The title “Commercial Maritime Law” is a misnomer. There is a patchwork of different commercial maritime laws around the world. However, the title is a true reflection of what many legal scholars and practitioners in the field have long desired: a common framework of commercial maritime law. This two-day colloquium unravels the complexities of bridging the gap between common law and civil law in commercial maritime law and will discuss whether the title “Commercial Maritime Law” will remain a misnomer despite the countless attempts at harmonization. The conference brings together internationally renowned scholars to discuss:

- the areas in which the common law and civil law are divided;
- the impact of these differences on the drafting and ratification of international conventions;
- the search for a common framework; and
- the procedural aspects of the common law and civil law divide in commercial maritime law.

The Agenda - Day 1 (31 May 2016)

12:30 Registration and light lunch
13:00 Welcome
Dr Melis Özdel, Director, UCL Centre for Commercial Law, UK

Keynote Speeches
Sir Anthony Evans, former Chief Justice of the Dubai Financial Centre Court, former Lord Justice of Appeal
Clive Aston, President of the LMAA (London Maritime Arbitrators Association)
Chair: Mr. Godofredo Mendes Vianna, Partner at Kincaid Mendes Vianna Advogados, Rio de Janeiro, Brazil

14:00 The common law “action in rem” and the suit against the master “qualitate qua” in continental law: Are these two ways of proceedings really “twin brothers”
Emeritus Professor Marc Huybrechts, University of Antwerp, Belgium

14:30 Q&A
14:45  Parallel proceedings for limitation of liability and insolvency: Issues and a few possible solutions
Professor Martin Davies, Tulane University, Tulane Maritime Law Centre, USA

15:15  Q&A

15:30  Coffee Break

16:00  Chair: Mr. Godofredo Mendes Vianna, Partner at Kincaid Mendes Vianna Advogados, Rio de Janeiro, Brazil

**Bridging the gap between the common law and civil law in maritime arbitration: The recognition of arbitration awards under the New York Convention 1958**
Dr Melis Özdel, Director, UCL Centre for Commercial Law, UK

16:45  **Towards a convergence of the principles of European, maritime and common contract law**
Professor Erik Røsæg, University of Oslo, Scandinavian Institute of Maritime Law, Norway

17:15  Q&A

17:30  Coffee Break

18:00  **Evening Session**
Chair: Jeffrey Gruder QC, Essex Court Chambers

**Singapore: common law relevance in a civil law Asia**
Lawrence Teh, Senior Partner, Detons Rodyk Davidson, LLP, Singapore

18:30  Q&A

18:45  **The common law and civil law traditions of contract interpretation in the context of maritime law**
Sir Bernard Rix, 20 Essex Street, International Judge of the Singapore Commercial Court

19:15  Q&A

19:30  Reception and Conference Dinner
*Dinner guests will be escorted from BMA house to UCL for the dinner at 19:50*
The Agenda - Day 2 (1 June 2016)

12:30    Conference Lunch
14:00    Chair: Ravi Aswani, Stone Chambers, UK

Actual carriers at civil law
Professor Dr Dieter Schwampe, Partner, Dabelstein & Passehl Rechtsanwälte, Hamburg, Germany

14:30    Q&A

14:45    Actual carriers at common law
Emeritus Professor Francis Reynolds, Oxford University, UK

15:15    Q&A
15:30    Coffee Break
16:00    Chair: Paul Dean, Partner, Holman Fenwick Willan, UK

Insurance and Disclosure: Common Law and Civil Law Perspectives
Peter Macdonald-Eggers QC, 7 King’s Bench Walk, UK

16:30    Q&A

16:45    Conflict or tension between the Brussels I Regulation and the maritime and transport law conventions?
Professor Frank Smeele, Erasmus University, Rotterdam Institute for Shipping and Transport Law, The Netherlands

17:15    Q&A
17:30    Coffee Break
18:00  **Evening Sessions:**
Chair: Charlotte Winter, Partner, Norton Rose, UK

**PST Energy 7 Shipping LLC and Another v. OW Bunker Malta Ltd and Another**
*(The Res Cogitans)*
Jens V. Mathiasen, Gorrissen Federspiel, Copenhagen, Denmark

18:30  **Q&A**

18:45  **PST Energy 7 Shipping LLC and Another v. OW Bunker Malta Ltd and Another**
*(The Res Cogitans)*
Stephen Cogley QC, Quadrant Chambers, UK

19:15  **Q&A**

19:30  Reception

20:15  Conference Ends

**Accreditation:**
This conference is accredited with 10 CPD hours in total. Day 1 = 5.5 CPD hours, Day 2 = 4.5 CPD hours
Provider No: BSB = 1901  SRA = 464085
About the Organiser:

Dr Melis Özdel, Director, UCL Centre for Commercial Law, UK

Melis Özdel is the Director of the UCL Centre for Commercial Law. At UCL, she convenes the International Trade Law and Carriage of Goods by Sea modules and co-convenes the International Arbitration Law module. Melis is also a qualified advocate in Istanbul, Turkey. She has published extensively in various areas of Maritime, International Trade, Conflict of Laws and Arbitration Law. Melis is the author of Bills of Lading Incorporating Charterparties (Hart Publishing, 2015) and co-author of EU Maritime Transport Law (Hart-Nornos-Beck, 2016) Melis is a member of the Chartered Institute of Arbitrators, Turkey Bar Association and a supporting member of the London Maritime Arbitrators Association.

