

magnitude was new to us all. The Institute is doing all it can to help us be comfortable and at the same time ensuring our health and safety is maintained. Nonetheless as Maya Angelou wrote "...just like hope springing high, Still I rise... But like air, I rise." From this pandemic the Professors, Lecturers, and the students of IMLI 2019/2020 we will rise. Long live IMLI!!!

As the academic year comes to an end, I wish to express my sincere gratitude to IMLI. The programme exceeded my expectations! I had the opportunity to learn from spectacular lecturers and visiting professors who not only trained me in maritime law knowledge and human values but also fueled my passion for maritime law. They encouraged and supported me when necessary, so as to focus on the path of excellence. This reflects the high quality of this program. Likewise, I am confident that this beautiful experience would not have been the same if it were not in Malta. This beautiful Island makes the journey perfect.



Mr. José Manuel Pacheco Castillo (Peru)

IMLI allowed me to generate a great group of colleagues with the same vision and dreams. Today, they, along with my dear lecturers, are not only my colleagues but my family. A family that is prepared to face the challenges that life has in store for it. A family that is capable to overcome crisis and help each other of its members to reach their goals. During the COVID-19 crisis, IMLI gave us its unconditional support to protect our health and help us to achieve our objective of completing our training. We are forever grateful to IMLI for this.

My profound thanks to Professor Attard for his invaluable willingness to share his extensive knowledge and leadership. I am not the same person who started the journey, but someone better. Someone who will take the IMLI legacy with pride wherever he goes.

Coming to IMLI was our first foreign study experience and the knowledge we gained in maritime law was exceptional, especially since many experts from all over the world came to deliver lectures to us. The knowledge we have gained at IMLI is very important and beneficial to our work at the Maritime Administration in Myanmar. The Director of the Institute, Professor David Attard, our dearest lectures, IMLI staff members and donor organizations are our benefactors. We promise to share our knowledge to the next generation and with other people.



L-R Ms. Khin Nyein Sann, Ms. Wint Yee San and Ms. Win Min Than (Myanmar)

We are proud to note that our batch is different from other batches of previous years because of COVID-19 pandemic. This year after the outbreak of the virus, the Institute delivered lectures to us through online platforms to ensure our safety and continued academic progress. This will be for us an unforgettable memory.

We want to welcome to our next generation of IMLI students with this saying:

"Let's fly together to our dream with IMLI"

I would first like to extend my sincere gratitude to the entire IMLI staff and IMO for granting a life-shaping opportunity to me and building the human capacity of my Country. My life here has been one of progressive learning and new experiences, from being part of a miniature UN diversity composition. The dynamic mixture of different nationalities, cultures, and backgrounds both intellectually and socially is an amazing experience.



Ms. Mamie Sanyang (the Gambia)

The course is both demanding and thorough. Coming from a criminal prosecution background, my knowledge of maritime law was very limited. This academic journey has prepared me to tackle legal matters in maritime law as well as draft and interpret legislation, having been enriched by several experts in the field who came to deliver lectures. The parental and caring nature of our noble Director is commendable. He at all times endeavours to make students feel comfortable at the Institute.

The rich historic features of Malta are an attraction and one can never get enough of. Its unique and formative sites are wonderful. The IMLI experience is lifelong in one's memory and I will forever cherish the moments spent here.

IMLI SUCCESS STORIES

IMLI GRADUATE, DR. FILIMON MANONI, APPOINTED AS THE DEPUTY SECRETARY GENERAL OF THE PACIFIC ISLANDS FORUM SECRETARIAT



IMLI GRADUATE, HONOURABLE SIMON KOFE, APPOINTED MINISTER OF FOREIGN AFFAIRS OF TUVALU



IMLI GRADUATE, MS. REGINA DERKINTYĚ-KAUPIENĚ, ELECTED VICE PRESIDENT OF THE KLAIPĖDA INDUSTRIALISTS ASSOCIATION



IMLI GRADUATE, MS. SANDRA OPOKU, BECOMES THE FIRST FEMALE DIRECTOR OF TEMA PORT IN GHANA



IMLI GRADUATE, AMBASSADOR ARLEY GILL, SELECTED AS PART OF CARICOM ELECTORAL OBSERVATION MISSION TO SURINAME, WITH ANOTHER IMLI GRADUATE, MR. MICHEL AMAFO, DIRECTOR, MARITIME AUTHORITY OF SURINAME



