

IMO

International Maritime Law Institute

Established under the auspices of the International Maritime Organization
a specialized agency of the United Nations



IMO

2005

GRADUATION



IMLI

“Serving the Rule of International Maritime Law”

Venue:
Malta Maritime Museum
Vittoriosa
Malta
Date:
14 May 2005
Time:
10:30 a.m.

IMO International Maritime Law
Institute
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IMLI Website
www.imli.org

PROGRAMME

Procession:	Faculty and Class of 2005
Welcoming Address:	Professor David J. Attard Director, IMLI
Graduation Address:	H.E. Mr. Efthimios Mitropoulos Secretary – General, IMO and Chairman, IMLI Governing Board
Valedictory Address:	Lt. Cmdr. Gianmatteo Breda (Italy) on behalf of the students
Presentation of Candidates:	Mr. Norman Martinez Lecturer, IMLI
Conferment of Degrees:	Professor David J. Attard
Presentation of Prizes:	IMO Secretary-General's Prize for Best Dissertation Malta Government Prize for Best Performance in Law of the Sea Malta Maritime Authority Prize for Best Performance in Shipping Law Professor Walter Muller Prize for Best Maritime Legislation Drafting Project REMPEC Marine Environmental Law Prize Sasakawa Prize for the Best Performing Nippon Foundation Scholar

A MESSAGE FROM THE SECRETARY-GENERAL, INTERNATIONAL MARITIME ORGANIZATION (IMO) AND CHAIRMAN OF THE GOVERNING BOARD OF IMLI

It is with great pleasure that I congratulate you on the award of your Master of Laws in International Maritime Law. Your degree represents not only a major personal achievement, but also the fulfilment of the trust that was placed in you when you first undertook your studies at the IMO International Maritime Law Institute. IMLI graduates before you have consistently secured senior positions in government administrations worldwide and within the global maritime industry - positions ranging from Ministers of Justice, Attorneys General, Chief Justices, Ambassadors, Chief Executives and senior corporate managers. I am confident that you will, in due course, join your predecessors in these career paths and play your part in contributing to a safer, more secure and environment friendly world of shipping.

In this present age of rapid change, world shipping is confronted with numerous important challenges. There is a growing recognition of the importance of ocean governance issues such as the prevention of terrorism, piracy, armed robbery, illicit drug trafficking, illegal migrants and other unlawful acts. At the same time, the industry has to maximize its efficiency to continue to provide a reliable and relatively inexpensive means of transporting more than 90 per cent of global trade. The importance of international standards and a uniform global approach cannot be over-emphasised when dealing with such a vital and truly international industry. In tackling these issues, IMO continues to develop and maintain a comprehensive international legal framework for safe, secure, efficient and environmentally sound shipping. If they are to have an impact on the safety of shipping and the prevention of marine pollution, IMO conventions will require uniform and effective implementation at the national level. Achieving this is inevitably dependent on the knowledge and skill of the lawyers who develop and manage the legal framework to ensure that safe, high-quality shipping is able to prosper in a highly competitive world.

It was to fulfil this purpose that IMLI was created in 1989 - to help ensure Governments have access to trained, expert legal staff to incorporate IMO instruments into their own national legal system. IMLI graduates are uniquely placed to serve this most international of industries, and they have the benefit not just of the skill and knowledge they gained at the Institute, but also of the extensive international network of their predecessors - there are now a total of 332 graduates from 103 countries and territories worldwide.

It is now for you, the Graduating Class of 2005, to maintain the excellent reputation for quality and effectiveness which has been so successfully established by those you succeeded. I wish you every success and good luck and look forward to working together with you to meet the challenges of the future.



