In this third report I have prepared for publication in the Institute’s Annual Report of Activities I have chosen the reassuring title Steady Ahead, for I consider that it accurately describes the period of consolidation which the Institute has experienced over the last twelve months following the hectic growth of the preceding two years.

The consolidation has extended broadly over all the sectors of the Institute’s activities, but at the same time there has been witnessed a measure of continuing but more modest growth and expansion. In a very competitive and demanding educational world we are increasingly confident that we are endeavouring to achieve the right goals and that we have in a short time travelled a considerable distance towards their achievement.

With regard to the extramural activities of the Institute no ground has been lost. The demand from the shipping industry and the international legal profession for training courses, master-classes and seminars organised and presented by members of the Institute continues unabated. Members of the Institute are also increasingly in demand to provide professional advice, consultative services and act as expert witnesses. This is all very welcome for it provides one of the avenues by which the Institute attempts to tap the rich rewards that are to be derived from blending academic expertise with professional understanding and experience.

The highlight of the year was once again the annual international colloquium organised by the Institute. In this third colloquium the chosen subject was time charter parties. The event attracted an international panel of eminent speakers drawn from shipping, the legal profession and academia, and also an international body of delegates. We are witnessing increasing support for these colloquia with each passing year and they are quickly establishing themselves as part of the maritime law calendar. The edited papers delivered at the colloquium will be published in book form by Inforuma, which will appear in about March 2008. Looking forward to next year, the 2008 colloquium will be held on September 11 and 12th, when the chosen subject will be voyage charter parties.

On the intramural scene, the membership of the Institute has been enlarged by the arrival of Richard Caddell from the University of Bangor. Richard’s academic interests are international law of the sea, European maritime law and marine environmental law. His arrival will help to expand the range of expertise within the Institute, as well as bolster the existing areas.

The academic engagement and publications of the full membership of the Institute are recorded elsewhere in this Report, as also are their extramural activities. I again take the opportunity provided by this Report to applaud their commitment, industry, enterprise and academic research. The Institute has set down bold and ambitious aspirations. I am sure that they will be achieved and that the Institute will serve the interests of scholarship and the professional demands of shipping and the legal profession at the highest level.

Professor D Rhidian Thomas
Professor Richard Williams delivered lectures on charterparties and bills of lading on the LLM programme run by the BCA at their campuses in Glyfada and Piraeus, Greece.

Next year's international colloquium is devoted to voyage charterparties and will be held on September 11th and 12th. Details of the colloquium will appear on the Institute website early in 2008.

FOURTH INTERNATIONAL COLLOQUIUM

Ascertaining the charter period

Professor Michael Furmston
(Partner, Ince & Co, UK) - Maritime Law
- The Work of the Bank of England
- The New Jason Clause—the puzzle of the familiar areas in the current limitation regime

Professor Richard Williams
(Ordered a module on Maritime Insurance in London) - Marsh & McLennan

Mr Andrew Taylor
(Partner, Reed Smith Richards & Carver on Bills of Lading
- A contribution chapter 13 (pp 233-253); his case analyses included
- The effectiveness of liens as a self-help remedy

Mr David Foxton QC
(Dr Davies’ research is currently focusing on various aspects of the extent to which WTO disciplines infiltrate and impose demands on the legal systems of its Members

Mr Paul Herring
(Professor Richard Williams delivered a lecture at the

Time charterparty hire - issues

Dr BANG SOYER
Professor Erik Rosæg
(Partner, Ince & Co, UK) - Safe ports and places

Time charterparty hire - issues

Mr John D Kimball


He is an editor of the JML and during 2007 he editorialised several case analyses. His editorial addressed Marine Insurance and the Reform of English Insurance law (pp 223-224) and a case Dunlop Stevedoring v WAP General Insular (Philippines) Ltd (2006) Lloyd’s Rep 852 (wilful misconduct and fraudulent claims in insurance) and Marine Offshore Pte Ltd v China Insurance Co (Singapore) Pte Ltd and Another (2006) SGCA 28 (Supreme Court of Singapore, Court of Appeal - marine insurance - breach of warranty, seaworthiness and other issues).

Dr SOYER is currently completing research sponsored by the Nuffield Foundation on reforming various aspects of insurance law. His paper presented at the Institute’s third international colloquium on construction and timing of time charters will be published in the forthcoming book of the colloquium proceedings.


Dr NIKAKI is currently researching in the area of private international law, and in particular the applicable law of contracts under the Rome Convention and the Rome I Regulation.


Mr CADDELL is currently researching the international and regional law addressing the regulation of whaling and protection of marine mammals. He has also been commissioned by the Advisory Committee of a major regional treaty to provide legal advice on the operation of marine mammal conservation in EU waters.

Mr MẢIS JACOBSSON contributed Chapter 1 (pp 3 – 18) titled ‘Ship source pollution - Oil and Hazardous and noxious substances to Liability Regimes in Contemporary Maritime Law’ (see above).

