



# I M L I NEWS



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I M L I

THE MAGAZINE OF THE IMO INTERNATIONAL MARITIME LAW INSTITUTE - MALTA. No. 18 /2006

## IMO SECRETARY-GENERAL WELCOMES IMLI'S CLASS OF 2006-2007



**Mr. Efthimios Mitropoulos,  
Secretary-General, IMO**

Congratulations on your choice to join the ranks of so many others who serve the world through shipping. You have already made a difference by being selected, against very strong competition, to attend the 18<sup>th</sup> IMLI course programme. Your presence at the Institute marks you out as individuals with the potential, the ability and the determination to make a constructive impact on our world in the future.

Shipping is perhaps the most international of all the world's great industries. As the carrier of global trade, maritime activities provide an important source of income to many developing countries. Indeed, developing countries now lead the world in some of shipping's most important ancillary businesses, including the registration of ships, the supply of sea-going manpower and ship recycling. They also play a significant part in ship owning and operating, shipbuilding and repair, and port services, among others – and their presence in IMO is appropriately strong.

There can be no doubt that transport and communication are crucial for sustainable development in the global environment. If the benefits of globalization are to be evenly spread, all countries must have the capacity to play a full and active part in the distribution system and build strong transport infrastructures. And, if they are to succeed, they must do this by working together in a spirit of international co-operation. Their active participation in IMO is one of the best ways in which they can do this.

The maritime community which you are joining is a truly global one. There is an over-arching logic in favor of a framework of international standards to regulate shipping – standards which can be adopted by all and accepted by all. There has to be a common approach, so that ships can ply their trade around the world and that countries receiving foreign ships in their ports can be confident that, in accepting them, they do not place their safety, security and environmental integrity at an unreasonable risk. Since its formation, IMO's main task has been to develop and maintain a comprehensive regulatory framework for international shipping. Its mandate has been expanded to embrace environmental considerations, port and maritime security, technical co-operation, issues that affect the overall efficiency of shipping.

The direct output of IMO's regulatory framework is a comprehensive body of international conventions, supported by literally hundreds of guidelines and recommendations that, between them, govern just about every facet of the shipping industry. However, not all IMO members have an equal ability to implement the measures agreed by the Organization. Some lack resources, some lack expertise, some both.

To this end, we have established an extensive technical co-operation programme, to help identify particular needs and match them to offers of help and assistance from those that can provide them. We have also founded three unique establishments to offer specialist training on maritime subjects to nationals of less developed countries – one of which is the International Maritime Law Institute in Malta, specializing in maritime law. Your task, on completion of your training as qualified legal experts, is to maintain a properly functioning legislative framework to deal with the ratification by your Governments of treaties developed and adopted by IMO and their incorporation into domestic law, as well as to interpret the treaties and the relevant domestic law provisions in line with the general international understanding.

In a changing world, there are numerous opportunities for those who have the motivation and the strength to make a positive contribution, and I am sure that your time in IMLI will help prepare you to play your part. I am confident that you will soon take up that mantle with diligence and with ability and that, as a student body, you will go on to play a positive and constructive role in the global maritime community in the future.

As I noted earlier, the challenges you will face in the coming years will be many. They will centre on finding ways to help your country sustain and expand its role in the development of a shipping infrastructure that will succeed in keeping pace with the unceasing demands of the international economy, whilst maintaining the levels of safety, security and environmental protection that the world is increasingly coming to expect.

These are difficult but noble and worthy objectives, shared by IMO and the international maritime community as a whole. The emphasis that we now place on the human element in all our undertakings serve to highlight the vital role that education, training and personal development will play in our industry in the future, and that is why I am pleased to recognize the role such a respected institution as IMLI will play in the creation of a better future – a future which is yours.

I wish you every success and may you make the most of your training experience in IMLI.

## KEYNOTE ADDRESS OF THE IMO SECRETARY-GENERAL AND CHAIRMAN OF THE IMLI GOVERNING BOARD AT THE 17<sup>TH</sup> ANNUAL GRADUATION CEREMONY ON 13 MAY 2006

Honourable Ministers, Excellencies, Honourable Justices, Chancellor, Governing Board Members, Chairman of the Malta Maritime Authority, Director of REMPEC, Parents, Graduands, Distinguished guests, Ladies and gentlemen,

I am extremely pleased to address you today at this year's IMO International Maritime Law Institute graduation ceremony. By the end of this ceremony, another 31 young men and women will join the growing ranks of IMLI graduates worldwide who make a significant difference to the international shipping community with the knowledge and skills acquired here. To you, the Class of 2006, this ceremony marks not just the culmination of your academic achievements, but also the beginning of new challenges for you, your country and the maritime community at large.

