

# REPORT of ACTIVITIES 2009

The  
Institute of  
Shipping and  
Trade Law  
Swansea University  
Prifysgol Abertawe

## DIRECTOR'S REPORT

The position and objectives of the Institute are now well established and the internal and external demands made upon it in respect of its research and expert services continue unabated. This Report again provides manifest evidence of the energy and creativity which has become the hallmark of the Institute.

Of all the activities it is engaged upon none is more important than its commitment to research and the enhancement of scholarship. In this it does not stand alone, but it does seek to occupy the high ground. In 2009 research of the highest calibre has again been published by members of the Institute in relation to a range of subject areas. The Institute also organised and participated in national and international colloquia, conferences and other fora which have addressed contemporary developments of the utmost significance. High quality research is not only of innate value but also permeates into quality teaching and training, and into the development of prudent policy. There is no better example of this than the response of the Institute to the proposed Rotterdam Rules, in respect of which members have made a significant contribution to the analysis of the provisions of this potentially troublesome proposal emanating from UNCITRAL. The Fifth Institute International Colloquium in September was devoted to this topic: members of the Institute were responsible for editing and contributing to the first book to appear on the subject (see New Books Edited by the Director), have also published articles in the journal literature, participated and delivered papers in several international conferences addressing the Rules, and contributed to the deliberations of the Consultative Committee established by the UK Government. By any measure this has been an immense and valuable response which has been achieved not only by harnessing the intellectual resources of the Institute membership but also by providing leadership to and coordinating the resources of the wider academic and professional communities. The response is not at an end for the research is continuing and publications and other contributions to the development of sound policy will continue to flow from the membership.

A development which also merits to be highlighted is the broadening of the Institute's research interests to include public international law of the sea to the extent that it impinges on shipping. This is an exciting development with very broad parameters and which raises myriad issues of policy highly relevant to the shipping industry. The development is firmly founded upon the special research interests of members and an institutional commitment to make a significant contribution to regional and international policy making. The programme of the Sixth Institute International Colloquium in September 2010 will be devoted to this sector of maritime law, which event will also serve to accelerate the Institute's association with a broad approach to international shipping law and policy.

Any institute is only as good as its membership; the success of the IISTL in 2009 was a direct result of the commitment and industry of its members for which I am, as its Director, very appreciative.

Professor D Rhidian Thomas

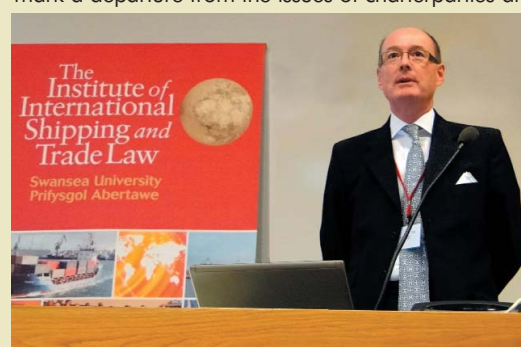
## COLLOQUIUM EXPLORES THE ROTTERDAM RULES ON THE EVE OF THE NEW REGIME

On 10-11 September 2009, the Institute held its flagship research event of the academic year, - a major international Colloquium on the Rotterdam Rules - at Swansea University. Given that the Ceremony marking the Signature of the Rules was to take place later in the month, the Colloquium provided an important opportunity for debate on the implications of the new regime within a variety of common law and civil law jurisdictions. The Colloquium was very well attended by delegates drawn from many countries and backgrounds and provided valuable networking possibilities as well as the opportunity to participate in a forensic analysis of key aspects of the letter and practice of the Rules, led by leading international specialists and prominent commentators who provided a balance of high quality papers from academia, legal practice and policy administration. The academic programme was complemented by a lively series of social events, culminating in the annual Colloquium dinner convened in the elegant surroundings of Sketty Hall.

