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# IMLI e-News

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***Bureau Veritas Legal Adviser:***

***“The prestige of IMLI comes from the quality of its professors and students”***

Dr. Philippe Boisson delivered recently a set of lectures within the IMLI Course on the Law of Maritime Safety.

Dr. Boisson is one of the leading authorities in the field of Safety at Sea. His book “Safety at Sea, Policies and International Law”, published in 1999, was highly welcomed by the maritime community as it came to fill a large gap in the this area. It earned also the author the Albert Lilar Prize, which is awarded every three years to the best publication in maritime law worldwide.



*Dr. Philippe Boisson, lecturing to the 17<sup>th</sup> generation of IMLI lawyers.*

Dr. Boisson has been a visiting lecturer at IMLI since 1993 and is a member of the IMLI Governing Board. He has been for many years largely involved in the maritime field, being a Titulary Member of the CMI, and occupying high standing posts as Communication Director and Legal Adviser of the Bureau Veritas Marine Division. He is also Vice-President of the French Maritime Law Association and Arbitrator at the Chambre Arbitrale Maritime de Paris.

***Dr. Boisson, which were the most important points of your lectures on the Law of Maritime Safety?***

It is difficult to give an overall view of the field of maritime safety in only seven lectures. I had to make some choices, but I think that we covered the most important areas such as the responsibilities of the safety actors (*Flag States, Port States, shipowners and class societies*), the main IMO technical instruments on ship safety (*construction & equipment*), cargo safety and operational safety (*training and qualification of seafarers, ISM Code etc.*).

I focused also on the various rules and regulations on accidents prevention (*Conventions, Codes, Directives*) especially in fields where there are different regimes covering the same topics (*for example tankers which are regulated by US, EU and IMO regulations*). I furthermore emphasized the importance of the human element in risk prevention. Almost 80 % of maritime accidents today are caused by human error. Finally, I insisted on the

importance of the implementation and control of international standards and I emphasized the fundamental duties of Flag States with this regard.

***What is your opinion about the international maritime safety regime actually in place?***

Several statistical studies carried out over lengthy periods show a marked improvement in safety at sea: total losses, as a percentage of tonnage and of the number of ships afloat, have decreased in the last 20 years, despite generally poor economic conditions of seaborne transport and the ageing fleet. There is a marked improvement in safety at sea, mostly because there are better performance of the main “players” and a closer cooperation between them.

A better co-operation between the different actors of the marine transport responsibility chain is the key issue for eliminating the substandard shipping. Transparency of information ship is certainly a scope for improvement and class societies are working in that direction. They have agreed to extend the range of Classification and Statutory information readily available, on proper request, to organizations with a legitimate interest in the maintenance of safe shipping standards and their application. Beyond shipowners, these include Flag and Port States and insurance companies, most of whom already have the right of access to considerable classification and statutory certification information for ships in service.

Classification societies have also taken strong actions with certain Flags whose registered fleet, by its structure, age and ship types present a higher risk of detention by PSC: enhanced communication with the national administrations, better transparency of information with the possibility for the Flag to have access to all the classification and statutory files, common training of surveyors, and dummy statutory surveys for vessels for which a statutory certification is needed.

***Which are the latest developments with regard to classification societies?***

In June 2003, the International Association of Classification Societies (IACS) Members decided to work towards common rules for oil tankers and bulk carriers ahead of the IMO move to goal-based standards. These common rules for bulk carriers and tankers cover hull scantlings, loading assumptions, corrosion margins, fatigue criteria and global and local strength considerations in order to eliminate competition between classification societies on scantlings. These rules which will come into force in April 2006 are the best way to implement the goal-based standards to be defined by States under the auspices of IMO and to take advantage of the experience of all IACS members.

IACS classification societies are willing to contribute to a reform of the current regulatory framework at the IMO, within IACS and in co-operation with all parties

playing an active role in the shipping industry, being confident that our role, competence and capability are fully recognised and that ultimately both shipping and the wider society will benefit.

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

I was particularly impressed by the number of students attending the IMLI course and especially by the increasing number of students coming from EU States. This is definitely a sign of the excellence of the Institute. I was also quite impressed by the various tools for the promotion of the Institute like the IMLI web-site, the electronic newsletter, Global Directory ... The publishing activity is one of the means to increase the academic reputation of the Institute worldwide which is already excellent.

I strongly believe that the other source of the prestige of IMLI is the number and the quality of the visiting professors. The 30 personalities who lecture this year at the Institute are among the best legal experts worldwide in their respective specialities, professors of law or professionals from all the sectors of the maritime industry, practitioners of common law system but also from civil law countries.

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