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. This has produced, at times, considerable stresses within the international community and strong pressures for changes in international maritime law, such as in the freedom of navigation, environmental protection and maritime security.

The attraction of exploring for, and exploiting marine resources, coupled with the constraints of geography and technological capability, 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



**Mr. Efthimios Mitropoulos (Secretary-General, IMO and Chairman, IMLI Governing Board), Prof. David Attard (Director, IMLI), Hon. Censu Galea (Minister for Competitiveness and Communications, Malta) and the Class of 2006 during the Graduation Ceremony**

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 and their resources. 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.

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## MEDITERRANEAN LAWYERS BENEFIT FROM EU-FUNDED SAFEMED PROJECT



Prof. David Attard (Director, IMLI) with Mr. Frederic Herbert (Director, REMPEC), at the ceremony establishing the SAFEMED-IMLI Scholarship Programme

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### **Keynote Address of Secretary General...**

In many ways, the major issues in global shipping are the same as those that global society as a whole is currently facing. It goes without saying, of course, that the commercial pressures on shipping to provide quality services at minimal cost continue to grow. Everybody, it seems, wants more for less, although I personally would question whether the ultimate consequences of such an approach have really been thought through. Shipping has to ensure that its activities are sustainable and, in this, I include everything from ship design, construction and equipment, through ship operation, to the final disposal of ships once their economic lives are over. This means that, whatever negative impact shipping may have on the environment and the human cost, it must be reduced to the point where it is clearly outweighed by the positive benefits that the activity brings.

Safety and security continue to be among the most immediate prime concerns, both for society as a whole and for shipping, as the tragic loss of the ferry al-Salam Boccaccio 98 in the Red Sea in February and the continued criminal activity by pirates in the waters off Somalia and elsewhere, highlight all too graphically.

The loss of 1,000 lives in the Red Sea is all too tragic, as it occurred during what was supposed to be a routine voyage between two ports of neighbouring countries and is a cause for great concern that accidents of this kind still happen, in spite of the extensive work on the safety of Ro-Ro passenger ships that IMO has done over many years and, in particular, in the wake of the accidents involving the Herald of Free Enterprise, the Scandinavian Star and the Estonia. I hope that the investigation into the accident, to which IMO has provided independent technical support and advice through our technical co-operation programme, will be able to identify the causes of the disaster and I am determined to ensure that, should it bring to light any areas where remedial action in the international regulatory regime might be required, IMO will move fast to act as necessary.

But, as you know, it will be for the States that are party to that regime to implement any adopted improvements effectively and uniformly; which brings me to the issue of domestic compliance with, and enforcement of, international rules and conventions.

Over the years IMO has developed and put in place a legal framework of rules and standards sufficient to meet nearly every need 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 and effectively implemented. However, due in part to a lack of qualified legal experts, some States are unable to meet this objective.

IMLI was established in 1989 by IMO for precisely that reason - to help facilitate and to galvanize the pace of ratification by ensuring a steady supply, nationally, of well-trained maritime legal experts to incorporate the often complex international maritime legal framework of rules, codes and standards into national legislation. The studies and training at IMLI are specifically designed to equip its students with the requisite specialist skills to fulfil this function. The importance of their role, as maritime law specialists, in taking on this task and many others cannot be over-emphasized. The responsibility for managing the legal framework, to ensure that quality shipping prospers, depends in large measure on the knowledge and professional skills of lawyers such as those who graduate today.

It is very gratifying for me to note the ever-increasing number of lawyers that have successfully graduated from IMLI. Over the past 17 years, as the number of IMLI

The "Euro-med Cooperation on Maritime Safety and Prevention of Pollution from Ships - SAFEMED" (SAFEMED Project) has committed to award ten (10) scholarships to qualified government-nominated students enrolling in IMLI's Master of Laws Programme (LL. M.) for academic years 2006-2007 and 2007-2008.

