

INTERNATIONAL MARITIME AND TRANSPORT LAW COURSE

MARITIME LAW COLLOQUIUM “PROFESSOR HRVOJE KAČIĆ”

TRANSPORT LAW DE LEGE FERENDA 2023



INTER-UNIVERSITY CENTRE, DUBROVNIK, CROATIA

11 – 16 September 2023





HRVATSKO DRUŠTVO ZA POMORSKO PRAVO

CROATIAN MARITIME LAW ASSOCIATION

Member of Comité Maritime International

University of Rijeka – Faculty of Maritime Studies

Studentska 2, HR - 51000 Rijeka, Croatia

tel. +385 51 338411

e-mail: hdpp@pfri.hr

An independent, international centre for advanced studies
Inter
University
Centre
Dubrovnik



Don Frana Bulića 4
HR - 20000 Dubrovnik, Croatia

tel. +385 20 41 36 26, 41 36 27

fax. +385 20 41 36 28

e mail iuc@iuc.hr

http://www.iuc.hr

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INTER-UNIVERSITY CENTRE – DUBROVNIK, CROATIA

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PARTICIPATING ACADEMIC INSTITUTIONS:

Alma Mater Studiorum - University of Bologna, Italy

City University - London, the United Kingdom

Croatian Academy of Sciences and Arts, Croatia

College of Charleston, United States

International Maritime Law Institute, Malta

Jaume I-University, Castellon, Spain

Jimei University, Xiamen, China

Kyushu University, Fukuoka, Japan

Nicolaus Copernicus University, Toruń, Poland

University of Ljubljana, Slovenia

University of Oslo, Norway

University of Vigo, Spain

University of Dubrovnik, Croatia

University of Rijeka, Croatia

University of Split, Croatia

University of Zadar, Croatia

University of Zagreb, Croatia

World Maritime University, Malmö, Sweden

INTERNATIONAL MARITIME AND TRANSPORT LAW COURSE

Inter-University Centre – Dubrovnik, Croatia (11 – 16 September 2023)

WORK SCHEDULE

Monday, 11 September 2023

Opening Ceremony: Welcome Addresses (09:00 – 09:15)

Nada Bruer (Inter-University Centre)

Gordan Stanković (Croatian Maritime Law Association)

Igor Vio (University of Rijeka)

MARITIME LAW COLLOQUIUM “IN MEMORIAM PROF. HRVOJE KAČIĆ”

Petar Kragić: Remembering Professor Hrvoje Kačić

COLLISIONS OF SHIPS AND RELATED MATTERS (09:30 – 13:00)

Aref Fakhry: Collision Convention 1910 – Some Historical Perspectives

Petar Kragić – Petra Amižić Jelovčić: Revision of the Collision Convention 1910 – Challenges and Dilemmas

Igor Vio – Zuzanna Peplowska-Dąbrowska: Applicability of the 1910 Convention to MASS

COFFEE BREAK (11:00 – 11:30)

Časlav Pejović: Maritime Collision – Comparative Law in the Context

Mišo Mudrić: COLREGs, Crewmen Skill and Knowledge, and the Responsibility of Masters in the Age of Unmanned Autonomous Vessels

Gordan Stanković – Iva Tuhtan Grgić: Default Interests and Procedural Costs in Limitation of Liability Proceedings

Discussion

WELCOME RECEPTION: Inter-University Centre Courtyard (13:00 – 14:00)

NEW LEGAL FRAMEWORK FOR SHIP COLLISION – ROUND TABLE (14:00 – 15:30)

Ships' collision in international conventions and in Norwegian, Polish, British, Montenegrin, Japanese, South African, Chinese, Lebanese, Slovenian and Croatian Maritime Law

Sightseeing – Guided Walking Tour of the Old Town (16:30 – 18:30)

Tuesday, 12 September 2023

I. DIGITALIZATION OF MARITIME AND TRANSPORT LAW

E-DOCUMENTS – DIGITAL TRANSFORMATION OF TRANSPORT

MASTERCLASS (09:00 – 11:15)

Časlav Pejović: Electronic Trade Documents Act, 2023: Towards Legal Recognition of Electronic Transport Documents

Patrick Vlačić: UNCITRAL Model Law on Electronic Transferable Records: Misunderstanding or Mistrust or Something Completely Different

Discussion

COFFEE BREAK (11:15 – 11:45)

II. MARINE ENVIRONMENTAL LAW

MASTERCLASS AND LECTURES (11:45 - 14:15)

Erik Røsæg: The Greening of Shipping – Legal Aspects

Pia Rebelo: Regulatory Developments for the Decarbonisation of Shipping

Laura Carballo Pineiro: Towards a Private Enforcement of the Ship-Recycling Legal Framework

Discussion

LUNCH (14:15 – 15:15)

ROUND TABLE “MARITIME LAW - PRACTITIONERS PERSPECTIVE” (15:15 – 16:15)