The following papers were delivered at the Colloquium:

- Mr Simon Baughen, University of Bristol - *"Duty to Deliver Cargo and Consequences of Misdelivery"*
- Mr Julian Clark, Holman Fenwick and Willan - *"Exclusions of Liability"*
- Professor Ralph de Wit, Van Dooselaere Advocaten, Antwerp; University of Antwerp - *"Multimodal Transport under the Rotterdam Rules"*
- Mr Michael Harakis, UK Government Legal Services - *"From Treaty to Trial - The Implementation of the Rotterdam Rules"*
- Dr Susan Hodges and Mr David Glass, Cardiff University - *"Deck Cargo"*
- Professor Marc Huybrechts, University of Antwerp - *"Limitation of Liability"*
- Mr Robert Gay, Hill Dickinson LLP - *"Jurisdiction Clauses and Arbitration Agreements"*
- Dr Nick Margetson, University of Amsterdam - *"The Division of the Burden of Proof"*
- Mr David Martin-Clark, Stone Chambers - *"Electronic Documents under the Rotterdam Rules"*
- Mr Andrew Nicholas, Clyde & Co- *Duties of Carriers - "Duties of Carriers - Care and Seaworthiness"*
- Dr Theodora Nikaki, IISTL, Swansea University - *"Himalaya Clauses - The Impact of the Rotterdam Rules"*
- Mr Simon Rainey Q.C., Quadrant Chambers - *"Interpreting the International Conventions"*
- Emeritus Professor Francis Reynolds Q.C., University of Oxford - *"Transport Documents"*
- Mr Frank Stevens, Roosendaal Kezer Advocaten, Antwerp - *"Duties of Shippers"*
- Professor Andrew Tettenborn, Exeter University - *"Freedom of Contracts within the Province of the International Conventions"*
- Professor D.Rhidian Thomas, IISTL, Swansea University - *"The Application of the International Convention"*

The forthcoming Sixth Colloquium, scheduled for September 2010, will mark a departure from the issues of charterparties and cargo claims



Mr Simon Rainey Q.C., Quadrant Chambers  
delivering his paper during the Colloquium

explored in the recent past and will adopt a more public dimension, addressing new uses of the seas and their implications to international shipping and navigation. The Institute looks forward to extending its customary warm welcome to delegates at this event.

# PROFESSIONAL TRAINING

The members of the Institute continue to serve the training needs of international shipping organisations and companies, and City international law firms in various ways. Members of the Institute participated in the following professional training courses in 2009:

## BIMCO Courses

The Director and Professors Richard Williams and Barış Soyer provided specialist masterclasses for BIMCO (the world's largest shipowners' organisation) in London, Hamburg, Nice, Geneva and Singapore on a range of subjects including bills of lading, marine cargo claims, time charter parties and dry cargo laytime/demurrage. Professor Williams also conducted a specialist Case Study course for BIMCO in Athens, participated at the BIMCO Summer School in Copenhagen and delivered a paper on the Rotterdam Rules at the BIMCO 39 meeting in Singapore.

## Rasgas Qatar

The Director and Professor Richard Williams organised in-house legal training courses on charterparties, bills of lading and related topics for Rasgas personnel in Doha.

## Shipping Foundation Courses for City Consortium of Law Firms

Members of the Institute provided Foundation Courses on marine insurance, bills of lading and charterparties for a consortium of six City international law firms, attended by trainees and newly qualified solicitors. The lectures were delivered by the Director, and Professors Richard Williams and Barış Soyer.

## Lloyds Maritime Academy (LMA, Informa London)

Professor Richard Williams chaired and gave lectures on various topics at a number of Masterclasses in London relating to bills of lading and charterparties.

## IBC (Asia)

Professor Richard Williams gave lectures on Charterparties at events organised by IBC (Asia) in Hong Kong, Bangkok and Singapore.

## Cambridge Academy of Transport (CAT)

Professor Richard Williams gave lectures in London and Cambridge on various topics related to bills of lading and charterparties at specialist courses organised by CAT for the shipping industry.

# STRENGTHENING INTERNATIONAL LINKS AND ADVANCING NEW SCHOLARSHIP

In recent years, the Institute has enjoyed a strong and mutually-supportive working relationship with a number of key universities around the globe which pride themselves in having a particular specialisation in the field of maritime law.

In June 2009, this cooperation took a further important step forward with the staging in Shanghai of an International Symposium, organised jointly by the Shanghai Maritime University and the Institute, the former being one of China's most significant educational and research institutions specialising in maritime affairs. This highly successful event, entitled "Recent Developments in Carriage of Goods by Sea: The Rotterdam Rules and Charterparties", provided a timely opportunity to reflect upon the importance of the Rotterdam Rules within the vital shipping market of South-East Asia.

