

IMLI *e*-NEWS

THE IMO INTERNATIONAL MARITIME LAW INSTITUTE OFFICIAL ELECTRONIC NEWSLETTER

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UNIVERSITY OF WASHINGTON PROFESSOR AND GEORGETOWN UNIVERSITY FELLOW DELIVERS THE LAW OF THE SEA MODULE INAUGURAL LECTURE

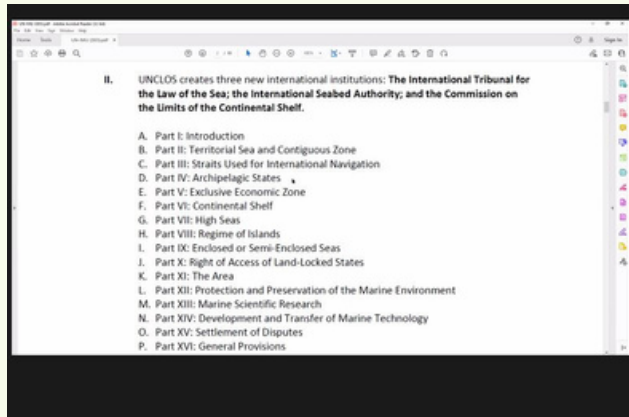
The Institute commenced the second semester of its academic year 2023-2024 on 5 January 2023. The IMLI Director, Professor Norman A. Martínez Gutiérrez, warmly welcomed back all the IMLI students and wished them a happy and fruitful 2023.

Professor Martínez then proceeded to introduce to the IMLI Class of 2022-2023 Professor Thomas J. Schoenbaum (Lawyer and Counselor at Law, Professor at the University of Washington and Fellow of Georgetown University in Washington DC), a member of the IMLI Distinguished Visiting Fellows Programme.



Professor Norman Martínez introducing Professor Thomas Schoenbaum to the IMLI Class of 2022-2023.

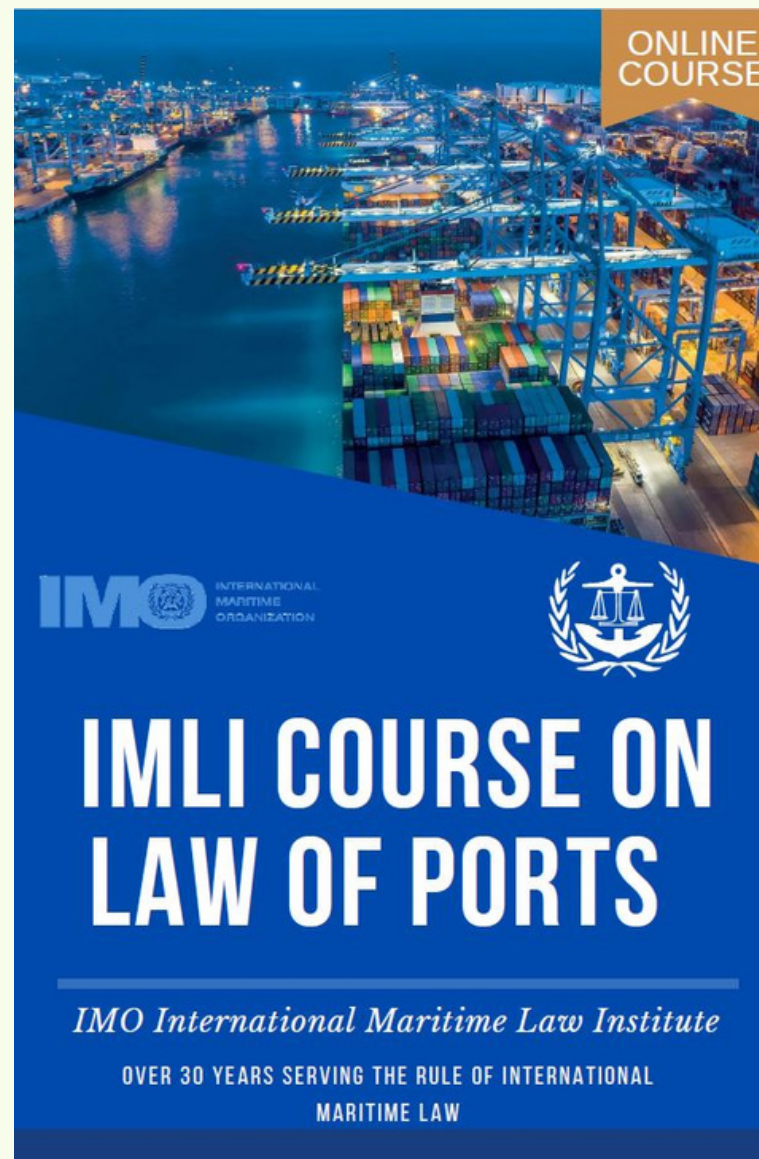
Upon his introduction, Professor Schoenbaum delivered the inaugural lecture of the Law of the Sea Module entitled “An Introduction to Law of the Sea”. The lectures in the Law of the Sea Module are delivered throughout the second semester of the academic year and provide participants with in-depth knowledge of the legal regimes regulating State activities in the various maritime zones. The Module has expanded over the years to address the new challenges facing the oceans and the measures adopted to ensure sound ocean governance.



