Γhe A	Author	3
List	of Abbreviations	17
Gene	eral Introduction	21
§1.	GEOGRAPHY	21
§2.	DEMOGRAPHY	21
§3.	Information on the Political and Legal System of the Country: Form of Government	22
§4.	GENERAL INTRODUCTION RELATING TO TRANSPORTATION	23
§5.	Inland Waterways and Ports	24
§6.	Railroads	24
§7.	ROAD SYSTEMS	25
§8.	AIRPORTS AND AIRLINES	25
§9.	Pipelines	26
§10.	IMPORTANT DATA RELATING TO TRANSPORT ACTIVITY	26
§11.	MINISTRY OR DEPARTMENT RESPONSIBLE FOR TRANSPORT POLICY	26
Part	I. Introduction	29
Chap	ter 1. Definitions, Notionsand Delineations	29
§1.	LAW OF THE SEA	29
§2.	MARITIME LAW, TRANSPORT LAW AND CIVIL LAW	29
33	LAW ON STANDARD RUSINESS TERMS	30

Chap	ter 2.	Main Sources of Transport Law	33
§1.	Ma	ritime Law	33
	I. II.	Treaties National Legislation	33 34
§2.	Inl	AND NAVIGATION	35
	I. II.	Treaties National Legislation	35 35
§3.	Rai	l Transport	35
	I. II.	Treaties National Legislation	35 35
§4.	Ro	AD TRANSPORT	36
	I. II.	Treaties National Legislation	36 36
§5.	Air	Transport	36
	I. II.	Treaties National Legislation	36 36
§6.	Mι	ILTIMODAL TRANSPORTATION	37
	I. II.	Treaties National Legislation	37 37
Cha	pter 3.	Jurisdiction and Courts	38
Cha	pter 4	State Immunity and Transport Law	39
Cha	pter 5	. Transport Intermediaries	40
Par	t II. M	laritime Law	41
Cha	pter 1	. The Vessel	41
§1.	DE	finition and Legal Status of Vessels	41
§2.	RE	GISTRATION AND NATIONALITY OF OCEAN-GOING SHIPS	42

1	a	bl	le	of	Co	nt	ent	ts

§3.	REG	GISTRATION OF SHIPS UNDER CONSTRUCTION	43		
§4.	Acquisition and Ownership				
Chaj	pter 2.	Maritime Liens and Mortgages	45		
§1.	Ma	RITIME LIENS	45		
	I.	General Concepts: Introduction	45		
	II.	Categories of Maritime Liens	46		
		Enforcement of Maritime Liens	46		
		Liens on Cargo	48		
	V. VI.	Ranking and Concurrent Claims Choice of Law	48 49		
§2.	Shii	P Mortgages	50		
3			50		
	I.	General Concepts Creation of the Ship Mortgage	50		
	III.	Formalities Relating to the Creation of Mortgage	52		
	111.	A. Mortgage Deed	52		
		B. Recording or Registration	52		
	IV.		52		
	V.	Validity Period of Mortgage	53		
		Assignment of Mortgage	53		
	VII.	Extent of the Mortgage	53		
		. Enforcement of a Mortgage	54		
	IX.	Ship Mortgage and International Law	55		
§3.	Ext	INCTION OF SHIP MORTGAGE AND LIENS	55		
	I.	Extinction of the Main Claim	55		
	II.	Waiver by the Creditor	56		
		Forced Public Sale	56		
	IV.		56		
	V.	Bankruptcy	56		
	VI.	Modification of the Vessel's Nationality	57		
Chaj	pter 3.	Master and Crew	58		
§1.	Ma	STER	58		
	I.	Public Functions of the Master	58		
	II.	Private Functions of the Master	59		
	III.	Liability of the Master	60		