In view of the importance that the topic and the region has for the conduct of future shipping trade, the Symposium attracted considerable support. The participants - renowned specialists in the field - included representatives drawn from academia, the world of arbitration, the judiciary and prominent law firms and generated much food for thought on a number of key issues. The Symposium opened with a review of the new legal landscape and a learned analysis of the main provisions of the Rotterdam Rules by a number of leading



Image: Professor Williams (Institute of International Shipping and Trade Law, Swansea University) delivering his paper. Also on the panel from left to right: Professor Barış Soyer (Institute of International Shipping and Trade Law, Swansea University); Professor Zhengliang Hu (Director of the Institute of Maritime Law, Shanghai Maritime University) and Professor Marc Huybrechts (Antwerp University)



From left to right: Professor Shicheng Yu (President of the Shanghai Maritime University), Professor Zhangliang Hu (Director of Institute of Maritime Law, Shanghai Maritime University) and Professor D. Rhidian Thomas (Director of the Institute of International Shipping and Trade Law, Swansea University) during the Opening Session of the Event.

commentators such as Professor Gertjan van der Ziel (Erasmus University), Professor Hyeon Kim (Korea University); Professor Zhengliang Hu (Shanghai Maritime University); Professor Marc Huybrechts (University of Antwerp), as well as by members of the Institute. The second day provided an opportunity to debate the legal implications of various charterparty disputes which have arisen as a result of the current turmoil in international financial markets. The key speakers on the second day were: Mr Peter Murray (Chief Representative, Ince & Co Shanghai Office) (*Duration of time charterparties*); Professor Hongxiu Yao (Shanghai Maritime University) (*Possible self-help remedies for non payment of hire*); Dr Yingying Zou (Shanghai Maritime University) (*Breach of time charterparties - assessment of damages*); Professor Richard Williams (Institute of International Shipping and Trade Law) (*The Letter of indemnity and its role in chartering operations*); Professor D Rhidian Thomas (Director of the Institute of International Shipping and Trade Law) (*The impact of piracy/terrorism on chartering operations*); Mr Philip Yang (Maritime Arbitrator, Hong Kong) (*Arbitration of charterparty disputes in Hong Kong*) and Captain Fook Choon Lee (Maritime Arbitrator, Singapore) (*Arbitration of charterparty disputes in Singapore*).

The success of the Symposium was warmly acknowledged by the delegates and it is envisaged that a similar event will be organised in the near future with our colleagues at Shanghai Maritime University.

# VISITING SPEAKERS

Each year the Institute organises a series of visiting lectures for the benefit of its members, PhD students and, on occasions, LLM students studying trade and maritime law subjects. During 2009, the following distinguished Visiting Speakers delivered lectures:

Simon Baughen (Reader in Law, University of Bristol) *The Impact of Rotterdam Rules on Our Law*

Ian Derrick (Deputy Agent of the Bank of England - Agency for Wales) *An Update on the UK and World Economy*

Dr Miriam Goldby (Lecturer, University of Surrey) *Electronic Commerce and Transport Documents*

Michael Harakis (English Law Commission) *Late Payment in Insurance Law*

Dr Tore Henriksen (Associate Professor at the University of Tromsø (Norway)) *The Arctic Ocean and the Law of the Sea*

Professor Marc A. Huybrechts (Emeritus Professor, University of Leuven & Antwerp) *A Reflection on the Autonomy of Maritime Law*

Dr Michael Koebele (Crowell Moring LLP, Brussels and Heidelberg Center for Latin America, Santiago, Chile) - *Animal Welfare In The World Trade Organization - The Trade Dispute Over Seals Between Canada And The EU*

Richard Neylon (Solicitor, Holman Fenwick Willan LLP) - *Piracy in Somalia - How to Resolve the Hijacking of A Ship: A Maritime Lawyer's Perspective*

Nick Platt (Vice President and Special Adviser of the Gard P & I Club (UK) Ltd) - *P & I Clubs and their Function*

Hugh Shaw The Secretary of State's Representative for Maritime Salvage and Intervention (SOSREP) - *Maritime Casualties in UK Waters and the Role of the SOSREP*

