



CELEBRATING 30 YEARS IN THE SERVICE OF THE RULE OF INTERNATIONAL MARITIME LAW





SERVING THE RULE OF INTERNATIONAL MARITIME LAW

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**CELEBRATING
30 YEARS IN THE
SERVICE OF THE RULE
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MARITIME LAW**

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Foreword by
Mr. Kitack Lim
(IMO Secretary-General)



It gives me great pleasure to write the Foreword to this publication which celebrates 30 years of success of the IMO International Maritime Law Institute (IMLI). The Institute, established by the International Maritime Organization (IMO) in 1988, has taken its place in the elite of international educational centers and, through its quality and unique training, it has become a cornerstone of IMO's Technical Cooperation Programme.

As the United Nations (UN) specialized agency responsible for developing and providing the regulatory regime to ensure that the world's oceans are safe and secure, while facilitating trade and safeguarding the marine environment, IMO has been successful in adopting a multitude of instruments which govern the maritime sector and allow it to thrive. We are nevertheless fully aware that IMO's success can only be measured against the effective implementation and enforcement of these instruments. To effectively incorporate international instruments into domestic legislation, specialized national expertise is crucial. Therein lies indeed the *raison d'être* of IMLI.

IMLI was set up thanks to the wisdom and foresight of its founding fathers, who realized that the uniform application of international rules required skilled and duly qualified human resources at a national level. IMLI was thus established in Malta, through an agreement between the Government of Malta and IMO, to bridge the gap between the adoption of international treaties and regulations and their adequate implementation and enforcement by their State Parties.





Despite its humble beginnings, today, we take great pride in IMLI's tremendous achievements. Since its inception, the Institute has equipped over 1,000 maritime professionals from 146 States and territories with the necessary skills to serve their countries and the global maritime community. I cannot stress enough how vital IMLI has become in the efforts of IMO and its Member States, especially developing countries, to generate national expertise for the adequate incorporation and effective implementation of IMO instruments in the domestic laws of its Member States.

Moreover, as IMO is actively working towards the UN 2030 Agenda for Sustainable Development and the associated Sustainable Development Goals (SDGs), it gives me great satisfaction to witness IMLI's full commitment in providing the means towards the realization of the SDGs, through its intensive education, training and research agenda.

The Institute's policy to reserve 50 per cent of the places to deserving female candidates was innovative in 1988 and is re-affirmed 30 years after its establishment. Visionary for its time, this policy has ensured that quality education is accessible equally to qualified men and women and, in empowering female professionals to become part of the maritime industry and leave their indelible mark in both the academic and shipping world, has contributed to the promotion of gender equality. I note with pride that many of the Institute's female alumnae are highly regarded in the maritime world and are playing a vital role in ensuring the success of the maritime sector.

Taking an active role in ocean governance, the Institute - with the generous funding of The Nippon Foundation - undertook major research on the limitations of the current fragmented ocean governance regime to provide tangible

solutions, for a more effective and sustainable oceans governance regime in the future. The three Volumes of the IMLI Treatise in Global Ocean Governance, published in 2018 by Oxford University Press, have become a significant reference source for those involved in the field.

Furthermore, the joint programme IMLI offers with the World Maritime University is providing training which is designed to ensure the future sustainability of the world's oceans in accordance with the UN 2030 Agenda. This unique programme will continue to generate the cadre of experts who will be instrumental in the drafting of policies and laws that reflect the latest international initiatives, rules and regulations.

I am aware that all these achievements would not have been possible, firstly, were it not for the foresight of IMLI's founding fathers, namely IMO Secretary-General Emeritus the late Dr. C.P. Srivastava, Dr. Joseph M. Fenech, former Parliamentary Secretary for Maritime and Other Affairs of Malta, and Professor David Attard, who realized the importance of setting up the Institute. Secondly, IMLI's accomplishments would not have been possible without the support of many other people, to whom I wish to express my sincere gratitude. My appreciation also goes to the Government of Malta, which has hosted IMLI since its inception and supported it throughout its existence. I am indebted to the IMO Secretaries-General Emeriti for their sterling work in ensuring that the Institute fulfills its mandate and serves proudly the rule of international maritime law. My sincere appreciation goes to all the distinguished personalities who have served and continue to serve as Members of the Institute's Governing Board, its Academic Committee, the Financial and Human Resources Committee, as well as the many visiting fellows who have contributed to the Institution's success.

I am also grateful to the Institute's donors who, for decades, believed in its global mission and contributed through the provision of generous fellowships that have enabled students to complete their studies at IMLI and return home to contribute to the development of the maritime sector.

And, to the dedicated IMLI academic and administrative staff, past and present, I wish to thank you for your hard work and relentless efforts to make the Institute rise to the highest standards. We owe to you a great debt of gratitude for imparting knowledge, accommodating the needs of the IMLI students and serving as the platform from which many successful stories have been launched. I would also like to thank all the contributors to this publication who have shared their thoughts on and experience with IMLI.

I hope that we will continue in this voyage together for the benefit of the Institute and the international maritime community.

My last words, however, are reserved for this commendable Institute's alumni. Whether you are serving in your government administrations, commercial industries, or in international organizations, keep in mind the Institute's teachings when you discharge your responsibility in decision-making roles. Your dedicated work will enable safe and secure shipping to grow and drive the economies of both developing and developed countries. The Institute has equipped you with the knowledge and skills to draft national maritime policies and laws to implement the IMO treaties which aim to ensure better shipping for a better future.

A photograph of two men standing side-by-side in a museum setting. Both men are wearing academic regalia, consisting of blue and orange robes over white shirts and ties. The man on the left has grey hair and glasses, and is wearing a dark tie. The man on the right has dark hair and glasses, and is wearing a light green tie. They are standing in front of a large, ornate wooden structure, possibly a ship's rigging or a historical artifact. The background is dimly lit, with other museum exhibits visible in the distance.

**Congratulations
and long live *IMLI*!**

PREFACE

Serving the Rule of International Maritime Law

My 'IMLI voyage' started years before I was appointed in 1992 as the Director of the IMO International Maritime Law Institute (IMLI). It has been an exciting and rewarding journey which commenced with a fateful meeting on 11 September 1987. On that day I was invited to speak, together with the then IMO Secretary-General Dr. Chandrika Prasad Srivastava, at a conference entitled 'Pacem in Maribus'. I took the opportunity to discuss with the Secretary-General the challenges facing international maritime law particularly the rules on ship safety and security. At the time I was advising the Maltese Government on its maritime policy to establish Malta as a maritime centre of excellence. As part of this process the Government was rewriting the Merchant Shipping Act in order to attract shipowners to the Maltese Flag. I advised the Government that any future maritime legislation had to take into account the relevant IMO prescriptions. In this respect I was recommending the incorporation into the new legislation of the said rules. It was therefore most fortunate that I was able to discuss my ideas with Dr. Srivastava who was remarkably generous and understanding with his time and advice. Being very impressed by the Secretary-General's wisdom and dedication, I felt it was important that he should meet Dr. Joseph M. Fenech, the then Parliamentary Secretary who was actively pursuing the said Government objectives. In a few hours we were all discussing Malta's plans and how best they could contribute to the work of IMO.

In the course of our discussions, the Secretary-General highlighted that IMO had no enforcement powers and therefore the IMO prescriptions could only be enforced through national legal systems. He expressed great concern that many Member States were not incorporating IMO rules into their domestic legislation. This, he explained, was largely due to the lack of necessary legal expertise, particularly in developing States. He therefore encouraged the Maltese Government to take my advice and incorporate the relevant rules in the new legislation.

At the time, with the assistance of Norway, the Secretary-General had employed a number of consultants to train Government officials in developing States. Given the magnitude of the problem and the limited resources, he expressed concern over the effectiveness of this training. It was his vision that IMO should train national expertise who could advise governments on the drafting of legislation

which would incorporate the IMO regimes. At that stage I pointed out that Malta had a long-standing tradition in maritime law as reflected in the contributions of notable maritime lawyers who had gained international fame: John Colombos, who read law at the University of Malta and was the author of the first manual on the law of the sea in the 1950s, and Arvid Pardo who was the Permanent Representative of Malta at the United Nations and whose ideas led to the adoption of the 1982 United Nations Convention on the Law of the Sea. I suggested that Malta could organise training programmes in international maritime law and legislation drafting. This proposal was immediately supported by Dr. Fenech who offered all his assistance in the implementation of the said programmes. This eventful meeting had a catalytic effect. The Secretary-General undertook to organise training programmes in Malta if Dr. Fenech would provide the necessary premises and accommodation to train twenty lawyers per year. In a few weeks, Dr. Fenech identified IMLI's current premises. Plans were sent to Secretary-General Srivastava and approval arrived soon thereafter. Dr. Fenech commenced the necessary construction works, and the Secretary-General engaged me to advise him on the project.

An important stage in the establishment of IMLI was the appointment by the Secretary-General of an international committee of eminent maritime lawyers to draft the syllabus of studies which would regulate teaching at the new Institute. The Members of this Committee were: Dr. Thomas Mensah (IMO Assistant Secretary-General and Director, Legal Division), Professor Francesco Berlingieri (President of the Comité Maritime International (CMI)), and Dr. Louis Mbanefo (an eminent maritime law and legislation drafting authority from Nigeria), with myself acting as Secretary.

I recall that the first meeting was held at the Institute's building in the only room that was available as the rest was still under construction. Upon the instructions of Secretary-General Srivastava, I informed the Committee that the intended programme should be designed not only to teach international maritime law but to train participants in the incorporation and implementation of IMO legal instruments. I also expressed the view that the programme of studies should lead to a Master of Laws Degree in International Maritime Law. The Committee agreed and proposed a draft syllabus which covered the

A portrait of Professor David Attard, a middle-aged man with grey hair, wearing a dark blue suit, white shirt, and a blue patterned tie. He is smiling slightly. The background is blue with white stylized human figures. The portrait is framed by a thin gold border.

Professor
David Attard
DIRECTOR



“Indeed, it is true to say that IMLI graduates are at the forefront in the codification and progressive development of international maritime law, and it gives me great pride to record that IMLI graduates are actively contributing to their countries’ development.”

whole spectrum of international maritime law; from shipping law to law of the sea, marine environmental law, and maritime security law. The syllabus was also designed to reflect the main legal systems of the world to ensure that the teaching would be done on an international and comparative perspective. Thirty years later, although the syllabus has been continuously updated to reflect the latest developments in international maritime law, it remains the basis of IMLI’s teaching.

The Committee also made two important proposals, the implementation of which continue to this date. First, that a substantial part of the teaching would focus on legislation drafting and instil in the participants the necessary expertise which would enable them to advise on and draft legislation incorporating and implementing IMO’s prescriptions. The second proposal was to require students, in addition to writing a dissertation on a subject covered by the IMLI syllabus and undertaking an examination in shipping law and in the law of the sea, to submit for examination a draft law which would incorporate into municipal law the provisions of an IMO treaty. This draft law has been extremely useful in encouraging Governments to adhere and implement to IMO treaties. Indeed, on many occasions it has proved to be a beneficial “visiting card” for our graduates. This is because upon their return often they are able to meet senior Government officials, informing them of their draft law which would facilitate their Government’s efforts, should it wish to implement IMO treaty provisions covered by the drafting project.

It is not well known that the first Chairman of the IMLI Governing Board was Sir Shridath Surendranath Ramphal (then Secretary-General of the Commonwealth). Thereafter the Statute was amended to appoint the IMO Secretary-General as the ex-officio Chairman of the Board. This has proven to be a great benefit to the Institute for it ensured the direct involvement of the Secretary-General. Throughout my years at the Institute I had the privilege of working with five Secretaries-General: Dr. Chandrika Prasad Srivastava, Mr. William O’Neil, Mr. Efthimios E. Mitropoulos, Mr. Koji Sekimizu and Mr. Kitack Lim. Each brought to IMLI new ideas and left their individual mark; however there was a common trend. Every Secretary-General was always generous with his assistance and took an active interest in the welfare of IMLI. It was always a great pleasure to hear them speak with pride about IMLI’s contribution to the work of IMO. It was a great satisfaction to learn about their meetings worldwide with IMLI graduates who expressed profound appreciation for their studies at IMLI.

The first academic year commenced in October 1989 and welcomed 19 students. Over the years the student population grew to its current annual record level of 51. Thirty years later IMLI has trained 1008 participants from 146 States. The demand for IMLI places continues to grow. Last year over ninety Governments submitted applications for places at IMLI.

It is probably no exaggeration to say that in many parts of the world IMLI graduates are participating in the implementation and enforcement of IMO treaties and other instruments. Indeed, it is true to say that IMLI graduates are at the forefront in the codification and progressive development of international maritime law, and it gives me great pride to record that IMLI graduates are actively contributing to their countries' development. I am pleased to note that IMLI graduates now occupy senior positions in their countries' highest institutions. Many hold prestigious and senior positions ranging from Heads of State, to Ministers, Chief Justices, Judges, Magistrates, Attorneys-General, State Legal Advisors, and University Professors. In the international fora, IMLI graduates have demonstrated a similar aptitude for success. It is often possible to find them leading national delegations to IMO meetings and diplomatic conferences. IMLI graduates have been elected to the Chairs of the IMO Legal Committee and the IMO Technical Cooperation Committee.

IMLI's high academic standards and its contribution to international maritime law is today widely recognised. Indeed, for a number of years both the United Nations General Assembly and the IMO Assembly have recorded their appreciation for the academic work of our Institute. One is able to also note similar recognition expressed by Governments and in particular the Federal Republic of Germany whose Ministry of Education carried out an extensive assessment of our teaching in order to allow us to offer jointly Master degrees with German Universities.

At IMLI we are conscious of the need to ensure that our training and teaching conform to the highest standards required by the international maritime community. These need to be maintained if we are to preserve our reputation as a centre of excellence. I must emphasise that the Institute's academic success is the result of various practices that have been put in place, such as its close co-operation with senior IMO officials, the appointment of independent external examiners and our collaboration with leading academics from such Universities as: Harvard,

London, Malta, Oxford, Rome "Tor Vergata", the IMO World Maritime University, and Yale. I would also like to refer to our very successful co-operation agreements concluded with reputable Institutions in the field of international maritime law including the IMO World Maritime University (Malmo), the International Foundation for the Law of the Sea (Hamburg), the Centre for Commercial Law Studies (London), the Academy of Legal Sciences (Zagreb), and the US Naval War College (Rhode Island). Very fruitful has been our active cooperation with the CMI and its national maritime law associations such as the French Maritime Law Association, the Malta Maritime Law Association, the Nigerian Maritime Law Association, the Slovenian Maritime Law Association, and the Spanish Maritime Law Association.

An important feature of teaching at IMLI is the focus on professional development and networking. The Institute has established a distinguished fellows' programme which ensures that eminent practitioners and authoritative academics visit IMLI to lecture on an honorary basis and develop professional and academic links with our students who, it should be noted, are generally senior legal Government officials. This academic year over fifty visitors participated in the distinguished fellows' programme.

In expanding its efforts to consolidate its academic reputation, the Institute undertakes research, publications and symposia. Particularly noteworthy are the Institute's publications which have become a sought after resource by universities and maritime administrations. The Institute has published with Oxford University Press its three-volume work entitled, "The IMLI Manual on International Maritime Law", and the three-volume "The IMLI Treatise on Global Ocean Governance". The Institute also publishes with Routledge its book series "IMLI Studies in International Maritime Law" which to date already consists of five titles.

This success is the result of IMLI's Governing Bodies and its academic staff who endeavour to ensure that students receive the finest education in international maritime law. Despite the constant growth in student population, IMLI's Governing Bodies have decided that great importance should be given to ensure that each student continues to enjoy the intensive and personal care and dedication for which IMLI has become renowned. As a result of consultations with the IMLI Academic Committee and the IMLI Financial and Human Resources Committee, the Board of Governors has decided



H.E. JUDGE ABDULQAWI AHMED YUSUF (PRESIDENT, ICJ) WITH PROFESSOR DAVID ATTARD

that in considering further growth in the number of students, the Institute should ensure that there is a low staff-student ratio to ensure that students continue to receive personal attention.

It is noteworthy that this year's IMO World Maritime Day theme is "Empowering Women in the Maritime Community". I am honoured to recall that the Institute was the first institution in the United Nations system to mandate in its 1988 Statute that fifty percent of the places in its programmes is reserved for qualified women candidates. This provision has proved to be very successful in attracting deserving female lawyers, particularly from developing States, to specialize in international maritime law.

Under the guidance of the Financial and Human Resources Committee, IMLI's financial position has strengthened from year to year. I recall that in the first years the Institute was faced with serious financial problems. It was not even possible to ascertain whether a programme would commence in the forthcoming academic year. Upon being appointed Director, I embarked on a campaign to set up a reserve fund which would allow the Institute to enjoy the security and stability which is so important for its academic welfare. Today the Institute enjoys a healthy financial position which is largely due to the generous support of donors particularly the IMO, The Nippon Foundation, the European Union, Lloyd's Register Foundation, International Transport Workers' Seafarers' Trust and a number of Governments, particularly the Government of Malta which also donated the use of the Institute's premises, Switzerland, Malaysia, Saudi Arabia, and Korea.



H.E. JUDGE JIN-HYUN PAIK (PRESIDENT, ITLOS) WITH PROFESSOR DAVID ATTARD

Particularly noteworthy is the support of The Nippon Foundation for the establishment of three lectureship positions: The Nippon Foundation Lectureship on International Maritime Security Law, The Nippon Foundation Lectureship on Global Ocean Governance, The Nippon Foundation Lecturer on International Maritime Law, and the position of an eminent visiting professor entitled The Nippon foundation Professor on Marine Environmental Law.

Significantly over the last decade or so, developing States have not relied exclusively on donor funding but have raised the necessary hard currency to support their nationals' studies at IMLI. We have also seen in the last years an increase in the number of self-financed students from developing States. Usually their participation is a result of their previous attendance at one of IMLI's short courses whereby they were able to get a first-hand experience of studies at IMLI.

This success would not have been possible without the assistance of many persons who are too numerous to mention. I would like to express my appreciation for the unprecedented interest of the IMO Secretary-General and Chairman of the IMLI Governing Board, Mr. Kitack Lim. He has dedicated considerable time to the welfare of the Institute despite his many commitments. As Secretary-General he has visited the Institute on a number of occasions, inspiring all staff and students with his advice.

I wish to express my appreciation for the dedication and support of the Members of the Governing Board, IMO officials, IMLI academic staff and its administrative staff.

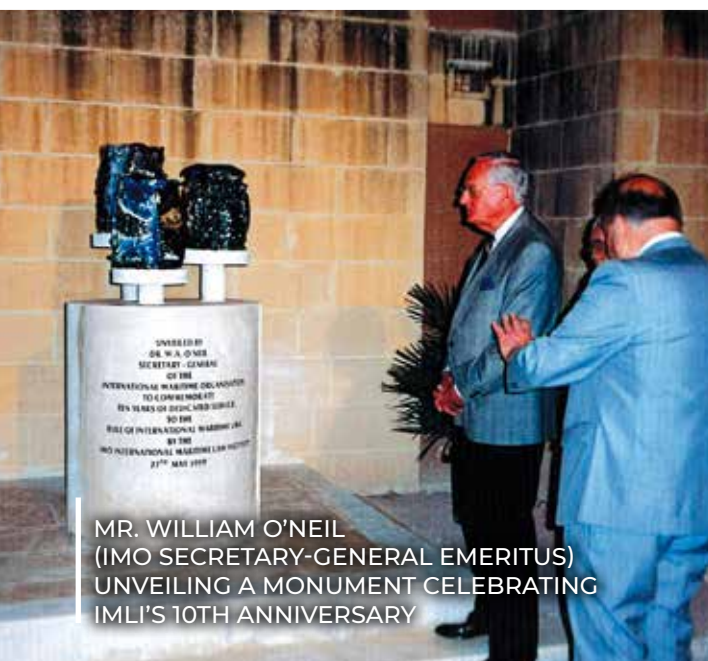
I would like to conclude by addressing all those who have studied at IMLI. Please remember that your participation in the IMLI programmes is an opportunity granted to a few well-chosen professionals. This privilege carries with it a responsibility which I am confident you will bear with great pride. Indeed, through your training, IMLI contributes - in its small way - to the IMO process of encouraging and facilitating the global adoption and implementation of legal instruments designed to promote safe, secure and efficient shipping on clean oceans. I wish you further success in your respective professional careers. Your praiseworthy accomplishments have opened up a world of opportunities for you and the countries you come from. Do savour your success, for you deserve it! And lest you forget, your future achievements will continue to consolidate the Institute's academic reputation. Remember you are now IMLI Ambassadors, dedicated to serving the rule of international maritime law. I wish you well in your endeavours.



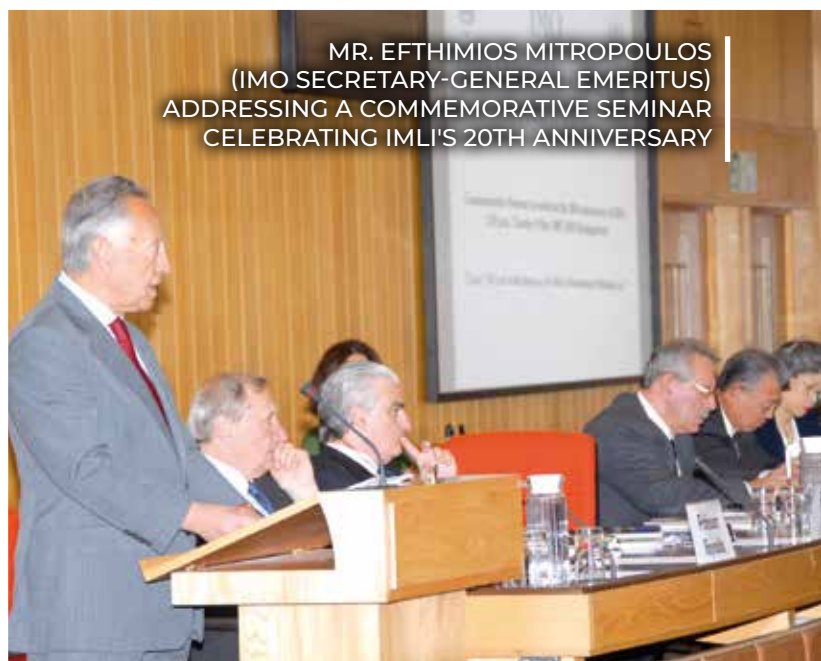
H.E. MR. BAN KI-MOON (UN SECRETARY-GENERAL EMERITUS) AT THE UNVEILING OF THE MONUMENT COMMEMORATING THE 1988 MÀLTÈSE INITIATIVE TAKEN UPON THE ADVICE OF PROFESSOR DAVID ATTARD WHICH LED TO THE RECOGNITION OF CLIMATE CHANGE AS A COMMON CONCERN OF HUMANKIND



THE SIGNING OF THE IMLI AGREEMENT ON 13 MAY 1988



MR. WILLIAM O'NEIL
(IMO SECRETARY-GENERAL EMERITUS)
UNVEILING A MONUMENT CELEBRATING
IMLI'S 10TH ANNIVERSARY



MR. EFTHIMIOS MITROPOULOS
(IMO SECRETARY-GENERAL EMERITUS)
ADDRESSING A COMMEMORATIVE SEMINAR
CELEBRATING IMLI'S 20TH ANNIVERSARY



MR. KOJI SEKIMIZU (IMO SECRETARY-GENERAL EMERITUS) CUTTING THE 25TH ANNIVERSARY CAKE



1989–2019

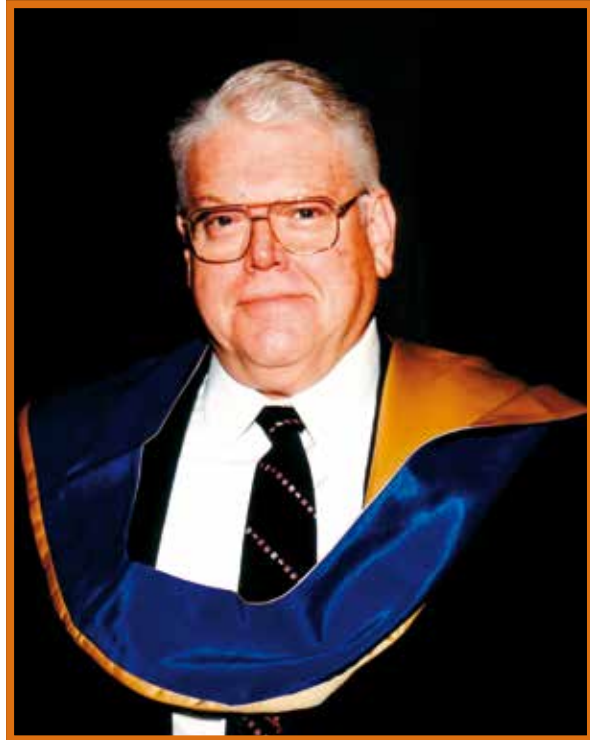
HISTORY
— *OF* —
IMLI

Recollections as to the Early Years of IMLI

At the end of the 1980's Dr. C. P. Srivastava, IMO's Secretary-General, asked me to review drafts of a curriculum for an International Maritime Law Institute. The initial drafts were prepared by a few eminent maritime lawyers, among them two of my own close friends Professor Francesco Berlingieri (President of the Comité Maritime International - CMI) and Dr. Thomas Mensah (formerly Director of the Legal Division of IMO, and more recently the first President of the International Tribunal on the Law of the Sea - ITLOS). My comments on the drafts were few, but one particular item that I insisted upon was the absolute necessity of including Maritime Legal History in the curriculum.

At this time I had been teaching at the World Maritime University (WMU) for several years (ultimately totalling 19 Years), mostly on the Legal Aspects of Maritime Casualty Investigation. Dr. Srivastava asked me to teach at IMLI when it came into being; I asked where the Institute would be located and he responded "Malta" - my first thought was "why", and immediately "this will surely be a long trip from my home on the 'Downeast Coast' of the State of Maine." In the event I did travel to Malta to teach over a period of 25 years, sometimes twice in a year, and quickly my affection for IMLI turned into one of the most pleasurable and vital experiences of my life. Long service on the Board of Governors (BoG) and the Academic Committee has involved me in both IMLI's problems and triumphs. To the LL.M. students I taught the Law of Collision and Maritime Casualties every year, and sometimes on a separate trip the national and international Legislation of Maritime Law; however Maritime Legal History was always my favourite course to teach. I have to mention that my wife Libby (Elizabeth) came with me to Malta on each voyage except one; she insisted on attending every one of my classes (I suppose to keep me honest), and while the students at first thought this very odd, soon all of them welcomed her warmly.

The first person we met at the airport in the beginning of our visits was Joseph Sammut. Joe was not only the driver of the IMLI automobile, but the general factotum of the Institute and his wife Connie did cleaning and other IMLI chores. Joe planted the lemon tree that is adjacent to the IMLI atrium. In his former career, Joe was a policeman and driver for the Commissioner; this enabled my visits to places where the "cops" ate and introduction to what I found the most delectable feature of Malta's cuisine, the incomparable *bigilla* and tuna sandwich on *hobza* bread.



Joe retired from IMLI after the death of his wife, and ultimately had a non-speaking role as a Roman Senator in the film "The Gladiator", which was made in Malta. Joe Sammut's current successor is Joe Mifsud, who does every kind of maintenance for the Institute as well as driving. The present Joe is a good-humoured source of sound advice for students and Visiting Fellows.

Virtually the second person we met, and whose friendship we still very greatly cherish, was Josephine Aquilina. Everyone who knows IMLI realizes that Josephine is the "glue" that holds the Institute and its personnel together. It is impossible for me to say how much I admire Josephine; her devotion to the Institute is utterly classic.

The first Director of IMLI was Professor Patricia Birnie, from 1989 to 1994. She earned her Ph.D. at the University of Edinburgh with a thesis on Development of the International Regulation of Whaling, and was a highly recognized expert on the law concerning mammals in the marine environment and the Law of the Sea. Pat enjoyed her time at IMLI, but knew when it was time to retire. She was assisted for some years by Proshanto Mukerjee from Canada, who left IMLI to take up a teaching position at WMU.

One of the first resident lecturers at the Institute was Dr. Ivan Vella, who not only taught but also assisted in administration. Ivan still teaches at IMLI but is the senior partner of a well-known Maltese Maritime Law firm.

An important friend of IMLI from its earliest days was Dr. Walter Müller, President of the Swiss Maritime Law Association, Vice-President of the CMI, and a Professor at the University of Zürich as well as a maritime law practitioner in Basel. Walter brought about the annual Swiss contribution to IMLI's finances, conditioned upon the Institute's ensuring that 50% of its LL.M. students be female. Walter was my good friend; he served in the IMO Legal Committee and was a delegate and officer in many international diplomatic conferences that we both attended. Walter and his wife (Therese) visited us in Maine; he served on the BoG, taught at IMLI and gave good advice to the Institute each year until his fatal illness.

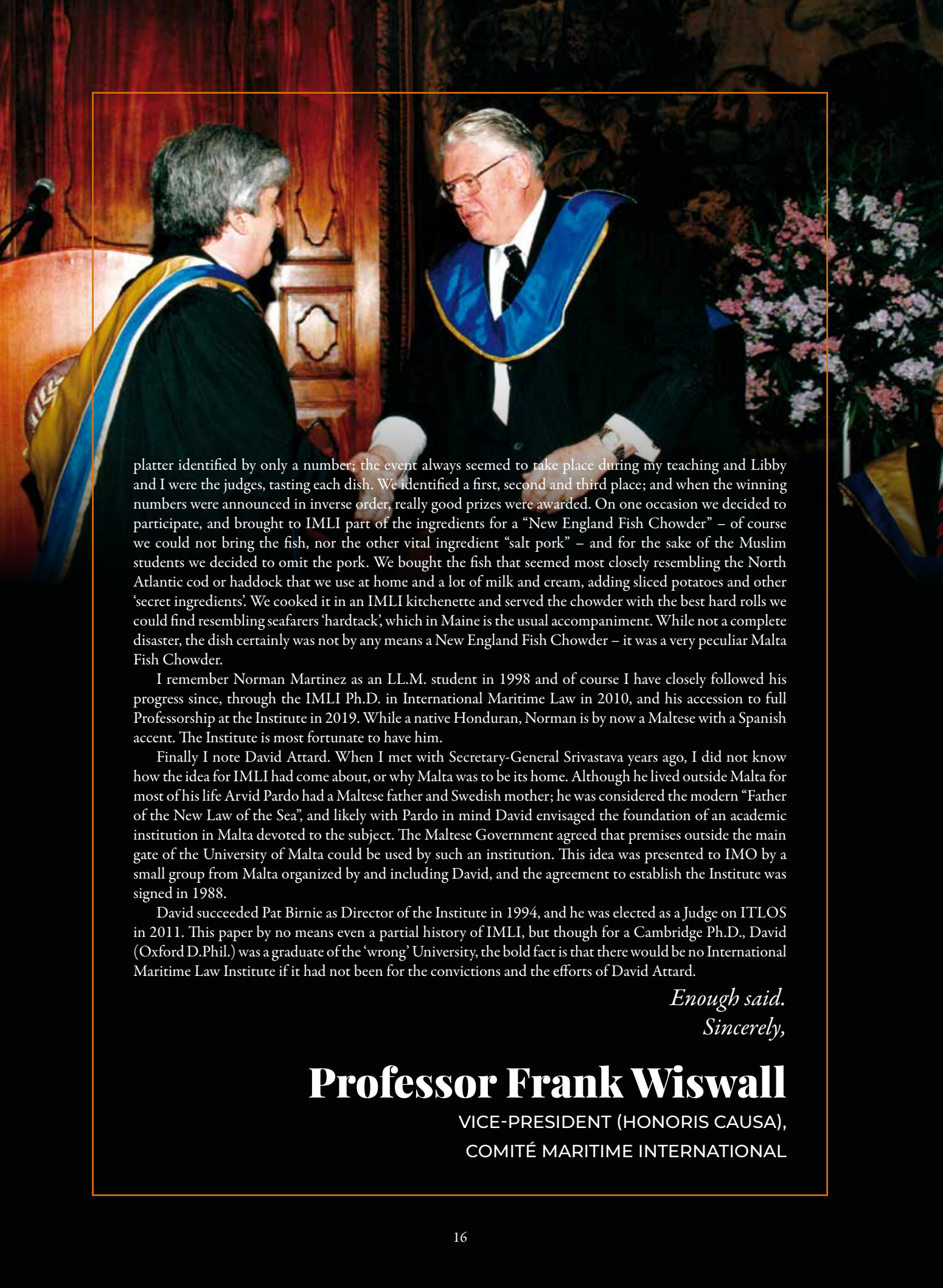
One needs to mention some other members of the BoG, especially my friends Mr. James Harrison of Lloyd's Register of Shipping and Dr. Philippe Boisson of Bureau Veritas both of whom helped those classification societies make contributions to the Institute apart from their own teaching since IMLI's early days. The late William Birch-Reynardson was a generous member of the Board. Bill was a partner in the great P&I Club Management firm of Thomas R. Miller & Son, and he gave of his time and wealth both to the CMI and to IMLI, hosting the LL.M. students in London for exposure to marine insurance interests on their annual trip. As to support of IMLI, Dr. Yōhei Sasakawa must be mentioned. Though not an early contributor, Sasakawa and his charitable Nippon Foundation have for several years given funding for scholarships and full-time lectureships; the beneficial effect to the Institute has been very significant.

