



IMLI NEWS



Circulated in more than 100 States to personalities in the legal and maritime professions

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UN SECRETARY-GENERAL VISITS IMLI



H.E. Mr. Ban Ki-moon (Secretary-General, United Nations) signing IMLI's Guest Book during his visit at the Institute

H.E. Mr. Ban Ki-moon, (Secretary-General, United Nations) visited Malta on 21 and 22 April, 2009, the first visit by a UN Secretary-General in 21 years. On the said occasion His Excellency paid a visit to the IMO International Maritime Law Institute (IMLI) on 21 April. It is the first time that a UN Secretary-General has visited IMLI.

During his visit to the Institute His Excellency also inaugurated a climate change monument at the University of Malta.

ASIAN AND PACIFIC COUNTRIES' DIPLOMATS ATTEND IMLI BRIEFING

On 2 March 2010, the IMO Secretary-General, H.E. Mr. Efthimios E. Mitropoulos held a briefing at the IMO Headquarters in London for diplomats from countries in Asia and the Pacific. The briefing was intended to introduce their Excellencies to IMLI's work and to encourage candidates hailing from the Asian and the Pacific region to enroll IMLI's academic programmes, especially the Institute's programme leading to the degree of Master of Laws (LL.M.) in international maritime law.



H.E. Mr. Efthimios E. Mitropoulos (Secretary-General, IMO) and the distinguished guests who attended the briefing

IMLI AWARD FOR MERITORIOUS CONTRIBUTION TOWARDS THE DISSEMINATION, HARMONIZATION AND IMPLEMENTATION OF INTERNATIONAL MARITIME LAW BESTOWED ON THE CHAIRMAN OF THE NIPPON FOUNDATION

To celebrate IMLI's 20 years in the service of the rule of international maritime law, the Secretary-General of IMO, H.E. Mr. Efthimios E. Mitropoulos held a Commemorative Seminar at the IMO Headquarters in London on 5 May 2009.

During the seminar Mr. Yohei Sasakawa (Chairman, The Nippon Foundation), received the IMLI "Award for Meritorious Contribution towards the Dissemination, Harmonization and Implementation of International Maritime Law"

As a result of Mr. Sasakawa's unwavering efforts, a joint project between IMLI and The Nippon Foundation entitled "Human Resources Development Project for the Advancement of a more effective Legal Order for the Oceans" was launched in 2003 demonstrating the full support of The Nippon Foundation to the Institute's objectives.

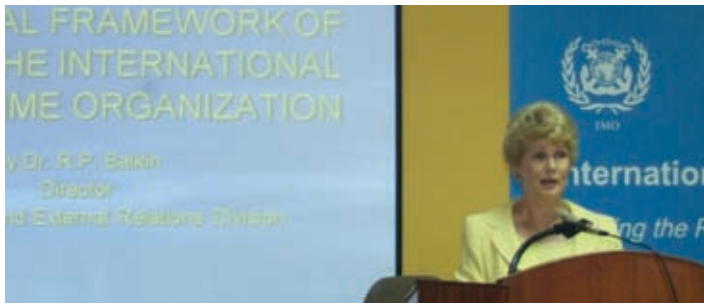
The aim of this common undertaking is to contribute to the promotion, adoption, effective implementation and enforcement of international maritime conventions adopted under the aegis of the United Nations and IMO, and to encourage greater participation by developing States, particularly Asian, in the major international maritime law conventions and legal instruments.

The Project has been successful due to the fruitful collaboration between the two organizations. In total, so far, sixty-six lawyers from thirty-nine States have benefited from the scholarships awarded under the Project.



H.E. Mr. Efthimios E. Mitropoulos (Secretary-General, IMO and Chairman, Governing Board of IMLI) presenting the IMLI "Award for Meritorious Contribution towards the Dissemination, Harmonization and Implementation of International Maritime Law" to Mr. Yohei Sasakawa (Chairman, The Nippon Foundation)

IMO DIRECTOR OF LEGAL AFFAIRS AND EXTERNAL RELATIONS DIVISION INAUGURATES IMLI'S 21ST ACADEMIC YEAR



Dr. Rosalie Balkin (Director of Legal Affairs and External Relations Division, IMO), delivering the inaugural lecture

Dr. Rosalie Balkin (Director of Legal Affairs and External Relations Division, IMO), has been a visiting lecturer to IMLI's LL.M. programme for a number of years. This academic year, Dr. Balkin delivered the inaugural lecture of IMLI's 21st annual LL.M. programme on 24 September, 2009. The lecture focused on the legal framework of IMO, its role as a specialised agency of the United Nations and the work of IMO Legal Committee. Dr. Balkin delivered another lecture focusing on IMO's Role in the fight against piracy.

