

## IMO SECRETARY-GENERAL ADDRESSES IMO ASSEMBLY ON IMLI



*Mr. Kitack Lim (IMO Secretary-General)*

Mr. Kitack Lim (IMO Secretary-General) addressed the IMO Assembly at its 30th Session on 4 December 2017 on the activities of the IMO International Maritime Law Institute.

The Secretary-General expressed his appreciation to all the donors who have continued to support the work of IMLI. While recognizing that The Nippon Foundation is the Institute's largest financial donor, he seized the opportunity to extend his appreciation to the Lloyd's

Register Foundation, the International Transport Workers' Federation Seafarers' Trust, the Government of Switzerland, Transport Malta and the Governments of Malta, Republic of Korea and Malaysia, the Comité Maritime International Charitable Trust, the Public Transport Authority of Saudi Arabia, and the Institute's Director, Professor Attard. He also thanked all governments, international organizations, foundations and individuals whose financial contributions, fellowships or funding of academic posts have provided sufficient income towards the Institute's budget for the biennium.

The Secretary-General, however, noted that, besides the financial support of the donors, the Institute is still some way off achieving a sound long-term financial self-sustainability. He therefore urged 'Member States, intergovernmental and non-governmental organizations and the industry to respond positively to Resolution A.934 (22) on *Sustainable financial support for the IMO International Maritime Law Institute*, to ensure that IMLI continues to benefit the global maritime community, through its effective capacity-building role in the field of international maritime law.'

The Secretary-General concluded his address by congratulating Professor Attard for his able stewardship.

## GOVERNMENT OF MALTA AND IMLI COMMEMORATE THE 50TH ANNIVERSARY OF MALTA'S INITIATIVE ON THE LAW OF THE SEA

The Ministry for Foreign Affairs and Trade Promotion of Malta in conjunction with the Institute held an International Symposium entitled "Perspectives on Global Ocean Governance: Where do we stand and where do we go from here?" at the Aula Magna, Valetta Campus, University of Malta on 15 December 2017.



*The Symposium Speakers and Panelists*

In his keynote address, Professor David Attard reiterated the importance of Malta's first diplomatic initiative on the oceans and the international law of the sea which continues to be relevant with worldwide ramifications, 50 years on. Other eminent speakers included Mr. Karmenu Vella (European Commissioner for the Environment, Maritime Affairs and Fisheries), Mr. Carmelo Abela (The Minister of Foreign Affairs and Trade Promotion, Malta) and Mr. Mitsuyuki Unno (Executive Director, The Nippon Foundation).

The Symposium represents Malta and IMLI's unwavering resolution to keep Ambassador Arvid Pardo's legacy alive.

## MALTA'S TRANSPORT, INFRASTRUCTURE AND CAPITAL PROJECTS MINISTER VISITS IMLI

The Honourable Dr. Ian Borg (Minister for Transport, Infrastructure and Capital Projects of Malta) visited IMLI on 21 February 2018 and addressed the IMLI Class of 2017-2018 on the importance of the maritime sector and the contribution of IMLI to its development.



*The Honourable Dr. Ian Borg (Minister for Transport, Infrastructure and Capital Projects of Malta) and Professor David Attard (Director, IMLI)*

In his introductory remarks, Professor David Attard described the Honourable Minister's visit as remarkable, showing the Ministry's commitment and continuous support to the Institute's activities.

Dr. Borg congratulated the students for their achievement so far in their careers. He reiterated the importance of IMLI as a truly global institution which serves the rule of international maritime law, and described it as a success, thanks to the sterling contribution of its graduates who serve the maritime industry all over the world. Dr. Borg described the role of IMLI as one that ensures that IMO member States have the legal expertise required for the implementation and enforcement of international maritime law, as well as helping the IMO to ensure universal interpretation and application of international regulations. He commended IMLI for listening to the needs of the sector and broadening its horizon to include other postgraduate programmes apart from the Master of Laws.

## THE NIPPON FOUNDATION EXECUTIVE DIRECTOR VISITS IMLI

The Executive Director of The Nippon Foundation, Mr. Mitsuyuki Unno paid an official visit to the Institute on 24 October 2017. He was received by Professor David Attard who introduced him to the Institute's resident faculty, staff and students.



*Mr. Mitsuyuki Unno (Executive Director, The Nippon Foundation) with the Nippon Foundation Fellows of the Academic Year 2017-2018*

Mr. Unno thanked Professor Attard for the warm reception and reiterated. He expressed the Foundation's belief in the work of the Institute. He said that IMLI's positive impact on the students is seen when the students return to their various countries to showcase the knowledge and skills acquired in international maritime law.

In his subsequent visit to the Institute on 15 December 2017, Mr Unno held personal interactive sessions with the Nippon Foundation Fellows. He also delivered a speech at the International Symposium commemorating Malta's significant contribution at the United Nations on the International Law of the Sea.

