



Institute of Maritime Law
Annual Report 2015

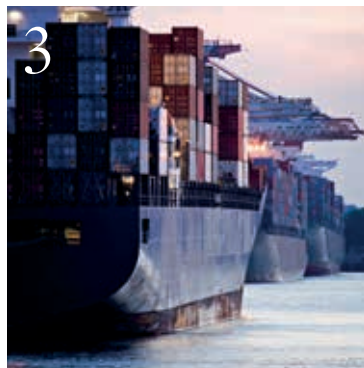
The Institute of Maritime Law is a leading world centre for research, consultancy and training in maritime law.

The Institute was founded in 1982 to give focus to an existing interest in maritime and international trade law at the University of Southampton. The Institute is now composed of some 17 Members and has established an international reputation.





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Director's report

At the Institute of Maritime Law of the University of Southampton, we aim to be world leading “*for research, study and dissemination of maritime law and a focus for professional interest based on a firm institutional and financial structure*”. The academic leadership of the IML members; the provision of integrated, specialised courses, consultancy, and the support of our sponsors are the ways in which we pursue this aim.

During the past year, IML members continued to develop their expertise through research projects, conferences, and publications. We were successful in securing a 150k Euro project on the legal liabilities of autonomous surface systems. We will also provide the assessment of legal feasibility for Sea Traffic Management, a 43 million Euro, four-year project led by the Swedish Maritime Authority. Furthermore, as part of the Southampton Marine and Maritime Institute (SMMI) the IML has contributed in obtaining £1.1 million funding for the training of multidisciplinary maritime PhD students.

As part of the Law School, IML members teach on the LLM Maritime law course, one of the largest and most reputable Maritime law course available, as well as on courses for undergraduates, scientists, and engineers. The interdisciplinary work of the IML is strengthened through the IML's participation in the leadership of the SMMI, the umbrella institution fostering collaboration between all the innovative maritime areas of the University, including Maritime law.

IML members have given talks around the world. In addition, during this year we have organised three conferences, one on the Recast Regulation, co-ordinated by Prof. Yvonne Baatz, a second one on Commercial law, co-ordinated by Dr. Ozlem Gurses, and finally, a workshop on “Boat People”, co-ordinated by Ms Kathleen Goddard and Mrs Ainhoa Campas Velasco. In collaboration with the Nordisk Institutt for Sjørett and the Tulane Maritime Law Center we have also organised an international Colloquium on “Organising Shipping”.

This year's professional training activities included the 42nd Maritime Law Short Course in Southampton and the 7th Singapore Short Course, along with bespoke courses delivered in London and Rotterdam.

In our journey new friends join us and some leave us. This year we are saying goodbye to our friends and colleagues Dr. Alexandros Ntovas, Dr. Aysegul Bugra, and Mr. Mateusz Bek to whom we offer our best wishes for the future.

The income from the work undertaken by the IML members and the kind donations of our sponsors support the Philippa Kay Maritime Law Library, three Research Assistants, a Librarian, and an Administrator, all dedicated to the IML's goals. The role of our sponsors is extremely important. The generous sponsorship of Gard to the Philippa Kay Library has always been and is crucial to keeping it up-to-date and making it a resource open to maritime law scholars visiting the IML from around the world. The sponsoring of specific events by Gard, CJC, Ince & Co, Reed Smith, Norton Rose Fullbright, Clyde & Co, Informa, Lloyds Maritime Association and Singapore Maritime Foundation make such events possible. We are grateful for their support. We are also thankful to Gard, HFW, Clyde & Co and CJC for prizes and internships to our maritime law students, allowing them to experience legal practice.

Changes in the law through new shipping regulations, and changes in the factual matrix against which shipping contracts are concluded and performed will continue to pose new and challenging problems. The IML will continue to deliver its flagship short courses in 2016 and engage with practitioners and researchers around the world. We are looking forward to working with our established partners but also make new ones in finding new and interesting ways to improve maritime law research and training.



Professor Michael Tsimplis

Director

Professor in Oceanography
and Maritime Law

Michael (Mikis) Tsimplis is a Professor jointly appointed by the School of Law and the National Oceanography Centre in Southampton. His main areas of interest are admiralty law, carriage of goods by sea, marine environmental law, sea level rise, climate change and oceanic circulation.

Mikis has led the IML contribution to the submission of several research proposals including the Sea Traffic Management validation project part-funded by the EU and a project assessing liability for operations in Unmanned Maritime Vehicles with Differing Levels of Autonomy, which funded by the European Defence Agency. Mikis was also part of the Southampton Marine and Maritime Institute leading team who submitted an £1.1 million proposal for “Maritime Futures” to the Leverhulme Trust for training inter-disciplinary maritime PhDs. He partook in an advisory panel for the Strategic Framework for the Adaptation of the Mediterranean Marine and Coastal Areas to Climate Change, and completed a project researching the liability for carbon storage under the sea bed. In his capacity as a physical oceanographer Mikis also provided consultancy on the environmental impact of the wreck of *The Sea Diamond*.

This year Mikis has delivered several invited conference papers. These include a discussion of the implementation of the 2007 Nairobi Wreck Removal Convention at the International Conference on The Hong Kong Maritime Law Forum, “Issues on Limitation of Liability” at Koc Universitesi in Istanbul, “Time Bars for Cargo Claims” in Singapore and two papers at the XIXth International Congress (IIDM) in Lisbon. He has contributed to a number of courses organised by the IML including the 42nd Maritime Law Short Course, the 7th Singapore Short Course and the Institute’s one-day maritime law conference in London.

