

2016-17

Report of Activities

The Institute of International Shipping and Trade Law



Swansea University
Prifysgol Abertawe

Hillary Rodham Clinton
School of Law | Ysgol y Gyfraith

Director's Report

It gives me great pleasure to present readers with a report of what the Institute of International Shipping and Trade Law (IISTL) and its members have been doing during the last two years. At the risk of anticipation, what appears is a simple but extremely encouraging truth: almost 20 years after its establishment, the IISTL has become a unique, vibrant and very active research centre in commercial and shipping law. As a matter of course it regularly organises joint events with leading academic institutions from abroad, its members constantly publish ground-breaking research, and its impact is crucial in legal circles and beyond.

On the last point, one major project can be described that sums up all the strengths of the IISTL. A collaboration with researchers from the University of British Columbia funded by the Waterloo Foundation, this aimed to investigate and elaborate the impact of the availability of liability insurance on tackling illegal, unreported and uncontrolled ("IUU") fishing. The result was significant. The project found that it had been disconcertingly easy for vessels involved in IUU fishing to obtain liability insurance in the market. It recommended an urgent review of underwriting processes and consideration of regulatory changes to put insurers under a legal duty to deny cover to vessels known to be connected with IUU activities. The findings of our research were published in articles in a number of important journals, most recently in *Transnational Environmental Law*: much more significantly, however, they were utilised in drafting the Sustainability Statement signed up by leading insurers from around the world (Allianz Global Corporate & Specialty, AXA, Generali, Hanseatic Underwriters and The Shipowners' Club) at the Ocean Conference held in Malta in October 2017, an international gathering of world leaders hosted by the European Union. The statement confirmed the commitment of these insurance providers not knowingly to insure or facilitate the insuring of vessels that had been blacklisted for their involvement in pirate fishing (i.e. IUU fishing). It makes us very proud to see our research contributing to a such a positive development.

WHAT'S INSIDE?

Events

Publications

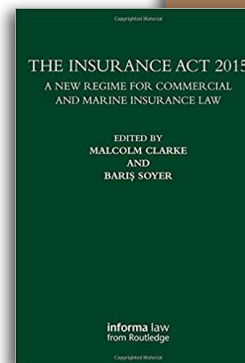
Extramural Activities

Professional Training

Guest Lectures

Staff News

Members of the
Institute of
International Shipping
and Trade Law



Secretary Clinton talking to the Director and some members of the IISTL (Dr Leloudas, Dr Kurtz-Shefford and Ms Stella Kounakou) during her visit to Swansea in October 2017.



We have several new projects planned for 2018 and beyond. The most significant of these is our consideration of the impact of new technologies developed in shipping and trade law. Technological advancement is moving at a great pace; as academic lawyers we must seek to demystify and explain how this progress will affect the way maritime law will be viewed and applied in the years to come. Such discussions are currently taking place in other areas of law and we believe that, as a leading research centre, it is our duty to bring the debate to the attention of the shipping and trade community and to contribute to it.

We are also delighted to say that the IISTL's extensive contacts provide an enormous advantage to our students. It is through these contacts that we can provide them with extensive internship opportunities and invaluable links with the sector – something getting more and more difficult in the sector generally, but vital to the students of today who in a few years' time will be shaping and develop the future of shipping and trade law and practice.

On that score, we need to also mention that we are very proud that two of our PhD students have successfully completed their theses in the course of the last year. One of them is our own Dr Kurtz-Shefford who noticed a gap in international law on liability resulting from offshore oil pollution damage and analysed the viability of seeing such a convention existing in the future. Dr Kurtz-Shefford has been influential in our expanding our expertise to the field of oil and gas law and has been working at Swansea for over five years. We wish her hearty congratulations on her successfully receiving her doctorate.

To sum up, it gives me a great pleasure and satisfaction to see that the IISTL is on an upwards trajectory and having witnessed the commitment and enthusiasm of its members first hand, I have no doubt that 2018 will be yet another excellent year.

Professor B.Soyer

Lord Clarke delivers IISTL's Public Lecture

The IISTL organises guest lectures at regular intervals open to university members and students, and indeed to the general public. The most recent of these lectures was delivered by Lord Clarke, immediately prior to his retirement from the Supreme Court in September 2017. The topic of his lecture was "Ethics".

In his lecture, his Lordship evaluated the ethical standards expected of lawyers by giving examples from his long career at the Bar and on the Bench (including a stint in the thankless position of Master of the Rolls), which started in 1958. The first High Court judge to be elevated directly to The Supreme Court, he was introduced at the event by Professor Elwen Evans QC, Head of the College of Law and Criminology, a fellow esteemed criminal barrister.