*H.E. Mr. Efthimios Mitropoulos
Secretary - General, IMO*

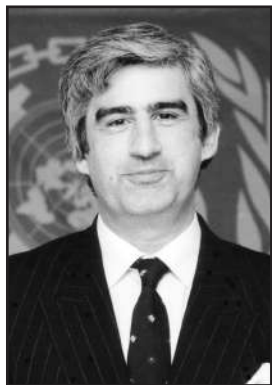
IMLI GOVERNING BOARD

<p>H.E. Mr. E. E. Mitropoulos Prince B.A. Ajibola Professor D.J. Attard Dr. P. Boisson Mr. G. Gasc Mr. P. Griggs Mr. J. Harrison Dr. J. Hulliger Mr. C. Lau Loke Sam Mrs. B. Mould-Iddrisu Mr. W.A. O'Neil Professor Dr. M. Pavliha Dr. C.P. Srivastava, KCMG Professor F.L. Wiswall Jr.</p>	<p>Chairman, Secretary-General, IMO Former Judge, International Court of Justice Director, IMLI Communication Director and Legal Adviser, Marine Division, Bureau Veritas Counsellor (Maritime Affairs) and Permanent Representative of France to IMO Past President, Comité Maritime International Group Legal Director, Lloyd's Register Director, Swiss Maritime Navigation Office Consultant, Alban Tay Mahtani & de Silva Director, Legal & Constitutional Affairs Division, Commonwealth Secretariat Secretary-General Emeritus, IMO Vice-President, Parliament of the Republic of Slovenia Secretary-General Emeritus, IMO Proctor and Advocate in Admiralty; Former Vice-President, Comité Maritime International</p>
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H.E. Mr. Efthimios E. Mitropoulos (Chairman, Secretary-General, IMO) with Members of the IMLI's Governing Board during the Board's 19th Session held at the IMO Headquarters, London, on the 22nd April 2005.

RESIDENT FACULTY MEMBERS - ACADEMIC YEAR 2004 – 2005



Professor David J. Attard (Malta),
 LL.D. (Malta),
 D. Phil. (Oxon),
 Advocate (Malta),
 Barrister-at-Law (London),
Director



Dr. Ivan Vella (Malta),
 LL.D. (Malta),
 LL.M. (IMLI),
 Advocate (Malta),
Lecturer



Mr. Norman Martinez (Honduras),
 Lic.(Honduras),
 LL.M. (IMLI),
 Advocate (Honduras),
Lecturer



Mr. Mitja Grbec (Slovenia),
 LL.B (Ljubljana),
 LL.M. (IMLI),
 BAR (Slovenia),
Junior Assistant Lecturer

IMLI Visiting Fellows - Academic Year 2004 – 2005

Dr. Rosalie Balkin (U.K., Director, Legal Affairs and External Relations Division, International Maritime Organization [IMO])

Mr. Archie Bishop (U.K., Holman, Fenwick & Willan Law Firm)

M. Philippe Boisson (France, Communication Director and Legal Adviser, Marine Division, Bureau Veritas)

H.E. Commissioner Dr. Joe Borg (Malta, European Commission, Commissioner for Fisheries and Maritime Affairs)

Captain Fabio Caffio (Italy, Head of the Legal and International Juridical Affairs Unit of the Italian Navy General Staff)

Ms. Miren Del Olmo (Spain, Assistant Secretary, Legal Department, International Transport Workers' Federation [ITF])

H.E. Prof. Guido De Marco (Malta, Former President of the Republic of Malta)

Mr. Darko Domovich (Croatia, Technical Expert, REMPEC)

Dr. Mahin Faghfour (Iran, Head Legal Unit, SITE UNCTAD)

Dr. Stefano Filletti (Malta, LL.M. [IMLI], Advocate)

Mr. Patrick Griggs (U.K., Past President, Comité Maritime International, Senior Partner, Ince & Co.)

Major (Retd) G.A. Hall (U.K., Security Consultant and Instructor)

Mr. Masamichi Hasebe (Japan, Legal Counsel of the International Oil Pollution Compensation Fund 1992 [IOPC])

Prof. Dietrich Kappeler (Switzerland, The Graduate Institute of International Studies)

Prof. Paul M. Kennedy (U.K., J. Richardson Dilworth Professor of History and Director of International Security Studies, Yale University)

Dr. Andre Kirchner (Germany, Consultant for International Law)

Dr. Dierk Lindemann (Germany, Managing Director, German Shipowners' Association)

Prof. Vaughan Lowe (UK, Chichele Professor of Public International Law and a Fellow of All Souls' College-Oxford University)

Mr. John McPhail (U.K., Thomas Miller, Managers of the UK P & I Club)

