

## THE MAGAZINE OF THE IMO INTERNATIONAL MARITIME LAW INSTITUTE - MALTA. No. 41/2018

### IMO SECRETARY-GENERAL DELIVERS THE GRADUATION ADDRESS

Mr. Kitack Lim (Secretary-General of the International Maritime Organization (IMO) and Chairman of the IMLI Governing Board) addressed the 29<sup>th</sup> batch of IMLI graduates at the Institute's Annual Graduation Ceremony held at the Malta Maritime Museum, Vittoriosa, Malta on 9 June 2018.



*Mr. Kitack Lim (Secretary-General, IMO and Chairman of the IMLI Governing Board) with the IMLI graduates of 2017-2018 academic year*

In his address, Mr. Kitack Lim said that this year's graduation was indeed a special one as it coincided with the celebration of IMO's 70 years of existence since the adoption of the Convention establishing the Organization.

He informed the gathering that the graduation is a demonstration of IMLI's continuous support to the legal capacity-building needs of national maritime administrations through its educational programmes which, to date, account for over 900 graduates from 140 countries. He likewise stated that IMLI is the first institution within the UN system to reserve 50 per cent of places on its programmes for deserving female candidates, thereby reducing the gender disparities in maritime education. He encouraged the graduands to apply the skills acquired and pass on the knowledge they have learned from IMLI and work hard towards building the future for the next generations.

The Graduation Address of the Secretary-General is reproduced below:

Honourable Speaker, Honourable Minister, President Emeritus, Excellencies, distinguished guests, ladies, gentlemen and students.

It is a real pleasure for me to be here today to celebrate the Class of 2018. Today's students deserve our admiration for what they have achieved. They are joining the ranks of an elite group of professionals who make the Institute, and IMO, very proud. They, like many of their predecessors, will play a role in achieving one of IMO's main objectives, to enhance the legal capacity within the maritime sector.

Today, you celebrate your graduation, in the year IMO celebrates 70 years since the adoption of the convention that established the Organization. I was honoured to lead this year's celebrations, where, as part of these celebrations, Her Majesty Queen Elizabeth II visited the IMO Headquarters and met representatives from the IMO family.

We were touched by the congratulations received for our anniversary from all corners of the globe. They are a testament to the important role IMO plays in providing the regulatory regime to ensure that our oceans are safe and secure, while facilitating trade and safeguarding the marine environment.

Over the years, IMO has been very successful in adopting a multitude of instruments for the maritime sector to thrive. We are nevertheless fully aware that our success can only be measured against the effective implementation and enforcement of these instruments.

To effectively incorporate international instruments into domestic legislation, national expertise is crucial. Therefore, IMO, with the Government of Malta, established this unique Institute.

For nearly three decades, 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.

IMO takes great satisfaction in witnessing IMLI's tremendous achievements in the field of education. I would like to invite you to look at today's students and take note of the global reach of this Institute.

This academic year brought together students from Canada to Cambodia, which were

represented for the first time at IMLI, Small Island Developing States, countries with longstanding maritime traditions and several landlocked states. As they return to serve their countries in different parts of the world, they remain connected by their shared experience, and they can all say: "I am an IMLI alumnus".

I am particularly pleased with the record enrolment of women, whose presence today signifies that the maritime industry cannot, and should not, be considered a 'male domain' any longer.

IMLI was the first institution within the UN system to reserve 50 per cent of places of its programmes for female candidates. This policy, as we see today, is paying off. This is also evident at IMO fora. I note with pride that many female IMLI students lead their countries' delegations at IMO meetings, while others chair important IMO committees and sub-committees.

Ladies and gentlemen,

We should not however rest on our laurels. With 900 graduates from this illustrious Institute, one would expect that the lack of national experts that prompted the Institute's establishment, would have been adequately addressed.

However, reality teaches us differently. The IMO Audit Scheme has found that, on many occasions, non-compliance by Member States with IMO instruments stems from lack of national expertise.

Therefore, I cannot stress enough how vital IMLI has 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.

This year, IMLI has pushed the boundaries and has risen, once again, to the challenges of the maritime community. IMLI fully supports IMO's objective to promote the 2030 Agenda for Sustainable Development and its Sustainable Development Goals, especially Goal 14 on oceans. 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.