“Set your course by the stars, not by
the lights of every passing ship.”

Omar N. Bradley







Publications

The Institute's members are committed to consistently producing top rated research output published in the most globally renowned academic journals and texts. The members' expert knowledge is reflected through the frequent use of their research and opinions in courts worldwide.

This year the Institute of Maritime Law's members have written a vast range of texts for numerous publications.

Dr Özlem Gürses has recently completed a textbook on Marine Insurance Law, which has been published by Taylor and Francis. John Dunt has completed the second edition of *Marine Cargo Insurance* which is due to be published by the end of 2015 by Informa Law for Routledge. Paul Todd has completed a book regarding the legalities of the Carriage of Passengers by Sea, which has been published by the CreateSpace Independent Publishing Platform.

Johanna Hjalmarsson and Jenny Zhang have co-edited a book on Chinese Maritime Law, and Johanna has also co-edited *Insurance Law in China*. She has also edited the fifth edition of *Marine Insurance Legislation*, along with institute senior research assistant Aysegul Bugra, as well as Rob Merkin and Jennifer Lavelle.

Alexandros Ntovas has completed a book on the compulsory settlement of compatibility fishery disputes, which is set to be published early in 2016 by Martinus Nijhoff Publishers (Leiden) and BRILL (Boston). He has also written a chapter on straits used for international navigation for the *IMLI Manual on International Maritime Law. Volume I: The Law of the Sea*, which was published by Oxford University Press.

James Davey has written a chapter regarding genetic discrimination in insurance for *Genetic Discrimination - Transatlantic Perspectives on the Case for a European Level Legal Response*, which was published by Taylor and Francis. Andrew Serdy has written an essay regarding Canada's Arctic Ocean for a boon on International Law and Politics of the Arctic Ocean, which was published this year.

Professor Andrew Serdy has also contributed via two subcontracts between the Institute and Marine Resources Assessment Group Ltd to a report for the Committee on Environment, Public Health and Food Safety of the European Parliament *Towards a Possible International Agreement on Marine Biodiversity in Areas Beyond National Jurisdiction* (November 2014, with J. Gille, S. Hodgson and I. Payne), as well as to a study to investigate the state of knowledge on deep-sea mining, for the European Commission's DG MARE (June 2015).



Consultancy

The Institute of Maritime Law aims to bridge the gap between academia and the business community. The Institute's members therefore take a commercial approach to their work and research. Consultancy is thus a natural extension to the IML's repertoire, and many of our members provide advice to legal firms, industry companies and governments both in the UK and abroad.

Professor Filippo Lorenzon remains a consultant with Campbell Johnston Clark Ltd in London. In July 2014, he provided consultancy on Carriage of Goods by Sea Law for Mediterranean Shipping Company Ltd. John Dunt is a Consultant with Clyde & Co.

In March and April of 2015, Professor Tsimplis has worked with Ken Collins on a consultancy on the environmental impact of the wreck of The Sea Diamond for Elona Maritime Ltd.

Consultancy services can be provided both by an individual Member or, where necessary, by a team of Members. Our combined expertise ensures all aspects of your enquiry can be delivered by the IML team.

This year a research project for the European Defence Agency was undertaken by IML members, regarding the liability position in respect of accidents involving unmanned maritime vehicles. The research was primarily undertaken by Institute of Maritime Law members Professor Michael Tsimplis, Professor Andrew Serdy, Dr. Alexandros Ntovas, as well as Senior Research Assistant Robert Veal. The project was undertaken in March 2015 and is expected to last one year.



Training

The Institute offers a varied selection of renowned domestic and international courses each year, and this year has been one which has brilliantly showcased what the IML has to offer its delegates.

38 delegates from 17 countries took part in the 42nd Maritime Law Short Course held in Southampton from the 17th August until the 4th September this year. 24 speakers, including both members of the Institute and speakers from the City, gathered to share their unrivalled knowledge of maritime law. They delivered a three-week residential course which offers an interactive and social approach to training and networking within the maritime industry.

The IML also ran the 7th Singapore Short Course at the Hilton Hotel Singapore in May 2015. This two-week programme is tailor-made for the rapidly growing Asian legal market, and also serves to highlight the Institute's ability to deliver industry relevant legal training

worldwide. Together, the Singapore and Southampton short courses affirm the IML's position as one of the world leaders in maritime law teaching and training. Both courses offer an average of six intensive one hour sessions per day, each led by leading professionals in their respective fields.

At the beginning of June, the IML ran the 15th CIF & FOB Contracts Course in the City, an event which – given the high cost of energy and increasing commodity prices – has become even more relevant.

Members of the Institute regularly deliver Career Professional Development courses in the City, at firms across the maritime sector.



Bespoke Courses

The Institute of Maritime Law is proud to offer bespoke courses for leading maritime companies and maritime organisations.

The knowledge of our members and their teaching expertise ensure clients receive a tailor-made service of the highest standard. These courses allow companies to discuss their personal requirements for course content, as well as length and specificity. It is also an opportunity to meet some of the leading academics in their respective fields, some of whose writing has been published worldwide, in the leading maritime journals and publications.

The Institute is frequently approached to design and deliver bespoke courses for maritime companies and administrations around the world. 2015 has seen two courses for a large P&I Club in Rotterdam and a series of half day seminars for a leading London law firm.

The Institute runs different courses each year but will consider repeat courses should interest require.

Bespoke courses are subject to availability of Institute members and other speakers, and can be arranged by contacting the Institute's Senior Administrative Officer directly.