# RESEARCH PUBLICATIONS

**Professor D. Rhidian Thomas** contributed Chapter 1 (pp 1-33) titled 'The Evolving Flexibility of Voyage Charterparties' to *The Evolving Law and Practice of Voyage Charterparties* (Informa International, 2009). He also contributed Chapter 2 (pp 52-88) titled 'An Analysis of the Liability Regime of Carriers and Maritime Performing Parties' to *A New Convention for the Carriage of Goods by Sea - The Rotterdam Rules* (Lawtext Publishing, 2009). Again he was the contributor of Chapter 2 (pp 11-42) titled 'The Concept and Measure of Indemnity in Marine Insurance' to the third volume of the *Modern Law of Marine Insurance* (Informa International, 2009). Professor Thomas was the editor of all of these books. He was also the author of several editorials and case analyses published in the *Journal of International Maritime Law* in 2009.

Professor Thomas' current research includes an analysis of special liability regimes under international sea transport conventions and the transfer of contractual rights under the Rotterdam Rules.

**Professor Barış Soyer** published three articles this year on various aspects of commercial and maritime law: 'Warranties in Commercial Insurance Contracts - Is the Time Ripe for a Reconsideration of Their Contractual Status?' (2009) *Journal of Contract Law* 168 - 186; 'Reforming Pre-Contractual Information Duties in Business Insurance Contracts: One Reform too Many?' (2009) *Journal of Business Law* 15 - 43 and 'Ship-sourced Oil Pollution and Pure Economic Loss: The Quest for Overarching Principles' (2009) *Torts Law Journal* 270-294. He also contributed Chapter 7 (pp 149 -176) titled 'Coverage against Unlawful Acts in Contemporary Marine Policies' to the third volume of the *Modern Law of Marine Insurance* (Informa International, 2009). Professor Soyer is currently working on the doctrine of continuing good faith in insurance contracts.

**Professor Richard Williams** contributed Chapter 8 (pp190-281) titled, 'Transport Documentation - the New Approach' in the book titled *A New Convention for the Carriage of Goods by Sea - the Rotterdam Rules* (Lawtext Publishing, 2009). He also published an article in the *Shanghai Maritime University Law Review* titled 'Transport Documents and Electronic Documents' and another article in the *Journal of International Maritime Law* titled 'Letters of Indemnity' 394-411. Professor Williams is currently working on a Gard publication relating to maritime claims and on various features of charterparties and the New UNCITRAL Convention.

**Mr Richard Caddell** published an article entitled 'Nature Conservation in Estonia: From Soviet Union to European Union' (2009) 40 *Journal of Baltic Studies* 307-332, which had been commissioned by the British Association of Slavonic and East European Studies for a special issue of the journal, commemorating the twentieth anniversary of the Phosphate Spring protests that eventually led to the independence of the Baltic States from the Soviet Union. This paper will be published as a book chapter in David Galbreath (ed.), *Contemporary Environmentalism in the Baltic States: From Phosphate Spring to Nordsteam* (Abingdon: Routledge, 2010). He also published a casenote in the *JIML* 'Expanding the Ambit of Liability for Oil Pollution from Tankers: The Charterer's Position under EU Law' (2009) 15 *JIML* 219-223.

**Dr Arwel Davies** published an article entitled 'Interpreting the Chapeau of GATT Article XX in Light of the 'New' Approach in Brazil-Tyres' (2009) 43 *Journal of World Trade Law* 507-540. He also contributed a chapter on the Public Procurement Dimension of Regional and Bilateral Trade Agreements (pp 274-307) in *Bilateral and Regional Trade Agreements: Case Studies* (Cambridge University Press, 2009) edited by Lester and Mercurio.

**Dr Theodora Nikaki** published a chapter entitled 'The Loading Obligations of Voyage Charterers' in *The Evolving Law and Practice of Voyage Charterparties* (2009, Informa London), Chapter 4 (pp 59-77). She also contributed Chapter 4 (pp 89-110) entitled 'The Obligations of Carriers to Provide Seaworthy Ships and Exercise Care' to *A New Convention for the Carriage of Goods by Sea-The Rotterdam Rules* (2009, Lawtext). Her article on 'The Statutory Himalaya-type Protection under the Rotterdam Rules-Capable of Filling the Gaps?' was published in [2009] *Journal of Business Law* 403 - 421. Dr Nikaki is currently researching in the area of multimodal transport and of the new UN Convention on Carriage of Goods by Sea (the Rotterdam Rules).