The night ended with a lively Q & A session, after which Professor Soyer, Director of the IISTL, warmly thanked Lord Clarke for, among other things, making it clear that the consistently impeccable ethical standards observed at the Bar was something that distinguishes this jurisdiction from many others and remained one of the selling points that attracted parties from all around the world to arbitrate and litigate in England and Wales.



Lord Clarke delivering his talk

Events

The Institute has continued to organise high-profile events at Swansea, London and abroad during the past two years. These events not only served as a fitting forum for its members to disseminate their cutting-edge research but also offered a productive environment for academics, legal professionals, policy-makers and research students to debate and exchange ideas on contemporary legal developments.

Annual Colloquiums

Our flagship event has always been our September colloquium. Held in Swansea, these annual colloquia have now established themselves as a premier academic forum within the field in Europe. In 2016, our twelfth session focused on charterparties. It attracted, in addition to Institute members, an eminent list of speakers, including George Arghyarakis (a partner in EG Arghyarakis, London), Professor Yvonne Baatz (Southampton University), Professor Olivier Cachard (Lorraine University, France), Nigel Cooper QC (Quadrant Chambers, London), Jason Robinson (7 King's Bench Walk, London), Paul Herring (a Partner with Ince & Co, London), Professor Gerard McMeel (Manchester University), Andrew Preston (a partner at Clyde & Co), Simon Rainey QC (Quadrant Chambers, London), Jonathan Webb (an HFW partner) and John Weale (from Fednav Ltd in Canada). The Admiralty Judge, the Hon Mr Justice Teare, also participated at the event, chairing one of the sessions.



The Hon Mr Justice Teare (middle) with Jonathan Webb and Simon Rainey QC at our 12th Annual Colloquium

The thirteenth Colloquium (held in September 2017) featured maritime liabilities. Over two days, high-powered papers were delivered on pollution liabilities, wreck removal, ship recycling, the legal implications of the new phenomenon of smart containers, passenger liabilities, limitation, cyber-risks, direct action against insurers, ship arrest, cross border insolvency, BREXIT and jurisdiction.

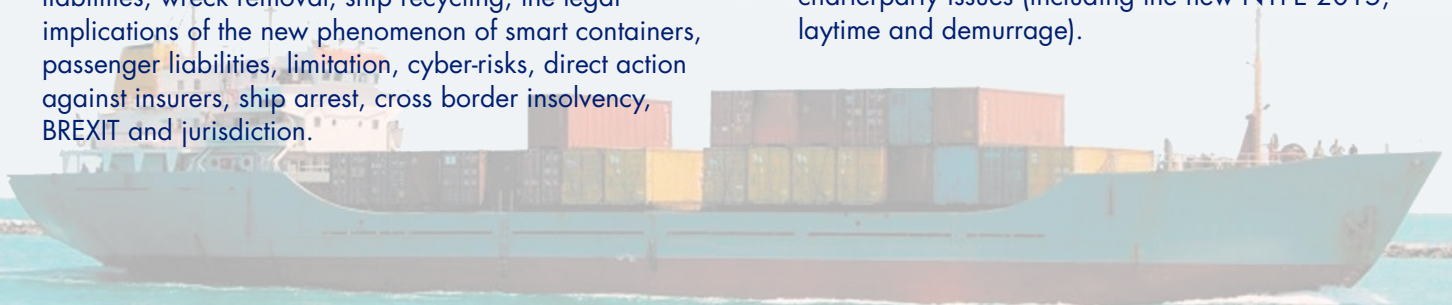
In addition to Professors Soyer, Baughen and Tettenborn, Associate Professor Leloudas and Dr Kurtz-Shefford, those presenting included Balvinder Ahluwalia (Gard), Professor Lia Athansassiou (Athens University), Professor Olivier Cachard (Lorraine University, France), Andrew Chamberlain (HFW), Simon Cooper (Ince & Co), Måns Jacobsson (Sweden), Associate Professor Henning Jessen (World Maritime University), Peter McDonald-Eggers QC (7 King's Bench Walk), Dr Frank Stevens (Erasmus University, Rotterdam) and Professor Bülent Sözer (Yeditepe University, Turkey).



Professor Soyer delivering his paper in Athens in 2016 at the joint event held in collaboration with Athens University, WMU and NUS

Seminars with International Partners

The Institute organised two seminars with international partners during 2016. In May, in collaboration with Athens University Law School, the World Maritime University (WMU) in Malmö and the National University of Singapore (NUS), we ran a very successful 3-day seminar in Piraeus. This focused on developments in ship operation, charters, maritime liabilities, and enforcement and dispute resolution; it attracted 200 delegates including a gratifying number of Swansea LLM alumni (who are now to be found in increasing numbers in most parts of the world). The Institute was represented by Professors Baughen, Soyer, Tettenborn and Williams and Associate Professor Nikaki. Their papers ranged from ransom payments and general average, to performance claims, and a number of highly contemporary charterparty issues (including the new NYPE 2015, laytime and demurrage).



