

## INTERNATIONAL MARITIME ORGANIZATION



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#### THE MAGAZINE OF THE IMO INTERNATIONAL MARITIME LAW INSTITUTE - MALTA. No. 36/2016

#### **NEW CHAIRMAN OF THE IMLI GOVERNING BOARD**



Mr. Kitack Lim (IMO Secretary-General and Chairman of the IMLI Governina Board)

IMLI is proud to announce that Mr. Kitack Lim (Republic of Korea) is the new Chairman of the IMLI Governing Board.

Under the Statute of the IMO International Maritime Law Institute, the IMO Secretary-General is ex officio the Chairman of the IMLI Governing Board. Mr. Lim was elected as IMO Secretary-General by the 114th session of the IMO Council and his election was approved by the IMO's Assembly during its 29th session. On 1 January 2016 Mr. Lim began his term as the eighth Secretary-General of the Organisation.

The Director and staff of the Institute congratulate Secretary-General Kitack Lim for his appointment and look forward to working with him towards the continued academic success of the Institute.

#### **NEW MASTER DEGREE IN** INTERNATIONAL MARITIME LAW AND LOGISTICS TO COMMENCE FOR THE FIRST TIME WORLDWIDE

The IMO International Maritime Law Institute (IMLI) in Malta will offer a Master of Science in International Maritime Law and Logistics (IMLLog) degree in October 2016 in cooperation with Kühne Logistics University (KLU) in Hamburg. Until the accreditation process has been completed at KLU, IMLI will be the degree-granting institution. The unique post-programme, which is being offered for the first time at post-graduate level, is addressed to maritime professionals who are increasingly required not only to have a thorough understanding of logistics and maritime operations, but also to be able to appreciate the nuances and requirements of current and upcoming maritime regulations.

IMLLog program is about dealing with the challenges of moving goods and people by sea including in situations of humanitarian relief, learning about customs procedures, port organization and operations, international treaties and their effect on operations at sea, and helping organize shipping routes, taking the legal implications of human rights laws into consideration and have the answer when cargo is damaged or lost.

When asked about the importance of the program, Professor Thomas Strothotte, President of KLU stated that "This degree qualifies to master groundbreaking logistics and legal challenges related to all maritime issues"; whereas Professor Attard, Director of IMLI noted that "It provides the students with the necessary skills for assessing the financial implications of legal decisions in logistics and to understand how this fastpaced field has become a building block of modern society".

The two Institutions of higher learning will co-organize the two-year, full-time Master of Science Degree program combining International Maritime Law and Maritime and Humanitarian Logistics. This intensive English language taught program is divided into two parts: international maritime law courses will be taught primarily at IMLI, and logistics and leadership courses will be taught primarily at KLU. In this regard, students will spend the first academic year studying in Malta and the second in Hamburg. The first intake will start on 1st October 2016 and finish its study on 31st

The application process for the new degree program started on 1st February 2016. For further information please visit our website www.imllog.org or contact us on admissions@imllog.org

#### NEW MEMBERS OF THE IMLI GOVERNING BOARD

Mr. Koji Sekimizu, then IMO Secretary-General and Chairman of the IMLI Governing Board, appointed Mr. Masamichi Hasebe (Senior Legal Counsel of the Japan Association of Marine Safety) and Dr. Emmanuel Kofi Mbiah (Chairman of IMO Legal Committee and IMLI Graduate) as Members of the IMLI Governing Board.



Mr. Masamichi Hasebe (Senior Legal Counsel, Japan Association of Marine Safety) delivering a lecture at IMLI

Mr. Hasebe has been supporting for a number of years the Institute's academic activities, both as a visiting fellow and a member of the Nippon Foundation Selection Body of scholarship candidates studying at IMLI. Through his active engagement in the selection process of The Nippon Foundation, he has been instrumental in the award of scholarships to deserving Government-nominated candidates who have pursued their studies at the Institute and are playing an important role in their countries or regions.



Dr. Emmanuel Kofi Mbiah (Chairman of the IMO Legal Committee) delivering a lecture at IMLI

In his appointment letter to Dr. Mbiah (an IMLI graduate), Mr. Sekimizu stated that Dr. Mbiah's personal participation will help to strengthen the Board's representation.

Mr. Hasebe and Dr. Mbiah will be a great addition to the Governing Board which is composed of members representing the major legal systems of the world and who have an outstanding expertise in the field of international maritime law.

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



Mr. Frederick J. Kenney Jr. (Director of the IMO Legal Affairs and External Relations Division) delivering the inaugural lecture to the IMLI Class of 2015-2016

Mr. Frederick J. Kenney Jr., (Director of the IMO Legal Affairs and External Relations Division) visited the Institute on 16 October, 2015 and delivered a lecture on "Development, entry into force and amendment of IMO Conventions". Mr. Kenney's lecture was the official inaugural lecture of IMLI's 27th annual LL.M. programme.

