

IMO SECRETARY-GENERAL'S MESSAGE TO IMLI WEBSITE VISITORS



Mr. Koji Sekimizu (IMO Secretary-General)

The new IMO Secretary-General, Mr. Koji Sekimizu, stated:

To ensure that shipping is as safe, secure, efficient and environment-friendly as it can be requires a truly global regulatory framework. Internationally applied measures adopted by the International Maritime Organization (IMO) provide that framework, but the drafting of IMO Conventions and their subsequent enactment into national law are complex and highly specialized tasks. They require special people, people with the highest possible level of relevant expertise and a deep knowledge of the subject matter.

Education holds the key. Established in 1988, under the auspices of the International Maritime Organization and in conjunction with the Government of Malta, the International Maritime Law Institute (IMLI) has developed into the world's leading international centre for the training of specialists in maritime law. It provides the maritime world with an invaluable human resource, and contributes generally to the development and dissemination of knowledge and expertise in international maritime law.

IMLI has been particularly influential in helping developing countries play their full part in maritime affairs. Today, IMLI has a global network of maritime lawyers, who can be found serving in key positions in Government and throughout the maritime legal profession.

IMLI has epitomized achievement and accomplishment for many years, the importance of which has been recognized by the UN General Assembly. I have every confidence that the Institute will continue to provide the high-quality, specialist legal training that has become its trademark. I wish its staff and graduates every success, both now and in the future.

IMO SECRETARY-GENERAL MEETS IMLI GRADUATES

The IMO Secretary-General, Mr. Koji Sekimizu, visited the Philippines from 7 to 8 February 2012. During his visit Mr. Sekimizu met with Philippine IMLI graduates at the IMO Regional Office in Manila. IMLI graduates present at the meeting were Atty. Virgilio Calag (IMLI Class of 1994, Director of the Legal Office, Maritime Industry Authority), Ambassador Gilberto Asuque (IMLI Class of 2004, Assistant Secretary, Department of Foreign Affairs), Atty. Josephine Uianza (IMLI Class of 2005, Corporate Secretary and Counsel, A. Magsaysay Group of Companies) and Atty. Donette Dolina (IMLI Class of 2011, Legal Officer, Philippine Coast Guard).

Ambassador Asuque stressed the support which IMLI graduates are able to extend to the Philippine Government and to the IMO Regional Office because of the training they have received at IMLI and was grateful for the continued support received through scholarships given to deserving government scholars that are made available each year.

The Secretary-General in turn thanked the IMLI graduates for the support extended. He also made special mention of the bravery displayed by Philippine seafarers who face the scourge of piracy. According to him, this is one of the pressing issues which IMO faces and seeks to address.



Mr. Koji Sekimizu (IMO Secretary-General) with Atty. Josephine Uianza and Atty. Donette Dolina (IMLI Graduates)

IMLI EXPRESSES ITS APPRECIATION TO MR. EFTHIMIOS E. MITROPOULOS



IMLI expresses its appreciation to Mr. Efthimios E. Mitropoulos (Chairman, IMLI Governing Board) for all the support extended to the Institute and its activities throughout his tenure as IMO Secretary-General and Chairman of the IMLI Governing Board. IMLI recognizes Mr. Mitropoulos' significant contribution towards the progressive development and codification of international maritime law.

H.E. Mr. Efthimios E. Mitropoulos (Chairman, Governing Board of IMLI), Professor David Attard (Director, IMLI), Professor Francis M.B. Reynolds Q.C. (Professor Emeritus, University of Oxford), Dr. Patrick J.S. Griggs CBE (Former President, Comité Maritime International), Members of the Faculty and the IMLI Class of 2010-2011 during the Graduation Ceremony

IMLI COURSE ON THE LAW OF MARITIME SAFETY AND SECURITY

Dr. Philippe Boisson (Communication Director and Legal Advisor of the Bureau Veritas, Marine Division) delivered the Course on the Law of Maritime Safety. The Course was an intensive one and its aim was to give a comprehensive overview of the international instruments providing for safety of shipping in all respects. It consisted 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 (Communication Director and Legal Advisor of the Bureau Veritas, Marine Division) meeting IMLI students

Professor Natalino Ronzitti (Professor of International Law, Libera Università degli Studi Sociali "Guido Carli" of Rome) delivered a set of lectures on "The Legal Status of Sunken Warships" and "State Vessels and Maritime Security and Defence against Terrorism".