IMLI's excellent record and achievements would not be possible without the financial support it receives from its many donors.

In this respect, I express my deepest appreciation to the Government of Malta and its people for welcoming the students and offering them a home away from home. I am particularly grateful to IMO's Technical Cooperation Division for its efforts towards the welfare of the Institute, and The Nippon Foundation for continuously supporting IMLI and its activities since 2003.

Allow me to extend my sincere gratitude to the Lloyd's Register Foundation, ITF Seafarers' Trust Foundation, and other donors, in particular, the Government of Malaysia and the Republic of Korea. They provide financial contributions for the sustainability of the Institute.

I invite you all to remember the United Nations General Assembly Resolution on the Ocean and Law of the Sea which, for the 10th consecutive year, recognized the work of IMLI and encouraged the maritime community at large to continue to support its mission.

Before concluding this speech, I would like to address the Director, Professor Attard, and his academic and administrative staff. We value you immensely. We are grateful for your dedication and for your dedication towards the students. My heartfelt thanks to the Members of the IMLI Governing Board and to the Chairman of the Financial and Human Resources Committee.

Dear students,

As you leave today, please do not forget that you are part of a community that, for many years now, has strived to improve the maritime sector. Wherever your journey in life takes you, do not forget that shared experience that connects you all.

You are graduating from an institution that serves the rule of international maritime law. You have been equipped with the knowledge and skills you need to use for the benefit of all of us.

Education does not know national boundaries. It transcends borders, it crosses seas and oceans and passes on from generation to generation. Strive to learn further and pass your knowledge; apply your newly acquired skills, when advising or representing your country and when negotiating with your international partners. Work hard for the future that you want and for the future that the next generations deserve.

I wish you all every success and look forward to meeting you at IMO.

## IMLI'S 30TH ACADEMIC YEAR

The IMO International Maritime Law Institute (IMLI) welcomed its 30<sup>th</sup> generation of students for the 2018-2019 academic year on 22 October 2018.

Addressing the new students, Professor Attard said that it was an honour and privilege to welcome such a diverse class from all over the world. He informed the students that IMLI was set up to train maritime lawyers from developing countries on the whole spectrum of maritime law and how to incorporate and effectively implement IMO treaties and guidelines into domestic law.



*The IMLI Class of 2018-2019 taking the Oath of Allegiance*

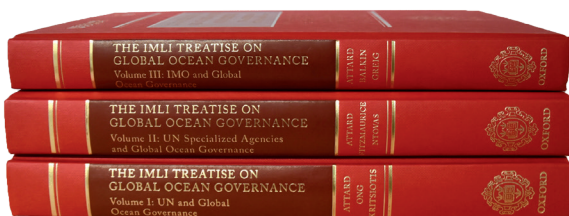
Professor Attard noted that IMLI's distinctiveness is reflected, among other things, in its unique syllabus which considers maritime law from an international and comparative perspectives and the cultural and legal diversity of its students. He encouraged the students to embrace this rare opportunity for both learning and networking during their studies and beyond. He advised them to adopt a culture of tolerance and respect for one another's views.

## IMLI TREATISE ON GLOBAL OCEAN GOVERNANCE PUBLISHED

The IMO International Maritime Law Institute (IMLI) in collaboration with The Nippon Foundation published its newest authoritative three-volume research work, 'The IMLI Treatise on Global Ocean Governance' in July 2018.

This research work began as a comprehensive study commissioned under the aegis of IMLI-Nippon Foundation Collaboration on Human Resource Development. Consequently, it was determined that such an outstanding work could only attain its intended global objective if published.

The contributions to the Treatise came from fifty-eight (58) leading experts. The Treatise assesses the current state of ocean governance to ensure that proposals for a new framework are based on reliable information. The three-volume publication has Professor David Joseph Attard (Director, IMLI) as the General Academic Coordinator and Editor. It was published by Oxford University Press (OUP).



*Volumes I, II and III of the IMLI Treatise on Global Ocean Governance*

## IMLI AND FAO TRAINING COURSE ON INTERNATIONAL FISHERIES LAW

The IMO International Maritime Law Institute (IMLI) in collaboration with the Food and Agriculture Organization (FAO) held a three-week competency-based International Fisheries Law Training Course at the Institute's premises, Malta between 19 June and 6 July 2018.



