legislative Status:</b> Domesticated vide the Science, Technology and Innovations Act No. 28 of 2013; Universities Act No. 42 of 2012</p>
INTELLECTUAL PROPERTY
<p><b>3. Protocol amending the Marrakesh Agreement establishing the World Trade Organization</b></p> <p><b>Adopted at:</b> Geneva, Switzerland on 27th November, 2014</p>



<p><b>Signature:</b> 3rd December, 2015</p> <p><b>Date of Ratification:</b> 3rd December, 2015</p> <p><b>Date of Deposit:</b> 10th December, 2015</p> <p><b>Entry into Force:</b> 22nd February, 2017</p> <p><b>Instrument of Ratification signed by:</b> Ambassador (Dr.) Amina C. Mohamed, EGH, CAV, Cabinet Secretary, Ministry of Foreign Affairs and International Trade</p> <p><b>Object of the Protocol:</b> To simplify, harmonize and automate custom procedures with the view to expedite the movement, release and clearance of goods including goods in transit and thereby reducing the cost of doing business</p> <p><b>Depository:</b> World Trade Organization (WTO)</p> <p><b>Legislative Status:</b> Domesticated vide the Licensing Laws Act, No 17 of 2006</p>
<p><b>4. The Protocol Amending the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement</b></p> <p><b>Date of adoption:</b> 6th December, 2005</p> <p><b>Date of Ratification:</b> 7th July, 2015</p> <p><b>Date of Deposit:</b> 21st July, 2015</p> <p><b>Entry into force:</b> 23rd February, 2017</p> <p><b>Instrument of Ratification signed by:</b> Ambassador (Dr.) Amina C. Mohamed, EGH, CAV, Cabinet Secretary, Ministry of Foreign Affairs and International Trade</p> <p><b>Object of the Agreement:</b> To facilitate access for least developed and developing countries to affordable versions of patented medicines needed to address public health problems such as HIV/AIDS, malaria and other epidemics</p> <p><b>Depository:</b> World Trade Organization (WTO)</p> <p><b>Legislative Status:</b> Domesticated vide the Industrial Property Act of 2001</p>
<p style="text-align: center;"><b>TRANSPORT AND INFRASTRUCTURE</b></p>
<p><b>5. Tripartite Development and Operation of a Standard Gauge Railway within the Framework of the Northern Corridor Integration Projects</b></p> <p><b>Adopted at:</b> Kampala, 28th August, 2013</p> <p><b>Date of Ratification:</b> 4th November, 2015</p> <p><b>Signed by:</b> Ambassador (Dr.) Amina C. Mohamed, EGH, CAV, Cabinet Secretary, Ministry of Foreign Affairs and International Trade</p> <p><b>Object of the Protocol:</b> To establish a framework under which the parties shall implement the provisions of the SGR Protocol. The directive of the 13th Northern Corridor Integration Projects Summit is to undertake joint operations with the aim of achieving seamless operations in line with the laws of Kenya, Uganda and Rwanda (South Sudan acceded on May 2014)</p> <p><b>Depository:</b> Secretariat, Northern Corridor Coordination Authority</p> <p><b>Legislative Status:</b> Domesticated vide the Kenya Railways Corporation Act (Rev 2012), Cap 397 of the Laws of Kenya</p>



## PEACE AND SECURITY

### **6. East African Community Protocol on Cooperation in Defence Affairs**

**Adopted at:** Arusha, 28th April, 2012

**Entry into force:** 19th November, 2015

**Signature:** 28th April, 2012

**Date of Ratification:** 7th October, 2015

**Date of Deposit:** 19th November, 2015

**Instrument of ratification signed by:** Ambassador (Dr.) Amina C. Mohamed, EGH, CAV, Cabinet Secretary, Ministry of Foreign Affairs and International Trade

**Object of the Protocol:** Collaboration and cooperation of the EAC Partner States in all defence affairs with regional and International Organizations to promote peace, security and stability in the EAC

**Depository:** The East African Community Secretariat

**Legislative Status:** Domesticated vide the Kenya Defence Forces Act, No. 25 of 2012

### **7. Agreement on the Establishment of Eastern Africa Standby Force**

**Adopted:** 26th June, 2014

**Signature:** 26th June, 2014

**Date of Ratification:** 7th October, 2015

**Date of Deposit:** 7th October, 2015

**Instrument of ratification signed by:** Ambassador (Dr.) Amina C. Mohamed, EGH, CAV, Cabinet Secretary Ministry of Foreign Affairs and International Trade

**Object of the Agreement:** To maintain a ready force to respond to crises, enhance peace and security in the region through collaborative efforts by Partner States and to ensure stability and regional integration

**Depository:** The Eastern Africa Standby Force Secretariat

**Legislative Status:** Domesticated by the Kenya Defence Forces Act. No. 25 of 2012

### **8. Mutual Defence Pact**

**Adopted at:** Kampala, 20th February 2014

**Signature:** 20th February 2014

**Date of Ratification:** 7th October 2015

**Signed by:** Ambassador (Dr.) Amina C. Mohamed, EGH, CAV, Cabinet Secretary Ministry of Foreign Affairs and International Trade

**Object of the Pact:** To aid in conflict prevention, management and resolution; prevent genocide; combat terrorism; control of proliferation of illicit small arms and light weapons; combat transnational organized crime; conduct peace support operations; undertake disaster risks reduction; manage crisis; manage refugees, asylum seekers and movement of people; exchange of information and sharing of intelligence; management of prisons and correctional services; address and combat cattle rustling; combat economic crimes, poaching and other environmental crimes as well as suppress piracy

**Depository:** The East Africa Community Secretariat

**Legislative Status:** Domesticated vide the Kenya Defence Forces Act No. 25 of 2012

### **7.8.1 TREATY ACTION (DECLARATION BY KENYA)**

**Declaration of Non-Acceptance of Jurisdiction of the International Criminal Court (ICC) Pertaining to the Crime of Aggression in Article 8 of the Rome Statute**