Of others who have taught at IMLI for many years, I have particular respect for Professor Ugo Mifsud Bonnici; he is a former President of the Republic and a noted author of legal treatises, including a superb work on Comparative Law. His support has been one of the strengths of IMLI – and in addition he is a delightful person. A much more recent liaison has been established between IMLI and the Stockton Center for International Law in the U.S. Naval War College, where I have also taught and been a panellist. Dr. James Kraska, Howard Levie Professor at USNWC and the Stockton's Director, has come to the Institute and joined in holding a Seminar on Maritime Security, the first of many to come.

The Institute has been properly cautious in making honorary awards. Walter Müller, Francesco Berlingieri and I have generously been made Professors of International Maritime Law, *honoris causa*. The Rt. Hon. Lord Phillips of Worth Matravers, K.G., was given the honorary degree of Doctor of International Maritime Law; he is at this writing the first President of the Supreme Court of the United Kingdom and President of the British Maritime Law Association. Nicholas Phillips – a close friend of mine for nearly 50 years – was Lord Chief Justice of England when the degree was awarded, but he was stationed in Malta during his service in the Royal Navy and had been to IMLI to lecture on several previous occasions.

Experiences with the LL.M. students has been a great pleasure; there have been hundreds over 25 years so it would not be possible for me to give names, but there were wonderful occasions with them, mostly arising in the "cooking competition". After IMLI had been in operation for a few years the brilliant innovation of students producing the food from some recipe related to a national dish, which were placed on a table in the foyer with each





platter identified by only a number; the event always seemed to take place during my teaching and Libby and I were the judges, tasting each dish. We identified a first, second and third place; and when the winning numbers were announced in inverse order, really good prizes were awarded. On one occasion we decided to participate, and brought to IMLI part of the ingredients for a “New England Fish Chowder” – of course we could not bring the fish, nor the other vital ingredient “salt pork” – and for the sake of the Muslim students we decided to omit the pork. We bought the fish that seemed most closely resembling the North Atlantic cod or haddock that we use at home and a lot of milk and cream, adding sliced potatoes and other ‘secret ingredients.’ We cooked it in an IMLI kitchenette and served the chowder with the best hard rolls we could find resembling seafarers ‘hardtack’, which in Maine is the usual accompaniment. While not a complete disaster, the dish certainly was not by any means a New England Fish Chowder – it was a very peculiar Malta Fish Chowder.

I remember Norman Martinez as an LL.M. student in 1998 and of course I have closely followed his progress since, through the IMLI Ph.D. in International Maritime Law in 2010, and his accession to full Professorship at the Institute in 2019. While a native Honduran, Norman is by now a Maltese with a Spanish accent. The Institute is most fortunate to have him.

Finally I note David Attard. When I met with Secretary-General Srivastava years ago, I did not know how the idea for IMLI had come about, or why Malta was to be its home. Although he lived outside Malta for most of his life Arvid Pardo had a Maltese father and Swedish mother; he was considered the modern “Father of the New Law of the Sea”, and likely with Pardo in mind David envisaged the foundation of an academic institution in Malta devoted to the subject. The Maltese Government agreed that premises outside the main gate of the University of Malta could be used by such an institution. This idea was presented to IMO by a small group from Malta organized by and including David, and the agreement to establish the Institute was signed in 1988.

David succeeded Pat Birnie as Director of the Institute in 1994, and he was elected as a Judge on ITLOS in 2011. This paper by no means even a partial history of IMLI, but though for a Cambridge Ph.D., David (Oxford D.Phil.) was a graduate of the ‘wrong’ University, the bold fact is that there would be no International Maritime Law Institute if it had not been for the convictions and the efforts of David Attard.

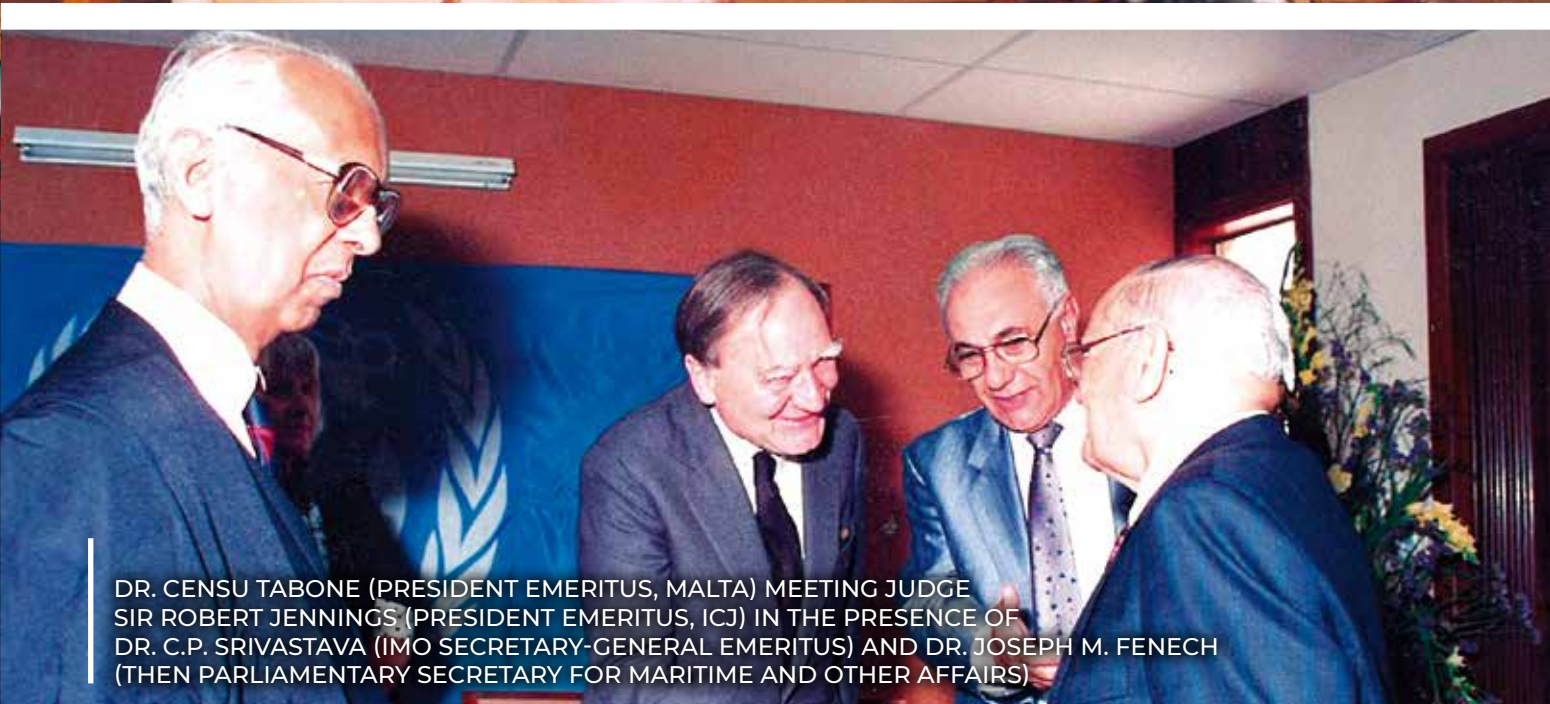
*Enough said.
Sincerely,*

Professor Frank Wiswall

VICE-PRESIDENT (HONORIS CAUSA),
COMITÉ MARITIME INTERNATIONAL



DR. ARVID PARDO (FORMER PERMANENT REPRESENTATIVE OF MALTA TO THE UNITED NATIONS) WITH PROFESSOR DAVID ATTARD DURING DR. PARDO'S LECTURE AT IMLI



DR. CENSU TABONE (PRESIDENT EMERITUS, MALTA) MEETING JUDGE SIR ROBERT JENNINGS (PRESIDENT EMERITUS, ICJ) IN THE PRESENCE OF DR. C.P. SRIVASTAVA (IMO SECRETARY-GENERAL EMERITUS) AND DR. JOSEPH M. FENECH (THEN PARLIAMENTARY SECRETARY FOR MARITIME AND OTHER AFFAIRS)



PROFESSOR PATRICIA BIRNIE (FIRST IMLI DIRECTOR) LEADING THE FIRST IMLI GRADUATION PROCESSION



IMLI – HOW IT CAME INTO BEING

The following chronicle of events that led to the establishment of the IMO International Maritime Law Institute (IMLI) is a first-hand account by Mr. Jonathan Pace, who at the time was a Maltese Government official and an integral part of the Malta team leading the negotiations with the International Maritime Organization (IMO) on the establishment of the Institute. Mr. Pace subsequently became the Deputy Executive Director and Registrar of Ships at the Merchant Shipping Directorate of the Malta Maritime Authority (now known as Transport Malta) and later joined IMO. Currently, Mr. Pace is the Acting Chief, Subdivision for Programme Management and Coordination, Technical Cooperation Division, IMO.

In May 1987, the newly elected Maltese Administration led by Prime Minister Edward Fenech Adami had just embarked on a mission to turn Malta into an international services centre which, as a consequence, also required the strengthening of the country's international relations. With this in mind, a Ministry for Development of Tertiary Sector and a Parliamentary Secretariat for Maritime and Other Affairs were established and the latter, led by Dr. Joseph M. Fenech, Parliamentary Secretary for Maritime and Other Affairs, was tasked with, inter alia, revamping Malta's maritime legislation, particularly its Merchant Shipping Act, and in turn developing Malta as an international maritime centre of repute.

Soon after the Parliamentary Secretariat for Maritime and Other Affairs was established, I was fortunate enough to join it as a desk officer. In this role, amongst other tasks, I assisted Government officials and local experts in the review of the Maltese shipping legislation including the Merchant Shipping Act and the Carriage of Goods by Sea (Regulation) Act. However, at the time, little did I know that I was to witness and contribute to the birth of IMLI and experience the exciting days leading to its establishment.

Between 7 and 11 September 1987, the Pacem in Maribus (PIM) XV Conference was held in Malta under the theme "The Commemoration of the 20th Anniversary of the Maltese Initiative which led to UNCLOS III". Professor David Attard, at the time an advisor to the Maltese Government, was a speaker at the Conference together with the then IMO Secretary-General Dr. Chandrika Prasad Srivastava. Upon meeting Secretary-General Srivastava, conscious of the Maltese Government's objective to transform Malta into an international maritime centre and of its desire to enhance its relations with international organizations, Professor Attard arranged for Dr. Fenech to meet Dr. Srivastava for lunch at Mdina prior to his departure from Malta following his participation in the PIM Conference. During lunch, Dr. Srivastava, Dr. Fenech and Professor Attard, all lawyers, and later acknowledged as the forefathers of IMLI, discussed the Maltese Government's plans for the maritime sector including its intention to revamp Malta's participation in the workings of IMO. Aware of the need for the implementation of same into national legislation, the Maltese side proposed the setting up of an Institute for the teaching of international

maritime law within the University of Malta. Dr. Srivastava, who a few years earlier had established the World Maritime University (WMU) in Malmö, Sweden under the auspices of IMO, was very interested in this proposal as he believed that the proposed Institute would indeed be complementary to WMU which did not offer specific maritime law courses. Moreover, the Institute would, apart from filling a niche training gap, provide developing countries with their own national capability in maritime law. Dr. Srivastava proposed that the Institute be established on the same lines as WMU: a separate entity established under the auspices of IMO, enjoying diplomatic privileges and immunities, with the Maltese Government providing free premises to host the Institute and accommodate its students in accommodation similar to that provided at WMU's Henrik Smith Students' Hostel in Malmö.

Both IMO and the Maltese Government wasted no time in turning this proposal into reality. Negotiations and follow-up action proceeded in earnest with several meetings taking place between the two sides. Dr. Fenech led the negotiations on behalf of the Government of Malta, assisted by Professor Attard as the advisor of the Government and supported by Mr. John de Gray, Head of the Parliamentary Secretariat for Maritime and Other Affairs, Mr. Lino C Vassallo, Assistant Head of the Parliamentary Secretariat and who later became Permanent Representative of Malta to IMO, Mr. Pierre Cauchi, Administrative Assistant at the Parliamentary Secretariat, and the author of this article, at the time a desk officer within the said Parliamentary Secretariat. Dr. Srivastava led the negotiations on behalf of IMO, assisted by IMO's senior management team including Dr. Thomas Mensah, Assistant Secretary-General and Director, Legal Division and Mr. Leighton van North, Director, Technical Cooperation Division.

In January 1988, agreement was reached in principle to establish in Malta an IMO Institute for the teaching of international maritime law, with the Maltese Government undertaking to provide the premises to house the Institute. This agreement was approved by the Maltese Cabinet of Ministers, which also agreed that the Short Courses Centre, then still under construction within the grounds of the University of Malta, be proposed to IMO as the premises for the Institute. Cabinet also agreed that the Minister of Finance and the Parliamentary Secretary for Maritime and Other Affairs discuss how the funds necessary to complete, furnish and equip the building were to be provided. Indeed, as the Institute was not envisaged when the 1988 government budget was being prepared, the funds for the purpose were provided by means of a special warrant authorized by the Ministry of Finance. Discussions, followed by an agreement between the Government and the University of Malta on the completion and use of the Short Courses Centre, ensued between Parliamentary Secretary Fenech and Professor Peter Serracino Inglott, then Rector of the University of Malta. Under this agreement, the Short Courses Centre was put at the disposal of the Government by the University of Malta to house the Institute.

I was entrusted with coordinating the project for the completion, furnishing and equipping of the Short Courses Centre, working in close cooperation with Professor Dennis De Luca, former Dean of the Faculty of Architecture and Engineering at the University of Malta and the architect of the Short Courses Centre building. Following a competitive tender for a turnkey project to complete, furnish and equip the Centre's premises, a local company was entrusted with carrying out and finalizing the project to provide both the teaching facilities and student accommodation in good time for the Institute to be inaugurated during the last quarter of 1988.

For his part, Dr. Srivastava, while continuing the negotiations with the Government of Malta, initiated consultations with potential donors who could provide the funds necessary for the running of the Institute and, more importantly, for fellowships for duly qualified students from developing countries. Several meetings also took place between IMO and the Maltese Government while a number of IMO officials, including Mr. van North, Director, Technical Cooperation Division, and Mr. King, Building Manager, visited Malta for meetings and to view the proposed premises for the Institute. Crucial negotiating points during the bilateral discussions between Malta and IMO included the nature of academic degrees awarded, designation of the Institute as an IMO Institute, and availability of its courses to candidates nominated by Governments, in particular of developing countries, who would be appointed to or were already serving with Governments or port or shipping organizations. Negotiations also established that fifty per cent of the student places be reserved for deserving women candidates. This is evidence of IMO's early recognition of the importance of enhancing the role of women in the maritime sector. In order to provide as much individual attention as possible, it was proposed that the Institute would have a relatively small student intake, twenty in total, and that the duration of courses be one academic year. In addition to these twenty places, IMO and the Government of Malta also agreed that two places at the Institute be made available each year free of fees to suitably qualified Maltese nationals nominated by the Government of Malta.

The drafting of the host country agreement between IMO and the Government of Malta establishing IMLI, spearheaded by Dr. Thomas Mensah, Assistant Secretary-General and Director, Legal Division, followed the finalization of the negotiations. This agreement was signed by Dr. Srivastava and Dr. Fenech on 13 May 1988 at the IMO Headquarters in London at a signing ceremony which I had the privilege to attend. At its sixtieth session held in June 1988, the IMO Council approved the agreement between IMO and the Government of Malta and authorized Dr. Srivastava to proceed with further action in relation to the establishment and operation of the Institute on the understanding that the funding for the Institute, aside from the costs borne by the Government of Malta in accordance with the terms of the agreement, would be



Mr. Pace, the author, (first from the right in the middle row) during the host country agreement signing ceremony at the IMO Headquarters

met from voluntary contributions and no contribution would be made from the assessed budget of IMO. In this regard, the Statute of the Institute was promulgated by the IMO Secretary-General on 28 July 1988, approaches were made by IMO to a number of potential donors including Governments and the Commonwealth Secretariat, and action was taken to constitute the Governing Board of the Institute, develop the Institute's course curriculum and modules, and appoint the Director, Deputy Director and staff of the Institute. Moreover, arrangements were made by IMO with more than twenty eminent maritime law specialists to provide their services free of fees as visiting professors at the Institute. With regard to the curriculum, Dr. Srivastava tasked an international group of experts composed of Professor Attard, Professor Francesco Berlingieri, then President of the Comité Maritime International, and Dr. Louis Mbanefo, an eminent Nigerian shipping lawyer, with developing the Institute's course structure and subject modules.

The project to transform the former University of Malta Short Courses Centre into the premises of IMLI was successfully concluded on time and the Institute was officially inaugurated by Dr. Srivastava on 8 October 1988 during a ceremony held at the new premises of IMLI and attended by a number of dignitaries including Maltese Prime Minister Fenech Adami and Parliamentary Secretary Fenech. During Dr. Srivastava's visit to Malta to inaugurate the Institute, the University of Malta conferred on him the degree of Doctor of Laws Honoris Causa at a ceremony held at the Old University church in Valletta. Dr. Srivastava

was also the guest of honour at a State dinner hosted by the Prime Minister of Malta at the State residence of Verdala Castle in Rabat.

The first LL.M. course of studies at IMLI began on 3 October 1989 under the direction of Professor Patricia Birnie, the first Director of IMLI, and Professor Proshanto K. Mukherjee, Deputy Director. Professor Attard, who following the signing of the IMO-Malta host country agreement was appointed Special Advisor on IMLI to Secretary-General Srivastava, was appointed Special Advisor to the IMLI Director. Nineteen students (including two Maltese students) attended the first course of studies with fellowship financing offered by, among others, Canada, Japan, the Netherlands and the Commonwealth Secretariat.

In establishing IMLI, not all was plain sailing for Dr. Srivastava, the longest serving IMO Secretary-General. Some senior members of the IMO Secretariat were not so favourable towards the establishment of another entity similar to WMU under the auspices of IMO. However, being the visionary he was, Dr. Srivastava ventured on because he believed in the specific mission and objective of the Institute, namely to provide suitably qualified persons, particularly from developing countries, with high-level specialized training in maritime law with special emphasis on the drafting of legislation implementing the IMO conventions. IMLI began operating on 2 October 1989 with the Government of Switzerland and the Commonwealth Secretariat making generous contributions to the operating costs of the Institute.

Mr. Jonathan Pace

ACTING CHIEF, SUBDIVISION FOR PROGRAMME
MANAGEMENT AND COORDINATION,
TECHNICAL COOPERATION DIVISION, IMO



DR. C.P. SRIVASTAVA WITH PROFESSOR DAVID ATTARD
AND DR. JOSEPH M. FENECH VISITING IMLI DURING IMLI'S INAUGURATION



DR. C.P. SRIVASTAVA AND MR. WILLIAM O'NEIL VISITING IMLI
TO ATTEND IMLI'S INAUGURATION (1989)



IMLI'S INAUGURATION (1989)



THE IMLI ACADEMIC SYLLABUS:

How *It All* Began

I feel greatly honoured to have been invited to contribute to a commemorative publication to mark IMLI's 30th Anniversary.

I am in the privileged position of being one of the four international lawyers initially invited by the then Secretary-General of the IMO, Mr. Srivastava, to formulate the academic syllabus of the proposed Institute of International Maritime Law.

I should begin with a brief introduction of how and why I was invited to join the distinguished team of lawyers. In 1985 the then Nigerian Minister of Transport visited the IMO and held an audience with Secretary-General Srivastava. In the course of their discussions, the Minister sought the assistance of Mr. Srivastava in updating the Nigerian Merchant Shipping Act of 1962 as well as other maritime legislation, for, during the intervening 23 years, Nigeria had domesticated a number of IMO Conventions which were yet to be incorporated into the Act.

The Secretary-General readily agreed to assist and, fortuitously, having just published the first comprehensive compendium of Nigerian shipping laws, I was recommended to the Minister by the Secretary-General as the consultant/sub-contractor of the IMO in the exercise. In due course, a tripartite agreement was entered into between the IMO, the Nigerian Government and the UNDP (the funding agency) to achieve the objective. The exercise started in 1987 and was concluded in 1988. Dr. Thomas Mensah, then the Director of Legal at IMO, and his colleagues rendered valuable assistance to me.

Following the successful completion of the exercise, I received a letter from Secretary-General Srivastava dated the 17th August 1988 wherein he said:-

"I have the honour to address an invitation to you to agree to be a Visiting Professor at the IMO INTERNATIONAL MARITIME LAW INSTITUTE.

The Institute has been established by the International Maritime Organization (IMO) and will be located at Valletta, Malta at the kind invitation of the Government of Malta.

The IMO International Maritime Law Institute is to be an international centre for the training of specialists in

maritime law, and the development and dissemination of knowledge in the international legal regime of merchant shipping and related areas of maritime law and the general law of the sea. The experience of IMO has revealed that many developing countries need trained legal personnel for the preparation and up-dating of their national legislation for the implementation of applicable international treaties and regulations on shipping and related maritime activities. Such legal personnel must not only be fully acquainted with the national legal systems but should also be thoroughly trained in the various fields of international maritime law. In the absence of appropriately trained national experts many of the developing countries have had to rely on foreign advisers and consultants in preparing or up-dating their legal and administrative infrastructures. While such assistance is valuable and even necessary on a short-term basis, it does not provide a permanent solution. For real and dependable progress each developing country needs its own team of experienced maritime lawyers who are available on a long-term basis.”

Following my acceptance of Mr. Srivastava’s invitation, I travelled to Malta with Dr. Mensah and there we met with Professor David Attard and Professor Francesco Berlingieri, the other members of the group. The two gentlemen were very well-known in maritime legal circles. Dr. Attard was (and is) a distinguished Maltese Professor of International Law, whilst Dr. Francesco Berlingieri (now deceased), then the President of the Comité Maritime International (CMI), was also a distinguished Professor of Maritime Law.

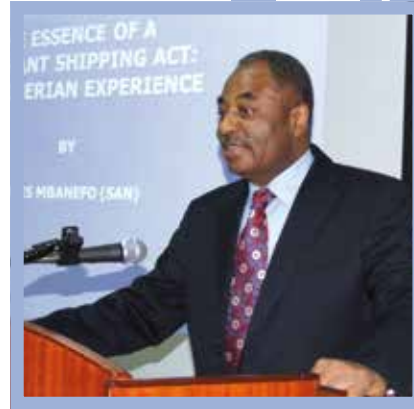
Two days were set aside for our deliberations and we were taken to the site of the proposed International Maritime Law Institute at the campus of the University of Malta in Msida. At that time, the site consisted of disorderly piles of rock with grass growing amongst them. Our meetings were held in an improvised office at the site which, I understand, is still used by members of Staff.

Our recommendations on the contents of the course syllabus were later compiled and presented to the Secretary-General by Dr. Mensah. Our objective was to present a balanced course which encompassed the whole gamut of maritime law. The intended result was that those who successfully completed it would be awarded a Masters degree and be well-grounded in maritime law. An important part of the course was to be legislative drafting. This was at the insistence of Mr. Srivastava and the objective was that graduates of the Institute would be enabled to assist their countries in incorporating IMO conventions into their national legislation.

Since the preparation of the first syllabus by our committee, I understand that there have been several revisions of it. The physical structures on the ground have been developed in a most remarkable manner over the past thirty years and during my visits over the years to lecture to students, I have been most fascinated by the use of the limited space to create, not only a most impressive and well-stocked library and lecture hall, but also offices as well as accommodation for students and visiting professors.

The pioneer director, Professor Pat Birnie, ably assisted by Mr. P.K. Mukherjee, set the Institute on a high trajectory. However, following the appointment of Professor Attard as Director, the Institute attained enviable heights and has over the years produced a large number of very distinguished maritime lawyers who have made significant contributions to the development of maritime law in their respective countries.

It has been a privilege for me to serve on the Governing Board of IMLI during the past years and on the occasion of the 30th Anniversary of IMLI, I extend my warm congratulations to Secretary-General Kitack Lim, the Maltese Government, the IMLI Governing Board, Professor Attard, and the entire staff of IMLI.



Mr. Louis Mbanefo SAN

**MEMBER OF THE IMLI GOVERNING BOARD
FORMER PRESIDENT AND CURRENTLY PATRON OF
THE NIGERIAN MARITIME LAW ASSOCIATION**

In its Constitution the CMI is described as “...a non-governmental not-for-profit international organisation established in Antwerp in 1897, the object of which is to contribute by all appropriate means and activities to the unification of maritime law in all its aspects.” The Constitution also states that “To this end it shall promote the establishment of national associations of maritime law and shall co-operate with other international organisations.”

Even before it was formally constituted, the Belgian lawyers and government officials behind its creation sent out a circular letter to potentially interested governments and shipping industry bodies stating that it was the intention of the CMI to promote the establishment of national maritime law associations and to ensure an ongoing structured relationship between them. Membership of the new associations was to be open to mercantile and insurance interests, shipowners and all others concerned in maritime commerce as well as lawyers. The letter announced that the first project for the newly formed group would be the codification, by means of an international convention, of the law relating to collisions at sea and maritime salvage. The resultant Collision Convention and Salvage Convention of 1910 were the first of many conventions created by CMI in the early 20th Century with the enthusiastic participation of a growing number of affiliated national maritime law associations.

The Constitution of IMLI (which was set up by IMO in 1988) states that the Institute “...shall be an international postgraduate education and research Centre of Excellence for specialists in maritime law and the development and dissemination of knowledge and expertise in international maritime law and the general law of the sea, with special reference to the international rules, regulations and procedures for the safety, security and efficiency of



international shipping, protection of the marine environment and rights of seafarers, in particular those developed under the auspices of IMO.” To achieve these aims IMLI has, for the past 30 years, offered an intensive one year LL.M. course of international maritime law studies for law graduates. Apart from studying international maritime law (much of it based on conventions originally created by CMI), students are expected to select an international convention and prepare draft legislation designed to implement that convention in their national law.

THE COLLABORATION BETWEEN IMLI and CMI





This is where the interests of CMI and IMLI meet.

Traditionally, the final text of an international convention is signed off at an international conference. In the early years of the 20th century these diplomatic conferences were hosted by the Government of Belgium - hence the string of conventions with the prefix Brussels. More recently these international conferences have been hosted by IMO. Whatever the parentage of a convention, it will not achieve the object of unifying maritime law unless governments can be persuaded to make the legislative effort to incorporate it into their national law. Whilst those government representatives involved in negotiating the final text of a convention may return home from the international conference full of enthusiasm for a particular convention, the danger is that the text of the convention will sit in an in-tray and slowly get buried by more immediately urgent government business.

For close to 25 years I have been attending IMO Legal Committee meetings in my capacity as CMI Observer. During that time, IMO has produced numerous conventions such as the HNS Convention 1996/2010, the 1996 Protocol to the 1976 Limitation Convention, the 2001 Bunker Pollution Convention, the 2002 Protocol to the 1974 Athens Passenger Convention, the SUA Convention, the 2007 Wreck Removal Convention and the 2012 Protocol to increase the limits of liability under the 1996 Limitation Convention.

Most of these instruments have, to a greater or lesser degree, failed in their object of unifying international maritime law because of the relatively poor take-up by IMO Member States. In more recent times this problem has been addressed by IMO and efforts to assist governments in this regard continue with workshops and direct advice. CMI has also become involved for the good reason that most of its affiliated national maritime law associations have contacts within their national governments and are in a good position to urge ratification and even to offer assistance in the legislative drafting process.

This, of course, is where IMLI with its legislative drafting programme and its growing body of alumni plays a vital role. For example, when I was lecturing at IMLI in 2018 I noted that several students had chosen the 2007 Wreck Removal Convention for their legislative drafting and I encouraged them to seek ways of using this work on their return home and persuade their governments to implement this very important convention. How much easier it is for a government to implement a convention if most of the work has been done for free by a student operating under the watchful eye of an IMLI supervisor.

Moreover, for some 25 years now the CMI Charitable Trust has provided financial support for the valuable work done by IMLI. Initially, the Trust provided part scholarships for IMLI students but in more recent times the Trust has funded the travel (and occasional accommodation expenses) for visiting CMI lecturers. We in the CMI believe in the IMLI project and wish to offer what support we can. I and other colleagues from CMI who pay visits to give lectures at IMLI will certainly continue to give encouragement to future generations of students not only to pursue the goal of uniformity of maritime law but also to support their local CMI affiliated national maritime law association.

Dr. Patrick Griggs CBE

MEMBER OF THE IMLI GOVERNING BOARD
FORMER PRESIDENT, COMITÉ MARITIME INTERNATIONAL



The Work OF THE FINANCIAL & Human Resources Committee

 **Mr. Jim Harrison**

VICE CHAIRMAN OF THE IMLI BOARD OF GOVERNORS
CHAIRMAN OF IMLI'S FINANCIAL AND HUMAN RESOURCES COMMITTEE



Since I wrote my own law degree thesis on "Public International Law Relating to Oil Pollution from Ships" forty years ago, I have always had a keen interest in international maritime law so I was very pleased that my own organisation, Lloyd's Register, agreed to donate, in 1992, some of its personal computers to the students and staff at IMLI. That was the start of a long, very rewarding and ongoing working relationship between Lloyd's Register, IMLI and myself. In 1996, my predecessor at Lloyd's Register, John Hickman, visited IMLI to open the Lloyd's Register Computer Room. In 1999, on becoming Legal Director at Lloyd's Register, I became a Governor at IMLI and subsequently I became the Vice Chairman of the Board of Governors. In 2007, I was appointed Chairman of IMLI's Financial and Human Resources Committee which I am still pleased to chair.

It has given me particular satisfaction that Lloyd's Register, and more recently Lloyd's Register Foundation, have seen fit to finance three student scholarships per year for nearly 20 years.

In visiting IMLI over the last 20 years to lecture, attend some of the graduation ceremonies and participate in Governing Board's meetings, I have had the opportunity to see at first-hand how IMLI has grown and matured into a top-class educational institution with an enviable academic reputation worldwide.

I am always impressed with the enthusiasm and

cheerfulness of the students and staff at IMLI and the intellectual rigour with which they undertake their studies and research.

For me, as a practising international maritime and commercial lawyer, it is fascinating to see how IMLI inculcates within its students a mutual understanding and respect for different legal systems and cultures. Its ethos of teaching maritime law in a comparative way is remarkable.

As Chairman of Financial and Human Resources Committee for the past 12 years it has been very encouraging for me to see IMLI's financial strength and stability improve year on year. This is testament to the very hard work and commitment put in by IMLI's Director, David Attard, and all his colleagues. Their dedication to the IMLI cause is formidable. I have been pleased to be involved in the establishment and maintenance of the IMLI Staff Allegiance Scheme and the creation of the new state-of-the-art lecture theatre and video-conferencing facilities.

IMLI is now a world renowned centre of legal learning and excellence. Its positive impact on the dissemination and the consistent implementation of maritime law throughout the world has been a fantastic achievement over the last thirty years. Long may it continue! I am very proud of my close association with IMLI over the last three decades and I count myself as very fortunate to be able to maintain my involvement.



THE WORK OF THE ACADEMIC COMMITTEE

Professor Norman A. Martínez Gutiérrez

PROFESSOR OF INTERNATIONAL MARITIME LAW, IMLI

Established under Article 14 of the Institute's Statute, the Academic Committee is one of the cornerstones of IMLI's academic success. The Committee's task is to assist the Governing Board and the Director in the coordination and implementation of the study and research programme of the Institute.

The first Academic Committee was composed of Professor Patricia Birnie (Director, IMLI), Professor David Attard (Special Adviser to the IMLI Director), Professor Robert Cleton (Head of Division of Private Law Legislation, Ministry of Justice, the Netherlands), Mr. Magnus Goransson (Director, Legal Affairs and External Relations Division, IMO), Professor Proshanto K. Mukerjee (Senior Deputy Director, IMLI), and Professor Aage Os (Deputy Director General, Ministry of Foreign Affairs, Norway).

The first meeting of the Academic Committee was held at the Institute's premises on 29 April 1992. During that meeting, the Committee recognized the uniqueness of the IMLI programme, "in particular because it covered a much wider field than corresponding courses at other maritime law Institutes". In light of this, the Committee assessed the content of IMLI's LL.M. programme (the only programme offered by the Institute at that time) to ensure that the aims and objectives of the Institute were adequately fulfilled. In this respect, the Committee found a good balance in the lectures offered, but noted that there had been an increase in the number of lectures in shipping law and maritime legislation drafting and a decrease in the number of lectures on the law of the sea. This shift towards shipping law was carried out following an Academic Review requested by the Governing Board at its 4th session and undertaken by Professor Os in 1991.