# EXTRAMURAL ACTIVITIES

**Professor D. Rhidian Thomas** presented a paper titled 'An Analysis of the Bunker Oil Convention' at the International Conference on Marine Pollution Liability & Policy organised by the Dalian Maritime University (DMU) in collaboration with the Maastricht University in PR China (4-6 June 2009) as part of the centenary celebrations of the DMU. At the same event, **Professor Barış Soyer** presented a paper titled 'Ship Sourced Oil Pollution and Recoverability of Pure Economic Loss'. Professor Thomas presented another paper 'The Obligations of Shippers under the Rotterdam Rules' at a Conference organised by Erasmus University in September 2009 on Rotterdam Rules.

Both professors delivered guest lectures in various universities in the course of the year. In January 2009, **Professor Thomas** delivered a series of lectures on the law of marine insurance at the University of Lund and he also delivered a guest lecture on 'The Impact of the Rotterdam Rules on the Existing International Regime for the Carriage of Goods by Sea' at Shanghai Maritime University in June 2009. **Professor Soyer**, on the other hand, delivered a guest lecture on 'Insurance Implications of Piracy' at DMU in December 2009.

**Professor Richard Williams** is currently acting as a member of the Consultative Committee established by the Department for Transport to consider the impact of the Rotterdam Rules in the United Kingdom.

**Mr Richard Caddell** delivered an invited lecture at the Sea Mammal Research Unit, St. Andrews University entitled 'The Marine Application of the Habitats Directive: Challenges and Opportunities' in April 2009. He also gave an invited lecture in November 2009 at Cardiff University to the International Law Association as part of the programme of events organised by the ILA's British Branch, entitled 'New Adventures in Treaty Evolution: Modernising the International Convention for the Regulation of Whaling'. Richard Caddell also served as an invited legal expert on a Working Group on Ocean Noise operated by ASCOBANS (Agreement on the Conservation of Small Cetaceans of the Baltic, North-East Atlantic, Irish and North Seas), under the auspices of the UNEP, and assisted in the preparation of a comprehensive set of international guidelines for maritime activities in these waters. In September 2009 he was one of four members of a review team appointed to assess the Future Shape of the Convention on the Conservation of Migratory Species of Wild Animals, conducting a full appraisal of the marine mammal policies adopted under the auspices of the Convention.

At the invitation of the Arab Society for Commercial and Maritime Law, **Dr Theodora Nikaki** delivered a paper at the 3rd Annual Conference of the Society on The Rotterdam Rules: Uniformity v. Diversity for the Law of Carriage of Goods by Sea - A Euro-Arab Perspective held at Alexandria, Egypt in April 2009 (17-19 April). Her paper was entitled 'Wet Multimodal Transport: The Way forward?' The event was organised by the Arab Society for Commercial and Maritime Law in collaboration with the Law Schools of Alexandria (Egypt), Cairo (Egypt) and Indiana (USA), as well as the Institut Méditerranéen des Transports Maritimes of Marseille (France) and the Arab Academy for Science, Technology and Maritime Transport (Egypt). The United Nations Commission on International Trade Law (UNCITRAL), the driving force behind the Rotterdam Rules, was also represented at the conference, its representatives not only presenting papers but also being actively involved in the discussions.



# NEW BOOKS EDITED BY THE DIRECTOR

The year of 2009 witnessed the publication of three books which have been edited by Professor D R Thomas, the Director of the IISTL.

The first book, *The Evolving Law and Practice of Voyage Charterparties*, published by Informa International, was released in May 2009. The book focuses upon voyage charterparty contracts and addresses complex legal and practical issues arising out of the relationship between voyage charterparty contracts, bills of lading and international sale contracts. This book is the collection of the papers presented by experts in the field from the UK and abroad at the Fourth Annual International Colloquium of the Institute held in 2008.