**Adopted in Kampala:** 10th June 2010

**Entry into force of Amendment to Article 8 for State parties:** 26th September, 2012

**Date of Declaration by Kenya to the Amendment:** 9th November, 2015

**Declaration signed by:** Ambassador (Dr.) Amina C. Mohamed, EGH, CAV, Cabinet Secretary, Ministry of Foreign Affairs and International Trade

**Object of the Declaration:** Enables State Parties to opt-out of the Court's exercise of jurisdiction over the Crime of Aggression in accordance with Article 12 of the Rome Statute

**Depository:** Secretary General, United Nations

**Legislative Status:** International Crimes Act No. 16 of 2008 (*Rev. 2012*)

## 7.9 TREATIES RATIFIED IN THE FINANCIAL YEAR 2014/15

During this period seven (7) Multilateral Treaties were ratified by the Republic of Kenya as follows:

### PROTECTION OF THE MARINE ENVIRONMENT

#### 1. International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001

**Adopted at:** London on 23rd March, 2001

**Entry into Force:** 21st November, 2008

**Date of Accession:** 4th May, 2015

**Date of Deposit:** 7th July, 2015

**Instrument of Accession signed by:** Ambassador (Dr.) Amina C. Mohamed, EGH, CAV, Cabinet Secretary Ministry of Foreign Affairs and International Trade

**Object of the Convention:** To expedite the process by which claimants are able to recover costs incurred as a result of pollution from ships' bunker fuel oils, emanating from a bunker pollution incident or as a result of damage caused by bunker oil pollution

**Depository:** Secretary-General, International Maritime Organization (IMO)

**Legislative Status:** Domesticated vide the Kenya Maritime Authority Act, 2006 and the Merchant Shipping Act, 2009

#### 2. International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001

**Adopted at:** London on 5th October, 2001

**Entry into Force:** 17th September, 2008

**Date of Accession:** 4th May, 2015

**Date of Deposit:** 7th July, 2015

**Instrument of Accession signed by:** Ambassador (Dr.) Amina C. Mohamed, EGH, CAV, Cabinet Secretary, Ministry of Foreign Affairs and International Trade

**Object of the Convention:** Forbids the application of anti-fouling coatings to new and existing ships, fixed and floating platforms, floating productions and/or storage units, regardless of size after January 2003

**Depository:** Secretary-General, International Maritime Organization (IMO)

**Legislative Status:** Domesticated vide the Kenya Maritime Authority Act, 2006 and the Merchant Shipping Act, 2009

### SAFETY OF LIFE AND NAVIGATION AT SEA

#### 3. The 1988 Protocol to the International Convention on Load Lines

**Adopted at:** London on 11th November, 1988

**Entry into Force:** 3rd February, 2000

**Date of Accession:** 4th May, 2015

**Date of Deposit:** 7th July, 2015

**Instrument of Accession signed by:** Ambassador (Dr.) Amina C. Mohamed, EGH, CAV,

Cabinet Secretary Ministry of Foreign Affairs and International Trade

**Object of the Protocol:** To harmonize the Convention's survey and certification requirements with those contained in the Safety of Life at Sea (SOLAS 74/78) and MARPOL. The harmonized system resolves issues arising from variances in survey dates and intervals

**Depository:** Secretary-General, International Maritime Organization (IMO)

**Legislative Status:** Domesticated vide the Kenya Maritime Authority Act 2006 and Merchant Shipping Act 2009

#### **4. Protocol of 1988 Relating to the International Convention for the Safety of Life at Sea (SOLAS) 1974**

**Adopted:** 11th November, 1988

**Entry into Force:** 3rd February, 2000

**Date of Accession:** 4th May, 2015

**Date of Deposit:** 7th July, 2015

**Instrument of Accession signed by:** Ambassador (Dr.) Amina C. Mohamed, EGH, CAV,  
Cabinet Secretary Ministry of Foreign Affairs and International Trade

**Object of the Protocol:** To introduce a new coordinated system of surveys and certification. It implements the Harmonized Ship Survey and Certification (HSSC) as provided in the Load lines 1966 Convention and the Marine Pollution Convention of 73/78 (MARPOL) as well as with various codes dealing with construction and equipment of ships carrying dangerous chemicals in bulk

**Depository:** Secretary-General, International Maritime Organization (IMO)

**Legislative Status:** Domesticated vide the Kenya Maritime Authority Act, 2006 and Merchant Shipping Act, 2009

#### **5. The 1996 Protocol to the Convention on Limitation of Liability for Maritime Claims, 1976**

**Adopted at:** London on 2nd May, 1996

**Entry into Force:** 13th May, 2004

**Date of Accession:** 4th May, 2015

**Date of Deposit:** 7th July, 2015

**Instrument of Accession signed by:** Ambassador (Dr.) Amina C. Mohamed, EGH, CAV,  
Cabinet Secretary, Ministry of Foreign Affairs and International Trade

**Object of the Protocol:** To provide a mechanism where ship owners and salvors may limit their liability, except where it is proved that the loss resulted from his personal act or omission with the intent to cause such a loss, or recklessly and with knowledge that such loss would probably occur

**Depository:** Secretary-General, International Maritime Organization (IMO)

**Legislative Status:** Domesticated vide the Kenya Maritime Authority Act, 2006

#### **6. Nairobi International Convention on Removal of Wrecks, 2007**

**Adopted at:** Nairobi on 18th May, 2007

**Signature:** 18th May, 2007

**Entry into force:** 14th April, 2015

**Date of Deposit:** 14th April, 2015

**Instruction of Ratification signed by:** Ambassador (Dr.) Amina C. Mohamed, EGH, CAV, Cabinet Secretary, Ministry of Foreign Affairs and International Trade

**Object of the Convention:** To provide the legal basis for States to remove or cause to be removed shipwrecks that may have the potential to affect adversely the safety of lives, goods and property at sea, as well as the marine environment

**Depository:** Secretary-General, International Maritime Organization (IMO)

**Legislative Status:** Domesticated vide the Merchant Shipping Act, 2009

#### **FISCAL MATTERS**

#### **7. Protocol on Establishment of the East African Community Monetary Union**

**Adopted at:** Arusha, 30th November, 2013

**Signature:** 30th November, 2013

**Date of Ratification:** 28th November, 2014

**Instrument of Ratification signed by:** Ambassador (Dr.) Amina C. Mohamed, EGH, CAV, Cabinet Secretary, Ministry of Foreign Affairs and International Trade

