

Tenth Anniversary of the Maritime Law Association of Slovenia

1. BRIEF HISTORY

The roots of the Maritime Law Association of Slovenia (MLAS) go back to the time prior to Slovenia's achievement of independence in 1991, when our present members were active in the Koper and Ljubljana sections of the Yugoslav Maritime Law Association. Among the most active members of the former federal association were Anton Kariž and Rasto Plesničar, who, together with their colleagues, "prepared the ground" for the then unthought-of independent Slovenian association.

In early December 1991 and during his post-graduate studies in Canada, the present MLAS President suggested to Anton Kariž, the then President (of the Koper section of the Yugoslav Maritime Law Association) to call a meeting and discuss, among other things, the application of the new future association for membership of the Comité Maritime International (CMI). Only one day after the Republic of Slovenia was internationally recognised, that is on 16 January 1992, the (first independent, Slovenian) Maritime Law Association of Slovenia was founded with its seat at the Splošna plovba premises at Obala 55, Portorož (the major Slovenian shipowner). Gregor Velkaverh was elected President; other Members of the Executive Council were Professor Dr. Marko Ilešič, Andrej Pirš and Rasto Plesničar. The Secretary was Anton Kariž, Co-ordinator of activities Dr. Marko Pavliha, Jože Možek (diseased), Lojze Peric and Josip Rugelj were elected Members of the Supervisory Board.

The MLAS was founded with the mandate to study maritime law, to promote its development and reputation, to co-operate with government bodies in preparing and adopting marine-related legislation, to facilitate international unification of law, to promote the harmonisation of Slovenian legislation with *acquis communautaire* (the EU law) as well as to offer assistance and consulting services on maritime law to individuals and companies (Article 5 of the Articles of MLAS). The Association advances its objectives by organising conferences and (round-table) discussions by participating in meetings of CMI as well as by investigating and drafting proposals for international agreements and domestic regulations (Article 6 of the Articles of Association).

The MLAS became a member of the CMI at the end of 1993. CMI was established in 1897 and, in its roles as special non-governmental international organisation, brings together over 50 national maritime law associations. In its more than 100 year history, CMI has brought forward a considerable number of maritime conventions, thus making a significant contribution to the unification of maritime law. Membership of such an organisation is, therefore, very important to the Slovenian Association.

In its first "independent" period, the Association addressed an open letter to the government, drawing attention to the government's careless attitude towards the role of maritime affairs in

Slovenia; it organised a round-table discussion on the Hamburg Rules and actively co-operated in the preparation of the new Maritime Code. In addition, it was admitted to the Federation of Lawyers' Associations of Slovenia.

2. OFFICERS OF THE MLAS

At the Regular Annual General Meeting on 10 October 1997, there were held elections of members of the Executive Council. Officers were elected for a three-year term (until 10 October 2000) with the possibility of being re-elected. The members of the Supervisory Board and the Honorary Court of Arbitration were elected at a special General Meeting on 12 September 1998. Most Officers were re-elected at the General Meeting on 10 October 2000. A new appointment for the position of Treasurer was made on 6 March 2002.

Currently, the “bridge” is manned by the following friends of marine and maritime-law:

Executive Council: Prof. Dr. Marko Pavliha (President)
(term expires 10/10/2004) Andrej Pirš (Deputy President)
Mitja Grbec (Secretary)
Siniša Lovrenčević (Treasurer)
Patrick Vlašič (Member)
Tomaž M. Jamnik (Member)

Supervisory Board: mag. Tristan Šker
(term expires 12/9/2006) Ivan Oblak
Tristan Šker

Honorary Court of Arbitration: Prof. Dr. Marko Ilešič
(unlimited term) Gregor Velkaverh
Anton Kariž

3. SEAT OF THE MLAS

In order to provide the Association with a completely neutral location, in 1997 the seat of the Association was moved to the University of Ljubljana, Faculty of Maritime Studies and Transport, Pot pomorščakov 4, 6320 Portorož. On this occasion, we need to give credit to the previous »host« the Splošna plovba for their huge efforts in furthering the development and operation of the Association.

4. MEMBERSHIP

4.1. Regular members

At the time of its establishment, the Association had 20 members. To date the number of members has reached nearly 90. The Association includes members of different professions, while it is increasingly attracting young members.

4.2. Honorary Members

In the General Meetings of the Association, the following internationally reputed experts were awarded honorary titles in the field of maritime affairs and maritime law:

Prof. William Tetley, Q.C. (McGill);
Geoffrey A. Topp (EMPA);
Đorđe Ivkoviæ;
Prof. Dr. Predrag Stankoviæ (deceased);
Prof. Dr. David J. Attard (IMO IMLI).

