



IMLI AWARD CONFERRED ON THE IMO LEGAL COMMITTEE

The IMO International Maritime Law Institute (IMLI) conferred the IMLI Award for Meritorious Contribution towards the Progressive Development and Codification of International Maritime Law on the IMO Legal Committee during its 100th Session on 18 April 2013.

Professor David Attard (IMLI Director) delivered the address on the occasion. He stated that, *“Before reading the Motivation of the conferment of the Award, I wish to make some very brief observations. On a personal note I wish to state how very much the academic staff at IMLI admires the vital work of your Committee. Today, it has become the world’s foremost institutionalized source of international maritime law. At IMLI we provide legal training to State officials to ensure that the legal instruments you work on are incorporated and enforced by member States.*

In this respect I wish to record my appreciation for the support we receive from many personalities in this hall. For example, every member on the panel has visited IMLI throughout the years. I wish to report tonight the support we have received from Secretaries-General Emeriti Srivastava, O’Neil, and Mitropoulos. Finally, I wish to record my pride to see that many delegates here today are IMLI graduates.”



Professor David Attard (IMLI Director) delivering the address

Through this Award, IMLI recognizes the great contribution of the IMO Legal Committee to the development of international instruments which aim at the promotion of safety and security in shipping, the prevention of marine pollution by ships, and the fair treatment of seafarers worldwide.

Mr. Koji Sekimizu (IMO Secretary-General), in his capacity as Chairman of the IMLI Governing Board, presented the Award to Dr. Emmanuel Kofi Mbiah (Chairman of the IMO Legal Committee) who received the Award on behalf of the Committee.



Mr. Koji Sekimizu (IMO Secretary-General and Chairman of the IMLI Governing Board) presenting the Award to Dr. Emmanuel Kofi Mbiah (Chairman of the IMO Legal Committee)

The Legal Committee is mandated by the IMO Convention to deal with any legal matters within the scope of the Organization. Its membership is open to all members of the IMO. It is also empowered to perform any duties within its scope which may be assigned by or under any other international instrument and accepted by the Organization.

The IMO Legal Committee was established following a proposal that the issues regarding the *Torrey Canyon* incident should be dealt within the framework of the IMO. Such a proposal was accepted by the IMO executive body, the Council, which then decided to form an *ad hoc* Legal Committee. The Committee held its maiden meeting on 21 and 22 June 1967.

The deliberations of the newly formed Committee, which was later to become one of the instrumental Committees of the IMO, led to the development of the International Convention on Civil Liability for Oil Pollution Damage, 1969 (CLC) and the International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969.

Indeed, it is the area of liability and compensation where the work of the Legal Committee has greatly manifested itself. The efforts of the Legal Committee in this area could only be described as laudable and commendable. The development of the CLC, following the *Torrey Canyon* incident, set the stage for the development of other liability and compensation regimes that will serve the international maritime community for several years to come.

In 1974, the Legal Committee adopted the Athens Convention on the Carriage of Passengers and their Luggage by Sea with the limits of liability being increased in 1990 and in 2002. The Legal Committee is also credited with the comprehensive review of the 1957 International Convention relating to the Limitation of Liability of Owners of Sea-Going Ships, which led to the adoption of the 1976 Convention on Limitation of Liability for Maritime Claims which also saw its limits increased by virtue of the 1996 Protocol and the 2012 amendments thereto.

One subject that continued for several years to engage the minds of the international maritime community was the need for a liability and compensation regime for the carriage of hazardous and noxious substances by sea. After long years of work, the IMO through the Legal Committee adopted in 1996, the International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, and a Protocol thereto in 2010.

Feeling a “compelling need” to provide a regime that would deal with pollution from ships bunkers in the event of an accident led to the adoption of the International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001. In 2007, the IMO through the Legal Committee also adopted the Nairobi International Convention on the Removal of Wrecks, regulating another area that had raised serious concerns among States.

The efforts of the Committee have not only been focused on liability and compensation issues. The IMO Legal Committee has also addressed, *inter alia*, issues relating to the suppression of unlawful acts against the safety of maritime navigation as well as fixed platforms on the continental shelf, leading to the adoption of the SUA Treaties.

There is no doubt that since its establishment, the IMO Legal Committee has made a very significant contribution in the progressive development and codification of international maritime law. As it celebrates its 100th session, there is confidence that the groundbreaking work of the Committee will continue in the years to come by addressing new issues challenging the international community.

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