Almost a month later the Institute was back in London, this time running an extremely successful symposium on aspects of modern oil and gas law in collaboration with Texas University's Centre for Energy Law and Business. The keynote speech for the event was delivered by Professor Terence Daintith (IALS) and a distinguished group of scholars and others delivered papers on investment arbitration, the legal regulation of fracking in Europe and the US, and problems of offshore exploitation and maritime boundary delimitation. They included Professor Melinda E Taylor (Kay Bailey Hutchinson Center for Energy, Law and Business, University of Texas); Stephen Tromans QC (39 Essex Chambers); Sophie Nappert (Arbitrator, 3 Verulam Buildings); Professor Michael Sturley (University of Texas); Dr Tabetta Kurtz-Shefford (IISTL); Randy Burton (Fisherbroyles, Houston, Texas) and Youri van Logchem (IISTL).

London Seminars

Last but not least, we need to mention certain seminars organised in London on various contemporary aspects of commercial law. On 27 October 2016, the IISTL organised an afternoon session on the legal implications of the Insurance Act 2015. Leading insurance silk Peter MacDonald-Eggers QC from 7 King's Bench Walk presented an illuminating paper on good faith and non-disclosure under the new provisions; the Institute's own Professor Tettenborn dissected the reforms designed to provide a remedy for late payment of claims; and Sir Bernard Rix, formerly of the Court of Appeal and now one of the City's top arbitrators, provided his own overall verdict on the changes introduced. The attendance to the seminar was impressive in both numbers and eminence, and included well-known commercial judges, Lord Justice Flaux from the Court of Appeal, Mr Justice Picken from the Commercial Court and HHJ Waksman QC from the London Mercantile Court.

On 26 January 2017, the IISTL joined forces with the Air Law Group of the Royal Aeronautical Society, Quadrant Chambers and Ince & Co to organise a joint seminar entitled "Brexit: the legal & operational implications. Risks and Opportunities". The event was held at the premises of the Society in London and attracted 90 delegates from a variety of aviation sectors.

The IISTL was represented by Richard Williams and George Leloudas and they were joined by distinguished aviation professionals Anna Anatolitou (Ince & Co), John Balfour (Clyde & Co), Emma Giddings (Norton Rose Fulbright), James Wiltshire (IATA Economics), Gary Halbert (Holland & Knight) and Dr Peter Urwantschky (Urwantschky Dangel Borst).



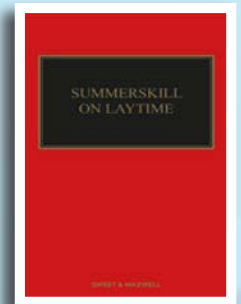
Associate Professor Leloudas welcoming the delegates to the joint seminar held in collaboration with Aeronautical Society, Quadrant Chambers and Ince & Co.

And as if this was not enough, on 26 June the IISTL, in collaboration with marine advocacy group Oceana, organised an afternoon seminar in London on the insurance and regulatory aspects of irregular fishing (known in the trade as fishing that is illegal, unreported and uncontrolled (IUU)). The event, which attracted an impressive 60 delegates, provided an excellent opportunity for those throughout the sector to engage in the debate. Presentations from Lasse Gustavsson (Senior Vice President of Oceana Europe), Kjetil Saeter (Norwegian Business Daily), David Vajnai (Vice President Marsh Global Marine Practice), Baris Soyer and George Leloudas (IISTL) and Dana Miller (a marine scientist with Oceana Europe) were followed by a lively discussion led by insurers, brokers and policy-makers.



Publications

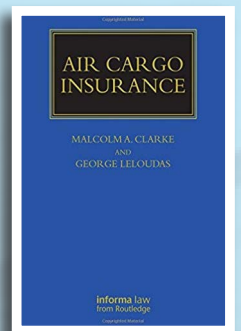
Professor Simon Baughen authored an article "Environmental Damage and UK Offshore Operations. Uncertain Liabilities in Deep Waters" *Journal of Environmental Law* (2016) 28 (3): 497-522. He also authored two case notes "Am I my agent's keeper? The Global Santosh in the Supreme Court *NYK Bulkship (Atlantic) NV v Cargill International SA (The Global Santosh)*" (2016) 22 *JIML* 264-267 and "Repudiatory breach and an end to demurrage" *JIML*. 2017, 23(2), 88-90. He authored a new edition of "Summerskill on Laytime" (6th ed Sweet & Maxwell, 2017). He has also authored three book chapters: on "Laytime and Demurrage in CIF and FOB Contracts" in *International Trade and Carriage of Goods* published by Informa Law; on "Delay and Demurrage in Tanker Charterparties" in *Charterparties - Law, Practice and Emerging Legal Issues* published by Informa Law; on "The Unfair Contract Terms Act 1977 and Carriers' UK Sub-Contractors" in *Current Issues in Freight Forwarding: Law and Logistics* published by Lawtext Publishing Limited.



