



The president of the IVR, Dr. Philippe Grulois, welcomed the participants from various European countries at the 9th Colloquium that took place in on the premises of hotel Mvoska in Belgrade on the 5th September 2019.

He opened the colloquium by pointing out that on the 1st of July this year the CLNI 2012 convention entered into force. As Serbia was the first country that ratified the convention already in 2012, the location of the colloquium was strategically chosen.

One of IVR's main goals is the promotion of the unification of law regarding inland navigation. By means of organizing these kinds of colloquia, it strengthens its goals. The focus is not only on promoting the ratification of CLNI 2012, but also helping scholars and experts to interpret international treaties in a uniform way by providing an overview of various judgements in the countries involved.

Unification of law provides legal clarity and certainty, which is a major interest of IVR's members.

The colloquium was continued by official opening speeches by **Dr. Veljko Kovacevic** (Assistant Minister of Transport of Serbia), **Felix Zaharia** (Deputy Director-General for Legal Affairs of the Danube Commission Secretariat) and **mrs. Katrin Moosbrugger** (deputy Secretary General of the Central Commission for the Navigation of the Rhine).

Following the opening speeches, part 1 of the colloquium started with the current state of ratifications and national implementations regarding the CLNI 2012 and CMNI by **Dr. Peter Csoklich** (lawyer at Doralt, Seist, Csokloch) and **Filip Milosevic** (lawyer at Advokatska kancelarija Milosevic). The latter explained the state of ratifications and national implementations in the Republic of Serbia while the former gave a clear overview of the current inland navigation agreements.

Dr. Johannes Trost (lawyer at LEBUHN) started his presentation with his ambition for a call of unification. He was in favour of incorporating the CMNI in the BinSchG instead of the current situation where the CMR is incorporated.

The last block before the lunchbreak ended with very practical presentations regarding CMNI and CLNI case law. Are the conventions autonomous interpreted within Europe? While **Theresia Hacksteiner** (Secretary General at IVR) gave an overview of the most important articles and questions in judgements, **Vivian van der Kuil** (lawyer at AKD) focussed on the global limitation of liability using a German case study. **Markus Jaegers** (lawyer at NJP Grotstollen) closed this block by explaining the importance of freight documents under CMNI.

After several speeches, there was room for some questions & answers.

Following the lunch break, which was enjoyed outside, it was time for part 2 of the colloquium. Part 2 kicked off with a presentation by **Massimiliano Grimaldi** about the remarks on the international

convention regarding the registration of inland navigation vessels. **Dr. Olaf Hartenstein** (Lawyer at Arnecke Sibeth Dabelstein) focussed on the collision convention in inland navigation.

Part 2 was closed with two presentations about general average. While **Dr. Jolien Kruit** (lawyer at Van Traa) focussed on the applicability and application of the General Average Rules IVR, **Dr. Zsolt Kovacs** covered the general average in the light of the Budapest convention, in the national law of Danube countries, the standard rules applied for Danube Transport and on general average in light of insurance.

Theresia Hacksteiner closed the official part of the colloquium. She concluded that after the broad ratification of the CMNI convention, the ratification of CLNI 2012 by as many States is expected in the coming years. The implementation of these conventions in the various states contributes to the legal certainty allowing IVR's members to provide the necessary insurance of inland navigation to the benefit of all parties involved.

Besides IVR's Legal Committee will continue its focus in promoting an autonomous interpretation of the various conventions by the different courts.

The colloquium, which also offered various networking possibilities, ended with a boat trip (including dinner) on the beautiful rivers Danube and Sava.