4.3. Titulary Members of CMI

On the proposal of the MLAS General Meeting, CMI appointed the following persons Slovenian Titulary Members:

Prof. Dr. Marko Ilešič;
Đorđe Ivkoviæ;
Anton Kariž;
Prof. Dr. Marko Pavliha;
Andrej Pirš and
Josip Rugelj.

5. CO-OPERATION WITH CMI

MLAS representatives regularly participate in meetings and conferences of CMI, they fill in questionnaires of various fields and actively co-operate in other forms in the work of CMI. More about the Association's activities can be read in the papers listed in the Annex.

6. ROUND-TABLE DISCUSSIONS AND OTHER IMPORTANT MEETINGS

The Association organised the following round-table discussions. The matters discussed can be seen in the published papers (see Annex):

the Hamburg Rules;
the new Slovenian Maritime Code;
marine claims and arrest of ships;
ship register;

maritime pilotage (visit of Mr Topp, Chairman of the European Maritime Pilot Association);
stevedoring services;
maritime liens and conflict of laws (visit of Prof. Tetley);
novelties in transport insurance;
presentation of Andrej Pirš's book on transport insurance;
experience of Croatian colleagues on the modification of their Maritime Code;
presentation of two books written by Prof. Dr. Marko Pavliha on transport law and insurance law;
lecture on the maritime boundary dividing the Bay of Piran, and Slovenia's access to the high sea;
Special General Meeting called at the occasion of the visit of Prof. Dr. Attard to Slovenia.

7. PROFESSIONAL TRAINING OF SPONSORS AND DONORS

The Association acquired some financial means through organising the following round-table discussions and conferences:

round-table discussion on bills of lading for the Union of Maritime Transport Agencies of Slovenia (Zveza pomorsko prometnih agencij Slovenije);
lecture on the stevedoring contract for the Union of Maritime Transport Agencies of Slovenia;
one-day course on the new Maritime Code organised for the Port of Koper;
one-day course on the EU maritime law organised for the Port of Koper.

8. OTHER PROJECTS

Especially the following should be mentioned:

drawing the attention of the Slovenian Government to the neglected role of maritime affairs in Slovenia;
participating in drafting of the Maritime Code;
co-operating with the Department of Maritime and Transport Law at the Faculty of Maritime Studies and Transport (all members of the Department are active members of the Association);
co-operation with the Federation of Lawyers' Association of Slovenia (the President of the MLAS has been re-elected as member of the Executive Council);
co-operation with the Ljubljana Lawyers' Association;
co-operation with the Lawyers' Association of the Coastal region and Karst region;
co-operation with the Croatian Maritime Law Association (the President is member of the association);
designing of the Association's website.

It also needs to be mentioned that the Association does not neglect social life. This is demonstrated by the traditional fish picnic and other entertaining (mostly culinary) events.

9. SPONSORS AND DONORS OF THE ASSOCIATION

The sponsors, donors and other »financial or material« friends of the Association are the following companies and individuals:

Adria Marine
Adria-Tow
Aris Trade;
Casino Portorož;
Èièerov Aleksander;
Generali SKB Zavarovalnica;
Gospodarska zbornica;
Inspect Ljubljana (the branch office in Koper);
Intereuropa;
Jadroagent,
Ladjedelnica Izola;
Luka Koper;
Mediamar;
Pegaz International
Piloti;
Pozavarovalnica Sava;
Slovenica zavarovalniška hiša;
Slovenija Lloyd;
Splošna plovba;
Univerza v Ljubljani, Fakulteta za pomostvo in promet;
Zavarovalnica Triglav, Obmoèna enota Koper;
Zveza društev pravnikov Slovenije;
Zveza pomorsko prometnih agencij Slovenije.

10. PLANS FOR THE FUTURE

MLAS will continue to organise round-table discussions on various current maritime law issues and actively co-operate with the CMI. We shall continue to be watchful that the government, which to our mind has a too centralistic and continental orientation, follow the two Resolutions on the Maritime Orientation of the Republic of Slovenia adopted in 1991, which has often been just a dead letter. Among other things, we wish to strengthen our co-operation with other related associations, especially with Croatian and Italian ones. We would also like to assist in establishing associations in developing countries. We need to broaden our membership base and acquire more financial means, which are vital for the successful operation of the Association. Finally, we hope that more and more members will be willing to actively participate in our maritime law ventures.