Institute Members



Professor Yvonne Baatz

Professor of Maritime Law

Yvonne Baatz published an article entitled “Should third parties be bound by arbitration clauses in bills of lading?” in the February issue of *Lloyd’s Maritime and Commercial Law Quarterly*. She published an editorial in the *Journal of International Maritime Law* on changes to jurisdiction in the courts of EU Member States.

Her chapter on “The effectiveness of an English Jurisdiction Agreement in a Marine Insurance Policy and Settlement Agreement of claims under that policy” will appear shortly in *The Modern Law of Marine Insurance Volume IV* edited by D R Thomas and published by Informa. A second chapter entitled “Incorporation of a charterparty arbitration clause into a bill of lading and its effect on third parties” based on a lecture given at the Roundtable on Maritime Arbitration organised by the Centre for Commercial Law Studies at Queen Mary, University of London in July 2014 will be published shortly in a book on *The Role of Arbitration in Shipping Law* edited by Loukas Mistelis and Miriam Goldby and published by Oxford University Press. A third chapter, “An English jurisdiction clause in a bill of Lading. Construction and consequences of breach” will be published in *Maritime Law in China* a book edited by Johanna Hjalmarsson. The book is based on the Conference on Chinese Law held at the University of Southampton in April 2014 at which Yvonne spoke.

Yvonne also spoke at the Arbitration and Private International Law Conference in Edinburgh in February 2015, addressing “Regulation (EU) No 1215/2012 on Jurisdiction and the Recognition and Enforcement of Judgments in Civil and Commercial Matters (Recast) and its interface with the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards”. She organised and spoke at a one day conference on 24 March on the Recast Regulation which was generously hosted by Reed Smith. She also lectured at the IML’s one-day maritime law conference on Rethinking Maritime Law in London in June.

Yvonne has also been heavily involved with the IML’s 42nd Maritime Law course in August and September. She lectured on charterparties, bills of lading, governing law, jurisdiction and arbitration.



Professor James Davey

Professor of Insurance &
Commercial Law, School of Law

James Davey joined the Institute of Maritime Law (and Southampton Law School) in 2014, having previously taught Marine Insurance and led the LLM in Shipping Law at Cardiff University. His research and teaching interests lie in contract and commercial law generally.

He has a particularly strong interest in the law and economics of insurance, and draws heavily on theories of regulation developed in the United States. He has written extensively on insurance contract law and insurance regulation in leading journals, with regular contributions to the *Journal of Business Law* and the *Lloyd's Maritime & Commercial Law Quarterly*. His current research is on the legal response to insurance fraud and is forthcoming in the *LMCLQ* under the title 'Deterrence, human rights & illegality: the forfeiture rule in insurance contract law'.

He is a member of the current Ministry of Justice 'Insurance Fraud Taskforce' and has worked as research counsel for a leading shipping law chambers, including on the Court of Appeal proceedings on *North Star Shipping Ltd v Sphere Drake Insurance Plc*, *The North Star* [2006] 2 *Lloyd's Rep* 183. He is the contributing editor for the Marine Insurance and General Average sections of the *Lloyd's Maritime & Commercial Law Yearbook*. He debated the current Contract and Commercial Law Commissioner, Stephen Lewis, on reform of the doctrine of insurable interest at the Lloyd's Building in September 2015.



Dr Özlem Gürses

Associate Professor in Maritime Law

Özlem is a member of the IML's governing board, and is particularly interested in Insurance, Marine Insurance and Reinsurance Law. In March 2015, Özlem delivered a seminar in Singapore entitled "The English Insurance Law Reform- Insurance Act 2015". In May she taught marine insurance at the Tulane University Summer Abroad Programme in Rhodes followed by teaching marine insurance at the seventh IML Singapore Short course. She also taught an intensive course on English contract law at Hamburg University Law Faculty in April 2015.

She has written a student textbook on Marine Insurance Law which was published in February 2015 by Routledge. She published an article in *Shipping and Trade Law* which was entitled "Subrogation to charterparty liabilities – explained at last." She also co-published an article in the *Modern Law Review* with Professor Rob Merkin entitled "The Insurance Act 2015: Rebalancing the Interests of Insurer and Assured". She is currently working on another article on "Construction of terms in insurance contracts and section 11 of the Insurance Act 2015", again with Professor Rob Merkin.

Özlem organised on behalf of the IML a one day commercial law conference which was held in London in June 2015 and in September 2015 she taught at the Institute of Maritime Law's 42nd Maritime Law Short Course.



Dr Johanna Hjalmarsson

Informa Associate Professor in
Maritime and Commercial Law

Johanna Hjalmarsson is the editor of the newsletter *Shipping and Trade Law* and co-edits *Lloyd's Law Reporter* with Professor Rob Merkin. Johanna remains the editor of the Institute of Maritime Law's publication *The Ratification of Maritime Conventions*. She is also a contributor to *Lloyd's Law Reports* and *Lloyd's Law Reports IR*. Johanna's main areas of interest are marine insurance, carriage of goods by sea, enforcement of maritime claims, and Shipping & Trade Law.

This year, Johanna co-edited two books detailing insurance law and maritime law in China, respectively. She co-authored a chapter in the former of these, entitled 'Legislative and regulatory methodology and approaches: developing catastrophe insurance in China'.

She also co-authored the fifth edition of *Marine Insurance Legislation*. In 2015 she has published an article detailing an overview of carriage cases, and another entitled 'Insurance Act 2015 – a new beginning or business as usual?', both of which were published in *Shipping and Trade Law*.