IMLI COURSE ON THE LAW OF MARITIME SAFETY

Dr. Philippe Boisson (Communication Director and Legal Advisor of the Bureau Veritas Marine Division, and a Member of the IMLI Governing Board) delivered the course on the Law of Maritime Safety which is one of the key subjects of the Shipping Law curriculum of IMLI's LL.M. programme. The course is intensive and aims to give a comprehensive overview of the international instruments providing for safety of shipping in all respects. It consists of units dealing with the regulatory process related to maritime safety, ship safety, construction and equipment, cargo safety, the human element and operational safety, the control of ship safety and finally with the classification societies.



Dr. Philippe Boisson and the IMLI class 2009/2010

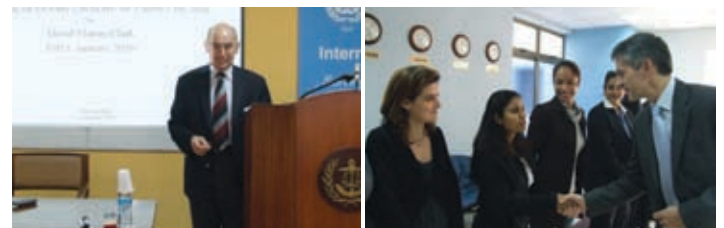
IMLI COURSE ON CARRIAGE OF GOODS BY SEA

This academic year IMLI held its 12th Annual Course on Carriage of Goods by Sea, from October 2009 to January 2010. This intensive course offers the participants an opportunity to gain a detailed understanding of the obligations and rights arising from bills of lading and charterparty contracts and explore the workings and the present day application of the Hague and Hague-Visby Rules, the Hamburg Rules and the newly adopted Rotterdam Rules. The analysis of the relevant legal matters is handled through a comparative approach. The course examines a comprehensive list of topics including the nature and functions of the bills of lading and other transport documents, electronic bills of lading, rights and liabilities pertaining to different types of charterparties, the relationship between the charterparty, the bill of lading and other documents, etc.

As it is now a tradition, the fundamental part of the course was delivered by Professor Francis M.B. Reynolds Q.C. (Hon.), (Barrister, Professor Emeritus, University of Oxford).



Professor Francis M.B. Reynolds Q.C. meeting students of the IMLI class of 2009/2010.



Mr. David Martin-Clark delivering his lecture

Mr. Grant Hunter meeting IMLI students

Mr. David Martin-Clark (Barrister-at-Law, Arbitrator, Mediator and Consultant) participated also as a visiting lecturer during IMLI's Course on Carriage of Goods by Sea. Mr. Martin-Clark lectured on the Rotterdam Rules and on E-Commerce in the context of shipping.

This year IMLI also had the honour of hosting Mr. Grant Hunter (Chief Documentary Affairs Officer of BIMCO). During his lecture Mr. Hunter conducted dynamic and encouraging discussions with the students of IMLI class 2009/2010 on "BIMCO's Documentary Work".

IMLI COURSE ON THE LAW OF MARINE INSURANCE

This intensive course on the Law of Marine Insurance offers participants an opportunity to gain general understanding of specific concepts and principles of marine insurance law, most commonly used standard marine insurance clauses and functioning of marine insurance markets. The focus is on marine hull and machinery insurance and cargo insurance.

Professor Dr. Marko Pavliha (Professor of Commercial, Transport and Insurance Law, Faculty of Maritime Studies and Transportation, University of Ljubljana) delivered a series of lectures on the Law of Marine Insurance. The purpose of the lectures was to give the students an overview of marine insurance, its history, functioning of insurance markets and basic understanding of the main principles and concepts of marine insurance law, including some basic analysis of the broadly used standard clauses of marine hull and machinery insurance and cargo insurance.

Mr. John McPhail (Thomas Miller & Co., Managers of the UK P&I Club) lectured on the topic of the Protection and Indemnity (P&I) Insurance. He highlighted the role of P&I insurance in order to enable the students to understand the intricacies of the P&I world, which is quite specific and different from market insurance. In this regard he explained the main functions of the P&I Clubs with special emphasize on the role of the International Group of P&I Clubs.