Mr Arel Davies published an article titled ‘Connecting or Compartmentalising the WTO and United States Legal Systems’ in Journal of International Economic Law. Dr Davies’ research is currently focusing on various aspects of the extent to which WTO disciplines infringe and impose demands on the legal systems of its Members.
Liability Regimes in Contemporary Maritime Law was published in July 2007 by Informa

This book, edited by Professor D Rhidian Thomas, is a product of the International Colloquium on Maritime Legal Liabilities organised by the Institute in September 2006. It addresses topical and significant issues relating to liabilities as they manifest themselves in various sectors of maritime law. The book is an anthology of speakers’ papers, finalised in the months following the colloquium, together with relevant source materials set out in the Appendices. The Foreword of the book was written by the Admiralty Judge, Mr Justice David Steel who commented:

“As both the Admiralty Judge in Charge of the Commercial Court, I am better placed than most to recognise the enormous contribution to international commercial law derived from our leading universities. The Institute of International Shipping and Trade Law at Swansea, under its director D. Rhidian Thomas, has shot to the forefront of this academic contribution, made all the more worthwhile by the care taken to absorb and incorporate ideas from practitioners and a wide range of shipping and commercial interests.

The present volume represents the work product of the second international colloquium organised by the Institute. The first, which was devoted to marine insurance law, was a notable success. The content of this new volume reveals that the second was equally worthwhile. No doubt the third, on time charters, which will be imminent at the time of publication, will be equally valuable.”

The book, published by Informa, London, contains the following chapters:

Chapter 1 - Ship Source Pollution Oil and Hazardous and Noxious Substances

Mr Måns Jacobsson, Visiting Fellow of the Institute of International Shipping and Trade Law, Swansea University

Chapter 2 - Pollution from Ships: EU Directive on Criminal Sanctions for Ship-Source Pollution

Mr Colin de la Rue, Ince & Co, London

Chapter 3 - Marine Pollution Liabilities under UK Law

Professor Robert Force, Maritime Law Centre, Tulane University, USA

Chapter 4 - Liabilities of Ports in respect of Marine Pollution and related matters.

Professor P K Mulvihill, World Maritime University, Malmo, Sweden

Chapter 5 - Liabilities of Salvors

Professor Stephen Gavin, Birmingham University and Mr Toby Stephens, Homan Perwak & Willan, London.

Chapter 6 - The Liability of Salvors for Pollution

Mr Archie Bishop, International Salvage Union.

Chapter 7 - The Liabilities of Classification Societies-More Ackward than it looks?

Professor Andrew Tettenborn, University of Exeter

Chapter 8 - Classification Society Liability in the United States

Professor Martin Davies, Maritime Law Centre, Tulane University, USA

Chapter 9 - The ISM and ISPS Codes: Influence on the Evolution of Liabilities

Mr Simon Kerradal QC, Quadrant Chambers, London

Chapter 10 - The ISM and ISPS Codes: A Critical Analysis of Content, Philosophy and Legal Implications

Dr Phil Anderson, ConsultISIM Ltd, London.

Chapter 11 - Boundaries of Athens Convention: What you see is not always what you get.

Dr Barq Soyer, Institute if International Shipping and Trade Law, Swansea University

Chapter 12 - Passenger Liabilities and Insurance: Terrorism and War Risks

Professor Erik Resagat, Scandinavian Institute of Maritime Law, University of Oslo, Norway

Chapter 13 - Damages for Wrongful Arrest of Ships in the English Admiralty Jurisdiction

Professor Rhidian Thomas, Director of the Institute of International Shipping and Trade Law, Swansea University

Chapter 14 - Liability for Wrongful Arrest of Ships from a Civil Law Perspective

Professor Dr Frank Smeele, Erasmus University, The Netherlands

Chapter 15 - Problematical Areas in the Current Global Limitation Regime

Professor Richard Williams, Institute of International Shipping and Trade Law, Swansea University

Chapter 16 - Jurisdictional Aspects of Limitation of Liability for Maritime Claims

Mr Nigel Meezen QC, Quadrant Chambers, London

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 Iwan Davies

Finance and reinsurance

Professor Jukka Snell

Insurance and reinsurance law, commercial law

Mr Måns Jacobsson

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Personnel

The Institute is delighted to welcome Mr Richard Caddell who joined us from the University of Wales, Bangor. Richard specialises in the law of the sea, European maritime law and marine environmental law and has many publications to his name. He will be involved in teaching existing LLM courses and in develop new modules that reflect his specialist interests. Also, Peter MacDonald-Eggers has joined the Institute as a Visiting Fellow. Peter is a bamister practicing at 7 King’s Bench Walk. He specialises in all aspects of commercial law, with particular emphasis on insurance and reinsurance. He is co-author of Good Faith and Insurance Contracts, 2nd edn, (LLB 2004) and is a Contributing Editor of Chitty on Contracts.

Success for PhD Researchers

In the course of the year 2 postgraduate students supervised by the members of the Institute were awarded PhD degrees. Dr Hussam Kassem defended his PhD thesis, which analysed the seaworthiness obligation in contracts of carriage of goods by sea, in a viva examination held in March. Dr Kassem was jointly supervised by Professor Richard Williams and Dr Barq Soyer. Dr Obina Okere was also successful in defending his thesis analysing the liabilities of classification societies in June. Dr Okere studied under the supervision of Professor Rhidian Thomas.

Strengthening links with other Academic institutions

The Institute takes pleasure in recording its growing academic links with the World Maritime University, Centre de Droit Maritime et Oceانique, Universite de Nantes and Scandinavian Institute of Maritime Law, University of Oslo.