## IMLI CONGRATULATES IMO ON ITS 70<sup>TH</sup> ANNIVERSARY

The International Maritime Organization (IMO) celebrated its 70<sup>th</sup> anniversary on 6 March 2018. The occasion was graced by the presence of Her Majesty Queen Elizabeth II who joined the celebrations by paying an official visit to the Organization. She was welcomed by the IMO Secretary-General and met dignitaries from all over the world. The IMLI Director was invited by the IMO Secretary-General to attend and meet Her Majesty.



*Professor David Attard (Director, IMLI) meeting Her Majesty Queen Elizabeth II*

Professor Attard, together with the IMLI staff and the wide network of the IMLI graduates from over 140 States, congratulate the Secretary-General for the Organization's achievements and wish it further success.

## PERMANENT REPRESENTATIVE OF THE PHILIPPINES TO THE IMO VISITS IMLI

The Permanent Representative of the Philippines to the IMO, Mr. Gilberto G.B. Asuque (IMLI Class of 2004) visited the Institute on 27 October 2017. He delivered a lecture to the IMLI Class of 2017-2018 on *'The Role of Permanent Representatives and IMLI Graduates in the IMO Member State Audit Scheme (IMSAS)'*



*Mr. Gilberto G.B. Asuque (Permanent Representative of the Philippines to the IMO) addressing the IMLI Class of 2017-2018*

Professor Attard introduced Mr. Asuque as an outstanding IMLI graduate who is a reflection of what IMLI is all about and of the fact that developing countries can exert far more influence than their size if their representatives are well equipped.

Mr. Asuque described the role of IMLI in the service of the rule of international maritime law in the following: *"IMLI empowers its students to help their administration and countries comply with the obligations they have undertaken. IMLI enables the student to navigate through the wide open ocean of the rule of law in international maritime law, but one does not just go to the ocean without knowing how to plot one's course or how to go from berth to port. IMLI will help you on that, and that was what helped me to navigate through the complicated discussions at the IMO."*

## THE PRESIDENT OF MALTA VISITS IMLI

The President of Malta, Her Excellency, Marie-Louise Coleiro Preca, visited the IMO International Maritime Law Institute (IMLI) on 18 May 2018.



*H.E., Marie-Louise Coleiro Preca (President of Malta), Professor David Attard (Director, IMLI) and the IMLI Class of 2017-2018*

Addressing the students, President Coleiro Preca expressed delight in meeting such a student body from diverse and multicultural backgrounds who are able to study together in an atmosphere of camaraderie and goodwill, despite their myriad of differences. She referred to IMLI's setting as an illustration on how the world should be and she encouraged the students to take seriously their roles as future leaders who must exert further efforts in peace-building and become agents of positive change. President Coleiro Preca's visit concluded the teaching activities for the Academic Year 2017-2018.

## IMO MEMBER STATES PRAISE THE WORK OF IMLI

The IMO Member States rated the work of IMLI as laudable during the 105<sup>th</sup> Session of the Organization's Legal Committee meeting at its Headquarters on 24 April 2018. The Member States' positive reaction came after Professor Attard addressed the IMO Legal Committee concerning the Institute's activities in the calendar year 2017. The Committee was also presented with the dissertation of Lt. Liliana Diaz Medina (Mexico), entitled *"The Effectiveness of Current International Ship-Boarding Provisions to Combat Crime at Sea"*, which was awarded the IMO Secretary General's Prize for Best Dissertation for the academic year 2016-2017.



*Professor David Attard with the IMLI graduates representing their countries at the IMO Legal Committee Meeting*

During the session, Member States from Mexico, Indonesia, the Philippines, Malta, Democratic Republic of Congo and Georgia made individual interventions to record positive remarks about the work of IMLI. They acknowledged with appreciation the valuable contribution of IMLI to the implementation of IMO Conventions and lauded the Institute's policy for the equal participation of women candidates in its programmes. The delegates also urged Member States to make use of the knowledge and skills of IMLI graduates in their administrations.

### IMLI NEWS

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*The IMO International Maritime Law Institute was established under the auspices of the International Maritime Organization, a specialised agency of the United Nations.*

## MARITIME LEGISLATION DRAFTING COURSE AT IMLI

Maritime Legislation Drafting (MLD) which is one of the core courses undertaken by IMLI students during the academic year, was delivered by professionals during the Academic Year 2017-2018.

On 23 October 2017, Mr. Frederick J. Kenney Jr. (Director, IMO Legal Affairs and External Relations Division) delivered the opening lecture of the course. His lecture, which was also the Institute's inaugural lecture for the academic year 2017-2018 discussed "The IMO Treaty-Making Process: How Does IMO Make Law"? Mr. Kenney's lecture introduced students to the work of IMO; the relationship between the IMO and United Nations; and how conventions are made at the IMO, from the development of a proposal to the adoption of the final text and its implementation by Member States.