Major (Retd) Anthony Hall conducted a two-day seminar on international maritime security, which aimed to explain to its participants the legal implications and practical aspects of maritime security, which together form a coherent whole for the protection of life and property at sea.

Dr. Patricia Mallia (Head, Department of International Law, Faculty of Laws, University of Malta) lectured on "Migrant Smuggling by Sea".

The IMLI Course on Maritime Safety and Security was coordinated by Mr. Riyaz Hamza (The Nippon Foundation Lecturer on International Maritime Security Law).

IMLI MARITIME LEGISLATION DRAFTING COURSE



Professor Frank L. Wiswall, Jr. (Vice President Honoris Causa, Comité Maritime International) meeting IMLI students

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.

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.

IMLI COURSE ON CARRIAGE OF GOODS BY SEA

This academic year IMLI held its Annual Course on Carriage of Goods by Sea, from October 2011 till February 2012. This intensive Course offered the participants an opportunity to gain a detailed understanding of the obligations and rights arising from bills of lading and charterparty contracts and explored the workings and the present day application of The Hague and Hague-Visby Rules, the Hamburg Rules, the Rotterdam Rules and the Multimodal Transport Convention. The analysis of the relevant legal matters was handled through a comparative approach. The Course examined 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 charter, the bill of lading and other documents, etc.

As it is now tradition, the core part of the Course was delivered by Professor Francis M.B. Reynolds (Q.C. (Hon.), (Barrister, Professor Emeritus, University of Oxford). The lectures were enriched by a number of practical examples based on actual disputed law cases and real commercial documents.



Professor Francis M.B. Reynolds Q.C. (Barrister, Professor Emeritus, University of Oxford) meeting IMLI students

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

Dr. Mahin Faghfour (President of the International Multimodal Transport Association) visited the Institute and delivered a series of lectures on multimodal transport and the impact of the Rotterdam Rules on multimodal transport.

IMLI COURSE ON THE LAW OF MARINE INSURANCE

The Course on the Law of Marine Insurance offers the participants an opportunity to gain general understanding of the 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.



Professor Dr. Marko Pavliha (Professor of Commercial, Transport and Insurance Law, Faculty of Maritime Studies and Transportation, University of Ljubljana) meeting IMLI students

Mr. John McPhail (Compliance Officer, Thomas Miller & Co. Managers of the UK P&I Club) lectured on the topic of the Protection and Indemnity (P&I) Insurance. He explained the main functions of the P&I Clubs with special emphasis on the role of the International Group of P&I Clubs.

IMLI MARINE ENVIRONMENTAL LAW COURSE

The IMLI Marine Environmental Law Course offered the participants an overview of the rules dealing with the prevention of marine incidental or operational pollution, the applicable regimes for 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 drew on legislative, administrative and judicial experience from different parts of the world. Developments following the *Erika* and *Prestige* disasters were also canvassed.

Also covered in the Course was the international and regional legal framework for marine spill emergency preparedness, response and co-operation, as well as the preparation of a contingency plan in compliance with international conventions.



Dr. Patrick Griggs (Former President, Comité Maritime International) meeting IMLI students

Dr. Patrick Griggs, CBE (Former President, Comité Maritime International) delivered a set of lectures on marine environmental law. Dr. Griggs delivered a lecture on the Nairobi International Convention on the Removal of Wrecks, 2007. The presentation was particularly interesting and useful as it was based on Dr. Griggs's significant involvement with the CMI, IMO and other intergovernmental organisations over the past 30 years and illustrated with many real examples. Dr. Griggs, as a CMI representative, personally contributed and participated throughout the drafting of a number of international maritime conventions, including the Wreck Removal Convention and could therefore bring closer to the class the background and history of its particular provisions.



Professor Peter Ehlers (Former President, German Federal Maritime and Hydrographic Agency) meeting IMLI students

Professor Peter Ehlers (Former President, German Federal Maritime and Hydrographic Agency) conducted dynamic and encouraging discussions with the students of the IMLI Class of 2011/2012 on "How to Make Marine Environmental Law".

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 Dr. Mitja Grbec (President, Slovenian Maritime Law Association) who lectured on the compensation and liability regime for oil pollution damage; 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 Dr. Stefano Filletti (Senior Partner, Filletti & Filletti Advocates) who lectured on "Marine Pollution Prevention under UNCLOS".