Professor Dr. Marko Pavliha meeting students of IMLI class of 2009/2010

IMLI MARINE ENVIRONMENTAL LAW COURSE

IMLI's Marine Environmental Law Course is an intensive course which offers participants an overview of the rules dealing with the prevention of marine incidental or operational pollution, the applicable regimes of compensation and liability in case of pollution either by oil or other dangerous and noxious substances and the protection of the environment from hazards posed by wrecks whether located in the exclusive economic zone or territorial sea of the State. Experts of international repute draw on legislative, administrative and judicial experience from different parts of the world. Developments following the *Erika* and *Prestige* disasters are also canvassed.

Also covered in the course by the Senior Officers of the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC) is the international and regional legal framework for marine spill emergency preparedness and response and the preparation of a contingency plan in compliance with international conventions.



Professor Malgosia Fitzmaurice (Chair of Public International Law at the Department of Law, Queen Mary, University of London) delivered two lectures to the class of 2009/2010. Her lectures at IMLI dealt with the "Protection of the Marine Environment on the basis of the Global Conventions (MARPOL 73/78; London Convention 1972 and the 1996 Protocol; and the 1982 United Nations Law of the Sea Convention)" and "The Protection of Marine Living Resources".



Mr. Jonathan Pace (Senior Programme Officer, REMPEC) lectured on the Mediterranean Example on Regional Systems for Co-operation in the Prevention of, Preparedness for and Response to Marine Pollution.

IMLI also had the honour to host Mr. Mitja Grbec (Slovenian Lawyer) who lectured on Compensation and Liability Regime for Oil Pollution; Mr. Gabino Gonzalez (Programme Officer (OPRC) - REMPEC) who lectured on the International Legal Framework for Marine Pollution Preparedness and Response – the OPRC Convention and the OPRC-HNS Protocol; and Ms. Lilia Khodjet El Khil (Programme Officer (Marine Environment Protection) – REMPEC) who lectured on Ballast Water Management and Invasive Species and Marine Protected Areas beyond National Jurisdiction.



Mr. Mans Jacobsson (Former Director of the International Oil Pollution Compensation Funds (IOPC Funds)) gave a general presentation on the international liability and compensation regime for pollution damage caused by oil spills from tankers established by the Civil Liability and Fund Conventions which has been in operation for 30 years. He also provided a brief overview of the International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001. Finally, he addressed the International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, 1996.



Mr. Patrick Griggs, CBE (Former President, Comité Maritime International) delivered a set of lectures at IMLI on various topics related to international maritime law. Mr. Griggs offered an extremely interesting review of the new Nairobi International Convention on Wreck Removal, 2007. The presentation was particularly useful as it was based on Mr. Griggs's significant involvement with the CMI, IMO and other intergovernmental organisations over the past 30 years and illustrated with many real examples. Mr. Griggs, as a CMI representative, personally contributed and participated throughout the drafting of the Wreck Removal and Bunkers Convention and could therefore bring IMLI students closer to the background and history of the particular provisions.

IMLI MARITIME LEGISLATION DRAFTING COURSE

This unique course is designed to train government officials on techniques of drafting of maritime legislation, placing emphasis on the incorporation of international conventions into domestic legislation. The course addresses drafting requirements peculiar to common law and civil law systems.

Some key features of the course include, *inter alia*, the relationship between international and municipal law and rules of statutory interpretation legislative and drafting process, forms of legislation, options for developing maritime legislation, nature of international maritime conventions and incorporation of international maritime conventions.

The course was delivered by Professor Frank L. Wiswall, Jr., (Vice-President (*Honoris Causa*), Comité Maritime International) and the resident faculty of IMLI. Professor Wiswall lectured on the drafting and adoption of national and international maritime legislation. During his lectures he emphasized the process by which international maritime legislation is developed in the IMO.

Professor Wiswall has fully supported the work of the Institute since its inception, when he was involved in the drafting of the Institute's syllabus. Since then, he visits the Institute every year, not only to lecture the core part of this important course, but also to deliver the course on the Law of Marine Collision.



Professor Frank L. Wiswall, Jr., (Vice-President *Honoris Causa*, Comité Maritime International) meeting students of IMLI class of 2009/2010

UNITED NATIONS GENERAL ASSEMBLY RECOGNIZES THE WORK OF IMLI

On 4 December 2009, during its sixty-fourth session, the United Nations General Assembly adopted Resolution A/Res/64/71 entitled "Oceans and the law of the sea". The Resolution, which was adopted by 120 votes in favour, tackles the main aspects of the 1982 United Nations Convention on the Law of the Sea (UNCLOS), and calls upon States and international organizations to cooperate towards the effective implementation of the provisions of UNCLOS.