Peter MacDonald Eggers QC authored a monograph published by Informa in 2016: *Vitiating of Contractual Consent*. He also contributed to *The Insurance Act 2015: A New Regime for Commercial and Marine Insurance Law* (2016, Informa) with a chapter "Fair Presentation of Commercial Risks under the Insurance Act 2015" pp. 12-37 and to *International Trade and Carriage of Goods* (Informa Law, 2017) with a chapter titled: "Cargo Insurance and Open Covers" pp 225-249.

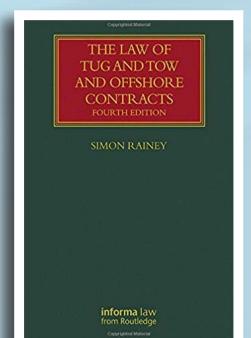
Mr Måns Jacobsson authored a chapter "Liability and Compensation for Ship-sourced Pollution" which was published as Chapter 9 in the *IMLI Manual on Maritime Law* (Volume 3) (2016, Oxford University Press). He also wrote two articles published in the *Journal of International Maritime Law*: "To What Extent Do International Treaties Result in Uniformity of Maritime Law" (2016) and "The Torrey Canyon Fifty Years on: The Legal Legacy" (2017).

Associate Professor George Leloudas published a monograph with Professor Malcolm Clarke of Cambridge University on *Air Cargo Insurance* (Informa from Routledge) in June 2016. He has authored a chapter on Contracting out of the Insurance Act 2015 published by Professors Clarke and Soyer (eds), entitled "The Insurance Act 2015 - A New Regime for Commercial and Marine Insurance Law" (Informa Law from Routledge, September 2016). Dr Leloudas also continues to be an editor of *Shawcross and Beaumont – Air Law*, with responsibility for the chapters on carriage of goods by air (Chapter 32), rights in relation to aircraft (Chapter 11) and classification of aircraft (Chapter 10).

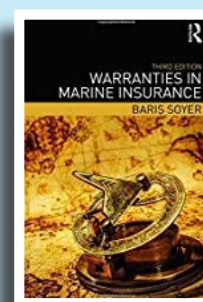
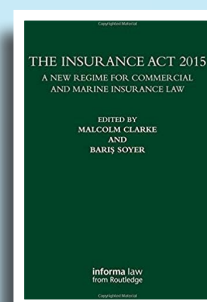


Associate Professor Theodora Nikaki authored a chapter entitled "Slow Steaming and International Trade" published in *International Trade and Carriage of Goods* (Informa, 2016), pp. 15-34. She also contributed (with Professor Marc Huybrechts) a chapter on marine insurance in *The International Handbook of Shipping Finance: Theory and Practice* (Palgrave, 2016). In 2017, she published a chapter with Professor Soyer "Enhancing Standardisation and Legal certainty through Standard Charterparty Contracts- THE NYPE 2015 Experience" in *Charterparties: Law, Practice and Emerging Issues* (Informa, 2017) pp. 67-89.

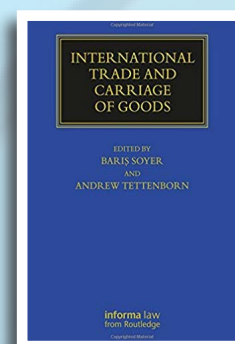
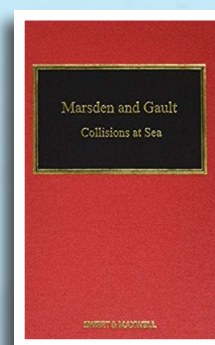
Professor Simon Rainey QC has recently published the 4th edition of his textbook, *The Law of Tug and Tow and Offshore Contracts* (December 2017, Informa).



Professor Baris Soyer published a Cambridge Law Journal article in 2016 "Risk Control Clauses in Insurance Law: Law Reform and the Future" pp. 109-127. He has also collaborated with Professor Tettenborn to publish "Mapping (Utmost) Good Faith in Insurance Law: Future Conditional?" (2016) 132 Law Quarterly Review, pp. 618-638. In 2016 Professor Soyer also published the 3rd edition of his award-winning monograph, Warranties in Marine Insurance (Routledge). Between 2016 and 2017, he wrote three chapters: "New Parameters in Construing Insurance Contracts" (Chapter 2) Modern Law of Marine Insurance Law (Volume 4) (2016, Informa Law) pp. 43-65; Chapter 3 of The Insurance Act 2015- A New Regime for Commercial and Marine Insurance Law (2016, Informa Law) pp. 38-53; "The Insurer's Duty of Good Faith: Is the Path Now Clear for the Introduction of New Remedies?"; and "Insuring Cargoes in the New Era- The Impact of the Insurance Act 2015 on Standard Cargo Clauses/Wordings", published as Chapter 16, in International Trade and Carriage of Goods (Informa Law, 2017) pp. 264-276. He has also contributed to the Journal of International Maritime Law with several case notes as well as the Journal's editorial the 4th Issue in 2016 pp 235-256.