The IMLI Marine Environmental Law Course was coordinated by Professor Malgosia Fitzmaurice (The Nippon Foundation Professor on Marine Environmental Law).

IMLI COURSE ON THE LAW OF THE SEA

The IMLI Course on the Law of the Sea provided a comprehensive study of the international law of the sea, encompassing all the important aspects of this major branch of public international law. Attention was also given to the role of customary international law in the development and codification of the law of the sea. The Course followed a detailed analysis of each area of the international law of the sea, including all the major maritime zone regimes, delimitation of maritime boundaries, marine scientific research, fisheries, landlocked and geographically disadvantaged States and settlement of disputes. The rules of contemporary international law, including their historical background and development, were also dealt with.

Professor David Attard (Director, IMLI) delivered the core part of the Course. During his lectures, Professor Attard gave the students an overview of the genesis of the law of the sea, its historic development and the way customary international law has been codified in the international instruments. Professor Attard offered a detailed analysis of the different maritime zones, as established under the provisions of UNCLOS, and of the rights enjoyed by the States and obligations imposed upon them under the said provisions.



Judge Shunji Yanai (President, ITLOS) and Mrs. Toshiko Yanai with Professor David Attard (Director, IMLI) and the Class of 2011/2012

IMLI had the honour to host Judge Shunji Yanai (President, ITLOS) who visited the Institute on 11 April and addressed the students of the Class of 2011/2012. In his address Judge Yanai discussed the "Features and Jurisprudence of the International Tribunal for the Law of the Sea".

Judge Helmut Türk (Judge, ITLOS) lectured on the "Common Heritage of Mankind", wherein he discussed the development of the doctrine of the Area as Common Heritage of Mankind and the system of exploration and exploitation of deep sea minerals.



Judge Helmut Türk (Judge, ITLOS) lecturing at IMLI

Professor Philippe Gautier (Registrar, ITLOS) delivered a lecture on "Settlement of Disputes under the UNCLOS". During his very enlightening lecture Professor Gautier dealt comprehensively with all the relevant provisions on Settlement of Disputes codified in Part XV of UNCLOS.



Professor Philippe Gautier (Registrar, ITLOS) lecturing at IMLI

Professor Stefan Talmon (Co-Director, Public International Law Institute, University of Bonn) delivered a lecture on "The Legal Regime of Islands in International Law". The lecture explored the meaning of the various insular features dealt with in UNCLOS. In this respect Professor Talmon gave a detailed analysis of the various elements of Article 121 of UNCLOS.

Dr. Irini Papanikolopulu (Marie Curie Fellow, University of Oxford) delivered a lecture on the emerging topic of "Human Rights and the Law of the Sea".

Dr. Simon Borg (Department of Environmental and Resources Law, Faculty of Laws, University of Malta) delivered a set of lectures on the "Conservation of Marine Biodiversity" and "Conservation and Management of Marine Living Resources".

UNITED NATIONS GENERAL ASSEMBLY RECOGNIZES THE WORK OF IMLI

On 24 December 2011, during its sixty-sixth session, the United Nations General Assembly adopted Resolution A/Res/66/231 entitled "Oceans and the Law of the Sea". The Resolution, which was adopted by 134 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.

The General Assembly, through Resolution A/Res/66/231, acknowledged for the fourth consecutive year the contribution of the IMO International Maritime Law Institute (IMLI) to the international community. In paragraph 17 of this Resolution the UN's highest representative body:

"17. 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, confirms its effective capacity-building role in the field of international law, and urges States, intergovernmental organizations and financial institutions to make voluntary financial contributions to the budget of the Institute;"

NEW CHAIRMAN OF THE IMO TECHNICAL CO-OPERATION COMMITTEE IS AN IMLI GRADUATE

Mrs. Nancy Karigithu, an IMLI graduate from Kenya, was unanimously elected as the new Chairman of the Technical Co-operation Committee, for the year 2012-2013, during its 61st Session held at the IMO Headquarters in London. The representatives of the Member States who attended this Session noted her vast experience spanning 24 years and lauded her contribution to the maritime industry in the African region. Mrs. Karigithu served as the Vice-Chairman of the Committee for the years 2010 and 2011.