*Mr. Blaise Kuemlangan (FAO), Mr. Lorenzo Coppola (FAO), Professor Norman Martinez (Associate Professor, IMLI), Ms. Elda Kazara-Belja (Lecturer, IMLI), Lt. Col. (Retd) Martin Cauchi Inglott (FAO Consultant) and the Course participants*

The objectives of the training included, among others, capacity building regarding knowledge in international fisheries law and governance with an emphasis on the relevant FAO instruments such as the Agreement on Port State Measures to Prevent, Deter and Eliminate IUU Fishing. Participants were drawn from Ghana, Indonesia, Namibia, and Saint Vincent and the Grenadines.

IMLI Staff delivered the lectures together with FAO Staff and officials from the United Nations Office on Drugs and Crime (UNODC). Judge Jin-Hyun Paik, President of the International Tribunal for the Law of the Sea and Professor Philippe Gautier, Registrar of the Tribunal delivered expert contributions, respectively, to the Course.

## THE NIPPON FOUNDATION ESTABLISHES FOURTH LECTURESHIP POSITION

The IMO International Maritime Law Institute (IMLI) has yet again benefited from the generous support of The Nippon Foundation. This time, the Foundation established a fourth teaching position 'The Nippon Foundation Lectureship on International Maritime Law'. The current holder of this position is Dr. Ángeles Jiménez from Spain. The other three positions established by The Foundation at IMLI are teaching positions on Marine Environmental Law, Ocean Governance and International Maritime Security Law, respectively.

*Dr. Yohei Sasakawa (Chairman, The Nippon Foundation) and Professor David Attard (Director, IMLI)*



## IMLI INAUGURAL LECTURE

The IMLI Inaugural Lecture for the academic year 2018-2019 was delivered by Mr. Frederick J. Kenney Jr. (Director, IMO Legal Affairs and External Relations Division) on 2 November 2018. The theme of the Lecture was "IMO Treaty-Making Process: How Does IMO Make Law?"

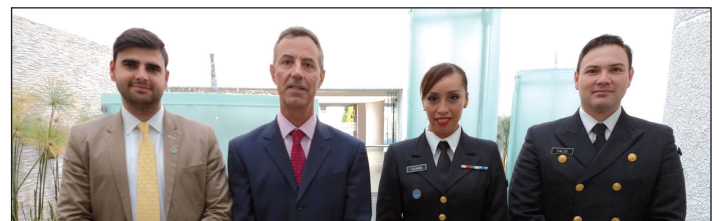
Professor Attard explained the purpose of the Inaugural Lecture as the formal introduction of the academic year and an opportunity to firmly place the new crop of IMLI students on IMO activities.



In his lecture, Mr. Kenney described as encouraging IMLI's steady growth in the number of students from all over the world. He reminded the students that they are at IMLI to acquire the necessary skills and knowledge to be applied in serving the interest of their respective countries. The students were further reminded that they would be the catalyst to ensure the adoption of IMO regulatory regimes into their domestic legislation for effective implementation. To that extent, they are expected to play a pivotal role in that process. Mr. Kenney's lecture introduced the students to the work of IMO, the relationship between IMO and the United Nations and how conventions are developed at IMO.

## IMLI GRADUATES ATTEND MARITIME TRANSPORT POLICY WORKSHOP IN MEXICO

Three recent IMLI graduates (Lt. Cdr. Liliana Diaz Medina, Mr. Stefan Brajic and Lt. Rodrigo Zalce Benitez) now working in the Mexican Navy were amongst the participants at a National Workshop on Maritime Transport Policy held in Mexico City between 7 and 9 November 2018.



*(Second from left) Mr. Jonathan Pace (Acting Chief, Subdivision for Programme Management and Coordination, IMO Technical Cooperation Division) with IMLI graduates (L-R) Mr. Stefan Brajic, Lt. Cdr. Liliana Diaz Medina and Lt. Rodrigo Zalce Benitez*

The Workshop was organised by IMO and the World Maritime University (WMU) in close cooperation with the Unit for the Captain of the Port Offices and Maritime Affairs (UNICAMP) of the Secretariat of the Mexican Navy (SEMAR).