**Object of the Protocol:** To establish a single currency in the Community by 2024.

**Depository:** The East African Community Secretariat

**Legislative Status:** Domesticated vide the East African Trade Negotiations Act, 2007 and the Central Bank Act Cap 491 of 2014; Banking Act Cap 488 ; Microfinance Act No. 19 of 2006; Capital Markets Act No. 485 A 2013; Kenya Revenue Authority Act, No. 2 of 1995; Insurance Act (Amendment, 2006), Cap 487; Retirement Benefits Authority Act No. 3 of 1997



## 7.10 TREATIES RATIFIED IN THE FINANCIAL YEAR 2013/14

During this period eight (8) Multilateral Treaties were ratified by the Republic of Kenya as follows:

TRANSPORT AND INFRASTRUCTURE
<p><b>1. Africa Maritime Transport Charter, 2010</b></p> <p><b>Adopted:</b> 26th July, 2010</p> <p><b>Date of Ratification:</b> 28th March, 2014</p> <p><b>Date of Deposit:</b> 23rd April, 2014</p> <p><b>Instrument of ratification signed by:</b> Ambassador (Dr.) Amina C. Mohamed, EGH, CAV, Cabinet Secretary, Ministry of Foreign Affairs and International Trade</p> <p><b>Object of the Charter:</b> To cooperate in the implementation of maritime convention and regulations, particularly in the areas of safety, security, protection of the maritime environment and maritime labour</p> <p><b>Depository:</b> Chairperson of the African Union Commission</p> <p><b>Legislative Status:</b> Domesticated vide the Kenya Maritime Authority Act of 2006 (<i>Rev. 2012</i>)</p>
SAFETY OF LIFE AND NAVIGATION AT SEA
<p><b>2. International Maritime Labour Convention, 2006</b></p> <p><b>Adopted at:</b> Geneva, Switzerland on 23rd February, 2006</p> <p><b>Entry into force:</b> 20th August, 2013</p> <p><b>Date of Accession:</b> 28th March, 2014</p> <p><b>Date of Deposit:</b> 31st July, 2014</p> <p><b>Instrument of Accession signed by:</b> Ambassador (Dr.) Amina C. Mohamed, EGH, CAV, Cabinet Secretary, Ministry of Foreign Affairs and International Trade</p> <p><b>Object of the Convention:</b> For States to ensure that ships flying their flag are duly inspected to conform to international standards, and Kenya as a State Party to provide effective protection for Kenyan seafarers</p> <p><b>Depository:</b> Director-General of the International Labour Office (ILO)</p> <p><b>Legislative Status:</b> Domesticated vide the Kenya Maritime Authority Act, 2006</p>
DIPLOMATIC RELATIONS
<p><b>3. Agreement on Privileges and Immunities of the Organization for the Prohibition of Chemical Weapons (OPCW)</b></p> <p><b>Signature:</b> 28th March, 2001</p> <p><b>Date of Ratification:</b> 24th March, 2014</p> <p><b>Date of Deposit:</b> 19th February, 2015</p> <p><b>Instrument of ratification signed by:</b> Ambassador (Dr.) Amina C. Mohamed, EGH, CAV, Cabinet Secretary, Ministry of Foreign Affairs and International Trade</p>

**Object of the Agreement:** To grant privileges and immunities to the OPCW to enable the Organization function independently, without interference by Host States or Third Parties

**Depository:** Organization for the Prohibition of Chemical Weapons (OPCW), The Hague

**Legislative Status:** Domesticated vide the Privileges and Immunities Act, Cap. 179 of the Laws of Kenya

#### ENVIRONMENT, FORESTRY AND AGRICULTURE

##### 4. Doha Amendment to the Kyoto Protocol

**Adopted at:** Doha, 8th December, 2012

**Entry into force:** Not in force

**Date of Ratification:** 3rd March, 2014

**Date of Deposit:** 7th April, 2014

**Instrument of ratification signed by:** Ambassador (Dr.) Amina C. Mohamed, EGH, CAV, Cabinet Secretary, Ministry of Foreign Affairs and International Trade

**Object of the Amendment:** To establish a legal framework on reduction targets of Green House Gas (GHG) emissions by developed Countries or individually

**Depository:** Secretary General, United Nations

**Legislative Status:** Domesticated vide the Environmental Management and Co-ordination Act, Cap. 387 and the Climate Change Act, No. 11 of 2016

##### 5. Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention and Biological Diversity.

**Adopted at:** Nagoya, 29th October, 2010

**Entry into Force:** 12th October, 2014

**Signature:** 1st February, 2012

**Date of Ratification:** 3rd March, 2014

**Date of Deposit:** 7th April, 2014

**Instrument of ratification signed by:** Ambassador (Dr.) Amina C. Mohamed, EGH, CAV, Cabinet Secretary, Ministry of Foreign Affairs and International Trade

**Object of the Protocol:** To create a transparent legal framework for the fair and equitable sharing of benefits arising out of the utilisation of Genetic Resources thereby contributing to the conservation and sustainable use of biodiversity

**Depository:** Secretary General, United Nations

**Legislative Status:** Domesticated vide the Environmental Management and Co-ordination Act, 1999

##### 6. Beijing Amendment to Montreal Protocol on Substances that Deplete Ozone Layer

**Adopted at:** Beijing, 3rd December, 1999

**Entry into force:** 25th February, 2002

**Date of Accession:** 26th September, 2013

**Date of Deposit:** 9th October, 2013

**Instrument of accession signed by:** Ambassador (Dr.) Amina C. Mohamed, EGH, CAV,



Cabinet Secretary, Ministry of Foreign Affairs and International Trade

**Object of the Protocol:** International cooperation and collaboration to protect the ozone layer by taking precautionary measures to control global emissions of substances that deplete the ozone layer