This summer, Johanna took part in and spoke at the Institute of Maritime Law's 42nd Maritime Short Course. Johanna is the Director of the Insurance Law Research Group and coordinates and teaches on the courses in marine insurance and insurance law for undergraduates and postgraduates at the University of Southampton.



Professor Filippo Lorenzon

Professor in Maritime and
Commercial Law

Filippo has written extensively in the last 12 months, working on a new monograph on risk and taking on the new edition of Wilson's Carriage of Goods by Sea, to be published next year. He has also authored an article on multimodal transport in the age of drone ships and smart containers.

He has spoken at a number of important international conferences: in Edinburgh he gave a paper titled "From sails to drones: Time to reconsider a uniform liability regime for multimodal transport?"; he has also delivered a paper at the XIX International Congress – IIDM in Lisbon, where he spoke about "Third Party BL Holders Liabilities"; and in Zagreb on the European approach to multimodal transport. He also spoke in Genoa, Rio, Sao Paulo, Copenhagen, Geneva, Singapore and London.

As usual Filippo lectured at the International Foundation of the Law of the Sea (IFLOS) in Hamburg and at the International Labour Organization Training Centre in Turin on international sales of commodities.

Filippo is a member of the CMI International Working Group on the lex maritima and is coordinating a part of the IML research effort on the STM project, a four year, 43 million Euro project led by the Swedish Maritime Authority. He is Visiting Professor at the University of Cagliari where he delivered a series of seminars to the Italian shipping industry on the sale of commodities under English Law. He remains a Visiting professor at ECUPL, in Shanghai and a consultant with Campbell Johnston Clark Ltd in London. Filippo is heavily involved with the professional courses offered by the Institute. At both the '42nd Maritime Law Short Course' and the '7th Singapore Short Course', Filippo lectured extensively on sale of goods on shipment terms, charterparties, bills of lading and cargo claims. Filippo is a regular presence in the cities of London, Geneva and Singapore where he lectures at seminars and client briefings to the maritime legal community and delivers IML in-house training to law firms and commodity houses. He is also a consultant with Campbell Johnston Clark Ltd in London.



Dr Alexandros Ntovas

Lecturer in Law

Alexandros has practiced public and administrative law, and currently is a Lecturer at the University of Southampton Law School where he teaches on Public International Law, International Law of the Sea, and European Union Law, as well as on other modules dealing with marine law and international environmental law. Maritime labour law, laid-up ships and the regulation of decommission of platforms and offshore installations reflect some of the professional areas that he is currently involved in. He maintains a strong presence at international conferences, and has published, among others, with Cambridge University Press, Oxford University Press, Brill and Martinus Nijhoff in various areas of law.

In particular this year, Alexandros completed a monograph relating to the *Compulsory settlement of compatibility fishery disputes*, which is set to be published early in 2016 by Martinus Nijhoff Publishers (Leiden) and BRILL (Boston). As well as this, he has contributed chapters to several books. These published in 2015 include a chapter for the Brussels Commentary on Transportation Law, entitled: “Regulation 725/2004 (31 March 2004) of the European Parliament and the Council on enhancing ship and port facility security, as amended by the Commission Decision of 23 January 2009”, published in October by Kooperationswerke Beck (Munich).

Earlier this year, he authored the introductory note on the Maritime Labour Convention (2006) in the *International Legal Materials*, which is a supplement to the prestigious *American Journal of International Law*. In July 2015, Alexandros appeared in the investigative documentary *Qui contrôle la mer?* (directed by Baudouin Koenig), when he was interviewed for matters considering maritime security in the context of globalisation and the economy of the sea. On the same theme, this year he also completed a chapter on “Contemporary piracy as international threat”, which will be published in the edited collection *Security and International Law* by Hart (Oxford) in April 2016. Finally, Alexandros has been one of the co-investigators for the project on the Liability for Operations in Unmanned Maritime Vehicles with Differing Levels of Autonomy, commissioned by the European Defence Agency, and for the Sea Traffic Management under the aegis of the European Commission and the Swedish Maritime Administration.



Professor Francis Rose

Professor of Maritime and
Commercial Law

Francis Rose is General Editor of Lloyd's Maritime and Commercial Law Quarterly and the International Maritime and Commercial Law Yearbook. He also edits the Restitution Law Review and was Editor-in-Chief of the Company, Financial and Insolvency Law Review (now the Journal of Corporate Law Studies), both of which journals he founded.

He is the author of books on Marine Insurance, Salvage and Pilotage and is currently writing a new book on Admiralty Claims. In due course, all of these books will be complemented by coverage of Carriage of Goods by Sea (to begin with the eponymous chapter in the encyclopaedic English Private Law) and then remaining topics, with a view to an eventual complete publication of the principles and rules of Maritime Law.



Filip Saranovic

Lecturer in Law

Filip is a Lecturer in Maritime Law and a Member of the Institute of Maritime Law at the University of Southampton. During the 2014-15 academic year he was the module leader for the LLB and LLM module Commercial Conflict of Laws and International Litigation. He was previously a Graduate Teaching Assistant for the LLM module International Commercial Litigation at the University of Cambridge.

Filip's research interests are primarily in the fields of private international law, commercial litigation and maritime law. He is in the process of finalising his doctoral thesis on the private international law aspects of freezing injunctions and is supervised by Dr Pippa Rogerson (University of Cambridge). During his doctoral research Filip was also a Visiting Researcher at Harvard Law School focusing on the theoretical foundations of jurisdiction and asset preservation relief including pre-judgment attachment and preliminary injunctions.