Professor Andrew Tettenborn brought out the updated 13th edition of Marsden & Gault's Collisions at Sea (13th ed), and took over as an editor in the very successful 5th edition of leading student commercial law textbook "Commercial Law: Text, Cases and Materials". In addition he has written a chapter on "The Negligent Broker: Three Problems in the Assessment of Damages", in DR.Thomas (ed), The Modern Law of Marine Insurance (Volume 4), and on "Contracting by Numbers: the Different Forms of the Main Shipbuilding Contracts", in Soyer & Tettenborn (eds), Ship Building, Sale and Finance. Professor Tettenborn also co-wrote "Mapping (utmost) good faith in insurance law: future conditional?" (2016) 132 Law Quarterly Review 618 with Professor Soyer. In 2017 he wrote another article on international shipping law for the Journal of International Maritime Law: "International Insolvency Law: Its Impact on the Arrest of Ships" (2017) 23 JIML 266.



Professor D. Rhidian Thomas contributed a chapter entitled, "The Significance of Commercial Customs, Usages and Practices in the Resolution of Commercial Disputes", in The Role of Arbitration in Shipping Law ed Goldy & Mistelis (2016, OUP). He also published an article: "'Custom of the Port" as a category of commercial custom", in [2016] Lloyd's Maritime and Commercial Law Quarterly 436 – 450. He continues as Editor-in-Chief of the Journal of International Maritime Law, contributing editorials, case analyses, the digest and book reviews.

Mr Youri van Logchem published in 2017 an article entitled "Exploration and Exploitation of Oil and Gas Resources in Maritime Areas of Overlap under International Law: the Falklands (Malvinas)", Hague Yearbook of International Law/ Annuaire de La Haye de Droit International (2015) 29-64. In addition, he wrote an article on "The Status of a Rule of Capture under International Law of the Sea with regard to Offshore Oil and Gas Resource Related Activities", that will be published in the Michigan State International Law Review in 2018. He has also been working on a monograph related to his PhD research, dealing with the rights and obligations of States in disputed maritime areas.

Dr Shuangge Wen published an article at Journal of Law and Society, entitled, "The Cogs and Wheels of Reflexive Law – Business Disclosure under the Modern Slavery Act". She also authored a piece on "The Systematic Construction of the Autonomy of Industrial Associations under the Rule of Law Mode", which was written in Chinese and published by the highly regarded Chinese journal - Social Science Frontiers (CSSC-indexed).

Professor Richard Williams contributed a chapter, "Letter of Indemnity for Delivery without A Bill of Lading" to International Trade and Carriage of Goods (2017, Informa), pp. 124-144.

Extramural Activities

Professor Simon Baughen – Professor Simon Baughen gave a paper on the Asean Declaration of Human Rights and Multi-National Companies at a workshop in Swansea and again at Dilimann University, Manila as part of a three-year project between Swansea University and Diliman University funded by the British Academy. He also gave a paper on renunciation and repudiation in charterparties, and on recent EU developments relating to marine pollution, at the second Advance International Maritime Law Conference hosted by the University of Athens. Professor Baughen has made regular contributions to the IISTL Blog on topical maritime and commercial decisions and developments

Dr Tabetha Kurtz-Shefford – Dr Kurtz-Shefford completed her PhD in early 2017 on offshore oil pollution damage liability. In June 2016 she spoke at the international symposium, “Lex Petrolea – Reality or Myth?” where she delivered a paper on the subject within the context of oil pollution. The event was organised by the Institute of International Shipping and Trade Law and the Center for Energy, Law, and Business of University of Texas Law School. She also spoke in late December 2017 in Komotini, Greece at the ELSA conference.

Associate Professor George Leloudas – Associate Professor Leloudas organised a very successful half-day symposium together with the Air Law Group of the Royal Aeronautical Society (RAeS) on 26 January 2016 on risk allocation in aviation contracts in the premises of the Society in London. The event will be followed by the publication of a book on contractual indemnities in 2018. He also delivered a paper on the insurance implications of sanctions at the International Shipping Roundtable organised by Queen Mary University on the 2 June 2016. Furthermore, Dr Leloudas delivered visiting lectures on carriage of goods by air at the Institute of Air & Space Law of Leiden University.

