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# IMLI<sup>e</sup>-News

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## *University of Washington Professor:*

*“IMLI offers a vital learning opportunity”*

Prof. **Craig H. Allen**, Judson Falknor Professor of Law (University of Washington in Seattle) recently lectured to the 17<sup>th</sup> generation of IMLI lawyers.

Professor Allen joined the University of Washington faculty in 1994, following his retirement from the United States Coast Guard. He is a licensed master mariner, a Fellow of the Nautical Institute and the Royal Institute of Navigation and an academic member of the U.S. Maritime Law Association.



*Prof. Craig H. Allen lecturing to the IMLI Class 2005/2006*

Professor Allen is the author of *Farwell's Rules of the Nautical Road* (Naval Institute Press, 2004) and a member of the board of editors of the *Ocean Development and International Law* journal. His teaching and research at the University of Washington focuses on international and maritime law.

***Prof. Allen, what were the highlights of your lectures at IMLI ?***

I tried to emphasize the role of international organizations and their growing importance in the process of progressive development of international law. The first lecture focused on the structure of the United Nations, its component organizations and their relationships. The second lecture focused on the IMO. Special emphasis was placed on the relationship between IMO standards and those contained in the United Nations Convention on the Law of the Sea (UNCLOS). I also explained in broad terms the *United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (UNICPOLOS)* and I suggested to the students that the UNICPOLOS documents might provide a rich source for their academic projects.

***You lectures were focused on the role of the international organizations. What is the role of the United Nations with regard the progressive development of international law ?***

The U.N. and in particular the International Law Commission continues to play an important role. However, the general trend has been that regional and specialized organizations are growing in importance and therefore in some areas the United Nations plays a smaller role. This is definitely not the case in the field of “Law of the Sea,” however, where the role of the United Nations and its annual UNICPOLOS process is still one of utmost importance.

***You are also a Professor of international and maritime (Admiralty) law at the University of Washington ? What are the latest development in the US Admiralty law ?***

“Admiralty” law is not a growth industry in the US. The decline in Admiralty work is due in large part to the fact that there are fewer marine casualties and pollution incidents—a tribute to the work of the IMO. Additionally, most bills of lading, charter parties and other standard maritime contracts in the US contain an arbitration clause – often a foreign arbitration clause -- and therefore Admiralty (court) “litigation” is declining to a certain extent. Another recent development is that Admiralty courts are increasingly reluctant to grant shipowners’ petitions to limit their liability. The claimant can, “break” the shipowners limits of liability if he proves (for example) that the latter did not comply with the safety procedure embodied in the ISM Code. We are also working to update and codify our shipping

laws in Title 46 of the U.S. Code, some sections of which were written more than 100 years ago.

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

I was overwhelmed with the quality and interest level of the students and the professionalism of the IMLI staff. IMLI offers a vital learning opportunity, as it teaches lawyers how to draft laws and how to incorporate the provisions of international conventions into national legal systems. Maritime standards will never be sufficient in themselves to achieve the goals of safe, secure and efficient maritime transportation. We must constantly work to improve compliance. I am a firm believer that compliance begins with education, and IMLI has been superbly filling that need since 1989.

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