



The IMO International Maritime Law Institute Official Electronic Newsletter (Vol. 12, Issue No. 39) 16 June, 2015

## **DIRECTOR OF IMLI DELIVERS THE WELCOME ADDRESS AT THE INSTITUTE'S 26TH ANNUAL GRADUATION CEREMONY**

During the Institute's 26<sup>th</sup> Graduation Ceremony held on 30 May, 2015, the welcome address was delivered by the Director of the Institute, Professor David Attard. In his address, Professor Attard welcomed Mr. Frederick Kenney (Director, IMO Legal Affairs and External Relations Division), representing Mr. Koji Sekimizu, IMO Secretary-General and Chairman of the IMLI Governing Board. He also warmly welcomed all the dignitaries present and the friends and families of the graduands.



*Professor David Attard (Director, IMLI) delivering the welcome address at the Institute's 26<sup>th</sup>  
Graduation Ceremony*

Professor Attard noted that over the past several years, the Institute has contributed to sustainable infrastructure and development in the maritime sector by the academic and professional training of lawyers in the field of international maritime law, particularly from developing countries. This year's graduates, he noted further, will be joining the global network of a total of 740 lawyers from 134 States and territories who have successfully undertaken studies in all the Institute's programs and courses.

In addressing the graduands, he congratulated them and stated that through their training, IMLI contributes - in its own small way - to the IMO process of encouraging and facilitating the global adoption and implementation of legal instruments designed to promote safe, secure and efficient shipping on clean oceans. He concluded by wishing them further success in their respective professional careers, and to always be mindful that they are now the Institute's Ambassadors, dedicated to serving the rule of international maritime law.

The welcome Address of the Director is recaptured below:

Representative of the Secretary-General (Mr. Frederick J. Kenney, Jr., Director of the Legal Affairs and External Relations Division of the International Maritime Organization),  
Honourable Minister for Home Affairs and National Security,  
Honorable EU Commissioner for the Environment, Maritime Affairs and Fisheries Karmenu Vella,  
President Emeritus Mifsud Bonnici,  
Excellencies,  
The Ombudsman, Dr. J. Said Pullicino,  
Members of the Judiciary,  
Honorable Members of the European Parliament (Dr Therese Comodini Cachia and Dr. Roberta Metsola),  
Representatives of The Nippon Foundation,  
Director of International Foundation for the Law of the Sea,  
Honorary President of International Ocean Institute,

Graduands,  
Distinguished Guests,

It is my great pleasure and honour to welcome you to IMLI's 26th Graduation Ceremony, which celebrates the academic success of our graduands.

It is unfortunate that Mr. Koji Sekimizu, the IMO Secretary-General and Chairman of the IMLI Board of Governors, is not with us today due to the illness of a close family member. I would nevertheless like to express my deep gratitude to him for his continuous and generous interest in the welfare of the Institute.

I am delighted however to welcome Mr. Frederick J. Kenney, Jr., Director of the Legal Affairs and External Relations Division of the International Maritime Organization, who is representing the Secretary-General.

I wish to note the presence of Mr. Mitsuyuki Unno (Executive Director), and Ms. Yukiko Kuwata (Maritime Special Project Team, Maritime Safety & Education Team) of the Nippon Foundation in Tokyo. We are proud of The Nippon Foundation's long standing support; in fact this year marks the 11th anniversary since together with Mr. Unno we set up our Programme of co-operation entitled Human Resources Development Project for the Advancement of a More Effective Global Legal Order for the Oceans. Since the Programme's inception 106 lawyers from 50 States, primarily from Asia, have graduated from IMLI. Today's graduands will bring these numbers to an impressive of 115 graduates from 54 States who will now join the growing and influential network of Nippon Scholars.

I wish to recognize the presence of other distinguished personalities who have come to Malta to attend this morning's Ceremony namely the Head of Office of REMPEC Mr. Gabino Gonzalez Deogracia, Dr. Jo Konig, Director, Summer Academy, International Foundation for the Law of the Sea; Dr. Awni Benham, Honorary President of the International Ocean Institute, and Mr. Ivan Sammut, Registrar General of Transport Malta.

We also have in our presence today Professor Francis Reynolds, Professor Emeritus of University of Oxford and Mrs. Reynolds.

I also wish to welcome friends and family of the graduands who have travelled from all over the world to attend this momentous event.

Distinguished Guests,

The Institute, has over the past several years contributed to sustainable infrastructure and development in the maritime sector by the academic and professional training of lawyers in the field of international maritime law, particularly from developing countries. Today 34 lawyers from 28 States will be graduating from the Institute's Degree of Master of Laws in International Maritime Law (LL.M.) programme and 4 students will be graduating from the Advanced Diploma programme. These graduates will be joining the global network of 740 maritime professionals from 134 States and territories worldwide who have successfully undertaken studies in the Institute's programmes and courses. This year we are particularly pleased to have, for the first time, a lawyer hailing from Morocco, graduating from the Institute's LL.M. programme. I am also pleased to announce that Dr. Antoine Grima, from Malta, will be awarded today the Degree of Magister Juris (M.Jur.) in International Maritime Law under the Institute's Research Degree Programme.

