

IMLI NEWS

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IMO SECRETARY-GENERAL WELCOMES IMLI'S 16TH GENERATION OF LAWYERS



HE Mr. Efthimios Mitropoulos (Secretary-General, IMO)

– the 16th generation of students to attend since the Institute was established in 1989.

Over the past 15 years, the number of competent and professional maritime lawyers continues to grow,

The lawyers attending the 16th LL.M. Course at IMLI, were on the 13th of September 2004, given a personal welcome by His Excellency, the Secretary General of IMO, Mr. Efthimios Mitropoulos. In his message the Secretary - General stated that:

“It is a pleasure for me to welcome you to the IMO International Maritime Law Institute

demonstrating in the most practical way, the important role of this Institute. Graduates from IMLI are now making their contribution to IMO's goals of safer and more secure ships on cleaner oceans throughout the world. Each one of you starting out on your studies today can look forward to playing your part in this effort in the future.

This Institute (IMLI) was established by IMO to ensure that Governments would have trained maritime legal experts available, who could incorporate the often complex international maritime legal framework of rules, codes and standards into national legislation. The importance of your future roles as maritime law specialists in taking on this tasks and many others cannot be overemphasized. The responsibility for managing the legal framework, to ensure that quality shipping prospers, depends in large measure on the knowledge and professional skills of the cadre of maritime lawyers that you aspire to join.

In settling into your work over the next few weeks, always keep in mind that you are among a selected band of graduates and you should take every opportunity during your stay in Malta to develop your skills and enhance your knowledge so that you can maintain the consistently high quality of the graduates from IMLI in the past.

In closing, I wish you every success with your studies. Your time here marks the beginning of a new chapter in your future careers – careers that will, I am sure, be of benefit not just to yourself and your families but to your countries and to the international shipping community as a whole. It is your chance to make a positive impact on the maritime industry at large.

This opportunity is only available to a few and you should use it wisely and fruitfully.

Good luck – and I look forward to meeting you soon.”

KEYNOTE ADDRESS DELIVERED BY THE CHAIRMAN OF THE IMLI BOARD OF GOVERNORS AT THE 15TH ANNUAL GRADUATION CEREMONY

I am very pleased to have the opportunity to address the Graduation Ceremony for the Class of 2003/2004, which marks the fifteenth year of successful operation of the Institute.

Since its inception IMLI has trained a total of 304 graduates from 98 countries and territories worldwide. You, the Graduating Class have benefited from a highly specialized programme of studies and experience unique to this global institution. The training you have received is a cost-effective way of building the capacity of individual nations to implement international maritime safety and environmental protection standards and regulations.

IMLI graduates' role in the global maritime community cannot be over emphasized. They ensure that their governments and industries participate effectively in a viable, safe and secure international maritime transport system. The task of managing the legal framework to ensure that “quality shipping” prospers depends in large measure on the knowledge and skill of maritime lawyers.

IMO's success in introducing international maritime conventions and other legal instruments requires that they should be complemented by national implementation and enforcement of the rules and standards which they contain.

Therefore, in addition to a sound maritime legal framework, developing countries also need their own maritime law experts who would be specially trained to deal with the implementation of international conventions and codes in the context of their existing national law. These experts would be in an ideal position to review and evaluate the provisions of national laws and, when necessary, make adjustments, to accommodate international standards so that they would become an integral part of national legislation.

With this requirement in mind the Institute was established in October 1988 under the auspices of the International Maritime Organization and with the generous co-operation of the Government of Malta, to provide developing countries with unique facilities for post-graduate training and research in international maritime law and legislation. IMLI is unique in the sense that it fosters excellence in the drafting, adoption and review of national law in accordance with international legal instruments on maritime safety, marine environment protection and related aspects of shipping and ports – the increasing number of IMLI – trained lawyers around the world will ensure that this IMO objective is met.

While the IMLI Course is geared to assist in the attainment of IMO's goals of greater safety and security at sea as well as the prevention of marine pollution, it



HE Mr. Efthimios Mitropoulos (Secretary-General, IMO), with Mr. William O'Neil (Chairman, IMLI Board of Governors), Dr. Jean Hulliger (IMLI Governor), Prof. David Attard (Director, IMLI), Members of IMLI's Academic Staff and the Class of 2004 during the Graduation Ceremony

also entails the development of national shipping and maritime training policies. The advanced training programme not only encourages study and research in maritime law and shipping regulations but also includes research on matters contributing to the global implementation of treaties and international instruments, the achievement of safe and clean, quality shipping as well as efficiency in maritime navigation and other related activities.