IMLI NEWS

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IMLI/WMU SYMPOSIUM ON FLAG STATE RESPONSIBILITIES AND THE FUTURE OF ARTICLE 91 OF UNCLOS HELD AT IMO HEADQUARTERS

The IMO International Maritime Law Institute (IMLI), in collaboration with World Maritime University (WMU) organized on 5 March 2020 a Symposium on Flag State Responsibilities and the Future of Article 91 of the United Nations Convention on the Law of the Sea (UNCLOS). The Symposium was held at the Headquarters of the International Maritime Organization (IMO) and was co-hosted by IMO and the International Tribunal for the Law of the Sea (ITLOS). The Symposium was attended by representatives of IMO Member States, international organizations, maritime lawyers, and academics. IMLI alumni were also in attendance.



Professor David Attard (Director, IMLI), Dr. Cleopatra Doumbia-Henry (President, WMU), Judge Jin-Hyun Paik (President, ITLOS) and Mr. Kitack Lim (IMO Secretary-General)

Mr. Kitack Lim (IMO Secretary-General) delivered the opening remarks. He noted that States, in their capacity as flag, port and coastal States have the obligation to comply with IMO rules and regulations. In this respect, it is important to enhance capacity-building for the successful implementation of the Organization's conventions and prescriptions so as to advance the IMO's role and contribute to the achievement of its goals. Mr. Lim observed that there was great value in exploring the relationship between UNCLOS and IMO conventions and that it was his hope that this Symposium will serve as the platform to advance further discussions on the matter.

In his remarks, Judge Jin-Hyun Paik (President, ITLOS), welcomed the opportunity to discuss the issue of flag State responsibilities and emphasized that "it is important for us to step outside the deliberation room in Hamburg and to engage with the shipping community and IMO delegates on areas of concern in relation to the nationality of vessels." He informed the participants that the Tribunal "wishe[d] to ensure that States Parties to the Convention, and flag States in particular, understand the work of the Tribunal and the possibilities it offers for dispute settlement in relation to disputes involving vessels."

Dr. Cleopatra Doumbia-Henry (President, WMU) addressed the Symposium and highlighted the importance of the topic to the academic curricula of both institutions and recognized the teaching of flag State obligations as a foundation area of studies. Upon briefly explaining the development of the "genuine link" principle, Dr. Doumbia-Henry emphasized the importance of the subject as one which crosscuts in all activities in shipping.



Participants of the Symposium on Flag State Responsibilities and the Future of Article 91 of the United Nations Convention on the Law of the Sea (UNCLOS)

Professor David Attard (Director, IMLI) recorded his appreciation to IMO and ITLOS for co-hosting the event and joined Dr. Doumbia-Henry in expressing the importance of ship registration as a fundamental subject taught at both institutions. He then discussed the importance of examining the future of Article 91 of UNCLOS, especially in view of the widespread international efforts to strengthen global ocean governance. In fact, in Professor Attard's opinion, "the granting of nationality to vessels could be considered as one of the earliest manifestations of global ocean governance." Professor Attard explained that Article 91 establishes the "juridical link between the flag State and a vessel" and "[f]or centuries, it has represented the principal method by which order on the high seas, which are not subject to the sovereignty of any State, is maintained." However, as he recalled, whereas UNCLOS leaves to the States to fix the conditions for the grant of nationality to ships, it imposes the condition of the existence of a genuine link between the State and the ship. Professor Attard then proceeded to raise a number of issues that may be relevant in considering the future of Article 91, including the due consideration to the ITLOS jurisprudence on the matter.

