

# MARLAW 2009

International Summit of Maritime Law Experts

**Ibiza (Spain)**  
**16-19 September 2009**



**ORGANIZED BY:**

AMYA International Group & The London Shipping Law Centre



**In co-operation with:**



**FINAL PROGRAMME:**

	Morning	Afternoon	Evening
<b>Wednesday</b> <b>16 September 2009</b>			20.00 Arrival and welcoming cocktail to all participants in Hotel
<b>Thursday</b> <b>17 September 2009</b>	08.00 to 09.00 Registration  09.00 to 13.30 Session I	14.30 to 17.00 Session II	21.00 Typical dinner in a local "Celler"
<b>Friday</b> <b>18 September 2009</b>	09.00 to 13.30 Session III	14.30 to 17.00 Session IV	21.00 Walking night tapas tour of Ibiza old town
<b>Saturday</b> <b>19 September 2009</b> (optional)	Boating to Formentera Island swim, snorkel, dive		

## WORKING SESSIONS:

<b>FINAL SCHEDULE</b> <b>WORKING SESSIONS</b>	
<b>Thursday, 17 September 2009</b>	
<b>Session I</b> (from 09.00 to 13.30) <b>Chairman: Mr. José M. Alcántara</b>	<b>Session I</b> <b>SUPPORTING MATERIALS</b>
<p><b>Door-to-door and Multimodal Transports</b></p> <ul style="list-style-type: none"> <li>▪ The Rotterdam Rules.</li> <li>▪ Network or uniform liability?</li> <li>▪ Multimodal Transport or Maritime Plus?</li> <li>▪ Mandatory law or opt in/out and discretionary clauses?</li> <li>▪ Liability regime and burden of proof.</li> <li>▪ Carrier and Maritime Performing parties.</li> <li>▪ Volume Contracts and Charterparties.</li> </ul>	<p><b>Door-to-door and Multimodal Transports</b></p> <ul style="list-style-type: none"> <li>▪ The Rotterdam Rules, English version UNCITRAL Convention. <ul style="list-style-type: none"> <li>- Paper by Mr. José M. Alcántara</li> </ul> </li> <li>▪ The Hague-Visby Rules,</li> <li>▪ The Hamburg Rules.</li> <li>▪ The UN Multimodal Transport Convention 1980.</li> <li>▪ The ICC-UNCTAD Rules.</li> <li>▪ The ITO Convention 1991.</li> <li>▪ Draft of Convention on International Multimodal Transport in the ARAB MASHREQ.</li> </ul>
<b>Thursday, 17 September 2009</b>	
<b>Session II</b> (from 14.30 to 17.00) <b>Chairmen:</b> <b>Prof. Aleka Sheppard &amp; Prof. Peter Wetterstein</b>	<b>Session II</b> <b>SUPPORTING MATERIALS</b>
<p><b>IMO on Maritime Safety</b></p> <ul style="list-style-type: none"> <li>▪ Criminalisation of Seafarers.</li> <li>▪ Places of Refuge for distressed ships.</li> <li>▪ Piracy at Sea.</li> <li>▪ Recycling of ships.</li> <li>▪ Extent of effectiveness of ISM and ISPS.</li> <li>▪ Amending CLC and HNS?</li> </ul>	<p><b>IMO on Maritime Safety</b></p> <ul style="list-style-type: none"> <li>▪ Decisions in “The Hebei Spirit”, “INTERTANKO case,” Cpt. Mangouras, human rights EU Court.</li> <li>▪ CMI draft on places of refuge.</li> <li>▪ The SUA Convention and IMO and EU resolutions on piracy at sea.</li> <li>▪ Draft of IMO Convention on recycling of ships.</li> <li>▪ ISM and ISPS chapters in force.</li> <li>▪ Proposals to amend CLC and fund. The “Prestige” decision, Court of Appeal, New York State.</li> <li>▪ IOPCF Protocol to amend HNS. <ul style="list-style-type: none"> <li>- Paper by Prof. Peter Wetterstein</li> </ul> </li> </ul>
<b>Friday, 18 September 2009</b>	
<b>Session III</b> (from 09.00 to 13.30) <b>Chairman: Mr. Jonathan Lux</b>	<b>Session III</b> <b>SUPPORTING MATERIALS</b>
<p><b>Impact of Financial Crisis upon Maritime Contracts</b></p> <ul style="list-style-type: none"> <li>▪ The financial crisis in shipping trade: market fluctuation, shipping transition or effect on contracts?</li> <li>▪ Usage and abuse of cancelling clauses.</li> <li>▪ Attachment and security measures.</li> <li>▪ Interaction between cross-border insolvency schemes.</li> </ul>	<p><b>Impact of Financial Crisis upon Maritime Contracts</b></p> <ul style="list-style-type: none"> <li>▪ Recent English caselaw authority on frustration.</li> <li>▪ Models of cancelling clauses in shipbuilding contracts.</li> <li>▪ The civil doctrine of “rebus sic stantibus”. <ul style="list-style-type: none"> <li>- Paper by Prof. Carlos Llorente</li> </ul> </li> <li>▪ T-Rule B on attachment of assets regarding maritime claims (USA).</li> <li>▪ MAREVA injunctions and others (UK).</li> </ul>