Distinguished Guests,

It gives me great satisfaction to look at our graduands, newly-crowned with academic success, and to congratulate them for having succeeded despite the magnitude of their task.

For the past months they have undertaken an exceptionally intensive and comprehensive programme covering the full spectrum of international maritime law, including Law of the Sea, Shipping Law, Marine Environmental Law and Maritime Security Law. Their task should not be underestimated. The subject matter covered is vast. Our academic standards are very demanding, as confirmed by the external examiners. It is therefore a great pleasure to be able, on this important day, to honour their academic success.

Whilst the Institute's Resident Faculty is responsible for the teaching of the core subjects in the programme, visiting fellows, who are eminent practitioners and academics of international repute in various fields of maritime law, are invited to lecture on the latest developments in the field of their expertise. This academic year we had the privilege and pleasure of welcoming over 40 such distinguished personalities hailing from all legal systems of the world.

At IMLI we are conscious that most of our graduands are senior legal government officials and therefore have already important roles in their administrations. Consequently, the teaching programme at IMLI, whilst focusing on academic excellence, also focuses on developing professional expertise. In this respect considerable importance is given to the networking of our graduates with the distinguished and eminent practitioners.

The unique characteristic of the LL.M. programme is the specialized training given to our students in maritime legislation drafting. With the necessary skills and techniques acquired from this training, the students are required to complete a maritime legislation drafting project, which incorporates an international convention into the domestic legislation of their country.

Distinguished Guests,

The cornerstone of any academic institution is its reputation. At IMLI we are conscious of the need to ensure that our training and teaching conform to the highest standards required by IMO. These need to be maintained if we are to preserve our reputation as a Centre of excellence. I must emphasize that the Institute's academic success is the result of various practices that have been put in place, such as its close co-operation with senior IMO officials, the appointment of independent external examiners, and our cooperation with leading academics from such Universities as: Bonn, Bremen, Kobe, Ljubljana, London, Malta, Oxford, Queen Mary, Rome "Tor Vergata", Athens, Nottingham Trent and Yale.

In this respect, the Institute also maintains extensive links with national maritime law associations such as the British Maritime Law Association, the French Maritime Law Association, the

Slovenian Maritime Law Association, the Spanish Maritime Law Association, and the Maltese Maritime Law Association.

The Institute's first class reputation has led to a number of requests for co-operation from reputable Institutions in the field of international maritime law. The IMLI Governing Board has already approved Partnership/Co-operation Agreements with the International Foundation for the Law of the Sea (IFLOS) based in Hamburg, the Institute for the Law of the Sea and International Marine Environmental Law (ISRIM) based in Bremen and with the Centre for Commercial Law Studies (CCLS) based in London. Recently the Institute entered into a partnership with the Croatian Academy of Legal Sciences (CALS) based in Zagreb.

Possibly one major significant development is that the IMLI Governing Board recently approved a Co-operation Agreement with the Kühne Logistics University (KLU) based in Hamburg for the establishment of a Joint Master of Science in International Maritime Law and Logistics Degree. Our institutions are joining forces to offer an innovative two-year, full-time Master of Science degree course in International Maritime Law and Logistics. We are responding to the call of governments around the world who need persons educated in international legal matters pertaining to the sea but also need to understand the complex industrial use of the sea for services and for the transportation of goods and who are able to work globally and in multi-cultural environments.

The importance of IMLI's contribution to the study and knowledge of international maritime law is reflected in the Institute's international academic publications. To commemorate the Institute's 25th anniversary, IMLI is proud to announce the publication by Oxford University Press of "The IMLI Manual on International Maritime Law" which adopts an all-encompassing approach to international maritime law, which comprises the Law of the Sea, Shipping Law, Marine Environmental Law and Maritime Security Law. The Manual looks at all these areas from the point of view both of their history and their contemporary development. In treating the subject in both breadth and depth, the work aims at providing both the academic world and practitioners with a source of information on what the law is and on the most up to date theory and research relating to it.

The Manual comprises three volumes: Volume I which is dedicated to the Law of the Sea, Volume II which focuses on Shipping Law, whereas Volume III is devoted to Marine Environmental Law and Maritime Security Law. As many as 77 academics and practitioners who are leading experts in their respective fields have contributed to the Manual.

Volume I of The IMLI Manual on International Maritime Law was published on 30 October 2014. The Volume was officially launched during a ceremony held at the International Tribunal for the Law of the Sea (ITLOS), where an introduction to the Manual was made by Judge Peter Tomka (President, ICJ) and Judge Vladimir Golitsyn (President, ITLOS). The ceremony was also attended by several judges from the International Tribunal for the Law of the Sea (ITLOS), Judges of the International Court of Justice (ICJ), diplomatic representatives, and other distinguished personalities in the field of international law/in the maritime legal community.