The consistently high quality of the teaching provided ensures that the Institute's reputation as a centre of excellence is universally acknowledged and that its annual course is well subscribed. The increasing popularity of the IMLI Course programme is borne out by the fact that there are three times more applications than there are vacancies every year.

There is unquestionably a sustained need for qualified legal experts to deal with the adoption of treaties; advisers on how to incorporate treaties into domestic law;

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IMO SECRETARY-GENERAL PRESENTS PRIZE FOR IMLI'S BEST DISSERTATION 2004 (PRIZE PRESENTATION ADDRESS)

Before I present the Secretary-General's prize for the best dissertation, I would just like to say a few words.

Since this is my first visit to Malta in my new capacity, I wish to take this opportunity to pay tribute to the Government of Malta for its achievements in the maritime sector and valuable contribution to the work of IMO. Also

for offering host country facilities to two IMO institutes: IMLI and REMPEC.

As you have heard from Mr. O'Neil, the global network of IMLI graduates is constantly expanding. IMLI graduates have consistently done well after graduation, achieving senior policy- or decision-making positions in the government or the maritime industry sector in their home countries. This is evident in the high positions assumed by IMLI graduates which, to date, have included judicial and parliamentary secretaries; judges; senior parliamentary counsels and crown counsels; attorney-generals; prosecuting attorneys in the ministry of navy; deputy secretary-general of state maritime arbitration commission; principal state counsels; chief justices; state attorneys; ministers of justice; directors and chief executives of shippers' councils; ambassadors; legal advisers; minister-in-assistance to the head of state; deputy public prosecutors in the attorney-general's chambers; senior directorial and managerial posts in port authorities and national maritime administrations; assistant judge advocate general; and under-secretary in the ministry of transport.

In the global maritime arena, IMLI graduates



H.E. Mr. Efthimios Mitropoulos (Secretary-General, IMO) presenting the Prize for IMLI's Best Dissertation, 2003/2004, to Mr. Majdi Abdullah Khalid Al-Qahtani (Saudi Arabia)

have also excelled with appointments such as vice-chairman of the IMO legal committee and deputy director of the Commonwealth fund for technical co-operation.

And as a result of the policy of reserving 50% of the course vacancies for qualified women candidates to promote the integration of women from developing countries in the international maritime community, the number of women students has been rising steadily over the last few years. IMLI now has a total of 100 women graduates from 52 countries worldwide.

Ladies and gentlemen, it gives me enormous pleasure in taking this opportunity to thank Mr. O'Neil for doing a sterling job in chairing the IMLI governing board for the past 14 years. His leadership and guidance has left an excellent legacy in the achievements of past IMLI graduates and one that his successor will find it hard to follow.

Finally, I wish to congratulate the graduating class of 2004. You have worked hard and the master's degree you are receiving is recognition of your high qualifications and competence in the field of maritime law. Your challenge now would be to apply the specialist knowledge and skill you have gained at IMLI to ensure that the rule of international maritime law contributes effectively to the attainment of our common objective of safe, secure and efficient shipping on clean oceans. I am confident that you will serve the maritime community well from your perspective. I wish you every success, good luck and fair winds.

IMO'S DIRECTOR OF LEGAL AFFAIRS AND EXTERNAL RELATIONS DIVISION DELIVERS THE INAUGURAL LECTURE AT IMLI



Dr. Rosalie Balkin, delivering the lecture entitled "The Legal Framework of the IMO" in the presence of Professor David Attard (Director, IMLI) and the Hon. Censu Galea (Minister for Competitiveness and Communications, Malta)