During this first meeting, the Committee also considered the teaching methods used and encouraged a "seminar-style" approach to classes which was to see an active participation of the students through discussions, questions, etc. Whilst emphasizing that the main

responsibility for the teaching of the programme must rest with the resident faculty, the Committee recognized that participation in the teaching programme by visiting professors was both "useful and necessary". In relation to the examination process, the Committee was satisfied with the initial approach taken by the Institute and agreed to continue monitoring this aspect in case changes were necessary. The Committee also highlighted the importance of developing a good maritime law library and proposed that the Institute should establish a separate budget for that purpose.

In December 1997, Professor David Attard (now as IMLI Director), met with Mr. William O'Neil (IMO Secretary-General) and agreed that the Academic Committee should be re-convened as it had not met for some time. The new Committee was composed of Professor David Attard, Dr. Walter Muller, Professor Robert Cleton, Mr. Patrick Griggs and Mr. Magnus Goransson. It met for the first time at the IMO Headquarters in London on 5 February 1998 and its two main tasks were to review of the academic syllabus and to consider the status of visiting fellows. Since then, the Committee has been very active. By 1999, the Committee was considering other areas, such as the delivery of specialized short courses (e.g. European Maritime Law), the establishment of a Ph.D. programme, and the award of honorary degrees. The Committee was also involved in the adoption of the first LL.M. Course Assessment and Examination Regulations, which provided



the criteria to be met to be eligible for the award of the LL.M. Degree.

The Membership of the Academic Committee has changed over the years including, inter alia, Dr. Rosalie Balkin, Mr. Charles Goldie, Mr. Masamichi Hasebe, and Mr. Alfred Popp until it reached its present composition, namely, Professor David Attard (Chairman), Dr. Patrick J.S. Griggs CBE, Mr. Frederick J. Kenney, Dr. Kofi Mbiah, Professor Dr. Marko Pavliha and Professor Frank L. Wiswall, Jr. Considering its widespread representation and the multiple commitments of its Members, the Committee has now adopted a correspondence-based approach which allows it to continuously monitor the Institute's work to ensure that the training provided meets the highest academic standards.

The Committee thus remains in constant communication to guarantee that the IMLI programmes' syllabi keep up with the latest developments in international maritime law. Over the years, the Committee has ensured that the Institute's syllabi satisfy the requirements of each programme and offer a balanced approach between the private and public aspects of the whole spectrum of international maritime law. To this effect, the Committee aims to ascertain that the training provided responds to the needs of the international maritime community, takes into account the latest developments that are taking place at IMO, and assists countries (particularly developing countries) in acquiring the necessary expertise for the incorporation of international conventions into domestic legislation and to provide for the effective implementation thereof.

Another important aspect of the Committee's work relates to ensuring that the legislative and academic framework governing the different programmes offered is regularly updated. Indeed, over the years the Academic Committee has been instrumental in the creation of the necessary regulatory framework that governs the Institute's academic affairs. In this respect, the Committee has contributed to the adoption, inter alia, of the IMLI Academic Regulations, the IMLI Master of Laws (LL.M.) Programme Regulations, the IMLI Master of Humanities (M.Hum.) in International Maritime Legislation Degree Programme Regulations, the IMLI Research Degree Programme Regulations, and the IMLI Advanced Diploma in International Maritime Law Regulations.

The Committee also works assiduously to review and advise on the admission of students into the Institute's Research Degree Programme. This admission process involves a lengthy procedure, in which applications with research proposals of over 1,000 words each are submitted to the Committee for assessment and evaluation. The Committee deliberates at length, with each Member presenting a very clear and detailed analysis of the submitted applications, and also offering advice on the election of academic supervisors for the accepted students.

Article 5(g) of the Statute allows the Institute to cooperate with universities or other appropriate institutions



for the delivery of seminars, joint programmes and other ventures which assist in the fulfilment of the Institute's mission. This cooperation is usually established through Memoranda of Understanding which are proposed by the Institute for the Academic Committee's consideration and approval. The work of the Committee has led to the adoption of a number of cooperation agreements with several renowned institutions, which contribute to enhancing the Institute's activities and academic reputation.

The Academic Committee also monitors closely the student population. Indeed, the Institute and the Committee have been working hand in hand to ensure that there is an adequate relationship between the number of admitted students and the number of Members of the Resident Faculty (particularly in relation to the supervision of academic projects). In this respect, bearing in mind a decision of the Financial and Human Resources Committee (FINCOM) to limit the number of students to a maximum of 60 per annum, the Academic Committee has decided that the Institute should strive to maintain a maximum ratio of eight students per lecturer to ensure the personalized attention which is a particular characteristic of the IMLI training.

It is also worth noting that recently the Committee has been focusing on the development of the Institute's Strategic Plan for the Period 2020 to 2023. As a matter of fact, the contribution of the different members of the Committee has been vital in identifying strategic directions and in recommending expected outputs on all academic matters. It is expected that the draft Strategic Plan, which has been prepared with the contribution of both the Academic Committee and FINCOM will be approved by the Governing Board during its 2019 session.

Though this brief review cannot do justice to the comprehensive and sterling work of the Academic Committee, I trust that it can at least portray the paramount importance the Committee's contribution has towards the Institute's academic wellbeing and reputation.

The Importance of the Common Law Tradition in the IMLI Syllabi

The curriculum at IMLI involves the study of international maritime law - laws developed by many nations of different legal persuasions by way of international conventions. In understanding and construing these laws it is important to appreciate that they have been developed, and will be construed, by countries that have differing systems of law and therefore different approaches to it.

The two principal systems of law that prevail in the world today are the Civil Law system, which is practised in some 150 countries, and the Common Law system, which is practised in about 80 countries.

Civil law has its roots in Roman law and is a legal system based on codified principles that serve as a primary source of law. It is practised in most countries in Europe and those countries influenced by them. Judges are not bound by precedent, though decisions in other cases can in some circumstances be influential. In most Civil Law countries, the judiciary is a career in itself and judges play a greater part and take greater control of events at any trial.

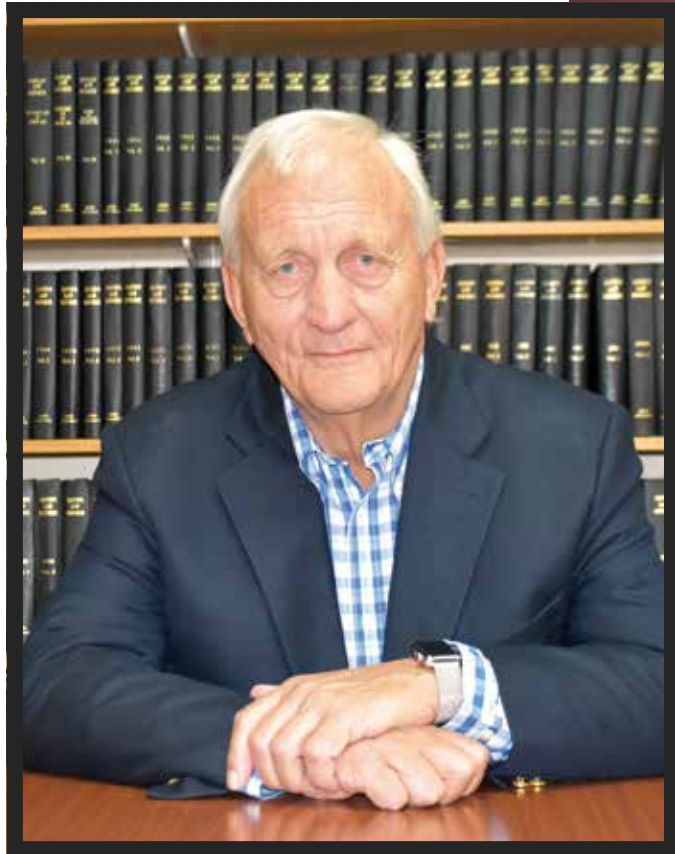
In contrast, Common Law may be described as judge made law which, whilst applying any overriding statutory law, relies on judicial precedent of a superior court. It is practiced in England and many countries around the world in which that country had influence. Judges are appointed from experienced practising lawyers – with the benefit of experience – and act more as referees in the conduct of cases permitting parties to play a greater part in the presentation of their cases. In general, it is thought to be less rigid and more flexible than Civil Law. It has played a major role in the development of many conventions particularly The Salvage Conventions of 1910 and 1989 and the Collision Regulations of 1972 largely echo English Common Law of the time.

International trade involves the carriage of goods from different countries to other countries all over the world, in ships owned by different nationalities. The countries involved in any venture will have differing internal laws and differing legal systems. International shipping laws to govern such ventures are therefore essential to smooth trade - the lifeblood of any nation. This was recognised centuries ago by various ancient codes such as the Rhodian Maritime Code and the Laws of Oleron, but in modern times, whilst progress was made towards unification of relevant laws by various conventions promoted by the CMI in the early 20th century, it was not until the birth of IMO (or IMCO as it then was) in 1958 that there was a real push to develop essential laws dealing with the safety of life at sea and pollution.

Oil Pollution was a growing problem in the 50's and 60's and whilst the law tried to find a solution with the common law torts of trespass, public and private nuisance and negligence, it could not develop them sufficiently to cope with growing public concern for pollution of the seas and beaches.

In *Southport v Esso Petroleum*, (1955 2 LLR – HL) the 'Inverpool' ran aground off the English coast and for safety of life and property, discharged 40,000 tons of oil into the sea in order to refloat herself. On the facts, the House of Lords, despite a flexible approach, could not find her liable in either trespass, nuisance, or negligence.

In *the Wagon Mound* (No. 2,) where there was a discharge of pollutant in a harbour, the Privy Council, with some difficulty, finally found the polluter liable in negligence but only after the Court of Appeal found otherwise.



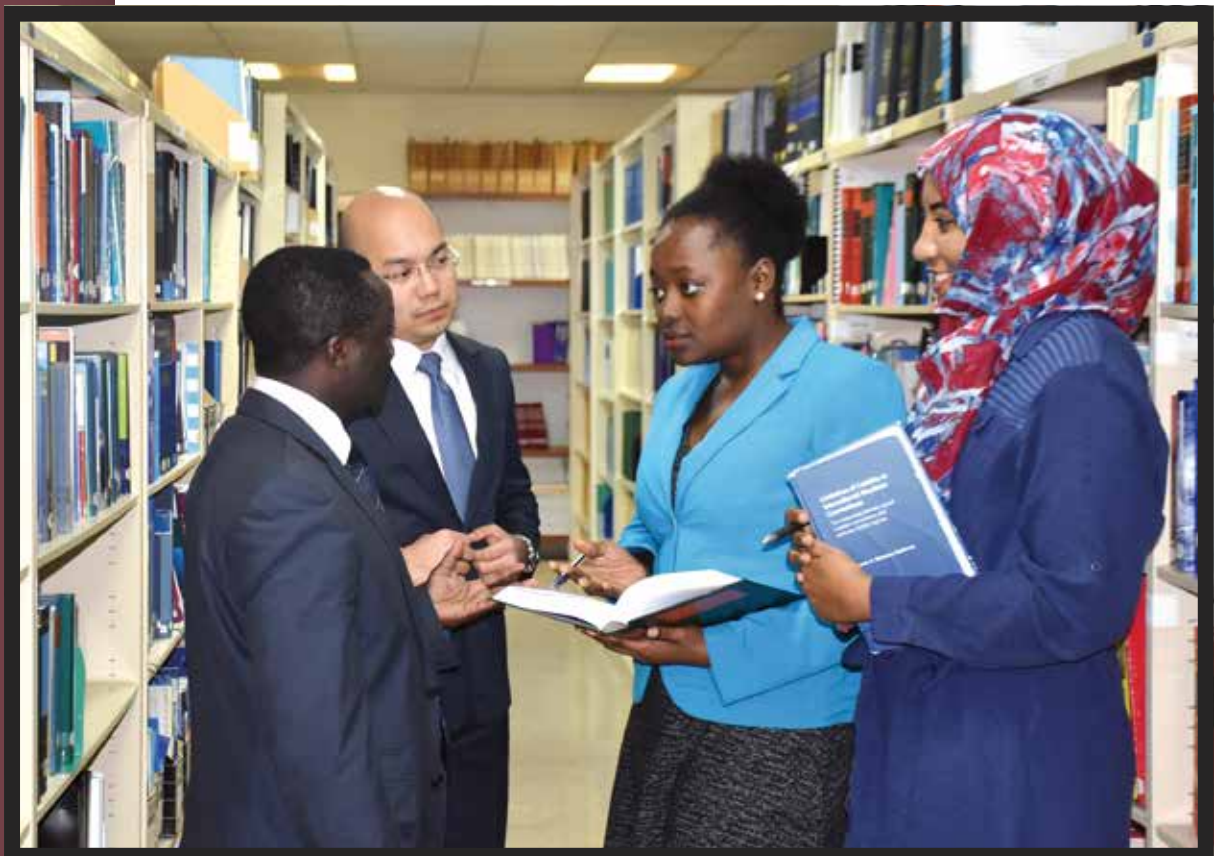
But it was the *Torrey Canyon* that really emphasised the problems of the day. She was a Liberian tanker owned by a Bermudian Company chartered to a US Company and sub chartered to a UK company that in 1969 whilst carrying 120,000 tons of crude oil from Kuwait to Milford Haven, ran aground on rocks off the Scilly Isles – just outside UK jurisdiction. It was the worst spill of its time and whilst there was no real problem in establishing negligence, there were very real problems relating to multi jurisdictions, limits of liability, claims for pure economic loss, and the enforcement of claims. The case fuelled the demands for an effective international legal regime and the first job of IMO was to find an international solution. This resulted in the first of the CLC Convention and the imposition of strict liability for oil pollution.

The work of finding a solution and of getting agreement to international legal regimes covering all forms of pollution is a lengthy process and continues to this day. There are still gaps to be filled as is illustrated by the slow progress of the Hazardous and Noxious Substance Convention. Until resolved, Common Law solutions will have to suffice in order to fill those gaps. Further, the Common Law will continue to play a part in the interpretation of international conventions when they are insufficiently clear (*Nagasaki Spirit* 1997 1 LLR. p 323). It is therefore important for students of international law to understand how the common law has influenced international shipping law and of how it interprets it in the event of uncertainty.

International maritime law enacted in participating countries overrides national law in those countries, but the Common Law has made, and will continue to make, a major contribution to both its development and interpretation. Like the fingers of a rising tide, international maritime law will develop and progress with new codes. The Common Law stands ready to assist in that development and to fill any resultant indentations, to smooth its passage. This is why the Common Law tradition is important to the IMLI syllabus.

Mr. Archie Bishop

FORMER SENIOR PARTNER AND CONSULTANT, HFW





The *Importance of Civil Law Tradition* in the IMLI Syllabi

Professor David Attard, the outstanding Director of IMLI, has had the excellent idea of preparing a commemorative publication to celebrate IMLI's 30th anniversary to be circulated to all IMO Member States. Likewise he has invited me to write a contribution about the Importance of Civil Law Tradition in the IMLI Syllabi.

Needless to say that I had no reasons to decline such invitation and, on the contrary, so many to accept it.

First of all I am a Civil Law lawyer and at the end of my both academic and professional career, with almost 40 years of experience, I am in a position to say that the world is mainly divided into two different legal systems, the Civil Law and the Common Law. The first pays tribute to ancient Roman Law and it is well established among European and Latin American countries. The second, that is, the so called Common Law system, is well spread in most Anglo-American and commonwealth countries. I am however not so sure if the difference means either a different sense of justice or just a different approach to obtain justice. Because both systems are based on the rule of law and all ensuing consequences as, for instance, the right to a due process.

It is out of question that both systems seek to protect human rights and at the same time to fight against any kind of discrimination among people based on race, colour, religion, sex, ideology or political thoughts.

Thus, sharing those values and goals the differences may be irrelevant. However there are differences and the exchange of ideas and writings between lawyers educated in these different legal systems contributes to increase the values and assets of each system.

The Civil Law is based, basically, on concepts and ideas, the so called, legal institutions (i.e., contracts, liens, mortgages, cause of actions, prescription, donation, wills, etc.). Consequently, the sources of law are more academic and legislative. It is a theoretical and academic construction, incorporated by the legislative power into the codes (Civil Code, Commercial Code, Criminal Code, Code of Procedural Law, etc.). The Judge must obey and follow the legislative and not the contrary.

On the other hand, the Common Law is based on the judicial precedent (*stare decisis*) and therefore it entails a practical construction. The law is based on the experience, on the cases that were solved before by the courts. Consequently, courts and tribunals play a more relevant role in the development and creation of the law. The legislative must follow and obey the rule of law according to the statements, holdings and resolutions of the courts and tribunals.

However, the above comments do not mean that in Civil Law countries the courts are irrelevant or that in Common Law countries the legislative does not play a significant role.

It is precisely, the coexistence of both systems which has had a positive mutual influence in the law making process, both in the private and public law.

Drawing from my professional experience as an international private lawyer, I can state that, today, most of the contracts, made in private transactions, contain elements of both systems. For example, most of the standard clauses like definition of the contract, rights and obligations of the

parties, waivers and remedies are a reproduction of the provisions (articles) of the civil and commercial codes. At the same time, the same contract contains clauses that mirror pronouncements of courts in previous disputes. The parties thus anticipate the issue and write and agree, in the contract, the same solutions decided by the courts in similar cases. For this reason, today, these documents are longer than in the past, I mean, forty years ago.

On the other hand, modern international conventions and other international legal instruments (i.e. recommendations and guidelines), and in particular of a maritime nature, have clearly benefited from both systems. In order to better understand this idea, the reader should compare the wording of any maritime convention approved at the beginning of the past century (i.e. the Salvage Convention of 1910) with a recent one (i.e. the Salvage Convention of 1989) to note not only the difference but rather the influence of the Anglo-American way of drafting. The best example is the article on Definitions.

The civil lawyer does not need to define in a legal text (let say, in a private contract or in an international treaty) those concepts and legal institutions that are already defined in the codes. For example, consent, agreement, negligence, reckless, *vis maior*, liability, indemnity, arbitration or jurisdiction.

However, the participation of both Civil and Common Law lawyers in the international conferences where the maritime conventions are drafted (or in the negotiation and drafting of private contracts) explains, in my opinion, this mutual benefit and wealth in the production of modern sources of law.

Taking into account the comments above, it is not difficult to understand that the answer to the subject of this contribution, what is the importance of civil law tradition in the IMLI syllabi, can be only one: very important.

IMLI offers training to a group of qualified law students coming from all over the world, that means, people with so different backgrounds and cultures and in particular with an education in one of the two legal system, either Civil Law or Common Law. The classroom becomes a platform of unique experience to the students and to the professors too, who teach them and learn from them.

The courses, the seminars, the lectures, the papers and the research offered by IMLI must take into account the co-existence of both legal systems. In fact, the Civil Law tradition is an essential tool to understand the legal world and also, more important, to prepare professionals, like the IMLI students, to produce in their home countries or international organizations, like IMO, international uniform maritime laws.



Professor Dr. Ignacio Arroyo


LL.M. HARVARD

PH.D. BOLOGNA UNIVERSITY

UNIVERSITY AUTONOMA OF BARCELONA, SPAIN



The **IMLI** Library




I visited IMLI for the first time in 1996 to deliver a short course on the law of carriage of goods by sea. I did so under the auspices of the late Mr. Bill Birch Reynardson of Thomas R. Miller. He was from about the time Professor Attard took over as Director a very active supporter of IMLI, and one of those instrumental in setting up the CMI Charitable Trust, a purpose of which was to support visits by lecturers, including academics, to IMLI and other organisations; indeed I have often visited under its auspices.

At that time the class was quite small. The lecture room occupied part of what is now the Library, and there were chairs at the back to form a sort of common room. The library was further along, in what is now the common room.

The library, though useful, was quite small and usually not supervised. Professor Attard told me that originally it consisted largely of books and material the property of his predecessor, the founding Director Professor Pat Birnie, now commemorated by a plaque outside the main entrance. When she returned to the UK she had naturally taken most of it with her.

The building up of the library was therefore one of the tasks for Professor Attard as the new Director. To perform its purpose and take its place as an international organisation of standing, the Institute would certainly require to be properly equipped with at least all normal materials likely to be required by students of maritime law, and this would be true even for the fairly small numbers envisaged by the original project.



An important start was provided by the generosity of the Swiss Government who funded the purchase of the main textbooks and other materials. This must have been partly the work of the late Professor Walter Mueller, a Swiss scholar who took a keen interest in IMLI from an early stage and regularly spoke at graduations.

The energy of Professor Attard, in this respect, secured further support for the library from the IMO itself, and from some universities, such as the University of Virginia. There was a steady increase in material available.





The growth of the Institute, resulting from the construction of a new lecture hall on what had been a flat roof outside the original main entrance on the north side, made it possible to envisage an enlarged library on the present site of what had been the lecture hall. This created more shelf space and more room for readers, and since that time the book collection has been much expanded. Over the years the library has acquired a wider coverage of books than hitherto, and more law reports and periodicals and other ongoing collections. The library now holds sets of Lloyd's Law Reports, the All England Law Reports, the International Law Reports, American Maritime Cases, Aspinall's Reports of Maritime Cases, International Law Association Conference Reports, Law Reports of the Commonwealth, and Reports of Judgments, Advisory Opinions and Orders of the International Tribunal for the Law of the Sea and of the International Court of Justice. The periodicals include Lloyd's Maritime and Commercial Law Quarterly, Shipping & Trade Law, Shipping and Transport International, Maritime Policy and Management, Ocean Development and International Law, the American Journal of International Law, the International and Comparative Law Quarterly, the International Journal of Marine and Coastal Law, the Journal of International Maritime Law, the Journal of Maritime Law and Commerce, The Law and Practice of International Courts and Tribunals, Il Diritto Marittimo, European Transport Law, and the Tulane Maritime Law Journal.

Other acquisitions now include the *travaux préparatoires* of the three Conferences on the United Nations Convention on Law of the Sea, various IMO conventions as well as the Yearbook of the International Tribunal for the Law of the Sea, Ocean Yearbook, Law of the Sea Documentary Yearbook, Yearbook of the International Law Commission, Yearbook of the Comité Maritime International, the Japanese, Asian, African, Italian, Spanish Yearbooks of International Law, as well as the Yearbook of Islamic and Middle Eastern Law, the *Anuario de derecho marítimo*, and the *Annuaire du droit de la mer*.

I must also record that valuable contributions continue to be made, such as the late Ambassador Arvid Pardo's papers which his family donated to the Institute, and some of Professor Attard's personal collection of books.

Over the last 15 years the library has been reorganised and managed by an IMLI graduate, Mrs. Verica Cole, making it a pleasure to use. With the numerous resources mentioned above, which are now available to IMLI students, faculty and visiting lecturers and visiting scholars, it has become a good centre for those wishing to do research in international maritime law. I recollect some years back bringing the late Professor William Tetley, a doyen of maritime law academics, to see it. His reaction was "Do you really keep all this material just for 30 students?" The answer was yes; since that time the library has increased further and so has the number of students accessing it.

Since that first visit, which was in different times, I have returned regularly to the Institute and made use of its extremely good library which I would like myself to work in for a longer period, if I had the time and opportunity. As with all libraries, we wait to see the effect of electronically available materials: but for the present the library remains an extremely valuable asset for the increasing activities of the Institute. One may guess that the next collection of such materials eastwards in a (albeit partially) English-speaking country will be in India, and after that in Singapore.

Professor Francis M.B. Reynolds Q.C.

BARRISTER AND PROFESSOR EMERITUS, OXFORD UNIVERSITY



PROFESSOR DAVID ATTARD PRESENTING THE IMLI MANUAL ON INTERNATIONAL MARITIME LAW TO ITLOS IN THE PRESENCE OF JUDGE VLADIMIR GOLITSYN (PRESIDENT EMERITUS, ITLOS) AND JUDGE PETER TOMKA (PRESIDENT EMERITUS, ICJ)



THE HONOURABLE DR. JOSEPH MUSCAT (PRIME MINISTER OF MALTA) PRESENTING THE IMLI TREATISE ON GLOBAL OCEAN GOVERNANCE TO DR. YOHEI SASAKAWA (CHAIRMAN, THE NIPPON FOUNDATION)





CONTRIBUTION OF *IMLI* TO INTERNATIONAL MARITIME LAW



Malta's Global Legacy *in Maritime Affairs* Continues Through **IMLI**

The start of the current academic year marked three solid decades of the IMO International Maritime Law Institute's instrumental work within the international maritime community under the auspices of its parent body, the International Maritime Organization (IMO).

Having successfully trained over 1,000 students from 146 countries and territories over the years, IMLI has created an accomplished network of graduates all over the world who are contributing significantly to the realisation of the objectives of the IMO, thereby fulfilling the primary reason behind its inception. Malta is indeed proud to be a contributor to this process. We are particularly honoured to host and support IMLI, a reflection of Malta's strong track record in international maritime affairs.

Malta's close relationship with the IMO, in fact, predates the agreement which established IMLI. Fifty-one years ago, our Permanent Representative to the United Nations, Dr Arvid Pardo, submitted the groundbreaking initiative to consider the seabed and ocean floor resources beyond the limits of national jurisdiction as the common heritage of mankind. Considering how long it took the global community to attain today's awareness about the importance of the conservation and preservation of the ocean and maritime natural habitats, as well as how ocean protection and preservation are an important priority for governments across the world today, Pardo showed an incredible insight when he took that podium in November 1967. Malta's initiative contributed to the foundations of the modern Law of the Sea as enshrined in the United Nations Convention on the Law of the Sea.

It was this remarkable event which led the IMO to realise that it was essential for States to possess the necessary capacity to ensure the effective implementation of this key international instrument. This led to the establishment of IMLI in Malta, thus granting due recognition to our country's contribution to UNCLOS.

In addition to ensuring the availability of sufficient legal expertise to assist in the implementation and enforcement of International Maritime Law, IMLI was also tasked, in particular, to encourage the general adoption and uniform application of IMO instruments concerning shipping and other related matters.

Throughout the past 30 years, IMLI has managed to accomplish an incredible feat. We are proud that the Institute has produced an outstanding body of expert and qualified maritime professionals who are now, collectively, making a positive and valuable contribution in achieving the objectives espoused by IMO: safe, secure, and efficient shipping in clean oceans. Among these, one can find Ministers of Justice, Attorneys General, Chief Justices, Ambassadors, Chief Executives, and Senior Corporate Managers.

Over the years, IMLI has flourished and grown into the centre of academic excellence that we know today. Central to the Institute's educational offering is its ability to adapt its training curricula to reflect the ever-changing nature of ocean governance and the changing dynamics of the world of shipping. IMLI's strength lies in providing students from developing countries with a unique opportunity to embrace the international nature of maritime law in a multicultural environment, under the guidance of world-renowned professors and lecturers. IMLI's unique syllabi consider maritime law from an international perspective, taking into account the cultural and legal diversity of its students. IMLI presents excellent opportunities for both learning and networking while encouraging the adoption of a culture of tolerance and respect. As stewards of the oceans, we all have a role to play.

Above all, IMLI emphasises the need to work together to confront the problems affecting our oceans today, as well as the problems likely to arise in the future. Problems affecting the oceans – issues such as safety at sea and the erosion of the marine environment – always have the potential to become international problems. Today, while there is a large-scale movement in favour of the protection of our oceans, rapid innovations in technology and economic development are simultaneously taking place, making maritime issues increasingly complex. That is why Malta continues to advocate in favour of a holistic and integrated approach to global ocean governance which is necessary to establish safe and sustainable ocean governance for the 21st century and beyond.

Today, IMLI remains a lasting and greatly valued testimony to the foresight, diligence, and tenacity of its founding fathers but, above all, of Professor David Attard, who played a central role in its establishment and who has been instrumental in its development into a centre of academic excellence. The firm belief in the wider dimension, that is international law to serve a new world order both distinct from, and above, the narrow approach of unilateral, national, or regional action underpinned Professor Attard's vision; a vision which was demonstrated once more through Malta's climate change initiative that led to global awareness and international action on climate change, also a brainchild of Professor Attard.

This also leads us to another important emerging trend in international maritime affairs, that is the undeniable nexus between climate and oceans. We expect this theme to gain more visibility and grow more in importance over the coming months and years.

Due to Malta's strategic location in the middle of the Mediterranean, ocean-related matters have always been at the heart of our foreign policy, as is our strong belief in multilateral cooperation. The multilateral system, incorporated by the United Nations and its corresponding institutions, remains the cradle of our efforts. Malta has always supported maritime initiatives, positioning itself at the forefront on several occasions.

In this light, rest assured of our intention to continue supporting IMLI for many years to come. I make mine the phrase that IMLI graduates customarily shout as they celebrate the successful completion of their studies: "Long live IMLI!".

The Honourable Mr. Carmelo Abela

MINISTER FOR FOREIGN AFFAIRS AND TRADE PROMOTION



The IMO International Maritime Law Institute: An Integral Part of IMO's Technical Cooperation Programme

The vital importance of shipping to the global community led to the establishment of the International Maritime Organization (IMO) as a specialized agency of the United Nations inter-governmental body dealing with technical matters. The need for a unified, universally accepted set of international rules and regulations to safeguard maritime safety, efficiency of navigation and the protection of the marine environment, contributed to the evolvement of IMO's mandate from consultative to a regulatory body, specializing in generating impartial and effective regulatory framework which is universally adopted for the benefit of the whole of the shipping industry.

Over fifty ratified conventions, numerous "soft-law" instruments and guidelines, covering every aspect of commercial shipping, are IMO's contribution to the global shipping industry and the palpable proof of IMO's goal to promote safe, secure, environmentally sound, efficient and sustainable shipping. IMO provides a single, universal framework governing global maritime operations; however not all countries that have accepted to abide by the rules and standards set by IMO, are able to give full and complete effect to IMO's instruments. Developing countries may struggle with implementation due to lack of expertise or proper administrative structures that will allow those instruments, rules and regulations, to be transposed in national legislation and effectively implemented.

For this reason, as mandated by the IMO Convention, the Organization established the Integrated Technical Cooperation Programme (ITCP), with the sole purpose of assisting developing countries in building up both their

human and institutional capacities, for the uniform and effective implementation of IMO standards. Of course, training and technical assistance is most beneficial, but it only focuses on a specific need of a Member State at the time requested. What is equally important is an established cadre of national experts, competent in all fields relating to shipping, both practical and academic, available across the globe and especially in developing countries. Its role will be to assist with practical issues faced by administrations and also to improve the country's ability to comply with the international treaties and standards set by IMO.


With this in mind, IMO established two institutions, the World Maritime University (WMU) in Sweden offering post-graduate courses on technical maritime subjects and the IMO International Maritime Law Institute (IMLI) in Malta focusing on international maritime law.

IMLI was established in 1988, in cooperation with the Government of Malta, with a view to be the centre of excellence for high-level training in international maritime law and to provide the platform for the development and dissemination of knowledge and expertise in international maritime law and the law of the sea. Following its establishment, IMLI bridged a gap in postgraduate specialized maritime law education and provided suitably qualified personnel, the tools and knowledge necessary for the effective implementation and enforcement of international maritime law within relevant Governments, and particularly Governments of developing countries.

IMLI's postgraduate programmes are addressed to lawyers, legal advisers, draftsmen and any maritime professionals whose duties in their home countries involve maritime issues. The programmes emphasise on training, study and research and include specialization in advance application of international maritime law with a special focus on legislative drafting aimed at the incorporation of international rules set by IMO, in national legislation.

IMLI, as an integral part of IMO's technical cooperation programme, aims to further enhance the goals and objectives of IMO through research, education and capacity-building. It is at the forefront of IMO's capacity-building strategy, ensuring that inclusive and equitable education is available. Effectively, IMLI supports post-graduate education and training with the aim to maintain a cadre of high level managers, policy makers and other key personnel that will be able to guide their countries towards understanding how to integrate international maritime conventions into their national legislation and implement the IMO rules and regulations.



A photograph of Mr. Juvenal J M Shiundu, Acting Director of IMO Technical Cooperation Division, speaking at a podium. He is wearing a dark suit, a red tie, and glasses. The background is a wooden wall with a large, stylized logo on the left.

During a time when the drive for social and gender equality is at its peak and the United Nations gender strategies are a fundamental pillar of every United Nations agency, IMLI has been a pioneer since its inception, by establishing in its first statute in 1988 that fifty percent of the places at each of IMLI's courses, would be reserved for suitable qualified women candidates. IMLI is, thus, inter alia contributing towards Goal 5 of the 2030 Agenda for Sustainable Development, which aims to achieve gender equality and empowerment of women. As IMLI celebrates its 30th Anniversary, I am pleased to recall that IMO's programme on integration of women in the maritime sector was also launched in 1988 and this year, the World Maritime Day theme is "Empowering Women in the Maritime Community". IMO's Gender programme has successfully facilitated the access of women in the maritime sector to specialized education, promoted their career advancement and broadened their involvement in positions of prominence around the world.