Professor Attard also moderated the first panel of speakers which was composed by Judge Emeritus David H. Anderson (Former Judge, ITLOS), Judge Tomas Heidar (Judge, ITLOS), Mr. Ed Watt (Addleshaw Goddard LLP) and Dr. Jan Hoffmann (Chief, Trade Logistics Brand, Division of Technology and Logistics, UNCTAD) and deliberated on the development and interpretation of Article 91 of UNCLOS.



Professor David Attard (Director, IMLI) delivering his remarks

Judge James Kareka (Judge, ITLOS), Mr. Frederick J. Kenney (Director, Legal Affairs and External Relations Division, IMO), and Mr. Neville Aquilina (Chair, Sanctions Monitoring Board and Director General, Global Issues, International Development & Economic Affairs, Ministry for Foreign and European Affairs, Malta), speakers of the second panel which was moderated by Professor George Theodoridis (Professor, WMU), addressed current and future challenges on the implementation of Article 91 of UNCLOS by flag States.

The third panel was moderated by Ms. Gillian Grant (Vice-Chair, IMO Legal Committee and Alternate Permanent Representative of Canada to IMO) and included as speakers Mrs. Elizabeth Bouchard (Deputy Commissioner, Maritime Affairs, Marshall Islands), Mr. Kostas Ladas (General Manager, Liberia International Ship and Corporate Registry (LISCR), London), Ms. Naomi Burke O'Sullivan (Legal Officer, ITLOS) and Professor George Theodoridis (Professor, WMU). The discussions of the panel focused on the modern ship registry and implementation of IMO instruments as well as future work.

The closing remarks were delivered by Mr. Kenney who expressed his appreciation to all the speakers and participants for their valuable contributions.

RECOGNITION OF IMLI'S MASTER'S DEGREE BY THE MALTA NATIONAL COMMISSION FOR FURTHER AND HIGHER EDUCATION

The Institute wishes to announce that the Malta National Commission for Further and Higher Education (NCFHE) has recognized the Institute's Master of Laws (LL.M.)



Mr. Lawrence Azzopardi (Head, NCFHE) with Professor David Attard (Director, IMLI) and the IMLI Class of 2019-2020

Degree. Its comparability report concluded that the LL.M. conferred by IMLI meets the standards of a Master's Degree at Malta Qualifications Framework Level 7.

It should be recalled that the Institute is an international organization established in 1988 by a Statute promulgated by the IMO and was set up in Malta under an international agreement concluded between the IMO and the Government of Malta. Its mission is to enhance capacity-building in all States, particularly developing States, to contribute to the fulfilment of the IMO objectives thereby promoting safe, secure, environmentally sound, efficient and sustainable shipping through cooperation.

IMLI appreciates the efforts of the Government of Malta, and in particular of the NCFHE and its accreditation division, to implement the decision of the 2019 IMO Assembly urging governments to recognize the degrees conferred by the Institute.

Mr. Lawrence Azzopardi (Head of Accreditation of the NCFHE) observed that, since IMLI is an international institution, it does not fall within the remit of the NCFHE. However, after an evaluation carried out by independent academic experts, "the NCFHE recognises that the Master's degree conferred by IMLI has reached the standards of a Master's Degree at MQF Level 7 pursuant to the Subsidiary Legislation 327.433 Further and Higher Education (Licensing, Accreditation and Quality Assurance) Regulations."

IMO ASSEMBLY RECOGNIZES IMLI'S POLICY ON GENDER EQUALITY

The Assembly of the International Maritime Organization (IMO) adopted on 4 December 2019, during its thirty-first session, Resolution A.1147(31), entitled "Preserving the Legacy of the World Maritime Day Theme for 2019 and Achieving a Barrier-Free Working Environment for Women". The Resolution (attached for ease of reference) originated from a joint initiative of Malta and Ghana with the contributions of Dr. Michaela Muscat (Maritime Attaché, Permanent Mission of Malta to IMO) and the IMLI Alumna, Mrs. Azara Al-Hassan Prempeh (Alternate Permanent Representative of Ghana to IMO). Canada and Georgia co-sponsored the Resolution.



