ARTICLES:
Contractual Liability of Classification Societies in Belgium: Dune Case
JAN DE BRUYNE

Third Parties Protection in Carriage of Goods by Sea: Theoretical Observation
CARLO CORCIONE

REVIEWS:
Olena Bokareva – Multi-modal Transportation under the Rotterdam Rules: Legal Implications for European Carriage of Goods and the Quest for Uniformity
MARC A. HUYBRECHTS

EVENTS:
4th International Research Seminar in Maritime, Port and Transport Law
1st International Transport & Insurance Law Conference
2nd Transport Law de lege ferenda: Annual Young Academics' Vision on Tomorrow’s Transport Law
7th London Universities Maritime Law and Policy Group Postgraduate Research Conference
1st Adriatic Maritime Law Conference
3rd Transport Law de lege ferenda: Annual Young Academics’ Vision on Tomorrow’s Transport Law
CMI 2016 New York Conference: Young CMI Session

TRANSPORT LAW PROGRAMMES:
Faculty of Law, University of Zagreb
Faculty of Law, University of Bologna
Faculty of Law, University of Zagreb

Mišo Mudrić *

Since its foundation, the Department of Maritime and Transport Law seeks to be the focal point for maritime and transport law research, as well as a facilitator of cooperation between academics and practitioners. The Department members are as follows: Aleksandar Bravar, PhD, Head of the Department, Full Professor; Nikoleta Radionov, PhD, Full Professor; Jasenko Marin, PhD, Full Professor; Mišo Mudrić, PhD, Assistant Professor; and, Iva Savić, PhD, Assistant Professor.

The following is a brief description of the courses offered by the Department.

7. Undergraduate Level

7.1. Courses offered in the Croatian Language

With regard to the courses offered in the Croatian language, the compulsory fourth year course in *Maritime and Transport Law* offers a range of subjects for students wishing to specialize in shipping law, general transport law, marine insurance law and related matters. It also provides an opportunity to study comprehensively both the private and public law aspects of international maritime and transport law within the commercial and international trade law setting (for more details, see a similar course offered in English below). In addition, the Department holds seminars and practical workshops for students who wish to broaden their knowledge on the subject matter.

For students who are especially interested in European law concerning the maritime and transport field, the Department holds a separate course in *European Transport Law* (for more details, see a similar course offered in English below).

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1 More information on the Department can be obtained at: Faculty of Law, University of Zagreb portal: [http://www.pravo.unizg.hr/POP/en/](http://www.pravo.unizg.hr/POP/en/) (accessed on 1st June 2016).
For students who wish to broaden their knowledge in the above named matters, with a focus on insurance law aspects, the Department offers a non-compulsory course in Insurance Law, which is held in the IX semester.

Furthermore, the Department participates in the delivery of the course in Energy Law (offshore aspects).

7.2. English Language Courses for Croatian and ERASMUS students

The Department holds a course in Maritime and Transport Law in English language for all interested domestic (Croatian) students, as well as ERASMUS students (summer semester). Having in mind what was previously said about the course, both the Croatian version and English version (with more focus on international and comparative aspects in the latter) include lectures on the following specific issues and topics: The Role of Transport in International Commerce; Aviation Law – Sources, Air Carrier’s Liability – Passengers, Goods; Rail Transport Law – Sources, Rail Carrier’s Liability – Passengers, Goods; Road Transport Law – Sources, Road Carrier’s Liability – Passengers, Goods; The Concept of Vessel in Maritime Law; Mortgage and Liens I – ship financing, single ship companies; Mortgage and Liens II – rights and obligations; Shipowner, operator, ship manager, shipping agent, stevedore; Global Limitation of Liability, LLMC 1976/1996; Contracts of Affreightment – types, rights and obligations; Charterparties – Voyage and Time Charterparty, rights and obligations; Bills of Lading I: functions, applicable rules: Hague-Visby, Hamburg, Rotterdam rules; Bills of Lading II: B/L issued under Charterparties; Bills of Lading III: Carrier’s liability for damages and delay, limitation of liability right; Direct and multimodal transport; Contract of Carriage of Passengers and Luggage by Sea I; Contract of Carriage of Passengers by Sea II: duties and obligations, Breach of contract and contractual liability for damages; Carriage of Passengers by Sea III: Passengers’ rights under the EU law; Internal Waterway Navigation and Carriage; General Average; Ship Collision; Salvage at Sea; Marine Pollution – CLC, Bunker, HNS; Non-Contractual Liability of Shipowner and Ship Operator; Wreck Removal; Marine Insurance – Contract; Marine Insurance – Institute Cargo Clauses; Marine Insurance – Institute Hull Clauses; Marine Insurance – P&I Clubs; and, Maritime Demesne.
The **Carriage of Goods by Sea** course focuses on this particularly important aspect of maritime law. Having in mind that the majority of global trade is being conducted over sea, a specific focus on and study of legal relations arising out of carriage of goods by sea contracts becomes a necessity for all (future) lawyers who deal with international trade. The legal relations in this field are very complex, due to the fact that they are derived from a fusion of international sale of goods contract, contract of carriage, and, cargo insurance contract. The liability to compensate for damage arising out of carriage depends on the complex relations network based on charterparties and other contracts with regard to the use of vessels. A detailed examination of these relations is a necessity for all students who have previously acquired (or intend to acquire) basic knowledge in maritime law, and wish to deepen their understanding of international sale.