IMO supports IMLI's goals by offering fellowships to suitably qualified candidates from developing countries, while ensuring that due consideration is given to qualified women candidates and the needs of Small Island Developing States and Least Developed Countries. In addition, IMO makes maritime expert staff available to IMLI to deliver lectures, organize seminars and workshops on specialized topics for the benefit of expanding the technical knowledge of its students.

As we celebrate the 30th Anniversary of

IMLI, we note with appreciation the Institute's achievements and the fact that its graduates have become specialized maritime experts, occupying high-level positions in Governments, maritime administrations, ministries, institutions, and other organizations. These are the leaders who will shape the future of the global maritime community and assist their countries with their specialized knowledge and expertise. It is through IMLI's undeniably important contribution to the maritime industry that Member States can further enhance and strengthen their capacities to effectively implement the international rules and regulations set by IMO, thus helping the whole of the maritime community to embrace the future of shipping.

IMLI's excellent record and achievements would not be possible without the strong financial and in-kind assistance of the many donors who have over the years supported and continue to support the Institute so generously. I would like to express my sincere appreciation to The Nippon Foundation, the Lloyd's Register Foundation, the Swiss Government, the Government of Malta (and Transport Malta), the CMI Charitable Trust and IMO. And of course, none of this would have been possible without the tireless dedication of the IMLI Director, Professor David Attard, faculty and staff who have done so much to prepare the graduates, and to the visiting fellows, all internationally acknowledged experts in their fields, who devote their time (free of charge) to enrich this superior educational experience for the students.

Congratulations and long live IMLI!

Mr. Juvenal J M Shiundu

ACTING DIRECTOR, IMO TECHNICAL COOPERATION DIVISION

The IMO International Maritime Law Institute (IMLI) was established to serve the global maritime community as the IMO's apex institution for post-graduate maritime law education, in furtherance of IMO's purposes and objectives.

IMO has developed more than 50 international treaties that provide a comprehensive legal framework for safe and secure shipping on clean oceans. However, the responsibility for implementing and enforcing those treaties lies with the States who have agreed to be bound by their terms. Individual countries must therefore enact the appropriate domestic legislation and regulations to reflect the provisions of the treaties and to provide a mechanism for enforcement.

IMLI has played an instrumental role in the furtherance of these IMO goals by building legal capacity in States globally, primarily in developing States. Today, IMLI is one of the leading international maritime law education centres worldwide, steadily training legal professionals who occupy high positions in their respective administrations and in the maritime industry. By the end of the academic year 2017-2018, a total of 949 students from 140 States and territories worldwide had undergone studies in all of IMLI's programmes and courses.

The Organization has recognized the importance of the Institute as a high-level legal training institution providing, among other things, technical advice in the development of the objectives and goals of IMO and its Member States. It has also recognized IMLI as a centre of academic excellence in the maritime legal field, undertaking original and applied research into aspects of international maritime law, with a view to promoting the achievement of the highest practicable global standards in this field.

The Legal Affairs and External Relations Division has accordingly endeavoured to capitalize on IMLI's capabilities and accomplishments. Since the 104th session of the Legal Committee, the Division has kept the Legal Committee informed of research work undertaken by IMLI. In particular, it has made available to the Legal Committee the IMLI dissertation that was awarded the IMO Secretary-General's Prize for Best Dissertation for that academic year. The recipient of the award has also been invited to attend and address the Legal Committee, shedding further light on how their dissertation may be used by Member States to incorporate international maritime instruments into national law. The Legal Committee is also presented with a list of dissertations and research projects and maritime legislation drafting projects produced by students at IMLI during the past and present academic years for use by national Governments to develop domestic implementing legislation.

The Division works with IMLI graduates on a regular basis; indeed, the current Head of IMO's Legal Affairs Office is a distinguished IMLI graduate. More importantly, many IMLI graduates serve as delegates to the IMO's Legal Committee, and the immediate past Chair graduated from IMLI.

In recognition of the role IMLI graduates play in building legal expertise and in the development of maritime law, the Division has been inviting IMLI graduates to train as potential consultants to deliver technical cooperation workshops for Member States. The objectives of these workshops are to assist the participating States in the development of relevant legislation to comply with IMO's international maritime instruments. Experienced consultants are often recruited for these workshops and the Division seeks participation by IMLI graduates in light of their comprehensive training in maritime law.

The Legal Affairs and External Relations Division is committed to engaging with IMLI and its graduates and looks forward to continued cooperation with the Institute's world-class scholars and maritime legal experts in the hopes of further encouraging the open exchange of ideas and leveraging research of the highest quality to the benefit of the global maritime community.



The Contribution of IMLI to the IMO and the Legal Affairs and External Relations Division



● **Mr. Frederick Kenney**

DIRECTOR, IMO LEGAL AFFAIRS AND EXTERNAL RELATIONS DIVISION

My initial, albeit indirect experience with the IMO International Maritime Law Institute (IMLI) which was born in 1988 under the maternal auspices of the International Maritime Organization (IMO), goes back almost thirty years. Sometime in 1991, during my doctoral studies at McGill Faculty of Law in Montreal, Canada, the legendary Professor William Tetley (1927-2014), my mentor and supervisor had advised me to introduce myself to the new rising academic institution in Malta which, according to his words, could probably use some fresh blood. I wrote a nice letter to William O'Neil, then

the academic year of 1998/99. *Allea iacta est*, I was ready to embark on a fantastic journey aboard the ship named IMLI.

On a sunny Sunday in early January I arrived to the beautiful Mediterranean jewel called Malta and was greeted by Dr. Ivan Vella who was my first IMLI colleague, impeccable tourist guide and host. Next day, just before my introductory lecture, I was shocked to learn that Mrs. Attard's mother died just a few days ago and the funeral would take place that afternoon. Despite of the second pending lecture I insisted to attend the services in order to show respect and to express my deepest

restrictions. The Institute maintains a commendable policy on gender balance and zero tolerance to any discrimination, so half of student positions are reserved for female candidates. The operating costs are met through voluntary contributions from governments, companies, foundations, and international development assistance organizations.

The expression "Institute" is somewhat misleading because in essence, it is a postgraduate faculty or a small specialised university, the gist of which is to carry out studies in international maritime law on various levels, alone or jointly with a few other foreign top academic institutions,




Secretary-General of the IMO who replied politely to the effect that while there were no current vacancies which matched my particular specialization, my dossier would be retained on their roster for future reference in case suitable openings arose. After returning to my homeland of Slovenia which in the meantime became an independent country, I contacted Professor David Attard, Director of IMO IMLI whose response was a bit Hollywoodian, something like "please do not call us, we will call you." I almost forgot about this unsuccessful attempt of mine when I received another letter of his, this time inviting me most kindly to deliver my first set of lectures on marine insurance law in

condolences to David and Charmaine whom I met for the first time in those sad circumstances. We have become good friends and ever since everything turned out as it was meant to happen.

IMLI was founded with the aim to provide holistic and sustainable specialised legal education to promising students and maritime professionals from all over the world, especially from developing countries, so they would learn how to understand and implement international conventions, as well as how to efficiently adopt them into their national legislations. Each year over hundred candidates apply, yet just approximately one-third can be enrolled due to space and other

leading to either Advanced Diploma, Master of Laws, Master of Humanities, Magister Juris or Doctor of Philosophy. It also conducts scientific research and has already contributed impressively to the evolution of sea-orientated legal doctrine, for instance with the comprehensive three-volume *The IMLI Manual on International Maritime Law* and the three-volume *The IMLI Treatise on Global Ocean Governance*, both published by the world renown Oxford University Press.

Study tempo at IMLI is very intensive. Lectures are held from October to May, every workday, from dawn till dusk with lots of assignments and other projects; additionally, the students ought



**We Do Not
Educate Only
MINDS,
But Also
HEARTS**

to pass two major exams and write a dissertation. The professionalism of the staff of the Institute and a long list of pro bono visiting fellows enable students to conclude their Master's programme in less than one year, because the studies are considerably more demanding than at comparable educational centres worldwide. When I started lecturing at IMLI, there were around 20 students per year who were cramped in a tiny classroom and had at their disposal only one joint computer room with internet. The accommodation facilities have been throughout the years completely renovated and we are now even thinking of building another, larger and more sophisticated lecture hall. Most students literally live just a few steps from the classroom, they study in groups, can be on-line anytime and do research in one of the best libraries in the field of international maritime law, and they also socialize in a special place at the institute, for example listening to music and playing table tennis. Visiting professors can stay in a fully equipped suit where a multi-member family could live comfortably, thanks to its bedrooms, spacious living room, kitchen with all amenities, working cabinet, and bathroom.

One of the advantages of the Institute is its focus on legal drafting, enabling students to learn how the laws should be drafted and how the international treaties should be implemented into national legislation, especially in jurisdictions where they are not directly recognised unless incorporated into the national laws. The problem of the 21st century is not the absence of a reliable, preventive international regime, but rather the lack of compliance with maritime regulations. This is why IMO has a special focus on the education and training at IMLI.

Since its establishment, over 1000 participants from 146 States and territories have undertaken training at IMLI and the vast majority of them are now serving their government's maritime sector. Amongst the Alumni there are attorneys, politicians, judges, prosecutors, university teachers, senior coastguard officers, international civil servants, and public servants at maritime administrations who are contributing to the development of the national maritime legislation for the implementation and enforcement of IMO rules. Numerous former students hold impressively significant positions including president of the State, president of the supreme court, ministers, ambassadors and other high-level public servants. In fact, the current Chief Prosecutor of the International Criminal Court is also a graduate of IMLI.

Master's degrees and doctorates obtained at IMLI are respected by the best universities, from Oxford and Cambridge to Harvard, McGill and elsewhere. The graduates, resident and visiting lecturers and professors

proudly wear badges with the Institute's emblem by which we immediately recognize each other at international conferences and similar meetings, if we are not already well acquainted. The commendable progression and success of the Institute has been regularly confirmed by the General Assembly of the United Nations which acknowledges consistently its reputation as a centre of excellence for the education and training in international maritime law.

My teaching at IMLI for twenty years and participating in its governance and academic growth has been an extremely fulfilling experience. I have met hundreds of students and excellent experts from around the globe and it is probably the only place on Earth bringing together so many cultures, religions, languages, moral values, ethics and legal experience in order to achieve a better and more harmonized unification of maritime law and the law of the sea. Like the old reputable Comité Maritime International, IMLI also contributes in many ways to the unification of maritime and commercial law, maritime customs, usages and practices. As Professor Tetley used to say, maritime law constitutes a third legal system, an enriched compound of Common Law and Civil Law based predominantly on international agreements, the purpose of which he described in three principles: uniformity of law, certainty of law and justice. These principles are indeed *spiritus agens* of IMLI and whilst politicians often speak about the importance on intercultural dialogue, the Institute is just doing it.

I would like to conclude this short commemorative article with an observation that I am continuously impressed by the vast knowledge, worldwide respectability and hospitality of the members of the faculty, especially my friend Professor David Attard, a learned scholar, longstanding Director of the Institute and Judge and Vice-President of the International Tribunal of the Law of the Sea in Hamburg (ITLOS). He is assisted by several mostly capable right hands belonging to Professor Norman Martinez, Elda Belja, the Nippon Foundation professors, lecturers and the dedicated supporting staff.

Here, at our great IMLI whose trade mark and spirit could easily stand for Implementing Measures for Loving Internationality or Integrating Minds to Learn Immensely, we do not educate only minds, but also hearts. We are neither from the East nor the West, no boundaries exist in our chests; we are not from the South or the North, but rather wisdom and kindness move us forth; we all learn and smile in the same language.

So long live IMLI, happy birthday, and many happy returns, *vivat, crescat, floreat*.

Professor Dr. Marko Pavliha

MEMBER OF THE IMLI GOVERNING BOARD
VICE-DEAN FOR RESEARCH AND DEVELOPMENT, UNIVERSITY OF LJUBLJANA,
FACULTY OF MARITIME STUDIES AND TRANSPORTATION



JUDGE RÜDIGER WOLFRUM (PRESIDENT EMERITUS, ITLOS) RECEIVES THE "AWARD FOR MERITORIOUS CONTRIBUTION TOWARDS THE DEVELOPMENT, INTERPRETATION AND IMPLEMENTATION OF INTERNATIONAL MARITIME LAW" ON BEHALF OF ITLOS



PROFESSOR DAVID ATTARD WITH HER ROYAL HIGHNESS PRINCESS MAHA CHAKRI SIRINDHORN OF THAILAND DURING HER VISIT TO IMLI



PROFESSOR DAVID ATTARD WELCOMING H.E. MR. BAN KI-MOON (UN SECRETARY-GENERAL EMERITUS) TO IMLI



H.E. JUDGE ABDULQAWI AHMED YUSUF (PRESIDENT, ICJ) LECTURING AT IMLI

The Importance of the IMLI Training to the Work of and Deliberations in the Legal Committee



The IMO International Maritime Law Institute (IMLI) is a world class institution of maritime excellence. It offers opportunities for training in maritime law that provide deep insights and understanding into maritime law and practice.

My studies at IMLI revealed to me an institution not only imbued with the requisite academic credentials but also with an orientation towards the practical application of maritime law. The curriculum of IMLI is designed in such a way as to provide a global understanding of all facets of maritime endeavor with a deep thrust and emphasis on the development and application of international legal instruments.

The study covers, in essence, legal matters relating to the law of the sea, international shipping law and legislative drafting. All aspects of the law of the sea including customary international law, the United Nations Convention on the Law of the Sea (UNCLOS) and international institutions are extensively covered. In the area of Shipping Law, subjects

such as the Nationality, Ownership and Registration of Ships, Maritime Safety Law, Marine Insurance Law, Carriage of Goods by Sea Law including Multimodal Transport, Shipping Practice, Collisions and Salvage are adequately dealt with. The programme also covers Marine Environmental Law including Liability and Compensation regimes as well as Maritime Security Law, amongst others. The third limb dealing with the Drafting of Maritime Legislation brings to bear the practical perspectives of the development of maritime conventions at the international level and their extrapolation into national law. Simply put, the programme at IMLI is a well - rounded source of instruction for excellence in maritime law.

The programme is all-encompassing as various IMO instruments, especially those developed by the Legal Committee of the International Maritime Organisation, are treated from the point of need, to development, extrapolation into national law, application, enforcement and review.

It is from this deep and rich fountain of knowledge that many an IMLI graduate draws upon when confronted with intricate and delicate maritime law issues. It is that same knowledge that provides nourishment for insightful and meaningful contributions during the deliberations of the Legal Committee, including the chairing of that august forum.

The rich repertoire of resource persons drawn from renowned institutions of learning and practice from all over the globe, serve more like an ensemble or orchestra that provides maritime legal symphony. From both theoretical and practical perspectives, they bring to the classroom their rich experience and knowledge of maritime law to bear on the teaching at IMLI.

I am a proud beneficiary of the training at IMLI. The training at IMLI undoubtedly prepared me for the various roles I played and continue to play in the maritime industry at the local, regional and international levels. My studies at IMLI prepared me for my role as Vice-Chair of the Legal Committee for a decade and for the position of Chair of the Committee for over six years.

During my long association with IMO spanning a period of over two decades, I served in various capacities and the knowledge and instruction gained from IMLI was brought to bear on my work. During this period, I had the privilege not only of observing IMLI graduates from the podium but also interacting with them as they represented their countries at the IMO.

The number of IMLI graduates representing their countries at the Legal Committee increased over time and with it, the quality of their contribution towards the development of international maritime law instruments churned out by the IMO.

The network of IMLI graduates built over the years is as

formidable as it is veritable and would no doubt contribute immensely towards the work of the IMO in serving the rule of international maritime law, through the development of international maritime instruments, their extrapolation into national legislation and eventual implementation and enforcement.

In many developing economies, IMLI graduates have assumed positions of trust and influence and have acquitted themselves with distinction as Admiralty Judges, professors in renowned institutions of learning, drafters of maritime law instruments, private legal practitioners handling intricate and delicate maritime commercial law litigation on behalf of their clients, and have provided many other services across the spectrum of maritime legal endeavours. In their fields of maritime endeavour, they have excelled and this undoubtedly is attributable to the training obtained in IMLI. Wherever IMLI graduates serve, they will continue to be a living testimony and manifestation of the excellent training and instruction received at IMLI.

Many developing economies owe a debt of gratitude to IMLI. Richly deserved and due recognition, gratitude and honour ought to be bestowed on the founding fathers of IMLI and to all those who have contributed to the success story of IMLI.

Over the years, the quest of the Institute towards the attainment of a dynamic equilibrium between change and continuity has striven for mastery. This mastery has enabled IMLI to serve as a beacon beyond the darkness of the deep and will continue to illuminate the paths of our voyage onto maritime glory for years to come.

On the occasion of the 30th Anniversary of this renowned institution of learning, may the vision of the forefathers continue to engender fair winds and following seas on the journey of IMLI thorough the years ahead.

Dr. Emmanuel Kofi Mbiah

MEMBER OF THE IMLI GOVERNING BOARD
PAST CHAIRMAN, IMO LEGAL COMMITTEE



THE IMO INTERNATIONAL MARITIME LAW INSTITUTE: A Means to the Functionality of the IMO through the Technical Cooperation Committee



Shipping reaches into the furthest corners of the globe to supply the world's populations with an uninterrupted daily flow of goods. There is hardly a part of our lives which has not been touched by shipping. But for the maritime industry to remain safe, secure, clean and effective and for international trade seamless, shipping needs to rest on a foundation of globally enforced standards. The International Maritime Organization (IMO) is the United Nations (UN) agency responsible for developing and maintaining those international standards, while responsibility for implementing them rests with national governments. To be effectively implemented and enforced, IMO conventions and instruments must be enshrined into national legislation, and that is where the in-depth knowledge and experience of the IMO International Maritime Law Institute (the Institute) graduate becomes paramount. The Institute's graduate is trained with the underlying expectation that he/she would assist his/her country to establish the solid legal framework necessary for the maritime sector to thrive safely and efficiently.

To build capacity for development, implementation and enforcement of maritime conventions in all States, particularly developing States, the IMO established the Institute in 1988 through an international agreement between IMO and the Government of Malta with the main goal being to develop national legal expertise to effectively implement maritime conventions and instruments through the development of national maritime legislation. The Institute was established as an international centre for the training of specialists in maritime law. Since its establishment to date, the Institute has made significant contribution to the development and dissemination of knowledge and expertise in international maritime law, with special reference to the international regulations and procedures for safety and efficiency of shipping and the prevention of marine pollution adopted by the IMO.

The Institute continually collaborates with the IMO to ensure that its programmes are responsive to the evolving needs of the international maritime community. In addition to training of maritime law specialists, the Institute provides a reference point for States to enhance their capacity-building in the field of international maritime law and serves as a core centre of excellence for training of specialists and dissemination of knowledge and expertise in the field.

Notwithstanding the fact that many developing countries have reasonable numbers of legally trained persons, they do not always have the required numbers of persons with the necessary specialization and expertise in maritime law. To meet these needs, IMO has included, as a vital part of its Technical Cooperation Programme, projects for the provision of technical advice and assistance in maritime law and legislation. Under this Programme, advice and assistance have been provided on request to States on the planning and preparation of new and updated maritime legislation. The assistance rendered by IMO is primarily provided by the IMO Technical Cooperation Committee under the Technical Cooperation Programme through the engagement

of IMO's interregional advisers, or, where appropriate, by short-term consultants recruited in consultation with the Governments of technical assistance requesting States. This kind of assistance is provided on short-term basis, for up to six months, and thus, IMO recognises that such assistance can only be of limited benefit and cannot provide an effective long-term answer to the needs of these developing countries.

IMO recognises that each developing country needs a good maritime law regime and a reasonable cadre of national legal personnel and therefore appreciates that the domestication and implementation and enforcement of its conventions and instruments is a crucial role, which must of necessity be carried out on a continuous basis if it is to be effectively discharged. It is therefore a need, which cannot be met by occasional visits of advisers, or even by experts who can only stay for limited periods. This is where the Institute comes in to provide suitably qualified candidates, particularly from developing countries with high-level facilities for advanced training, study and research in international maritime law and legislative drafting techniques designed to assist participants in the process of incorporating international rules into domestic law.

The IMO, taking cognizance of the need for assistance to developing States to build capacity in the field of maritime law, through its Technical Cooperation Committee contributes to the welfare of the Institute through, among other things, providing financial contribution for the sustainability of the Institute and providing financial

educational grants to prospective candidates from developing countries.

As a result of IMO's financial assistance and assistance from other donor agencies, the Institute has to date trained over nine hundred maritime lawyers from over one hundred and forty States and territories since its inception in 1988, thus helping to fill the gap between the countries' maritime legal frameworks. These graduates are available on a systematic and continuous basis to oversee the implementation of existing law, undertake the review and evaluate the provisions and arrangements for implementation of international maritime conventions, advise on the need for new or revised laws and regulations and, as necessary, prepare suitable texts for consideration and adoption by the relevant legislative bodies.

Indeed, the Institute has over the years produced graduates who have in one way or the other been called upon to shoulder great responsibilities in decision-making roles not only in their home countries but also in various positions they occupy in international organizations and the commercial shipping industry. These graduates have influenced the very foundation which enables safe and secure shipping to grow and drive economies of both developing and developed countries.

Thus the IMO through IMLI and with the support of the Technical Cooperation Committee has over the last three decades been one of the key contributors to the well-being and success of the international maritime industry.

Mrs. Nancy Wakarima Karigithu

MEMBER OF THE IMLI GOVERNING BOARD
PRINCIPAL SECRETARY, SHIPPING AND MARITIME AFFAIRS, KENYA



THE IMPORTANCE OF THE IMLI TRAINING FROM AN ASIAN PERSPECTIVE

I have delivered lectures at IMLI six times. Based upon this experience of mine, in this short paper, I would like to emphasize the importance of IMLI both from a general perspective and a special perspective of Asian countries.

First, from a general perspective the following two points are outstanding in the education system at IMLI.

As for the first point, IMLI provides its students with both theoretical and practical trainings. This fact can be explained by taking the example of my field, public international law. The law of the sea is among the most important fields of public international law. In addition, it can be safely said that the law of the sea is one of the most difficult fields to study in international law. The law of the sea has both theoretical and practical nature. On the one hand, it is indispensable for anyone who will engage in maritime law affairs to study the law of the sea from its theoretical aspect. It has a very long tradition from the 17th century until the establishment of the current fundamental treaty of the law of the sea, the United Nations Convention on the Law of the Sea (UNCLOS). Sufficient knowledge of the historical development of the law of the sea and its theoretical evolution should form the inherent basis for dealing with the law of the sea issues. Not only that, on the other hand, maritime affairs are occurring almost every minute at sea. The law of the sea issues are

doubtlessly practical ones. To cope with them a practical way of thinking is also strongly required. In these regards, IMLI provides lectures that explain the theoretical aspect of the law of the sea, and also that introduce the practical treatment of the maritime affairs.

As to the second point with respect to IMLI's importance from a general perspective, the interdisciplinary policy of its education deserves special attention. As the name reflects, IMLI (International Maritime Law Institute) focuses on legal issues in its education. Nonetheless, the laws that are relevant to maritime affairs are so various and different. international law and domestic laws, public laws and private laws, general laws and specific laws need to be studied by anyone who will be in charge of maritime law issues. The students at IMLI can obtain the fundamental knowledge of these various kinds of laws. It is not easy to find in the world such an institution as IMLI that provides really intensive courses of lectures that cover the entire field of maritime legal affairs.

Then, from a special perspective of Asian countries the following three points are to be touched upon.

First, some Asian countries do not have English as their mother tongue. It holds true with my country, Japan. Students who come from these Asian countries are not always excellent with respect to their English abilities. By intensively studying in English at IMLI for certain periods,





the students not only learn the relevant maritime laws in English but also an English communication skill in order to have important talks in their future capacities with foreigners.

Second, many of the students who graduate from IMLI will belong to the governmental section of their own countries. They will become public servants. In the future, they will be in charge of international negotiations of maritime law issues on the occasions, such as international conferences to adopt new international conventions on the law of the sea. The friendship that they firmly build while studying at IMLI will provide strong motivation for the cooperation among the negotiators of various countries, as they were classmates at IMLI. They share the common knowledge of maritime laws. Such cooperation will enhance the rule-making on the law of the sea issues, and further it forms the fundamental basis for coherent rule-obeying practice among the nations that the former students of IMLI are serving for. This merit of IMLI is not limited to Asian countries, and it can be world-widely recognized. Nevertheless, for Asian countries that are very different in terms of history, culture, religion, social structure, and legal system, the fact that the students share the precious time of learning of the maritime law issues at IMLI may enhance their mutual understanding. This mutual understanding will contribute to both rule-making and rule-obeying practices among Asian countries.

Third, some Asian countries are developing in terms of their political and legal systems that deal with maritime law affairs. Not to mention, regional cooperation has been taking place in the fields of capacity building of law enforcement, development of human resources, prevention of sea-borne natural disasters, combatting terrorism at sea, and so on. In addition to such regional cooperation, IMLI and its scholarships undoubtedly work in the similar way for Asian countries by training the promising figures of Asian countries with necessary funds and by developing human resources that will engage in maritime affairs.

The South China Sea and the East China Sea are said to be semi-enclosed seas. Therefore, the cooperation among the coastal countries is strongly required. The positions of Asian countries toward maritime laws are not always the same. In these situations in Asian countries, the education at IMLI will raise very promising figures who contribute to solid establishment of the rule of law at sea.

In the end, incessant function of IMLI is expected for the development of the law of the sea community at the world-wide level and also at the regional level of Asia.

Professor Atsuko Kanehara

MEMBER OF THE IMLI GOVERNING BOARD
PROFESSOR AT SOPHIA UNIVERSITY, TOKYO JAPAN
COUNCILOR FOR THE NATIONAL HEADQUARTERS OF OCEAN POLICY OF JAPAN,
APPOINTED BY PRIME MINISTER

THE IMPORTANCE OF The IMLI Training From A Latin-American Perspective



I started my tenure at the International Maritime Organization (IMO) in 1984, as interregional legal advisor in maritime legislation. My terms of reference included extensive travelling to developing countries in order to assist governments in the adoption of IMO treaties and their incorporation into national legislation. At first, my findings were discouraging: either there were no qualified lawyers working for maritime administrations, or those available could hardly cope with day to day emergencies of crime prevention, collisions or detention of ships in ports. Little time, therefore, to tackle the legal challenges posed by the continuous development of new SOLAS, MARPOL and STCW regulations in response to the need for an ever-increasing risk management in the field of safety, security, and prevention of marine pollution from vessels.

Things changed radically after the establishment of IMLI. Under the guidance of the then IMO Secretary-

General, C P Srivastava and his Director for Legal Affairs Thomas Mensah, I had the privilege to work in the drafting of the Institute's chart and study programmes. For all of us maritime law was not just a collection of treaties and recommendations, but an indispensable tool to ensure social and economic development through commercial navigation in cleaner and safer oceans. Our expectations were that IMLI would provide young professionals from developing countries with specific training on the legal complexities involved in the day to day application of international shipping rules. After graduation, IMLI fellows would assist their maritime administrations to perform tasks which can only be accomplished with the help of good lawyers. These tasks would include not only the preparation of adequate statutes and by-laws to implement international treaties but also the daily supervision in issues such as the assessment of the validity

of ships' certificates, investigation and preservation of evidence in connection with crimes at sea, and protection of the rights of seafarers, including leave while on port and repatriation.

The teaching of legal drafting skills was considered from the very beginning a central issue justifying IMLI's *raison d'être*: international shipping regulations should be incorporated into national law in terms that ensure that their application proceeds without uncertainty as to their meaning and purpose. To this end, IMLI graduates are expected to draft implementing legislation in such a way that international regulations become applicable through clear procedural rules.

Some issues in this regard are of particular importance. Without lawyers specialized in the implementation of IMO rules, it is impossible to establish an adequate system of sanctions to prevent violations. The solution of conflicts of interests involved in international commercial navigation also requires specialized legal skills, due to the complexities involved in the concomitant operation of flag, coastal and port State jurisdiction. Lawyers are needed to make sure that IMO tasks delegated to technical institutions such as classification societies, are properly supervised by maritime administrations. Specific legal knowledge is also required for the implementation of equivalents, namely alternative rules which maritime administrations can enforce in cases where international regulations do not properly adapt to the given realities of a particular country. Last but not least, well-trained lawyers are indispensable to assess the legal feasibility of proposals to be introduced by their governments at IMO meetings.

It did not take too many years to realize the effectiveness of IMLI's work. During fact-finding missions to developing countries, IMLI graduates working with the maritime administrations would provide an invaluable help in the adoption of the mission's recommendations specifically tailored to the particular needs of each country. Before IMLI, my fact-finding missions to developing countries frequently had to focus on the explanation of essentials to national counterparts who were hardly aware of the main rights and obligations regulated in IMO treaties. Afterwards, the presence of IMLI graduates meant that my mission activities were assisted by professionals duly familiarized with these issues. In this way I did not only *advise* but also *learned* about each country's particular needs and

requirements in the field of maritime legislation.

The reasons why IMO endorsed the establishment of IMLI in Malta became clear to me when I visited that country for the first time. Not only was this a nation with an illustrious and heroic past and a present fertilized by a rich convergence of diverse cultural streams, but it was also enriched with a legal tradition which decisively inspired the country's leadership in maritime affairs. Ultimately, it was thanks to Malta's initiative that the United Nations Convention on the Law of the Sea (UNCLOS) was finally formulated and adopted, thus ending decades of uncertainty regarding the legal status, and the uses of, the oceans.

During that first mission to Malta, I took time to depart from my scheduled agenda of meetings and discussions with my focal points in the Maltese Government to visit the foundations of an IMLI still in the first stage of construction in Msida. It is against the background of these remembrances, that I particularly cherish my annual visits there as a visiting professor. Nothing is more rewarding for an international lawyer engaged in teaching that doing so in front of students able to blend the diversity of their origins and legal systems into a common understanding of the ethical premises that sustain the foundations of international maritime law and the law of the sea. These premises are as universal and communicative as the sea itself. It is at educational institutions like IMLI that the common and civil law systems ultimately find their shared values regarding the implementation of the universal set of values only achievable through a robust treaty law. During its thirty of existence, IMLI has made a substantive difference for the best. May its contribution to international law and justice at sea continue to rise and rise, in response to the challenges posed by an increasingly complex and stormy world.



Dr. Agustín Blanco-Bazán

FORMER HEAD OF THE OFFICE FOR LEGAL AFFAIRS AT IMO

In spite of being land-locked, Switzerland has had a maritime fleet for nearly 78 years now. But there are numerous other land-locked countries interested in maritime issues and there are various reasons for such countries to found a commercial fleet – or to become a Member of the International Maritime Organization (IMO). Currently, IMO has 24 Member States which lack access to the sea. They deem maritime matters to be important whether or not they have a merchant fleet. Let me explain why Switzerland founded a commercial maritime fleet in 1941 and what justifies its existence to the present day.

The first suggestions to establish a Swiss maritime fleet came around 1860 from Swiss merchants living in areas of the Mediterranean Sea. Yet the Swiss Federal Government was not in a position to follow suit as France and Prussia objected to the creation of a Swiss maritime commercial fleet. Moreover, there was a controversy about the question whether a land-locked country was entitled to possess a fleet. It was only at the Transport Conference of the League of Nations held in Barcelona in 1921 that land-locked countries were explicitly allowed to have a maritime fleet. This right was confirmed in the 1958 Geneva Convention on the High Seas. Decades later, the United Nations Convention on the Law of the Sea - the most comprehensive international legal instrument - stipulated that “every state, whether coastal or land-locked, has the right to sail ships flying its flag on the high seas.”

In the course of World War I the creation of a commercial fleet was back on the agenda in Switzerland, because supplies of major goods became scarce. The Swiss Government succeeded to get out of the plight by entering into time charter contracts with foreign ship-owners. During the period between the wars, three quarters of the imported goods destined for Switzerland had been shipped via the northern ports and were then further transported into the country on the Rhine. This line of supply was interrupted when World War II broke out in September 1939. Even though Belgium and Italy opened their ports for merchandise destined for Switzerland, the supply of the country with necessary goods became precarious. The reason for this was the fact that there was not enough ship capacity available. Switzerland succeeded in contracting 15 Greek vessels which operated exclusively for Switzerland. When Greece was torn into the war in 1940, these vessels were blocked just off the coast of Portugal and they could not enter the Mediterranean Sea any longer as they would have been confiscated or sunk. This was the moment of birth of the Swiss fleet. Through emergency law, the Government immediately founded a Swiss fleet and started to buy ships which were operated under the Swiss flag. For a short period during the war, the Government owned a number of ships, but most of them were owned by private ship-owners at that time already. After the war, there was an intensive political discussion on whether



The Importance of the IMLI Training to Land-Locked States – Switzerland’s Commercial Fleet: Basis for her Dedication to IMLI

Switzerland should keep her maritime commercial fleet or whether this was not necessary anymore. Finally the Government decided to maintain it. In 1953, the Swiss Maritime Navigation Law was enacted and remains valid up to today. The Swiss Government is still entitled 'to put their hands' on the vessels under the Swiss flag in a case of crisis, although this has not happened since World War II. Switzerland's port of registry is Basel and that is why the Swiss Maritime Navigation Administration has its seat in Basel. All Swiss vessels carry the name "Basel" in one of the three national languages (German, French, Italian) on their hulls. Currently, the Swiss merchant fleet consists of 30 vessels of various types. While it is true that the transport cluster in Switzerland does not put the main focus on maritime transport, the sector is an important pillar of the Swiss economy. Most vessels administered from Switzerland do not fly the Swiss flag, yet they contribute to the multi-modal transport sector and are a solid part of the country's function as an international hub of transport.