About the Keynote Speaker:

Sir Anthony Evans, former Chief Justice of the Dubai Financial Centre Court, former Lord Justice of Appeal

Sir Anthony Evans, PC, QC, RD is an internationally known jurist, judge and barrister and a former Lord Justice of Appeal. He currently holds the office of Chief Justice of the Dubai International Financial Centre Courts and is the first person to hold that office. Sir Anthony was appointed to the post in April 2005 by Sheikh Maktoum bin Rashid Al Maktoum, who was then ruler of Dubai. He formerly held high judicial office in the courts of England and Wales, sitting on the Court of Appeal and the Queen’s Bench Division of the High Court of Justice, including the Commercial Court (which is part of the Queen’s Bench Division. He is an internationally regarded maritime lawyer.

Clive Aston, President, LMAA (London Maritime Arbitrators Association)

Clive Aston studied law at Trinity College, Cambridge before being called to the Bar in 1979. He then spent 9 years working in a leading P&I Club, where he became manager of the Freight, Demurrage and Defence and Greek P&I departments. In 1988 he started his own consultancy practice and began accepting appointments as an arbitrator, becoming a full member of the London Maritime Arbitrators Association shortly afterwards. As an arbitrator he has dealt with a wide range of shipping and shipping related disputes. Since 1998 Clive has had several spells on the committee of the LMAA and has been President since 2014. He is also a trained mediator, member of the Baltic Exchange and arbitrating member of the China Maritime Arbitration Commission, Singapore Maritime Arbitration Commission, Hong Kong International Arbitration Centre and Shenzhen Court of International Arbitration.

About the Speakers:

Stephen Cogley QC, Quadrant Chambers

Stephen Cogley QC is commercial chancery barrister with a broad based practise which includes Shipping, Energy, Finance, Insurance and Insolvency both domestically and internationally. He appears in the Legal directories as a Leader in Commercial Litigation, Energy, Insurance and Banking and Finance. He appeared on behalf
Emeritus Professor Marc Huybrechts, University of Antwerp, Belgium
Marc A. Huybrechts is emeritus Professor of Transport Law at the University of Leuven and at the Antwerp University and visiting Professor at Dalian Maritime University.

He is an advocate at the Bar of Antwerp and emeritus auxiliary justice at the Antwerp Appeals Court.

Peter Macdonald-Eggers QC, 7 King’s Bench Walk, UK
Peter MacDonald Eggers QC is a barrister practising at 7 King’s Bench Walk, specialising in commercial law, including insurance and reinsurance, shipping, energy, commodities, international trade and arbitration. Peter is co-author of Good Faith and Insurance Contracts, author of Deceit: The Lie of the Law, and a Contributing Editor of Chitty on Contracts. He is a Visiting Professor at University College, London.

Peter has appeared in numerous commercial cases, including recently in The Cape Bari (Limitation Convention), Suez Fortune Investments Ltd v Talbot Underwriting Ltd (CTL and sue and labour), Rathbone Brothers plc v Novae Corporate Underwriting (subrogation), The Princess of the Stars (reinsurance and typhoon warranty), Sea Glory Maritime Co v Al Sagr National Insurance Co (good faith and ISM), Arash Shipping v Groupama (Iranian sanctions and fleet policy), Maaefield v Amlin (ATL and piracy), The WD Fairway (CTL and abandonment), and Limit v AXA (good faith and reinsurance).
Jens V. Mathiasen, Gorrissen Federspiel, Denmark
Jens V. Mathiasen, born 1971, is a partner of Gorrissen Federspiel. He graduated with a Master’s Degree in Law from the University of Copenhagen in 1996. In 1997 he became Master of Laws (LL.M.) at University of Southampton and worked as an attorney at Gorrissen Federspiel until 2001. In 2001 he was admitted to the Norwegian Bar, and in 2001-2003 he worked at Wiersholm, Melbye & Bech, Norway. In 2003 he returned to Denmark and was admitted to the Danish High Court in 2005. For several years he has been a lecturer in and head of maritime law at the A.P. Møller Shipping School. He works with all aspects of shipping and ship finance. Co-author of the Danish annotated “Merchant Shipping Act”, 2012, and contributor to a number of other publications. He is a member of Comité Maritime International (CMI), Danish Branch and The Danish Association of Banking and Finance Law.