The scholarships shall be available to students coming from Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, the Palestinian Authority, Syria, Tunisia and Turkey. The scholarships granted under the Project are intended to further the Institute's role in ensuring that governments in developing States are provided with training opportunities for their domestic legal personnel in the field of international maritime law.

SAFEMED is a project funded by the European Union (EU) and is being implemented by the Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea (REMPEC), headquartered in Malta.

The SAFEMED Project seeks to mitigate the imbalance in the application of maritime legislation in the region among Mediterranean partners who are not members of the EU and those who are members of the EU by promoting a coherent, effective, and uniform implementation of the relevant international conventions aimed at better protection of the marine environment in the Mediterranean region.

This year's SAFEMED scholars are: Mr. Bashar Abu Rumman (Jordan), Mr. Ali Al-Masri (Lebanon) and Mr. Salih Onder (Turkey).

alumni continues to grow and they become established lawyers around the globe, the practical result of the Institute's expertise is making a significant contribution towards a maritime safety culture and heightened marine environment awareness. Each one of those who are leaving this Institute today can look forward to playing a crucial part in this noble effort.

IMLI's progress has been dependent upon the continuing support received from donors who have contributed either to the Institute's general fund or providing fellowships, and I would like to take this opportunity to thank the European Union, the Government of Switzerland, the Nippon Foundation and Lloyd's Register of Shipping for their most valuable assistance. I look forward to a continuation of this vital aid.

I would also like to give special recognition and thanks to the Government of Malta for the consistent support it has given to IMO and to IMLI over many years, not only as the Host Country, but also as a truly maritime nation in charge of one of the largest merchant fleets of the world. I would like to thank in person Mr. Galea for his co-operation and support.

The Institute's success is due largely to the dedication and hard work of the students and graduates. It is also directly attributable to the high standard of teaching rendered by IMLI's teaching faculty and the cadre of visiting lecturers who give their services voluntarily. I would especially note the leadership provided by Professor Attard with respect to both academic and administrative matters. His dedication and commitment to, and pride in, the Institute is exemplary and I urge him to continue serving it with the same zeal and passion in the years to come. To all of them and to the efficient administrative staff we extend our heartfelt thanks.

I warmly and wholeheartedly congratulate you, graduands, on this prestigious occasion. Staying the course and achieving the standards required for successful graduation is no easy matter and all of you can justly feel proud of yourselves for having done so. And all those who have played a part in helping you to finish your studies also deserve to feel an enormous professional pride and personal satisfaction in your achievement. You join an impressive global network of 361 IMLI graduates in 107 countries and territories. As we look to the future, it is clear that the quality of the human resources that shipping will need will be the biggest single determining factor in our drive for an industry of excellence. Standards will keep on improving if we can continue to foster and promote a quality culture that embraces safety, security, efficiency, environmental protection and social responsibility; one that permeates to all levels of the sector - to each Administration, each company, each individual.

You have chosen to make your legal career in this, the most vital and possibly the most challenging of industries and I congratulate you on your choice. In your chosen careers, you will be required to assist your country to sustain and expand its role in the development of a shipping infrastructure that keeps pace with the demands of world trade, whilst always maintaining the highest standards. Your degree singles you out as individuals with the ability to meet these challenges and the desire to make a constructive impact in the industry. I am confident that you will take up this task with diligence and play a crucial role in the global maritime community of the future. So cherish the moment and enjoy it. Feel proud of yourselves and this day as we, and your parents, are proud of you. I wish you all good luck and every success and greatly look forward to working together with you in the next stage of your professional life.

Ladies and gentlemen, thank you.

## MORE NIPPON FOUNDATION SUPPORT FOR IMLI SCHOLARS



Mr. Masazumi Nagamitsu, Executive Director of the Nippon Foundation, presents the award for Best Performing Nippon Foundation Scholar to Mr. Yongsheng Cai of China during the 17<sup>th</sup> IMLI Annual Graduation Ceremony

The Nippon Foundation, through its joint project with the IMO International Maritime Law Institute (IMLI), known as the “Human Resources Development Project for the Advancement of a More Effective Legal Order for the Oceans”, continues to support deserving government-nominated scholars for Academic Year 2006-2007.