Friday, 18 September 2009	
<p style="text-align: center;"><b>Session IV</b> (from 14.30 to 17.00) <b>Chairman: Mr. Mario Riccomagno</b></p>	<p style="text-align: center;"><b>Session IV</b> <b>SUPPORTING MATERIALS</b></p>
<p style="text-align: center;"><b>Jurisdiction and Procedural Issues</b></p> <ul style="list-style-type: none"> <li>▪ Jurisdiction, arbitration and mediation.</li> <li>▪ Arrest of ships and forum shopping.</li> <li>▪ Limitation fund procedural rules .</li> <li>▪ Pay clause and direct action. Latest developments.</li> </ul>	<p style="text-align: center;"><b>Jurisdiction and Procedural Issues</b></p> <ul style="list-style-type: none"> <li>▪ EU Regulation 44/2001 and EU proposal for directive on mediation.</li> <li>▪ CMI draft of uniform rules for the constitution of the limitation fund.</li> <li>▪ Arrest of ships Convention 1999.</li> <li>▪ Latest English decisions on the pay clause and direct action.</li> <li>▪ English decisions on cases “The Front Commor” and “The Wadi Surd”.</li> </ul>

- ✓ Introductions of topics by the Chairmen.
- ✓ Round-Table discussions.
- ✓ Papers welcome for discussion at each Session. A list of papers will be made available to the registrants before the event.
- ✓ Supporting materials to be received by the registered participants in advance.

**ACCOMMODATION AND SOCIAL PROGRAMME:**

**VENUE & ACCOMMODATION:**



The most westerly of the Balearic Islands, Ibiza has adapted the mariner’s lifestyle it enjoyed in the past to modern times with unbeatable charm. The most beautiful of the Pitiusan Islands offers visitors hidden corners to lose themselves in untouched nature and relax in peace and quiet as well as places where they can enjoy the brightest and liveliest entertainment 24 hours a day. The historic legacy of ancient civilisations, such as Greek, Carthaginian, Roman, Byzantine, Visigoth and Muslim,

contributes to a wonderful city, the ancient centre of which was declared World Heritage by UNESCO in 1999. The secret of Ibiza’s magic is the magnificent combination of rural and traditional life and values with the greatest mixture of nationalities and cultures ever imagined.

**Hotel Fiesta Palm Beach**

C/ Playa d'en Bossa s/n,  
07817 Sant Jordi de Ses Salines  
Ibiza Island  
[www.fiestahotelgroup.com](http://www.fiestahotelgroup.com)





**Fiesta Club Palm Beach.** The hotel is located on the sea front of **Playa d'en Bossa**, one of the best-known beaches on the island, a mere 5km from Ibiza town centre. It stands out for its large swimming pool and bungalow-style structure, which depicts the typical architecture of the Mediterranean islands.

### SOCIAL PROGRAMME:

- 16 September 2009 - Welcoming cocktail
- 17 September 2009 - Typical dinner in a local “celler”
- 18 September 2009 - Walking night tapas tour of Ibiza old town
- 19 September 2009 - Boating to Formentera island (swim, snorkel, dive) (*optional*)

### HOW TO GET TO IBIZA:

#### By Sea

Ibiza is connected by sea with the Peninsula from the cities of Barcelona, Valencia and Denia. During the summer, the service is daily.

