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IMLI *e*-News

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Slovenian Parliament's Vice-President:

“IMLI is probably the only place on earth that brings together so many cultures, languages and legal experience...”

Professor Dr. Marko Pavliha, Vice-President of the Parliament and former Minister of Transport of the Republic of Slovenia, delivered recently a set of lectures on Marine Insurance at IMLI.



Prof. Marko Pavliha lecturing to the 17th generation of IMLI lawyers.

Prof. Pavliha is a Member of the IMLI Governing Board and has been a visiting fellow at IMLI since the academic year 1998/1999. He has been on several occasions an external examiner for the Institute and is also one of its supervisors in the Ph.D. Programme. He has published 14 books on different topics from the field of transport and (marine) insurance law and has covered many important positions in Slovenia and abroad (*including the post of a Secretary-General of the CMI*). He is a full professor of transport and commercial law at the University of Ljubljana, Slovenia.

Prof. Pavliha, which were the most important points of your lectures at IMLI ?

The major point of this year's lectures was risk management. It is very important for students to understand the commercial side of marine insurance. For this reason I delivered to them a sort of "ABC of risk management" (*basically how to evaluate and sell the risk and how to control and finance them*). After that we dealt with the definition of marine insurance and its subdivisions. Special emphasis was placed on the system of slips and the role of brokers at the Lloyd's market in London. In short, I tried to cover the most important points of this fascinating area.

You have been a visiting lecturers at IMLI since 1998. Can you describe your first "impact" with IMLI ?

It is quite interesting that I started lecturing on Marine Insurance at IMLI by mere coincidence. In my first letter sent to IMLI (*it must have been in 1993 or 1994*) I expressed my wish to lecture on charter parties, as that was the topic of my doctoral thesis at the McGill University in Canada. At that time I received a reply from IMLI that unfortunately this topic is already covered and that they will keep my CV on file and that they will contact me when opportunity arises. It was a sort of Hollywood-style answer - "Don't call us we we'll call you".

Later on I had been working for the largest Slovenian reinsurance company and I was also, at least to a certain extent, involved in marine insurance business. After a couple of years I got a call from IMLI (*more exactly from Dr. Ivan Vella*) who asked me whether I would be prepared to deliver a full course on Marine insurance Law. I have been lecturing marine insurance at IMLI since then.

What is the role of IMLI in the international (maritime) arena ?

It is my strong believe that IMLI is a unique place on earth that brings together so many cultures, languages and experiences. IMLI has grown over the years from an institution meant primarily for the training of lawyers from developing countries into also an

“European” institute. If we take a look at the current LL.M. generation – there are 31 lawyers from 22 States and almost one third of them (8) come from EU countries.

The European Union is currently preparing a Green Paper on Maritime Policy with the aim to review and harmonize its maritime and general transport policy. Also in the light of this it is of crucial importance for the EU to provide all possible support to IMLI, especially in financial terms. There is a lack of maritime law experts also in the European Union (*especially in the new member States*) and IMLI is by all means a perfect place to “produce” them and make them available for the EU and national institutions.

In 2004 you were elected Minister of Transport of the Republic of Slovenia. Which are, in your opinion, the priorities of the EU in the maritime sector ?

When I was a Minister I was lucky enough to chair the European Conference of Ministers of Transport, which took place at the end of May 2004 in Ljubljana, Slovenia. The Conference was attended by many European and other States including USA and Japan (as observes). It was indeed a very important event.

If we concentrate on the maritime sector one of the most important EU projects are the so-called “Motorways of the Sea”. The aim of the said programme is to move as many trucks as possible and heavy cargo from the roads to the ships. To give you just one example– one truck causes so much damage to the roads in one year as 40.000 personal vehicles. Not to mention the environmental damage and noise.

The Motorways of the Sea are also one of the fields where I see a large potential for cooperation between Malta and Slovenia. As Slovenia lies on the crossroads of two very important European corridors (*the fifth and the tenth*) it should developed into a logistics oriented country.

What are your general impressions about IMLI ?

I have been teaching marine insurance law for eight years and I must say that it has been a wonderful and extremely fulfilling experience. Each year I meet approximately 25 or more students from about 20 different States. As I said, it is probably the only place on earth that brings together so many cultures, languages and legal experience with the aim to achieve a better and more harmonized unification of international maritime law.

Like the famous Comité Maritime International, IMLI, too, contributes in many ways to the unification of maritime and commercial law, maritime customs, usage and practises. Post-graduate students learn how to understand and implement international conventions, as well as how to efficiently adopt them into their national legislations. According to Professor Tetley (*my former Ph.D. Supervisor*) the purpose of any international convention may be summed up in three principles: uniformity of law, certainty of law

and justice. I can say without hesitation that these principles are indeed the *spiritus agens* of the IMO IMLI.

In short – it is great to be here again and I will definitely come back.

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