H.E. Dr. Ugo Mifsud Bonnici (Malta, Former President of the Republic of Malta)

Mr. Jonathan Pace (Malta, Project Manager, REMPEC)

Mr. Alfred Popp Q.C. (Canada, Chairman, IMO Legal Committee; Senior General Counsel, Maritime Legal Secretariat, Department Of Justice, Canada)

Prof. Francis Reynolds (U.K., Professor Emeritus, University of Oxford)

Prof. Francis Rose (U.K., Professor of Commercial Law and Director of the Norton Rose Centre of Commercial Law, University of Bristol)

Prof. Tullio Scovazzi (Italy, Professor of International Law, University of Milano-Bicocca, Milan)

Prof. Ioannis Tzoannos (Greece, Secretary General, Ministry of Merchantile Marine)

Mr. Bernard Vanheule (Belgium, Senior Legal Officer, Royal Belgian Shipowners Association)

Major (Retd) M.J. Walker (U.K., Security Consultant and Instructor)

Ambassador Gunter Weiss (Germany, Retired, Former Ambassador of the European Commission in Malta)

Prof. Frank Wiswall Jr. (U.S.A., Former Vice President, Comité Maritime International; Proctor and Advocate in Admiralty)

Mr. Godwin Xerri (Malta, Maritime Consultant to Local and Foreign Shipping Firms)

Captain Joseph Zerafa (Malta, Technical Manager, Malta Maritime Authority)

The Legal Framework of the IMO

The Establishment and Work of the Legal Committee

Law of Maritime Salvage

Introduction to Maritime Safety

The Regulatory Process

Ship Safety

Cargo Safety

Human Element & Operational Safety

Control of Ship Safety

Classification Societies

A Future EU Maritime Policy: Designing an European Vision for Oceans and Seas

Maritime Law Enforcement

The Law of Naval Operations

The ITF & the Shipping Industry

Seafarers' Rights and Enforcement Problems

Seafarers' Minimum Conditions of Employment

The United Nations

OPRC and OPRC-HNS

Multi-modal Transport and the UNCITRAL Draft Instrument on Carriage of Goods

The 1999 Arrest Convention

E-Commerce

UNCLOS Part XII

The Implementation of International Conventions on Marine Environmental Law

Marine Pollution Prevention under Part XI of UNCLOS

The Implementation of Marine Environmental Law Conventions

Conventions dealing with Marine Pollution Prevention

Limitation of Liability for Maritime Claims – LLMC '76' & '96' Protocol & Athens '74' & '02' Protocol

Places of Refuge and fair Treatment of Seafarers following a Maritime Incident

Obstacles to Uniformity of Maritime Law

Draft Wreck Removal Convention and Arrest Convention 1999

Maritime Security

The IOPC Fund

The Rule of Law in International Relations

Maritime Security

Environmental Protection in Time of Armed Conflict & Environmental Security

Environmental Security

Marine Protected Areas / High Seas

International Maritime Labour Law

The End of the Freedom of the High Seas

P & I Insurance

The CLC Convention

Introduction to Comparative Law

Classification and Differentiation

The Mainstream of Law in the West

The Specific Nature of the Anglo-Saxon Common Law System

Law in Islamic Countries

Law in Marxist Systems

Law and Change: The Drafting of New Laws

Convergences towards Unity

REMPEC and the Barcelona Convention

Tort in Civil Liability Conventions in Maritime Law

Carriage of Goods By Sea

Pilotage

General Average

The Action in Rem

Marine Archaeological Protection

EU Maritime Issues

EC Shipping Law: Competition

EC Shipping Law: Crew & Safety

EC Shipping Law: Criminal Sanctions in the Protection of the Marine Environment

Maritime Security

Introduction to European Institutions

Maritime Legal History

Maritime Legislation Drafting

Collisions

Management & Operation of Ships

Proprietary Interests in Ships (Sale & Purchase of Ships)