## TABLE OF CONTENTS:

Chapter 1 - *The Evolving Nature of Voyage Charterparties*. Professor D Rhidian Thomas (Director of the IISTL, Swansea University).

Chapter 2 - *Jurisdiction and Arbitration Clauses*. Steven Gee Q.C. (Stone Chambers).

Chapter 3 - *Legal Aspects of the Approach Voyage*. Richard Lord Q.C. (Brick Court Chambers).

Chapter 4 - *The Loading Obligations of Voyage Charterers*. Dr Theodora Nikaki (IISTL, Swansea University).

Chapter 5 - *The Wreck of the Hesperus Revisited: A Review of the Obligations of Seaworthiness in Contracts of Affreightment*.

Charles Baker (North of England, P & I Club).

Chapter 6 - *Dangerous Cargo and "Legally Dangerous" Cargo*. Robert Gay (Hill Dickinson, London).

Chapter 7 - *Arrival, Readiness and the Commencement of Laytime*. Simon Rainey Q.C. (Quadrant Chambers).

Chapter 8 - *The Running of Laytime and Demurrage When the Charterer Does Not Have Sole Use of a Vessel*. Mark Hampsher (Maritime Arbitrator).

Chapter 9 - *Laytime and Demurrage Clauses in Contracts of Sale-A Survey of the New York Society of Maritime Arbitrators Award (1978 -2008) and English Law*. Professor Jason Chuah (Westminster University).

Chapter 10 - *Bills of Lading and Voyage Charters*. Emeritus Professor Francis Reynolds Q.C. (Oxford University).

Chapter 11 - *Cargo Interest's Liabilities to the Shipowner*. Simon Baughen (Bristol University).

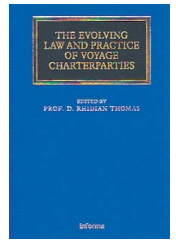
Chapter 12 - *The Bill of Lading Contracts under European National Laws*. Professor Frank Smeele Erasmus University, Rotterdam).

Chapter 13 - *Comparative Observations on US Law and Practice relating to Voyage Charters*. Le Roy Lambert (Blank Rome LLP, New York).

Chapter 14 - *The Impact of Deviation on Contracts of Affreightment*. Professor Richard Williams (IISTL, Swansea University).

Chapter 15 - *Cancellation Clauses and Repudiatory Breach*. Emeritus Professor Michael Furmston (Bristol University).

Chapter 16 - *Frustration in Voyage Charters: Silted-up Backwater or Vital Navigational Resource?* Professor Andrew Tettenborn (Exeter University).



Another book, *A New Convention for the Carriage of Goods by Sea: The Rotterdam Rules*, published by Lawtext, was released a few weeks before the Rotterdam Rules' signing ceremony in September. This book is a collection of essays which provide a comprehensive and perceptive commentary on the principal provisions, implications and themes of the Rotterdam Rules, and includes detailed comparisons with the provisions of the Hague, Hague-Visby and Hamburg Rules and multimodal conventions.

## CONTENTS AND CONTRIBUTORS:

*An Introduction to the Preparation, Philosophy, and Potential Impact of the Rotterdam Rules* - Professor Michael F. Sturley (Stanley D. and Sandra J. Rosenberg Centennial Professor of Law, The University of Texas School of Law).

*Multimodal Transport under the Convention* - Christopher Hancock Q.C. (20 Essex Street, London).

*The Loading Obligations of Voyage Charterers*. Dr Theodora Nikaki (IISTL, Swansea University).

*The Obligations of Carriers to Provide Seaworthy Ships and Exercise Care* - Dr Theodora Nikaki (Lecturer in Law, Institute of International Shipping and Trade Law, School of Law, Swansea University).

*The Right of the Carrier to Exclude and Limit Liability* - Professor Stephen Girvin (Faculty of Law, National University of Singapore).

*Loss Due to a Combination of Causes: Burden of Proof and Commercial Risk Allocation* - Dr Regina Asariotis Chief, Policy and Legislation Section, Division on Technology and Logistics, United Nations Conference on Trade and Development (UNCTAD) Geneva

*Obligations Owed by the Shipper to the Carrier* - Simon Baughen (School of Law, University of Bristol).

