

IMLIIe-News

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HONORARY CONSUL GENERAL OF THE REPUBLIC OF ECUADOR LECTURES AT IMLI

Dr. Stefano Filletti, Honorary Consul General of the Republic of Ecuador recently visited the Institute and lectured on “*The Prevention of Marine Pollution and Protection of the Marine Environment*”. In his lecture, he mentioned that traditionally, a reactionary approach has always been taken in the maritime sector, giving the maritime incidents of the *Torrey Canyon* (1967), *Amoco Cadiz* (1978) and the *Exxon Valdez* (1989) in protecting the marine environment.



Dr. Stefano Filletti lecturing to the Students of the IMLI Class of 2014-2015

He discussed further the types and sources of marine pollution, the general legal principles in the protection of the marine environment and the prevention of marine pollution and the maritime legal framework concerning marine pollution.

Dr. Filletti's lecture also covered Marine Pollution Prevention under Part XI of the United Nations Convention on the Law of the Sea (UNCLOS), stating that this part, together with its associated annexes is a sui generis regime and that it provides for an International Sea-Bed Authority with powers to control access to sea-bed mining sites and the recovery of minerals from them. He stated further that article 145 of the Law of the Sea Convention provides that the International Sea-Bed Authority is to adopt rules to prevent pollution from deep-sea bed mining, particular attention being paid to the consequences of "such activities as drilling, dredging, excavation, disposal of waste, construction and operation or maintenance of installations, pipelines and other devices related to such activities".

In discussing enforcement of pollution regulations, Dr. Filletti dealt extensively with, amongst others, arrest jurisdiction, the competence of the courts to deal with alleged breaches of the law, compulsory enforcement, non-innocent passage where pollution is "wilful and serious", flag state competence in the territorial sea, straight and transit passage and in its exclusive economic zone (EEZ), and port state control, which he stated is the greatest innovation of UNCLOS.

Dr. Filletti also mentioned in his lecture rules adopted prior to the coming into force of UNCLOS and these are customary international law, the International Convention for the Prevention of Pollution from Ships (MARPOL), the Territorial Sea Convention (1958) and also Port State under customary international law.

Dr. Filletti, between 1993 and 1999, obtained his Bachelor of Arts (B.A.) in Legal and Humanistic Studies, Diploma of Notary Public, and a Doctor of Laws (LL.D.), all from the University of Malta.

In 1999 he was awarded a Master of Laws (LL.M.) Degree with distinction by the Institute (IMLI), after which, in 2000 he was awarded a Magister Juris Degree in Advanced Criminal Law, The Law of Evidence and International Law of the Sea from University of Oxford, also with distinction.

Dr. Filletti is an advocate in private legal practice. He is also among others, the national correspondent of the European Source-Book of Crime and Criminal Justice Statistics, co-editor, *Mediterranean Journal of Human Rights*, Faculty of Laws in the University of Malta and also co-editor, *Law and Practice*, Chamber of Advocates in Malta.

His public appointments over the years include assistant electoral commissioner for both local council election and general election in Malta and Honorary Consul General of the Republic of Ecuador.

Dr. Filletti has written many articles and papers on various legal issues including "*Fighting Crime Under the Rule of Law*", "*The Exclusionary Rule of Hearsay – A Blessing or a Curse*", "*Admissibility of Confessions – An English Perspective*", "*Similar Fact Evidence in Criminal Trials – An English Perspective*".

He has also lectured extensively and is presently a resident assistant lecturer in the faculty of laws in the University of Malta.

Dr. Filletti has participated in various international and national conferences and seminars.

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