Professor Schoenbaum delivering his presentation to the IMLI Class of 2022-2023

THE FOURTH ANNUAL IMLI COURSE ON THE LAW OF PORTS TO COMMENCE IN FEBRUARY 2023

IMLI wishes to bring to the attention of its e-news readers the commencement on 8 February 2023 of the fourth annual IMLI Course on the Law of Ports.



ONLINE COURSE

IMO INTERNATIONAL MARITIME ORGANIZATION

**IMLI COURSE ON
LAW OF PORTS**

IMO International Maritime Law Institute

OVER 30 YEARS SERVING THE RULE OF INTERNATIONAL
MARITIME LAW

In the light of its comprehensive coverage, this Course will be of immense benefit to professionals involved in the maritime industry, including port managers and officers, legal drafters, port and ship operators, as well as lawyers and maritime practitioners. The Course would also be of interest to law students who wish to pursue a career in the maritime field.

This Course will be delivered in a hybrid mode thus external participants may attend either online or *in situ*. Candidates who attend 80 percent of the lectures delivered will be eligible for a Certificate of Attendance.

The Course brochure can be downloaded from the IMLI website <https://imli.org/> in the Specialized Courses Section. Applicants interested in the Course may contact admissions@imli.org by no later than 3 February 2023.

ONLINE
COURSE



IMLI COURSE ON THE LAW OF PORTS

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MARITIME LAW

SYNOPSIS

Ports have been crucial centres of international commerce since time immemorial and, with the progressive transformation of international trade due to the globalization of the economy, shipping has been confirmed as the most efficient means of transport.

The fact that coastal States enjoy territorial sovereignty over their ports, has often led to a common misbelief that ports fall exclusively within the realm of domestic law irrespective of any developments in international maritime law, including the IMO regulatory framework. The reality of port operations and States' measures to ensure that ports are efficient, safe, secure, and environmentally friendly, has however contrasted such misconception. Considered the gateways of the world to international trade providing a supportive structure for economic activities and development, ports are indeed subject to extensive global regulations which reflect numerous IMO treaty instruments.

The IMLI Course on the Law of Ports highlights the importance of the work of the IMO for the efficient management of ports and the effective implementation by States of their obligations acquired under international treaties.

The Course, therefore, addresses many aspects of port operations, as well as numerous areas covered by IMO legal instruments which are of vital importance to the Law of Ports, including marine environment protection, safety, security, and trade facilitation. Many IMO conventions contain provisions for authorized government officials to inspect foreign ships that visit their ports to ensure that they meet IMO standards contained in instruments to which the port State is a Party. In this respect, this Course, whilst addressing the international legal basis, aims to address the practical aspects of port operations including port State control (PSC) inspections and the IMO Member State Audit Scheme (IMSAS).

The Course also provides an overview of the IMO regulatory regime on the protection of the marine environment which extends to ports. It explains that ships, which may not be compliant with the international requirements to protect the environment from ship-source pollution may not be allowed to proceed to sea. This regulatory regime also extends to ships' contingency plans in case of pollution incidents and to those relating to the maintenance of compulsory insurance to compensate victims of pollution incidents.



Further, the Course emphasizes the leading role of IMO in regulating the prevention of air pollution from ships. To realize IMO's goal of decarbonization and desulphurization, ports have a critical role to play. From the compliant fuels they supply, to inspections to ensure the implementation of the adopted regulatory regime, port States act as catalysts in the process.

Whereas ports, due to the infrastructural developments and advancements in technology, have undergone a tremendous transformation and are the nexus that connects maritime transport with land transportation, they also face serious threats to security. Thus, the pursuit of efficiency and competitiveness shall be balanced with adequate security measures, especially those developed by the ISPS Code. For this purpose, the Course addresses the IMO responses to security threats in ports.

The IMO has noted that for international shipping to thrive, a unified, global approach to facilitation of trade is vital. This has led to the adoption of the FAL Convention which sets uniform standards and recommended practices and rules to simplify formalities, documentary requirements and procedures on ships' arrival, stay and departure. Challenges that ports are currently facing in their digitalization efforts are addressed, with a focus on environmental regulations having an effect on the level and effectiveness of digitalization.