**Depository:** Secretary General, United Nations

**Legislative Status:** Domesticated vide the Environmental Management and Co-ordination Act, 1999

## HUMAN RIGHTS

### 7. Africa Youth Charter

**Adopted at:** Banjul, Gambia on 2nd July, 2006

**Signed on:** 28th June, 2008

**Entry into force:** 8th August, 2009

**Date of Ratification:** 23rd January, 2014

**Date of Deposit:** 29th January, 2014

**Instrument of Ratification signed by:** Ambassador (Dr.) Amina C. Mohamed, EGH, CAV, Cabinet Secretary, Ministry of Foreign Affairs and International Trade

**Object of the Charter:** To ensure youth participation in society, politics and welfare development

**Depository:** Chairperson of African Union Commission

**Legislative Status:** Domesticated vide the National Youth Council Act, No. 10 of 2009 and the National Youth Service Act, Cap. 208 of the Laws of Kenya

## PEACE AND SECURITY

### 8. Protocol Additional to the Geneva Convention of 12th August, 1949 and Relating to the Adoption of an Additional Distinctive Emblem (Protocol III) 8th December, 2005

**Adopted at:** Geneva, 8th December, 2005

**Entry into force:** 14th January, 2007

**Date signed:** 30th March, 2006

**Date of Ratification:** 26th September, 2013

**Date of Deposit:** 28th October, 2013

**Instrument of ratification signed by:** Ambassador (Dr.) Amina C. Mohamed, EGH, CAV, Cabinet Secretary, Ministry of Foreign Affairs

**Object of the Protocol:** Protection of prisoners of war in cases of armed conflict under the protection of the principles of humanity and dictates of the public conscience

**Depository:** Secretary General, United Nations

**Legislative Status:** Domesticated vide the Geneva Conventions Act, Cap 198 of the Laws of Kenya

## **ANNEX I—LIST OF TREATIES RATIFIED BY KENYA SINCE INDEPENDENCE**

### **A. DIPLOMACY, PRIVILEGES AND IMMUNITIES**

1. The 1961 Vienna Convention on Diplomatic Relations
2. Optional Protocol to the Vienna Convention on Diplomatic Relations concerning the Acquisition of Nationality
3. The 1963 Vienna Convention on Consular Relations
4. Optional Protocol to the Vienna Convention on Consular Relations on the Acquisition of Nationality
5. Optional Protocol to the Vienna Convention on the Compulsory Settlement of Disputes
6. The 1946 Convention on the Privileges and Immunities of the United Nations
7. The 1948 Convention on the Privileges and Immunities of the UN Specialized Agencies
8. Agreement on Privileges and Immunities of the Organization for the Prohibition of Chemical Weapons (OPCW)
9. General Convention on Privileges and Immunities on the OAU (General Convention)
10. EAC Protocol on Foreign Policy Co-ordination
11. EAC Protocol on Privileges and Immunities

### **B. PEACE AND SECURITY**

1. Geneva Convention I for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field; Geneva Convention II for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea; Geneva Convention III relative to the Treatment of Prisoners of War; Geneva Convention IV relative to the Protection of Civilian Persons in Time of War; Additional Protocol I to the Geneva Conventions relating to the Protection of Victims of International Armed Conflicts; Additional Protocol II to the Geneva Conventions relating to the Protection of Victims of Non-International Armed Conflicts; Additional Protocol III to the Geneva Conventions relating to the Adoption of an Additional Distinctive Emblem
2. Convention on the Prohibition of the Development, Production, Stockpiling and use of Chemical Weapons and on their Destruction (CWC) 1997
3. The Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (BTWC)
4. Protocol for the Prohibition of the use of Asphyxiating, Poisonous or other Gases and of Bacteriological Methods of Warfare
5. Comprehensive Nuclear Test Ban Treaty (CTBT)
6. Treaty on the Non-Proliferation of Nuclear Weapons (NPT)
7. The African Nuclear Weapon Free Zone Treaty (Treaty of Pelindaba)
8. The Hague Code of Conduct against Ballistic Missile Proliferation (HCoC)
9. Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction

10. Protocol Relating to the Establishment of the Peace and Security Council of the African Union
11. East African Community Protocol on Co-operation in Defence Affairs
12. Mutual Defence Pact between Kenya, Uganda and Rwanda
13. Optional Protocol to the UN Convention on the Rights of the Child on Involvement of Children in Armed Conflict
14. UN Convention against Transnational Organized Crime (also known as Palermo Convention). The Convention has three Protocols namely: Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the UNTOC; Protocol against the Smuggling of Migrants by Land, Sea and Air; and Protocol against the Illicit Manufacturing and Trafficking in Firearms, their Parts, Components and Ammunition (also known as the Palermo Protocols)
15. International Convention for the Suppression of Terrorist Bombings
16. International Convention for the Suppression of Acts of Nuclear Terrorism
17. International Convention for the Suppression of the Financing of Terrorism
18. International Convention against Taking of Hostages
19. OAU Convention on the Prevention and Combating of Terrorism
20. East African Community Protocol on Peace and Security
21. Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents
22. Convention on the Safety of United Nations and Associated Personnel
23. Convention on the Physical Protection of Nuclear Material (CPPNM) and the Amendment to the Convention on the Physical Protection of Nuclear Material
24. The Nairobi Protocol for the Prevention, Control and Reduction of the Proliferation of Small Arms and Light Weapons in the Great Lakes Region and Horn of Africa
25. Protocol on the Establishment of a Conflict Early Warning and Response Mechanism for IGAD Member States (CEWARN)
26. Protocol on Combating Drug Trafficking in the East African Region
27. Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water
28. Search and Rescue Agreement for Co-operation in Infrastructure and Services (Security)

### **C. HUMAN RIGHTS AND SOCIAL PROTECTION**

1. Universal Periodic Review (UPR)
2. Universal Declaration on Human Rights (UDHR)
3. The International Covenant on Civil and Political Rights (ICCPR)
4. The International Covenant on Economic, Social and Cultural Rights (ICESCR)
5. The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)
6. The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)