Mrs. Nancy Karigithu receiving her Degree of Master of Laws in International Maritime Law from H.E. Dr. Ugo Mifsud Bonnici (then President of Malta) during the Institute's Graduation Ceremony held on 19 June 1994

Mrs. Karigithu holds a Bachelor's Degree in Law from the University of Nairobi and a Degree of Master of Laws in International Maritime Law from IMLI. Regarding her training at the Institute, she has noted that it marked the turning point in her career and that the exposure in Malta changed her perception of the industry and opened her eyes to more opportunities.

She is currently the Director General of the Kenya Maritime Authority. As the first substantive Director General, Mrs. Karigithu was charged with setting up the maritime authority and updating the legal framework for maritime activities in Kenya including all rules and regulations. She is also Chairperson of the Association of Women in the Maritime Sector in Eastern and Southern Africa, the first regional body to champion and encourage the participation of women at senior management level in the maritime sector. Mrs. Karigithu also sits on the Board of Governors of the World Maritime University.

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 ALUMNI

Ms. Adriana Padovan (Croatia, Class of 2002-2003) has been appointed Research Fellow, Adriatic Institute of the Croatian Academy of Sciences and Arts.

Ms. Marija Pospisil (Croatia, Class of 2003-2004) has been appointed Senior Claims Executive, North of England Protecting & Indemnity Association's Branch in Hong Kong.

Capt. Gabriel Abad (Ecuador, Class of 2010-2011) has been appointed Commanding Officer of the Ecuadorian Research Vessel "Orion".

Mr. Kiniviliame Keteca (Fiji, Class of 1993-1994) has been appointed Lecturer, University of the South Pacific, Fiji.

Ms. Fatou Bom Bensouda (the Gambia, Class of 1990-1991) has been appointed Prosecutor of the International Criminal Court.

Mr. Sahdev Singh (India, Class of 2010-2011) has been appointed Deputy Secretary, Ministry of Shipping, Government of India.

Mrs. Nancy Karigithu (Kenya, Class of 1993-1994) has been appointed Chairman of the IMO Technical Co-operation Committee.

Mr. Ahmed Muizzu (Maldives, Class of 1993-1994) has been appointed Prosecutor General of the Maldives.

Ms. Raeeza Abdul Wahhaab (Maldives, Class of 2006-2007) has been appointed Registrar of the High Court of the Maldives.

Capt. Ruth Jamila Malafa (Nigeria, Class of 2008-2009) has been appointed Assistant Director, Military International Law Office of the Nigerian Navy.

NEW PROSECUTOR OF THE INTERNATIONAL CRIMINAL COURT IS AN IMLI GRADUATE

The Assembly of States Parties to the Rome Statute of the International Criminal Court (ICC) elected Ms. Fatou Bom Bensouda (the Gambia) as the new Prosecutor of the Court. Serving with the Court as Deputy Prosecutor since 8 September 2004, Ms. Bensouda was elected Prosecutor as the consensus candidate on 12 December 2011. She will assume the Office of the Prosecutor in June 2012.

In her bio announcement it was noted that Ms. Bensouda holds a Master's Degree in International Maritime Law and Law of the Sea and as such is the first international maritime law expert of the Gambia.

Professor David Attard (Director of IMLI) stated that it gives him great pleasure to learn about Ms. Bensouda's merit-based election and her immense success in the international fora. He further noted that it gives him pride to read the reference to her Master of Laws Degree, obtained when she studied at IMLI, in the Institute's second academic year (1990/1991).



Ms. Fatou Bom Bensouda (First Row: Second from the left) during her graduation ceremony at IMLI held on 29 June 1991

Prior to her election as Deputy Prosecutor of the ICC, Ms. Bensouda worked as a Legal Adviser and Trial Attorney at the International Criminal Tribunal for Rwanda (ICTR) in Arusha, Tanzania, rising to the position of Senior Legal Adviser and Head of The Legal Advisory Unit. Before joining the ICTR, she was the General Manager of a leading commercial bank in the Gambia. Between 1987 and 2000, she was successively Senior State Counsel, Principal State Counsel, Deputy Director of Public Prosecutions, Solicitor General and Legal Secretary of the Republic, then Attorney General and Minister of Justice, in which capacity she served as Chief Legal Advisor to the President and Cabinet of the Gambia.

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