Portorož, 6 March 2002

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ANNEX

Published Papers on the
Maritime Law Association of Slovenia

1. Èièerov, Aleksander: Društvo za pomorsko pravo Slovenije, Pravna praksa, 2/1992 - 6.2., p. 19;
2. Pavliha, Marko: Društvo za pomorsko pravo Slovenije – èlan Mednarodnega pomorskega odbora (CMI), Pravna praksa, 23/1993 - 11.11., p. 23;
3. Pavliha, Marko; Rugelj, Josip; Velkaverh, Gregor: O pomorski usmeritvi Slovenije, Delo, 12.3.1993, p. 2; Primorske novice, 26.3.1993, p. 27;
4. Velkaverh, Gregor: Haag ali Hamburg? Iz razprave v Društvu za pomorsko pravo Slovenije, Pravna praksa, 23/1994 - 1.12., p. 11;
5. Vlaèiè, Patrick: O dodelavi predloga pomorskega zakonika, Pravna praksa, 1/98-22.1., p. 32-33;
6. Pavliha, Marko: Pomorski spori in zaèasne odredbe, Pravna praksa, 2/98-5.2., pp. 28-30;
7. Jamnik, Tomaž M.; Vlaèiè, Patrick: Vpisnik ladij, Pravna praksa, 11/98-11.6., pp. 34-36;
8. Pavliha, Marko: O pilotaži in luških storitvah, Pravna praksa, 13/98-9.7., pp. 34-35;
9. Katero pravo uporabiti?, Primorske novice, 6.11.1998, p. 8;
10. Pavliha, Marko: Obisk prof. Tetleyja v Sloveniji, Pravna praksa, 22/98-12.11., pp. 31-32;
11. Šuligoj, Boris: Zakaj bi Jamnik poljubil Pavliho? (Brodet s škarpeno), Delo, 21.5.1999, p. 7;
12. Šuligoj, Boris: Še Kitajcem ni zadostovalo dolgih štirideset let, Delo, 21.5.1999, p. 6;
13. Kaj pa stroka?, Primorske novice, 25.5.1999, p. 2;
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15. Pavliha, Marko: Maritime Law Association of Slovenia (MLAS): Excursion into history, European Transport Law (ETL), Vol. XXXIV No. 4 – 1999, pp. 575-576;
16. Šker, Nataša; Šker, Tristan: O novostih v prevoznih zavarovanjih, Pravna praksa, 36/99-23.12., pp. 46-47;
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pp. 44-45;

18. Pavliha, Marko: Transportno zavarovanje, Pravna praksa, 11-12/2000-20.4., pp. 48-49;

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20. Andrijašič, Alenka: Obèni zbor – novo vodstvo in èastni èlan, Pravna praksa, 29-30/2000 – 26.10., p. 45;

21. Pavliha, Marko: Društvo za pomorsko pravo Slovenije – Maritime Law Association of Slovenia (MLAS), objavljeno v zborniku »Univerza v Ljubljani, Fakulteta za pomorstvo in promet – 40 let (1960-2000)«, Fakulteta za pomorstvo in promet, Portorož, 2000, p. 61;

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23. Vlaèič, Patrick; Repanšek, Jaka: Prešeren (Pavlihov) jubilej, Pravna praksa, 36-37/2000 – 21.12., pp. 56-57;

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30. Šuligoj, Boris: Vse poti vodijo k arbitraži, Delo, 28.9.2001, p. 24;

31. Koron, Davorin; Ugrin Boris: O meji emocionalno in strokovno, Primorske novice, 28.9.2001, p. 3;

32. Šuligoj, Boris: Kakšna arbitražna, kakšni sodniki?, Delo, 1.10.2001, p. 3;

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36. Vukeliæ, Majda: Pod žarometom: Marko Pavliha, Delo, 16.10.2001, p. 5;

37. Nagrade in priznanja Zveze društev pravnikov Slovenije, Pravna praksa, 32-33/2001 – 25.10., pp. 4-5;

38. Èastni èlan, Primorske novice, 2.11.2001, p. 8;

39. Rosina, Igor: Intervju z dr. Markom Pavliho, Val navtika, november 2001, pp. 68-69;

40. Pavliha, Marko: Veliki mož z majhnega otoka, Pravna praksa, 34/2001 – 8.11., p. 41;

41. Grbec, Mitja: O piranskem zalivu, »dimnikih«, koridorjih in še o èem..., Pravna praksa, 34/2001 – 8.11., pp. 37-38;

42. Grbec, Mitja: O pomorskem zakoniku in še marsièem..., Pravna praksa, 1-2/2002 – 17.1., pp. 52-53;

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45. Hlaj, Nataša: Zanimarjeno pomorstvo: desetletnica Društva za pomorsko pravo, Primorske novice, 5.3.2002, str. 12;

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