Ms. Helen Buni (Focal Point, Women in Maritime Programme, International Maritime Organization) with the IMLI Ladies during her visit at IMLI on 26 April 2019

The Resolution reaffirms the "commitment made in the 2030 Agenda for Sustainable Development Goals, especially Goal 5 'Gender Equality', which aims to achieve gender equality and empower all women and girls." The Resolution also resonates with IMO's strategic framework and its "central role in enhancing progress towards gender integration within the maritime sector, through its [the Organization's] Women Maritime Programme."

The Resolution recognizes that "[...] as far back as 1988, the Organization was in the vanguard of United Nations specialized agencies, as it put in place an institutional framework to incorporate a gender dimension into the Organization's policies and procedures, including a 50% quota for women for one of its educational institutes, through the adoption of resolutions aimed at ensuring access to maritime training and employment opportunities for women in the maritime sector."

MINISTER FOR SUSTAINABLE DEVELOPMENT VISITS IMLI

The Honourable Mr. Carmelo Abela (Minister for Sustainable Development within the Office of the Prime Minister) visited the IMO International Maritime Law Institute on 7 February 2020 and addressed the IMLI Class of 2019-2020.

In introducing Minister Abela to the Class, Professor David Attard thanked him for visiting, once again, the Institute to meet the students who hail from all over the world and for the constant support the Honourable Minister has personally extended to the Institute for many years in his outstanding career.



Professor David Attard (Director, IMLI) welcoming The Honourable Minister Carmelo Abela (Minister for Sustainable Development within the Office of Prime Minister)

Minister Abela acknowledged the leading role of IMLI in the area of international maritime law and expressed his pleasure in meeting the students of this year. He informed the students that the Maltese Government's policy has placed sustainable development in a central role towards its objectives, and this is the reason why sustainable development was moved at a Ministry within the Office of the Prime Minister.

He explained that Malta has always had a strong interest in protecting the oceans and has promoted international legislation for their sustainable governance. Minister Abela also referred to the interest generated by many countries on the blue economy which shall ensure a sustainable use of ocean resources for economic growth, improved living and employment while safeguarding the fragile marine ecosystems. In his view, sustainable development calls for governments to work together to preserve the oceans for our future generations.

THE UNITED NATIONS GENERAL ASSEMBLY EXPRESSES APPRECIATION FOR THE WORK OF IMLI

The United Nations General Assembly adopted on 10 December 2019, during its seventy-fourth session, Resolution A/RES/74/19 entitled "Oceans and the law of the sea". The Resolution, which was adopted by 135 votes in favor, tackles the main aspects of the 1982 United Nations Convention on the Law of the Sea (UNCLOS), and calls upon States that have not done so to become parties to the Agreement for the Implementation of the Provisions of UNCLOS, to harmonize national legislation

with the Convention, and for capacity-building initiatives to consider the needs of developing countries.

The General Assembly, through this Resolution, acknowledged for the twelfth consecutive year the contribution of the IMO International Maritime Law Institute (IMLI) to the international community. In paragraph 30 of this Resolution the UN's highest representative body recognizes:

"[...] the importance of the work of the Malta-based International Maritime Law Institute of the International Maritime Organization, as a centre of education and training of specialists in maritime law, including government legal advisers and other high-level officials, mainly from developing States, confirms its effective capacity-building role in the field of international maritime law, shipping law and maritime environmental law, and urges States, intergovernmental organizations and financial institutions to make voluntary financial contributions to the budget of the Institute which runs annually."

IMO ASSISTANT SECRETARY-GENERAL LECTURES AT IMLI

Mr. Lawrence Dehniah Barchue Sr. (Assistant Secretary-General / Director, Department for Member State Audit and Implementation Support, International Maritime Organization (IMO)) delivered a lecture to the IMLI Class of 2019-2020 on 'Development of a Compliance Monitoring Mechanism – The IMO Member State Audit Scheme (IMSAS)'.