Switzerland has been involved with and dedicated to IMLI since its very start. Professor Walter Müller, *spiritus rector* of the Swiss maritime legislation, was a big promoter of IMLI. He served as Governor of the IMLI Board from the years 1989 to 2000. The IMLI Prize for the Best Maritime Legislation Project was changed into Walter-Müller-Prize in 2003 in memory of this outstanding academic

who had not only marked the maritime legislation of Switzerland, but who had also had a truly positive influence on the development of IMLI. When IMLI was opened to students from non-developing countries, more and more of them enrolled from other countries, among them also two Swiss students, both female, who engaged in maritime professions after their academic training at IMLI.

IMLI has its seat in Malta which is a maritime nation *per se*, Switzerland is an alpine country miles away from the sea. Albeit their differences, the two countries have had a close cooperation for many years, the cooperation in the context of IMLI being just one example. For years Switzerland has contributed financially and in kind to the IMLI Library. Education and training at all levels are of paramount importance to Switzerland. Two Federal Institutes of Technology and nine Universities are at the top of numerous other public and private institutes of training and education in which logistics and transportation in general play a key role. Switzerland's affinity to education and training may explain her efforts and dedication to IMLI. The author, being himself a Governor of IMLI and having fulfilled this function since 2006, is proud of IMLI's prosperity and success. He hopes that the humble contribution of Switzerland to IMLI will continue to bear its fruits and he assures IMLI of the continuous support of Switzerland in all its efforts to thrive further on.

Dr. Reto A. Dürler

MEMBER OF THE IMLI GOVERNING BOARD
HEAD OF THE SWISS MARITIME NAVIGATION OFFICE
HEAD OF THE SWISS DELEGATION TO THE CENTRAL COMMISSION FOR THE
NAVIGATION ON THE RHINE





IMLI's Role in the Scheme of United Nations Gender Equity & Development Objectives

I extend my hearty congratulations to the IMO International Maritime Law Institute (IMLI) on its 30th anniversary.

I was very pleased when Professor Attard asked me to contribute an article on the role of IMLI in the training of female maritime lawyers.

My association with IMLI has been a long and happy one. At the inception of IMLI in 1989, when I was Legal Adviser Federal Ministry of Transport in Nigeria, I sent a member of my staff as one of the inaugural students. Subsequently, as the Head of the IMO Legal Office from 1991 to 1999 I was responsible for the legal aspects of IMLI matters. Later, as Director of the IMO Technical Cooperation Division, IMLI, being one of IMO's training institutions, was within my portfolio. I have been a visiting fellow to IMLI since 2012.

From time immemorial, the oceans have been associated with hazards and seafaring has always been one of the most dangerous of occupations. The seas and matters relating thereto, have always been regarded as a man's domain and no place for a woman. The IMO, being an agency concerned with maritime safety, security and marine environmental protection, it naturally followed that its activities had until the recent past been dominated by men.

There was a significant breach of tradition when I was appointed the first female at the directorate level in IMO in 1990. It was an innovative and courageous action by the then Secretary-General, Mr. William O'Neil.

The United Nations (UN) work on the advancement of women and gender equality dates back to the first World

Conference on Women in Mexico in 1975.

Since the UN initiated its action for equality of the sexes, IMO, a highly specialised technical agency, has shown an unprecedented commitment to the advancement of women in the maritime sector. Over the years IMO built up a pragmatic programme which incorporates the UN's key recommendations as regards gender equity and development. It developed a policy structure which identified access to training and employment for women as a priority objective. It identified a critical development path from the training stages, promoting the training of women in all maritime-related disciplines and fostering their access to national and regional maritime training academies.

A special fellowship programme was established for women candidates, the purpose of gender-specific fellowships being to provide the initial impetus to overcoming some of the barriers to accession to the highest level maritime posts. The immediate objective of the programme is to circumvent situations where male candidates may traditionally be given preference, particularly when funding is scarce. In the long run, it will encourage equity in the appointment and promotion of women to high-level posts with managerial responsibility.

IMO training Institutions, particularly IMLI, guided by the principles enshrined in the UN policies and strategies governing the pursuance of equal and equitable rights for women in all spheres of society, embraced this objective. IMLI was the first institution within the UN system to include in its statutes an article which stipulated that 50% of places in the Institute's programmes are to be

reserved for deserving female candidates.

Article 8 of IMLI's Statute states as follows:

"Men and women shall be equally eligible for any office or appointment in the Institute for membership of any of its constituent bodies. All degrees and courses of study in the Institute shall be open to men and women on an equal footing. To encourage equitable participation by women, 50% of the places in each regular course of the Institute shall be reserved for women candidates, provided that the necessary numbers of women candidates with the required entrance qualifications are available for each particular course."

It is noteworthy that the first Director of IMLI was a woman, Professor Patricia Birnie. Ever since, IMLI has nurtured many modern day 'Portias' of Shakespeare's Merchant of Venice. Furthermore, IMLI has articulated the UN system-wide commitment to gender equality and gender mainstreaming, in support of the UN Sustainable Development Goal "Achieve gender equality and empower all women and girls".

As a means of fostering regional co-operation, a first phase of sensitization seminars was launched in the 1990s to target the national authorities and the administrators of regional/national maritime institutes, aimed at encouraging the greater participation of women as students, as academic staff, and as decision-makers within the maritime industry as a whole.

The participation of women graduates from both the World Maritime University (WMU) and IMLI was of significant benefit, bringing some incisive testimony to the general debate and lending credence to the concept of "role models" in decision-making posts. Their presence served as a useful example of success at the managerial level in the maritime field while also emphasizing the achievement of IMLI as a world acclaimed maritime law institute.

IMLI's success is borne out by the professional careers of its graduates, most of whom now hold senior positions in their governments and the maritime industry. Many have returned to IMO as part of their national delegations.

Indeed a number of women who received training at IMLI have been appointed to high-level management posts and have become role models for the new entrants to the maritime law profession. Significantly, they also represent a valuable resource for the maritime sectors of their countries, thereby strengthening regional competencies and capacities to address the requirements of international conventions and instruments.

These results bear testimony to the role which IMLI plays in contributing to the implementation of the UN's gender equity and development objectives. What IMLI has achieved is an environment for change and growth within the maritime sector where women can fulfil their full potential and play their rightful role in the global maritime industry.

IMLI, once again congratulations!!!



Mrs. Monica N Mbanefo

FORMER DIRECTOR TECHNICAL
COOPERATION DIVISION, IMO

The Importance of the IMLI Training to the Teaching of Marine Environmental Law

The prevention of pollution from ships was one of the very first incentives to protect the marine environment, long before the term “environment protection” has even become general vocabulary. Already in 1954 the International Convention for the Protection of Pollution of the Sea by Oil was adopted; the 1959 Geneva Convention on the High Seas contained a corresponding obligation of States to prevent pollution by the discharge of oil from ships. After the Intergovernmental Maritime Consultative Organization, as the International Maritime Organization (IMO) was named at those times, became operational, a further impetus was given by the Torrey Canyon accident in 1967, which led to several maritime conventions, culminating in the 1973 Convention for the Prevention of Pollution from Ships (MARPOL).

However, it took quite longer for the public to become aware that shipping is not the greatest marine environmental villain. The seas are much more threatened by pollution from other sources, especially by land-based inputs, by far the major marine pollution source, but also by other activities at sea, such as offshore and seabed activities, fishing, aquaculture and biotechnological projects, not to mention climate change, which causes ocean warming and acidification. And that the conservation of marine biodiversity is one of the still unsolved issues has only become clear lately, but hopefully will lead to an additional legal instrument in the near future.

Nevertheless shipping must not sit back, but has to play its part to protect the marine environment and minimise climate change. Since long this is a central focus of IMO's efforts by setting corresponding standards and making them compulsory. With this regard not only technical, but also legal expertise is indispensable for IMO. But the expertise is also needed within the Member States which in the end have to decide on appropriate rules in the responsible IMO bodies or at diplomatic conferences.

However, know how in marine environmental law – and that concerns aspects of the public law of the sea as well as of the private maritime law – is not only needed for law making. It may become even more important for the national implementation of international regulations, including compliance by the norm addressees and enforcement measures by the maritime administration. Of course, the necessary legal knowledge can be provided by national academic institutions. An internationally oriented education is nonetheless a remarkable alternative, and not only where there is a lack of national capacities.

An area such as environmental protection is strongly influenced by cultural values, socio-economic interests and priorities, which can differ between nations. It is all the more important to get to know the different approaches and to deal with them as part of a joint education with people from different countries and parts of the world. In this way, the mutual understanding may be strengthened, which is a prerequisite for a reliable cooperation in future times. Especially for lawyers, it is important that they have learned to deal with different points of view in order to achieve a result that preferably is acceptable to all. This is particularly true for marine environmental protection, as it depends in particular on the consensual agreement of internationally accepted rules and standards.

Therefore, it is a very positive and welcomed initiative that the IMO founded the International Maritime Law Institute (IMLI) 30 years ago. As a world recognised centre, IMLI offers the training of specialists in international maritime law. Law graduates from all over the world, in particular from developing countries, are given the opportunity to access advanced training, study and research in maritime law. The students gain the skills necessary for the preparation and drafting of legal instruments



on an international level, but also as concerns their domestic implementation by national laws and regulations. The location of IMLI in Malta is a stroke of good luck, as this island has been linked to the seas as an interface between the Orient and the Occident since time immemorial. Therefore, the *genius loci* of Malta, in particular, promotes the exchange and cooperation between most diverse cultures.

Being an IMO institution, the broad curriculum of IMLI certainly focuses on maritime shipping aspects. But it also includes marine environment protection law, which is not only educated from a shipping perspective, but covers the entire thematic spectrum, as it is defined by the United Nations Convention on the Law of the Sea. Just as it is important for maritime lawyers in general to be familiar with marine environment protection law, it is equally important for lawyers who want to specialise themselves in the field of marine environment protection to know more about the different sectors of maritime law. That students of both areas of interest are trained

together facilitates mutual understanding. Such experience is extremely helpful when later on in professional life the task is to develop and achieve balanced solutions.

The impressive success of IMLI becomes quite obvious when looking into international maritime organizations where you meet a great number of IMLI Alumni either working as staff members or representing their country in meetings. All in all, over the past 30 years, IMLI has made an extraordinary contribution to train experts for maritime law, including marine environment protection law, and by this has in particular supported developing countries in building up the necessary legal infrastructure; that is an indispensable prerequisite to make progress in marine environmental protection and to strike the right balance between use and protection of the seas, aiming at a sustainable maritime development. Therefore the conclusion can only be: If IMLI did not exist, it would have to be invented. IMLI is urgently needed.

Good luck for the future!

Professor Peter Ehlers

FORMER PRESIDENT, FEDERAL MARITIME
AND HYDROGRAPHIC AGENCY



Three Decades of Global Development in Maritime Security Law

The IMO International Maritime Law Institute (IMLI) has been a global leader in the training and education of professionals for the industry and governments since its founding. Carefully selected for their expertise and anticipated future contributions to safe, efficient and environmentally sound shipping, the students learn as much from each other as they do from IMLI instructors and visiting lecturers and their own rigorous study. Nowhere has the impact of IMLI been more profound than in the sphere of maritime security law. Maritime security law includes legal authorities to counter traditional threats and asymmetric dangers to the professionals, ships and infrastructure operated by flag, port, coastal, and landlocked States that depend on the maritime global supply chain.¹ These legal authorities are complex and overlapping, and IMLI's curricula navigate through the public and private laws and IMO and regional codes and guidelines. Our curricula explore the application of these authorities within the context of the heritage of maritime culture and the dynamic shipping industry. Consequently, IMLI teaches maritime security law with appreciation of the technical aspects of ships, the economic dimensions of shipping and the importance of the human element. The LL.M. programme, for example, emphasizes the complexity of the legal seascape, where students develop decision making skills to navigate among legal sources and jurisdiction. Furthermore, because maritime security law at IMLI is integrated with the rest of the curriculum, the programme emphasizes the interconnected nature of the challenges facing the global maritime system. We teach a holistic programme that views port and ship deficiencies and efforts to evade internationally accepted standards in labor and seafaring, marine environmental protection and tax and trade rules as undermining our broader sense of maritime security. Thus, the rigorous study at IMLI reflects the symbiotic nature of maritime security law and its relationship to other elements of the shipping industry.

The IMLI programmes are constructed around the interdependent relationship between international law and international organizations on the one hand and the Member States of the IMO and their equities in safe and secure shipping, maritime labor and human rights, private international law and insurance. These lines of effort are especially evident in how we teach the suppression of piracy, hijacking and armed robbery against ships and in



smuggling and illicit trafficking. As the Constitution for the world's oceans, the United Nations Convention on the Law of the Sea (UNCLOS) provides the overall framework for the suppression of maritime piracy and armed robbery at sea. Over the past 30 years this framework has expanded and deepened to include the entry into force of the 1988 Convention on the Suppression of Unlawful Acts against the Safety of Maritime Navigation and its 2005 Protocol, which entered into force in 2010. These treaties are bolstered by the continuous update of the Safety of Life at Sea Convention (SOLAS), and especially the sea change brought about by the International Ship and Port Facility Security (ISPS) Code, which brings together shipowners and ship operators with port facilities, flag States and recognized organizations. Our students apply the latest legal authorities and best practices, informed by the policy and ethics behind IMO guidelines and recommendations on piracy, migration and crime, and how these authorities interact with Best Management Practices of the shipping industry and regional guidance, such as the revised 2017 Djibouti Code and the 2013 Code of Conduct Concerning the Repression of Piracy, Armed Robbery against Ships,

¹ James Kraska and Raul Pedrozo, *International Maritime Security Law* 6 (2013).



and Illicit Maritime Activity in West and Central Africa and the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia.

IMLI is especially grateful to The Nippon Foundation for its support for the Nippon Foundation Lecturer in International Maritime Security Law. This competitive position provides a central focus for the study of primary sources of law and lectures and interaction with world-class maritime security experts to enrich the programme and ensure that security is a prominent feature of the curricula. Resident lecturers and visiting experts from industry and maritime law enforcement mentor students in the traditional classroom and from a variety of complementary perspectives. Lectures are combined with tabletop exercises in syndicates or small groups that hone judgment and produce solutions to some of the most vexing security challenges today. The students understand the practical importance of drafting security laws, how compliance is achieved and how the rules are implemented in the real world.

Our annual workshop on Human Rights and Law of the Sea, for example, focuses on how to contend with irregular maritime migration and interaction with maritime law enforcement authorities and non-governmental organizations. This crosscutting seminar develops decision-making skills by equipping students with the law, policy and ethics of human smuggling and maritime refugees. We incorporate perspectives from the shipping industry and vessel Masters, international and intergovernmental organizations, maritime law enforcement authorities and adjudicatory bodies. These challenging scenarios develop future leaders.

From its beginning, IMLI has been at the forefront of shaping the law, sponsoring research and building expertise and capacity building in maritime security law. IMLI's mission of education extends beyond the classroom. We have produced the authoritative, *The IMLI Manual on International Maritime Law*, which is published by Oxford University Press. The three-volume treatise is a landmark work in international maritime law, drawing upon the world's top experts to succinctly analyze the most important elements of maritime law. Half of Volume III is dedicated to maritime security law, and includes analysis of international laws concerning piracy, terrorism, illicit trafficking and smuggling, port and ship security and emerging threats at sea. Much like our residential LL.M. program, IMLI's research has been among the most visible and influential efforts to strengthen maritime security law. The institution is looking toward the horizon and developing expertise in the next generation of maritime security issues—cyber security, autonomous vessels, blockchain ledgers and artificial intelligence. As in the past, IMLI is positioned to shape and implement tomorrow's maritime security law.

Professor James Kraska

CHAIRMAN AND CHARLES H. STOCKTON PROFESSOR OF INTERNATIONAL MARITIME LAW, STOCKTON CENTER FOR INTERNATIONAL LAW AT THE U.S. NAVAL WAR COLLEGE



The Importance of IMLI Training and Partnership for Promoting the Sustainable Use of Marine Resources Through Development and Implementation of Relevant National Legislation

Mr. Blaise Kuemlangan

CHIEF OF THE DEVELOPMENT LAW SERVICE, LEGAL OFFICE OF THE
FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

IMLI is better known for providing excellent training for individuals of IMO Member countries that directly focus on the area of maritime law including the implementation of IMO international regulations for sustainable shipping. The training that IMLI delivers through its two Master's programmes and partnership initiatives also provide trainees with a solid grasp of the main areas of international law and relevant governance frameworks for the sustainable utilization of both living and non-living marine resources and an insight into the role that different partners play towards sustainable ocean development.

A recent initiative, which adds value to the fisheries component of the two IMLI Master's programmes, is the partnership IMLI has entered into with the Food and Agriculture Organization of the United Nations (FAO) for the latter to be part of its visiting lecturers programme. Fisheries law experts of the Development Law Service of the Legal Office of FAO deliver the visiting lectures. The lectures that have been delivered over three scholastic years beginning in 2017 cover, inter alia, the work of FAO and its Member States in the development of legally binding and voluntary instruments and their implementation towards responsible fisheries. The lectures also provide an appreciation of the work of FAO and its role as provider and facilitator of a global neutral forum for the discussion of global fisheries governance and related issues through its Committee on Fisheries and as a repository of knowledge for promoting sustainable fisheries. The FAO lectures go beyond providing trainees with an understanding of the components and requirements of relevant international instruments – they also provide overviews of the socio-economic and policy context behind the development of legally binding instruments or the dynamics at play during the negotiations of, for example, the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, or the voluntary FAO Code of Conduct for Responsible Fisheries. The perspectives shared and the overviews of the context of negotiations of these instruments do not replace the import of the provisions of the instruments themselves, the *travaux préparatoire* or other conventional means normally used



in discerning the meaning or intent of such international instruments. Nevertheless, they can contribute to the understanding of the need for such instruments and the varied interests at play, which can contribute, to their effective implementation.

Appreciation of the role that FAO plays in the implementation of non-FAO instruments such as the UN Fish Stocks Agreement, or FAO's relationship and collaboration with States and regional fisheries management organizations (RFMOs) helps trainees to consider their potential contribution to the efforts of international organizations and States in fostering sustainable fisheries. To this end, the trainees' exposure to relevant emerging trends and issues discussed under the auspices of FAO, such as dealing with abandoned, lost and discarded fishing gear and its linkages with Annex V of MARPOL and the work of IMO and FAO to foster understanding and promote the implementation of related instruments is vital.

The latest FAO lectures introduced trainees to the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (PSMA). Trainees were reminded that the requirements of the PSMA, the first legally binding instrument on illegal, unreported and unregulated (IUU) fishing, is not a panacea for such fishing. The PSMA is, instead, a tool among the many in the fisheries monitoring, control and surveillance (MCS) toolbox to fight IUU fishing. The PSMA utilises the potency of State sovereignty to deny entry and use of the State's designated ports to perpetrators of IUU fishing thereby closing the main entry point to market and for dealing in illicit fish and fish products.

Information shared by FAO experts on the programmes, projects and initiatives of FAO and its partners to develop capacity and train fisheries inspectors, port officers, legal officers, police and other law enforcement officers helps the trainee to identify potential areas or locations for further training. Indeed, a number of IMLI alumni, as a direct result of FAO visiting lectures, were motivated to receive further training offered by FAO and its partners on fisheries law or on the implementation of the PSMA or have contributed to such training as maritime law experts in their own right.

The IMLI/FAO collaboration has led to the recent engagement of IMLI as a specialist training organization to offer its services to FAO in delivering focused training on fisheries law for developing countries. The three-weeks training course was commissioned under FAO's Global Capacity Development Programme to support the implementation of the PSMA and complementary international instruments and mechanisms to combat IUU fishing.¹ The training enabled participants from States who are parties to the PSMA to gain deeper insight into subjects relevant to sustainable fisheries including international law, the relationship between international law and national law, the law of the sea, marine scientific research, fisheries management, MCS, FAO international fisheries instruments, RFMOs and implementation and enforcement of national fisheries legislation.



While the FAO/IMLI partnership and collaborative initiatives for providing focussed training on fisheries governance commenced only recently, they nevertheless lay a strong foundation for developing future training programmes for Member States of IMO and FAO which should build on the established academic programmes of IMLI. Such current and future programmes are indispensable for enhancing the capacity of the human resources of developing States towards promoting sustainable development in the context of the 2030 Agenda and the achievement of the Sustainable Development Goals.

¹ Global Capacity Development Programme to support the implementation of the PSMA and complementary international instruments and regional mechanisms to combat IUU fishing See <http://www.fao.org/port-state-measures/capacity-development/ongoing-capacity-building-efforts/en/>

Research *and* Publications

IMLI was established in 1988 to serve the international maritime community as an international postgraduate education and research Centre of Excellence for specialists in international maritime law, with special reference to the international regulations and procedures for the safety, security and efficiency of shipping, the prevention of marine pollution from ships, and protection of life at sea – including the safeguarding of seafarers' rights – developed under the auspices of the IMO and other international organizations.

The Institute's objective is also to encourage research and other appropriate programmes for the development of legislative drafting skills to ensure that States have the necessary expertise to incorporate international rules into domestic legislation and contribute to the deliberations of the international maritime fora.

This objective has been achieved through the preparation of hundreds of maritime legislation drafting projects and dissertation / research projects prepared by the IMLI students over the last 30 years. Through this research, IMLI students have advocated for various international instruments, especially those adopted by the IMO, to be translated into national legislation and address issues of international maritime law which are relevant to their countries.

Furthermore, through its Research Degree programme, IMLI students have produced research which has contributed meaningfully to the development of international maritime law. Their final research has been published by world-known publishing houses and has been relied upon by the international maritime and academic community for further advancements in the field.

The successful realization of this objective has been widely recognized by the international maritime community as evidenced in the IMO Assembly's Resolution A.1008(25) in which the highest body of the Organization acknowledged IMLI's special contribution to the attainment of the IMO's objectives and reaffirmed the importance and continued necessity of the Institute for providing, inter alia, technical advice in furtherance of the objectives and goals of the Organization and its Member States. The same Resolution noted that IMLI, through its programmes of study, undertakes original and applied research which promotes knowledge creation, stimulates teaching and enriches higher learning and includes projects leading to the incorporation of international maritime conventions into domestic legislation. For these reasons, this august body encouraged Member States, amongst others, to make use of the competencies of IMLI in commissioning legal research related to their respective fields of activity, and take into account, in the performance of their activities, the findings and recommendations of the research work undertaken by IMLI.

Indeed, many IMLI graduates are currently leading their

legal drafting divisions applying the knowledge received at the Institute on the techniques for the incorporation and implementation of international instruments into domestic legislation. The Institute is proud to note that several of the maritime legislation drafting projects prepared by IMLI graduates form now part of the national legislation of the students' countries of origin.

IMLI's contribution to research was further recognized by the IMO Legal Committee which during its 104th session decided, on the recommendation of Mr. Frederick J. Kenney (Director, IMO Legal Affairs and External Relations Division), to make available to all Member States (in addition to the complete list of maritime legislation drafting projects and dissertations) the dissertation of the graduate who had won the IMO Secretary-General's Prize for Best Dissertation. In making available the dissertation, the Committee invited Member States to take note of the findings of the research with the purpose of applying such findings in the domestic context.

IMLI has devoted its work in offering a holistic treatment of international maritime law, not only in its various taught and research programmes of studies, but also through its seminal publications.



**Ms. Elda
Kazara-Belja**

LECTURER, IMLI

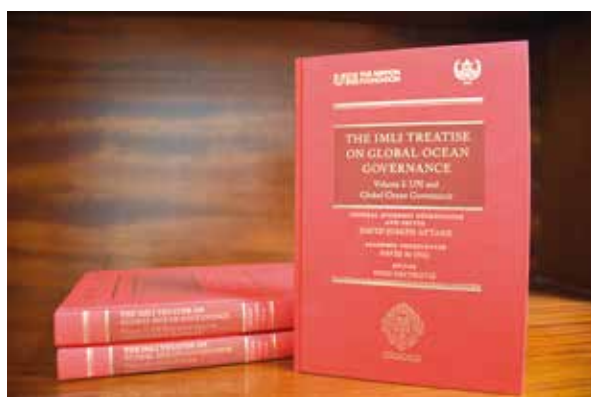
“The IMLI Manual on International Maritime Law” published by University Oxford Press provides a unique and all-encompassing guide to all the major branches of international maritime law covering, in its three volumes, the Law of the Sea, Shipping Law, and Marine Environmental Law and Maritime Security Law, respectively.

The Manual examines these fields from an international and comparative perspective and provides an in-depth analysis from the point of view of international conventions, customary law, and commercial practices. Since the publication of its first Volume in 2014, the Manual has become an essential reference material for students, researchers, academics, and practitioners.



“The IMLI Treatise on Global Ocean Governance” is the most recent and authoritative statement on the current state of the law on global ocean governance. Published in 2018 by Oxford University Press, it covers in its three volumes the UN and Global Ocean Governance, the UN Specialized Agencies and Global Ocean Governance, and the IMO and Global Ocean Governance.

The Treatise is the product of the fruitful collaboration between IMLI and the Nippon Foundation. In order to ensure that the Treatise reflects the current state of ocean governance, fifty-eight leading experts were chosen on the basis of their eminence and expertise in the various areas covered by the Treatise. In their respective contributions these experts assess the current state of the international regime regulating the use of the oceans to ensure that proposals for a new framework are based on reliable information.



In the year 2009, IMLI published a collection of Essays in Honour of Professor David Joseph Attard. Edited by Professor Dr. Norman A. Martínez Gutiérrez, the two-Volume collection was intended as a Liber Amicorum to Professor Attard, celebrating his career in international law and his crucial role in establishing IMLI. The first Volume entitled “Serving the Rule of International Law” was published by Mare Nostrum Publications, Malta. The second Volume entitled “Serving the Rule of International Maritime Law” was published in 2010 by Routledge simultaneously in London and New York. This work represents a close collaboration amongst practitioners and academics involved in the field of international maritime law and has been of great interest to professionals in the shipping industry as well as practitioners, academics and students

Following the success of the Volume entitled “Serving the Rule of International Maritime Law”, IMLI formalized its relation with Routledge and established in 2010 the IMLI book series “IMLI Studies in International Maritime Law”. “Limitation of Liability in International Maritime Conventions: The Relationship between Global Limitation Conventions and Particular Liability Regimes”, written by Professor Dr. Norman A. Martínez Gutiérrez was added to the series paving the way for many other publications to be published under its name.



Indeed, the Series continues to be very well received by the international maritime legal community. Since its establishment, it has been dedicated to the publishing of original, scholarly contributions that analyze key issues in international maritime law, which are of interest to an audience of students, scholars and practitioners in international maritime law.

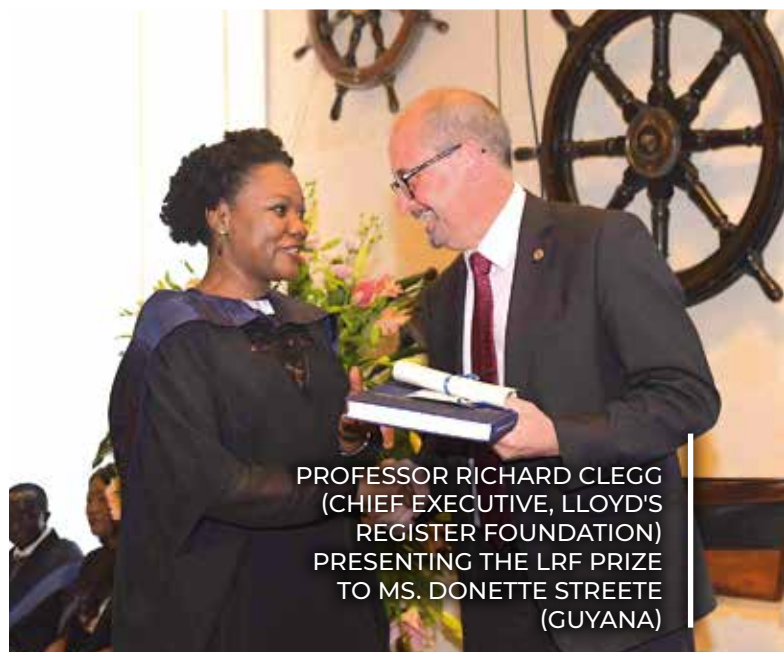
The second Volume of the Series entitled “Extension of Coastal State Jurisdiction in Enclosed or Semi-enclosed Seas: A Mediterranean and Adriatic Perspective” by Dr. Mitja Grbec was published in 2013. The third Monograph of the Series, was written by Professor Dr. Ellen Eftestøl-Wilhelmsson and is entitled “European Sustainable Carriage of Goods: The Role of Contract Law”. The latest book of the Series is the book entitled “Shipbreaking in Developing Countries: A Requiem for Environmental Justice from the Perspective of Bangladesh” written by Dr. Md Saiful Karim, which was published in 2017.



H.E. DR. GEORGE VELLA (PRESIDENT OF MALTA) WITH PROFESSOR DAVID ATTARD AND IMLI STUDENTS



MR. JUVENAL J M SHIUNDU
(ACTING DIRECTOR, IMO
TECHNICAL COOPERATION
DIVISION) PLACING THE IMLI
BADGE ON TURKS AND CAICOS



PROFESSOR RICHARD CLEGG
(CHIEF EXECUTIVE, LLOYD'S
REGISTER FOUNDATION)
PRESENTING THE LRF PRIZE
TO MS. DONETTE STREETE
(GUYANA)



MR. LUCA TOMMASI (GRANT
MANAGER, ITF SEAFARERS'
TRUST) RECEIVING A TOKEN
OF APPRECIATION FROM
MR. BIN ZHAO (CHINA)



MR. MITSUYUKI UNNO (EXECUTIVE DIRECTOR,
THE NIPPON FOUNDATION) WITH
PROFESSOR DAVID ATTARD AND NIPPON
FELLOWS FOR THE ACADEMIC YEAR 2017-2018



THE IMPORTANCE
OF *IMLI* FROM
DONORS
& PARTNERS
PERSPECTIVE





Malta

AND ITS *RELATIONS* with IMLI

In 2019 IMLI is commemorating the thirtieth anniversary since its foundation as a formal educational institution where maritime law professionals are fully trained to support the objectives of IMO.

In order to participate effectively in the international maritime sector, States must be able to implement international conventions and instruments adopted by IMO, and other relevant international organizations. To do this, they need the appropriate legal infrastructure to incorporate the provisions of the respective conventions and instruments into national law, and procedures for applying and enforcing the requirements of the applicable law in all relevant situations.

For this purpose, States, as well as the shipping industry, require the services of well-trained legal personnel with specialization in maritime and shipping law.

The creation of IMLI and its evolution into a truly global institution to serve the rule of international maritime law is well documented including the testimony of those who were there even before its early days. The success story that is IMLI is universally evident through the sterling contribution of its graduates who serve the maritime industry within both the public and private sectors in countries large and small, rich and poor, developed and developing.

For the last thirty years IMLI has been providing the training and education needed to produce lawyers with the background and qualification to establish, develop and maintain such national legal infrastructures.

As a result, IMLI has established itself as the reference point for States to enhance their capacity-building in the field of international maritime law. The Institute is recognized as a centre of excellence for the training of specialists in international maritime law and for the dissemination of knowledge and expertise in the field.

Addressing the IMLI graduates at their 2018 graduation ceremony, IMO Secretary-General Kitack Lim stressed how vital IMLI had become in the efforts of IMO Member States, especially developing countries, to generate national expertise for the effective adoption of laws to implement IMO instruments.

In the process the Institute has also established itself as

one of the cornerstones of IMO's mission to enhance and build global capacity within the maritime sector.

Malta is proud of its close association with the vision that was IMLI and with the realization of that vision. Malta has provided generous and continuous support to IMLI since its inception. This support has been consistent and enthusiastic all along, and comes both from the side of the Governmental authorities as well as from the academic community.