In acknowledgment of the IMO International Maritime Law Institute's (IMLI) contribution to the international community, the Resolution officially recognizes the importance of IMLI's work. In paragraph 13 of this Resolution the United Nations General Assembly:

"Recognizes the importance of the work of the International Maritime Law Institute of the International Maritime Organization as a centre of education and training of Government legal advisers, mainly from developing States, notes that the number of its graduates in 115 States confirms its effective capacity-building role in the field of international law, congratulates the Institute on the celebration of its twentieth anniversary, and urges States, intergovernmental organizations and financial institutions to make voluntary financial contributions to the budget of the Institute".

This is the second consecutive year that this august body recognized IMLI's work and its contribution to the international maritime community.

IMLI ALUMNI ACHIEVEMENTS

Ms. Lydia Abela (Malta, class 2001-2002) has been appointed Secretary of the Maltese Labour Party's National Executive

Mr. Ibrahim Sy (Senegal, class 2004-2005) has been appointed Technical Advisor, Cabinet of the Minister of Maritime Economy, Fisheries and Shipping

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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.*

20TH ANNIVERSARY OF ACADEMIC LIFE OF PROFESSOR DAVID ATTARD

The year 2009 marked the twentieth anniversary of academic life of Professor David Attard, recognized as an authority in international law worldwide. To commemorate this milestone, a collection of essays – intended to reflect Professor Attard's dedication, commitment and contribution to the fields of international and international maritime law – was written in his honour. Due to the large number of essays the collection was divided into two volumes, namely "Serving the Rule of International Law: Essays in Honour of Professor David Joseph Attard" and "Serving the Rule of International Law: Essays in Honour of Professor David Joseph Attard".

To purchase "Serving the Rule of International Law: Essays in Honour of Professor David Joseph Attard" please contact Ms. Elda Belja at info@marenostumpublications.org. To purchase "Serving the Rule of International Maritime Law: Essays in Honour of Professor David Joseph Attard" please visit www.routledgelaw.com.

The distinguished personalities contributing to "Serving the Rule of International Law: Essays in Honour of Professor David Joseph Attard" are:

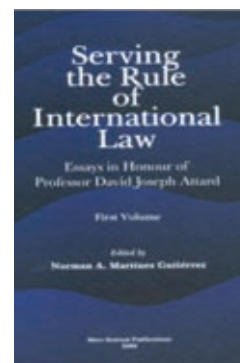
H.E. Lawrence Gonzi (Prime Minister of Malta); **Ambassador Lino Vassallo** (Permanent Representative of Malta to IMO); **Dr. Omar Grech** (Co-ordinator of Human Dimension Programme and Lecturer in International Law, MEDAC); **Professor Guido DeMarco** (President Emeritus, Republic of Malta / Former President of the UN General Assembly); **Dr. Simone Borg** (Lecturer, Department of International Law, University of Malta); **Professor Raymond Mangion** (Member of the Department of Public Law, Faculty of Laws, University of Malta); **Professor Juanito Camilleri** (Rector, University of Malta); **Mr. Ranier Fsadni** (Advisor to the Prime Minister of Malta on Mediterranean and Maritime Affairs); **Professor Dietrich Kappeler** (Former Founding Director and Chairman of MEDAC / Former President of DiploFoundation); **Ambassador Michael Bartolo** (Former Ambassador to the UN and the Specialized Agencies in Geneva and Vienna and the World Trade Organization); **Ambassador Gunter Weiss** (Former EU Ambassador); **Professor Giuseppe Cataldi** (Professor of International Law / Pro-Rector, University of Naples 'L'Orientale'); **Professor Stephen Calleya** (Director, MEDAC); **Ambassador Saviour F. Borg** (Permanent Representative of Malta to the UN); **Dr. Ugo Mifsud Bonnici** (President Emeritus, Republic of Malta); **Professor Tullio Scovazzi** (Professor of International Law, University of Milano, Bicocca, Milan); **Ambassador Salvino Busuttil** (Former Ambassador to France and Portugal / Former UN Director); **Professor Mary Durfee** (Associate Professor, Department of Social Sciences, Michigan Technological University); **Judge Giovanni Bonello** (Judge of the European Court of Human Rights) and **Professor Kevin Aquilina** (Associate Professor and Head, Department of Public Law, Faculty of Laws, University of Malta)

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"Serving the Rule of International Maritime Law"