7. The United Nations Convention on the Rights of the Child (UNCRC)
8. Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
9. African Charter on the Rights and Welfare of the Child (ACRWC)
10. United Nations Convention on the Rights of Persons with Disabilities
11. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
12. The African Charter on Human and Peoples' Rights (ACHPR)
13. Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol)
14. Great Lakes Protocol on the Prevention and Suppression of Sexual Violence against Women and Children
15. The Great Lakes Protocol on the Protection and Assistance to Internally Displaced Persons (IDPs)
16. The African Youth Charter
17. Conventions on the Status of Refugees
18. The Rome Statute of the International Criminal Court (ICC)
19. Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity
20. Great Lakes Protocol on Prevention and Punishment of the Crime of Genocide, War Crimes and Crimes against Humanity and all forms of Discrimination
21. UN Standard Minimum Rules for the Treatment of Prisoners—Mandela Rules
22. United Nations Minimum Rules for the Administration of Juvenile Justice (1985) (The Beijing Rules), the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty (1990) and the United Nations Guidelines for the Prevention of Juvenile Delinquency
23. United Nations Standard Minimum Rules for Non-Custodial Measures (The Tokyo Rules)
24. Body of Principles for the Protection of Persons under any Form of Detention or Imprisonment
25. The Hague Convention on the Protection of Children and Cooperation in Respect of Inter-Country Adoption
26. Madrid International Plan of Ageing, 2002

#### **D. INTERNATIONAL TRADE AND INVESTMENT**

1. Protocol Amending the Marrakech Agreement Establishing the World Trade Organization
2. General Agreement on Tariffs and Trade 1994 (GATT 1994)
3. General Agreement on Trade and Services (GATS)
4. The WTO Trade Facilitation Agreement (TFA)
5. World Trade Organization Technical Barriers to Trade (WTO/ TBT)

6. World Trade Organization Agreement on Trade Related Investment Measures (TRIMS)
7. World Trade Organization Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS)
8. Protocol Amending the TRIPS Agreement
9. The World Trade Organization Dispute Settlement System
10. WTO/SPS WTO Agreement on the Application of Sanitary and Phyto-sanitary Measures (SPS Agreement)
11. East African Community Protocol on Sanitary and Phyto-sanitary measures
12. EAC Agreement for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income
13. Cotonou Partnership Agreement (ACP-EU Partnership Agreement)
14. East African Community (EAC)/European Union (EU) Economic Partnership Agreements (EPAs)
15. Protocol on the Establishment of the East African Community Common Market
16. Protocol on the Establishment of the East African Community Customs Union
17. Protocol on the Establishment of the East African Community Monetary Union
18. The Economic Partnership Agreement between the Republic of Kenya
19. Convention on Mutual Administrative Assistance in Tax Matters

#### **E. STANDARDIZATION**

1. The Metre Convention
2. East Africa Community Protocol on Standardization, Quality Assurance Metrology and Testing (EAC SQMT)

#### **F. INTELLECTUAL PROPERTY**

1. Paris Convention for the Protection of Industrial Property
2. Berne Convention for the Protection of Artistic and Literary Works
3. Madrid Agreement Concerning the International Registration of Marks (Madrid, 1891)
4. Patent Co-operation Treaty (PCT)
5. Brussels Convention Relating to the Distribution of Programme-Carrying Signals Transmitted by Satellite
6. Marrakech Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired, or Otherwise Print Disabled
7. Beijing Treaty on Audio-visual Performances
8. Nairobi Treaty on the Protection of the Olympic Symbol
9. Geneva Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of their Phonograms, 1971

## **G. EDUCATION, SCIENCE AND TECHNOLOGY**

1. Dakar Framework for Action, Education for All (EFA) Agreement
2. The Djibouti Declaration on Regional Conference on Refugee Education in IGAD Member States
3. Protocol on the Establishment of the Inter-University Council for East Africa (IUCEA)
4. Protocol on the establishment of the East African Kiswahili Commission
5. Protocol on the Establishment of the East African Science and Technology Commission
6. Support to Enhancement of Quality and Relevance in Higher Education, Science and Technology (HEST Project)
7. The Africa Regional Cooperative Agreement for Research Development and Training Related to Nuclear Science and Technology (AFRA)

## **H. OUTER SPACE**

1. Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies
2. Convention on International Liability for Damage caused by Space Objects (Liability Convention)
3. Agreement on the African Resource and Environment Management Satellite Constellation Initiative (ARMC)

## **I. ELECTIONS, DEMOCRACY AND GOVERNANCE**

1. The African Charter on Democracy Elections and Governance (ACDEG)

## **J. HEALTH**

1. WHO Framework Convention on Tobacco Control (FCTC)
2. Protocol to Eliminate Illicit Trade in Tobacco Products (ITP)
3. The Single Convention on Narcotic Drugs, 1961
4. The Convention on Psychotropic Substances, 1971
5. United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances
6. Protocol for the Establishment of the East African Health Research Commission (EAHRC)

## **K. TRANSPORT**

### **L. AIR TRANSPORT**

1. Convention for the Unification of Certain Rules of International Carriage by Air (1999 Montreal Convention)
2. Convention on the Marking of Plastic Explosives for the Purpose of Detection (1991 Montreal)
3. Convention on International Interests in Mobile Equipment (Cape Town Convention) and the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment
4. Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (1971 Montreal Convention)

5. Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation (1988 Montreal)
6. Convention on Damage Caused by Foreign Aircraft to Third Parties on the Surface (1952 Rome Convention)
7. Protocol to amend the Rome Convention of 1952 on Damage Caused by Foreign Aircraft to Third Parties on the Surface (1978 Montreal)
8. Protocol on the Establishment of the East African Community Civil Aviation Safety and Security Oversight Agency (CASSOA)
9. Search and Rescue Agreement Co-operation in Air Accident Investigations
10. Convention on the International Recognition of Rights in Aircraft (1948 Geneva Convention)
11. Convention for Unification of Certain Rules Relating to International Carriage by Air (1929 Warsaw)
12. Protocol to amend the Convention for the Unification of Certain Rules relating to International Carriage by Air (1955 Hague Protocol).
13. Convention on Offences and Certain Other Acts Committed on Board Aircraft (1963 Tokyo)
14. Convention for the Suppression of Unlawful Seizure of Aircraft (1970 Hague)