Charterparties / Shipping Documentation

Physical Attributes of Ships

Safety & Meteorology

SELECTED IMLI ACHIEVEMENTS

Mr. Glenn Cabanez	(Graduate of 1990)	Director, Maritime Industry Authority (Philippines)
Ms. Nkemdilim Ejemai	(Graduate of 1990)	Legal Adviser and Company Secretary, Nigerdock Nigeria Limited (Nigeria)
Mr. Rezaul Karim	(Graduate of 1990)	Asst. General Manager, Bangladesh Shipping Corporation (Bangladesh)
Lt. Cmdr. Muhammed Yar Lak	(Graduate of 1990)	Deputy Judge-Advocate General (Pakistan)
Mr. Yousif Zainal	(Graduate of 1990)	Secretary-General, Gulf Co-operation Council Commercial Arbitration Centre (Bahrain)
Mr. Griscti Giovanni	(Graduate of 1990)	Magistrate (Malta)
Ms. Gail Royer	(Graduate of 1990)	Chief Magistrate of Dominica, Member of the Dominica Port Authority (Dominica)
Mr. Francisco Villaroel Rodriguez	(Graduate of 1991)	National Maritime Judge in Venezuela, Titulary Member of the CMI
Ms. Fatau Bomm Bensouda	(Graduate of 1991)	Deputy Prosecutor at the International Criminal Tribunal for Rwanda
Ms. Miriam Samaru	(Graduate of 1991)	Solicitor General in Saint Lucia and Council Member of the Saint Lucia Air and Sea Ports Authority and of Solid Waste Management Authority
Mr. Hassan Rajae	(Graduate of 1991)	Director General of Port and Shipping Organisation (Iran)
Mr. Tran Man Ha	(Graduate of 1991)	Vice-General Director, Vietnam Maritime Commercial Stock Bank (Vietnam)
Mr. Abdnour Sidi Said	(Graduate of 1991)	Director, Algerian National Shipping Company (Algeria)
Mr. Essayas Haile-Mariam	(Graduate of 1991)	Legal Service Manager, Ethiopian Shipping Lines (Ethiopia)
Mr. Alexander L. Maluza	(Graduate of 1991)	Heads the Cabinet Office as Clerk to the Cabinet (Malawi)
Ms. Lucy A. Asuagbor	(Graduate of 1992)	Chief Justice, Court of Appeal (Cameroon)
Ms. Azuka Ogo	(Graduate of 1992)	Vice-Chairman, Executive Council, IOPC Fund (Nigeria)
Mr. Gerald Zackios	(Graduate of 1992)	Attorney General (Marshall Islands)
Mr. Kosi Latu	(Graduate of 1992)	Assistant Director, Legal & Constitutional Affairs Division, Commonwealth Secretariat (Samoa)
Mr. Joseph T. Mukundu	(Graduate of 1992)	Under Secretary Legislation for the Ministry of Transport and Energy (Zimbabwe)
Mr. Edward D. Kadiri	(Graduate of 1992)	Minister Plenipotentiary posted at Tanzania's Embassy of Stockholm
Mr. Mohamed Ayadi Salem Elwaer	(Graduate of 1993)	Director of the Legal Department of the General National Maritime Transport Company in Tripoli
Mr. Carmel Chircop	(Graduate of 1993)	Legal Adviser, Malta Maritime Authority (Malta)
Mr. Mohamed Ayadi Salem Elwaer	(Graduate of 1993)	Director of the Legal Department of the General National Maritime Transport of Tripoli (Libya)
Ms. Josephine Mallalieu	(Graduate of 1993)	Magistrate (St. Kitts & Nevis)
Ms. Masio Soraya Nidung	(Graduate of 1993)	Awarded the UN Special Hamilton Shirley Amerasinghe Fellowship on the Law of the Sea sponsored by Germany
Commander A.A. Zafar	(Graduate of 1993)	Senior Deputy Judge Advocate General (Pakistan)
Mr. Amir Badpa	(Graduate of 1994)	Special Legal Adviser to the Managing Director, Ports and Shipping Organisation (Iran)
Mr. Kiniviliame T. Keteka	(Graduate of 1994)	Acting Director of the Fiji Law Reform Commission (Fiji)
Mr. Moustapher Marong	(Graduate of 1994)	Minister of Justice (The Gambia)
Mr. Yusuf Bala B.	(Graduate of 1995)	Legal Adviser to Federal Ministry of Transport (Nigeria)
Ms. Laila Racina	(Graduate of 1995)	Head of Legal Unit of Maritime Department (Latvia)
Mr. Ashraful I. Khan	(Graduate of 1996)	Senior Assistant Judge (Bangladesh)
Mr. Siosia A. Hon. Fielakepa	(Graduate of 1996)	Governor of the Kingdom's Central District of Ha'apai (Tonga)
Mr. Mohammed S. J. Al-Garni	(Graduate of 1997)	Head of Administration and Supply for the Naval Institute of the Coast Guard (Saudi Arabia)
Lieutenant Hatem Ghazi Al-Besher	(Graduate of 1997)	Lieutenant Commander (Saudi Arabia)
Mr. Ugnius Labutis	(Graduate of 1997)	Head of the Legal Expertise Division of the Ministry of Transport (Lithuania)
Ms. E. D. J. M. Marques Da Costa	(Graduate of 1997)	Judge of the Admiralty Court (Angola)
Mr. F. L.S.R. Tufuga	(Graduate of 1997)	Regional Maritime Legal Officer, Secretariat of the Pacific Community, Fiji
Ms. Mayen B. Obi	(Graduate of 1997)	Assistant Director in charge of International Law and Conventions at the Nigerian Maritime and Safety Administration Authority
Mr. Foli – Bazi Katari	(Graduate of 1998)	Keeper of Seals, Ministry of Justice (Togo)
Mr. Naganathan Sivahumaran	(Graduate of 1998)	Deputy Legal Draftsman of the Ministry of Justice of Sri Lanka
Dominika Lempicka	(Graduate of 2000)	IMO Consultant
Mr. Iakoba Taeia Italeli	(Graduate of 2001)	Attorney General of Tuvalu
Captain Reuben Lanfranco	(Graduate of 2001)	Director of the Malta Maritime Institute
Lt. Cmdr. Syed		
Md. Akhter Hussain Gardezi	(Graduate of 2002)	Director of the Pakistan Maritime Security Agency
Mr. Sornchai Sirariyakul	(Graduate of 2002)	Chief Judge of Chamber of the Central Intellectual Property and International Trade Court (Thailand)
Mr. Arley Gill	(Graduate of 2003)	Senator to the National Parliament of Grenada.
Mr. Igor Karaman	(Graduate of 2004)	Awarded the Alexander S. Onassis Public Benefit Foundation scholarship to conduct Ph.D. Research in Athens, Greece.