Mr. Jonathan Pace (Acting Chief, Programme Management and Coordination at the IMO Technical Cooperation Division) stated that it was satisfying and encouraging to see IMLI graduates together with WMU graduates (some of whom were provided fellowships by IMO) actively engaging in the workshop with a view to eventually participating in the development of Mexico's NMTP. Mr. Pace further stated that, without any doubt, these graduates are well equipped to provide a valid contribution to the development of the maritime sector.



## IMLI SUCCESS STORIES

### IMLI GRADUATE PROMOTED TO THE RANK OF LIEUTENANT COMMANDER

Mrs. Liliana Díaz Medina, (IMLI Class of 2016–2017) was promoted to the rank of Lieutenant Commander (Lt. Cdr.) (Navy) on 20 November 2018 by the Mexican Navy Command. Lt. Cdr. Diaz Medina is currently working for the National Maritime Authority of Mexico, and she is the Head of the Legal Department.

In her own words, the newly promoted Officer explained how her training at IMLI helped in her career progression:

“I am honoured to belong to the IMLI family of the 2016/2017 academic year. In March 2016 when I got accepted into the Institute’s LL.M. programme, I knew that my life would change completely. IMLI is indeed a unique institution in the world, and I only have words of gratitude towards IMLI. The training at IMLI made me more open-minded and broadened my horizon. All the knowledge acquired at IMLI helped me back in my country, and also at the international level. IMLI ensures that students prosper in a demanding academic atmosphere. The knowledge and experience gained from IMLI contributed to where I am today.”



*Lt. Cdr. Liliana Díaz Medina, Mexico (IMLI Class of 2016-2017)*

### IMLI GRADUATE ELECTED TO PARLIAMENT IN TUVALU

Mr. Simon Kofe from Tuvalu (IMLI Class of 2013-2014), was elected to the Tuvalu Parliament in a by-election on Tuesday 20 November 2018.

A former senior Magistrate himself, Mr. Simon Kofe said that criminal cases in Tuvalu are increasing. He believes that families play a big role in it and it is a problem that the justice system cannot fix. He hopes to assist in developing training programmes that would empower families and communities to strengthen the culture of responsibility in citizens, and that way, the rate of crime in Tuvalu will reduce.



*(centre) Mr. Simon Kofe, Tuvalu (IMLI Class of 2013-2014) taking the oath of office*

### IMLI GRADUATE APPOINTED TO SENIOR POSITION IN GHANA SHIPPERS AUTHORITY

Mr. Abdul Haki Bashiru-Dine, from Ghana (IMLI Class of 2016-2017) was appointed Senior Research Monitoring and Evaluation Officer of the Ghana Shippers Authority soon after his graduation from IMLI. Mr. Bashiru-Dine was one of the pioneer graduates of the IMLI M.Hum. Programme.

On how his studies at IMLI benefited him, Mr. Bashiru-Dine said:

“Since returning home after my studies, I have been instrumental together with other IMLI graduates in the Ghana Maritime Authority and the Attorney General Department to constitute a technical committee currently drafting legislation for the effective implementation of the Ballast Water Management Convention and the Nairobi Wreck Removal Convention, among others. I am, also, a member of the National Executive Council of the Maritime and Dockworkers Union of the Trade Union Congress focusing on maritime Labour reforms and implementation of the International Labour Organisation (ILO) standards.

My training at IMLI is thus contributing to the development of the maritime industry in Ghana. It was also a life-changing experience which has shaped my career path since. It is with profound gratitude that I express my deepest thanks to all faculty members and the Director, Prof David Attard, in particular for the leadership he has shown in steering the affairs of IMLI this far.”



*Mr. Abdul Haki Bashiru-Dine, Ghana (IMLI Class of 2016-2017)*

### IMLI GRADUATE APPOINTED DIRECTOR OF LEGAL, INTERNATIONAL AND ENVIRONMENTAL AFFAIRS OF THE MARITIME, PORT AND WATERWAYS AUTHORITY OF MADAGASCAR.