Beyond their more functional relationship, IMLI and Malta are closely tied together in a deeper and more intimate fashion. The roots of this relationship arise primarily from the fact that Malta is intrinsically a maritime nation with a strong maritime vocation.

From time immemorial the sea has dominated life in Malta defining its history, traditions, economy and cultural identity. Strategically located in the centre of the Mediterranean, and enjoying excellent, deep and sheltered harbours, Malta has figured throughout the ages as a protagonist in the development of maritime commerce and the maritime sector.

In his first address to the UN General Assembly the Maltese Prime Minister declared that "the Government of Malta places the resources of its country and of its people at the disposal of this organization for whatever service may be considered useful in the pursuit of peace and brotherhood among nations".

It stands to reason that among the first and most far-reaching initiatives that Malta took in fulfilment of this commitment related to the maritime sector, Ambassador Pardo's proposal in 1967 advocating collective responsibility for the safeguarding and management of the oceans as a global common was the seed which 25 years later produced the historic Convention on the Law of the Sea.

UNCLOS is acknowledged to be a "framework convention". Many of its provisions can only be implemented through specific operative instruments negotiated through IMO. It is in this framework that the Secretariat of IMO actively contributed to the work of UNCLOS in order to ensure that the operative instruments relating to the maritime sector negotiated within IMO conformed with the basic principles guiding the elaboration of UNCLOS.

The close relationship which in their different ways ties both Malta and IMO with UNCLOS underlies and reinforces their joint interest in the promotion and support of IMLI, as an important partner in the furtherance of the international maritime regulatory structure

The creation of IMLI in 1989 was the brainchild of two forward looking individuals, the then IMO Secretary-General Chandrika Prasad Srivastava and the Maltese Professor David Attard, who identified the lack of appropriate expertise, especially in many developing countries, as an important factor in the problem. IMLI was created as one important means of tackling the problem.

The strength of IMLI lies in its universality. When I visited IMLI, I could not but be impressed by a map of the world, quite rightly prominently displayed, showing the more than 140 countries home to over 900 graduates of IMLI. This is a world wide web, if I may borrow a phrase, that has spread across the whole spectrum of government administrations and in many parts, high and low, of the private industry. Indeed the pen is mightier than the sword. Yet, these figures are only indicative. The real strength of the success of IMLI lies in the increased participation and leadership its graduates provide at IMO and other fora and in the evolution of national maritime legislation of so many IMO Member States transposing international maritime law. This has greatly facilitated global implementation and enforcement. The success that is IMLI is undisputable.

IMLI graduates now occupy positions of great responsibility throughout the maritime world and their knowledge, expertise and influence has been of immense and tangible benefit, particularly for the developing world, and indeed for all the economies and communities that rely on the safe secure passage of their goods across the seas. The contribution of IMLI graduates to the international maritime community serves also as a testament to the Institute's success in achieving the objectives for which it was created.

At the same time Malta's partnership with IMLI remains a constant gauge of our country's steadfast commitment to the rule of international law and to the primary roles of IMO to promote safe, secure, environmentally sound, efficient and sustainable shipping through cooperation.



The Honourable Dr. Ian Borg

MINISTER FOR TRANSPORT, INFRASTRUCTURE AND CAPITAL PROJECTS



On behalf of The Nippon Foundation, I extend my heartfelt congratulations to IMLI for celebrating its 30th anniversary. I am grateful for the opportunity to contribute to this commemorative publication. We truly appreciate the hard work and dedication of all those who have taken part in this long journey. IMLI's strong foundation was built and fortified over the last three decades by the dedicated efforts of the first Director, Professor Patricia Birnie and the current Director, Professor David Attard and their administrative staff and faculty, alongside the support from the IMO and the Maltese Government.

The Nippon Foundation and IMLI have been partners for more than half of IMLI's 30-year journey. May 2003 is when The Nippon Foundation and IMLI embarked on what would become a long and fruitful partnership. Mr. Hasebe who had been working for the IOPC Fund at the time, told me about IMLI and I decided to make the visit to Malta to learn more about this unique institution.

At that time, we had successfully formed a partnership with WMU and the Foundation was hoping to form more partnerships with institutions around the world to grow our human capacity development program. The Nippon Foundation's

mission was clear: to nurture ocean and maritime professionals who will enable us to pass on our oceans to future generations. But I was uncertain whether it would be accepted by such a notable training institution as IMLI. This uncertainty was extinguished as I got to know IMLI's faculty and staff. It became very clear that not only was the quality of education that Professor Attard and faculty members were providing exceptional, their commitment to help these students succeed was genuine and uncompromising. I was confident that this partnership had enormous potential to improve and even redefine the way we nurture professionals in the maritime and ocean community. Over the years, that is what we have continued to do together.

Of course, this is not unrelated to the fact that Malta, a country which despite being a small island like Japan, has nurtured brilliant individuals including, Ambassador Pardo who in 1967 advocated for the UN Convention of the Law of the Sea that was founded on the principles that "the ocean was a common heritage of mankind", and continues to lead the international community in addressing ocean issues of today.

15 years have passed since the inception of our partnership with IMLI. Over the years, the

program has expanded to provide scholarships and four endowed courses. Both are generating excellent results. Our scholarship program has generated 152 alumni from 66 countries. This is an impressive volume of ocean and maritime professionals. However, we do not measure success in size. We see graduation as only a checkpoint in one's long academic career. Rather we measure success on how much our fellows take leadership to represent their countries and make a positive impact both at home and the international community at large.

Just as IMLI continues to uphold its high ideals that it was founded upon and hold great expectations for its entire student body, we at The Nippon Foundation also hold the same ideals and expectations. The reason is no other than to ensure a brighter future for the oceans through law and order. But to achieve this in an ever-changing society, it is critical that we recognize that the ocean community is no exception. As new technologies transform our environments that we have gotten to know so well, the laws that govern the oceans will be forced to also follow suit. As more and more ocean issues become complex, they will have to be dealt with by using solutions that step beyond existing frameworks. This change will increase the need for professionals who can govern the oceans with wider cross-cutting perspectives. I have no doubt that as long as the faculty retains their commitment and passion as they have done over the years, IMLI will be able to establish itself as

the global center where such professionals are nurtured.

Just as our oceans are constantly evolving, so should we. And I am confident that IMLI will not only continue to uphold the legacy it has maintained to this day, but also seek out new challenges and take action so that it can become a mecca for the human capacity development of maritime law professionals. Of course, we will do our utmost to support this endeavor. The Nippon Foundation's human resource development program has an incredible alumni network that transcend the different professions, specializations, races, religions and borders. In order to pass on our bountiful oceans to future generations, we must engage in more holistic initiatives at global magnitudes that go beyond individual interests. The Nippon Foundation will continue to nurture this global network of ocean professionals and serve as their platform where they can come together to start new initiatives. Nothing gives us more joy if the chemical reactions that occur in The Nippon Foundation alumni network trigger innovation within the ocean community.

In closing, we once again congratulate IMLI for its tremendous achievements over the three decades and look forward to its continued success for many more years to come. Together, The Nippon Foundation and IMLI shall continue to walk hand in hand to ensure a brighter future for our oceans and our future generations.



■ **Mr. Mitsuyuki Unno**

EXECUTIVE DIRECTOR OF THE NIPPON FOUNDATION

LLOYD'S REGISTER'S LONGSTANDING SUPPORT TO IMLI

Lloyd's Register Foundation is a UK charity established in 2012. The Foundation is not funded by the public; our income is generated from the profits from our trading arm, Lloyd's Register Group Ltd., and investments. The Lloyd's Register Foundation exists to enhance the safety of life and property at sea (and on land and in the air) and to advance education in related technical fields. Our vision is to be known worldwide as a leading supporter of engineering-related research, training and education, which makes a real difference in improving the safety of the critical infrastructure on which modern society relies. In support of this, we promote scientific excellence and act as a catalyst working with others to achieve maximum impact. As such, the Foundation is enormously proud of its long-standing support to and association with IMLI and the Institute's vital role as an international centre for the training of specialists in maritime law.

The Lloyd's Register's and Lloyd's Register Foundation's ongoing support to IMLI actually stretches back to 1992, when it donated some of its personal computers to IMLI for the use of its students and staff. The photograph below is of a ceremony which took place at that time to mark the inauguration of the first Lloyd's Register Computer Room at IMLI which was opened by Mr. Tony Muncer, Chief Ship Surveyor of Lloyd's Register and the British High Commissioner to Malta.

In 1996, Mr. John Hickman, Group Legal Director and Company Secretary at Lloyd's Register, visited IMLI to open its new Lloyd's Register Computer Room.

In 1999, Mr. Hickman's successor at Lloyd's Register, Mr. Jim Harrison, became a member of IMLI's Governing Board and in 2007, he was appointed as Chairman of the IMLI Board's Finance & Personnel Sub-Committee (FINCOM) – known today as the Financial and Human Resources Committee. Mr. Harrison was also appointed as the Vice Chairman of the IMLI Governing Board and,

today, as an Ambassador of the Lloyd's Register Foundation he is pleased to continue fulfilling these three roles at IMLI.

Currently, our support for IMLI is provided through scholarships for students from emerging economies. In fact, since 2002-2003 the Lloyd's Register, and now Lloyd's Register Foundation, has supplied three scholarships every year. As part of the IMLI students' annual field trip to London to visit maritime organisations like the IMO, the International Chamber of Shipping, The IOPC Funds Headquarters and Lloyd's of London, it has become a popular tradition to visit Lloyd's Register's historic Headquarters on Fenchurch Street for a lecture and a reception, affording the opportunity to meet Professor Richard Clegg, the Chief Executive of Lloyd's Register Foundation, and his colleagues.

Lloyd's Register is an international ship classification society and is also a Recognised Organisation, acting as surveyor, assessor and auditor for very many national maritime administrations of flag States that are themselves Member States of the IMO. As such, Lloyd's Register and Lloyd's Register Foundation appreciate the importance of training and equipping young maritime lawyers to help their respective national maritime administrations translate IMO conventions and treaties into national legal



legislation and to help with their consistent enforcement. Lloyd's Register Foundation knows that it is vital to the effective regulation of national and international shipping for IMO treaties and conventions to be implemented clearly and consistently via national laws of individual flag States. This makes the world a safer place.

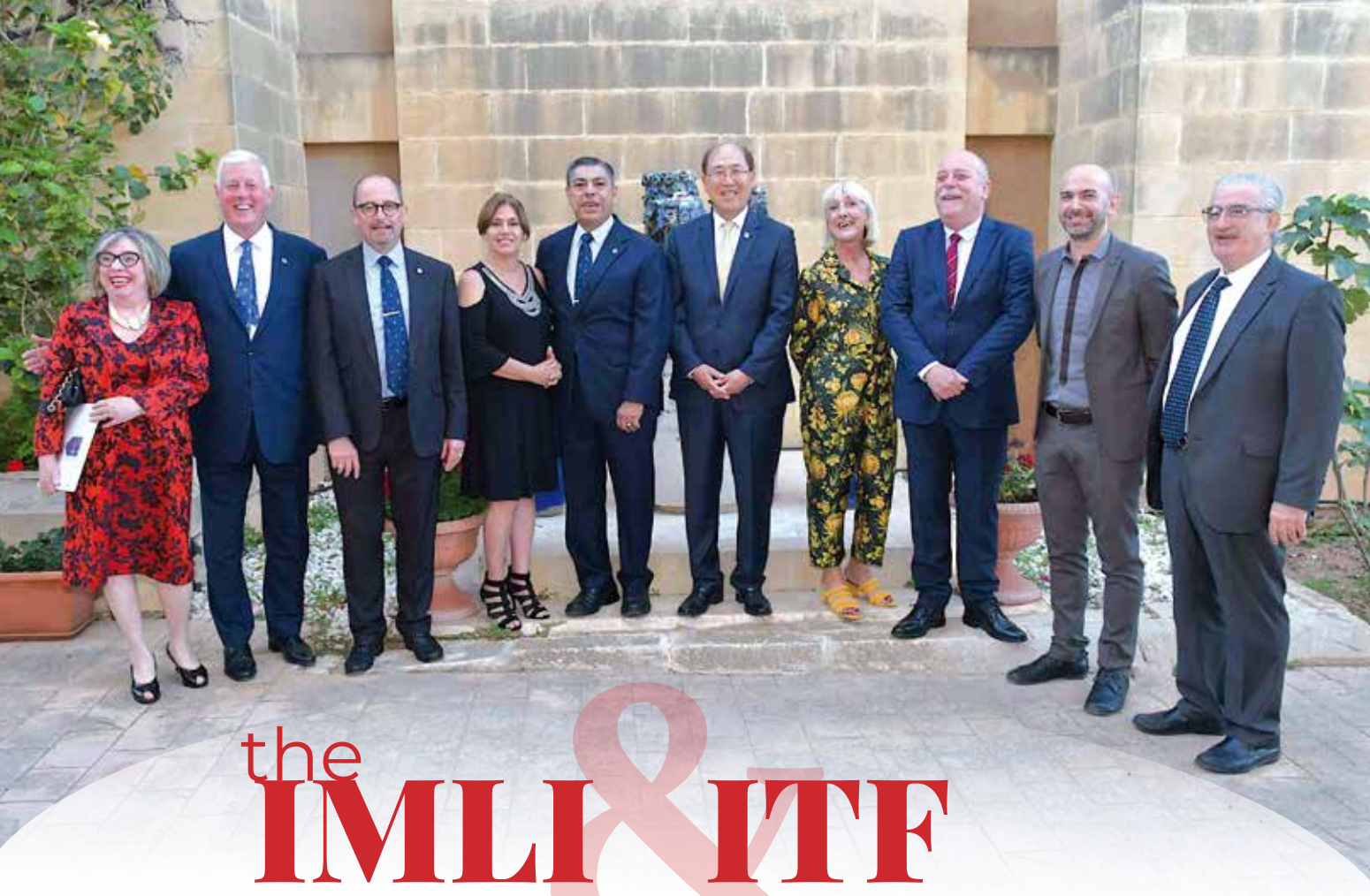
Indeed, IMLI is establishing a formidable network of professionals who are rendering valuable services to our society. Lloyd's Register Foundation is continually impressed by the roles and influence of IMLI graduates – from registrar generals to chiefs of naval departments, and from ministerial positions to IMLI staff. We are honored to maintain relationships with the IMLI graduates that we have supported, and aim to strengthen those connections through our developing alumni scheme. In the meantime, we are delighted that Aleksandra Bujković, recently admitted to the Bar Chamber of Montenegro, is one of Lloyd's Register Foundation's 100A1 Ambassadors.

As IMLI reaches its 30th Anniversary, we recognise this milestone as testimony to the hugely successful efforts of Professor Attard, the IMLI staff and its students towards safety, education and capacity-building. Lloyd's Register Foundation conveys its very warm congratulations to the Institute, and we look forward to developing our association with IMLI as we both strive to make the world a safer place.

A portrait of Professor Richard Clegg, a middle-aged man with a receding hairline, wearing glasses, a light purple shirt, and a dark suit jacket. He is gesturing with his hands as if speaking. The background is a plain, light grey.

Professor Richard Clegg

FOUNDATION CHIEF EXECUTIVE,
LLOYD'S REGISTER FOUNDATION



the IMLI & ITF Seafarers' Trust COLLABORATION

I am very pleased to have been invited to contribute to this publication which celebrates the 30th anniversary of IMLI. Although my personal relationship with IMLI is recent, I am pleased to record that the Institute and the ITF Seafarer's Trust have maintained links for nearly two decades.

The ITF Seafarer's Trust first supported IMLI in 2000 through the provision of two scholarships for students studying in the Institute's Master of Laws (LL.M.) programme in International Maritime Law for the academic year 2000-2001 and who hailed from Ghana and Solomon Islands. Indeed, thanks to the support of the Trust, Solomon Islands had the opportunity to have access to IMLI's training for the very first time. It will take 16 years before another lawyer from the Islands to benefit from the IMLI education. A further two students from Bulgaria and Georgia followed suit in the academic year 2001-2002, and a further two lawyers from Suriname and Uruguay were sponsored their studies in the academic year 2002-2003. Once again, the Trust facilitated the training for the first time of the lawyers from Suriname and Uruguay. After a hiatus of some five years, the Trust provided once again

support in the year 2007. This support was two-folded, namely scholarships for two students hailing from China and India, and support to build-up research facilities, including the IMLI Library. Alas, after that time, another decade had to lapse before collaboration re-emerged.

I was introduced to IMLI and its work, in 2017, by Professor David Attard. Together we discussed the possibility of re-establishing close links between IMLI and the Trust. Having discussed the work of the Institute with Mr. Branko Berlan (ITF Accredited Representative to the IMO) and the role IMLI plays in the dissemination of knowledge in international maritime law, including maritime labour law issues and the promotion of seafarers' rights around the globe, we decided that a close collaboration between our two institutions will contribute to the realization of the Trust's mission.

The ITF Seafarers' Trust is a UK charity which was established in 1981. It provides funding for programmes which advance the wellbeing of maritime workers, seafarers and their families irrespective of nationality, race or creed. The Trust aims to ensure that seafarers have access to legal protection, are adequately represented, render their

invaluable services in decent working conditions and remain connected to their loved ones and the organizations which advocate for their well-being on board and ashore. Since its establishment, the Trust has acted as a catalyst for positive change in the maritime community in prioritizing seafarers' health, communications and transport, as well as mitigating the effects of criminalization and piracy.

IMLI, on the other hand, is recognized as an international centre for the training of specialists in maritime law and for the development and dissemination of knowledge and expertise in international maritime law and the general law of the sea, with special reference to the international regulations and procedures for the safety, security and efficiency of shipping, the prevention of marine pollution from ships, and protection of life at sea – including the safeguarding of seafarers' rights. For some time, it was commonly acknowledged that some IMO Member States wished to enforce rules adopted by the Organization, but lacked the necessary human expertise to do so. To satisfy this need, the Institute provides suitably qualified candidates with the opportunity to undertake advanced training, study and research in international maritime law. Through its various programmes and courses, the Institute, for the last 30 years, has assisted Governments, particularly those of developing countries, to implement IMO treaties and other international legal instruments, including those relating to the human dimension in shipping.

Whereas the Trust provides timely and adequate assistance to the workforce which fuels an industry that contributes over 90 per cent to the world economy, the Institute provides the capacity-building necessary to enable

States across the globe to effectively, and in a meaningful manner, incorporate and implement international maritime conventions into national legislation, thereby providing the security and stability which is needed to protect the lives of men and women who daily earn their living from the oceans.

It is for these reasons, that the Trust pledged its support once again. The newly established relationship has successfully sponsored the studies of five bright young lawyers from China, Croatia, Egypt, Mexico, and Ukraine who are focusing on seafarers' issues and will be the best ambassadors of IMLI and the ITF Seafarers' Trust in their countries and international fora. Our collaboration builds on the belief that working together will indeed serve our seafarers who, in the words of the IMO Secretary-General, '...quietly, mostly unnoticed, keep the wheels of the world in motion'. We are happy to see that many of our sponsored delegates actively participating in IMO work.

As new challenges face the world's oceans and the seafarers whose indispensable role oftentimes is questioned, I would like to believe that our close collaboration will ensure that sound legislation and advice will always be available to the skilled men and women serving the maritime industry. And just like in 1988, when IMLI introduced a policy of gender equality to its admissions programmes, I encourage its alumni to advocate for gender equality in the noble profession of seafaring and the national and international legislation which regulates it.

On behalf of the ITF Seafarers' Trust, I wish IMLI success for many years to come.

Mr. Luca Tommasi

GRANT MANAGER, ITF SEAFARERS' TRUST



The United Nations Charter, in its Preamble, sets an objective: “to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained”. The World Maritime University (WMU) is honoured to work alongside the IMO International Maritime Law Institute (IMLI) in pursuing this objective.

From the start in 1945, one of the main priorities of the United Nations (UN) was to “achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion.”

Law of the Sea together with maritime law, by their very nature, have an international character. They are both profoundly specialized, and intensely important, aiming at preservation of international peace and security, promotion of international trade, and enhancement of sustainable development across the globe. Sustainable development – development that promotes prosperity and economic opportunity, greater social well-being, and protection of the environment – offers the best path forward for improving the lives of people everywhere. And the maritime/shipping sector is the essential and versatile tool for this.

Maritime transport is essential to the world’s economies because over 90% of the world’s trade volume is carried by sea and it is, by far, the most cost-effective and energy-effective way to move goods and raw materials around the world. Every country in the world depends on the movement of goods and raw material, and it is only a small proportion of these goods and materials that are not carried by sea at some point in their journeys.

WMU and IMLI play entirely complementary roles, and are interdependent in both their activities and their ambitions. Both institutions aim to help the Member States of the UN and of the International Maritime Organization (IMO) to achieve their missions by training experts from around the world to think and act internationally, and with a close attention to the UN’s Sustainable Development Goals.

Founded by the IMO in 1989, just six years after WMU, IMLI offers essential expertise in training lawyers from across the globe in the intricacies and demands of international maritime law. WMU and IMLI are sister institutions, and as such, we share indissoluble bonds as well as shared values. We have grown and developed together, and we are meeting the challenges of the rapidly developing world, where technological developments – such as autonomous shipping – test the limits of scientific knowledge, legislation and governance.

Both IMLI and WMU ensure that their academic work provides adequate assistance for Member States to introduce the necessary changes in support of the UN’s Sustainable Development Goals. This is a very distinctive aspect of both our focuses, and one that is a moral and a practical imperative, underpinning our activities and permeating our teaching and research.

This is exemplified by the joint M.Phil. programme in International Maritime Law and Ocean Policy. Its establishment was a great personal satisfaction to me, as an international lawyer who heads WMU. This innovative programme is made up of sequential study at IMLI and at WMU, and uses both institutions’ expertise to train professionals with legal background, immersed in the UN system’s goals, who can advocate for the policies and





the IMLI & WMU COLLABORATION

legislation to transform the world's oceans. It was born from the recognition that the ocean is under threat from human activities. These dangers arise in part from the lack of proper governance of the waters within and beyond the limits of national jurisdiction. Both institutions recognised the urgent need to examine and reconsider the current regime to seek secure, stable, safe and sustainable ocean governance for the 21st century. The programme had its first intake in 2017, and both institutions hope that it will continue to offer an attractive and very specialised option to member States, and one that cannot be found elsewhere.

The sisterly relationship between IMLI and WMU is, of course, emphasised by each institution's relationship with the IMO, our parent organization. From childhood, we are taught that a triangle is unparalleled in terms of strength, and this triangular relationship between IMO, IMLI and WMU is a source of great strength to each partner. The number of WMU and IMLI graduates who now work at

IMO or serve as members of national delegations is evidence of these unyielding bonds. There are also many other links in teaching and research between the three institutions, a relationship that is a matter of immense personal pleasure. Notably, the two institutions, with an initiative taken from IMO Technical Cooperation Division, offer as part of the LL.M. curriculum a Seminar for the formulation of a National Maritime Transport Policy, an indispensable skill for future policy makers.

I am confident that IMLI and WMU will undoubtedly continue to thrive in the years ahead, purely because of the accelerating need for knowledge in the field of international maritime law and governance in a fast-moving world. In fact, it is this global agenda that will instigate the creation of new synergies between the two academic institutions. I know that we will thrive and grow together, walking in step to face the challenges of tomorrow and serving the international maritime community to the highest level.

■ **Dr. Cleopatra Doumbia- Henry**
LL.B. LL.M., LL.M., Ph.D.

PRESIDENT, WORLD MARITIME UNIVERSITY



The *IMLI* & IFLOS COOPERATION

The International Foundation for the Law of the Sea (IFLOS) was founded in Hamburg in order to increase public awareness of the important work of the International Tribunal for the Law of the Sea (ITLOS). One of the main tasks of IFLOS is to strengthen the knowledge of law of the sea and maritime law internationally, in particular in less developed countries. In order to pursue this mission, IFLOS set up a project for a Summer Academy in the fields of International Law of the Sea and Maritime Law at the seat of ITLOS and the first session was launched in 2007. Following very positive feedback from faculty and participants alike, it soon turned into an annual event with 2019 already in planning. In 2017, the work of the Summer Academy was recognised with appreciation by the United Nations General Assembly and has so far been attended by 408 young academicians from 126 nations on all continents (2007 to 2018).

In October 2008, when the Summer Academy was still a fairly nascent project, a group of people from Hamburg including Professors Rainer Lagoni and Peter Ehlers (Members of the IFLOS Board of Trustees) as well as Mr. Tilo Wallrabenstein (Member, IFLOS Board of Directors) visited the IMO International Maritime Law Institute (IMLI) in Malta. By that time, IFLOS was already very well aware of IMLI's leading role in maritime law education and development. The small Hamburg delegation met IMLI's Director Professor David J. Attard and discussed, inter alia, the potential for cooperation between both institutions.

As a first step, Professor Attard accepted IFLOS' invitation to lecture at the Summer Academy's third session in 2009. In April 2011, Professor Doris König, by then Chair of the IFLOS Board of Directors, was invited as a visiting lecturer to IMLI, delivering a lecture to the IMLI

Master of Laws Class of 2010-2011. Doris' husband Joachim (Jo) König (Director, Summer Academy at IFLOS) was given the opportunity to present a short overview about the Summer Academy after her lecture. Following up on a renewed discussions for a closer cooperation during that visit, IFLOS sent a formal proposal to IMLI, suggesting the formation of an Institutional Partnership. This idea was further discussed in summer 2011, when Professor Attard returned as the Summer Academy's Faculty.

April 2013 saw Doris and Jo travelling to Malta again; after Doris' lecture (and Jo's speech about the Summer Academy) the formal Partnership Agreement was signed on IMLI's premises. Naturally, the IFLOS team was thrilled to be considered for cooperation by such a prestigious maritime institution as IMLI! But it was obvious that we would be and remain the junior partner in this relationship, hard pressed to give back what we received.

During the early years of the Summer Academy, there were always applications from IMLI graduates and one or two always attended the course. Following the Partnership Agreement, the number of applications increased considerably; in 2013 no less than seven IMLI graduates came to Hamburg. So far (until 2018), 42 IMLI graduates attended the Summer Academy, with a record of nine bright maritime professionals in 2017 and 2018 respectively - and the Foundation was happy with every one of them! Naturally, we expect more IMLI graduates applying and attending the Summer Academy in 2019 and the years to come.

After 2009 and since 2011, Professor Attard was a regular member of the Summer Academy Faculty. Further ties were established in 2014, when Professor Norman Martinez (then a Senior Lecturer) joined the Summer Academy Faculty and has remained there ever since.

Over time, the partnership started to work both ways. Although most of the Summer Academy participants already own a Master's degree as an admission prerequisite, several found their way to Malta to pursue their specialisation in maritime affairs, having learnt more about the IMLI programmes and academic teachers while in Hamburg. We will always remember the Graduation Ceremony of the IMLI Class of 2014-2015 when four of our Alumni received their Degrees. We were proud when Sabina Dolic, one of two IFLOS Alumni in the Class of 2017-2018 won the CMI Price for Best Overall Performance, when Barbara Ujlaki brought the flag of Luxembourg for the first time to Malta for the 2018-2019 jubilee session, and even more so when our joint Alumni Buba Bojang, Ángeles Jiménez García-Carriazo and Sabina Dolic returned to IMLI as Members of the Institute's resident faculty. We will always encourage young academics, IFLOS Alumni or other, to seize the great opportunities IMLI has to offer.

It is common occurrence that wherever young people meet in maritime circles - conferences, seminars or specialised courses - these days, they almost find classmates or other graduates from IMLI, IFLOS or both, demonstrating that establishing such networks is perhaps the most important contribution towards ocean governance, a goal both our institutions pursue. We have also observed that very many of these are serving their home countries, holding decision making positions and, thus, helping shape the maritime policies of their nations. More often than not, our Alumni keep connected to both our institutions and we are happy to follow their careers, see familiar faces on publications or even in the media and are proud of their further achievements.

We feel that not only IMLI's mission of SERVING THE RULE OF INTERNATIONAL MARITIME LAW and IFLOS' motto PROMOTING OCEAN GOVERNANCE AND THE PEACEFUL SETTLEMENT OF DISPUTES have very much in common, we also believe our cooperation to be a success story with increasing intensity. And by now it is also a story of mutual deep appreciation and growing friendship both on an academic and personal level. For IFLOS, it was a reason to celebrate when Professor Attard was elected as Judge of ITLOS in 2011 and the Tribunal's Vice President in October 2017.

These are only some highlights of our common history having little room for sharing lots of memories about exceptional events, happy get-togethers and some fun both in Malta and in Hamburg.

We wholeheartedly congratulate the Institute on this year's 30th anniversary and are honoured, proud and happy that we were allowed to share with and be part of some 10 years of its progress. May this partnership bloom for many years to come!



Mr. Joachim König
DIRECTOR, SUMMER ACADEMY AT IFLOS





IMLI ALUMNI WITH H.E. MR. KITACK LIM (IMO SECRETARY-GENERAL) AND PROFESSOR DAVID ATTARD AT THE IMO HEADQUARTERS



IMLI ALUMNI REPRESENTING THEIR COUNTRIES AT THE IMO LEGAL COMMITTEE



MR. JUVENAL J M SHIUNDU (ACTING DIRECTOR, IMO TECHNICAL COOPERATION DIVISION) WITH IMLI ALUMNI



**CONTRIBUTION
OF *IMLI* TO THE
PROFESSIONAL
DEVELOPMENT
OF ITS *ALUMNI***

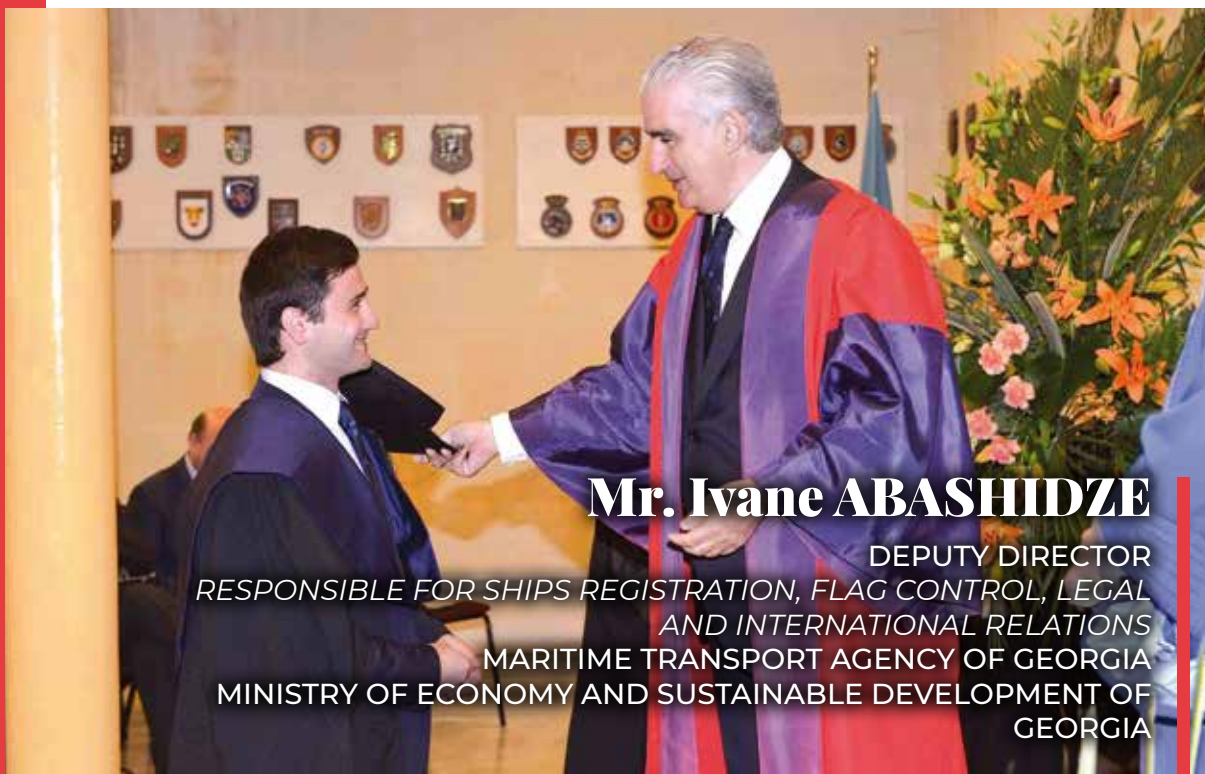


The modern international maritime community cannot be imagined without centers of maritime excellence such as the IMO International Maritime Law Institute. Educating international maritime lawyers is not an easy task, it requires passion, zeal and patience. IMLI was established as the centre of excellence where IMO member States could strengthen their needs for international maritime law lawyers, as well as law of the sea specialists. I was nominated by the Georgian Government for the Master of Laws programme for the 2013-2014 academic year. The timing of my nomination was special for my country as it had just started the reforms in the maritime transport sector and the development of maritime human expertise was needed in order to ensure a sustainable outcome of reforms.

