

MEMBER OF THE IMLI GOVERNING BOARD AND PATRON OF THE NIGERIA MARITIME LAW ASSOCIATION LECTURES AT IMLI

Mr. Louis Mbanefo (Member, IMLI Governing Board and Patron, the Nigeria Maritime Law Association) visited the IMO International Maritime Law Institute on 14 February 2020 and delivered a lecture on “The Preparation of a Merchant Shipping Act” to the IMLI Class of 2019-2020.

Mr. Mbanefo explained the various modes through which an international instrument is incorporated into national legislation, such as, the enactment of a new law, the formulation of a regulation, the incorporation of an international treaty into the text of existing legislation or incorporation by reference. In this regard, he discussed the challenges that developing countries face while implementing and enforcing international maritime conventions.



Mr. Louis Mbanefo (Member, IMLI Governing Board and Patron, the Nigeria Maritime Law Association) with Professor David Attard (Director, IMLI) and the IMLI Class of 2019-2020

Mr. Mbanefo further noted that a Merchant Shipping Act generally provides guidance to domestic and visiting ships and caters for penalties for infringements. It also adopts measures necessary to protect and preserve the marine environment from pollution, health and safety, and the investigation of marine casualties, among other considerations.



Mr. Louis Mbanefo delivering his lecture to the IMLI Class of 2019-2020

Mr. Mbanefo's lecture, which draws from his extensive experience in the drafting of maritime legislation and his direct contribution to the preparation of the Nigerian Merchant Shipping Act, further enhanced students' understanding in the intricacies of maritime legislation drafting, a subject which is central to IMLI's training. It may be recalled that at IMLI, students are required to incorporate and effectively implement an international instrument, especially those developed under the auspices of IMO, into their national legislation.



Mr. Louis Mbanefo, Professor David Attard and the Nigerian students of the academic year 2019-2020

At the end of his lecture, given his involvement with IMLI since the Institute's inception and his active role in the preparation of IMLI's first syllabus, Mr. Mbanefo was asked to give a recount of IMLI's progressive development in the last three decades.

Mr. Mbanefo you were involved in the preparation of the first IMLI syllabus which addresses comprehensively issues of public / law of the sea, shipping law, marine environmental law, maritime security law and uniquely maritime legislation drafting. What led to such a comprehensive drafting of the syllabus?

IMLI was established to fill a gap. At that time, there was no other Institute which provided students with comprehensive training in issues of international maritime law. Hence, the idea was for IMLI to cover the entire ground. This idea has been successful and through this comprehensive training, students are provided with relevant knowledge and materials which they can consult for years to come.

What is your view on the contribution of such comprehensive training to the formation of this large number of government officials, especially in maritime legislation drafting?

Over the years, IMLI has indeed been instrumental in the formation of a cadre of national experts whose contribution is palpable in many sectors of the maritime industry. It is with much regret

that, in my experience, I have witnessed governments failing to tap on the great potential of IMLI graduates. Their work can be of use to the various maritime agencies in the countries, especially to the drafting units. I would therefore encourage governments to make use of the IMLI graduates upon their return home and to allow the countries to formulate national legislation which is fully in line with international standards.

You have been a staunch supporter of the Institute since its beginning and, for a number of years now, you are involved in its governance as a member of the Governing Board. What are your views on the Institute's progress and its role towards the adequate implementation of international instruments into domestic legislation?

I think IMLI has done a fantastic job. Perhaps, the only criticism is that 'perhaps it is doing too much'. The truth is IMLI and its dedicated staff deserve a very high mark. Professor Attard's leadership and skills in liaising with the Maltese Government as well as other institutions, like The Nippon Foundation, are very much appreciated. I am a great believer in IMLI, its mission and its role in the dissemination of international maritime law.

IMLI celebrated last year its 30th anniversary and we have this year a record number of students attending its programmes. What is your vision of IMLI for the future and where do you see IMLI making a stronger contribution?

I hope IMLI will continue to grow from strength to strength, and with more funding, eventually more students could be admitted to ensure that national administrations can rely on their own national expertise.

What would be your message to present students and IMLI's past graduates?

Past students have been very successful, many of them have been very distinguished and have done extremely well, and some of them have become Ministers or even Head of State of their countries so I believe that IMLI has contributed to this success: undergoing this training instils in IMLI students a great sense of discipline which helps them succeed. I hope they will remember the IMLI teachings and continue to serve the rule of international maritime law.

Mr. Louis Mbanefo was the Chairman of the Nigerian National Shipping Line. He was also Chairman of the Ministerial Committee to review and update the Nigerian Shipping Law. He is the author of the Nigerian Shipping Law Series and was responsible for the preparation of the Admiralty Jurisdiction Act 1991 and the Nigerian Merchant Shipping Act of 2007. Mr. Mbanefo is currently a Senior Partner in the firm of Mbanefo & Co. in Lagos. In his practice, he has appeared as Counsel in many high profile shipping cases and was appointed a Senior Advocate of Nigeria (SAN) in May, 1988. In 2008, Mr. Louis Mbanefo was elected as a member of the Executive Council of the Comité Maritime International (CMI). He is one of the founders of the Nigerian Maritime Law Association and serves currently as its Patron.

Mr. Mbanefo has, since the inception of IMLI in 1988, been a visiting Fellow and an indispensable member of its governing board. He was very instrumental in the preparation of the syllabus of the courses being studied at the Institute.

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