Emeritus Professor Francis Reynolds, Oxford University, UK
Francis Reynolds DCL, QC (Hon) is an Emeritus Professor in the University of Oxford; a barrister and Honorary Bencher of the Inner Temple and a Fellow of the British Academy; a Titular Member of the CMI and Honorary Professor in the International Maritime Law Institute of the IMO, Malta. He is one of the writers of Carver on Bills of Lading.

Sir Bernard Rix, 20 Essex Street, International Judge of the Singapore Commercial Court
Sir Bernard Rix is Professor of International Commercial Law at Queen Mary University of London. He retired as Lord Justice of Appeal in 2013 after 20 years in the Commercial Court and the Court of Appeal. He is an arbitrator and mediator and has been appointed to the Cayman Islands Court of Appeal and Singapore International Commercial Court.

He was educated at New College Oxford, of which he is an honorary fellow, and at Harvard Law School, where he was a Kennedy Scholar. He is a member of the Advisory Council of BIICL (British Institute of International and Comparative Law), former Chairman of the Advisory Council of CCLS and former director of the London Philharmonic Orchestra.

At Queen Mary, he lectures on insurance, shipping, arbitration and commercial law and is convening a new module next year entitled Transnational Problems in Commercial Contracts.

Professor Erik Røsæeg, University of Oslo, Scandinavian Institute of Maritime Law, Norway
Erik Røsæeg was born in 1958, and have mainly been employed by the University of Oslo since 1982. He became Master of Laws 1986 and Doctor of Laws 1992; both degrees from University of Oslo. He is now a professor at the Scandinavian Institute of Maritime Law, and works with general commercial law, maritime law and law of the sea. He has extensive experience from treaty negotiations and is the chairman of the Norwegian Maritime Law Commission.

Professor Dr Dieter Schwampe, Partner, Dabelstein & Passehl Rechtsanwalte, Germany
Dr. Dieter Schwampe, born 1957, studied jurisprudence and Japanology at the Universities of Constance, Bonn and Hamburg and obtained his first state exam in 1981. From 1981 to 1982 he was an Assistant at the Institute for Private International and

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Dieter Schwampe is a member of the Hamburg Bar Association, the German Lawyers Association, the U.S. Maritime Law Association (MLAUS) and the International Bar Association (IBA). He is President of the German Maritime Law Association (DVM) and Board Member of the Hamburg Association of Insurance Science. He is also an Executive Council Member of Comité Maritime International (CMI) and a member in CMI’s International Working Groups on Marine Insurance (of which was he Chairman from 2009 to 2013) and CMI’s International Working Group on Unmanned Ships. He also is Vice-Chairman of the Working Party on Marine Insurance of Association International de Droit des Assurances (AIDA) and a member of the Legal an Liability Committee of the International Union of Marine Insurance (IUMI). As a member of the German Maritime Arbitration Association (GMAA) he is an active arbitrator and as also served on international panels of other arbitration associations. Since 2013 he is Professor of Law at Hamburg University, where he teaches shipping law, transport law and marine insurance law since 2007. He is regularly invited to speak on national and international seminars and conferences, and he is the author of numerous books and articles on various aspects of shipping and marine insurance law.

Focus of Practice: The special areas of practice of Dieter Schwampe are insurance law as well as shipping law. In insurance law he is a specialist in hull as well as P&I insurance, cargo insurance, re-insurance and commercial specialties. Beside company and supervisory law of insurance companies he also intensively works in the insurance broker’s liability area. In shipping law he specializes in Bills of Lading, charter parties, collisions, salvage and general average.

Lawrence Teh is a partner in Rodyk & Davidson LLP's Litigation & Arbitration Practice Group. Lawrence advises clients and acts as an advocate in all areas of commercial law and appears regularly as leading counsel in the Singapore Courts, in arbitration and in other forms of dispute resolution. He is also appointed regularly as an arbitrator in international disputes. He has particular experience in international trade and commodities, maritime and aviation, banking and financial services, onshore and offshore construction, mergers acquisitions joint ventures and other investments, and insurance in related fields.