Port authorities also play a vital role in the upholding of labour standards. As explained in the Course, the effective implementation of regulations on repatriation, crew change arrangements, and compliance and enforcement, as stipulated in the Maritime Labour Convention, depends as much on port States.

The Course highlights the importance of the uninterrupted flow of the global supply chain as well as the need for robust measures to ensure the repatriation and travel arrangements of seafarers and passengers while respecting the health and safety restrictions imposed by port States.

Through these discussions participants are thus informed of the port States legislative and enforcement powers which reflect the provisions of UNCLOS as well as of the IMO and ILO conventions and prescriptions.

Cognizant of the fact that a robust port system which embraces advancements in technology, including automation and digitalization, while ensuring safety, security and environmentally friendly activities contributes to sustainable development, the Institute will offer for the fourth time the IMLI Course on the Law of Ports with the aim to elaborate on the legal regime governing port operations and highlight the vital role of IMO therein.



Mr. Kitack Lim (Secretary-General, IMO) delivering the Welcome Message to the participants of the IMLI Course on the Law of Ports



Professor Dr. Norman A. Martínez Gutiérrez (Director, IMLI) delivering a lecture in the IMLI Course on the Law of Ports

PART A
INTRODUCTION TO THE LAW OF PORTS
FEBRUARY 2023

LECTURES AND SPEAKERS:

- Inaugural Address on the Role of IMO in Developing Port State Control Measures by **Ms. Tatjana Krilic** (Acting Head of the Department for Member State Audit and Implementation Support, IMO) (TBC)
- Ports and Law of the Sea by **Judge Professor David Attard** (Professor of Public International Law and Law of the Sea, IMLI / Judge, President of the Chamber for Marine Environment Disputes, ITLOS)
- Port State Jurisdiction by **Mr. Murat Sümer** (The Nippon Foundation Lecturer in International Maritime Law, IMLI)
- Port State Control Measures by **Ms. Elda Kazara-Belja** (Senior Lecturer, IMLI)
- Introduction to Prevention of Pollution of the Marine Environment and its implications for Port States by **Ms. Ramat Jalloh** (Lecturer, IMLI)
- Introduction to the IMO Regulatory Regime on Reduction of Sulphur Emissions by **Dr. Ángeles Jiménez García-Carriazo** (Ramón y Cajal Research Fellow at University of Cadiz)
- Introduction to Security Threats to Ports and their implications for Port States by **Dr. Sanjeet Ruhel** (The Nippon Foundation Lecturer in International Maritime Security Law, IMLI)
- The ISPS Code and its implications for Port States by **Dr. Sanjeet Ruhel** (The Nippon Foundation Lecturer in International Maritime Security Law, IMLI)
- Introduction to Preparedness, Response and Cooperation in Case of Pollution Incidents and its implications for Port States by **Ms. Ramat Jalloh** (Lecturer, IMLI)
- Introduction to the Liability and Compensation Regimes in Case of Pollution Incidents and the role of Port States by **Professor Dr. Norman A. Martínez Gutiérrez** (Director, IMLI)
- Maritime Labour Standards and the role of Port States by **Ms. Ramat Jalloh** (Lecturer, IMLI)
- Regional Port State Control Agreements by **Ms. Elda Kazara-Belja** (Senior Lecturer, IMLI)



PART B
SPECIALIST SEMINARS ON THE LAW OF PORTS
MARCH - APRIL 2023

SEMINARS AND SPEAKERS:

- Ports Policy and Regulation by **Dr. Patrick Verhoeven** (Managing Director, International Association of Ports and Harbors)
- Access to Ports – Rights and Obligations of the Port States by **Professor Aldo Chircop** (Schulich School of Law, Dalhousie University)
- Law of Pilotage by **Professor Dr. Norman A. Martínez Gutiérrez** (Director, IMLI)
- Law of Towage by **Mr. Murat Sümer** (The Nippon Foundation Lecturer in International Maritime Law, IMLI)
- Implementation of IMO Instruments by the Port Authorities by **Mr. Gangcan Rao** (Acting Head, Instruments Implementation Support, IMO) (TBC)
- Port State Control: Regional Perspectives by **Ambassador Dwight Gardiner** (Chairman, Caribbean Memorandum of Understanding on Port State Control) (TBC)
- The Relationship between Shipowners and Ports by **Ms. Lamia Kerdjoudj-Belkaid** (Secretary-General, Federation of European Private Port Companies and Terminals)
- Container Ports: Connecting and Competing by **Dr. Jan Hoffmann** (Chief, Trade Logistics Branch, Division on Technology and Logistics, UNCTAD)
- Port Traffic and Maritime Transport in the Era of Pandemics by **Ms. Hassiba Benamara** (Economic Affairs Officer, Transport Section, Trade Logistics Branch, Division on Technology and Logistics, UNCTAD)
- Containerization: From Freight to Demurrage by **Professor Pinar Akan** (Law Department Marmara University)
- The Role of Port States in Upholding Maritime Labour Standards by **ILO** (TBC)
- The Automation at Container Terminals by **Ms. Sakura Kuma** (CEO, APM Terminals, Japan)
- Autonomous Shipping and Ports by **Professor Henrik Ringbom** (Head of Research, Åbo Akademi University, Finland; Professor II, Scandinavian Institute of Maritime Law, University of Oslo, Norway)
- MASS and IMO by **Ms. Gillian Grant** (Chair of the IMO Legal Committee)