Mr. Frederick J. Kenney Jr. (Director, IMO Legal Affairs and External Relations Division) delivering his lecture

The Institute welcomed Professor Helen Xanthaki (Professor of Law, UCL/ Director, PG Laws, University of London) on 16 November 2017. As part of the MLD course, she delivered a lecture on 'Standards for Legislation in Civil and Common Law Countries: Features, Practices, Common ground'. Professor Xanthaki discussed, among others, the standards for legislation by explaining the three main types of rules, namely, rules concerning the substance of the legislative text, rules relating to the legislative process, and rules relevant to technical drafting issues. She emphasised that the drafters must be mindful of the basic principles to ensure quality, consistency and proportionality.



Professor Helen Xanthaki (Professor of Law, UCL; Director, PG Laws, University of London) delivering her lecture

Dr. Dorota Lost-Sieminska (Head, Office of Legal Affairs of the IMO) was part of the eminent speakers who contributed to the Course. On 11 and 12 December, she delivered a set of lectures on MLD focusing on "IMO Treaty-Making Process (Tacit Amendment Procedure)" and "Implementing IMO Instruments: Turning International Conventions into National Law". Her lectures offered the students important insights on different aspects of IMO Conventions and the techniques for their implementation in national legislation.



Dr. Dorota Lost-Sieminska (Head, Office of Legal Affairs of the IMO) delivering her lecture  
The course was complemented with lectures from the resident Faculty to enable the students to master numerous legislative drafting techniques for the incorporation, effective implementation and adequate enforcement of international maritime Conventions. Throughout the course, various drafting exercises were organised, which culminated with the preparation by students of the MLD project incorporating an international instrument into domestic legislation and providing for its effective implementation thereof.

## GOVERNING BOARD MEMBERS LECTURE AT IMLI

Dr. Kofi Mbiah (former Chairman, IMO Legal Committee) delivered a lecture on "The Work of the IMO Legal Committee: Challenges and Prospects" on 7 March 2018 to the IMLI Class of 2017-2018.



Dr. Kofi Mbiah (former Chairman, IMO Legal Committee) delivering his lecture



Professor Marko Pavliha (Vice-Dean for Research and Development and Head of the Law Department at the Faculty of Maritime Studies and Transportation, University of Ljubljana, Slovenia) meeting the IMLI Class of 2017-2018.

Professor Marko Pavliha (Vice-Dean for Research and Development and Head of the Law Department at the Faculty of Maritime Studies and Transportation, University of Ljubljana, Slovenia), accompanied by his wife, Judge Ester Pavliha, visited the IMO International Maritime Law Institute on 5-8 February 2018 and delivered a set of lectures on the Law of Marine Insurance, a core subject in Shipping Law course, to the IMLI Class of 2017-2018



Dr. Patrick Griggs (Former President, Comité Maritime International (CMI)) lectures to the IMLI Class of 2017-2018

Mr. Patrick Griggs (Former President, Comité Maritime International (CMI)) visited the IMO International Maritime Law Institute (IMLI) from 9-10 April 2018 and delivered lectures on "Nairobi International Convention on the Removal of Wrecks", "Making Maritime Law- Do Conventions Work?" and "General Average" to the IMLI Class of 2017-2018.



Professor David Attard, Professor Atsuko Kanehara (Professor at Sophia University, Japan/ Councilor of Advisory Council for the National Headquarters for Ocean Policy of Japan) and Mr. Nobukatsu Kanehara (Assistant Chief Cabinet Secretary and Deputy Secretary-General of the National Security Secretariat, Government of Japan), in front of the monument dedicated to Dr. Arvid Pardo

Professor Atsuko Kanehara (Professor at Sophia University, Japan/ Councilor of Advisory Council for the National Headquarters for Ocean Policy of Japan), visited the IMO International Maritime Law Institute on 21 February 2018 and delivered a lecture on "A New Idea of the Law of the Sea that is required for the Purpose of the Conservation and Sustainable Use of Marine Biological Diversity beyond National Jurisdiction" to the IMLI Class of 2017-2018.



Mr. Louis Mbanefo (Patron of the Nigeria Maritime Law Association) delivering his lecture.

Mr. Louis Mbanefo (Patron of the Nigeria Maritime Law Association) visited the IMO International Maritime Law Institute on 12 February 2018 and delivered a lecture on "The Essence of a Merchant Shipping Act: The Nigerian Experience" to the IMLI Class of 2017-2018.



