



**MTCC AFRICA**  
Maritime Technology Cooperation Centre

CAPACITY BUILDING FOR CLIMATE CHANGE MITIGATION IN THE MARITIME SHIPPING INDUSTRY

# Ratification and Domestication of Maritime Conventions

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# Agenda

- MTCC Africa
- Africa and MARPOL 73/78 Annex VI Ratification
- Ratification Process
- Influencers to Ratification
- Implementation Procedures
- Stakeholders in Implementation
- Challenges
- Final Thoughts



Part of the GMN for the African Continent

Based in Mombasa, Kenya and hosted by JKUAT, KMA and KPA

# MTCC-Africa Consortium Members



**Jomo Kenyatta  
University of  
Agriculture and  
Technology (JKUAT)**



**Kenya Maritime  
Authority (KMA)**



**Kenya Ports  
Authority (KPA)**

**Host Institution**



## SOME FACTS ABOUT AFRICA

- 54 Countries
- 17 Landlocked countries
- 10 countries have ratified MARPOL Annex VI
- Major sea route in Suez and Cape of Good Hope

# MARPOL Annex VI Ratification

1. Benin
2. Congo
3. Ghana
4. Kenya
5. Liberia
6. Nigeria
7. Sierra Leone
8. South Africa
9. Tunisia
10. Madagascar



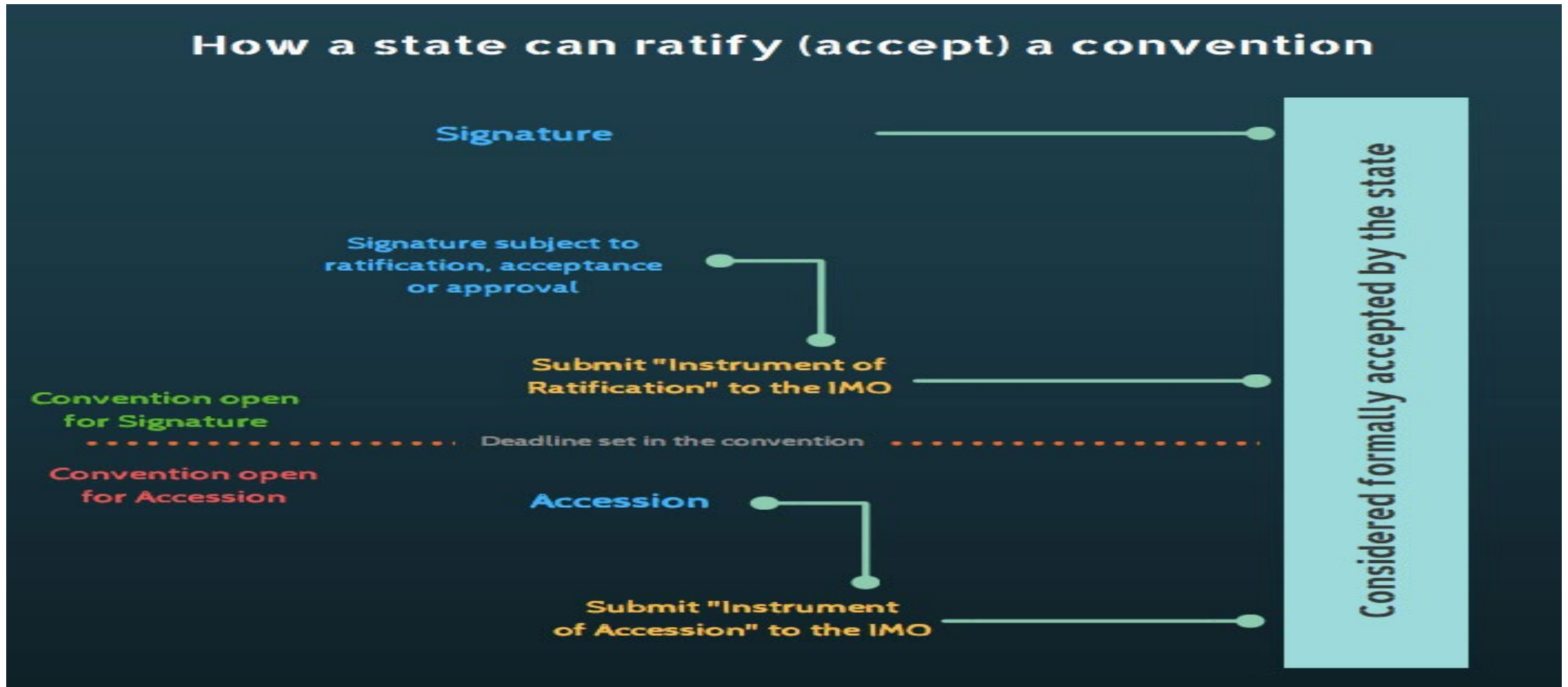
# CONVENTION RATIFICATION

For a country to Ratify, there must be an incentive for the Ratification

The benefits need to be known, cost implication for ratification need to be established, there must be scientific support for the action esp for Technical Conventions like MARPOL 73/78

There is need for political support ,since in most jurisdictions it is done by the Executive or Legislature or both

# HOW A STATE CAN RATIFY A CONVENTION





# Who Can Convince Governments to Ratify?

The Ship owner in order to operate internationally

Non State actors e.g Environmental groups

Academia

Port Cities where ships call

# Domestication of International Conventions Laws and Regulations

- A maritime treaty is adopted or amended – what happens next?
- IMO treaties are not self-executing and require domestic legislation to give effect to their provisions incorporating offences clauses and other aspects not covered in the Convention.
- Appropriate implementing legislation **must be** drafted at the national level, because international treaties can **only become law** when implemented into **national legislation**.

# Modes of Implementation

Flag State Implementation

Coastal State

Port State

# And Who are the Players in Implementation of MARPOL Annex VI?

The Competent Authority(Maritime Administration)

Environmental Authority

Port Authority and Port Operators

Energy Agency (fuel supply)

Ship owner

Seafarers

# Challenges in Ratification and Implementation

- Political will to ratify and implement
- Knowledge and technical nature of Marpol Annex VI
- Enforcement capacity including for Port State Control Authorities
- Competing national priorities
- Flag fleet size (small or not meeting Convention requirements)

# Conclusion

Ratification and effective implementation by all is key to ensuring Convention achieves its objectives

There must involvement of state and non state players

Its possible to achieve the objectives of MARPOL 73/78 on a global level through regioanal and interregional co-operation



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**THANK YOU!**



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