STUDENT- COUNTRY PROFILE (1989 - 2005)

Algeria	4	Marshall Islands	1
Angola	5	Mauritania	1
Azerbaijan	1	Mauritius	3
Bahamas	1	Mexico	4
Bahrain	1	Mozambique	4
Bangladesh	6	Myanmar	2
Barbados	1	Namibia	2
Benin	1	New Zealand	1
Brazil	2	Nicaragua	1
Bulgaria	2	Nigeria	33
Burundi	1	Norway	1
Cameroon	3	Pakistan	7
Cape Verde	2	Palestinian Autonomous Territories	1
China	5	Panama	2
Colombia	2	Papua New Guinea	4
Comoros	2	Peru	1
Congo (Republic of the)	2	Philippines	5
Cote d' Ivoire	1	Poland	1
Croatia	2	Russian Federation	4
Cuba	1	Samoa	3
Dominica	4	Saudi Arabia	8
Ecuador	1	Senegal	2
Egypt	1	Serbia & Montenegro	1
Estonia	1	Seychelles	3
Ethiopia	4	Sierra Leone	6
Fiji	4	Slovenia	2
Gambia	4	Solomon Islands	1
Georgia	6	South Africa	3
Ghana	9	Sri Lanka	6
Greece	1	St. Kitts & Nevis	1
Grenada	1	St. Vincent & The Grenadines	1
Guatemala	1	Sudan	1
Guayana	1	Suriname	1
Haiti	1	Switzerland	1
Honduras	4	Thailand	5
India	1	Togo	1
Indonesia	2	Tonga	1
Islamic Republic of Iran	7	Trinidad & Tobago	3
Italy	2	Tunisia	1
Jamaica	2	Tuvalu	1
Japan	1	Uganda	2
Kenya	6	Ukraine	1
Latvia	6	United Republic of Tanzania	8
Lebanon	1	Uruguay	1
Liberia	1	USA	2
Libyan Arab Jamahiriya	3	Vanuatu	2
Lithuania	3	Venezuela	2
Madagascar	2	Viet Nam	2
Malawi	3	Zambia	4
Malaysia	2	Zimbabwe	1
Maldives	4		
Malta	43	Total	332