Mr. Adonis Tafangy, from Madagascar (IMLI Class of 2010-2011) was recently appointed Director of Legal, International and Environmental Affairs of the Maritime, Port and Waterways Authority of Madagascar.

On how his studies at IMLI benefited him, Mr. Tafangy said:

“My studies at IMLI taught me about international maritime law, the maritime legislation drafting process and the place of the maritime authority in the maritime legislation drafting and implementation processes. At IMLI, I became aware that Madagascar has not ratified some of the major international conventions such as COLREGs, SAR, and TONNAGE, and even where a convention was ratified, there was no implementing legislation. That is the reason why I choose MARPOL as my legislation drafting project. After graduation, I started work on the drafting of the “MARPOL Decree” based on the drafting project I undertook at IMLI. I also drafted the Ballast Water Management Law and its Regulation. The ratification of the IMO Conventions and the New Maritime Code and other legal achievements were key to my promotion as Legal Officer in 2015 and Director in 2017.

I can, therefore, say that my experience at IMLI is the foundation of my career progression, then, now and for the future.”



*Mr. Adonis Tafangy, Madagascar (IMLI Class of 2010-2011)*

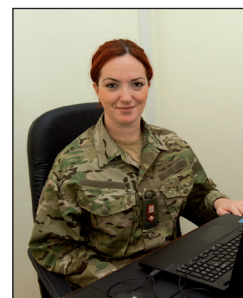
### IMLI GRADUATE HEADS THE LEGAL OFFICE OF THE ARMED FORCES OF MALTA

Lt. Col. Dr. Susann Agius, from Malta (IMLI Class of 2015-2016) is the head of the legal office of the Armed Forces of Malta. She is responsible for legal matters concerning, among other things, the conduct of missions at sea which are both of a naval and constabulary nature.

When contacted to share her experience at IMLI and how her training at IMLI helped in her professional career, Lt. Col. Dr. Agius had this to say:

“The academic experience at IMLI is second to none. The Institute takes pride in providing first-class education through the sheer dedication of its Director and resident academic staff, enhancing its tuition methods and learning processes using various imminent maritime law experts. The curriculum set is indeed demanding and intensive but rewarding in that it provides a comprehensive approach to salient subjects in public and private international maritime law. The diversity of experience from both the lecturers and the students themselves provides fertile ground for intriguing discussions and exchange of knowledge. The IMLI ‘brand’ is thus synonymous with distinctive professional development of a maritime lawyer. The IMLI Manual on International Maritime Law is a precious and most resourceful addition to any library, and the IMLI lapel badge is an indicator that its holder is part of an international extended family of fellow professionals from all corners of the world sharing the same passion for international maritime law.

It has been an honour to follow the LL.M. programme at IMLI which has undoubtedly equipped me with the right skills to understand better, interpret and apply international maritime law. There is a lot to benefit from, and considering how much my studies at IMLI turned out to be of practical utility in my duties with the Armed Forces of Malta, I would recommend this and other courses at the Institute without any hesitation.”



*Lt. Col. Dr. Susann Agius, Malta (IMLI Class of 2015-2016)*

#### 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.*

## IMLI STUDENTS – ACADEMIC YEAR 2018-2019 MASTERS PROGRAMMES



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Dr. William Vella  
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Breton  
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Lt. Paulina Vazquez  
Contreras  
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Ms. Maja Radunović  
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Ndiomu  
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Toikilik  
**PAPUA NEW GUINEA**



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Banares Jr.  
**THE PHILIPPINES**



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Verganio-Monroy  
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Nibourette  
**SEYCHELLES**



Ms. Suad Nur  
**SOMALIA**



Lt. Cdr. Nasranpattiyage  
Don Chamira Jude Manikka  
Wickramasinghe  
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Tench  
**ST. LUCIA**



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Astwood  
**TURKS AND CAICOS**



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Bertha Abiola Moore  
**TRINIDAD AND TOBAGO**



Mr. Rashed  
Benmohamed  
**TUNISIA**



Mr. Mykola  
Kozachenko  
**UKRAINE**

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**MALTA**



Lt. Jeremy Mangion  
**MALTA**



Capt. Mark Mercieca  
**MALTA**