It is a well-known fact that shipping worldwide strives for clarity in the rule-making process and uniformity in the application of such rules. Therefore, the original idea of the late IMO Secretary-General, Dr. CP Srivastava, to help Member States in accepting uniform standards for shipping served as the drive for the establishment of IMLI. Upon my graduation from the Master's programme, I returned to Georgia where I was promoted to the Head of Legal and International Relations Department of Maritime Transport Agency of Georgia and later promoted to the position of Deputy Director. I became a permanent

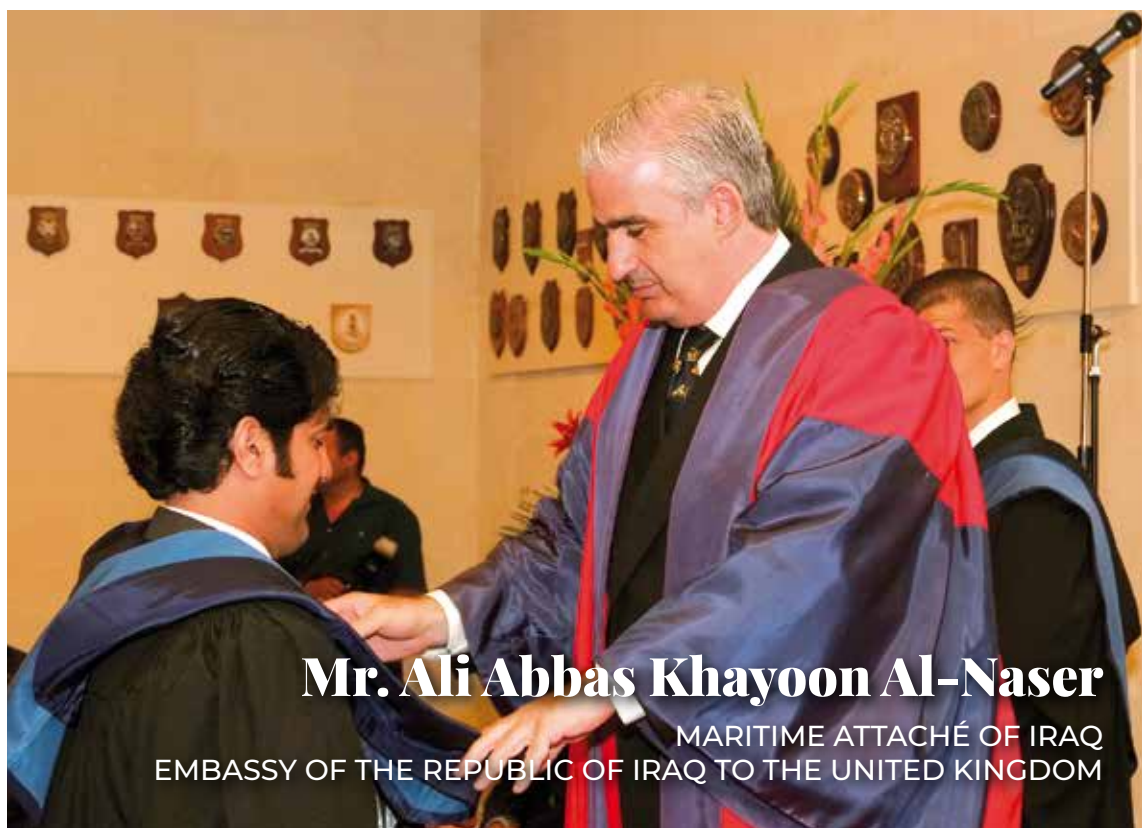
member of the Georgian delegation attending IMO meetings and working groups. I was in charge of reforming the Georgian Maritime Code incorporating all the necessary provisions which ensured uniform application of IMO treaties. I can humbly state that as a result of the reforms Georgia has undergone, it passed the IMO Member State Audit without major challenges. The Georgian maritime rule making process is positively influenced by the IMLI training and the results are paying off, especially by employing already two IMLI graduates at the maritime administration, with an expected third arrival in 2019.

IMLI definitely carries out an important task and is achieving outstanding results which would not have been possible without the generous support of the Maltese Government, The Nippon Foundation and other donors. The exceptional leadership skills of Professor David Attard have also made it possible for IMLI to become recognized worldwide as a center of maritime excellence.



Mr. Ivane ABASHIDZE

DEPUTY DIRECTOR
RESPONSIBLE FOR SHIPS REGISTRATION, FLAG CONTROL, LEGAL
AND INTERNATIONAL RELATIONS
MARITIME TRANSPORT AGENCY OF GEORGIA
MINISTRY OF ECONOMY AND SUSTAINABLE DEVELOPMENT OF
GEORGIA



Mr. Ali Abbas Khayoon Al-Naser

MARITIME ATTACHÉ OF IRAQ
EMBASSY OF THE REPUBLIC OF IRAQ TO THE UNITED KINGDOM

The Master of Laws (LL.M.), I obtained from the IMO International Maritime Law Institute (IMLI) in 2006, played a fundamental role in my legal career. It was one of my important credits to be appointed as the only Maritime Attaché of Iraq in the Embassy of the Republic of Iraq in London. Therefore, I feel that I am a testament to the real impact of IMLI's education in becoming the link between my home country and IMO. I have had the honor to represent my home country to IMO meetings and activities as a Maritime Attaché since 2017. I have succeeded so far to reconnect Iraq to IMO after many years of absence.

One of the unique features of the IMLI programme is its comprehensive approach to international maritime law that includes both law of the sea and shipping law. Therefore, the legal education and knowledge I received from IMLI served as a foundation for my legal knowledge and specialization in maritime law. Moreover, the IMLI degree paved the way to me for further educational achievements like obtaining the U.S. Humphrey Fellowship Certificate in Law signed personally by the U.S. former President Barack Obama in 2013, a second Master in Law from Washington College of Law/American University in U.S.A., and many other specialized certificates in law, legal English and leadership. Furthermore, I am now in the last year of my Ph.D. studies in maritime law at the World Maritime University (WMU) in Sweden.

The IMLI experience was rich in respect of meeting students and people from around the world with different backgrounds which turned into wonderful friendships that I highly appreciate and keep till now. This experience helped me to live in many countries and dealing with different cultures. Finally, one has to give credit to the esteemed leadership of Professor Attard, who plays a key role in the success of IMLI.





I am delighted to have been asked to contribute to a publication celebrating the success story of the IMO International Maritime Law Institute thirty years down the line.

I was in the first LL.M. class at IMLI and I still cherish to date the wonderful experience of studying international maritime law at such an international august and reputable institution. IMLI is indeed a truly international institution. Both its academic staff and students hail from practically all over the world. This helped a young student, as I was at that time, to mix with students hailing from different legal systems and to interact with them. It was not only a learning experience in so far as international maritime law was concerned but also a formative period of my life exposing me directly to the unknown world out there not only in terms of law but also in terms of cultures, customs, traditions, beliefs, and – why not – cuisine. IMLI contains the seed, and comprises the richness, of a microcosm of the international society of States. This makes studies at IMLI a unique and enviable experience.

In my working career I have been very much involved in statutory drafting and must admit that the theoretical grounding and practical knowledge I gained at IMLI in this specialised area of the law has



been put to good use during these thirty years since graduation. I still cherish the drafting project which I had drafted as well as the teaching aids which continue to date to assist and guide me in my statutory drafting. Undoubtedly, this programme is one of a kind as very few LL.M.s worldwide teach students how to draft laws apart from imparting knowledge in a particular branch of the law. After one year of studying both statutory drafting and legislative interpretation one gains also important insights into how to interpret legislation. Thank you IMLI. *Ad multos annos!*

Professor Kevin Aquilina

DEAN, FACULTY OF LAWS, UNIVERSITY OF MALTA





Ambassador Gilberto G.B. Asuque

SENIOR DIPLOMAT, THE PHILIPPINE DEPARTMENT OF FOREIGN AFFAIRS
FORMER PERMANENT REPRESENTATIVE TO IMO
AND DEPUTY CHIEF OF MISSION

The IMO is the United Nations global standard-setting authority for the safety, security and environmental performance of international shipping. The IMO Member States create the regulatory framework for the shipping industry that is fair and effective, universally adopted and universally implemented.

In the exercise of its sovereign powers, the Philippine Government implements the IMO conventions/treaties, resolutions and regulations through national laws and procedures which are developed, crafted and given legal effect by legislators assisted by maritime law experts. IMLI provides that vital link for the training and continuing education of Filipino experts who shape the country's maritime policy, structure and administration.

I am an IMLI graduate of 2004 and my LL.M. has enabled me to assist in the development of the maritime policy, legislation and administration of shipping and other maritime related issues of the Philippines, the second largest archipelagic State. The IMO's ITCP gave me the opportunity, through a scholarship in IMLI, to develop my knowledge and gain valuable experience in shipping and maritime law.

I consider IMLI and the ITCP are effective enablers of human resources and expertise for the Philippines and other maritime nations to operate safe, efficient, compliant and environment-friendly shipping and related maritime industries.

I am a senior diplomat in the Philippine Department of Foreign Affairs (DFA) and my career focus in the Foreign Service gave me the direction towards helping the government develop and implement the maritime aspects of Philippine foreign policy especially on Filipino seafarers and flag administration. And in the course of my work in government, I served as the Permanent Representative of the Philippines to the IMO (2016-2018), and as Deputy and Alternate Permanent Representative as well as DFA Assistant Secretary for Maritime and Ocean Concerns in the prior years.

The Philippine Government and I greatly appreciate the work of IMLI and the ITCP in the training of maritime law experts as the country faces the global challenges in shipping and the environment.





I read for my Ph.D. in International Maritime Law with IMLI on Harmonizing Fragmented International Regimes for the Conservation of Living Marine Resources. It was a formidable experience, as I was involved in top notch research under the academic excellence of my supervisor, the late Professor WT Burke a legendary figure in maritime law due to his seminal work *A Public Order of Oceans*, which he co-authored with M.S. Mc Dougal. My research was eventually published as a book entitled *Conservation on the High Seas* by Edward Elgar publications under New Horizons in International Environmental and Energy Law series.

The prestigious reputation that a Ph.D. from IMLI carries with it, led to numerous opportunities for developing my legal expertise and scholarship in regard of the relationship between maritime law and other branches of international law, especially its application and integration into the international law for the conservation of marine natural resources and the oceans as a habitat. The Ph.D. also paved the way for authorship and participation in study/research programmes with various universities in Europe and beyond, as well as in providing legal advice at the national and pan-European governmental level. Due to various initiatives undertaken by IMLI, research opportunities have also taken me to focus my attention on the legal basis for regulating the relationship between climate change and the ocean under international law.

The relevance of my research undertaken with IMLI becomes more pertinent as the international community negotiates a new Implementation Agreement under 1982 UNCLOS on Biological Diversity Beyond National Jurisdiction. Various Summits and multilateral fora are presently delving into the relationship between marine biodiversity, climate change and the ocean, especially within the context of the Sustainable Development Goals. Thanks to IMLI's seminar series I have been able to impart the findings of my research to IMLI academics, guest speakers and students in this uncharted territory of international maritime law.

Professor Simone Borg

MALTA AMBASSADOR ON CLIMATE CHANGE / CHAIR INSTITUTE
FOR CLIMATE CHANGE AND SUSTAINABLE DEVELOPMENT,
UNIVERSITY OF MALTA



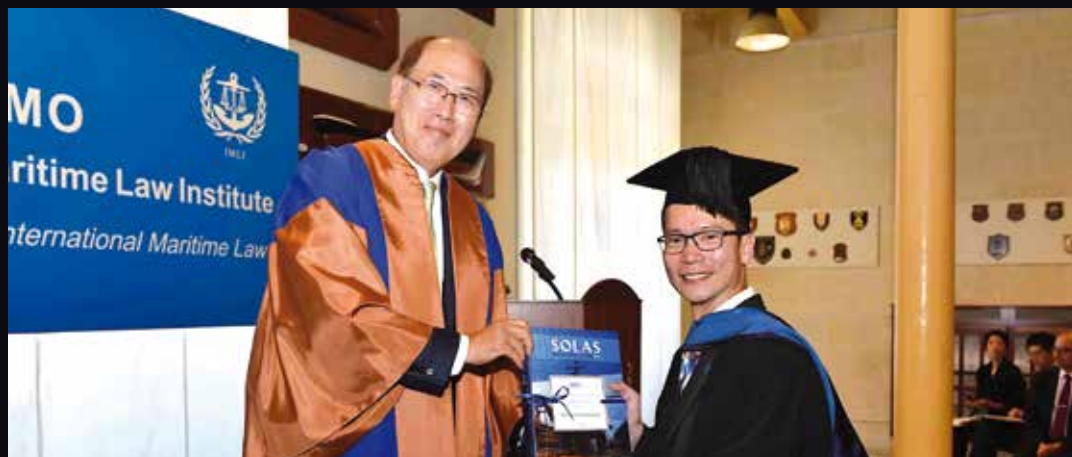
Mr. Watchara Chiemanukulkit

MARITIME ATTACHÉ/MINISTER COUNSELLOR (MARITIME),
ROYAL THAI EMBASSY TO THE UNITED KINGDOM

The path that brought me to associate with maritime law was so blur and depended very much on faith. In other words, at the beginning of my career, I never thought that I would become a maritime lawyer. I first joined the Government as a ship surveyor who worked on ship inspections to verify whether ships complied with national and international standards. This duty was just a part of my many tasks, but, at that time, I had no idea about the relation or the difference between national and international regulations.

The expression “learning by doing” is the best explanation of my then working experience. Even though I was a Technical Officer in the Maritime Administration, I could not avoid, in any way, to associate with the legislative drafting process for the implementation of IMO instruments. After years in service, I realized that I needed to develop my legal expertise in a proper way so that I can make a meaningful contribution. Thus, I acquired a Bachelor’s Degree in Law. And yet, I realized that it was not enough to be a specialist in developing maritime legislation. Many questions still kept arising and I did not know where to find the answer. So, I joined IMLI to find the answers.

While studying at IMLI, the intellectual fulfillment happened all the time because I got the answers to the many questions in my head. Moreover, my “learning by doing” approach at the Institute became more effective and more objective. This is the best step I ever took in the last 20 years for it helped me building a strong foundation for my career and my life. It made my experience worth, and has enabled me to take the next professional steps with confidence.





Lt. Paula Grillo

HEAD OF INTERNATIONAL RULES AND REGULATIONS,
PREFECTURA NAVAL ARGENTINA

Many years have passed since I left the beautiful Mediterranean island where I spent eight months which were enough to make an imprint both in my heart and my professional life.

Hard work at IMLI resulted in a radical change in my professional career. After our graduation, I started working at the Navigation Regulations Department of the Prefectura Naval Argentina. One of the tasks of that Department is to implement IMO regulations concerning safety of navigation in domestic legislation. This position has allowed me to put into practice some of the knowledge acquired at IMLI and at the same time learn about the practical issues arising throughout the whole incorporation process.

In October 2017, I was appointed to deliver a Regional Workshop on Implementation of International Conventions into Domestic Legislation, an activity organized within the framework of IMO's Integrated Technical Cooperation Programme (ITCP). This was a challenge and at the same time an opportunity to help other legal officers and drafters with the process of implementation of IMO standards in their respective countries. The good results of such workshop in the Dominican Republic led to a similar activity, this time a National Seminar on the

Implementation of IMO Conventions, held at the Panama Maritime Authority in May 2018. Such an academic activity was helpful as it allowed me to have an exchange of experience with officers from other Maritime Authorities. It also made me realize the knowledge I had gained throughout the years, built on what I had acquired at IMLI.

IMLI training also allowed me to give sound opinions on the benefits of ratifying IMO instruments. In giving such opinions, my experience as a delegate at the IMO Legal Committee was also highly valuable. The possibility to attend the Committee's meetings was concomitant of being an IMLI graduate.

In a nutshell, my current position, the possibility of lecturing on implementation of IMO conventions, and attending the IMO Legal Committee are an outcome of my studies at IMLI, an experience I am proud of and highly recommend.



Sir Iakoba T. Italeli

GOVERNOR-GENERAL
TUVALU

It is an honour and privilege to be invited to make a contribution to the commemorative publication to celebrate IMLI's 30th anniversary. I was the first Tuvalu lawyer to pursue the IMLI LL.M. programme in Malta and I never regretted being so far away from my home and family for a year. That is because the hospitality and the respect that I received from the people of Malta and the staff of IMLI was so encouraging that really made my stay in Malta a memorable one.

Training at IMLI was beyond expectations and it opened a new world to a new government official who knew little about the intricacies of international maritime law and the real impact they may have on a country like Tuvalu. As Crown Counsel in the Office of the Attorney General in Tuvalu I had been more involved in policy issues, drafting of legal opinions to Government Ministries and Departments. Hailing from a maritime nation relying on its already strained marine resources, it was very important for me to understand the concepts and principles of international law and international maritime law. How Tuvalu or nations subject to international customary law were the areas of my interest and made me explore more these concepts with the assistance of my lecturers and supervisor. To discharge efficiently a nation's obligation under international law is a challenge; not only, because of the complexity of negotiations and the ratification and accession process, but also due to the difficulties that sometimes arise as a result of the inadequate domestication of conventions. Training at IMLI therefore provided me with the essential tools a maritime lawyer must possess in order to address effectively and efficiently maritime international law related issues.



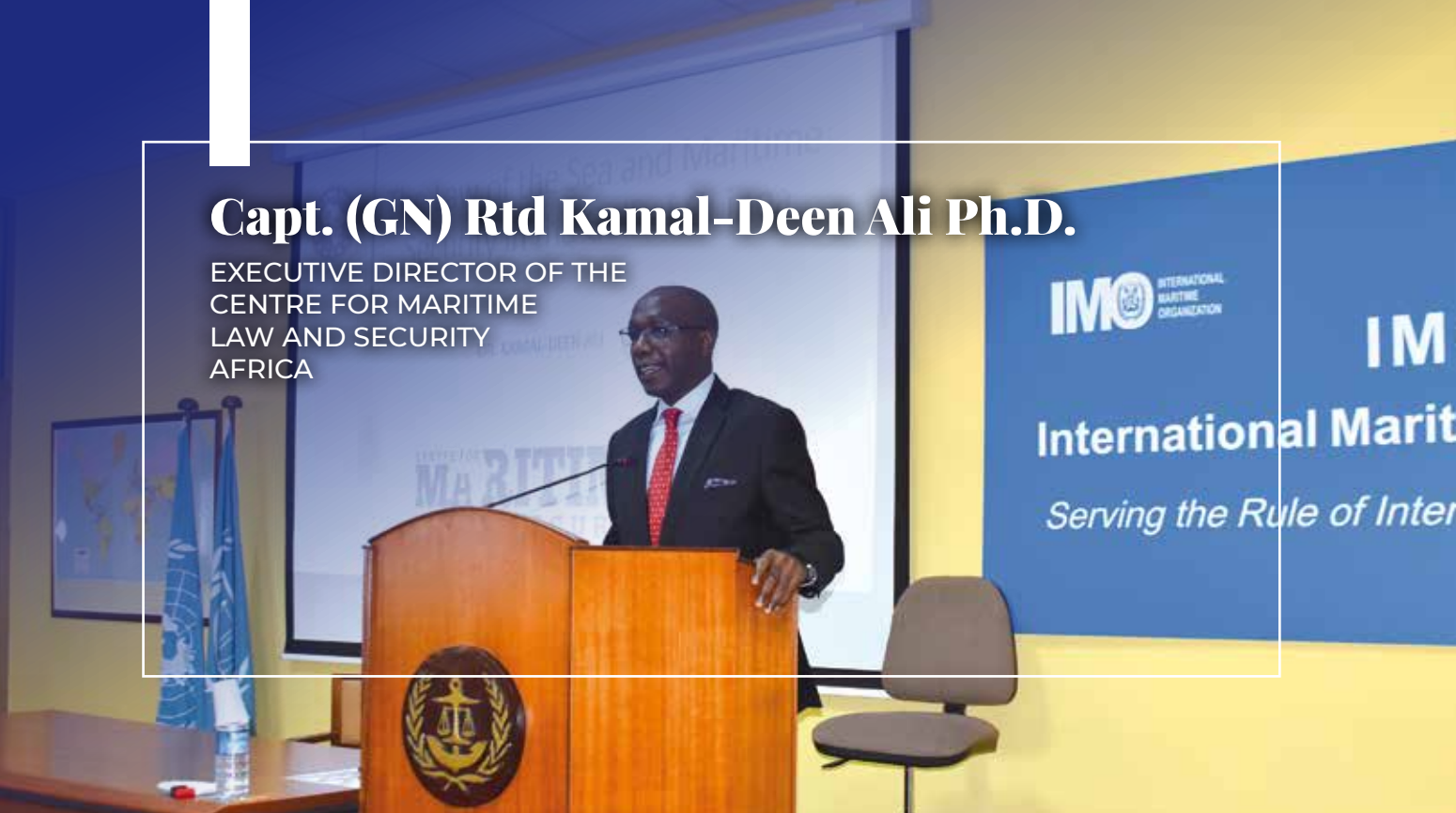
When I was appointed Attorney-General of Tuvalu, the knowledge that I had gained from my IMLI training assisted me greatly. It placed me in a good position to advise our maritime institutions like marine and ports services, maritime training institution, the fisheries department and police maritime sector. My IMLI training assisted me in negotiating fishing joint ventures, the delimitation of boundaries, and the drafting of maritime laws to comply with IMO conventions. The IMLI training truly develops the capacity of IMO Member States in the area of international maritime law. I am so grateful to be an alumni of IMLI, a renowned institution in the field of international maritime law.

I congratulate IMLI on its 30th anniversary, the Director, the staff and all those who had been involved in developing IMLI to its current status. To my fellow IMLI graduates, keep up the good work wherever you are and be proud of being a graduate of IMLI.

God Bless.

Capt. (GN) Rtd Kamal-Deen Ali Ph.D.

EXECUTIVE DIRECTOR OF THE
CENTRE FOR MARITIME
LAW AND SECURITY
AFRICA



The Master of Laws (LL.M.) programme at the IMO International Maritime Law Institute laid a strong foundation for my career. It was an essential catalyst for advancement in my professional journey as a lawyer in the Ghana Navy where I rose to the high rank of Naval Captain and the Legal Director of the Ghana Navy. I am now a consultant and a global expert in maritime law and security, having retired from the Ghana Navy after having served my country for 20 years.

I was awarded the IMLI prize for the Best Performance in Law of Sea and the depth of knowledge I acquired on the subject prepared me adequately to pursue a Ph.D. in the field. My work was expanded into the book *Maritime Security Cooperation in the Gulf of Guinea: Prospects and Challenges* (Brill Nijhoff: Boston, London, 2015), rated as cutting-edge contribution to knowledge and research in maritime studies.

Being an outstanding and proud product of the Institute, my legal and maritime practice have been characterised by an extensive involvement in policy shaping and capacity-building across the African continent. I have contributed to many global initiatives, including programmes of the IMO, United Nations Office on Drugs and Crime (UNODC),

United Nations Economic Commission on Africa (UNECA), Carter Centre and the US Africa Centre for Strategic Studies, Washington DC. I have been able to impart the knowledge acquired, as a visiting lecturer, to students of many institutions including IMLI and the Nelson Mandela University, South Africa, and have served as an external examiner of the World Maritime University, Sweden.

With my training at IMLI as a major stepping stone, I founded the Centre for Maritime Law and Security Africa (CEMLAWS Africa), an NGO aimed at enhancing ocean governance and maritime security in Africa. Since its inception in 2014, the Centre has contributed immensely to promoting effective national, regional and international responses to maritime security concerns and has gained the spotlight as a leading centre of excellence in maritime law and security.





Throughout the 60 years of the IMO's existence, the Organization has developed more than 50 international treaties that provide a comprehensive legal framework for safe and secure shipping on clean oceans. The responsibility for ensuring that those treaties are effective lies with the States who have agreed to be bound by the terms of those treaties. It is up to those States to enact appropriate domestic legislation to reflect the provisions of the treaties and to provide a mechanism for their enforcement.

For the past 30 years IMLI has played an instrumental role in the furtherance of these IMO goals by building legal capacity of States globally, primarily in developing countries. Today, IMLI is the leading international

maritime law education centre which steadily trains legal professionals who occupy high positions in their respective administrations and in the maritime industry.

My adventure with IMLI started when I first came to the IMO Legal Committee as a delegate representing the Polish Ministry of Transport. Through talking to other delegates and to staff members of the IMO Secretariat, I learned about the Institute and, being a maritime lawyer, I started exploring options to pursue my further studies at the Institute. A couple of months later I packed my suitcase and headed to the beautiful island of Malta where I spent one of the most amazing times of my life.

As it does for many others, for me the Institute represents the centre of excellence in maritime training. Professor David Attard and his staff, together with the visiting professors, make sure that the lectures are of the highest quality, meaningful, interesting and informative. What makes IMLI very special for students is that it provides an opportunity to be exposed to a truly international environment. What made it special for me was the people whom I met at the Institute. Some of them now come to IMO as delegates and I am able to see them regularly. The others, with whom I lost contact, will always be close to my heart.

After I graduated from IMLI, I returned to the Polish Government and soon after I was promoted to the position of Legal Counsel to the Minister in charge of maritime affairs. I continued to come to IMO as a delegate and some years later I got a job in the Legal Affairs Office of the Organization.

Today, as the Deputy Director in the Legal Affairs and External Relations Division and the Head of the Legal Affairs Office of IMO, I come back to IMLI once a year to teach and to share my knowledge and experience with students. I congratulate IMLI on 30 years of a success story and I look forward to the next 30 years.



Dr. Dorota Lost-Sieminska

DEPUTY DIRECTOR / HEAD, IMO LEGAL AFFAIRS,
LEGAL AFFAIRS AND EXTERNAL RELATIONS DIVISION



Mr. Sipho J Mbatha

ALTERNATE PERMANENT REPRESENTATIVE OF SOUTH AFRICA TO IMO

My first encounter with the maritime and shipping fraternity was when I joined the Maritime Administration of South Africa as a Legal Officer. At that time, I had neither maritime nor shipping background. However, the exceptional education and training I attained from IMLI assisted in so many ways in developing my professional career in the maritime sector.

The LL.M. programme provided me with invaluable knowledge and expertise to comprehend and appreciate the global nature of maritime governance and facilitation of trade amongst nations. That knowledge provided a platform to advance my career in maritime affairs with diligence

and confidence. Furthermore, the programme taught me discipline, resilience and aptitude to execute my work with distinction. Such traits and accomplishments had put me on the pedestal of being acknowledged and recognised by different stakeholders including colleagues, peers, principals, parliamentarians, and the captains of the industry.

The discipline I acquired during my education and training at IMLI came with hard work and tenacity. The combination of those features led to my promotion on several occasions and in different capacities.

At IMLI, I was exposed to students, resident and visiting lecturers, and staff who came from different parts of the world with diverse social, economic and political backgrounds. That diversity taught me to embrace, respect and appreciate other cultures, beliefs and practices. The global cultural experience is valuable to my current portfolio as a Representative of South Africa to the IMO, because I have to deal with, and appreciate, delegates and representatives from all the corners of the globe.

Being an IMLI alumni exposed me to a vast and wider network. That network serves as a mechanism to facilitate cooperation with other Member States, particularly at the IMO level, as well as connecting me with global stakeholders and friends.

To be part of the IMLI family was an invaluable journey with life changing experiences which has left indelible memories in my mind.





My country, like many others, lacks expertise in ocean affairs for the absence of educational programmes or skill advancement opportunities. IMLI fills that gap by allowing States, especially developing ones, to train their legal advisers in all matters related to ocean affairs.

In my case, IMLI's LL.M. programme allowed me to have an overview of a wide array of issues – especially those related to shipping – which was not covered by previous exposure throughout my education.

IMLI gave me much more than a formal education. It also helped me to gain skills which have turned out to be incredibly useful, such as effective

networking. There is an emphasis at IMLI in exposing its students to high-level professionals in each practice area, as well as renowned figures of international law, authorities of different States and international organisations relevant to the oceans.

After IMLI, I returned to my country and served as the Legal Adviser of my Port Authority. That gave me the best possible chance to connect with technicians and political leaders of all the agencies that shared responsibilities related to Guatemala's maritime domain and maritime commercial activities.

I have served as Guatemala's representative to IMO for over six years, an experience which trained me in the dynamics of multilateralism and opened doors to further serve my country as a representative to many more fora, related or not to ocean affairs. In addition to that, and thanks to the recognition from my own Ministry and Government, I am also Guatemala's single designation under UNCLOS' Annexes V, VII & VIII, as Conciliator, Arbitrator and Expert in the Field of Navigation, including pollution from vessels and dumping. Building on such designations, I was later on appointed as Guatemala's only Member of the Permanent Court of Arbitration, and further as Co-representative and Counsel of Guatemala in the ICJ's proceedings related to the Request for an Advisory Opinion on the Separation of the Chagos Archipelago from Mauritius in 1965, allowing me to plead before the International Court of Justice in a matter that related to ocean affairs. I cannot imagine all these positive developments in my professional trajectory happening without undertaking IMLI's LL.M. programme over a decade ago, and I have no doubts there are many more satisfactions yet to arrive that will have a causal link with IMLI.



**Mr. Lester
Antonio Ortega
Lemus**

ALTERNATE PERMANENT
REPRESENTATIVE OF
GUATEMALA TO IMO



The IMLI advantage has been evident throughout my career, equipping me with the requisite knowledge to support my work in the development and implementation of international maritime instruments in the various capacities in which I have served the Government of Ghana.

I studied at IMLI during the 1999-2000 academic year. Upon my return to Ghana, I took up the position of Head of the Legal Unit of the Ghana Shippers' Council and joined the newly established Maritime Administration in 2007 as Head of the Legal Bureau. The IMLI training prepared me to contribute extensively to the development of maritime legislation in Ghana and in the field of Ghana's maritime boundaries and maritime security in the West Africa sub-region, among others.

I am proud to assert that the IMLI training has been fundamental to my effectiveness as the Alternate Permanent Representative of Ghana to the IMO, a position I have held since 2013. In fact, the IMLI experience has been instrumental in enhancing my ability to relate to and work constructively with representatives of other countries and

organisations in the various positions I have held at IMO and its affiliated international institutions. These positions have included acting as Chair of the Advisory Committee of the International Mobile Satellite Organisation (2014 – 2016), Chair of the Meeting of Contracting Parties of the London Convention & London Protocol (October 2017 to date), after having served as Vice-Chair from 2016 – 2017, and Member of the Governing Board of the World Maritime University from October 2018.

IMLI is unique in that it brings together legal personnel from across the globe to interact and study under one roof. The interaction develops a unique perspective of the law and the ability to see issues from the point of view of fellow students from around the world. Common challenges are soon identified, and possible solutions explored for the effective drafting and implementation of maritime law and policy. The international network and friendships developed at IMLI are valuable career assets that remain useful and productive beyond the time spent in Malta undertaking the programme.

Mrs. Azara Al-Hassan Prempeh

**CHAIR OF THE MEETING OF CONTRACTING PARTIES OF THE
LONDON CONVENTION & LONDON PROTOCOL**



I work for the Directorate General of Shipping which is the country's maritime administrator and is tasked to ensure the safety of life and ships at sea, prevention of marine pollution, promotion of maritime education and training in co-ordination with the International Maritime Organization (IMO), regulation of employment and welfare of seafarers, development of coastal shipping, examination and certification of merchant navy officers, as well as supervision and control of the allied offices under its administrative jurisdiction through Mercantile Marine Departments in different coastal regions.

The Directorate's vision is "To be recognized globally as a highly effective, efficient, responsible and progressive maritime administration." I am proud to say that as an IMLI Alumni I play my part to the achievement of this vision.

Thanks to the expertise acquired at IMLI I have managed to address the following matters very efficiently:-

Administration of the Merchant Shipping Act, 1958; Registration, survey, certification and licensing of vessels; Implementation of international conventions adopted by IMO and the International Labor Organization (ILO); Measures to ensure safety of life and ships at sea; Prevention of marine pollution from ships; Regulation of maritime training institutes; Examination and certification of seafarers; Promotion of welfare measures for seafarers; Marine casualty investigation; Port State control & flag State inspections of ships; Development of legislation, rules, circulars, guidelines concerning shipping; Representation in various IMO committees, etc.

In addition to above, I have attended many meetings, conferences related to international laws and maritime laws and delivered lectures at the Indian Maritime University on maritime laws and international laws.

All these would not have been made possible without the support of Lloyd's Register Foundation which enabled my studies at IMLI. The IMLI training not only enriched me as a person but has assisted me in effectively discharging my responsibilities in maritime law matters.





The IMO International Maritime Law Institute has been a significant formative element in inspiring my interest in all matters related to the law of the sea. Throughout my years at University of Malta, as an under-graduate law student, the Institute was a constant presence, inspiring my ideas for post-graduate study as well as providing a wealth of information in the numerous books and journals housed in its wonderful library. As a law student, this library opened my eyes to areas of international law that I hoped I could one day contribute to.