For this Academic Year, the following students have qualified for scholarships under the project: Mr. Mohammad Mohiuddin (Bangladesh), Mr. Qian Hai (People’s Republic of China), Ms. Laura Ester Rivera Carbajal (Honduras), Mr. Zulkifli Bin Abu Bakar (Malaysia), Ms. Raefa Abdul Wahhaab (Maldives), Mr. Filimon Manni Manoni (Marshall Islands), Ms. Khin Thandar (Myanmar), Ms. Miriam Del Rocio Sara Repetto (Peru), Ms. Lissa Belle Villanueva (The Philippines), Ms. Anastacia Amoa (Samoa), and Mr. Van Thuy Tran (Vietnam). The scholarships awarded will allow these students to pursue postgraduate training in international maritime law at IMLI.

The project aims to contribute to the promotion, adoption, effective implementation, and enforcement of international maritime conventions adopted under the auspices of the United Nations and the International Maritime Organization. It seeks to encourage greater participation by developing States, particularly those belonging to the Asian Region, in the major international maritime law conventions and legal instruments.

At the end of the academic year, the “Sasakawa Prize for the Best Performing Nippon Foundation Scholar” will be awarded to the Nippon Scholar who has the best over-all performance in the LL. M. Programme. The 2006 Sasakawa Prize was awarded to Mr. Yongsheng Cai (China).

## NIGERIA STRENGTHENS TIES WITH IMLI



Prof. David Attard (Director, IMLI) with Hon. Austin Opara, (Deputy Speaker of the Nigerian House of Assembly), and members of the Nigerian Delegation

The Deputy Speaker of the Nigerian House of Assembly, Hon. Austin Opara, together with the Chairman of the House Committee on Marine Transport, Hon. Emeka Ihedioha, and Hon. Emma Deeyah, Hon. Bala Na’Allah, Mr. Maurice Ekpenyong, Hon. Mao Ohuabunwa, Mr. Chima Nwana, Hon. Francis Amadiogwu, and the Alternate Permanent Representative of Nigeria to the International Maritime Organization of the Nigeria High Commission London, Mr. William Azuh, recently visited IMLI. Nigeria has been actively involved with the work of the Institute from its inception. At present, Prince Bola Ajibola of Nigeria sits in the IMLI Governing Board.

This recent visit emphasizes the special ties that the Institute has and continues to enjoy with Nigeria. More than 30 Nigerian nationals have graduated from the Institute since it was established in 1989, and four Nigerian nationals are enrolled for this academic year: Ms. Petel Garegy Bajoga, Mr. Ibrahim Majidadi Chonoko, Mr. Abdulumuni Dirisu, and Ms. Obioma Ugwu.

## IMLI ALUMNI

Mr. **FRED AMOA** (Nauru, Class of 1990) has been appointed Secretary of Justice, Department of Justice and Border Control, Government of Nauru.

Mr. **IBRAHIMA SY** (Senegal, Class of 2005) has been appointed Administrator of Maritime Affairs, Service of Legal Affairs and Cooperation, Directorate of Merchant Marine, Senegal.

Ms. **NANCY KARIGITHU** (Kenya, Class of 1994) has been appointed Director General of the newly created Kenyan Maritime Authority, Kenya.

Mr. **PANYA DHANPADDAMOANGCOAL** (Thailand, Class 2003) has been appointed Chief Judge of the Surin Provincial Court, Thailand.

Ms. **IRIA BARRANCOS** (Panama, Class 1990) has been appointed member of the Board of Directors of the International Maritime University, Panama.

Mr. **AHMED HAMZA** (Maldives, Class 1997) has been elected as Member of Parliament and heads the Parliamentary Legal Committee of the Maldives Parliament.

Mr. **EMMANUEL KOFI MBIAH** (Ghana, Class 1991) has been appointed Chief Executive Officer of the Ghana Shippers’ Council and currently sits as Vice-Chairman of the Legal Committee of the IMO.

## NEW MEMBER IN IMLI FACULTY

Ms. Josephine Uranza has been recently appointed Junior Assistant Lecturer of the IMO International Maritime Law Institute. She will be taking over the duties of Mr. Mitja Grbec.