Filip presented a paper on the international scope of freezing injunctions after the Recast Regulation at the conference "Jurisdiction and Arbitration in Commercial and Maritime disputes after the Recast Regulation" organised by the Institute of Maritime Law, University of Southampton, at the London office of Reed Smith LLP. He presented a paper on "Freezing Injunctions" at the 42nd Maritime Law Short Course in September 2015.



Professor Andrew Serdy

Professor of Public International
Law & Ocean Governance

Andrew was promoted to a personal chair with effect from August 2015 and has taken the title Professor of Public International Law and Ocean Governance. His monograph “The New Entrants Problem in International Fisheries Law” was published by Cambridge University Press in July 2015.

He has also written a chapter entitled “Delineation of the Outer Limits of Canada’s Arctic Ocean Continental Shelf and its Delimitation with Neighbouring States: Does it Matter which Comes First?”, in S. Lalonde and T.L. McDorman (eds), *International Law and Politics of the Arctic Ocean: Essays in Honor of Donat Pharand* (Leiden/Boston: Brill Nijhoff, 2015).

He has also contributed via two subcontracts between the Institute and Marine Resources Assessment Group Ltd to a report for the Committee on Environment, Public Health and Food Safety of the European Parliament “Towards a Possible International Agreement on Marine Biodiversity in Areas Beyond National Jurisdiction” (November 2014, with J. Gille, S. Hodgson and I. Payne), as well as to a study to investigate the state of knowledge on deep-sea mining, for the European Commission’s DG MARE (June 2015).

In addition, during 2015 Andrew delivered papers at conferences in Dundee in May on transboundary marine pollution, in York in September on inferences on the merits of the Southern Bluefin Tuna arbitration (never reached because the case was dismissed on jurisdictional grounds) in the light of the International Court of Justice’s judgment in the Whaling case, and later that month was an invited speaker on the topic of the *pacta tertiis* rule and regional fisheries management mechanisms at the K.G. Jebsen Centre for the Law of the Sea workshop “Persistent Challenges and Recent Developments in International Fisheries Law” at the University of Tromsø.

Andrew also has been participating as a co-investigator in the ongoing European Defence Agency project “Liability for operations in Unmanned Maritime Vehicles with Differing Levels of Autonomy” in which the Institute has a significant stake.



Professor Hilton Staniland

Professor of Maritime Law

Hilton Staniland has continued to conduct research into the payment of wages of seafarers held hostage by pirates as well as their rights under the Maritime Labour Convention 2006.

The fair treatment of seafarers in the event of a maritime casualty continues to attract Hilton's attention, especially in the light of the Costa Concordia and the Sewol tragedies. He continues to work closely with various parties at the IMO to ensure as far as possible that the IMO's guidelines on the fair treatment of seafarers is respected internationally. Hilton is currently sitting as a judge in Court of Marine Enquiry concerned with the loss of 14 lives and a vessel.

Hilton also completed a chapter on "Admiralty Law" in the Annual Survey of South African Law 2013, dealing with the 1992 CLC and FUND Conventions, the sale of ships pendite lite and marine notices issued by the South African Maritime Safety Authority.



Professor Paul Todd

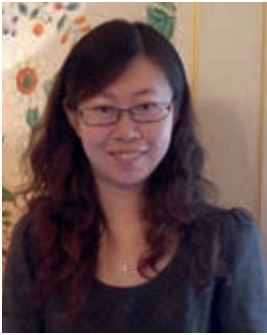
Professor of Commercial and
Maritime Law

Paul Todd joined Southampton University, and the IML, in 2012, and has been on the Governing Board from 2012-2015. He obtained his BCL from Oxford in 1976, and has taught since then, at Cardiff, Swansea and Plymouth, before taking up his present post.

Paul has written a number of books, including *Bills of Lading and Bankers' Documentary Credits*, *Maritime Fraud and Cases* and *Materials on International Trade Law*. This year, he has been working on *Principles of Carriage of Goods by Sea*, which will be published late in 2015.

Paul is Shipping Law Editor of the *Journal of Business Law*, and has written widely there, and in *Lloyd's Maritime and Commercial Law Quarterly*. In the last year, he published "Incorporation of charterparty terms by general words" in the *Journal of Business Law*, and a number of short pieces on current developments in the law, in *Lloyd's Maritime and Commercial Law Quarterly*.

During 2014-2015, Paul was the Admissions Tutor for the LL.M. He spoke at the 42nd Maritime Law Short Course this summer, contributed to the CIF and FOB conference, and delivered in-house lectures at RAETS Marine (Rotterdam) and Hill Dickinson.



Dr Jenny Jingbo Zhang

Lecturer in Commercial and
Maritime law

Jenny joined the Institute in March 2014, following her appointment as a Lecturer in Maritime Law at the University of Southampton. After completing both LL.B in Law and BA in Economics degrees from the Southwest University of Political Science and Law in China, Jenny had moved to Southampton reading LL.M in Maritime Law and subsequently completed her PhD research in “Document Examination and Rejection under UCP600”. She was conferred the 2013 Outstanding Overseas Doctorate Researcher Award by the Chinese Scholarship Council, affiliated with the Chinese Education Ministry.