The course includes lectures on the following specific issues and topics: International Sales of Goods and Maritime Transport I (International trade and the role of shipping, International Sale of Goods under CISG, INCOTERMS and their importance for carriage of goods by sea); International Sales of Goods and Maritime Transport II (Performance of international sales of goods, Connection between the contract of carriage by sea and cargo insurance contract, Interested parties under the contract and the insured interest); International Sales of Goods and Maritime Transport III (FOB, FAS and CIF contracts); Carriage of Goods by Sea I (System of contracts for carriage of goods by sea, Charterparties (C/P) and contract of affreightment (CofA)); Carriage of Goods by Sea II (Implied obligations under CofA: seaworthiness, reasonable dispatch, deviation, safe port, dangerous goods, Concept of frustration); Charterparties I (The voyage C/P, General overview, Obligations under the voyage C/P); Charterparties II (The time C/P, General overview, The vessel, Hire); Bill of Lading (B/L) I (Functions, B/L and third parties, Presentation of B/L); Bill of Lading (B/L) II (Legal rules governing B/L: The Hague/Visby Rules, Application, legal effect and basic provisions of Hague-Visby Rules); Bill of Lading (B/L) III (Liability of the carrier for damages to cargo under the Hague-Visby Rules); Bill of Lading (B/L) IV (Legal rules governing B/L: The Hamburg Rules, Issue of applicable law); Bill of Lading (B/L) V (B/L issued under C/P: differentiating between the charterer and third-party shipper, Shipowner’s recourse against charterer); Performance of Carriage (Loading, Deviation and Delivery Delay, Laytime and Demurrage); Direct and Multimodal Transport; and, Jurisdiction and Applicable Law.
The **European Transport Law** course is offered to Croatian and ERASMUS students in the fifth year (winter semester), and examines the overall legal regulation of the transport in the European Union (*acquis communautaire*) through all five transport branches, including a general introduction into the provisions on trade relations in the Founding treaties, in relation to other provisions of the contract and operation principles of European law in the area of transport law.

The course includes lectures on the following specific issues and topics: Introduction to EU transport law and policy (transport corridors, means of transport and EU transport strategies, White papers and the implications for the creation of the *acquis*, Role of the institutions); Treaty framework for the regulation of transport (explaining the relevant articles of the Treaty, their genesis, including the reasons for the separate treatment of transport from other services, case 13/83 Common Transport Policy and the obligation to legislate in the area of transport); EU competences in the field of transport (principle of conferral and transport as a widely interpreted competence – case 97/78 Fritz Schumalla and joint cases C-248 and 249/95 Stapf; transport as a shared competence, external competences and the development of the concept of implied external powers, exclusivity of external powers, case 22/70 Commission v. Council - ERTA, Lisbon Treaty amendments); Transport and the Internal Market (negative integration: application of the entire Treaty on national rules governing transport, case 167/73 French Seamen; public service exception - C-405/01 Master of Ship; positive integration: motives, horizontal provisions shaping transport policy); Decision-making in the field of transport (institutions participating in decision-making, agencies and their role; practical example of the procedure of decision-making on the basis of a concrete legislative act, procedure for signing international agreements, relationship between international agreements and internal EU law in the field of transport, the problem of disconnection clauses); Organization and functioning of the single road transport services market (Position of road transport and its market share, road transport and the EU policy strategies, pros and cons of road transport, access to the profession of the road carrier, Community licenses, access to the road transport services market, functioning of the single road transport market); Functioning of the Single road transport services market: advanced (national, international and EU legislation in road freight transport; national, international and EU
legislation in transport of passengers by road; cabotage market, public service contracts); Creation and functioning of the single rail transport services market: restructuring of the railways (competitiveness of rail transport and its market share, challenges of rail transport, division of infrastructure and operators, access to the freight and passenger rail transport services market, three railway packages and liberalization of the market, licenses, right of access to the infrastructure); Interoperability and safety of rail transport, Passenger’s rights in rail transport (development of interoperability in rail transport, high-speed rail system, transport of dangerous and noxious substances by rail, new rights of passengers in carriage by rail); EU law and policy on transport by inland waterways (strategic positioning of transport by inland waterways in the EU, multiple legal framework of the law on inland waterways, NAIADES, Single market and competition law issues on the inland waterways market, safety in inland navigation); Horizontal provisions on competition law and policy in land transport (Competition Law rules in the law of land transport: abuse of dominant position, prohibited agreements, control of concentrations, state subsidies, block exemptions under the Treaty, PSO Regulation and services of public interest); EU Maritime Law and Policy, Creation of the Single market of maritime transport services, Competition Law in Maritime Transport Law services, Maritime safety and security issues (Rules on access to the market of maritime services, access to the cabotage transport market, liner conferences, pools, state subsidies and services of public interest – PSO, rules on maritime safety and security, relevant ECJ case law); EU law and policy on maritime ports, Creation and functioning of the Single market of port services (Rules on access to the market on port services, freedom to provide port services, ECJ case law on port services, competition law in port sector, state subsidies); International and EU legal framework for air transport, Freedom to provide air transport services and market access rules (Development of common EU air transport law and policy, international organizations in air transport, rules on market access for aviation operators, licensing, basic rules on tariffs, access to airport facilities and slot distribution); and, Competition law in air transport services, Air safety and security issues, Rights of passengers in air transport (basic competition rules under the Treaty, Nouvelles frontières case, prohibited agreements, abuse of dominant position, mergers, Open Skies agreements, European Common Aviation Area, safety and security in air transport, passengers rights in air transport).
The **Transport Insurance Law** course is offered to Croatian and ERASMUS students in the fifth year (winter semester). Transport insurance is crucial for an every-day undisturbed functioning of domestic and international trade, having in mind that carriage of goods – the basic *modus operandi* of international (and domestic) trade – is dependent on the availability and financial acceptability of insurance coverage for unwanted liability exposure. Therefore, all (future) lawyers who deal with international trade should be interested in acquiring both basic and advance knowledge in this subject matter.