Mr. Kenney explained the ways in which States can become Members of IMO, where he also mentioned Associate Members and Members with observer status in IMO. He also discussed the structure and organization of IMO and the organs that make up the Organization, including the Assembly, the

Council, the Committees and the Sub-Committees. Mr. Kenney also discussed the general legal structure of IMO conventions and addressed the different methods and rules for amending the main body of a convention, an annex to a convention, or a code developed under the authority of an IMO convention. He explained in detail the tacit acceptance process for amending IMO codes and the annexes to many IMO instruments and the benefits and legal risks to this amendment process.

#### MR. KOJI SEKIMIZU RECEIVES THE IMLI AWARD

On 2 December 2015, the IMLI Award for Meritorious Contribution towards the Progressive



Professor David Attard (Director of IMLI) presenting the IMLI Award for Meritorious Contribution towards the Progressive Development and Codification of International Maritime to Mr. Koji Sekimizu (then IMO Secretary-General)

Development and Codification of International Maritime Law was conferred on Mr. Koji Sekimizu.

The Award was bestowed on Mr. Sekimizu (then Secretary-General of IMO) in recognition of his significant contribution to the international maritime community during his tenure as Secretary-General of the IMO and his endless efforts, in his capacity as the Chairman of IMLI Governing Board, to ensure that the Institute rises to the fore in the capacity-building process that complements the work of IMO.

In conferring the Award, IMLI acknowledged that Mr. Sekimizu was an inspiring, dedicated

and outstanding beacon of light to the international maritime community during his tenure as Secretary-General of IMO. The Organization under his stewardship traversed historic milestones, in the process codifying international maritime rules into landmark conventions, recommendations and guidelines concerning the whole realm of international maritime law. He thus contributed directly and in a meaningful manner towards the progressive development and codification of international maritime law.

Mr. Sekimizu was appointed as the seventh Secretary-General of IMO on 1 December 2011, for the period from 1 January 2012 to 31 December 2015.

#### THE HONOURABLE MINISTER FOR FOREIGN AFFAIRS OF MALTA VISITS IMLI

The Honourable Dr. George Vella (Minister for Foreign Affairs of Malta) visited the Institute on 17 December, 2015.



Professor David Attard (Director of IMLI) and The Honourable Dr. George Vella (Minister for Foreign Affairs of Malta) with the IMLI Class of 2015-2016

Professor Attard noted The Honourable Minister's dedication and attention to maritime issues long before assuming his position as Minister for Foreign Affairs and his substantial contribution to the development of the Maltese legal framework in the areas of the protection of the marine environment.

The Honourable Minister, in his speech, shared his experience of participating in two major summits in Malta, namely the Valletta Summit on Migration held between 11 and 12 November 2015 which brought together European and African Heads of State and Governments in an effort to strengthen cooperation and address the current challenges of migration and the Commonwealth Heads of Government Meeting (CHOGM) held between 27 and 29 November 2015, where climate change featured high in the meeting agenda.

### THE NIPPON FOUNDATION'S CHAIRMAN RECEIVES THE IMO INTERNATIONAL MARITIME PRIZE

Dr. Yohei Sasakawa (Chairman of The Nippon Foundation) received the IMO International Maritime Prize 2014, during a ceremony held on 23 November, following the first day of the 29<sup>th</sup> session of the IMO Assembly.

The Prize presented to Dr. Sasakawa is in recognition of his contribution to the work of the Organization. Therefore, in presenting the Prize to Dr. Sasakawa, Mr. Sekimizu highlighted his long-standing dedication to maritime education and training through the initiatives of The Nippon Foundation and its generous support to both the World Maritime University (WMU) and IMLI.

In this respect, IMLI notes with pride the joined programme entitled *Human Resources* 



Mr. Koji Sekimizu (then IMO Secretary-General) presenting the IMO International Maritime Prize 2014 to Dr. Yohei Sasakawa (Chairman of The Nippon Foundation)

Development Project for the Advancement of a More Effective Global Legal Order for the Oceans which was officially launched in 2004 by Dr. Sasakawa during his visit to the Institute. Over the last eleven years, the Foundation's generous funding has enabled the training of 116 lawyers from 54 countries from around the globe and established two teaching positions within the Institute.

The International Maritime Prize is awarded annually by IMO to the individual or organization judged to have made the most significant contribution to the work and objectives of the Organization. In awarding the prestigious Prize, the IMO Council recognized Dr. Sasakawa's personal commitment to the development of future maritime leaders and his contribution to the enhancement of safety and security in vital shipping lanes.

