

KEYNOTE ADDRESS DELIVERED AT THE GRADUATION CEREMONY BY H.E. MR. WILLIAM A. O'NEIL, 19 MAY 2001

I take great pleasure in addressing this the twelfth graduation ceremony of the IMO International Maritime Law Institute. I am also honoured to present the Secretary-General's prize for the best dissertation. The success of this unique training institution is obvious - since its inception in 1989 the Institute now has a total of 230 graduates from 91 countries and territories worldwide.

Maritime law, whether international or national, does not develop in isolation, but influences and is in turn moulded by the politics, economics and geography of the 'real world' to which it applies. The seas have traditionally and from time immemorial been used as a marine highway to promote trade between nations but in recent years the uses to which the seas have been put have multiplied as a result, particularly, of technological developments and an increasing demand for resources. At the same time scientific research and understanding have made it abundantly clear that the sea is by no means an inexhaustible resource. Coastal States and others have been increasingly concerned about the threat of pollution which is an inevitable by-product of such intensified activities. This has produced considerable stresses within the international community and strong pressures for changes in international maritime law.

The attraction of making profits from marine resources, coupled with the constraints of geography and technological possibility, have led States to develop a range of pragmatic legal solutions which enable the seas to continue to be utilized in an orderly manner. These developments in international maritime law have been brought about by peaceful diplomacy, but in practically every case there is an underlying potential for conflict between the interests of the different users of the seas. It is the task of international maritime law to accommodate the broad range of uses and at the same time to provide a framework for resolving conflicts between them.

The organization that has had a substantial impact upon the development of international maritime law is the International Maritime Organization. Over the years IMO has developed and now has in place a legal framework of rules and standards sufficient to meet the needs of the international maritime industry and Governments as well as the concerns of civil society. But this, of itself, constitutes only the first step. To be fully effective, these rules and standards need to be incorporated into national legislation. However, due in part to a lack of qualified legal experts, some States are unable to meet this objective.



H.E. Mr William O'Neil (Secretary-General, IMO) with Professor David Attard (Director, IMLI), Dr Jean Hulliger (Switzerland, IMLI Governor), Professor Dr Marko Pavliha (Slovenia, Visiting Fellow), members of the Academic Staff and IMLI Graduates at the Graduation Ceremony 2001

The IMO International Maritime Law Institute was established twelve years ago to correct the shortage of this specialized expertise. It is now your responsibility, as qualified maritime lawyers, to take to your respective countries the knowledge and ability you have acquired to translate international treaties into effective and enforceable national legislation and regulations.

The demand for maritime legal experts has not decreased over the years; in fact, the course offered by the Institute is oversubscribed, with about 60 applications received each year for the 20 to 25 available places.

This year, for the first time, we have graduates from Bulgaria, Greece, Lebanon, the Solomon Islands, Tuvalu and Vanuatu. The cultural diversity of all IMLI graduates is represented in the class graduating today: from Africa, [there are graduates from Ethiopia, Ghana, Mauritius, Nigeria, South Africa and Zambia]; from the Arab States, [there is a graduate from Lebanon]; from Europe, [we have graduates from Bulgaria, Georgia, Greece, Latvia, Russia and Slovenia]; from the Americas and the Caribbean, [there are graduates from Mexico and USA]; and from Asia and the Pacific, [we have graduates from the Solomon Islands, Tuvalu, Vanuatu and Vietnam]. Finally, from the host State, Malta, there are four graduates.

I take this opportunity to express my appreciation for the continuing support received from donors who have contributed either to the Institute's general fund or by the provision of fellowships. I look forward to a continuation of this invaluable support, which I hope will

encourage more development partners and recipient countries to support the excellent training that is being offered. I would also like to express my gratitude to the Government of Malta for the consistent support it has given to IMO and to IMLI.

IMO itself has no regular budgetary provision for the support of the Institute, which is an independent entity. However, I am glad to say that by using the resources from our Technical Co-operation Fund, we have been able to finance a record number of six fellows from Ethiopia, Lebanon, Mauritius, Vietnam and Malta who are graduating today. In keeping with the diverse nature of our technical assistance programme they join their fellow graduates from [Brazil, Comoros, Côte d'Ivoire, Dominica, Fiji, Georgia, Ghana, Latvia, Madagascar, Mexico, Nigeria, Pakistan, Philippines, Poland, Seychelles, Slovenia, Trinidad & Tobago and Yugoslavia] and I hope, as more resources are made available to IMO's technical co-operation programme, that the number of IMO-financed fellowships will increase.

The contribution that this Institution and its graduates and staff are making to the international maritime community is greatly appreciated by IMO. The fact that each academic year at the Institute runs smoothly is attributable to the tireless commitment of its able and dedicated teaching and administrative staff led by Professor David Attard.

