

**Minutes of the Meeting of the AIDA Working Party for Marine Insurance
AIDA Europe Conference in Zurich, 22 October 2009, 2 p.m.**

Participants:

- Prof. Dr. Robert Koch, Chairman, University Hamburg, Germany
 - Dr. Dieter Schwampe, Secretary, Dabelstein & Passehl, Germany

 - Stella Sakellaridou, Prize Winner, Athen, Greece

 - Dr. Dieter Armbrust, Lebuhn & Puchta, Germany
 - Philip Graff, MAQS Law Firm, Denmark
 - Robert de Haan, Van Traa Advocaten, Netherlands
 - Avv Carlo Heilbron, Studio GHC, Italy
 - Elizabeth Leonhardt, Clyde & Co, UK
 - Ricardo Lewandowski, Ricardo, Clyde & Co, UK
 - Prof. Dr. Koichi Otani, Waseda University, Japan
 - Svenja Richartz, University of Hamburg, Germany
 - Eliseo Sierra, Universidad Autonoma de Barcelona, Spain
 - Prof. Dr. Alexander von Ziegler, Schellenberg Wittmer, Switzerland
 - Peter Rogan, Ince & Co, UK
 - Sergio Ruy Barroso de Mello, Pellon Associados Advocaciados, Brazil
 - Isabella Merlin, Clyde & Co, UK
 - Dr. Ferenc Kiss, Mabisz, Hungary
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- 1) Robert Koch welcomed the participants, spoke briefly about the foundation of the working party at the first meeting of AIDA Europe in Hamburg in May last year and introduced himself, the secretary Dieter Schwampe, his research assistant Svenja Richartz and the prize winner of the call for paper Stella Sakellaridou, student of the University of Athens.

 - 2) Afterwards Stella Sakellaridou presented her work on the topic of “Marine Insurance and Piracy”. She focused on the UNCLOS definition of piracy, the background and the possible links to terrorism. After her presentation Dieter Schwampe spoke about the technical side of piracy in the different types of marine insurance. He focused on the German hull and cargo insurance conditions with a short glance to the English and the Norwegian market.

 - 3) The following discussion focused on the difference between “Maritime Insurance” and “Marine Insurance”, the adaptability of the UNCLOS definition of piracy for insurance matters, “piracy acts” done by passengers or the crew and especially the connection between piracy and terrorism. The payment of ransom under a criminal law perspective, piracy in context with liability under the bill of lading and the share of P & I Clubs in the payment of ransom was discussed.

 - 4) Subsequent to the discussion every participant introduced himself/herself briefly and his/her expectations with regard to the future activities of the

working party. It was suggested to create a platform in the internet where documents could be placed and questions could be asked. Robert Koch suggested to organise the platform on the website of his institute (www.hzv-uhh.de/bereiche/versicherungsrecht.html)

- 5) It was decided that the working party shall meet once per year at the occasion of AIDA Conferences. The meeting should last 4 hours followed or preceded by a dinner or lunch for the participants of the working party. It was discussed to merge the existing working party on transportation and the working party on marine insurance. Robert Koch will address that issue to the Presidential Council. It was decided, at least for the time being, not to deal with aviation insurance in the marine insurance working party.
- 6) The next meeting will be during the World Congress in May 2010 in Paris, France. The congress will be devoted to compulsory insurance and climate change and the AIDA Presidential Council expects from the working parties that they deal with one of these topics in their meetings. Robert Koch and Dieter Schwampe will prepare a program draft which focuses on compulsory insurance within the area of marine insurance.

Minutes written by Svenja Richartz