#### DIRECTOR OF THE IMO TECHNICAL COOPERATION DIVISION LECTURES AT IMLI



Mr. Nicolaos Charalambous (Director of IMO Technical Cooperation Division) delivering a lecture at IMLI

Mr. Nicolaos Charalambous (Director of the IMO Technical Cooperation Division) visited the Institute on 6 November, 2015 and delivered a lecture titled "Technical Cooperation and Assistance: what does it means in IMO speak."

Mr. Charalambous elaborated on the rationale and mandate of the IMO's Integrated Technical Cooperation Programme (ITCP), which was established with the sole purpose of assisting

Division) delivering a lecture at IML1 established with the sole purpose of assisting countries in building up their human and institutional capacities for uniform and effective compliance with the Organization's regulatory framework. He stated that the importance of the ICTP increases further with the development of new, and the amendments to existing, instruments by IMO in which the particular needs of Small

Island Developing States and Least Developed countries are taken into account.

Mr. Charalambous in particular highlighted the long contribution of IMO to offer Developing and Developed Countries the possibility to accede to a high-level maritime education, through the establishment of two prestigious training institutions, the World Maritime University (WMU) in Sweden and the IMO-IMLI in Malta.



#### IMLI NEW MERCHANDISE

Hoodies with embroidered IMLI logo
Polo shirts with embroidered IMLI logo and website
White round neck T-shirts with printed IMLI logo
Caps with embroidered IMLI logo

Please visit IMLI website www.imli.org for online orders and more items in stock.

# THE GRADUATION ADDRESS BY MR. FREDERICK KENNEY, DIRECTOR OF THE IMO LEGAL AFFAIRS AND EXTERNAL RELATIONS DIVISION, ON BEHALF OF MR. KOJI SEKIMIZU, THEN IMO SECRETARY-GENERAL AND THEN CHAIRMAN OF THE IMLI GOVERNING BOARD



Mr. Frederick Kenney (Director of the IMO Legal Affair and External Relations Division) with Professor David Attard (Director of IMLI), Commissioner Karmenu Vella (The European Commissioner for Maritime Affairs and Fisheries, the Honourable Minister Carmelo Abela (Minister for Home Affairs and National Security), Members of the Faculty and the IMLI Class of 2014-2015 during the 26th Graduation Ceremony

Ministers, Commissioner, Excellences, Ombudsman, Members of the Judiciary, Members of the European Parliament, Distinguished Guests, Faculty Members and Staff of IMLI, and most importantly, Members of the Graduating Class and their families:

It is a great pleasure for me to be here with you today.

I am speaking on behalf of the Secretary-General, who regrets he is unable to attend in person — I was communicating with him last night and I can tell you that there is nowhere he would rather be, and nothing he would rather be doing than to be with the graduates of IMLI here today. Mr. Sekimizu's commitment to IMLI is longstanding and firm, and will remain even after his term ends later this year. But, as Dr. Attard mentioned, the needs of his family prevented his presence today, but his thoughts and congratulations are most certainly with us in this room.

Those of us here who speak in public frequently know that it is often difficult to keep the audience engaged and interested in your words; you stand at the podium and you see people closing their eyes, looking at their phones and what have you. And as a speaker, you must accept that. But today, it is a good day to be a speaker; because I know that there are at least 35 people in this room who are wide awake, alert and with big smiles on their faces; because this is one of the last talks they will listen to at IMLI; and because they have worked very hard to come to this day, and have reached a significant milestone in their careers.

These graduates today become distinguished alumni of this important institution that has already sent over 700 people into the maritime endeavour. As you know, the theme of this year's World Maritime Day is Maritime Education and Training. And in promoting that theme, through the World Maritime Day Parallel Event to be held in Tokyo in July, through the creation of the Maritime Ambassadors Scheme to promote maritime careers, and in all activities related to that theme, the Secretary-General has consistently emphasized that the promotion of careers at sea is not just about promoting the need for more well-trained seafarers – although there is a critical need for them now and in the future. But the theme also highlights the need for well-trained people in all walks of the maritime life: marine architects, engineers and, yes, lawyers. Thus, this graduation ceremony represents a highlight of this year's World Maritime Day efforts, as IMLI is the true embodiment of what maritime education and training is all about. And this graduating class is a shining example of that, as well.

The class of 2015 reflected once again the diversity of the course participants at IMLI: the LL.M. programme comprised 34 students from 28 countries and Morocco was represented for the first time this year. Also, four students graduated from the Advanced Diploma programme, one candidate graduated from the M.Jur. programme, and 16 participants enrolled in the short courses offered by the Institute.