The shipping company that travels to the island from Denia (Alicante) and Valencia is ***Baleària Eurolínies Marítimes*** (*Official Sponsor*): **Discounts of 50% from Balearia are available through the Secretariat.**

#### By air

This is the most usual way of getting to Ibiza. Ibiza has an efficient airport, through which four million passengers pass a year. The airport is situated 7.5 km from the city of Ibiza.

The island holds regular flights with the main cities on the Peninsula (Madrid, Barcelona, Valencia, Malaga,), as well as with the island of Mallorca.

The airline companies that fly to Ibiza are:  
AIR EUROPA, IBERIA, SPANAIR, VUELING

There are also direct connections from several European cities.

The airline companies that operate are:  
AIR BERLIN, CONDOR, EASYJET, GERMAN WINGS, VUELING

### HOW TO GET TO THE HOTEL:

- From Ibiza Airport, by taxi (aprox. **EUR 15**) 10-15 minutes.
- From Ibiza Harbour, by taxi (aprox. **EUR 15**) 10-15 minutes.

## REGISTRATION FEE:

- Early-bird rate before 15 July	EU 696,00 *
- Rate for Registrants after 15 July	EU 812,00 *
- Guided excursion to Formentera (transport & lunch included)	EU 35,00 *

(\*) VAT included.

Registration fee includes: 3 nights bed & breakfast accommodation, luncheons, conference, typical dinner, tapas tour and welcoming cocktail, supporting materials.

## NOTES:

1. Only 50 participants will be admitted on basis first come, first served.
2. The proceedings will be all conducted in English language.
3. An accompanying persons programme will be made available for a group of no less than 15.
4. Breakfast and lunch will be served in the Hotel every day.
5. Cancellation policy:
  - Cancellations before 15 July 2009: full return
  - Cancellations before 31 August 2009: 50% return
  - Cancellations after 1 September 2009: no return

## FOR MORE INFORMATION, PLEASE CONTACT:

### AMYA Madrid

Princesa, 61  
28008 Madrid, Spain  
Tel.: +34 91 548 83 28  
Fax: +34 91 548 82 56

### LLSC

Bentham House, Endsleigh Gardens  
LONDON WC1H OEG (England)  
Tel.: +44 20 76 79 14 34  
[shipping@ucl.ac.uk](mailto:shipping@ucl.ac.uk)

**For Topics and Working Agenda:** Mr. Alvaro Nistal ([alvaro.nistal@amya.es](mailto:alvaro.nistal@amya.es))

**For Registration:** Mrs. Maite Arranz ([maite.arranz@amya.es](mailto:maite.arranz@amya.es))

*Please note that while this program is now confirmed, later alterations may have to be made*

# MARLAW 2009

International Summit of Maritime Law Experts

organised by:

**amya**  
abogados



in co-operation with:



AMYA International Group & The London Shipping Law Centre  
at Ibiza Island (Spain)  
Hotel "FIESTA CLUB PALM BEACH"  
September 16-19, 2009

## REGISTRATION FORM

Surname:..... Name: .....  
Company: ..... VAT Number: .....  
Address: .....  
Z.P.:..... City:..... Country: .....  
Phone:..... Fax:.....  
E-mail: .....

### REGISTRATION

(VAT included)

Early-bird rate before 15 July  696.00 Euros  
After 15 July  812,00 Euros  
Formentera excursion  35,00 Euros

#### Delegates registration fee includes:

- Colloquium participation.
- 3 nights hotel accommodation.
- 3 days breakfast-buffet.
- 2 days working luncheons.
- 1 welcoming cocktail
- typical dinner
- tapas and walking night tour of Ibiza
- supporting materials

#### Please tick where appropriate:

- I am interested in offer of ladies program YES  NO
- I would require a single room YES  NO
- I intend to travel by sea from the Spanish Peninsula YES  NO
- I am interested in the excursion to Formentera island YES  NO

### PAYMENT

- By bank transfer to BANCO BILBAO VIZCAYA ARGENTARIA.  
Account number: **IBAN ES57 0182 7594 310201505590**  
**SWIFT CODE: BBVAESMMXXX**

**Please quote: MARLAW 2009 and indicate your full name**

Please send this Form and a copy of your bank remittance to:

Mrs. Maite Arranz  
c/o AMYA LAW FIRM  
Princesa 61; 28008 Madrid  
Tel.: +34 91 548 83 29; Fax: +34 91 548 82 56  
[maite.arranz@amya.es](mailto:maite.arranz@amya.es)