Associate Professor Theodora Nikaki – On Monday 17 October 2016, Associate Professor Theodora Nikaki addressed, by invitation, students and academics at the Department of Shipping, Trade and Transport at the University of Aegean (Chios, Greece). Her paper titled “Applicable Laws to Multimodal Transport: A Legal Conundrum” focused not only on the unpredictability and legal uncertainty created by the industry solutions to the absence of internationally-accepted rules on transnational multimodal transport but also on the new initiatives brought forward by international organisations to restore certainty of laws. She also delivered a series of visiting lectures on charterparties and ship finance at the School of Law, National and Kapodistrian University Athens. Dr Nikaki attended a conference on “The Need of Reform of Greek Maritime Law, organised by Athens Law School in association with Pireus Bar Association and the Pireus Admiralty Court in June 2017 and presented a paper titled “Limitation of Liability: In

Need of Reform?.” Her session was chaired by the vice president of the Greek Supreme Court, Miss Chrydoula Paraskeva. She also delivered a paper on “FLNGs and Seaworthiness” at Global Shipping Law Forum organised by the Queen Mary University in July 2017. In addition, she gave several lectures to undergraduate and postgraduate law students at Lorraine University in France during the course of 2016 and 2017.



Associate Professor Nikaki delivering her paper at an event

Professor Simon Rainey QC presented a paper at London Shipping Law Centre on The Global Santosh and Allocation of Risk for Arrest under Time Charterparties, considering the wider impact of the Supreme Court’s decision on assumptions of charterer’s and owner’s side of the line. He also presented a paper on Transocean v Providence and the Court’s approach to the Construction of Mutual Indemnities at the Quadrant Chambers Annual Energy Seminar and a paper on Contract Management in Oil and Gas: Current Issues in Aberdeen at the Oil & Gas UK Annual Legal Seminar. He spoke at a Quadrant International Arbitration Seminar on Advocacy in International Arbitration. He spoke at the BIMCO Supplytime 2017 Seminar on “Clause 14: Evolution or Revolution?”. He presented a paper at the Piraeus Annual Shipping Law Seminar entitled So: Who Has to Prove What ... and When? The burden of proof in cargo claims after Volcafe v CSAV [2016] EWCA Civ 1103. He also presented a paper at the German Maritime Arbitration Annual Seminar on “Construing English Law Marine Contracts: Just A Question of the Words (Again)?” and chaired various shipping law seminars during London International Shipping Week 2017.

Professor Soyer was invited by the Judicial College to address senior commercial and Chancery judges (including members of the Court of Appeal) on the Insurance Act 2015. The session was held on 31 January 2017 at the Royal Courts of Justice. Professor Soyer also presented a paper at a Research Workshop, Strengthening International Fisheries Law in an Era of Changing Oceans, organised by Utrecht University in February 2017. In June 2017, Professor Soyer delivered a guest lecture on the legal position of insurance warranties under the Insurance Act 2015 to the faculty of the City University of Hong Kong. In the course of 2016 and 2017 her delivered guest lectures at various partner institutions in the PR of China and France.



Professor Andrew Tettenborn delivering a paper at an international event

Professor Andrew Tettenborn – Professor Tettenborn taught in Switzerland, examined a PhD in France. He presented papers to the triennial conference of the Piraeus Bar on the liabilities of ship financiers in October 2016, and to a conference on insolvency held at City University in April 2017 on the subject of marine insolvency and Brexit. He also delivered papers on arrest of ships and insolvency in Bilbao in October 2017, on general average and on collision law in Athens, on ship finance in Piraeus, multimodal transport in Chios, and on maritime insolvency in Dalian, China. He also wrote a piece in *Anave*, the journal of the Spanish Association of Shipowners, on Brexit and jurisdiction clauses, and advised the Department of Trade on Brexit and shipping law.

Professor D. Rhidian Thomas – Professor Thomas delivered a course of lectures on marine insurance law to postgraduate students at Gothenburg University, Sweden, February 2016, and also delivered a public lecture on the “Reform of UK Insurance Law”. On April 18 2016 he chaired a seminar on Oil & Gas Liability Clauses held at the Institute of Advanced Legal Studies and organised by the University of Oslo. As a member of the CMI International Working Group on Marine Insurance he participated in the work of the IWG at the CMI conference held at New York, May 2016. He chaired the 5th International Research Seminar in Maritime, Port and Transport Law, at Bologna University, Italy, from 29 June to 2 July, and presented a paper titled “The Reform of English Commercial and Maritime Insurance Law”. He presented a paper titled “Legal and Contractual Liens – Dimensions of Meaning” at the IX European Colloquium of Maritime Law Research, held at the University of the Basque Country, Bilbao, September 15 - 16. On September 29 - 30 he presented a paper titled “An Analysis of Lien Clauses in Commercial Maritime Contracts” at the 1st International Scientific Conference of Maritime Law, organised by the Faculty of Law, University of Split.