Moderator: Mišo Mudrić

Speakers: Gordan Stanković, Petar Kragić and Zoran Tasić

Free afternoon and evening – individual sightseeing

Wednesday, 13 September 2023

III. MARINE AND TRANSPORT INSURANCE

MASTERCLASS AND LECTURE (09:00 - 10:45)

Adriana Vincenca Padovan: Inchmaree Clause and the Like - Specificity of Marine Hull Insurance

Shengnan Jia: Sanction Clauses in Marine Insurance Contract

Discussion

COFFEE BREAK (10:45 – 11:15)

IV. CONTEMPORARY LEGAL ISSUES IN SHIPPING INDUSTRY

MASTERCLASS AND LECTURES (11:15 – 14:00)

Aref Fakhry: Recent Developments in Maritime Casualty Law

Zoran Tasić: Consequences of Non-Payment of Charter Hire

Marija Pijaca: Content of the Bareboat Charter in National and Autonomous Legal Sources

Miho Baće: Special Features of Vessel Leasing Contracts in Legal Transactions in the Republic of Croatia

Discussion

LUNCH (14:00 – 15:00)

V. PRIVATE INTERNATIONAL LAW IN MARITIME RELATIONS

MASTERCLASS (15:00 – 16:45)

Ivana Kunda – Daniela Vrbljanac: Private International Law in Maritime Relations

Discussion

Cable-car trip to Srđ (17:30 – 19:30)

Thursday, 14 September 2023

VI. LIMITATION OF SHIPOWNER'S LIABILITY FOR MARITIME CLAIMS

MASTERCLASS (09:00 - 11:45)

Norman Martinez: Limitation of Liability for Maritime Claims – International Legal Framework

Zuzanna Pełowska-Dąbrowska: Marine Pollution from Ships – Limitation of Liability in International Conventions and under the US National Law

Iva Tuhtan Grgić: Passenger Claims – How Limited is the Carrier's Liability?

Discussion

COFFEE BREAK (11:45 – 12:15)

VII. MARITIME LABOUR LAW

LECTURES (12:15 - 14:00)

Lijun Zhao: The Maritime Labour Convention and Welfare of Seafarers: Law and Practice

Khanssa Lagdami: New Challenges in Maritime Industry and the Future of the MLC 2006

Discussion

LUNCH (14:00 – 15:00)

VIII. CURRENT CHALLENGES IN MARITIME AND TRANSPORT LAW

MASTERCLASS AND LECTURES (15:00 – 18:30)

Mišo Mudrić: The Shift of Responsibility for Automated Vehicles in the Age of AI: General Regulatory Trends and Their Impact on the Shipping

Richard L. Kilpatrick: Maritime Sanctions - Price Cap Compliance

COFFEE BREAK (16:30 – 17:00)

Achim Puetz: Defects of Aircraft – Liability Issues

Axel Luttenberger: Coastal Area Governance

Discussion

Free afternoon and evening – individual sightseeing

Friday, 15 September 2023

IX. LEGAL ASPECTS OF SEAPORTS

MASTERCLASS AND LECTURES (09:00 - 11:15)

Božena Bulum: Regulation of the Provision of Port Services in the Republic of Croatia – the Business Practice of the Croatian Ports and Competition Law

Elena Orrù: Smart ports – Current Challenges and Perspectives

Mišo Mudrić – Ivana Keser: Port Area Video Surveillance in the Context of Port Resilience

Discussion

COFFEE BREAK (11:15 – 11:45)

TRANSPORT LAW DE LEGE FERENDA 2023

I. RECENT DEVELOPMENTS OF INTERNATIONAL MARITIME LAW (11:45 – 14:00)

Chair: Achim Puetz

Alperen Furkan Tas: Recent Legal Reactions at Domestic Level to Digitalisation in Maritime Trade Documentation

Haiyang Yu: Contracts in Salvage Law and Practice: Who Moved My Cheese?

Irena Nišević: Fragmentation of International Law in Regard to the Protection of the Marine Environment

Merve Tas: Overlapping Issues of Maritime Law and International Environmental Law

Discussion

LUNCH (14:00 – 15:00)

II. LEGAL FRAMEWORK FOR CONTEMPORARY SHIPPING (15:00 – 18:00)

Chair: Mišo Mudrić

Vivian van der Kuil: Maritime Safety 2023 and Beyond: Moving Ahead or Trawling Behind? An Assessment of New Proposals for the Regulatory Framework by the European Commission

Mustafa Yilmaz: Civil Liability Issues Arising from Implementing AI in Shipping

Maja Radunović: Berth agreement – Need for Legal Regulation in Montenegro

COFFEE BREAK (16:30 – 16:45)

Albano Gilabert Gascón: The Relationship between Contractual Liability and Marine Insurance in Contracts for the Use of the Vessel

Ilaria Malaguti: Investments in Seaport Infrastructures and State Aid Law – The Most Recent Perspectives on Maritime Silk Road in Europe

Discussion

Closing Ceremony (18:00 – 18:15)

DINNER AT ORHAN RESTAURANT (20:00)

Saturday, 16 September 2023

SIGHTSEEING TOUR - The Island of Lokrum (10:00 – 15:00)