Jenny contributed a chapter on “Cargo Insurance Documents in Letters of Credit” in the book “Insurance Law in China” edited by Johanna Hjalmarsson and Dingjing Huang, published by Informa Law from Routledge in December 2014. With the aid of collective papers presented at the English-Chinese Maritime Law Conference jointly organised by Southampton Institute of Maritime Law, Norton Rose Fulbright LLP and Greenwich China Maritime Centre in 2014, Jenny and Johanna Hjalmarsson have successfully secured a book contract regarding Emerging Issues and Future Developments in Chinese Maritime Law, which is to be published in the end of 2015. Earlier this year, Jenny visited China on behalf of Southampton Law School. She delivered a lecture entitled “Transfer of Risk in International Commercial Sales under English Law” to Tsinghua University, Xiamen University and Dalian Maritime University respectively. Jenny was also invited to give a talk regarding “Transport Document and Bank’s Security” at the BIT’s 4th Annual World Congress of Ocean, which is to be held in Qingdao 2015.

Senior Research Fellows

A distinguished panel of Senior Research Fellows who represent various aspects of the legal and maritime service industry contribute further to the expertise and practical insight of the IML.



Richard Coles

Richard Coles was appointed as a Visiting Fellow in April 2015 following his retirement as a partner at Gateley LLP (and before that at Shaw and Croft) after 41 years in private practice as a maritime and commercial lawyer in the City of London. He is the author of *Ship Registration: Law and Practice* first published in 2002 in the Lloyd's Shipping Law Library series, the second edition of which (produced jointly with Ed Watt) followed in 2009. He is also, with Filippo Lorenzon, the joint author/editor of *The Law of Yachts and Yachting* published by Informa in 2012.

Richard has contributed to the IML's Wednesday afternoon Practitioner Programme for the last two years and will continue to do so during the 2015/16 academic year. In February 2015 Richard spoke at the MYBA Superyacht Brokers' Seminar and two MYBA Advanced Seminars for yacht brokers dealing with Sale and Purchase and Charters, respectively. More recently, he has updated his chapter on Ship Registration published by Westlaw UK Insight.

Richard remains a Consultant with Gateley Plc, providing legal advice in connection with construction, ownership and operation of superyachts in particular. He was also recently appointed a member of the Cayman Islands Shipowners' Advisory Council - Yacht Committee.



John Dunt

John Dunt has recently completed writing the 2nd edition of *Marine Cargo Insurance*, first published in 2009 by Informa as part of the Lloyd's Shipping Law Library. The second edition has been completely revised to include, in particular, the Insurance Act 2015, the decision of the Supreme Court in *The Cendor MOPU*, and the proposals by the Law Commissions for amendments in marine insurance law.

John has written a chapter (with William Melbourne) on the impact of *The Cendor MOPU* on cargo insurance published in Volume 4 of *The Modern Law of Marine Insurance* (edited by Prof. D. Rhidian Thomas).

John remains a member of the Joint Cargo Committee Steering Group overseeing the revisions to the Institute Commodity Trade and other ancillary Clauses, the final drafts of which are being revived by the insurance markets before being published on the Lloyd's Market Associations website.

In September 2015 John contributed to the sessions on marine insurance at the 42nd Maritime Law Short Course, focusing on cargo insurance with particular reference to the Institute Cargo Clauses 2009.

In addition, John has been engaged in consultancy for the Institute on marine cargo insurance issues. As a consultant with Clyde & Co LLP, John continues to be actively involved in advising on current marine insurance matters.



Kathleen Goddard

Kathleen is an academic who now devotes her time to research and writing. Recently she has been conducting research into the legal issues affecting merchant shipping resulting from mixed migration by sea. In June 2014 she gave a paper entitled *'Boat Refugees' and Migrants at Sea: A Commercial Perspective* at a conference at the University of London. A revised version of this paper will be published in 2016.

Kathleen co-organised a workshop for the Institute of Maritime Law entitled *Boat People: Some Legal and Practical Considerations relating to Migration by Sea* which took place on 30 September 2015. She presented a paper at the workshop entitled *Rescuing 'boat people': the impact on merchant shipping in relation to contracts for the carriage of goods by sea*.

Kathleen is currently continuing her research into the legal issues raised by the boat people crisis, and is also developing her interest in maritime legal history.



Captain Richard Pilley

Captain Richard Pilley, who retired some time ago as a Director of Thomas Miller P&I, continues as an active member of the Governing Board of the IML. He has lectured regularly on the Maritime Law Short Course, including conducting a tour of Southampton docks. He has also regularly fostered links with all the maritime professions.

He has also contributed as a co-author, to the IML publication "Maritime Law" (edited by Yvonne Baatz) published in August 2014 which is soon to be updated. Captain Pilley is a Younger Brother of Trinity House. Captain Richard Pilley also draws on his experience in command at sea to give a perceptive commentary on the ships in port when the LLM students and Short Course delegates are taken on a passenger boat around Southampton Water.

Senior Research Assistants



Mateusz Bek

Matt graduated from the University of Southampton with both an LL.B. Law and an LL.M. Maritime Law degrees. He subsequently became a Research Fellow with the Southampton Law School before finally joining the Institute of Maritime Law as a Senior Research Assistant in October 2013. He is currently a member of the Insurance Law Research Group.

Matt possesses an extensive mootng background, having competed both nationally and internationally, occasionally appearing as a judge or arbitrator. He has coached the university mediation and IMLAM mootng teams for the past two years.

Apart from publishing papers in various journals, Matt has notably written a chapter for the Brussels Commentary on Transportation Law addressing the issues related to port security. He has contributed to the second edition of Singapore Arbitration Legislation Annotated alongside Professor Robert Merkin QC and Johanna Hjalmarsson. Together with Johanna, he has also penned a chapter for Insurance Law in China regarding development of catastrophe insurance in an emerging market. Over the last year, Matt has assisted John Dunt in the preparation of the second edition of Marine Cargo Insurance.

Matt left the IML in early September to commence a training contract with a leading international shipping firm.