He presented a paper titled, “Understanding the agreements of commercial people: the common law approach”, at a conference on Current Issues in Freight Forwarding: Law and Logistics, Antwerp, October 12 - 13. Prof Thomas was also appointed external examiner for doctoral candidates at Bangor University and City University of London. On the occasion of the 1st International Scientific Conference of Maritime Law, University of Split, September 2016, Professor Thomas was also elected Honorary Member of the Croatian Maritime Law Association.

Mr Youri van Logchem – Youri was invited by the Dutch Embassy in Jakarta and the Center for Southeast Asian Studies to give a presentation on the rights and obligations of States in the South China Sea under international law at the ASEAN Dialogue on International Law: Strengthening the Rule of Law in the Region on International Law of the Sea, a conference that was organised in Jakarta on 17 March 2016. He presented on the same topic in Cologne at a symposium on Maritime Disputes in the South China Sea, that was organised by the University of Cologne Global South Studies Center on 5 November 2016. During the Lex Petrolea – Reality or Myth? An International Symposium, jointly organised by the Institute of International Shipping and Trade Law and the Center for Energy, Law, and Business of University of Texas Law School, which was held on 21 June 2016 in London, he delivered a paper on the question of whether a rule of capture concerning offshore oil gas and resources exists under international law of the sea. He also presented a paper in Maastricht on legal issues arising in relation to the development of oil and gas resources in the disputed waters adjacent to the Falkland Islands at a Symposium on the Sovereignty Dispute over the Falklands (Malvinas), organised by Maastricht University on 7 October 2016.

Dr Shuangge Wen – Dr Wen was invited to act as the Session Chair and speaker at the Annual Business and Social Science Research Conference

Professor Richard Williams – In May 2016 Professor Richard Williams delivered papers entitled “The Relevance of Laytime & Demurrage in Non-traditional Scenarios” and “Time Charters-Who Controls the Form and Content of Bills of Lading” at the Second Advanced Seminar on International Maritime Law organised by the University of Athens. In January 2017 Professor Williams delivered the Key note speech entitled “Brexit and International Trade: The Way forward or is it Back?” at a symposium held at the headquarters of the Royal Aeronautical Society (RAeS) in London.



Professor Elwen Evans QC welcoming Mr He and other delegates to the School and IISTL

Chinese Vice Transport Minister Visits IISTL

In November 2017, a delegation of five senior government officials, led by Vice Minister of Transport of PR China, Mr He Jianzhong, visited the Institute. During the visit the Vice Minister had an opportunity to talk to some of our LLM students from China. Our LLM programmes in Maritime Law attract students from all around the world and this year we have students from 21 different nationalities at Swansea. The delegation was given a warm welcome by our Head of the College, Professor Elwen Evans QC. The visit was a great success and will provide a framework for further collaboration in future between China and the IISTL.



Professional Training

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 2016 and 2017:

BIMCO Courses

Professors Baris Soyer and Richard Williams provided specialist masterclasses for BIMCO (the world's largest shipowners' organisation) in Montreal, Limassol, Hong Kong, Copenhagen, Rome, Bremen, Vancouver, Rotterdam, Paris and Hamburg on charter party issues, bills of lading, marine cargo claims and laytime & demurrage and also provided classes at the annual BIMCO Summer School in Denmark.

Shipping Foundation Courses for the Consortium of Law Firms in the City of London

Members of the Institute provided Foundation Courses on marine insurance, bills of lading, charter parties and shipbuilding contracts for a consortium of six City international law firms. The lectures were delivered by Professors Simon Baughen, Baris Soyer, Andrew Tettenborn, and Richard Williams and Associate Professors George Leloudas and Theodora Nikaki.

Lloyds Maritime Academy (LMA, Informa London)

In 2016 Professor Richard Williams chaired and gave lectures on a range of topics at Informa's annual Masterclass in London relating to bills of lading.

IBC (Asia)

In 2016 Professor Richard Williams conducted courses on charter party and laytime and demurrage issues for IBC (Asia) in Singapore

Industry In-House courses

In 2017 Professor Williams conducted specialist in-house courses for Gard (Greece) in Athens, Helm AG in Hamburg, Glencore in Switzerland and Minerva Marine in Greece.

Other Professional Assistance

In 2016-17 Professor Williams was requested by the World Food Programme (WFP) of the United Nations and BIMCO to assist in reviewing the Worldfood 1999 Charter (which is the contract pursuant to which WFP provides 2 million tons of food aid to 80 million people in over 70 countries around the world) and in preparing and drafting the Worldfood 2017 charter.