Professor Frank Smeele, Erasmus University, Rotterdam Institute for Shipping and Transport Law, The Netherlands

Frank Smeele (1966) graduated in European Studies and in Dutch Law at the University of Amsterdam in the year 1991. Before his graduations at the University of Amsterdam, Frank Smeele graduated in English Law at the University of Kent in 1990. After several years as a university lecturer he obtained his Doctoral degree in 1998 at the Erasmus University Rotterdam for a PhD-thesis on the identity of the carrier under bills of lading written under the supervision of Prof. Dr. Haak. In 1998 Frank Smeele was appointed as a lawyer at the Van Traa Advocaten Law firm. From 2004 to 2007 he was at partner at this law firm. Along side his work as a lawyer he was appointed Professor in Internationaal Zeerecht (International Law of the Sea) at the Erasmus University. In the year 2007 he was appointed Professor in Commercial Law at the Erasmus University and he held this chair ever since.
Lawrence is currently the Chairman of the Alternative Dispute Resolution (ADR) Committee at The Law Society of Singapore. He is a Fellow of the Chartered Institute of Arbitrators, a Fellow of the Singapore Institute of Arbitrators, and a panel arbitrator at the Singapore International Arbitration Centre. He chaired the committee that drafted the Law Society Arbitration Rules and is a panel arbitrator of the Law Society Arbitration Scheme. Recently, he was appointed the Administrator of the Comité Maritime International (CMI) in 2013, and Chairman of the Promotion Committee of the Singapore Chamber of Maritime Arbitration (SCMA). He is also a Council Member of the Legal Practice Division in the International Bar Association (IBA).

**About the Chairs:**

**Ravi Aswani, Stone Chambers, UK**
Ravi Aswani is a commercial dispute resolution barrister at Stone Chambers. He has a broad commercial practice which covers a number of areas including in particular shipping and international trade, commodities, energy and oil and gas, metals and mining, insurance and re-insurance, banking and finance. Ravi is recommended in both the Chambers & Partners Guides and the UK Legal 500 as a leading junior barrister.

**Paul Dean, Partner, Holman Fenwick Willan, UK**
Paul specialises in marine and offshore, focusing mainly on dispute resolution arising from charterparties, bills of lading, shipbuilding, rig disputes, collisions, fire and explosion, salvage, general average, groundings, total loss, towage, seismic and limitation. He is also head of the firm’s personal injury practice.

Paul is a member of the India Maritime Association in the UK and a member of the Marine Personnel Committee of the British Chamber of Commerce. He is regularly quoted in the press, speaks at and chairs conferences and is on the BIMCO panel for their «Using Supplytime» Course. Experience gained working for an International Group P&I club enables Paul to combine practical understanding with the legal role and he is identified in the Legal Directories as one of the leading individuals in his fields.

**Jeffrey Gruder QC, Essex Court Chambers**
Jeffrey Gruder QC is widely recognised a leading silk at the Commercial Bar. He is “An extremely able and thorough advocate with an extraordinary knowledge of the law,” as well as being “A lawyer with a nice persuasive advocacy style who is a great cross-examiner.” He is client-friendly, has a high profile practice and a wide array of experience in international litigation and arbitration.

**Godofredo Mendes Vianna, Partner at Kincaid Mendes Vianna Advogados, Rio de Janeiro, Brazil**
Godofredo Mendes Vianna has longstanding experience in litigation, with emphasis on shipping matters. His Litigation Practice is mainly centered on shipping activities, including shipbuilding financing, naval mortgages, shipbuilding contracts, aitreightment contracts, insurance, recovery claims, arrest of ships, particular and general average, oil pollution, salvage, labor and personal injury claims, acting on behalf of clients before the Civil, Labor and Federal Courts, Admiralty Court, Port Captancy and ANTAQ (Federal Agency for Waterways Transportation).

His professional memberships include: Chairman of the Maritime and Port Law Committee, Brazilian Bar Association, state of Rio de Janeiro section, Vice-Chair at the Transport and Maritime Law Committee of the International Bar Association – IBA. He is the Coordinator Professor of the Post-Graduation Course on Maritime Law at Fundação Getulio Vargas — FGV — RJ, a traditional Business School in Brazil. He is also a Professor at the MBA program on Shipbuilding and Offshore Industry of UFRJ/ COPPE.
Charlotte Winter, Partner, Norton Rose Fulbright LLP, UK

Charlotte Winter is a litigation and dispute resolution partner in London at Norton Rose Fulbright LLP. Charlotte deals with a wide variety of shipping, energy and aviation disputes. Her work includes shipbuilding disputes, ship sale and purchase disputes, financing disputes and mortgage enforcements, general shipping disputes claims as well as insolvency and restructuring advisory work. She has therefore acted for a range of owners, charterers, banks and liquidators or administrators in numerous arbitrations and court actions both domestically and internationally. In particular, she was involved in a number of Bunker related matters, advising both owners and physical suppliers. Charlotte also has experience of competition litigation having completed a six month internal secondment to the competition team in 2008 and also spent over two years in Norton Rose’s Bahrain office from 2000 to 2002. She is a regular speaker for Lloyds Maritime Academy on a variety of topics including electronic bills of lading and ship arrest.