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INTERNATIONAL MARITIME AND TRANSPORT LAW COURSE

COLLOQUIUM ON JUDICIAL SALE OF SHIPS

LEGAL ASPECTS OF DIGITALISATION IN TRANSPORT AND RECENT DEVELOPMENTS OF MARITIME LAW

TRANSPORT LAW DE LEGE FERENDA 2020

INTER-UNIVERSITY CENTRE – DUBROVNIK, CROATIA

7 – 9 September 2020.

PARTICIPATING ACADEMIC INSTITUTIONS:

Alma Mater University of Bologna, Italy

Ankara Yildirim Beyazit University, Turkey

Erasmus University, Rotterdam, Netherlands

Jaume I-University, Castellon, Spain

La Sapienza University, Rome, Italy

University Carlos III – Madrid, Spain

University of Ljubljana, Slovenia

University of Rijeka, Croatia

University of Teramo, Italy

University of Zadar, Croatia

University of Zagreb, Croatia

World Maritime University, Malmö, Sweden

Monday, 7 September 2020

COLLOQUIUM ON JUDICIAL SALE OF SHIPS

Welcome Addresses (09:00 – 09:15)

Nataša Šarić Maloseja (Ministry of Justice of the Republic of Croatia)

Gordan Stanković (Croatian Maritime Law Association)

Session I: What Should Be the Scope and What Definitions Could Be Included in a New UNCITRAL Draft Instrument on the Judicial Sale of Ships? (09:15 – 10:30)

Moderator: Nataša Šarić Maloseja

Petar Kragić: General Scope of the Instrument - How to Get a Ratifiable and Functional Convention?

Ann Fenech (CMI): The Scope - to Avoid Chaos and Confusion - The Bright Star Case

José Angelo Estrella Faria (UNCITRAL): Some Aspects of the Current Version of the Draft Instrument: Overlap with the Convention on the Registration of Inland Navigation Vessels and its Protocol No. 2 on the Attachment and Forced Sale of Inland Navigation Vessels; Options for Repositories; Implications of Having Certificates in Electronic Form

Session II: Effects of a Judicial Sale (10:30 – 11:25)

Moderator: Mišo Mudrić

Juan Pablo Rodríguez Delgado: The “Clean Title” Effect in the UNCITRAL Draft Instrument on the Judicial Sale of Ships

Harmen Hoek: Material and Formal Aspects of the Dutch Procedure Regarding the Judicial Sale of Ships and its Effects

COFFEE BREAK (11:30 – 12:00)

Session III: Some Legal Aspects of the Judicial Sale (12:00 – 13:15)

Moderator: Igor Vio

Laura Carballo Piñeiro: Overlapping with Service of Documents Convention and Other Instruments; the Role of the Notice in a Judicial Sale of Ships

Gordan Stanković: Challenging / Denying Effect to a Foreign Judicial Sale

Merle Stilkenbäumer: Flag State Perspective

Session IV: UNCITRAL Draft Instrument from the Perspective of the Shipping Industry and Seafarers (13:15 – 14:10)

Moderator: Petar Kragić

Peter Laurijssen: The UNCITRAL Draft Instrument on the Judicial Sale of Ships - What's in it for the Shipping Industry?

Jonathan Warring (ITF): Ship Arrest from a Seafarers' Perspective

Final Discussion and Conclusions (14:10 – 14:40)

WELCOME RECEPTION (14:45 – 16:00)

SIGHTSEEING – Guided Walking Tour of Dubrovnik Old Town (16:30 – 18:00)

Tuesday, 8 September 2020

LEGAL ASPECTS OF DIGITALISATION IN INTERNATIONAL TRANSPORT

Session I: AUTONOMOUS SHIPS – LEGAL REGIME (09:00 – 11:00)

Chair: Igor Vio

Marija Pijaca: Achievements in the Adjustment of International and National Legal Regulations to the Usage of Autonomous Ships

Fausto Ferreira: Discussing COLREGs for Fully Autonomous Surface Vessels

Alberto Pasino: Marine Autonomous Surface Ships and Collision Regulations – an Italian Perspective

Ceren Cerit Dindar: Autonomous Ships: Carriage of Goods by Sea – Legal Aspects

Juan Pablo Rodriguez Delgado: Unmanned Ships – Civil Liability Issues

Discussion (10:40 – 11:00)

COFFEE BREAK (11:00 – 11:30)

Session II: ELECTRONIC DOCUMENTS IN MARITIME AND TRANSPORT LAW (11:30–13:00)

Chair: Marija Pijaca

Patrick Vlačić: Electronic Bill of Lading

Aref Fakhry: Electronic Ship Certificates

Elena Orrù: Blockchain Technology and Smart Contracts in Transportation and International Sales Contracts

Discussion (12:30 – 12:50)

LUNCH (13:00 – 14:00)

RECENT DEVELOPMENTS OF MARITIME AND TRANSPORT LAW

Session (14:00 – 16:00)

Chair: Petra Amižić Jelovčić

Petar Kragić – Diana Jerolimov: Revision of Rotterdam Rules – Rectify to Ratify

Julia Constantino Chagas Lessa: Cross Border Insolvency in the Shipping Industry

Giovanni Marchiafava: Integration of International Transport Law in the EU Law: The Role of the Court of Justice of the European Union

Axel Luttenberger: Environmental Impact Assessment in Coastal Zone

Zoran Tasić: Force Majeure Clauses in Shipbuilding Contracts

Discussion (15:40 – 16:00)

Wednesday, 9 September 2020

TRANSPORT LAW DE LEGE FERENDA 2020

Session I: MARITIME LAW – CONTEMPORARY TRENDS (09:00 – 11:00)

Chair: Igor Vio

Massimiliano Musi: Autonomous Vessels in International Conventions and National Laws

Maja Radunović: Maritime Liens in Bankruptcy Proceedings

Albano Gilabert Gascón: Insurance Clauses and Subrogation of the Insurer in the New 'Barecon 2017' Standard Agreement

Pia Rebelo: The 'Greening' of Contracts of Carriage of Goods by Sea

Discussion (10:20 – 10:50)

COFFEE BREAK (11:00 – 11:30)

Session II: RECENT DEVELOPMENTS OF TRANSPORT LAW (11:30 – 13:00)

Chair: Zoran Tasić

Achim Puetz: The 'Extraterritorial' Application of European Law in the Field of Air Transport

Ciara Vicente Mampel: The Governance of Rail Infrastructures in the New European Regulatory Framework

Shengnan Jia: The Adoption of the Chinese Civil Code and Its Implications on the Chinese Maritime Code

Discussion (12:30 – 13:00)

LUNCH (13:00 - 14:00)

Session III: 'DIGITALISATION ON THE ROAD' – EMERGING LEGAL REGIMES (14:00 - 15:30)

Chair: Mišo Mudrić

Nika Gavrilović: European Legal Framework for Motor Vehicles and the Novelties that EU Regulation 2018/858 on the Approval and Market Surveillance of Motor Vehicles Will Bring

Nikola Klasić: Autonomous Vehicles on the Road from the Perspective of a Manufacturer's Liability for Damage

Lea Paulić: Significance and Aspects of the Digital Platform in Uber's Business Model

Discussion (15:00 – 15:30)

CLOSING REMARKS (15:30 – 15:45)