She is a member of the Philippine bar and a graduate of IMLI Class 2005. Prior to her appointment as Junior Assistant Lecturer, Ms. Uranza was professorial lecturer at the Colleges of Law of the Lyceum of the Philippines and the Polytechnic University of the Philippines. She was also a lecturer in the Graduate School of the Philippine Merchant Marine Academy.

## IMLI ACADEMIC PROGRAMMES

Applications to the following academic programmes are now being invited:

**DOCTOR OF PHILOSOPHY PROGRAMME** – The Programme is solely researched-based and involves a high degree of independence from candidates. It requires the submission and successful defense of a thesis of not more than 100,000 words. Studies for the degree should be completed within three to five years from first enrolment. To qualify for the Programme, candidates must hold a Master’s degree from a recognized university or academic institution, or hold qualifications of comparable standard.

**MASTER OF LAWS IN INTERNATIONAL MARITIME LAW** – The one-year study Programme consists of education in international law, law of the sea, shipping law, marine environmental law, and drafting of maritime legislation. Admission to the Programme is open to a limited number of students in any academic year. A university degree in law and proficiency in the English language are pre-requisites to admission. Financial assistance may be available.

**ADVANCED DIPLOMA IN INTERNATIONAL MARITIME LAW** – The Programme requires the candidate to earn a total of 25 credits by successfully following and completing credits on distinct subject areas either within the Public International Maritime Law strand, the Private International Maritime Law strand or the General International Maritime Law strand. Credits must be undertaken between one to five academic years from first enrollment.

### FOR INFORMATION ON ADMISSIONS, PLEASE CONTACT:

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### 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



# IMLI STUDENTS ACADEMIC YEAR 2006-2007



## LL.M. PROGRAMME



Mariana Bessa Jorge Calei  
(ANGOLA)



Maria Luisa Cayo da Cunha  
(ANGOLA)



Alberto Coelho Soares  
Ramos Da Cruz  
(ANGOLA)



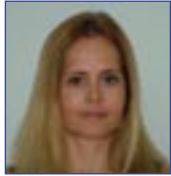
Jorge Eugenio Cabrera  
Torelli  
(ARGENTINA)



Mohammad Mohiuddin  
(BANGLADESH)



Vinicius Medeiros Peixoto  
(BRAZIL)



Nubia Maria Santos  
Rodrigues  
(BRAZIL)



Bruno Tussi  
(BRAZIL)



Qian Hai  
(PEOPLE'S REPUBLIC  
OF CHINA)



Laura Ester Rivera Carbajal  
(HONDURAS)



Bashar Abu Rumman  
(JORDAN)



Sagidzhan  
Gabdullovich Kubashev  
(Kazakhstan)



Nishit Dhanvantrai Maru  
(KENYA)



Ri Hyon Chol  
(DEMOCRATIC PEOPLE'S  
REPUBLIC OF KOREA)



Ri Chol Ung  
(DEMOCRATIC PEOPLE'S  
REPUBLIC OF KOREA)



Juta Kaktiniece  
(LATVIA)



Ali Al-Masri  
(LEBANON)



Zulkifli Bin Abu Bakar  
(MALAYSIA)



Raefaa Abdul Wahhaab  
(MALDIVES)



Roderick Vincent Mifsud  
(MALTA)



Geraldine Spiteri  
(MALTA)



Robert Vassallo  
(MALTA)



Filimon Manni Manoni  
(MARSHALL ISLANDS)



Khin Thandar  
(Myanmar)



Petel Garegy Bajoga  
(NIGERIA)



Ibrahim Majidadi Chonoko  
(NIGERIA)



Abdulmumuni Dirisu  
(NIGERIA)



Obioma Nnenna Ugwu  
(NIGERIA)



Guillermo Alfredo  
Bouroncle Calixto  
(PERU)



Miriam Del Rocio Sara  
Repetto  
(PERU)



Lissa Belle Villanueva  
(PHILIPPINES)



Anastacia Amoa  
(SAMOA)



Veronica Najima  
(TANZANIA)



Salih Onder  
(TURKEY)



Van Thuy Tran  
(VIETNAM)

## ADVANCED DIPLOMA PROGRAMME



Adriano Cefai  
(MALTA)



Aref Alrowaie  
(BAHRAIN)



Choh Jude Tabah  
(CAMEROON)



Andrew Mallia  
(MALTA)



Philip Munaco  
(U.S.A)

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