

Telephone: +254 20 318888  
Fax: +254 20 2240066/34195/344333  
Email: communication@mfa.go.ke  
Website: www.mfa.go.ke  
When replying please quote Ref. No. and date



HARAMBEE AVENUE  
P.O. Box 30551 - 00100  
NAIROBI, KENYA

**MINISTRY OF FOREIGN AFFAIRS**

Ref. No. **MFA.REL. 13/21**

**15<sup>TH</sup> APRIL, 2019**

The Ambassador,  
Kenya Embassy,  
**MOGADISHU.**

**RE: FOLLOW-UP TO THE MEETING BETWEEN THE CABINET SECRETARY FOR FOREIGN AFFAIRS, KENYA AND THE MINISTER FOR FOREIGN AFFAIRS AND INTERNATIONAL COOPERATION OF THE FEDERAL REPUBLIC OF SOMALIA HELD ON 3<sup>RD</sup> APRIL 2019 IN NAIROBI**

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We write to forward a *Note Verbale* addressed to the Ministry of Foreign Affairs and International Cooperation of the Federal Republic of Somalia. Also attached is the Summary Record of the meeting between Amb. Monica Juma, DPhil, CBS, Cabinet Secretary for Foreign Affairs of the Republic of Kenya and her counterpart H.E. Amb. Ahmed Isse Awad, Minister for Foreign Affairs and International Cooperation of the Federal Republic of Somalia held on 3<sup>rd</sup> April 2019 in Nairobi.

Another original copy of the *Note Verbale* and the Summary Record of the Meeting has been submitted to the Embassy of the Federal Republic of Somalia in Nairobi for onward transmission to Mogadishu.

Submitted for your information.

Mr. Katana Angore, OGW  
**FOR: PRINCIPAL SECRETARY**

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## MINISTRY OF FOREIGN AFFAIRS

Ref. No MFA/REL.13/21A Vol.40

### NOTE VERBALE

The Ministry of Foreign Affairs of the Republic of Kenya presents its compliments to the Ministry of Foreign Affairs and International Cooperation of the Federal Republic of Somalia and has the honour to refer to the meeting that took place in Nairobi on 3<sup>rd</sup> April 2019 between the Cabinet Secretary, Ministry of Foreign Affairs of the Republic of Kenya and the Minister for Foreign Affairs and International Cooperation of the Federal Republic of Somalia in which the Ministers committed as follows:

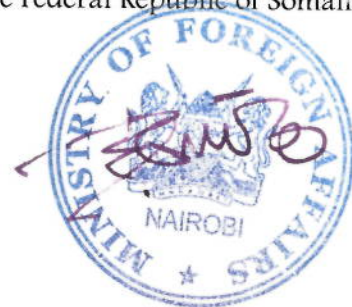
1. The Federal Government of Somalia (FGS) will revisit the actions of Spectrum International with a view to confirming to Kenya that the offensive maps Spectrum used do not reflect the position of the FGS;
2. Lines of communication between the two Ministers will remain open for regular consultations;
3. FGS will reconsider its position on the listing of Al Shabaab under Resolution 1267 and communicate the decision to Kenya;
4. The Ambassadors and Permanent Representatives of the two countries will be issued with a Guidance Note to consult on pertinent issues;
5. The decision that the envoys of the two countries return to their stations and resume their duties takes effect immediately as guided by the Ministers on 6<sup>th</sup> March 2019;
6. That the Ministry of Foreign Affairs and International Cooperation of the Federal Republic of Somalia will update on its commitments on paragraphs 1,3 and 5. (The Ministry of Foreign Affairs of the Republic of Kenya has initiated measures for the implementation of commitment numbers 4 and 5 above).

A copy of the **Summary Record of the Meeting** between the two Ministers is attached for the Ministry's reference and formal acceptance.

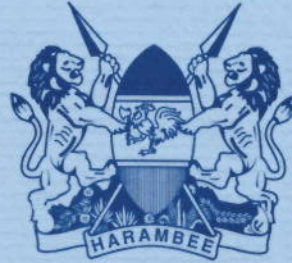
The Ministry of Foreign Affairs of the Republic of Kenya avails itself of this opportunity to renew to the Ministry of Foreign Affairs and International Cooperation of the Federal Republic of Somalia, the assurances of its highest consideration.

Nairobi, 12<sup>th</sup> April 2019

Ministry of Foreign Affairs and International Cooperation  
of the Federal Republic of Somalia  
MOGADISHU







# **SUMMARY RECORD OF THE MEETING**

**BETWEEN**

**AMB. MONICA JUMA, DPHIL, CBS**

**CABINET SECRETARY FOR FOREIGN AFFAIRS OF THE REPUBLIC OF KENYA**

**AND**

**H.E. AMB. AHMED ISSE AWAD**

**MINISTER FOR FOREIGN AFFAIRS AND INTERNATIONAL COOPERATION OF THE  
FEDERAL REPUBLIC OF SOMALIA**

**NAIROBI, KENYA, 3<sup>RD</sup> APRIL 2019**

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## 1.0 INTRODUCTION

1.1 On 3<sup>rd</sup> April 2019 here in Nairobi's Ministry of Foreign Affairs Headquarters, Amb Monica Juma, DPhil, CBS, Cabinet Secretary for Foreign Affairs of the Republic of Kenya met H.E. Ahmed Isse Awad, Minister for Foreign Affairs and International Cooperation of the Federal Republic of Somalia.

1.2 The agenda was to discuss modalities of repackaging Kenya/Somalia relations following recent developments; particularly the fall-out after the Somalia Oil and Gas Conference that took place in London on 8<sup>th</sup> February 2019.