Professor Richard Williams (middle) at an IISTL event



Professor Simon Baughen with some of our LLM students

IISTL Student Prize

With the intention of encouraging Swansea LLM students to produce a research output of highest quality, the Institute introduced in 2007 a prize open to students completing part 2 of their studies. The winner of the Prize in 2016 was Karin Garfjeld Roberts who completed her LLM in International Maritime Law in 2016 with distinction. Prior to coming to Swansea, Karin studied at Nottingham University and worked at General Reinsurance, (London) as casualty facultative underwriter for a number of years. In 2017, the Prize went to Andreas Siniväli who originally hails from Estonia. Andreas completed his LLM in International Maritime Law in 2017 at Swansea University with distinction.

Staff News

In 2016, Ms Stella Kounakou joined the IISTL as a research fellow. Stella is currently completing her PhD on “Charterer’s Liability- Insurance Options” under the supervision of Professor Soyer and Dr Nikaki.

In the course of 2016-17, the Institute provided visiting opportunities to various academics around the world: Dr Bülent Sözer from Yeditepe University in Turkey spent several weeks with us in the summer of 2017 whilst Dr Wei Xiao from Nanjing Normal University was at Swansea for almost a year (2016-17)!

Last but not least, we like to thank Dr Nima Tabari, who left the Institute in September 2017 to take up a lectureship at City University, for his contribution over the last 2 years.



Guest Lectures

In the course of 2016-17, the Institute organised the following guest lectures for its members, PhD and LLM students:

Mr Bleddyn Davies, HSEQ/Operations Co-ordinator, Graig Ship Management Ltd – “Regulatory Changes within Ship Management & Operations”

Peter Grube, Chief PR Officer & Senior Education Officer, BIMCO – “BIMCO and Its Role in Drafting Documents”

Professor Angus Johnston, University of Oxford – “EU Energy Law and Policy”

David Hertzell, Former Law Commissioner for Commercial and Common Law – “The Insurance Act 2015”

Mr Fabien Lerede, Off-shore Syndicate Claims Director, Charles Taylor, London – “P&I Clubs”.

Mrs Sophie Nappert, Barrister at 3 Verulam Buildings – “Gas Price Revision Disputes – Is Arbitration Delivering?”

Richard Neylon, Partner, Holman Fenwick Willan LLP – “Responding to a Major Marine Casualty - The Role of a Maritime Lawyer”

Mr Michael Powell, Key Supplier Manager of Graig Shipping Plc - “INCOTERMS”

Hugh Shaw, the Secretary of State Representative (SOSREP) - “The Role of SOSREP”

Mr Mike Stockwell, Director, Risk Management, Ardent Global – “Marine Salvage, Wreck Removal and Refloating the Costa Concordia”

Carlos Vazquez, Business Development Manager, The MECO Group - “P&I Insurance”

Dr Yang Zhao, Counsel, The London Court of International Arbitration - “The Personal Experience of An Overseas Lawyer Qualifying and Working as A Solicitor in England & Wales.”



Mr Peter Grube (BIMCO)
delivering a guest
lecture to IISTL
members and students

14th Annual Colloquium

This year we shall hold our 14th Annual Colloquium at Swansea on 10-11th September. The theme of the event will be “New Technologies and Shipping Law”. There will be sessions devoted to: Smart Ports, Smart Shipping, Smart Contracting and LegalTech in the Shipping World.

See our website for updates on this event: www.swansea.ac.uk/law/iistl

Members of the Institute of the International Shipping and Trade Law

Professor Baris Soyer - Director

Admiralty law, marine and non-marine insurance and carriage of goods by sea

Associate Professor Andrew Beale OBE

IP, asset management and trade

Professor Simon Baughen

Shipping law, carriage of goods by sea and trade law

Professor Iwan Davies (Pro-Vice-Chancellor (Internationalisation and External Affairs))

Finance and security

Dr George Leloudas

Multimodal transport and air law

Mr Yuri von Logchem

Law of the sea, regulation, oil, gas and renewable energy law

Associate Professor Theodora Nikaki

Carriage of goods by sea, multimodal transport, international trade law and conflict of laws

Ms Tabetha Kurtz-Shefford

Admiralty law, trade law and law relating to oil and gas

Professor Andrew Tettenborn

International trade law, payments and finance, commercial law

Professor D. Rhidian Thomas

International trade and payments, carriage of goods, marine insurance, reinsurance, admiralty and arbitration

Dr Shuangge Wen

Corporate law and conflict of laws

Professor Richard Williams

Carriage of goods and maritime liabilities

Research Assistants

Mrs Ceren Cerit

Ms Stella Kounakou

Visiting Fellows

Mr Peter MacDonald-Eggers QC

Insurance and reinsurance law, commercial law

Mr Fabien Lerede, Charles Taylor

Liability insurance and energy law

Mr David Hertzell, Former Law Commissioner for Commercial and Common Law

Insurance and marine insurance law

Mr Simon Rainey QC

International trade, shipping and international arbitration

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The IISTL is a Research Centre within the Hillary Rodham Clinton School of Law.