

RENOWNED EXPERT IN MARINE INSURANCE LAW LECTURES AT IMLI

The Director, staff and students of the IMLI Class of 2015-2016 had the pleasure of welcoming Prof. Dr. Marko Pavliha (Vice-Dean for Research and Development and Head of the Law Department at the Faculty of Maritime Studies and Transportation, University of Ljubljana and the former Slovenian Minister of Transportation and Vice-President of the Parliament) between 15 and 18 February, 2016. During his visit, Professor Pavliha delivered a series of lectures on the Law of Marine Insurance.



Professor Dr. Marko Pavliha lecturing to the students of the IMLI Class of 2015-2016

During his lectures, Professor Pavliha provided the students with an overview of marine insurance, its history, the functioning of insurance markets and basic understanding of the main principles and concepts of marine insurance law. Professor Pavliha also explained some basic analysis of the broadly used standard clauses of marine hull and machinery insurance and cargo insurance.

Furthermore, he emphasised the main features of the new UK Insurance Act 2015 which will come into force this August and will also amend the famous Marine Insurance Act 1906. For instance, policyholders will be subject to a new duty of fair presentation replacing the existing duty of disclosure. There are also significant new rules on warranties, abolishing the basis of the contract clauses which effectively convert every statement made by a policyholder before the contract is signed into a warranty.

Professor Pavliha's lectures and the "case study", organized at the end of his course, were welcomed with enthusiasm by the students who expressed their appreciation for making the course a valuable experience.

This year's visit of Professor Pavliha coincided with that of the visit of the Honourable Minister for Home Affairs and National Security of Malta, Mr. Carmelo Abela.



L-R: Professor David Attard (Director of IMLI), the Honourable Mr. Carmelo Abela (Minister for Home Affairs and National Security, Malta) and Professor Dr. Marko Pavliha (Head of the Law Department at the Faculty of Maritime Studies and Transportation, University of Ljubljana and Member of IMLI Governing Board)

Professor Pavliha is a member of IMLI's Governing Board and a long standing friend and supporter of the Institute and its activities. In an interview with the editor of the IMLI e-news, reproduced below, Professor Pavliha expressed his pleasure to have been a visiting lecturer for 17 years and thus to have had the opportunity to see the Institute which, through the achievements of its students, has attained the status of an excellent centre of education in international maritime law.

Welcome to IMLI, how does it feel to come back?

Although it is my 17th consecutive visit to the Institute, I feel pretty much the same as the first time: At the beginning a bit nervous - it is kind of a positive stage fear, and then increasingly exciting. The more I know the students the more challenging and the more enjoyable the class becomes. At the end of the day, teaching at IMLI is always a wonderful fulfilling experience.

IMLI is really a crossroad of different cultures, different languages, and even more importantly, different legal systems, however, everybody speaks the same language, not only English but especially the same language of the rule of international maritime law.

I usually say that while most of the politicians are merely speaking about the importance of inter-cultural dialogue, IMLI is in fact doing it all the time.

And also, there is another reason why I keep on wishing to come back, namely I have fallen in love with Malta since many years ago and it has grown on me like almost my second or third fatherland if I also count Canada. Unfortunately I usually do not have enough time to enjoy it as much as I would like to because I am here for less than a week and spend most of my time preparing for lectures, teaching and meeting my friends, not to mention my various commitments at my university back home which I must handle by telephone and e-mail. I am very proud to be an 'ambassador' of Malta and IMLI, to promote and spread the good news about the country and the Institute around the world.

Since your first visit until recent visit to IMLI, what development have you noticed at the IMLI?

I do not want to be unjust to compare the students from current to previous batch, but what I can see is that students are better and better; this can be explained by the increasing number of applications which clearly indicate a growing demand to study at IMLI which has become one of the best postgraduate studies of international maritime law in the world. It is obviously easier to make a superb selection of applicants out of larger number so we should continue attracting the best candidates. If I am not mistaken, this year, for instance, the Institute has accepted 40 students, including 35 LL.M students, 4 advanced diplomas and 1 short courses students.

Other noticeable development is a tremendous improvement of English. I remember 17 years ago, it was not rare to see a few students hindered to follow the class due to their poor English. But nowadays, the students have much better command of English, which of course facilitates not only the communication but also their studies and participation at the class.

I also see impressive international reputation of IMLI, the considerable improvement of the premises, the student housing, the modern equipment that support a conducive study environment, etc.

I strongly believe that IMLI is a fine academic institution which can compete with any top faculty of law in the world in the field of maritime law and law of the sea. This has been confirmed on various occasions by IMO, UN, CMI and other governmental and non-governmental international and national organisations.

Let me take this opportunity to say, rather in my capacity of a longstanding member of the IMLI Board of Governors, that I am particularly grateful to all generous and visionary sponsors and donors, especially the Nippon Foundation which has been the IMLI's greatest financier for many years. This is another solid proof of the quality of IMLI because the Nippon Foundation would probably not ever invest money in a project they do not consider to be more than just successful and average.

How solid is the future of IMLI graduates in international sphere?

For sure they are among the best experts in international maritime law. They work at IMO, United Nations, the Governments in their respective countries, they are everywhere, many VIPs around the globe holding the IMLI degrees, including doctorates. This is another justification of the IMLI's existence because the Institute was initially established to provide a knowledge about international conventions adopted by IMO, so the students would learn to understand and implement them into their domestic legislation upon their return to their countries.

What kind of collaboration could be established between IMLI and University of Ljubljana, Slovenia?

There are many possibilities for cooperation with universities in different countries. For example, as a member of the IMLI Governing Board and Academic Committee, I was immediately in favour of the joint programme between IMLI and the German Kühne Logistics University which is a fresh and innovative added value to the existing curriculums at both institutions.

Of course, it is also possible to strengthen the already existing cooperation between IMLI and my Faculty of Maritime Studies and Transportation of the University of Ljubljana, perhaps in a form of summer schools, international conferences, etc. We were privileged in the past to host Professor David Attard who is also one of the very few Honorary Members of the Maritime Law Association of Slovenia, as well as Dr. Norman Martinez. Everybody from IMLI is always welcome to Slovenia, please do visit us.

In other words, I am a 'liason' between the Institute and the University of Ljubljana and it is not a cooperation on paper only, but very much the cooperation in practice.

What would be your advice on further developments of the Institute?

Keep up with the excellent work and try to engage the students even more in moot courts and similar practical interactive exercises.

Would you like to convey a message to IMLI students?

I usually conclude my lectures with Bob Dylan's verses from his beautiful song 'Forever Young' which are self-explanatory:

*"May God bless and keep you always,
may your wishes all come true,
may you always do for others
and let others do for you.
May you build a ladder to the stars
and climb on every rung,
and may you stay
forever young"*

That applies to the students and also to the IMLI and its staff. We all are growing old but in our hearts we should always cherish a youthful spirit.

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