PART B

SPECIALIST SEMINARS ON THE LAW OF PORTS

MARCH - APRIL 2023

- Benefits of Maritime Trade Facilitation for the Port States by **Mr. Julián Abril García** (Head of Facilitation, IMO) (TBC)
- Introduction to the IMO Facilitation Convention on International Maritime Traffic and its Annex by **Mr. Julián Abril García** (Head of Facilitation, IMO) (TBC)
- Digitalization of the Ship-Port Interface by **Ms. Martina Fontanet Solé** (Technical Officer, IMO)
- The Green Ports Concept – Selected Public Policies for Greening Ports by **Dr. Kai-Dieter Classen** (Deputy Director for External Affairs, Hamburg Port Authority)
- Implementation of the Ballast Water Management Convention by **Dr. Theofanis Karayannis** (Head - Marine Biosafety - IMO)
- Criminal Liability for Oil Pollution Damage: An Economic Analysis by **Professor Michael Faure** (Academic Director Maastricht European Institute for Transnational Legal Research - METRO; Academic Director of Ius Commune Research School, Maastricht University) (TBC)
- IMO: Maritime Security Aspects by **Mr. Mourad Ghorbel** (Technical Officer, IMO) (TBC)
- Port Security and Facilitation by **Mr. Charles Abela** (Senior Project Officer for International Relations / Alternate Representative of the EC to the IMO, Bureau of the Executive Director)
- Regional Systems for Cooperation in Prevention of Preparedness for and Response to Marine Pollution by (REMPEC) (TBC)
- Ship-sourced Emissions and Climate Change by **Mr. Roel Hoenders** (Head of the Air Pollution and Energy Efficiency, IMO) (TBC)
- The Role of Ports in Reducing Ship-source Pollution by **Mr. Killian O'Brien** (DAAD Lecturer in Law, UCL) (TBC)
- Enhancing Capacity Building in Port and Maritime Administrations – The Experience of Singapore (MPA Academy)



WHO SHOULD ATTEND?

This Course is addressed to professionals involved in the maritime industry, including port managers and officers, legislative drafters, port and ship operators, as well as lawyers and maritime practitioners. The Course would also prove beneficial to law students who wish to pursue a career in the field.

The Course will be delivered online. Candidates who will attend 80 per cent of the lectures and seminars will be eligible for a Certificate of Attendance.

TUITION FEE

PART A €800

PART B €1,200

To apply, please contact us by no later than 30 January 2023 at admissions@imli.org

Bearing in mind that eminent personalities from all over the world will deliver lectures in the Course, candidates applying for the Course are required to be flexible as dates may be subject to change. Further, the Institute reserves the right to make changes to the programme.

For more information on the Institute and its programmes and courses visit <https://www.imli.org>.

IMO INTERNATIONAL MARITIME LAW INSTITUTE

IMLI COURSE ON THE LAW OF PORTS

APPLICATION FORM

INSTRUCTIONS

Type or print in ink.

Form to be completed shall be e-mailed to: admissions@imli.org

1. THE IMLI COURSE ON THE LAW OF PORTS

☐ Part A: Introduction to the Law of Ports - € 800

☐ Part B: Specialist Seminars on the Law of Ports - € 1,200

2. FULL NAME (please underline family name)

.....

3. CONTACT DETAILS

Mailing address:

Telephone (with country & area code):

(Office) (Mobile)

(WhatsApp).....

E-mail address:

4. PERSONAL DETAILS

(a) **Date of birth:**.....

(b) **Nationality:**.....

(c) **Sex:**.....

5. CURRENT EMPLOYMENT. State your present or most recent post.

Exact title of your post:

Description of work you do:

6. PAYMENT

Specify the name of the student and the programme.

Proof of payment shall be e-mailed to: admissions@imli.org

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Payments can also be made online at: <https://imli.org/shop/>

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Signature of Applicant: