

IMLI e-News

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PRIME MINISTER OF MALTA ADDRESSES THE COMMEMORATIVE SEMINAR CELEBRATING IMLI'S 30TH ANNIVERSARY

The Honourable Prime Minister of Malta, Dr. Joseph Muscat delivered an address entitled “*IMLI – Malta’s continuing commitment to the development of the international maritime legal order*” during the Commemorative Seminar, held by the Secretary-General of IMO, Mr. Kitack Lim, at the IMO Headquarters in London on 25 July 2019 to celebrate IMLI’s 30th Anniversary.



The Honourable Dr. Joseph Muscat (Prime Minister, Malta) delivering his address

In addressing the audience, The Honourable Prime Minister expressed his heartfelt congratulations and gratitude to Professor David Attard, under whose leadership the Institute has developed into a centre of excellence, which is internationally recognized and has produced, to date, through its educational programmes over 1,000 professional graduates from 146 countries. In his view this widespread representation contributes greatly to the process of ensuring the universal and uniform application of IMO rules.

In this respect, he recalled that over the last 30 years, the Institute has been of continuous relevance to the IMO as an international institute for the training of specialists in international maritime law, including maritime legislation drafting techniques to effectively implement IMO instruments into national laws.

Dr. Muscat reiterated the Maltese Government's commitment to the work of the Institute which, in his opinion, has an important role to play in developing national expertise able to advise Governments on the implementation of existing and future international maritime rules.

The Address of The Honourable Prime Minister of Malta is reproduced hereunder:

IMLI 30th Anniversary Celebration

IMLI – Malta's continuing commitment to the development of the international maritime legal order

Secretary-General Kitack Lim, Permanent Representatives to IMO, Secretary-General Emeritus Koji Sekimizu, IMLI Governors, Excellencies, IMLI Graduates, Distinguished Guests,

It is a great pleasure to participate in this special celebration to commemorate IMLI's 30th anniversary which I believe is a very important milestone in our efforts to create a just and equitable international maritime legal order [which will promote the peaceful uses of the oceans and the efficient utilisation of its resources].

Before proceeding further I would like to congratulate the new graduates who after months of hard work have successfully concluded their studies. I am confident that they will be utilising the knowledge and training they have received at IMLI in the interest of their countries and that of the international community. Their accomplishments will embellish IMLI's academic reputation. I do hope that they enjoyed their stay in Malta and that they will find the time to visit us again.

Distinguished Guests,

Malta for decades has been in the forefront of the international efforts to develop a law of the sea which is based on the principles of justice and equal rights, together with promoting the sustainable economic advancement of all peoples of the world through the efficient utilisation of marine resources.

It gives me great pride to recall that on the instructions of the Malta Government, in 1967 the Permanent Representative to the United Nations Arvid Pardo proposed to the United Nations General Assembly a revision of the international law of the sea. The two main goals of this initiative were:

first, to establish a new maritime legal order designed to ensure that the problems of ocean space are dealt with on a holistic basis, thereby setting up a sustainable and effective ocean governance regime; second, to declare the seabed and its resources beyond national jurisdiction to be the common heritage of humankind. This initiative, as is well-known, culminated in the adoption of the 1982 United Nations Convention on the Law of the Sea or as it is widely known a "Constitution for the Oceans".

The 1982 Convention remains the cornerstone of the international maritime legal order. However I feel that today the International Maritime Organization has become the world's leading

institutional source of international maritime law. IMO's treaties and prescriptions are essential elements of the contemporary international maritime order for they are vital in maintaining peaceful, safer and cleaner oceans.

As one of the world's largest ship registries, Malta strongly supports and contributes to the work of the Organization. My Government gives great importance to actively participating in its deliberations. [I am proud to record that for a number of years Malta has been elected to serve in the IMO Council.] In fact, I wish to congratulate you, Secretary-General, for the remarkable success that the Organization has enjoyed under your impressive leadership.

Malta's excellent relationship with IMO, which dates back to 1966, is also evident in the initiatives we have taken together in the interest of the global maritime order. I consider that two of the major results of our longstanding cooperation are IMLI and REMPEC.

Secretary-General,

IMO's mission statement very wisely notes that in the promotion of IMO goals an important process is the development and effective implementation of legal instruments with universal and uniform application. In my view such an important task cannot be undertaken unless States have the expertise to advise on adhering to such instruments, and possibly more importantly, on how to effectively implement treaty rules through their domestic legal systems. To my mind, this relates to one of the major contributions which IMLI has made over the last 30 years. The hundreds of lawyers who have graduated at IMLI are trained to provide Governments with the national expertise to incorporate and implement IMO rules into their domestic legal system. It is noteworthy that IMLI graduates hail from 146 States. In my view this widespread representation contributes greatly to the process of ensuring the universal and uniform application of IMO rules.

I feel that it is also appropriate to recall Malta's initiatives in the UNEP Regional Seas Programme which led to the adoption of the 1975 Mediterranean Action Plan. This was followed by the adoption of the 1976 Convention on the Protection of the Mediterranean Sea Against Pollution. This Convention - which has since attracted landmark protocols dealing with such issues as dumping from ships and aircraft, to specially protected areas and biodiversity - remains an important basis of the Mediterranean maritime legal order.

I wish to record that Mediterranean coastal States decided on the 16 February 1976 to establish in Malta the Regional Oil Combating Centre for the Mediterranean, the precursor of the current Regional Marine Pollution Response Centre for the Mediterranean Sea (or in short REMPEC) in Malta. For over forty years this Centre has been administered by IMO in cooperation with the United Nations Environmental Programme. The Centre's mandate is to provide world class specialised responses to accidental marine pollution. In fact the Centre, in close cooperation with IMO, has contributed towards developing and bolstering national capacities to combat pollution, by hydrocarbons and chemicals.

[REMPEC has also shown its capacity to adapt and evolve with global development related to the prevention of pollution from ships, by supporting Mediterranean coastal States to face global challenges such as air quality and climate change, by examining the possibility of designating the

Mediterranean Sea or parts thereof as Sulphur Oxide emission control area; marine pollutants by preparing operational guidelines on the provision of reception facilities in ports and the delivery of ship-generated wastes in the Mediterranean; and pollution resulting from exploration and exploitation of the continental shelf, by developing a set of standards and guidelines.]

Distinguished Guests,

Global ocean governance is today facing great challenges. Despite the declaration found in the 1982 United Nations Convention on the Law of the Sea that the problems of ocean space have to be considered as a whole, that there are no effective provisions in the Convention to ensure that this is undertaken. I therefore believe we need to adopt a holistic approach to ocean governance. I feel that this strategy should [could] be developed by the United Nations in conjunction with its specialised agencies. Indeed in my address to the United Nations General Assembly last year, I stated that it was imperative to consider the problem of ocean governance at the highest political level. In my view IMO has an important and vital contribution to make in this regard. It has developed international mechanisms which not only protect international shipping but also the marine environment. In this respect I wish to applaud the number of landmark environmental treaties adopted by IMO. There can be no progress in protecting the oceans unless we are able to protect climate. Over the last decades anthropogenic climate change, another issue raised in 1988 for the first time by Malta at the United Nations General Assembly, poses a great challenge to the health and resources of the oceans. Sea-level rise, ocean warming and ocean acidification are just some of the challenges which humanity needs to deal with as a matter of urgency. In this respect Secretary-General I wish to commend your Organization for pushing forward a number of measures aimed at securing the goals of its strategy on reduction of greenhouses gases emissions from ships.

Distinguished Guests,

The sustainability of a future international maritime legal order must take into account the opportunities afforded by the new technologies and artificial intelligence. In my view these opportunities must be fully exploited by the maritime community to ensure a safer and more sustainable shipping industry. Artificial intelligence, robotics, big data are just a few of the exciting opportunities which could enhance and change the face of shipping. The prospect of autonomous ships is a reflection of this new exciting era. My Government has been working hard to facilitate and advance the new technologies which are already being utilised in other sectors of the global economy. I believe that the shipping sector cannot escape this influence. Malta [-already known as the block chain island -] is prepared to offer its support and expertise to ensure that the shipping sector fully benefits from the new technological opportunities.

Needless to say, these opportunities will bring about new challenges which will require new rules such as those protecting the safety of navigation in the case of autonomous ships. I am therefore confident that IMLI will continue to play an important role in these developments by providing the necessary expertise to advise Governments on existing rules and also to enable them to actively participate in the development of new regimes which the application of new technologies will necessitate.

[Finally I would like to express my heartfelt congratulations for the great contribution which its Director, Professor David Attard, has given to IMLI's efforts to develop into a centre of excellence. I have followed his admirable work for over a decade. His dedication and commitment to capacity building is a characteristic which I admire. Often this was confirmed on my travels when inevitably I met IMLI graduates who spoke in glowing terms on their IMLI training. Similar recognition goes to the academic and administrative staff of the Institute who dedicate their service to the wellbeing of IMLI. I take this opportunity to reaffirm my Government's total commitment to the work of IMLI and to ensuring that it has at its disposal the best facilities and resources to carry out its mission.]