#### **M. ROAD TRANSPORT**

1. Geneva Convention on Road Traffic Accident
2. The Northern Corridor Transit and Transport Agreement, 2007
3. Northern Corridor Integration Projects (NCIP)
4. Lamu Port- South Sudan-Ethiopia Transport Corridor Project
5. Regional Customs Transit Guarantee (RCTG) Agreement
6. 1993 COMESA Protocol for the Establishment of Third-Party Motor Vehicle Insurance Scheme Road Transport Market Liberalisation
7. Tripartite Agreement on Road Transport between the Government of the Republic of Kenya, the Government of the Republic of Uganda and the Government of the United Republic of Tanzania

#### **N. RAIL TRANSPORT**

1. Protocol for the Development and Operation of the Standard Gauge Railway

#### **O. LAW OF THE SEA**

1. United Nations Convention on the Law of the Sea (UNCLOS)

#### **P. MARITIME TRANSPORT**

1. Maritime Labour Convention (MLC), 2006 as amended
2. International Convention for the Safety of Life at Sea, 1974, as amended (SOLAS 1974)
3. Protocol of 1978 Relating to the International Convention for the Safety of Life at Sea 1974 as amended (SOLAS PROT. 78)



4. Protocol of 1988 Relating to the International Convention for the Safety of Life at Sea, 1974 as amended (SOLAS PROT., 1988)
5. International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto and by the Protocol of 1997 as amended (MARPOL/MARPOL PROT., 1997)
6. International Convention on Standards of Training, Certification and Watch-Keeping for Seafarers, 1978, as amended (STCW 1978)
7. International Convention on Load Lines, 1966 (LL 1966) as amended by the 1988 Protocol to the Load Lines Convention (1988 Protocol)
8. International Convention on Tonnage Measurement of Ships, 1969 as amended (TONNAGE 1969)
9. Convention on the International Regulations for Preventing Collisions at Sea, 1972, as amended (COLREG 1972)
10. International Convention for Safe Containers as amended (CSC), 1972
11. International Convention on Maritime Search and Rescue (SAR), 1979 as amended
12. Convention on Facilitation of International Maritime Traffic, 1965, as amended (FAL 1965)
13. Convention on the Prevention of Marine Pollution by Dumping of Wastes and other Matter, 1972, as amended by the London Protocol (London Convention 1972).
14. Protocol of 1992 to Amend the International Convention on Civil Liability for Oil Pollution Damage, 1969 (CLC PROT 1992)
15. Protocol of 1992 to Amend the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971 (FUND PROT. 1992)
16. Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA 1988) as amended by the Protocol for the Suppression of unlawful acts against the safety of fixed platforms located on the continental shelf, 1988 (SUA PROT. 1988)
17. International Convention on Salvage, 1989 (Salvage 1989)
18. International Convention on Oil Pollution Preparedness, Response and Co-operation, 1990 (OPRC 1990)
19. International Convention for the Control and Management of Ships' Ballast Water and Sediments (BWM 2004)
20. International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001 (Bunkers 2001)
21. Protocol of 1996 to Amend the Convention on Limitation of Liability for Maritime Claims, 1976 (LLMC PROT. 1996)
22. International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001 (AFS 2001)
23. African Maritime Transport Charter, 2010 (Revised 2014)
24. Nairobi International Convention on Removal of Wrecks, 2007 (NAIROBI WRC 2007)

## **Q. FISHERIES**

1. United Nations Fish Stock Agreement relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (UNFSA)
2. Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IUU)
3. International Convention for Regulation of Whaling, 1946
4. FAO Code of Conduct for Responsible Fisheries (CCRF)
5. UN 1993 FAO Fishing Vessel Compliance Agreement
6. UN 2009 FAO Port State Measures Agreement
7. The Common Market for Eastern and Southern Africa Fisheries Strategy (COMESAFS).
8. The Convention for the Establishment of the Lake Victoria Fisheries Organization (LVFO)

## **R. ENVIRONMENT AND FORESTRY**

1. United Nations Framework Convention on Climate Change (UNFCCC)
2. The Kyoto Protocol to the United Nations Framework Convention on Climate Change
3. Paris Agreement on Climate Change
4. United Nations Convention to Combat Desertification (UNCCD)
5. Convention on Biological Diversity (CBD)
6. The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity
7. The Cartagena Protocol on Biosafety
8. Vienna Convention for the Protection of the Ozone layer
9. Montreal Protocol on Substances that Deplete the Ozone Layer
10. The Basel Convention on the Control of Trans-Boundary Movement of Hazardous Waste and their Disposal
11. Stockholm Convention on Persistent Organic Pollutants (POPS)
12. Rotterdam Convention on Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade
13. Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)
14. Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention) (CMS)
15. Convention on Wetlands of International importance especially as Waterfowl Habitats (RAMSAR Convention)
16. Convention on the Law of the Non-Navigational Uses of International Watercourses (1997 UN Watercourses Convention)

17. Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Western Indian Ocean (Nairobi Convention) and its Protocols
18. Lusaka Agreement on Cooperative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora
19. The Convention concerning the Protection of the World Cultural and Natural Heritage. The World Heritage Convention (WHC)
20. Revised African Convention on the Conservation of Nature and Natural Resources. (The Algiers Convention)
21. East Africa Community Protocol on Environment and Natural Resources Management
22. East African Community Protocol on Cooperation in Meteorological Services
23. East Africa Community Protocol for the Sustainable Development of Lake Victoria Basin

## **S. AGRICULTURE**

1. International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA)
2. International Convention for the Protection of New Varieties of Plants (UPOV)
3. International Grains Agreement
4. International Sugar Agreement 1969 (ISA)
5. International Coffee Agreement (ICA)
6. Convention on the African Migratory Locust

## **T. ICT, RADIO REGULATIONS AND TELECOMMUNICATIONS**

1. East African Community Protocol on Information, Communications and Technology
2. Dubai Convention on International Telecommunication Regulations, 2012