In addition, the following authorities sponsored the studies of their nominees in the LL.M. programme: the Bahrain Coast Guard, the Ghana Ports and Harbours Authority, the Ghana Shipper's Authority, the Moroccan Navy, the Mozambique Ports and Railways Authority, the Nigerian Ports Authority, and the Government of the Philippines.

None of this would be possible without the contributions of a wide range of sponsors

and donors. I would like to thank all those who have supported the institution over the years and continue to do so, especially its main benefactors: IMO, the Nippon Foundation, Lloyd's Register Foundation, the Government of Malta, the Government of Switzerland, Transport Malta (which has also sponsored many of its employees who participated in different short courses offered at the Institute), and the Comité Maritime International Charitable Trust.

Professor David Attard has also provided a scholarship entitled "The IMLI Postgraduate Award" to finance a student undertaking research within the Institute's Research Degree programme.

And of course, none of this would be possible without the tireless dedication of the IMLI faculty and staff who have done so much to prepare these graduates, and to the visiting fellows who devote their time to enrich this superior educational experience for the students.

The Secretary-General frequently speaks of the IMO system as a "Global System of Shared Responsibility". That IMO Member States, the maritime industry, the intergovernmental and non-governmental organizations all share in the global responsibility to ensure safe, secure, efficient, and sustainable shipping on clean oceans. All of mankind is connected to the ocean in some way. But those of us here in this room have made the sea our way of life, we have accepted the global system of shared responsibility as individuals. Certainly, those I have mentioned previously in these remarks have accepted that responsibility on a personal level. We take that responsibility into our hearts. Many of the IMLI class of 2015 forged their careers through the sea; thus prior to coming here, they had accepted that individual responsibility and commitment to make the global ocean safer, cleaner, more secure and more efficient. By graduating from IMLI here today, you have not only achieved a significant academic milestone, but you have strengthened your individual commitment to that shared responsibility. I urge you to embrace that commitment, to embrace that additional responsibility. Through your hard work in creating your dissertations and through your legislative drafting projects, you have created opportunities for positive change. See them through!

Part of the global system of shared responsibility is effective implementation of IMO conventions and other shipping rules. Your legislative drafting projects all represent golden chances to more effectively implement that regime. Four graduates completed drafting projects to implement the Ballast Water Management Convention in their home countries. What an achievement it would be if one of those projects could become that catalyst for that Convention to enter into force! We are so close to that goal; I challenge these graduates to have their country be the one that pushes it over the line. Similar potential for positive change exists in every other project produced by these graduates, be it the Bunkers Convention, the SUA Convention, MARPOL, the Rotterdam Rules, ILO C185, and on and on. I won't list every project by every student, but I ask you to look at them in your programme and see the potential they represent. And I urge the graduates to seize that potential.

Remember you now have a formidable worldwide network of friends and colleagues for life. I hope and expect to see many of you at IMO in the future and wish you every success in your future careers.



#### **IMLI STUDENTS**

#### ACADEMIC YEAR 2015 - 2016 LL.M. PROGRAMME



Mariano Cesar CASTILLO Argentina



Guillermo Anibal FONSECA ATRIO Argentina



Florencia OTERO Argentina



Nazrin MIRZAZADE Azerbaijan



Najla Achele Rosonia KING Barbados



Marko BAZLYANKOV Bulgaria



Melody Yandi OFON Cameroon



Jingjing YIN China



Tilahun Yimer TASSEW Ethiopia



Anene Kejela WODAJO Ethiopia



Olimatou DANSO Gambia



Merab KADJAIA Georgia



Rusudan KIPIANI Georgia



Evangelia POULI Greece



Nielsen Libyeth AVILA ROVELO Honduras



Herwindo DANEVIANTA Indonesia



Georgette Patricia GRANT Jamaica



Tahjna Toya HILL Jamaica



Derrick Otieno OKADIA Kenya



Alice Muringo MATE Kenya



Mialisoa Iarivola RAKOUTH Madagascar



Susann AGIUS Malta



Stephan PIAZZA Malta



Ivan TABONE Malta



Binderiya BATTULGA Mongolia



Aleksandra BUJKOVIC Montenegro



Joy Bridget ASANGA Nigeria



Julius Agito YANO Philippines (the)



Teresa Guia Ramirez MONJE Philippines (the)



Chevanev Andrei Yevgeny CHARLES St. Vincent and the Grenadines



Moatassim Mohammad Ahmed SANOSI Sudan (the)



Emmanuel Ewald MARIJANI Tanzania



Daffodil D'vore MAXWELL Trinidad and Tobago



Osmanberdi GARAJAYEV Turkmenistan



Daria OMELCHENKO Ukraine

ADVANCED DIPLOMA PROGRAMME



Carmen MIFSUD Malta



Julian TONNA Malta



Erasmus OGELEKA Nigeria



Mikolaj ZIELINSKI Poland