Dr. Philippe Boisson (Honorary President of the French Maritime Law Association) meeting the IMLI Class of 2017-2018

Professor Philippe Boisson (Member of the IMLI Governing Board and Honorary President of the French Maritime Law Association) visited the IMO International Maritime Law Institute (IMLI) on 30-31 January 2018 and delivered a lecture on 'Classification Societies' and 'Maritime Safety System (Assessment and Prospects)' to the IMLI Class of 2017-2018.



Ambassador Lino Vassallo (the Permanent Representative of Malta to the IMO) and the IMLI Class of 2017-2018

Ambassador Lino Vassallo (the Permanent Representative of Malta to the IMO) visited the IMO International Maritime Law Institute on 31 October - 2 November 2017 and delivered a set of lectures on International Organizations to the IMLI Class of 2017-2018.

## IMLI SUCCESS STORIES

### IMLI GRADUATE APPOINTED EXECUTIVE DIRECTOR OF THE CENTRE FOR MARITIME LAW AND SECURITY AFRICA

Dr. Kamal-Deen Ali (Ghana), IMLI graduate of the Class of 2001-2002, is appointed as the Executive Director of the Centre for Maritime Law and Security Africa in Ghana.



Dr. Kamal-Deen Ali (Executive Director of the Centre for Maritime Law and Security Africa) delivering his lecture to the IMLI Class of 2017-2018

On the first part of his discussion (the Law of the Sea Regime in the Gulf of Guinea), he highlighted key events in Gulf of Guinea's history vis-à-vis the Law of the Sea. For the second part, he discussed Maritime Boundary delimitation agreements in the Gulf of Guinea, and the contributions of the Gulf of Guinea Commission to the Law of the Sea, including the ITLOS first case- the M/V Saiga (St Vincent-Guinea). On the relevance of his studies at IMLI to his career development, Dr. Kamal-Deen Ali said:

*'IMLI training was very relevant to my career advancement. I had just been commissioned to the Navy in the year 1999, and in two (2) years, I was in IMLI. Typically, like many lawyers, you have spent many years studying the law, except maritime law and the law of the sea. I was employed in the Legal Department of the Ghana Navy, yet my legal training had not been on the law of the sea. It was in the quest of having that knowledge to be able to deliver and meet the expectations of the Ghana Navy that I came to IMLI. Indeed, it was in the interest of the Ghana Navy and the Ghana Armed Forces to have somebody who will have the knowledge to promote or further the work of the Navy. I was not here just for the academic programme but also to have the training that would transform the maritime enforcement role of the Ghana Navy. So the knowledge I gathered from here has helped transform the Ghana Navy. It has now informed the operational responses of the Navy. It has also helped put in place operational guidelines that the Navy requires. Enforcement can be on the basis of national law, but must also be consistent with international law, which is also very crucial because of the peculiar nature of the maritime environment.'*

### IMLI GRADUATE APPOINTED DIRECTOR OF THE ECUADORIAN ANTARCTIC INSTITUTE

On return from IMLI in 2011, Commander Gabriel Abad, Ecuador (IMLI Class of 2010-2011) was appointed to various positions such as Commanding Officer of the research vessel Orion, maritime law lecturer at the Ecuadorian Naval War College, and Deputy Director at the Ecuadorian Antarctic Institute and at the Ecuadorian Maritime Authority, until his recent elevation to the position of Director of the Ecuadorian Antarctic Institute.

Commander Abad said that his training at IMLI was very useful and instrumental to his career development.



Commander Abad presenting his lecture on the Antarctic activities at the Universidad del Pacífico in Guayaquil – March 2018.

### IMLI GRADUATE APPOINTED CHAIR OF THE MEETING OF THE CONTRACTING PARTIES TO LC/LP



Mrs. Azara Al-Hassan Prempeh (Alternate Permanent Representative of Ghana to the IMO) at the IMO

Mrs. Azara Al-Hassan Prempeh (IMLI Class of 2000) is the Alternate Permanent Representative of Ghana to the International Maritime Organisation. Upon her return to Ghana, Mrs. Prempeh became Head of the Legal Unit of the Ghana Shippers' Council, Head of Legal Bureau of the Ghana Maritime Authority and Alternate Permanent Representative to IMO in 2013.

Mrs. Prempeh is currently Chair of the meeting of the contracting parties of the LC/LP having been appointed at the last meeting in October 2017.

When asked how IMLI has contributed to her Achievements, Mrs. Prempeh said:

*"My training has been invaluable in equipping me with the requisite knowledge to support my work in the implementation of international maritime instruments while working as the Director of the Legal Department at the Ghana Maritime Authority.*

*The IMLI experience has also been instrumental in enhancing my ability to relate to and work constructively with representatives of other countries and organisations in my current role as the Alternate Permanent Representative of Ghana to the International Maritime Organisation and in the various offices I have held during my tenure as APR of Ghana to IMO."*