It is expected that Volumes II and III will be published later this year. The Manual will represent the latest authoritative statements on international maritime law in the English speaking world and probably worldwide.

Distinguished Guests,

It is a matter of great pride to announce that IMLI's contribution to the international maritime community was recognized for the seventh consecutive time by the United Nations General Assembly, through its resolution A/Res/69/245 entitled "Oceans and the law of the sea", adopted on 29 December 2014, which tackles the main aspects of the 1982 United Nations Convention on the Law of the Sea and highlights the need for capacity building to enable States to achieve its aims.

Through this Resolution, the United Nations General Assembly "Recognizes the importance of the work of the International Maritime Law Institute of the International Maritime Organization, which celebrated its twenty-fifth anniversary in 2014, 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".

Distinguished Guests,

IMLI's institutional linkage with IMO provides us with access to the most competent expertise in the maritime field. With IMO's assistance, IMLI continuously seeks to fine-tune its syllabus to reflect the latest developments in international maritime law.

Our institutional linkage with IMO is best reflected by the fact that since the very first years of IMLI's establishment, the Chairmanship of its Governing Board has been held by the Secretary-General of IMO.

In this respect we are particularly honoured to read the Secretary-General's view on IMLI's role within the IMO family:

“IMLI was established by IMO in 1988 to help ensure that sufficient maritime law experts, armed with the appropriate knowledge and skills, would be available – especially within developing countries – to help with the preparation, implementation and enforcement of legislation giving effect to the international instruments to which Governments had become Parties, through IMO”.

IMLI's contribution towards the objectives of the IMO is best reflected in the work of its graduates as they in turn contribute towards the implementation of international maritime standards in their respective countries.

What is of great significance is that today graduates of the Institute occupy senior positions in their countries' highest institutions. IMLI graduates have gone on to become Heads of State, Ministers, Chief Justices and senior Members of the Judiciary (both national and international), Attorneys-General, Ambassadors and high-ranking officials in Maritime Administrations. In fact, an IMLI graduate, Mr. Kofi Mbiah from Ghana, is currently serving as the Chairman of the IMO Legal Committee.

The Institute is especially proud to note that its female graduates have contributed immensely to its international accreditations by holding senior international positions and demonstrating excellent proficiency in international affairs. Mrs. Nancy Karigithu, an IMLI graduate from



Kenya, is currently Chairman of IMO's Technical Co-operation Committee, while Mrs. Dorota Lost-Sieminska, an IMLI graduate from Poland, is the Head, Treaties and Rules Section, Legal Affairs and External Relations Division, at IMO. I also wish to record the election of Ms. Fatou Bensouda, from the Gambia, as the Prosecutor of the International Criminal Court (ICC), a position of great importance and sensitivity and also Mrs. Joyce Bawah Mogtari, who has been appointed as Deputy Minister for Transport in Ghana.

Distinguished Guests,

The success that the Institute enjoys is also largely due to the financial support received from many sectors of the international maritime community.

I am particularly grateful to IMO, to The Nippon Foundation, to the Lloyd's Register Foundation, and to a number of Governments for their generous contributions in providing scholarships. The Governments of Malta and Switzerland deserve special tribute for their unwavering, constant support to the Institute's funding, as does the CMI.

I would also like to express my appreciation for the sterling work of the Institute's academic faculty: Professor Malgosia Fitzmaurice, Dr. Norman Martinez, Ms. Elda Belja, Mr. Riyaz Hamza and Ms. Ramat Jalloh, as well as to the Administrative staff for their unwavering support.

Dear Graduands,

Please remember that your participation in the IMLI programme is an opportunity granted to a few well-chosen lawyers. This privilege carries with it a responsibility which I am confident you will bear with great pride. You have now been endowed with the knowledge and skills required to assist your Governments in adopting and implementing international maritime rules, measures and standards. Indeed, through your training, IMLI contributes - in its small way - to the IMO process of encouraging and facilitating the global adoption and implementation of legal instruments designed to promote safe, secure and efficient shipping on clean oceans.

In concluding I wish to augur further success to our graduands in their respective professional careers. Graduands, your praiseworthy accomplishments today open up a world of opportunities for you and the countries you come from. Do savour your success, for you deserve it! And lest you forget, your future achievements will continue to consolidate the Institute's academic reputation. Remember you are now the Institute Ambassadors, dedicated to serving the rule of international maritime law. I wish you well in your endeavours. We are proud of you!



*Professor David Attard (Director, IMLI) conferring the Degree of Master of Laws in International Maritime Law during the Institute's 26<sup>th</sup> Graduation Ceremony*

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