## **U. ETHICS, INTEGRITY AND PUBLIC ADMINISTRATION**

1. United Nations Convention against Corruption (UNCAC)
2. African Convention on Preventing and Combating Corruption
3. African Charter on Values and Principles of Public Service and Administration

## **V. LABOUR AND EMPLOYMENT**

### **I. FUNDAMENTAL CONVENTIONS**

1. Forced Labour Convention, No. 29 of 1930
2. Right to Organize and Collective Bargaining Convention, No. 98 of 1949
3. Equal Remuneration Convention, No. 100 of 1951
4. Abolition of Forced Labour Convention No. 105 of 1957
5. Discrimination (Employment and Occupation) Convention No. 111 of 1958
6. Minimum Age Convention, No. 138 of 1973
7. Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, No. 182 of 1999

## **II. GOVERNANCE CONVENTIONS**

1. Labour Inspection (Industry) Convention, No. 81 of 1947
2. Labour Inspection (Agriculture) Convention, No. 129 of 1969
3. Tripartite Consultation (International Labour Standards) Convention, No. 144 of 1976

## **III. TECHNICAL CONVENTIONS**

1. Unemployment Convention, No. 2 of 1919
2. Right of Association (Agriculture) Convention, No. 11 of 1921
3. Weekly Rest (Industry) Convention, 1921
4. Marking of Weights (Packages Transported by Vessels Convention), No. 27 of 1929
5. Protection Against Accidents (Dockers) Convention (Revised), No. 32 of 1932
6. Labour Clauses (Public Contracts) Convention, No. 94 of 1949
7. Migration for Employment Convention No. 97 of 1949
8. Minimum Wage Fixing Machinery (Agriculture) Convention, No. 99 of 1951
9. Dock Work Convention, No. 137 of 1973
10. Migrant Workers (Supplementary Provisions) Convention, No. 143 of 1975
11. Workmen's Compensation (Accidents) Convention, No. 19 of 1925
12. Minimum Wage-Fixing Machinery Convention, No. 26 of 1928
13. Convention Concerning Statistics of Wages and Hours of Work, No. 63 of 1938
14. Employment Service Convention, No. 88 of 1948
15. Night Work (Women) Convention (Revised), No. 89 of 1948
16. Equality of Treatment (Social Security) Convention, No. 118 of 1962
17. Minimum Wage Fixing Convention, No. 131 of 1970
18. Holidays with Pay Convention (Rev.) No. 132 of 1970
19. Workers' Representatives Convention, No. 135 of 1971
20. Paid Educational Leave Convention, No. 140 of 1974
21. Rural Workers' Organizations' Convention, No. 141 of 1975
22. Human Resources Development Convention, No. 142 of 1975
23. Nursing Personnel Convention, No. 149 of 1977

## **W. SPORTS, ARTS AND CULTURE**

1. United Nations Educational, Scientific, and Cultural Organization (UNESCO) Convention on the Fight against Doping in Sport
2. The 2003 UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage (ICH)
3. The UNESCO 2005 Convention on the Protection and Promotion of Diversity of Cultural Expressions

## **X. DELIMITATION AND DEMARCATION OF INTERNATIONAL BOUNDARIES**

1. Declaration on the African Union Border Programme (AUBP)
2. Addis Ababa Declaration on Geospatial Information Management.
3. African Union Strategy for Enhancing Border Management in Africa, 2012



## **ANNEX II—KENYA'S MEMBERSHIP TO INTERNATIONAL, REGIONAL AND SUB-REGIONAL ORGANIZATIONS**

### **A. UNITED NATIONS AND UN-AGENCIES**

1. United Nations (UN)
2. International Court of Justice (ICJ)
3. World Trade Organization (WTO)
4. Inter-Governmental Oceanographic Commission of UNESCO (UNESCO-IOC)
5. Food and Agriculture Organization of the United Nations (FAO)
6. United Nations Agency for Human Settlement and Urban Development (UN Habitat)
7. United Nations Industrial Development Organization (UNIDO)
8. International Maritime Organization (IMO)
9. Inter-Governmental Standing Committee on Shipping (ISCOS)
10. United Nations World Tourism Organization (UNWTO)
11. Commonwealth of Nations
12. International Civil Aviation Organization (1944 Chicago Convention)
13. International Atomic Energy Agency (IAEA)
14. The International Renewable Energy Agency (IRENA)
15. Indian Ocean Tuna Commission (IOTC)
16. South West Indian Ocean Fisheries Commission (SWIOFC)
17. The Western Indian Ocean Marine Science Association (WIOMSA)
18. Indian Ocean Rim Association (IORA)
19. The International Seabed Authority
20. Common Fund for Commodities (CFC)
21. The World Conservation Union (IUCN)
22. World Association of Public Employment Services (WAPES)
23. World Organization for Animal Health (OIE)
24. African, Caribbean and Pacific Group of States (ACP)
25. Forum on China Africa Cooperation (FOCAC)
26. Tokyo International Conference on African Development (TICAD)
27. Codex Alimentarius Commission (CAC)
28. International Accreditation Forum (IAF)
29. International Laboratory Accreditation Co-operation (ILAC)
30. International Measurement Confederation (IMEKO)
31. International Organization for Standardization (ISO)
32. International Electro-Technical Commission (IEC)
33. Asia Pacific Metrology Programme (APMP)

34. World Council for Credit Unions (WOCCU)
35. International Co-operative Alliance (ICA)
36. World Intellectual Property Organization (WIPO)
37. World Health Organization (WHO)
38. International Seed Testing Association (ISTA)
39. International Fund for Agricultural Development (IFAD)
40. International Red Locust Control Organization for Central and Southern Africa (IRLCO-CSA)
41. Organization for Economic Cooperation and Development (OECD) Seed Schemes, Fruits and Vegetables Schemes and Forestry Seed Schemes
42. Statutes of International Centre for Genetic Engineering and Biotechnology (ICGEB)
43. International Network for Bamboo and Rattan (INBAR)
44. World Meteorological Organization (WMO)
45. African Centre of Meteorological Application for Development (ACMAD)
46. Central America and Mexico Coniferous Resources Cooperative (CAMCORE)
47. International Labour Organization (ILO)
48. World Anti-Doping Agency (WADA)
49. International Telecommunications Union (ITU)
50. Universal Postal Union (UPU)
51. Smart Africa Initiative
52. Common Wealth Telecommunications Organizations (CTO)
53. International Mobile Satellite Organization (IMSO 1976)
54. International Telecommunications Satellite Organization (ITSO 1971)
55. International Centre for Settlement of Investments Disputes Convention (ICSID)
56. The Intergovernmental Convention on the International Hydrographic Organization (IHO)