## 2.0 BACKGROUND

2.1 Amb. Monica Juma welcomed her Somali counterpart. She recalled that the Principals of the two countries met on 6<sup>th</sup> March 2019 in Nairobi. She underscored that the key issues in these interactions have been a reaffirmation, not only of the need to adhere to the principle of good neighbourliness, but also, and more importantly, the imperative for respect for sovereignty and territorial integrity of each other's territory.

2.2 The Cabinet Secretary reiterated Kenya's commitment to fostering good neighbourliness and underscored that in per capita terms, no other country has provided more support to Somalia than Kenya. She further stated as follows:

2.2.1 Kenya was shocked and deeply disappointed with the events of 7<sup>th</sup> February 2019 particularly the Somalia Oil and Gas Conference in London where Somalia proffered for auction oil blocks including blocks within Kenya's proclaimed maritime zones. The disappointment was compounded by the fact that this action by Somalia came soon after two high-level engagements between the two countries. In addition, Kenya had sent messages to Mogadishu following announcements made during the Africa Oil Week at Cape Town in November 2018 which were apparently ignored.

2.2.2 After the 7<sup>th</sup> February 2019 London Conference, Kenya invited the Ambassador of Somalia in Nairobi to clarify the matter and raised a *demarche* via a Note Verbale to Somalia seeking withdrawal of the offensive maps; appropriate apologies; and, a comprehensive response. It was after Somalia's failure to provide a response after 9 days that Kenya, on 16<sup>th</sup> February 2019, decided to summon her Ambassador from Mogadishu for consultations and requested Somalia's Ambassador to fetch the response from Mogadishu.

2.2.3 On 17<sup>th</sup> February 2019, Kenya received a formal response from Somalia. However, the response turned out to be an invitation to a legal contestation and did not





respond to the issues raised by Kenya. Besides, Somalia accused Kenya for laying claim to Somalia's territory.

- 2.2.4 Subsequent to these events, the Ministry of Foreign Affairs has received distress calls from a number of its Missions abroad over notifications. The question is who is sponsoring such offensive activities.
  - 2.2.5 There have also been innuendos that Kenya is afraid of the ICJ process. Kenya willingly accepted the court process although we do not believe that the two countries should be in an international court because of the adversarial nature of such processes. Kenya believes that negotiated settlements have better and sustainable outcomes that guarantee peaceful coexistence.
  - 2.2.6 Kenya believes it is possible and important to revert to the pre-November 2018 situation since the two countries will remain neighbours. The choice for peaceful coexistence or conflictual relations is dependent squarely on both countries and not anybody else or any other country.
- 2.3 In response, H.E. Amb. Ahmed Isse Awad thanked his Kenyan counterpart for the warm reception and for hosting the important meeting. The Minister reiterated his conviction that Kenya and Somalia are like siamese twins conjoined at the hip and therefore their destinies are intricately linked.
- 2.4 Concerning the events relating to the Maritime Boundary Dispute, H.E. Amb. Ahmed Isse Awad conveyed his apologies for any disappointment that may have resulted by virtue of the recent events and stated the following:
- 2.4.1 He was neither aware of the Oil and Gas Conference that took place in London on 7<sup>th</sup> February 2019 nor the announcements made during the Africa Oil Week at Cape Town in November 2018.
  - 2.4.2 When the matter was brought to his attention while in Addis Ababa, the Minister asked his colleagues to confirm the situation. Their response was that they did not touch the disputed area and that they harbor no such intentions. This feedback formed the basis for the Note Verbale of 17<sup>th</sup> February, 2019.
  - 2.4.3 The regrettable delay in responding to Kenya's Note Verbale of 8<sup>th</sup> February 2019 was a systemic failure. Somalia also wanted to establish what actually happened in London. What is clear is that the actors did not fully grasp the gravity of the matter and diplomatic implications of their actions.





2.4.4 As Somalia, we have constantly reminded ourselves of what Kenya has been to us and our communications have taken this into account. The Federal Government of Somalia is not part of the propaganda campaign as it is also a victim.

2.4.5 Somalia will do its part in reverting to pre-November 2018 status. We desire stronger relations and an environment where any misunderstanding can be amicably resolved among ourselves.

2.5 Amb. Monica Juma raised the issue of listing of Al Shabaab as a terrorist organization under UNSC Resolution 1267 which Kenya has been pursuing. The Cabinet Secretary informed her counterpart that Kenya was shocked that Somalia opposed Kenya's quest to have Al Shabaab recognized as a terrorist organization under Article 1267. H.E. Ahmed Isse Awad said he was not aware of the matter adding that Al Shabaab should indeed be listed as a terrorist organization within Resolution 1267.

2.6 H.E. Ahmed Isse Awad raised concern over the destruction of 13 telecommunication masts belonging to Hormund Communications on 27<sup>th</sup> March, 2019. He requested the Cabinet Secretary to intervene with relevant Kenyan authorities. The Cabinet Secretary undertook to communicate accordingly.

### 3.0 AGREED

3.1 As a way forward the Ministers underscored the need for the two countries to revert to pre-November 2018. Towards this end, the following commitments were made:

3.1.1 The Federal Government of Somalia (FGS) will revisit the actions of Spectrum International with a view to confirming to Kenya that the offensive maps Spectrum used do not reflect the position of the FGS;

3.1.2 Lines of communication between the two Ministers will remain open for regular consultations;

3.1.3 FGS will reconsider its position on the listing of Al Shabaab under Resolution 1267 and communicate the decision to Kenya;

3.1.4 The Ambassadors and Permanent Representatives of the two countries will be issued with a guidance note to consult on pertinent issues; and,

3.1.5 The decision that the envoys of the two countries return to their stations and resume their duties takes effect immediately as guided by the Principals on 6<sup>th</sup> March 2019.

NAIROBI, 3<sup>RD</sup> APRIL 2019