

IMLI^e-News

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IMO DIRECTOR OF LEGAL AFFAIRS AND EXTERNAL RELATIONS DIVISION DELIVERS INAUGURAL LECTURE AT IMLI



Dr. Rosalie Balkin:

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Dr. Rosalie Balkin, Director of Legal Affairs and External Relations Division of the London based International Maritime Organization (IMO), has been a visiting lecturer at IMLI's LL.M. programme for a number of years. This academic year, Dr. Balkin delivered two lectures, the first dealing with the legal framework of the IMO and its role as a specialised agency of the UN, the second particularly focusing on the treaty making process within IMO. Dr. Balkin's first lecture took place on the 13th of September 2007 and was officially the inaugural lecture of IMLI's 19th annual LL.M. programme.

After the inaugural lecture Dr. Balkin presided over the “IMLI Flag Raising Ceremony” during which IMLI participants placed their national flags at the Institute premises.



Dr. Rosalie Balkin with Prof. David Attard and the 19th generation of IMLI lawyers at the "Flag Raising Ceremony"

Dr. Rosalie Balkin has held the position of Director of Legal Affairs and External Relations Division of the IMO, since 1998. Prior to that she was Assistant Secretary in the Office of International Law at the Federal Attorney-General's Department in Canberra, Australia and has also held academic posts at a number of universities, including University of the Witwatersrand in Johannesburg, South Africa; Melbourne and New South Wales Universities in Australia and Cambridge University, U.K. She has published extensively in the field of public international law and is currently working on a fourth edition, with her the co-author, of a textbook on the Law of Torts. Before joining IMO Dr. Balkin headed the Australian delegation to the IMO Legal Committee and was, for a number of years, Vice-Chairman of that Committee.

Dr. Balkin, what is in the current focus of the IMO Legal Committee?

The Legal Committee has just recently completed its work on the adoption of the Nairobi International Convention on the Removal of Wrecks. The Convention was adopted at a Diplomatic Conference in Nairobi on the 18th May 2007. The development of the Wreck Removal Convention has been the main priority item on the agenda of the IMO Legal Committee for a number of years, and finally that work has been brought to fruition. It is to be hoped that States will now act speedily to bring the Convention into force.

At the upcoming meeting of the Legal Committee, which will take place in October in Panama (due to the ongoing refurbishment work of IMO's headquarters in London) the Committee will be focusing on a number of topics, including monitoring the implementation of the HNS Convention and the issue of fair treatment of seafarers in the event of a maritime accident. Another issue that is going to be addressed is the possibility of developing a model for a single insurance certificate to replace the differing ones, which are currently issued under the various IMO liability and compensation treaties. This stems from the request contained in one of the resolutions adopted by the

Diplomatic Conference and it is bound to bring up some tricky legal questions. Additionally, the Legal Committee will be examining a proposal by the Government of India to develop an international instrument that would provide States with the legal jurisdiction to deal with criminal acts occurring on board foreign-flagged vessels. This proposal effectively reactivates a matter that had already been initiated by the Government of Japan some years ago, but which was eventually taken off the Legal Committee's agenda, due to work on the subject within the Comité Maritime International (CMI). The Committee will also have before it for consideration a proposal by the CMI for adoption of draft guidelines for national legislation on maritime criminal acts. Finally, at the request of the Council, the Legal Committee will, at this session, be examining its rules of procedure with a view to harmonising them with those of other IMO committees. So, all in all, we should have a fairly busy session.

Dr. Balkin, you have now witnessed the work of IMLI for a number of years and as a visiting lecturer you have had the opportunity to meet a number of IMLI lawyers. In your view, what is the role of IMLI today within the IMO family and what are your experiences as a visiting lecturer here at IMLI?

IMLI is a marvellous institution. This is demonstrated by the ever-growing number of applications from students the world over and the international reputation of so many of IMLI's visiting lecturers. At IMLI, students are given the unique all-round view of IMO and its work, which one would be hard-pressed to obtain anywhere else. Although my visits here are usually quite short, I have always perceived that the students attending the LL.M. programme come with a sound basis of knowledge and a wealth of experience, and there is so much to learn from them. IMLI's LL.M. programme, as I see it, is a two way learning process, where both students and lecturers benefit from each other's experiences. That in my opinion is the most rewarding part of the process, from a visiting lecturer's point of view.

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