I would also like to commend the visiting lecturers who have provided tuition on a voluntary basis, and in this way have enabled the Institute to

offer a unique programme. Professor Walter Müller has been prominent amongst this team of visiting lecturers. In addition to his contribution as a lecturer, Professor Müller's invaluable advice and guidance concerning all aspects of IMLI's work and legislation projects were always greatly appreciated. Sadly, Professor Müller passed away recently in Switzerland. He will be sorely missed by the Governing Board, by students, staff and all who have had the pleasure of working with him over the years.

In closing, I would like to congratulate you, the graduating class, on your successful completion of the course. This occasion is of great professional and personal satisfaction for all of us, and I feel confident that today will mark not only the conclusion of your academic studies but the beginning of a new stage in your careers which will be both challenging and rewarding for you, your countries and the international shipping community. By your success you have demonstrated not only that the Institute can work, but that it can have an enormous positive impact on the maritime industry at large. I wish you all the best for the future as you return home and apply the specialized knowledge that you have acquired here in Malta which will help IMO to achieve its desired goals of safer shipping and cleaner oceans. I also look forward to seeing you at IMO meetings representing your countries' interests as so many of your predecessors at IMLI are now doing.

Thank you.



Professor David Attard (Director, IMLI) with Mr David Martin-Clark (UK, Visiting Fellow) and members of the Class of 2001/2002 during an audience with H.E. Professor Guido de Marco (President of Malta) at the Presidential Palace in Valletta



Professor David Attard (Director, IMLI) with Professor Dr Marko Pavliha (Slovenia, Visiting Fellow), Dr Philippe Boisson (France, Visiting Fellow) and H. E. M. Didier Destremau (French Ambassador to Malta) during a courtesy call of the Ambassador to Institute's premises



Dr Philippe Boisson (France, Visiting Fellow) with members of the Class of 2001/2002

IMO CALLS FOR INTERNATIONAL COOPERATION WITH IMLI

The International Maritime Organization has called for the international community to actively support financially the IMO International Maritime Law Institute.

In its Resolution A.934(22), the IMO General Assembly recalled the provisions of Resolution A.900(21) which recognized, inter alia, the special contribution of IMLI to the attainment of the objectives of IMO. It recognized the success of the IMLI programme which is indicated by the increasing number of IMLI graduates occupying senior positions in the global maritime sector both at national and international level, the steadily rising demand for study and training at the Institute, and the recognition that IMLI has received in the international milieu of higher education.

The General Assembly acknowledged, however, that the development and progress of IMLI would not have been possible without the continued support from a number of countries and organizations. It recognized that the Institute needs more broadly based and sustainable financial support from IMO Member States if it is to continue discharging effectively its mandate and service to the global maritime community.

IMO has therefore urged Member States to consider committing themselves to making specified regular annual contributions and/or donations to IMLI; to encourage the shipping and related maritime industry to effectively use and financially support the IMLI programme; and support initiatives to seek the establishment of multilateral funding for IMLI. The Resolution also invites all sectors of the maritime industry to support the Institute through core operational funding and provision of fellowships.

PROFESSOR WALTER MÜLLER PRIZE FOR BEST LEGISLATION DRAFTING PROJECT



Dr Jean Hulliger (Switzerland, IMLI Governor) presenting the 'Professor Walter Müller Prize for the Best Legislation Drafting Project' to Mr Aleksejs Galkins at the 2001 Graduation Ceremony

The IMO International Maritime Law Institute has named its annual Prize for the Best Legislative Drafting Project after Professor Walter Müller. Throughout his life, Professor Müller contributed to the effective codification of international maritime law through his participation in many international conferences and in his capacity as Titular Member, Secretary-General and later Vice-President of the Comité Maritime International.

Professor Müller was a member of IMLI's Governing Board and provided his constant support as a visiting lecturer to the Institute for many years. A pillar in the Legislation Drafting Programme, he delivered lectures relating to the subject and supervised many of the projects undertaken by IMLI students.



MR. JONATHAN PACE (DEPUTY EXECUTIVE DIRECTOR, MERCHANT SHIPPING DIRECTORATE, MALTA MARITIME AUTHORITY) WITH MR CLIFFORD ANDRE (SEYCHELLES, CLASS OF 2000) AND MS VIJA PUTANE (LATVIA, CLASS OF 2000) DURING A CONFERENCE HELD BETWEEN 19-23 MARCH 2001 AT THE IMO HEADQUARTERS IN LONDON

IMLI ALUMNI

Ms. Francisco Villaroel Rodriguez (Venezuela, Class of 1991) was appointed Titulary Member of the Comité Maritime International at the CMI Conference held in Singapore from 12 to 16 February 2001.

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Mr. Iakoba Taeia Italeli (Tuvalu, Class of 2001) has been appointed Attorney General of Tuvalu.

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Mr. Naganathan Sivahumaran (Sri Lanka, Class of 1998) has been promoted to the post of Deputy Legal Draftsman of the Ministry of Justice of Sri Lanka.