Mr. Lawrence Dehniah Barchue Sr. (Assistant Secretary-General / Director, Department for Member State Audit and Implementation Support, IMO) and Professor David Attard (Director, IMLI)

Mr. Barchue started his lecture by providing a brief historical background of the compliance monitoring mechanism. He then addressed the institutionalization of the audit scheme, relevant IMO resolutions and expected benefits of the mandatory audit scheme by using analogies to aviation and the International Civil Aviation Organization (ICAO). Mr. Barchue also covered the evolution of IMSAS. In this regard, he explained the Voluntary IMO Member State Audit Scheme (VIMSAS) and the chronological development of IMSAS.

While addressing the students, Mr. Barchue highlighted the role of IMO Member States, shipping industry, seafarers and recognized organizations, being the main actors in the shipping industry, in ensuring compliance with the international maritime standards. He also mentioned the IMO Instruments Implementation Code (III Code) which serves as the audit standard under the IMSAS.

Mr. Barchue emphasized that the ultimate effectiveness of any IMO instrument depends upon the Member States acting in their capacity as port, flag and coastal States. Hence, it is their primary responsibility to have in place an adequate and effective system to exercise control over ships, and to ensure that they comply with relevant international rules and regulations in respect of maritime safety, security and protection of the marine environment. In this regard, Mr. Barchue encouraged the IMLI students, upon their graduation, to assist their respective countries in meeting their responsibilities and discharging their obligations under the conventions and other instruments to which they are party, in particular with respect to the enactment of relevant laws and regulations.

At the end of his lecture, Mr. Barchue placed the IMLI badge on the map to record the representation of São Tome and Principe for the first time in any of IMLI's programmes. The participation of Ms. Josenelcia Da Conceição Bandeira (student from São Tome and Principe) was made possible thanks to the generous funds of the IMO Technical Cooperation Division.



Mr. Barchue placing the IMLI badge on the map to record the representation of São Tome and Principe

FLAG RAISING CEREMONY

IMLI's annual 'Flag Raising Ceremony' was held on Tuesday 21 January 2020. The ceremony was presided over by the Institute's Director, Professor David Attard in the presence of Professor Chia-Jui Cheng, Professor of International Law at the Xiamen Academy of International Law.



Students preparing to hoist their national flags

During this Ceremony, the students placed the flags of their respective countries in the Institutes premises as a sign of their representation at IMLI. This academic year, the flags of 31 countries as shown below will adorn the Institutes premises:

Bahamas, Belarus, Bolivia, China, Egypt, Gambia, Georgia, Ghana, Guyana, India, Iran, Kenya, Maldives, Malaysia, Malawi, Malta, Mexico, Myanmar, Namibia, Nigeria, Peru, Philippines, São Tome and Principe, Senegal, Seychelles, Sudan, Togo, Tunisia, Tanzania, Yemen and Zimbabwe.

The Institute notes with pleasure that São Tome and Principe and Belarus are being represented for the first time in the Institute's LL.M. programme.

IMLI SUCCESSFULLY COMPLETES ONLINE LECTURES AND EXAMINATION FOR THE ACADEMIC YEAR 2019-2020

Since early March, the Institute's lectures were carried out remotely via virtual learning. It has constantly tried to improve its medium of lecture by trying various applications meant to be fully functional and interactive, to ensure the very best service to its students. Members of Faculty and the Institute's staff have also been working online from home. This has enabled the Institute to complete the lectures for the current academic year successfully.

IMLI is also proud to announce that the end of year examinations, for the current academic year (2019-2020), were also successfully held online.

