



MINISTER FOR COMPETITIVENESS AND COMMUNICATIONS PRESENTS THE MALTA GOVERNMENT PRIZE

During the recent Graduation Ceremony of IMLI held on May 5, 2007, the Honorable Censu Galea, Minister for Competitiveness and Communications of Malta, presented the Malta Government Prize for the Best Performance in the Law of the Sea to Commander Ibrahim Majidadi Chonoko (*Nigeria*).

We quote the text of Minister Galea's speech in full, which he delivered when he presented the award.



The Honorable Censu Galea, Minister for Competitiveness and Communications of Malta, presenting the Malta Government Prize for the Best Performance in the Law of the Sea to Commander Ibrahim Majidadi Chonoko of Nigeria

The Hon. Censu Galea, Minister for Competitiveness and Communications, addresses the International Maritime Law Institute Graduation Ceremony

Mr. Secretary General, Prof. Attard, Distinguished Guests, Graduates, Ladies and Gentlemen:

It is my great pleasure to once again witness the graduation of yet another crop of *alumni* of the International Maritime Law Institute, IMO's premier institution, or rather, the world's foremost institution in international maritime law. Since its inception in 1988 and with today's graduation, IMLI has trained almost 400 lawyers in international maritime law. The total number of nationalities represented by IMLI graduates is over 100 countries spread around the globe, an outstanding achievement and irrefutable proof that IMLI is living up to its motto of "serving the rule of international maritime law."

Malta is truly proud of hosting such an important institution. It is a continuation of Malta's constant commitment for the promotion of international co-operation in the global pursuit for safer seas and cleaner oceans. We reiterate our commitment. Malta rejoices in this new addition to the global pool of professionals in influential administrative positions, armed with extensive international legal knowledge and sound technical competencies that complement it.

One cannot but bear in mind that the maritime industry which we serve is one of the oldest activities of mankind and is characterised by centuries old traditions, work practices and ethics that have been moulded and adapted – and not without pain - to the changing realities of time and culture, especially in the light of the industry's essentially international nature. One is therefore not surprised that, in a world that is increasingly becoming one village, with the consequent interaction of cultures and modes of governance, the increasing attempts at structured regulation by different governing regimes sometimes necessitate understanding of and adaptation by the maritime industry. This is due to the very particular circumstances that characterise this industry, on a technical, operational and management level. It is for this reason that the world needs people with competent and deep insight into the realities of this industry, in order to bridge the gap between the seafarer and shipowner on the one hand and the essentially land-based societies and regulatory regimes that are meant to govern them on the other.

Unfortunately, all too often it is only in those few occasions when all the efforts at rendering our seas safe prove to be insufficient and a casualty occurs, that the shipping world surfaces on the radar scope of public interest, giving it a negative reputation disproportionate to the reality. Too many times, regulation has consequently been rushed through by legislators in response to a justified but not necessarily informed public outcry to such casualties and precious advice of seasoned experts is either not available or – worse still - watered down or even discarded in the name of political necessity and public opinion.

As a result of this, we sometimes come across proposals and legislative concepts that reflect a lack of familiarity with the industry they are trying to govern. One can witness first hand, the recent controversies related to the increasing regulatory scrutiny over the shipping industry as well as what is perceived as a push towards harsher liability and criminalisation standards imposed on the industry. The prevailing belief that maritime accidents and disasters will be

averted simply by inflicting harsher penalties, which influences legislators as well as the general public, is however, not necessarily correct.

It may also seem that no due regard to the realities of the industry is being given – not least the effect of regulatory fragmentation along regional lines. Besides that, the effects of what might be described as draconian measures on shipping stakeholders are not being fully appreciated. It is here that I feel that IMLI graduates can play a vital part. Dear graduates, your role and your input in any decision making process you might be involved in back home, is assuming an increasingly enhanced importance. Be it within a government administration, within industry or within other constituted bodies, your objective should not only be to ensure fair treatment and regulation of the maritime industry. It should also be to help preserve the stability of a world order based on eradication of conflict between countries and regions, through the consolidation of the authority of international organisations that are acknowledged by all.

It is for this reason that Malta has always advocated the authority of the International Maritime Organisation and its international conventions as the only real source of ensuring relative stability and development of safety standards on a global level. Malta is in favour of proposals that aim to enhance maritime safety. These however need to be effective, globally applicable and in full respect of the authority of the IMO and of the autonomy of IMO contracting parties.

It is Malta's firm belief that the IMO's approach in regulating shipping is the best way forward as all the instruments emanating from the Organisation are based on input by global experts with a deep and comprehensive knowledge of how the shipping industry operates. And IMLI, as the main IMO institution specialising in maritime law, is an essential link in the chain of worldwide endeavours to make our seas safe and keeping our oceans clean.

Malta truly believes that IMLI graduates will play a crucial role in their future posts as they can provide the balance for the political legislator in the formulation of policy. Thanks to your input, the elected legislator can strike a balance between the legitimate concerns and expectations of the public and the technical and ethical realities that govern the industry.

I congratulate you all for the successful conclusion of your studies, which I am sure is only the beginning of further success in your profession to the benefit of the international maritime community, which in turn is of benefit to the whole international community.

Thank you

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