

IMLI^e-News

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SWISS MARITIME NAVIGATION HEAD OF OFFICE LECTURES AT IMLI

IMLI had the pleasure of welcoming Dr. Reto Dürler, Head of Swiss Maritime Navigation Office, who recently visited the Institute. Dr. Dürler was introduced to the students of the IMLI class of 2015-2016 by Professor David Attard, Director of IMLI. During his visit, Dr. Dürler delivered a lecture on “*The New SUA Protocols: Development, Content and Scope*”.



Dr. Reto Dürler meeting the students of the IMLI Class of 2014/2015

In his lecture, Dr. Dürler discussed the relationship between piracy and terrorism, stating that piracy was the oldest and one of the very few crimes where universal jurisdiction had been recognized under customary international law. Universal jurisdiction was historically justified because pirates are considered to be *hostes humani generis*, which means enemies of all mankind. In this regard, he stated further, similar criteria should be applied to terrorists as they are also a threat to all States. However, while piracy and terrorism at sea have many similarities and are both

forms of violent interfering with shipping, there is a marked difference between the goals of pirates and terrorists, which is that pirates seek financial gain whereas terrorists strive for a political or ideological purpose.

He dealt in detail with the International Convention on the Suppression of Unlawful Acts against the Safety of Maritime Navigation of 1988, and the Protocol on Fixed Platforms Located on the Continental Shelf (SUA 1988). He further addressed the development, content and scope of the new SUA Protocols which were adopted in 2005, laying special emphasis on the new offences and the boarding provisions set out in the said Protocol.

In concluding his lecture, Dr. Dürler stated that in his opinion, since the definition of offences found in the new 2005 SUA Protocols is broad in nature, the said treaties could also be used to counter the increasing threat of piracy today.

Dr. Reto Dürler has been the Head of the Swiss Maritime Navigation Office since 2005. In 2009 the Swiss Government appointed him as the Ambassador and Head of Delegation to the Central Commission of the Navigation on the Rhine which is the oldest international organization in Europe based on the so called Mannheim Convention which came into force in 1868. Dr. Dürler is a member of IMLI's Governing Board and a long standing friend and supporter of the Institute and its activities.

In an interview with the editor of the IMLI e-news, reproduced below, Dr. Dürler expressed his pleasure to have been a visiting lecturer for the sixth time and thus to have had the opportunity to see the development of the Institute which, through the achievements of its students, has attained the status of an excellent centre of education in international maritime law.

Good Afternoon Dr. Dürler, we are very pleased to welcome you back here at IMLI, how does it feel to come back?

Today has marked my 6th visit to Malta and of course to IMLI. I always enjoy my visits to this charming island. I have stayed here for three days as I saw the Easter celebrations in Valletta which are very traditional and beautiful to watch. Thus I could combine leisure and duty.

Moreover I have always had a good time at IMLI. It has always been a great pleasure sharing my knowledge with young lawyers from different parts of the world.

What did your lecture entail today?

My lecture was about the development, the contents and the scope of the new SUA Protocols, denominated 2005 SUA Protocols. The subject was quite legalistic and may not be as attractive as discussions on piracy or marine pollution. Hence I was really eager to know what the students have learned from the subject I have taught today.

In your opinion, what are the current topics in the maritime field, which need to be addressed globally?

The questions on marine environment are pressing issues, much more should be done to address the marine environment issues, like illegal fishing, acidification of the oceans, plastic debris in all forms and not least the rising water level, which will have serious impact on marine ecosystems.

A meeting was recently held at the UN in New York in order to discuss the adoption of a new legal regime to protect the biodiversity in the sea.

How significant is the contribution of IMLI graduates at the development of maritime law in their respective region and in the world?

IMLI is a prestigious Institute and also a unique institution, as it specializes in international maritime law, with emphasis on the Law of the Sea.

I believe that through an intensive curriculum taught at IMLI, the students will be able to contribute to the implementation of international maritime law in their home countries, and they can also assist their governments in the application of an adequate and legally sound shipping law.

IMLI is greatly thankful with the long support given by the Government of Switzerland through their generous financial support for the Institute's academic activities; What could other collaboration be established between IMLI and Swiss Government?

Maritime experts from Switzerland could take advantage of certain short courses given at IMLI. And there could possibly be a research and teaching cooperation between IMLI and one of the Swiss universities in the field of environmental law.

What would be your advice for the Government of landlocked countries to encourage their participation in IMLI's international maritime law study programmes?

First I should like to say that we are very proud of having had two Swiss graduates from IMLI. If a landlocked country has a maritime fleet, I strongly encourage them to send their officials to be trained at IMLI, because their duties are the same as those of coastal states. Only port state control activities can of course not be operated.

At the end of the interview, Dr. Dürler sent his best regards to the IMLI Students and encouraged them to “make their studies enjoyable, because in this way, they will profit most from them”.

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