Following the completion of a Bachelor of Civil Law Degree at the University of Oxford, I returned to the academic career at the University of Malta and contemporaneously, began to pursue studies at the Institute's Ph.D. programme, under the supervision of Professor AV Lowe, Chichele Professor of International Law at the University of Oxford. Over the years that followed, my research into maritime migrant smuggling as a contemporary threat to maritime security opened doors

into the world of maritime security threats generally and also increased my interest in all matters related to the law of the sea, especially notions of maritime jurisdiction and the continuous dichotomy between State interests and State obligations. I was awarded the Ph.D. Degree from the Institute in 2009 with my book on the topic being published by Martinus Nijhoff the following year. In 2012, I was granted the opportunity to carry out post-doctoral research in the area of the Common Heritage of Mankind, after being awarded the Elisabeth Mann Borghese Fellowship.

My position as Associate Professor and Head of Department of International Law at the University of Malta is due in no small measure to IMLI and its influence. The Institute has shaped my research interests to date, focussing on issues related to the law of the sea, primarily, on the analysis of contemporary maritime threats and the human element of maritime security.

Professor Patricia Vella de Fremeaux

ASSOCIATE PROFESSOR AND HEAD OF THE DEPARTMENT OF
INTERNATIONAL LAW, UNIVERSITY OF MALTA

I enrolled at IMLI in 2004. At that time, we had just successfully passed into law the Domestic Shipping Development Act of 2004, a work which took us two years to draft and shepherd through the Philippine Congress. Before leaving for IMLI, I was Head of the Domestic Ship Owners Association, pushing their position with the government for regulatory reform. Unlike most of my classmates, I came to IMLI as a self-funded student without support from a government machinery or network.

The decision to enroll at IMLI came after scrutinizing the curriculum and the aims of the Institute. I wanted to learn more about legislation drafting. IMO was not a reality which domestic ship owners have had to deal with and its conventions were not topmost in my mind when I considered my choice of school. What was real, and thus more pressing to me when I chose IMLI, and later as I went through the classes, studied the lessons and prepared my legislation drafting project and my dissertation, was the need to have standards that would make the Philippine shipping industry globally competitive.

My IMLI education introduced to me a new world view where standards were provided, followed and continually progressed. The lessons learned not only introduced me to the IMO conventions, but showed me the need for a three-tiered approach when creating a regulatory framework for shipping - prevention, mitigation and compensation. The training introduced me to the framework of the UNCLOS and the basic principles upon which all maritime law is based - the bible of the maritime industry, in a manner of speaking, which I keep going back to when in need of basis for any new regulation. IMLI taught me the relationship between international law and the importance of putting into domestic law all the provisions of international conventions to ensure binding effect of these regulations at domestic level and allow for uniformity of application, implementation and enforcement.

All these lessons I have carried through the years after IMLI - in the courses I have taught at the local universities and the year I taught at IMLI, later as advocate for the private sector after rejoining them upon my return from my teaching stint at IMLI, and now as IMO Regional Coordinator for East Asia as we undertake our technical cooperation activities to build the capacity of States in effectively implementing and enforcing international maritime conventions.



Ms. Josephine Uranza

IMO REGIONAL COORDINATOR
EAST ASIA
IMO TECHNICAL COOPERATION DIVISION





30 YEARS OF CAPACITY *BUILDING*

• 1989 - 1990 •

LL.M.: Mr. N.G. Amaratunga (Sri Lanka), Mr. J.F. Amoa (Samoa), Dr. K. I. Aquilina (Malta), Mr. J. Athanasius (Seychelles), Ms. I. Barrancos Domingo (Panama), Mr. G.G. Cabanez (the Philippines), Mr. K.J. Chilundu Kondowe (Malawi), Mr. E. Daniel (Ethiopia), Ms. N. Ejemai Nwandu (Nigeria), Dr. G. Griscti (Malta), Mr. A.B.M.R. Karim (Bangladesh), Ms. K. Mahmud (Malaysia), Ms. G.H. Royer (Dominica), Mr. H.I.J. Williams (Trinidad & Tobago), Ms. C. Wong Pui Ming (China-Hong Kong), Mr. W.A. Yamuna (Papua New Guinea), Mr. M. Yar Lak (Pakistan), Mr. Y.Z.A. Zainal (Bahrain)

• 1990 - 1991 •

LL.M.: Mr. S.S. Abdenour (Algeria), Ms. F.B. Bensouda (Gambia), Mr. C.I. Hanung (Indonesia), Ms. P.C.L. Dedji (Benin), Mr. G.M.A. Dulu (Kenya), Mr. H.M. Essayas (Ethiopia), Mr. R. Fernandez Velasco (Cuba), Mr. M. Habonimana (Burundi), Mr. K. John (Dominica), Ms. R. Khurram (Pakistan), Mr. A.L. Maluza (Malawi), Mr. S.U. Maung Khin (Myanmar), Mr. E.K. Mbiah (Ghana), Mr. G.A. Orellana Portillo (Guatemala), Mr. H. Rajaei (Islamic Republic of Iran), Ms. M.E. Samaru Alonzo (Trinidad & Tobago), Dr. M. Scerri (Malta), Mr. M.H. Tran (Viet Nam), Mr. F. Villaroel Rodriguez (Venezuela), Ms. P.M. Wijemanne (Sri Lanka)

• 1991 - 1992 •

LL.M.: Ms. L.N. Asuagbor (Cameroon), Ms. M.B.T. Buang (Malaysia), Mr. A.K. Chepsiror (Kenya), Mr. A. Darvishi (Islamic Republic of Iran), Mr. J.R. Ejoku-Opolot (Uganda), Dr. M.D. Gauci (Malta), Mr. E.T. Kadiri (United Republic of Tanzania), Mr. K.M.G. Latu (Samoa), Dr. S. Micallef Stafrace (Malta), Mr. J.T. Mukundu (Zimbabwe), Ms. A.N. Ogo (Nigeria), Mr. P.A. Ratnayeke (Sri Lanka), Mr. G.H. Ruan Rodriguez (Colombia), Ms. L.N. Shapwa (Namibia), Mr. G.M. Zackios (Marshall Islands)





• 1992 - 1993 •

LL.M.: Mr. M.B. Abdullahi (Nigeria), Mr. D.K. Ameley (Ghana), Mr. V.B. Calag (the Philippines),
Dr. C. Chircop (Malta), Dr. R.F. D'Alessandro (Malta), Mr. R. Diop (Mauritania),
Mr. M.A.S. Elwaer (Libyan Arab Jamahiriya), Ms. J.P. Mallalieu (St. Kitts & Nevis), Mr. M. Mbaye (Senegal),
Mr. J.F. Mouthoud-Tchikaya (Congo), Mr. P.M. Mwidunda (United Republic of Tanzania),
Ms. M.S. Nidung (Papua New Guinea), Mr. O.O. Ojiji (Nigeria), Mr. J.W. Ojok (Uganda),
Mr. A. Rodriguez Pizarro (Colombia), Ms. R. Sri Lestari (Indonesia), Mr. A.A. Zafar (Pakistan)

• 1993 - 1994 •

LL.M.: Mr. A. Badpa (Islamic Republic of Iran), Ms. B. Hili (Malta), Ms. N. W. Karigithu (Kenya),
Mr. K. Keteca (Fiji), Ms. E.M. Manase (Zambia), Mr. M. Marong (Gambia), Mr. J.C. Mate (Mozambique),
Mr. A. Muizzu (Maldives), Ms. S.L.A. Rose (the Bahamas), Dr. J. Scerri Diacono (Malta),
Dr. C. Spiteri (Malta) Mr. H.S. Usman (Nigeria)

• 1994 - 1995 •

LL.M.: Mr. A. Ajibola (Nigeria), Mr. J. Alvarez Del Castillo (Mexico), Mr. Y.D. Asare (Ghana),
Mr. Y. Bature Bala (Nigeria), Mr. F. Carlton-Hanciles (Sierra Leone), Ms. M. Daryanani (India),
Mr. G.K.D. Dayaratne (Sri Lanka), Mr. O. Domingos (Mozambique), Ms. C.C. Eruchalu (Nigeria),
Ms. C.P. Herbert (Barbados), Dr. M. Mifsud (Malta), Mr. I.T. Mohamad (Palestine),
Mr. I.M. Nasir (Maldives), Mr. M.W. Ndung'u (Kenya), Mr. K.K.H.B. Nyirenda (Malawi),
Mr. A.D. Portimao (Mozambique), Ms. L. Racina Medin (Latvia), Mr. I. Radjabov (Azerbaijan),
Ms. M. Sakiti (Fiji), Dr. S. Schembri-Adami (Malta)

• 1995 - 1996 •

LL.M.: Mr. H.H.A. Al Farshouti (Saudi Arabia), Mr. A.A.M.A. Al-Sanosy (Saudi Arabia), Mr. C.G. Arias Lazarte (Peru), Ms. M.A. Charles (United States of America), Mr. J.P. Da Luz (Cape Verde), Dr. F. Depasquale (Malta), Mr. S.T. Fielakepa (*) (Tonga), Ms. C.M. Gatere (Kenya), Dr. G. Gauci (Malta), Mr. M.A.I. Khan (Bangladesh), Mr. J. Kinzonzolo (Congo), Mr. P. Markevics (Latvia), Ms. M.F. Mkandawire (Zambia), Ms. M.A.P. Ngowi (United Republic of Tanzania), Ms. I. Plankova (Latvia), Mr. A.M. Sani (Nigeria), Mr. S.A. Vongtau (Nigeria)
**(Formerly known as S.T. Aleamotu'a)*

• 1996 - 1997 •

LL.M.: Mr. H.G. Al-Besher (Saudi Arabia), Mr. M.K.E. Al-Burghash (Saudi Arabia), Mr. M.S.J. Al-Garni (Saudi Arabia), Mr. A.M. Al-Qahtani (Saudi Arabia), Mr. Y.A.R. Al-Zahrani (Saudi Arabia), Ms. I.D. Aboud Buddy (United Republic of Tanzania), Dr. R. Aquilina (Malta), Ms. J.R. Coindet (Honduras), Mr. S.E.A.M. Elrobatabi (the Sudan), Mr. A. Hamza (Maldives), Ms. Z.A. Horne (St. Vincent & The Grenadines), Ms. F.I.S. Kallon (Sierra Leone), Mr. U. Labutis (Lithuania), Ms. E. Marques Da Costa Mangureira (Angola), Mr. L.K. Mboge (The Gambia), Ms. K.A.N. McKoy (Jamaica), Mr. J.F. Moliere (Haiti), Dr. S. Muscat (Malta), Ms. M.B. Obi (Nigeria), Ms. N. Sboui (Tunisia), Ms. A.M. Tafida (Nigeria), Mr. G.J. Tshatumbu (Namibia), Mr. F.L.S.R. Tufuga (Samoa), Mr. A.M. Quinta (Angola), Dr. I. Vella (Malta)

• 1997 - 1998 •

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• 1998 - 1999 •

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• 1999 - 2000 •

LL.M.: Mr. M.N. Abdulkadir (Nigeria), Mr. M.M. Aliyu (Nigeria), Ms. A. Al-Hassan (Ghana), Mr. C. Andre (Seychelles), Ms. A. Andrijasic (Slovenia), Mr. S.J. Berry (Malta), Mr. A.J.B. Commodore (Dominica), Ms. M. De Olaguibel Dominguez (Mexico), Mr. P. Duarte Neto (Brazil), Ms. C. Falzon (Malta), Mr. Z.S. Goba (Côte d'Ivoire), Mr. A.S. Hassani (Comoros), Mr. E.D. Kabir (Nigeria), Ms. V. Kovacevic (Serbia), Ms. D. Lempicka (Poland), Mr. R.Y. Maceda (the Philippines), Ms. V. Putane (Latvia), Mr. A.H.P.N. Qasmi (Pakistan), Ms. V.R. Rambarath (Trinidad & Tobago), Mr. T. Ratsimisaraka (Madagascar), Ms. P. Raviniarisoa (Madagascar), Ms. E. Siradze (Georgia), Ms. S.R. Tagicaki Kubuabola (Fiji), Ms. G. Topsy (Mauritius), Ms. G.O.C. Uvere (Nigeria)

• 2000 - 2001 •

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Diploma in International Maritime Law: Mr. J.J. Quiroz Richards (Mexico)

• 2001 - 2002 •

LL.M.: Mr. O.M. Akhigbe (Nigeria), Mr. M.M. Bappa (Nigeria), Ms. K.V. Danailova (Bulgaria), Ms. K.M. De Almeida Machado (Angola), Ms. A. Dublin-Green (Nigeria), Mr. U.P. Egalahewa (Sri Lanka), Ms. G.S. Ekanem (Nigeria), Mr. S.M.A.H. Gardezi (Pakistan), Mr. A. Kamal-Deen (Ghana), Ms. G. Kisonaite (Lithuania), Mr. J.G.V. Kobba (Sierra Leone), Mr. S.A. Nasser Eddine (Comoros), Ms. M. Ogbuitepu (Nigeria), Ms. K. Panprasert (Thailand), Ms. L. Paresashvili (Georgia), Ms. F.S. Robinson Laporte (Seychelles), Mr. J.A. Royset (Norway), Mr. S.N.A. Quaye (Ghana), Dr. N. Scerri (Malta), Mr. S. Sirariyakul (Thailand), Dr. E.D. Vassallo (Malta), Dr. L. Zerafa (Malta)

• 2002 - 2003 •

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• 2003 - 2004 •

LL.M.: Mr. A.K. Abdulkadir (Nigeria), Mr. J.H. Acuña-Negroni (Venezuela), Mr. M.A.K. Al-Qahtani (Saudi Arabia), Mr. T. Arikawa (Japan), Mr. G.G.B. Asuque (the Philippines), Mr. E.Q. Caucau (Fiji), Ms. B.E. Chinery-Hesse (Ghana), Dr. G. Cutajar (Malta), Mr. M. Danesh Kamal (Islamic Republic of Iran), Dr. M. Depasquale (Malta), Dr. T. Filletti (Malta), Mr. G.J. Gilhuys (Guyana), Mr. T.Y. Giwa (Nigeria), Ms. C.M. Gutierrez Fons (Honduras), Mr. M.A. Hayat (Pakistan), Mr. S.B. Hong (Nigeria), Mr. R.M. Jilo (Kenya), Ms. S. Jullamon (Thailand), Mr. I. Karaman (Ukraine), Mr. M.A. Khan (Bangladesh), Mr. A. Kirio (Papua New Guinea), Ms. G. Li (China), Mr. J.B. Mallaba (United Republic of Tanzania), Ms. M. Pospíšil (Croatia), Mr. S.S. Razavi Khosrowshahi (Islamic Republic of Iran), Ms. C.C.G. Shapi (Zambia), Dr. S. Shaw (Malta), Mr. T.P.M. Sowa (Sierra Leone), Mr. A.Y. Wanka (Nigeria)

Diploma in International Maritime Law: Mr. R.A.H. Al-Mejmaj (Saudi Arabia)





• 2004 - 2005 •

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Diploma in International Maritime Law: Ms. M.M. Maw (Myanmar)

• 2005 - 2006 •

LL.M.: Mr. F.M. Abou Argoub (Libya), Ms. M. Agüero Colunga (Peru), Mr. M. Ajmal (Pakistan), Mr. A.A.K. Al-Naseri (Iraq), Ms. C. Andrade De Melo (Brazil), Mr. L.T.L. Ausan (the Philippines), Dr. A. Azzopardi (Malta), Mr. V. Bodaveli (Georgia), Mr. Y. Cai (China), Ms. R. Derkintyte (Lithuania), Mr. W. Dietz (Germany), Mr. V. Egejuru (Nigeria), Dr. L.J. Gauci (Malta), Ms. T. Gaydabrus (Ukraine), Ms. P.B. Grillo (Argentina), Mr. M.R.M. Hamza (Sri Lanka), Mr. A.M. Hussun (Kenya), Mr. K.H. Hwang (DPR Korea), Mr. C.U. Jang (DPR Korea), Ms. K.M. Kwan (Samoa), Ms. D. Lost-Sieminska (Poland), Dr. S. Lungaro (Malta), Dr. A. Muscat Azzopardi (Malta), Mr. E.O. Oji (Nigeria), Ms. E.L. Pocorni (Suriname), Mr. R.B. Reblora (the Philippines), Ms. K. Thandar Oo (Myanmar), Ms. A. Tuncer (Turkey), Ms. G. Vasquez Ruiz De Castilla (Peru), Ms. S. Vitzthum (Germany), Ms. X. Zheng (China)

Advanced Diploma: Capt. A. Mallia (Malta), Mr. J. Urbain Tah (Cameroon)

• 2006 - 2007 •

LL.M.: Ms. R. Abdul Wahhab (Maldives), Mr. B.M.M. Abu Rumman (Jordan), Mr. A. Al-Masri (Lebanon), Ms. A. Amoa (Samoa), Ms. P.G. Bajoga (Nigeria), Mr. Z. Bin Abu Bakar (Malaysia), Mr. G.A. Bouroncle Calixto (Peru), Mr. J.C. Cabrera Torelli (Argentina), Ms. M.L. Cayo da Cunha (Angola), Mr. R. Chol Ung (DPR Korea), Mr. I.M. Chonoko (Nigeria), Mr. A. Coelho Soares Ramos Da Cruz (Angola), Ms. M. Del Rocio Sara Repetto (Peru), Mr. A. Dirisu (Nigeria), Mr. S. Gabdullovich Kubashev (Kazakhstan), Mr. Q. Hai (China), Mr. R. Hyon Chol (DPR Korea), Ms. M.B. Jorge Calei (Angola), Ms. J. Kaktinieci (Latvia), Mr. F.M. Manoni (Marshall Islands), Mr. N.D. Maru (Kenya), Dr. R.V. Mifsud (Malta), Mr. M. Mohiuddin (Bangladesh), Ms. V.K. Najima (United Republic of Tanzania), Mr. S. Onder (Turkey), Mr. V.M. Peixoto (Brazil), Ms. L.E. Rivera Carbajal (Honduras), Ms. N.M. Santos Rodrigues (Brazil), Dr. G. Spiteri (Malta), Ms. K. Thandar (Myanmar), Mr. V.T. Tran (Viet Nam), Mr. B. Tussi (Brazil), Ms. O.N. Ugwu (Nigeria), Dr. R. Vassallo (Malta), Ms. L.B.M. Villanueva (the Philippines)

Advanced Diploma: Mr. A. Alrowaie (Bahrain), Mr. J.T. Choh (Cameroon), Mr. P. Munaco (the United States of America)

• 2007 - 2008 •

LL.M.: Cdr. R.B. HJH Abdul Rahman (Malaysia), Mr. P.A. Agbaminoya (Nigeria), Ms. L. Alayet (Tunisia), Dr. C. Attard (Malta), Dr. M. Attard (Malta), Mr. M.S. Basaran (Turkey), Ms. E. Belja (Albania), Mr. S. Boudarene (Algeria), Ms. K.N. Dauletalyeva (Kazakhstan), Mr. L. Dele (China), Ms. D.A. Diarra Santos (Angola), Ms. R.U. Egbuche (Nigeria), Mr. J. George (Liberia), Ms. K.S. Hansford (the Russian Federation), Mr. K. Ichimaru (Japan), Mr. T.H. Idris (Nigeria), Ms. A.M. James (St. Vincent & The Grenadines), Mr. A. Kumar (India), Cdr. F.C.L.M. Laurent (France), Mr. S.R.D. Majali (Jordan), Mr. R.S.J. Mbatha (South Africa), Ms. D. Mokdad (Algeria), Mr. A.C. Ojha (India), Mr. L.A. Ortega Lemus (Guatemala), Ms. R. Prieto Llanos (Peru), Mr. D.V. Rabomizo (Ukraine), Ms. F.Z. Sadoun (Algeria), Dr. C. Sammut (Malta), Mr. A.N. Savranskiy (the Russian Federation), Mr. M. Sebentoute (Algeria), Ms. M. Thazinn (Myanmar), Ms. W. Wang (China)

Advanced Diploma: Mr. N. Hardie (the United States of America)

Diploma in International Maritime Law: Mr. T.A.A. Matai (Yemen)

Ph.D.: Dr. E. Batsara (Greece)

• 2008 - 2009 •

LL.M.: Ms. P. Acuña Chacon (Costa Rica), Mr. S.F.F. Alaiwah (Jordan), Mr. F.R.S. Al-Bdour (Jordan), Ms. K.R. Buffong-Roger (Dominica), Ms. P.A. Chimwaza (Malawi), Mr. K.S. Choi (DPR Korea), Dr. J. Curmi (Malta), Mr. S. Darse (India), Ms. A. De Campos Verissimo e Costa (Angola), Ms. V.B. Diogo De Paiva (Angola), Mr. I.A.I. El-Diwany (Egypt), Mr. J. Feng (China), Dr. A. Gili (Malta), Ms. B.A. Iyelolu (Nigeria), Ms. A.M. James-Andries (St. Kitts & Nevis), Mr. S.J. Jo (DPR Korea), Ms. L.N. King-Chibuzor (Nigeria), Cdr. R.J. Malafa Sadiq (Nigeria), Mr. F. Mammadov (Azerbaijan), Ms. R. Meirina (Indonesia), Ms. K.M.T. Nottage (the Bahamas), Ms. K. Pecek (Slovenia), Ms. J. Pelosi (Switzerland), Mr. Z. Pirveli (Georgia), Mr. U. Ramachandran (India), Mr. Y. Ramdane (Algeria), Ms. J. Rodica (Slovenia), Ms. S.A. Samanarayke Fernando (Sri Lanka), Ms. A.J. Shona (Nigeria), Ms. T.H.Y. Tran (Viet Nam), Lt. Cdr. S. Ur Rahman (Pakistan), Lt. Cdr. L.E.C. Valdez (the Philippines), Ms. A. Walton-Desir (Guyana), Ms. M.K. Williams (Nigeria), Ms. M.S. Wright (the Bahamas), Dr. M. Xerri (Malta)

Advanced Diploma: Lt. Colonel E. Mallia (Malta), Capt. E. Zahra (Malta)

Diploma in International Maritime Law: Mr. A. Titraoui (Algeria)

Ph.D.: Dr. P. Mallia (Malta)

• 2009 - 2010 •

LL.M.: Mr. S.O. Abubakre (Nigeria), M. Akawak (Ethiopia), Mr. R. Akbarov (Azerbaijan), Mr. O.A. Ali (Kenya), Ms. S.H. Anderson (the United States of America), Ms. J. Anees (Maldives), Dr. A. Attard (Malta), Ms. S.Z. Bakardzhieva (Bulgaria), Mr. S.A. Balance (Nigeria), Lt. I. Barreiro Cabrera (Uruguay), Dr. A.M. Bugeja (Malta), Ms. M. Cable (St. Kitts & Nevis), Mr. K.V.P. De Abrew (Sri Lanka), Dr. F. Galea (Malta), Mr. I.L. Jallah (Liberia), Ms. M. Koçak (Turkey), Mr. J. Man Gun (DPR Korea), Ms. J.A.B. Mogtari (Ghana), Mr. E.J.A. Ndando (Angola), Mr. M.B. Nega (Eritrea), Ms. A.E. Nkpubre (Nigeria), Mr. K.I. Nwaohiri (Nigeria), Ms. A.M.O. Ombrasine (Mauritius), Ms. E. Rachleviciute (Lithuania), Ms. A. Reddy (India), Lt. M.C. Riesco Fuenzalida (Chile), Ms. G.M. Rodriguez Crespo (Dominican Republic), Mr. S.K. Syuki (Kenya), Ms. P.E. Talagi (Niue), Mr. K.K. Thazhathupurakkal (India), Ms. S.C.R. Tembe (Mozambique), Mr. M. Tokgöz (Turkey), Mr. A.J. Ucucho (Mozambique), Mr. S.H. Weldu (Eritrea), Mr. K.C. Yong (DPR Korea)

Advanced Diploma: Mr. E. Ganjaljev (Azerbaijan), Maj. C. O'Neill (Malta),

Cdr. S. Schenk (the United States of America)

Ph.D.: Dr. S. Borg (Malta), Dr. N.A. Martinez Gutierrez (Honduras)





• 2010 - 2011 •

LL.M.: Dr. G.A. Abad Neuner (Ecuador), Ms. A.O.S.M.A. Al-Gazzar (Egypt), Mr. L. Amena (Algeria), Ms. N. Aminath (Maldives), Mr. K. Arifuzzaman (Bangladesh), Ms. Z. Bakdache (Algeria), Mr. B. Bojang (Gambia), Dr. A.L. Bonello (Malta), Ms. I. Borissova Spassova (Bulgaria), Mr. J. Bugeja (Malta), Mr. X. Chen (China), Mr. D. Dolina (the Philippines), Ms. B.N. Ekanem (Nigeria), Mr. S.M.A. Erekosima (Nigeria), Ms. B. Ganbaatar (Mongolia), Mr. Y. Gu (China), Ms. A. Idris Yakubu (Nigeria), Mr. J.H. Jaimes Tellez (Mexico), Ms. N. Kimani (Kenya), Ms. P.T. Manarangi (Cook Islands), Mr. B.D. Mihretie (Ethiopia), Dr. A. Moran (Malta), Mr. S.O. Okello (Kenya), Ms. M. Sandar (Myanmar), Dr. N. Scicluna (Malta), Ms. A.M. Selemanni (United Republic of Tanzania), Mr. S. Selvakkunapalan (Sri Lanka), Mr. K.K. Simmons (Antigua & Barbuda), Mr. S. Singh (India), Mr. A.F. Tafangy (Madagascar), Ms. C.A. Tafua-Rivers (Samoa)

Advanced Diploma: Mr. C. E. Ntang (Cameroon)

Ph.D.: Dr. M. Grbec (Slovenia)

• 2011 - 2012 •

LL.M.: Ms. V.Y. Adigbo (Ghana), Mr. U. Akan (Nigeria), Ms. N.A. Akwei-Aryee (Ghana), Mr. D.A.R. Allen (Jamaica), Mr. W.J. Antonio (Angola), Mr. I.H. Anyiam (United Kingdom), Mr. O.B. Anyikwa (Nigeria), Mr. A. Behnezhad (Islamic Republic of Iran), Ms. D.G. Clarke Maycock (the Bahamas), Ms. V.H. Dewayani (Indonesia), Mr. R.M.S.L. Fung A Loi (Suriname), Mr. N.S. Gbaintor (Liberia), Mr. N.R. Gonzalez Corredor (Colombia), Mr. M. Iyas (Maldives), Ms. R.J.A. Jalloh (Sierra Leone), Ms. N.G. Kairaria (Kenya), Mr. A. Karchiomov (Lithuania), Mr. D. Kloettschen (Germany), Mr. C. Lakhdar (Algeria), Ms. T.K. Lambert (Grenada), Ms. A.A. Laoye (Nigeria), Ms. Z. Li (China), Mr. A.Y. Maikano (Nigeria), Mr. A.J. Martinez Salinas (Mexico), Ms. G. Nurmakhanova (Kazakhstan), Ms. R.W. Octaviana (Indonesia), Mr. A.H. Omar (Syria), Mr. R.D. Pancipane (the Philippines), Mr. A. Piralioglu (Turkey), Ms. E.A. Proano Jalil (Ecuador), Ms. O. Ptashenchuk (Ukraine), Ms. K. Qerraxhia (Albania), Dr. J. Rossi (Malta), Ms. M.A. Sesay (Sierra Leone), Dr. C. Spiteri (Malta), Mr. M. Taufan (Indonesia), Mr. N.J. Vasquez Schaer (Bolivia), Ms. N.N. Wahab (Ghana)

Advanced Diploma: Mr. P.M. Teles França Ferreira (Portugal), Capt. M. Mangion (Malta)

• 2012 - 2013 •

LL.M.: Mr. M.D. Adams (Nigeria), Mr. F.N.S. Al-Farsi (Oman), Ms. R.A.H. Al-Hakimi (Yemen), Ms. F. Al-Mustapha (Nigeria), Ms. E.R. Amidjogbe (the United States of America), Mr. R. Amin (Bangladesh), Dr. F.G. Attard (Malta), Ms. S.M. Betancourt Gonzalez (Colombia), Mr. W. Camacho Nogueira (Brazil), Ms. J.A. Chris-Abassah (Nigeria), Lt. Cdr. O.A. Ekokotu (Nigeria), Ms. N. Fahreen (Bangladesh), Mr. M.O. Iloegbunam (Nigeria), Mr. J. John (India), Mr. D.A. Karnuah II (Liberia), Ms. K.M. Kithikii (Kenya), Mr. B.L. Maphela (South Africa), Dr. D.V. Micallef (Malta), Mr. E.C. Okereke (Nigeria), Ms. I. Parlov (Croatia), Mr. P.K.A. Ranasinghe Jr. (Sri Lanka), Ms. C.M. Rodriguez Cuellar (Colombia), Mr. J.C. Rodin (Madagascar), Mr. T.I. Sagai (Nigeria), Ms. L.A. Shiferaw (Ethiopia), Ms. N.V. Sulit-Vergara (the Philippines), Dr. R.P. Tanti Dougal (Malta), Dr. D. Testa (Malta), Mr. J. Teymurov (Azerbaijan), Mr. B. Ünlü (Turkey), Mr. L.J. Usher (Belize), Ms. M.R. Vidal Varela (Spain), Mr. D. Vukasovic (Montenegro), Ms. A. Zeeniya (Maldives)

Advanced Diploma: Mr. N.I.M. Al-Shaikh (Bahrain), Mr. A.N. Al Hasan (Bahrain)

M.Jur.: Mr. I.K. Basaran (Turkey)

• 2013 - 2014 •

LL.M.: Mr. I. Abashidze (Georgia), Ms. H. Abdul Sattar (Maldives), Mr. H. Abou Zeid (Lebanon), Mr. R. Adjei-Frimpong (Ghana), Ms. T.T. Akpan (Nigeria), Ms. W.D.E. Almansurry (the Sudan), Ms. J.F.A.H. Andria-Manantena (Madagascar), S.K. Baffoe (Ghana), Mr. A. Barca Da Silva (Angola), Mr. Dr. E. Borg Rizzo (Malta), Ms. A.B. Carbajal Tito (Peru), Ms. P. De Castro Silveira (Portugal), Ms. A.I. Enaholo (Nigeria), Ms. R.I. Iteraera (Kiribati), Mr. A.I. Karunaratna (Sri Lanka), Mr. S. Kofe (Tuvalu), Ms. L. Ma (China), Ms. J.A. Madarang (the Philippines), Ms. C. Marzi (Antigua & Barbuda), Ms. T.N. McMillan (Trinidad & Tobago), Ms. L. Muthoni Ngugi (Kenya), Ms. N.M.H. Nasr (Egypt), Ms. G.T. Novak Fóes (Brazil), Ms. G.A. Nyadia (Ghana), Mr. O.O. Olabanji (Nigeria), Cdr. C.M. Pfeifer Rojas (Chile), Mr. A. Preye Pregarfi (Nigeria), Ms. T.T. Sade (Israel), Mr. D. Sihombing (Indonesia), Ms. M.H. Sitinjak (Indonesia), Ms. V.K. Stewart (Jamaica), Mr. D.E. Wilbert (Nigeria)

Advanced Diploma: Mr. S. Desmoulin, (France), Capt. S.S. Mutaz (Iraq), Capt. E. Scicluna (Malta), Capt. A.S. Williams (Canada), Lt. Cdr. W. Woityra (the United States of America)

• 2014 - 2015 •

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of Malta, hereby Regulating the
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Research Project: An Assessment
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Drafting Project: Ghana Shipping
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Drafting Project: An Act to Incorporate the Convention for the Suppression on Unlawful Acts against the Safety of Maritime Navigation (SUA Convention 2005) and the Protocol for the Suppression on Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf, 2005 (SUA Protocol 2005) into the Laws of Guyana and to Provide for the Effective Implementation Thereof

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Drafting Project: A Law to Incorporate the Convention for the Suppression on Unlawful Acts against the Safety of Maritime Navigation (SUA Convention 2005) and the Protocol for the Suppression on Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf, 2005 (SUA Protocol 2005) into the Laws of

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Drafting Project: A Law to Incorporate the Convention for the Suppression on Unlawful Acts against the Safety of Maritime Navigation (SUA Convention 2005) and the Protocol for the Suppression on Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf, 2005 (SUA Protocol 2005) into the Laws of Madagascar and to Provide for the Effective Implementation Thereof

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Drafting Project: A Decree to Implement the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004 into the Laws of Madagascar

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Drafting Project: Prevention of Pollution by Sewage from Ships Act

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Drafting Project: A Set of Subsidiary Legislation to Transpose Directive 2017/2110 of the European Parliament and of the Council of 15 November 2017 on a System of Inspections for the Safe Operation of Ro-Ro Passenger Ships and High-Speed Passenger Craft in Regular Service and Amending Directive 2009/16/EC and Repealing Council Directive 1999/35/EC into Maltese Law

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