THE NIPPON FOUNDATION CONTINUES TO SUPPORT TRAINING AT IMLI



Mr. Yohei Sasakawa (President, Nippon Foundation) with Prof. David J. Attard (Director IMLI) on the occasion of his visit to IMLI.

The IMO International Maritime Law Institute and the Nippon Foundation based in Tokyo, Japan, launched during the academic year 2003/2004 their *joint "Human Resources Development Project for the Advancement of a More Effective Legal Order for the Oceans"*. The aim of this common undertaking is to contribute to the promotion, adoption, effective implementation and enforcement of international maritime conventions adopted under the aegis of the United Nations (UN) and of the International Maritime Organization (IMO) and to encourage a greater participation by developing States in the major international maritime law conventions and legal instruments.

The realization of this project has been made possible through the generous contribution of funds by the Nippon Foundation.

An important feature and integral part of this project is to provide scholarships for deserving lawyers from developing countries, especially from the Asia region, to study at IMLI.

In the academic year 2003/2004, 9 lawyers from all over the globe, were awarded the Nippon Foundation Scholarship, which allowed them to graduate in international maritime law at the IMO International Maritime Law Institute. In the academic year 2004/2005 another 8 lawyers, from 7 different countries, benefited the Nippon Foundation Scholarship at IMLI. These are Mr. Jianbin Shen (China), Mr. Bin Mi (China), Ms. Rusudan Tushuri (Georgia), Ms. Mi Mi Maw (Myanmar), Mr. Therdchai Thanapongporn (Thailand), Mr. Joseph Pyawan (Papua New Guinea), Mr. Juan Carlos Rivera Garcia (Honduras) and Mr. Juan Carlos Gonzáles (Ecuador)

The Nippon Foundation supports IMLI's plan to attract Asian lawyers, and will be granting ten scholarships for the academic year 2005/2006.

The "Sasakawa Prize for the Best Performing Nippon Foundation Scholar", which was presented for the first time during the 2004 Graduation Ceremony, was created as part of the Project, and is awarded every year to the Nippon Scholar who has the best overall performance in the LL.M. Programme.



Dr. Rosalie Balkin (Director of Legal Affairs and External Relations Division, IMO) in the presence of Professor David J. Attard and the Hon. Censu Galea (Minister for Competitiveness and Communications, Malta) during the inaugural lecture of the accademic year 2004/2005.



Dr. Philippe Boisson (IMLI Governor; Legal Adviser, Bureau Veritas) with the IMLI Class of 2004/2005.



Prof. Frank Wiswall Jr. with Prof. David J. Attard at the presentation of John Selden's portrait donated to IMLI by Prof. Wiswall.



EU Commissioner Dr. Joe Borg with Prof. David J. Attard, the 2004/2005 IMLI Class and other guests.



H.E. Mr. Efthimios Mitropoulos presenting the IMO Secretary- General's Prize for Best Dissertation, 2003/2004, to Mr. Majdi Abdullah Khalid Al-Qahtani (Saudi Arabia).



Miss Cherie Booth Q.C., British Prime Minister's wife, with IMLI female lawyers of the Class 2004/2005



H.E. Mr. Efthimios Mitropoulos (Secretary-General, IMO) with Professor David J. Attard, Mr. William O'Neil (Secretary-General Emeritus, IMO) and Dr. Jean Hulliger (IMLI Governor) before the 2004 Graduation Ceremony.



Capt. Fabio Caffio (Head of the Legal and International Juridical Affairs of the Italian Navy General Staff), H.E. Dr. Alvise Memmo (Italian Ambassador to Malta) and Prof. David J. Attard with the IMLI Class 2004/2005.



Mr. Masamichi Hasebe, Legal Counsel to the IOPC Funds with the 2004/2005 Nippon Scholars.