Dr Aysegul Bugra

Aysegul obtained her Ph.D. in 2014 with her thesis entitled 'Delay in Marine Insurance Law'.

In 2014, Aysegul wrote two articles for Shipping & Trade Law, regarding breach of deadweight warranty, and freezing injunction against IOPC Fund, respectively. She also co-authored a book review of Consumer Insurance Law: Disclosure, Representations and Basis of Contract Clauses, with Johanna Hjalmarsson. This was published by Lloyd's Maritime and Commercial Law Quarterly in 2014.

Together with Johanna Hjalmarsson, Jennifer Lavelle and Rob Merkin, Aysegul contributed to the fifth edition of Marine Insurance Legislation, which was published by Routledge for the Lloyd's Shipping Law Library. Her latest article "Thoughts on the Salvage Convention 1989 and Turkish law" appeared in the inaugural issue of Turkish Commercial Law Review in 2015.

She acted as a Tutor on the Insurance Contract Law (LLB) and Insurance Law (LLM) modules in 2014-2015 academic year.

She is a national editor for AviationLaw.EU, a free, in-depth reference point for those with an interest in aviation law.

Aysegul left the IML in late summer to take up an Assistant Professorship position at Koç University in Istanbul.



Robert Veal

Robert re-joined the Institute in August 2014. In the first months of his second spell he drafted and coordinated the successful bid for the 12-month research project “Liability for Operations in Unmanned Maritime Vehicles with Differing Levels of Autonomy” on behalf of the European Defence Agency. The project considers legal liability in respect of vehicles navigating at sea without an on-board human operator i.e. vehicles which are either remotely-operated or pre-programmed to navigate autonomously. The project considers the applicability to such vehicles of, e.g., UNCLOS, SOLAS, COLREGS, STCW, LLMC, the Salvage Convention and the Merchant Shipping Act 1995. The work is primarily being undertaken by Robert, Professor Michael Tsimplis, Professor Andrew Serdy and Dr. Alexandros Ntovas. Collaborating partners include those from Lloyd’s Register and the National Oceanography Centre.

In March 2015 Robert presented his paper “The Recast Regulation and its Relationship with other International Conventions” at the one-day CPD conference “Jurisdiction and Arbitration in Commercial and Maritime Disputes after the Recast Regulation”. The conference was hosted by Reed Smith, London and was coordinated by Professor Yvonne Baatz.

Robert has continued to publish articles since his return to the Institute, focussing on the conflict of laws. In particular he has written about the lengthy Alexandros T litigation, the position in respect of the incorporation of jurisdiction agreements into bills of lading after *The Channel Ranger* [2014] EWCA Civ 1366 and the validity of asymmetric jurisdiction agreements under Regulation 1215/2012 (recast) after *Rothschild*. Robert has also assisted Professor Yvonne Baatz with the research for her forthcoming text on maritime conflict of laws.

Lectures, Conferences and Seminars

Institute members travelled worldwide throughout the year to deliver lectures and attend various conferences. Although based in Southampton, the Institute has delivered conferences as far away as Brazil and Australia, working alongside other leading academics and maritime industry professionals.

Many of the Institute members taught at the 7th Singapore Short Course in May and the 42nd Maritime Law Short Course in Southampton. Together, these courses welcomed almost 60 delegates from over 17 countries. Institute members also spoke at the IML's one-day Commercial Law Conference in June, which was held in the City and saw almost one hundred delegates attend.

In November 2014, Professor Filippo Lorenzon spent a week in Brazil where he spoke at conferences in Sao Paulo and Rio de Janeiro. He delivered the keynote speech to the judges of the Tribunal Marítimo Federal do Brazil, and spoke on a number of topics including risks in CIF & FOB sales, P&I clubs, incoterms, chartering in the oil business and charterparties.

In March 2015, Dr Özlem Gürses delivered a seminar in Singapore entitled "The English Insurance Law Reform- Insurance Act 2015". In May she taught marine insurance at the Tulane University Summer Abroad Programme in Rhodes. She also taught an intensive course on English contract law at Hamburg University Law Faculty in April 2015.

Professor Yvonne Baatz spoke at the Arbitration & Private International Law Conference in Edinburgh in February 2015, where she delivered a paper on enforcement of judgments in civil and commercial matters and its interface with the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards.

In April 2015, Institute Director Professor Mikis Tsimplis taught on issues on limitation of liability at Koç Üniversitesi in Istanbul. He also attended the International Conference on The Hong Kong Maritime Law Forum in November 2014, where he discussed the implementation of the Nairobi Wreck Removal Convention of 2007. Professor Mikis discussed wreck removal further at the XIXth International Congress – IIDM in Lisbon in November 2014, where he also taught on UE regulation and applicable law in relation to liability limitation. Professor Filippo Lorenzon also attended, where he delivered his paper on third party BL holders' liabilities.

In May 2015, Professor James Davey attended the Sir Ninian Stevens Insurance Law Masterclass in Perth, Australia. Here, he led two talks on proof in insurance disputes, and materiality, proportionality and Human Rights in the UK Supreme Court, respectively. In November 2015, Dr Jenny Zhang will deliver a paper on transport documents and third parties' security at the Annual World Congress of Ocean in Qingdao, China.

Professor Andrew Serdy has delivered papers at conferences in Dundee in May, in York in September on and later that month was an invited speaker at the University of Tromsø.

Kathy Goddard has organised a work shop on Boat People, which took place in September 2015 at the University of Southampton. In November 2015, Professor Filippo Lorenzon and Richard Coles will be teaching at the second edition of the Institute's Law of Yachts and Yachting course, to be held at the The Honourable Artillery Company, London.