The course includes lectures on the following specific issues and topics: Introduction to Transport Insurance Law (Modern land transport industry and the risks involved, Position of land transport and insurance with respect to international trade, Single market and land transport services, Role of transport insurance with respect of risks involved in land transport, EU transport strategies and the role of insurance); Cargo Insurance (Risks involved in carriage of goods by rail and road, Applicable law and legal framework, International sales of goods under the INCOTERMS contract of carriage and cargo insurance contracts, Cargo interested party, Rights and obligations under the cargo insurance contract, Institute Cargo Clauses, Concept of subrogation of rights); Professional Liability Insurance in Road Transport (Professional liability of the carrier under the contract of carriage of goods and passengers in domestic and international road transport: normative framework, risks and main institutes, Insurance of professional liability in road haulage and passenger transport, Insured sum, Single market in road transport and challenges for the liability insurance); Professional Liability Insurance in Rail Transport (Professional liability of the railway undertaking under the contract of carriage of goods and passengers, Separation of infrastructure management and railway operators under the EU law and its impact on liability insurance, Applicable legal framework: international, EU and national level); Aviation Insurance I (Main types of contracts, Hull insurance and typical risks, Aviation cargo insurance, Airport operations liability insurance, Normative framework: international, EU and national legal sources); Aviation Insurance II (Owner/operator liability insurance for damages in passenger transport: applicable law and legal sources - international, EU and national, The concept of compulsory insurance); Marine Insurance I (Concept and role of marine insurance for contemporary shipping, Marine insurance law and its position within the insurance law in general and transport insurance law, Historical background to marine insurance law); Marine Insurance II (Risks covered by marine insurance policies, Classic London
Insurance Market division of insurance, Marine insurance contract: contracting parties, marine insurance principles, definition of marine insurance, Maritime perils, Sources of law); Marine Insurance III (Concluding and enforcing marine insurance contracts: the London market, Hull & Machinery insurance, Institute Time and Voyage Clauses-Hulls (1983, 1995, 2003) Insurable interest, The H&M policy, Policy valuation and indemnity under the policy, Warranties); Marine Insurance IV (Marine Cargo Insurance: Institute Cargo Clauses (1982, 2009)); Marine Insurance V (Marine Cargo Insurance: case study); Protection and Indemnity Insurance (P&I) I (Concept of mutual insurance, Historical background, Running Down Clause, Structure and functioning of P&I clubs, Importance of P&I for modern-day shipping); Protection and Indemnity Insurance (P&I) II (Risks covered by P&I, Pay to be paid rule (first paid rule)); Compulsory Marine Insurance (Sources of law: international, EU and national, Compulsory insured risks in shipping, Collision of compulsory insurance in continental legal systems and the P&I paid to be paid rule); and, Reinsurance (The concept of reinsurance, Relations between parties in reinsurance, Types of reinsurance).

Finally, the Department offers a separate course for both Croatian and Erasmus students in Private Security Services and Law (summer semester), where the students are given an opportunity to learn about all aspects of private military and security companies domestic regulation and contracting, ethical considerations with regard to their operations, and soft-law regulations through various sorts of guidelines, standards and associations rules with regard to proper conduct while performing security services.

8. Postgraduate Level

The Department holds several courses on the postgraduate level specialist and doctoral programmes offered at the Faculty of Law, University of Zagreb. All courses are held in Croatian: Maritime Law I: Maritime Transport; Maritime Law II: Shipowner’s Liability; Insurance Law; Marine Insurance; Maritime Law – Selected Topics; General Transport Law; and, General Transport Law – Selected Topics.