SAFETY MEASURES AT IMLI TO CURB THE SPREAD OF COVID-19 AND ASCERTAIN CONTINUITY WITHOUT JEOPARDISING QUALITY ASSURANCE

On 30 September 2019, IMLI welcomed its 31st generation of students for the 2019-2020. They were 58 students from 31 countries, including advanced diploma and short participants. It was estimated to be a year no different from all the others until the early days of March when the COVID-19 pandemic with all its ramifications made its entrance into Malta, the seat of IMLI. The Institute wasted no time at all to ensure precautionary measures against the spread of the virus in order to protect its students and Members of Staff.



Sterilization of the Lecture Hall

For this purpose, the Director, Professor David Attard, set up a COVID-19 Emergency Team to provide for response measures in the light of the rapidly developing crisis. The team undertook major efforts not to upset the academic work of the Institute, taking into consideration its unique nature. Such important measures relate, inter alia, to the transferring of all lecturing and supervision of academic projects to online platforms, continuous sterilization of the Institute's premises and students rooms, suspending of the visiting fellows programme, and not allowing external visitors to enter the premises.



Sterilization of the Library

CONTINUATION OF SUPERVISION AND ASSESSMENT OF ACADEMIC PROJECTS

Supervision and assessment of academic projects is still ongoing. Meetings between students and their supervisors are being held online and, to ensure the efficacy of the supervision, a system has been devised requiring that there shall be a minimum number of four supervision meetings between student and supervisor. The instructions given in these meetings are being recorded in the form of an electronic logbook. The newly introduced system enables Members of Faculty to maintain the necessary contact with the students for them to be able to continue the academic year despite the surrounding circumstances.

In the light of the ever-increasing challenges, the Institute continues, through its Emergency Team, to develop several contingency plans to protect staff and students whilst ensuring the continuity of its teaching and research mission.

IMLI STUDENTS' VIEWS OF THE ACADEMIC YEAR 2019-2020

My whole journey at IMLI brought me great perspective on my educational attainment, professional advancement and personal growth.

I came here to enhance my academic credentials but my exposure with IMLI is beyond the realm of educational excellence. IMLI hone my skills for a greater role I have to play to pursue the interest of my country and deepen my outlook on policy implementation and enforcement. My experience is not only mentally stimulating but it satisfies my curiosity in the whole spectrum of International Maritime Law from theory to practice.

Professor Attard is a man of wisdom and vision. This vision sets a standard higher for IMLI as an "Institute for Maritime Excellence". Notwithstanding the challenge of COVID-19, the pandemic turned into an opportunity for IMLI to deliver a wider and global reach by introducing an online platform, indeed this paradigm opens up a promising and exciting future for the institute.

I believe that the students of 2019-2020 of IMLI is special batch. It is considered as the largest class that premiered the first online class and pioneered online assessment taking advantage of technological advancement.

As I move forward in my professional career, I have no doubt that I will overcome the uncertainties of the future with firmness and full confidence through my strong foundation gained at IMLI.

IMLI was never in my thoughts when I was considering furthering my studies. I am grateful that it was brought to the attention of the Coast Guard and for my subsequent selection. Though I am not the first from my Country, I am the first to represent my Organization. Therefore, I was sent here to pave the way for future officers to attend this noble Institution.

When I departed Guyana I had no idea where my destination was and what to expect. My first day in class felt like I was part of a United Nations meeting with people from across the world introducing themselves, some from countries I've never heard of.

I was privileged to be a part of people with diverse cultures and understanding these cultures. As we were implored upon in an introductory speech by Professor Martinez, the key to getting along in a culturally diverse environment is **tolerance**, three weeks into our studies I realized he was right.

I am grateful to Professor Attard and the Lecturers for imparting life-changing knowledge in me which now empowers me to return home and help the Coast Guard make better decisions as it relates to the protection of Guyana's maritime interest.

COVID – 19 started and students and lecturers were scared, emotions were running high because students were literally 'stuck' in a foreign land and a pandemic of this



Ms. Mayla Macadawan (the Philippines)



Sub-Lieutenant Rodwin Andel Paul (Guyana)

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