



The IMO International Maritime Law Institute Official Electronic Newsletter

**“IMLI trains out first class maritime lawyers”**  
**: Chairman of IMO’s Legal Committee**

Mr. Alfred Popp Q.C., Chairman of IMO’s Legal Committee, delivered during the month of March a set of lectures at IMLI.

In his lectures, Mr. Popp gave a general overview of the basic conventions developed by the IMO’s Legal Committee since its inception in 1968. Special emphasis was placed on international conventions dealing with marine environmental law. Mr. Popp chiefly dealt with civil liability for pollution damage and with the concept of tort in (maritime) civil liability conventions.

The chairman of the IMO Legal Committee pointed out that it has become obvious for some time that the international concern for the protection of the marine environment has been growing to such an extent that international rules in this area have moved from liability for negligence towards strict liability which is backed by a requirement of compulsory insurance.



*The Chairman of the IMO’s Legal Committee lecturing at IMLI*

Over the last 30 years, Mr. Popp has been largely involved in maritime law related matters. He is a Titulary Member of the CMI and he was appointed Queens Counsel in 1986. Since 1993 he has been held the position of the IMO's Legal Committee Chairman.

***Mr. Popp, which were the most important points discussed during your lectures at IMLI?***

My main point was that through the mechanism of the IMO Legal Committee some real concrete rules have been adopted in order to achieve the uniformity of maritime law. As an example I emphasized the international compensation system for oil pollution damage, which is regulated by the Civil Liability (CLC) and Fund Conventions (as amended). The compensation scheme set up by these conventions is probably one of the most successful liability and compensation scheme in existence, although, unfortunately, this is not widely known outside the maritime community.

It is important for IMLI students to get familiar with the agenda and methods of work of the IMO Legal Committee. Later they may well become actively involved in the work of the Committee as delegates from their countries.



***Mr. Alfred Popp (Chairman of the IMO's Legal Committee) with Prof. David Attard (Director IMLI) and the 2004/2005 IMLI Class.***

***What are the priorities in the work of the IMO Legal Committee ?***

At the present time, the top priority of the Committee is not focused on liability and compensation but on the proposed revision of the *International Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA) 1988*, with the aim of expanding the acts of terrorism that would fall within its scope. I would note that SUA is primarily a criminal law convention, it deals with terrorism, and this is an area where the Legal Committee does not normally have much experience. I would say, that it is a real challenge.

Another priority for the Legal Committee is the “*Fair treatment of Seafarers*” project, where the IMO has established an expert group together with the ILO. The idea is that this joint group will come out with a proposal. At this point in time it is not clear yet, whether this document will be adopted as a set of “guidelines” or as a binding international convention. Another important issue is the work being done by the Legal Committee on “*Places of refuge*”, where unfortunately we have quite mixed views among various States on how this matter should be resolved.

***Mr. Popp, what is in your opinion the role of IMLI in the international community ?***

I would say that it is of utmost importance to have trained lawyers, with a legal background in maritime law, in as many States as possible. This is necessary in order for Governments to understand and incorporate properly the provisions of international “maritime” conventions into national law.

IMLI is fulfilling a great role in this regard, as it turns out first class maritime lawyers. It is therefore responding to a very real need of many Governments.

I’ve been meeting many IMLI graduates during the sessions of the Legal and other IMO Committees, and so It seems that we are already reaping the fruits of our work at IMLI.

It has, however, been noted that some IMLI graduates, when back to their country of origin, are not employed on duties connected with maritime law, which is a real pity.

***How do you see the role of the Legal Committee (and of IMO) in the future ?***

The main function of the Legal Committee should be (as it is now), the preparation and adoption of “maritime” rules on various subjects where there is a real need to achieve international uniformity .

Regional approaches in the maritime sector should be countered, as they can undermine the uniformity of maritime law and furthermore it can fragment our (IMO) efforts. In the maritime field we need uniform rules.

***What are your general impressions about IMLI ?***

The IMLI course gives an extensive overview of maritime law, both public (*Law of the Sea*) and private (international) maritime law. If I would have the time I would personally attend the IMLI course, in order to fill certain gaps in my own knowledge. Living in such international environment must be an enriching experience.