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Captain Reuben Lanfranco (Malta, Class of 2001) has been appointed Director of the Malta Maritime Institute.

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Mr. Mohamed Ayadi Salem Elwaer (Libya, Class of 1993) has been promoted to Director of the Legal Department of the General National Maritime Transport Company in Tripoli.

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The Hon. Fielakepa (formerly known as Aleamotu'a Siosaia T.) (Tonga, Class of 1996) Private Secretary to His Majesty the King of Tonga has been appointed Director of the Tonga National Airline.

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Ms. Maida Escobedo Tellez (Mexico, Class of 2001) was invited to lecture at the Course on Oil Spill Contingency Planning Monitoring and Assessment of Oil Spills at Sea held in Mexico on November, 2001.

IMLI NEWS

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

MASTER OF LAWS IN INTERNATIONAL MARITIME LAW

IMLI offers a unique opportunity of specialized and intensive training in one of the growth areas of international law. Its one academic year programme, leading to the degree of Master of Laws (LL.M.) in International Maritime law, consists of education in international law, law of the sea, shipping law, marine environmental law and the drafting of maritime legislation. The course is delivered by IMLI's resident faculty, supplemented by eminent visiting lawyers and academics.

This unique course is most suitable for persons already working in the maritime field such as with a relevant Government department, shipping company, port authority or other organization concerned with shipping and maritime affairs. Persons wishing to pursue a career in the field of international maritime law will also benefit immensely from the course.

Admission to the course is open to a limited number of students in any academic year, thereby ensuring personal intensive guidance and supervision. A university degree in law as well and proficiency in the English language are pre-requisites.

Applications are now invited for the 14th annual LL.M. course, scheduled to begin on September 16, 2002. Financial aid opportunities may be made available.

DOCTOR OF PHILOSOPHY

The newly launched Doctor of Philosophy (Ph.D.) programme is seeing a steady flow of candidatures from around the globe. The degree may be awarded following successful defense of a thesis of not more than 10 000 words on a subject within the syllabus of the Institute.

The Ph.D. course is solely research-based and involves a high degree of independence from candidates. Thus, the course can be largely undertaken from abroad. The Institute will appoint a supervisor from a list of internationally-recognized experts.

Studies for the degree are to extend over a period of *not less* than three and not more than five years. Prospective candidates must hold a Master's degree from a recognized university or other academic institution, or qualifications of comparable standard including relevant professional legal experience recognized for this purpose by the Institute.

SHORT COURSES HELD IN THE WINTER 2002 SEMESTER

The following is a list of short courses held during the winter 2002 semester.

Law of the Sea Subjects

International Dispute Settlement

Fisheries

Marine Scientific Research

Common Heritage of Mankind

Land-Locked/Geographically Disadvantaged States

Coastal Zone Regimes

Timeframe*

March 25/April 5

April 1/12

April 8/12

April 15/19

April 15/26

January 15/April 12

Shipping Law Subjects

Marine Pilotage

Maritime Safety

Marine Insurance

Towage

General Average

Global Limitation of Liability

Salvage and Wreck

Maritime Labour

Enforcement of Maritime Claims

Carriage of Passengers and their Luggage by Sea

Marine Collisions

Timeframe*

January 7/11

January 7/18

January 7/23

January 21/February 1

January 21/February 1

February 4/8

February 4/22

February 18/March 1

February 18/April 5

February 18/22

March 18/22

International Marine Environmental Law Subjects

International Marine Environmental Law

Timeframe*

March 11/29

Miscellaneous Law Subjects

EC Marine and Shipping Law

Timeframe*

February 19/March 8

*Times subject to change.

For any updates regarding these courses visit the Institute's website at www.imli.org

FOR MORE INFORMATION ON ADMISSIONS, PLEASE CONTACT

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IMLI STUDENTS ACADEMIC YEAR 2001-2002



K. M. DE ALMEIDA MACHADO (ANGOLA)



K. DANAILOVA (BULGARIA)



NASSER E. S. A. (COMOROS)



L. PARESASHVILI (GEORGIA)



A. KAMAL-DEEN (GHANA)



S. QUAYE (GHANA)



G. KISONAITE (LITHUANIA)



N. SCERRI (MALTA)



E. VASSALLO (MALTA)



L. ZERAF A (MALTA)



O. M. AKHIGBE (NIGERIA)



M. M. BAPPA (NIGERIA)



A. DUBLIN-GREEN (NIGERIA)



G. EKANEM (NIGERIA)



M. OGBUITEPU (NIGERIA)



J. A. ROYSET (NORWAY)



S. M. A. H. GARDEZI (PAKISTAN)



F. LAPORTE (SEYCHELLES)



J. G. KOBBA (SIERRA LEONE)



U. P. EGALAH EWA (SRI LANKA)



K. PANPRASERT (THAILAND)



S. SIRARIYAKUL (THAILAND)