#### **B.AFRICAN/ REGIONAL ORGANIZATIONS**

57. African Union (AU)
58. The African Continental Free Trade Area (AfCFTA)
59. African Cotton and Textile Industries Federation (ACTIF)
60. Africa Free Zones Organization (AFZO)
61. The African Energy Commission (AFREC)
62. New Partnership for Africa's Development (AUDA-NEPAD)
63. Pan African University Institute of Basic Sciences, Technology and Innovation (PAUISTI)
64. African Court on Human and Peoples' Rights (ACHPR)
65. Africa Union Mechanism for Police Cooperation (AFRIPOL)
66. Gaming Regulators Africa Forum (GRAF)

67. Shelter Afrique
68. Inter-African Bureau for Animal Resources (AU-IBAR)
69. African Accreditation Co-operation (AFRAC)
70. African Electro-Technical Standardization Commission (AFSEC)
71. African Organization for Standardization (ARSO)
72. Intra-Africa Metrology System (AFRIMETS)
73. African Confederation of Co-operative Savings and Credit Association (ACCOSCA)
74. African Centre for Fertilizer Development (ACFD)
75. Africa Minerals and Geoscience Centre
76. Association of African Maritime Administration (AAMA)
77. Africa Travel Association (ATA)
78. Association of Hotel Training Schools in Africa (AHTSA)
79. African Telecommunications Union (ATU)
80. Internet Corporation for Assigned Names and Numbers (ICANN)
81. Pan African Postal Union (PAPU)
82. Association of Regulators of Information and Communications in Eastern Africa (ARICEA)
83. African Advanced Level Telecommunications Institute (AFRALTI)
84. The East African Communications Organization (EACO)
85. African Regional Intellectual Property Organization (ARIPO)
86. The African Regional Labour Administration Centre (ARLAC)

### **C.SUB-REGIONAL ORGANIZATIONS**

87. COMESA Court of Justice (CCJ)
88. Tripartite Free Trade Area (COMESA-EAC-SADC)-TFTA
89. East African Community (EAC)
90. East African Court of Justice (EACJ) and Protocol to Operationalise the Extended Jurisdiction of the East African Court of Justice
91. Inter-Governmental Authority on Development (IGAD)
92. International Conference on the Great Lakes Region (ICGLR)
93. Common Market for Eastern and Southern Africa (COMESA)



## Corporate Intrapreneurship

**Course Title: Effective Communication and Presentation Skills**

[Apply Online](#)

**Venue:** Mombasa, KENYA

**Learning Duration:** 2 weeks

**Starting:** 6 Jun 2022 **Ending:** 17 Jun 2022

**Fees:** 1500 USD

**Payment Details:** To cover tuition and training materials only

### COURSE OVERVIEW

Communication is lifeblood of an organization. This is because business takes place in an environment where communication is key. An organization has to connect with its environment which is the source of its inputs/resources. It needs to influence external environment factors- economic, political, social technological, natural resources, markets and institutional. Effective presentation is also important. Management has to inspire the workforce to appreciate and commit themselves to the vision, mission, goals, strategy, plans, policies and activities. In addition there are values, beliefs, rules and regulations systems and processes as well as needs of people to be responded to. The course will emphasize two way communication and proficiently in the same.

### WHO SHOULD ATTEND?

This course is ideal for senior and middle level officers in government, public and private corporations as well as politicians and entrepreneurs

### HOW PARTICIPANTS WILL BENEFIT

At the end of the course, participants will be able to:-

- Explain the importance of communication in organizations;
- Apply communication principals to communicate internally and externally;
- Use communication skills for effective reading, writing, listening, making phone calls, and interpreting signals and behaviors;
- Applying communication skills and communication for improving morale, performance, and productivity;
- Use communication skills to sustain good organizational and personal image.

### TOPICS INCLUDE

- Effective organizational Communication;
- Effective interpersonal Communication;
- Creating corporate communication systems;
- Essential communication skills;
- Effective presentation skills, barriers to effective communication and facilitation.

**Course No:** 2022-06-06-3-17-3326

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## PROGRAMME ANNOUNCEMENTS

**ESAMI COURSES RUNNING IN DUBAI FROM MARCH - JUNE, 2022**

21 Feb 2022

DUBAI COURSES: MARCH - JUNE, 2022 S/N  
PROGRAMME TITLE START DATE END DATE  
WEEKS VENUE 1 Parliamentary Practices and Proc...

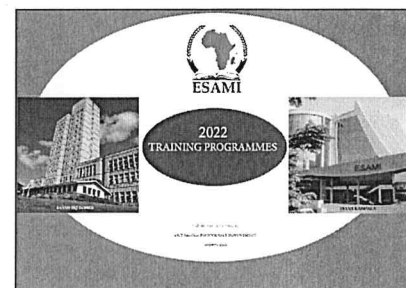
**2022 ESAMI BUSINESS SCHOOL ACTIVITY CALENDAR**

7 Feb 2022

2022 BUSINESS SCHOOL ACTIVITY  
CALENDAR PROGRAMME STARTING DATES S/N  
VENUE PROGRAMME STARTING DATE INTAKE  
46 EVENING Dar...

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## Short Courses Calendar



## AFRICA CLIMATE FINANCE

## DOWNLOADS

- ESAMI BUSINESS SCHOOL ACTIVITY CALENDAR 2022
- ESAMI 2022 CALENDAR
- Climate Finance Application Form
- Message from Director General on COVID-19
- Notice to Students : COVID-19.
- ESAMI Business School PostGraduate Prospectus