Dr. Rosalie Balkin (Director of Legal Affairs and External Relations Division, IMO), delivered on the 22nd of September 2004 the inaugural lecture of IMLI's 16th annual LL.M. Course in International Maritime Law. Dr. Balkin's lecture was entitled "The Legal Framework of the IMO". The ceremony was opened by Professor David Attard (Director, IMLI), who after welcoming the participants, explained the genesis of the Institute, the purposes for which it was established and highlighted IMLI's contribution to the international maritime community over the years. He then introduced the Hon. Censu Galea (Minister for Competitiveness and Communications, Malta) who delivered a welcome address where he emphasized the commitment of the Maltese Government to continue supporting IMLI's activities. Professor Attard then invited Dr. Balkin to address the participants who learned through her lecture the legal framework of the IMO and the latest developments of the work of IMO's Legal Committee. The inaugural lecture was attended by lawyers from all over the globe who are currently pursuing their LL.M. studies at IMLI, and by a number of diplomats and distinguished guests.

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to interpret the treaties and the relevant domestic law provisions; and judges to ensure that the law is correctly interpreted in line with general international understanding. Therefore, the demand for maritime legal experts globally is an ongoing one.

In this respect, I wish to thank a very dedicated core of visiting lecturers whose voluntary assistance has enabled the Institute to continue to provide information by current practitioners on a wide range of topics. Their participation is an essential contribution to the unique nature of the Institute's programme. I also wish to extend my thanks to Professor Attard for his excellent leadership of the Institute and for his cooperation over the years.

I would be remiss if I did not express my appreciation for the continuing support received from donors who have contributed in kind or financially to the Institute's operations. This year, for the first time, the Nippon Foundation of Japan will be donating ten fellowships to the 2004 intake as well as contributing to the Institute's basic operational costs. The generosity of the Nippon Foundation in providing this ongoing financial support, which is vital to IMLI's work and success, is very much appreciated. I would hope that additional development partners and recipient countries will emulate this example in supporting the excellent training programme offered here in Malta.

I would note that while IMO has no provision in its regular budget for the support of the Institute, eight fellows who are graduating today were sponsored from the IMO Technical Cooperation Fund. I would expect that as resources are made available to IMO's Technical Cooperation Programme the number of IMO-financed fellowships will be sustained or increased in the future.

An encouraging trend during the last five years is that there has been increased financial participation by developing countries, as Governments and the maritime industry experience the benefits provided by the graduates from IMLI.

While on the subject of the Institute's long-term future and stability, I would like to express my confidence in handing over the reins to IMO's Secretary-General, Mr. Efthimios Mitropoulos who took over the first of this year and will assume chairman-

ship of the IMLI Governing Board as from next month. I have no doubt that under his very capable leadership, the Institute will continue to thrive.

I would like to congratulate you the graduates on the successful conclusion of your course. This occasion is of great professional and personal satisfaction to all of us and especially to your families and all those who have supported you during this period in your lives. I wish you every success as you embark on the next stage of your careers and return to your home countries. The impact you each make as individuals within your countries and regions will evolve into a far-reaching network for enhancing the efficiency of global shipping and promoting greater international co-operation for the benefit of the entire maritime community.

And, in closing, as this is the last time I will be participating in an official capacity at IMLI I wish to say that it has been a very rewarding experience to have been involved with the Institute since the first days when Dr. Fenech and Mr. C.P. Srivastava conceived the idea of establishing a post-graduate Maritime Law training facility here in Malta.

I have seen the Institute mature and its graduates take on senior responsibilities in the maritime world. The objectives of IMO to create a network of skilled maritime lawyers has been achieved and will continue to expand globally over the years.

I particularly wish to thank the Government of Malta for its unstinting support and for providing facilities we are all proud of.

The two directors of the Institute, Professor Pat Birnie who was in charge in the somewhat uncertain shaky early days and Professor David Attard who has led the team which has established IMLI as a highly professional, quality training institution, deserve our highest commendation.

And of course to Secretary-General Srivastava and Dr. Fenech, I can only repeat that without your far-sightedness none of this would have happened.

It has been a great pleasure for me to have been involved with IMLI and I wish the Institute, the graduates and the incoming students who will build on what is now a solid foundation, all the best for the future.