33rd Donald O'May Lecture in Maritime Law

The 33rd Annual Donald O'May Lecture will take place on 4th November 2015 and the Vote of Thanks delivered by Joe O'Keeffe, Partner at Ince & Co.

This year's lecture will be delivered by the recently retired Commercial Court Judge, Sir Bernard Eder, who will be delivering a lecture entitled: "The construction of shipping and marine insurance contracts: why is it so difficult?". The Chair Person for the evening will be Kees van der Klugt, Director of Legal & Compliance, Lloyd's Market Association.

Wednesday Lecture Series

The Institute of Maritime Law is proud to have a close involvement with the University of Southampton's one-year LL.M. course in Maritime Law. One of the main ways in which a rapport with LL.M. students is achieved is through a popular series of lectures by visiting practitioners. These take place every Wednesday afternoon throughout the autumn and spring terms. The Spring Programme usually includes a boat trip around the Southampton Docks.

The lecturers are all from the shipping and marine insurance industries, and aim to give our students an insight into how the legal principles studied in their LL.M. programme are put into practice in the world of shipping and international trade.

The lecturers are organised by Institute member Professor Paul Todd.



Research

Consistently ranked among the highest in their field, the Institute's members conduct research throughout the year and publish their findings in world leading maritime law publications, often quoted by international news agencies, in industry publications, and in law cases.

Books

Dr Johanna Hjalmarsson and Dr Jenny Zhang have published **Maritime Law in China**, and Johanna has also edited **Insurance Law in China** with Dingjing Huang.

Dr Aysegul Bugra and Dr Johanna Hjalmarsson worked with Rob Merkin and Dr Jennifer Lavelle to publish the fifth edition of **Marine Insurance Legislation**.

Dr Alexandros Ntovas has completed a book entitled **The compulsory settlement of compatibility fishery disputes** which is set to be published early 2016.

John Dunt has co-authored a chapter on **"The impact of The Cendor MOPU on the Institute Cargo Clauses"** in volume 4 of **The Modern Law of Marine Insurance**, which will be published in 2015.

Dr Alexandros Ntovas has written a chapter for the **Brussels Commentary on Transportation Law**, which is set to be published soon. He has also contributed a chapter on **"Contemporary piracy as international threat"** in **Security and International Law**, which was published this year.

Professor Andrew Serdy has contributed an essay to **International Law and Politics of the Arctic Ocean: Essays in Honor of Donat Pharand**, which was published this year.

Articles

Professor Yvonne Baatz has produced an editorial on **"Changes to jurisdiction in the courts of EU Member States from January 2015"**, which is set to be published in the *Journal of International Maritime Law*. She has also written **"Should Third Parties be Bound by Arbitration Clauses in Bills of Lading?"** which was published in *Lloyd's Maritime and Commercial Law Quarterly*.

Dr Özlem Gürses has co-authored an article entitled **"The Insurance Act 2015: Rebalancing the Interests of Insurer and Assured"** which will be published in the *Modern Law Review* this year.

Professor James Davey has written an article on **"Romalpa and contractual innovation"** for the *Journal of Law and Society*, and he has co-authored an article entitled **"Deterrence, human rights & illegality: the forfeiture rule in insurance contract law"**, which is set to be published by *Lloyd's Maritime and Commercial Law Quarterly* by the end of 2015.

The Philippa Kaye Library

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The Institute of Maritime Law is proud to house the Philippa Kay Library in Maritime Law, a unique and comprehensive collection of texts relating to the world of maritime law and its complexities. The library is available to visiting scholars and maritime specialists, as well as postgraduate students from the University of Southampton. Leading academics from around the world and practitioners from the City regularly visit the library to benefit from its specialist volumes and the support of our Institute Librarian. The library also boasts a reading room, where over 40 journal titles are on regular subscription and a significant amount of IMO and UNCTAD documentation is available.

Although not a lending library, visitors can apply for extended access to materials and private study offices can be arranged on a long term basis. Please consult the Visitor Applications information on our website for further information.

Visitors to the library this year have included representatives from Italy, Turkey, China, Nigeria, Uganda, Oman, Georgia and Spain.

In September 2010 the library was awarded depository library status for the International Civil Aviation Organisation (ICAO). All ICAO material is available free of charge to the public for reference by appointment.

The library was renamed in 2001 in memory of Philippa Kaye, a former undergraduate and postgraduate student in the Faculty of Law at the University of Southampton, a research assistant at the IML and subsequently a solicitor at Ince & co.



Institute Librarian

Sara Le Bas

Sara Le Bas has been the Institute Librarian since 1993. Her in-depth knowledge of the Institute Library and holdings is unparalleled. Members and visitors alike benefit from her ability to source any required materials and record new works on our bespoke Library catalogue.

Sara is a qualified Librarian with a BSc in Librarianship from Loughborough University.

The team

Professor Michael Tsimplis
Director

Professor Yvonne Baatz

Mr Richard Coles

Professor James Davey

Mr John Dunt

Dr Kathleen Goddard

Dr Özlem Gürses

Dr Johanna Hjalmarsson

Professor Filippo Lorenzon

Dr Alexandros Ntovas

Captain Richard Pilley

Professor Francis Rose

Mr Filip Saranovic

Professor Andrew Serdy

Professor Hilton Staniland

Professor Paul Todd

Dr Jenny Zhang

Mr Mateusz Bek
Senior Research Assistant

Dr Aysegul Bugra
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