*Transport Documentation - The New Approach* - Professor Richard Williams (Visiting Professor of Law, Institute of International Shipping and Trade Law, Swansea University).

*Electronic Alternatives to Transport Documents - Delivery of the Goods, Rights of the Controlling Party and Transfer of Rights* - Professor G J van der Ziel (Erasmus University, Rotterdam).

*Jurisdiction and Arbitration* - Professor Yvonne Baatz (Professor of Maritime Law and Member of the Institute of Maritime Law, University of Southampton).

*A Critique of the Rotterdam Rules* - Professor William Tetley Tetley (McGill Law Faculty, McGill University, Montreal).

*The Liability Regime of Carriers and Maritime Performing Parties* - Professor D Rhidian Thomas (Director of the Institute of International Shipping and Trade Law, School of Law, Swansea University).

Finally, *Modern Law of Marine Insurance*, which was published in December 2009, focuses on current issues affecting the law and practice of the market.

## CONTENTS AND CONTRIBUTORS:

Chapter 1 - *Drawing Lines- in the Sand*. Professor Malcolm A. Clarke.

Chapter 2 - *The Concept and Measure of Indemnity in Marine Policies*. Professor D Rhidian Thomas.

Chapter 3 - *The Doctrine of the Undisclosed Principal and Contracts of Insurance*. Professor Howard Bennett.

Chapter 4 - *Fraud and Insurance Agents: The Law After Moore Stephens*. Professor Robert Merkin.

Chapter 5 - *Warranties and Utmost Good Faith in US Marine Insurance Contracts*. Professor Martin Davies.

Chapter 6 - *Insuring Cargoes in the New Millennium: The Institute Cargo Clauses 2009*.

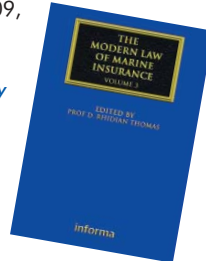
John Dunt and William Melbourne.

Chapter 7 - *Coverage against Unlawful Acts in Contemporary Marine Policies*. Professor Barış Soyer.

Chapter 8 - *Challenges in Modern Marine Insurance of Shipowners' Interests: Piracy and Terrorism*. Professor Trine-Lise Wilhelmsen.

Chapter 9 - *Can A Marine Insurer be Liable for Loss Consequential upon the Late Payment of Indemnity?* David Foxton Q.C.

Chapter 10 - *Recent Developments in Party Choice of the Applicable Law and Jurisdiction in Marine Insurance and Reinsurance Contracts*. Professor Yvonne Baatz.



## Personnel

Barış Soyer was awarded a personal chair in commercial and maritime law by Swansea University. We would like to congratulate Professor Soyer, who has been a dedicated and active member of the Institute since 2001, for his achievement.

Associate Professor Shaochun Yuan from Dalian Maritime University, PR China, is currently spending his sabbatical in our Institute as a visiting scholar.

## Members of the Institute of International Shipping and Trade Law

**Professor Rhidian Thomas** - Director  
International trade and payments, carriage of goods, marine insurance, reinsurance, admiralty and arbitration

**Professor Richard Williams**  
Carriage of goods and maritime liabilities

**Professor Barış Soyer**  
Admiralty law, marine and non-marine insurance and carriage of goods by sea

**Professor Volker Roeben**  
International law and law of the sea

**Mr Richard Caddell**  
Law of the sea, marine pollution, European maritime law

**Dr Arwel Davies**  
International trade law and world trade law

**Dr Theodora Nikaki**  
Carriage of goods by sea, multimodal transport, international trade law and conflict of laws

**Rui Zheng**  
Research Assistant

## Visiting Fellows

**Mr Peter Macdonald-Eggers**  
Insurance and reinsurance law, commercial law

**Mr Mans Jacobsson**  
Oil pollution, environmental law

## Administration

**April Adanah** - Administrator

## Contact Details

**Professor Rhidian Thomas**, Director  
Institute of International Shipping and Trade Law  
Swansea University  
School of Law  
Singleton Park, Swansea University  
SA2 8PP

**Tel: +(44) (0) 1792 295831**  
**Fax: +(44) (0) 1792 295855**  
**e-mail: D.R.Thomas@swansea.ac.uk**

**www.swansea.ac.uk/law/istl**