**MS. CHERIE BOOTH (Q.C.)
VISITS IMLI**



**Ms. Cherie Booth Q.C.
with IMLI class 2004/2005**

Ms. Cherie Booth, wife of the British Prime Minister Tony Blair, visited IMLI on 15 October after delivering a lecture at the University of Malta as a guest of Prof. David Attard. Upon her arrival she was greeted by IMLI students, staff, and other distinguished guests, including diplomats and judges. Ms. Booth is an experienced barrister (Q.C.) and a founder member of the Matrix Chambers, a UK law firm that specializes in domestic and international law. She expressed particular interest in the provisions found in the IMLI Statute, stating that 50% of the course vacancies are reserved for qualified women candidates. The scope of the mentioned provisions is to promote the integration of women from developing countries in the international maritime community.

IMLI ALUMNI

Ms. Fatou Bensouda (Gambia, Class of 1991) has been elected as a Deputy Prosecutor, at the International Criminal Tribunal for Rwanda.

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Francisco A. Villaruel Rodriguez (Venezuela, Class of 1991), has been appointed as the first National Maritime Judge in Venezuela.

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Mr. Fagaloa LSR Tufuga (Samoa, Class of 1997), has been appointed Regional Maritime Legal Officer (Regional Maritime Programme) Secretariat of the Pacific Community, Fiji.

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Mr. Foli-Bazi Katari (Togo, Class of 1998), has been appointed Keeper of the Seals, at the Ministry of Justice in Togo.

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Ms. Dominika Lempicka (Poland, Class of 2000), was appointed IMO consultant.

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Mr. Igor Karaman (Ukraine, Class of 2004), has been awarded a scholarship by the Alexander S. Onassis Public Benefit Foundation to conduct Ph.D. Research.

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Mr. Etueni Qiolele Caucau (Fiji, Class of 2004) has been selected by the Government of Fiji to attend the Chinese Defense Force Command and Staff College.

**THE NIPPON FOUNDATION
CONTINUES TO SUPPORT
TRAINING AT IMLI**

The IMO International Maritime Law Institute and the Nippon Foundation based in Tokyo, Japan, last year launched their joint "Project for Advancement of a New Legal Order on the World's Oceans". The aim of this common undertaking is to contribute to the promotion, adoption, effective implementation and enforcement of international maritime conventions adopted under the aegis of the United Nations (UN) and of the International Maritime Organization (IMO) and to encourage a greater participation by developing States, particularly Asian, in the major international maritime law conventions and legal instruments. An important feature and integral part of this project is to provide scholarships for deserving lawyers from developing countries, especially from the Asian Region, to study at IMLI. In the past academic year 2003/2004, 9 lawyers from various countries, were awarded the Nippon Foundation Scholarship, which allowed them to graduate in international maritime law at the IMO International Maritime Law Institute. In the current academic year another 9 lawyers, from 8 different countries, are benefiting from the Nippon Foundation Scholarship at IMLI. The realization of the mentioned project was made possible through the generous contributions of funds by the Nippon Foundation.

**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 as proficiency in the English language are pre-requisites.

Applications are now invited for the 17th annual LL.M. course, scheduled to begin on September 2005. Financial assistance may be made available.

**SHORT COURSES
2004/2005 CALENDAR**

The following short courses will be held during the second semester of the academic year 2004/2005:

Law of the Sea

International Law of the Sea – consisting of the following sub-modules

Introduction to the International Law of the Sea
Internal Waters and Territorial Sea

International Straits

Archipelagoes

Contiguous Zone

Continental Shelf

Exclusive Economic Zone

Fisheries

Land-Locked/Geographically
Disadvantaged States

The High Seas Legal Status and Freedoms

Deep Seabed (Common Heritage of Mankind)

Marine Scientific Research

International Dispute Settlement

International Marine Environmental Law

International Maritime Security Law

Shipping Law

Proprietary Interests in Ships

Enforcement of Maritime Claims

Carriage of Passengers and Their Luggage

Law of Maritime Safety

Law of Marine Collisions

Law of Salvage and Wreck

Law of General Average

Law of Towage

Law of Marine Pilotage

Global Limitation of Liability

Law of Marine Insurance

Miscellaneous

EC Shipping Law

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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.

IMLI STUDENTS ACADEMIC YEAR 2004-2005



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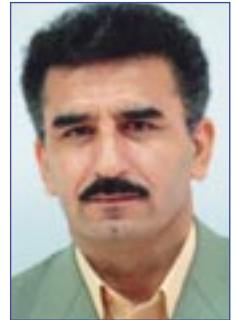
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