§2.	Cre	w.	60
	I. II. III. IV.	Contract of Employment for Crew Members Recruiting Duties of the Employer and Employee Termination	61 61 62 63
Cha _l	pter 4.	Rights and Obligations of the Carrier, the Contractual Shipper, the Documentary Shipper and the Consignee under a Contract for the Carriage of General Cargo by Sea	64
§1.	Gen	IERAL	64
§2.	Тне	SEA WAYBILL	65
§3.	Тнв	Carrier	67
	I. II.	The Obligations of the Carrier The Liability of the Carrier and Its Limitation	67 71
§4.	Тне	CONTRACTUAL SHIPPER	71
§5.	Тнв	DOCUMENTARY SHIPPER	74
§6.	Тнв	CONSIGNEE	75
Cha	pter 5.	Liability and Limitation of Liability in Maritime Law	76
§1.	GEN	NERAL PRINCIPLES	76
§2.	Lia	BILITY OF A SHIPOWNER AND THE CREW	76
§3.	Lim	itation of Liability	80
§4.	Shii	PS FOR WHICH THE LIMITATION OF LIABILITY CAN BE INVOKED	80
§5.	CLA	AIMS SUBJECT TO LIMITATION	81
§6.	CLA	AIMS EXCLUDED FROM LIMITATION	83
§7.	Cot	UNTER CLAIMS	83
88	Cox	IDUCT RADDING LIMITATION	84

	1 1		•	_	4	4
19	n	α	Λī	• •	nte	nte
14	w		vı			1113

§9.	Persons Entitled to Limit					
§10.	GENERAL LIMITS OF LIABILITY					
§11.	Limitation Fund, Limitation Without a Fund and Procedure	85				
Chap	ter 6. Charter Parties	88				
§1.	Definition and Varieties of Charter Parties	88				
§2.	STATUTORY PROVISIONS	89				
	I. GeneralII. Voyage ChartersIII. Time ChartersIV. Bareboat Charters	89 89 90 90				
§3.	Duties of the Shipowner	90				
	I. Voyage ChartersII. Time ChartersIII. Bareboat Charters	90 92 92				
§4.	Duties of the Charterer	92				
	I. Voyage ChartersII. Time ChartersIII. Bareboat Charters	92 93 93				
Chap	ter 7. Transport under Bill of Lading	94				
§1.	DEFINITIONS AND FUNCTIONS OF THE BILL OF LADING	94				
§2.	Various Types of Bills of Lading and Similar Documents of Title	96				
	 I. Bill of Lading 'Received for Shipment' II. 'On Board' Bill of Lading III. Through Bill of Lading, Combined Transport Bill of Lading and Multimodal Bill of Lading IV. Sea Waybill 	96 96 97 97				
§3.	CHARTER PARTY AND BILL OF LADING	97				
§4.	HAGUE RULES, HAGUE-VISBY RULES, HAMBURG RULES AND ROTTERDAM RULES					

	I. National Incorporation of the Hague-Visby Rules, the	00
	Hamburg and the Rotterdam Rules II. Mandatory Law, Freedom of Contract, Choice of Law and	98
	Jurisdiction	99
	III. Liability Period	99
	IV. Cargo, Dangerous Cargo and Excepted Cargo	100
	V. Deck Cargo	102
	VI. Liability for Cargo Damage and Delay	103
	VII. Exemptions and Burden of Proof	103
	VIII. Extent of Liability	105
	IX. The Content of the Bill of Lading and the Seaway Bill	106
	X. Right of Action	107
§5.	LIABILITY OF THE ACTUAL CARRIER	108
Chapt	ter 8. Piloting	110
§1.	Introduction	110
§2.	STATUTORY PROVISIONS	110
§3.	DUTIES OF THE PILOT	110
§4.	LIABILITY OF THE PILOT	111
Chapt	ter 9. Towage and Push Contract	112
§1.	Introduction	112
§2.	STATUTORY PROVISIONS	112
§3.	LIABILITY AND LIMITATION OF LIABILITY	112
Chap	ter 10. Salvage and Assistance	115
§1.	DEFINITION	115
§2.	STATUTORY PROVISIONS	115
§3.	Salvage Reward	117
§4 .	Reward of the Crew	119
§5.	LIABILITY AND LIMITATION OF LIABILITY OF SALVORS	119
§6.	SALVAGE CONTRACTS	119

§7.	REN	MOVAL OF WRECKS	120
Chap	oter 11	. General Average	122
§1.	Тнв	E CONCEPT OF GENERAL AVERAGE	122
§2.	Sta	TUTORY PROVISIONS	123
§3.	DEI	FINITION AND APPLICATION OF THE NEW YORK-ANTWERP RULES	125
	I. II. III.	The Principle of Common Safety The Principle of Common Benefit New Features under the York-Antwerp Rules 2016	125 125 127
§4.	Тня	E GENERAL AVERAGE ADJUSTMENT	128
§5.	Тні	E CONTRIBUTING FUND	129
§6.	Тні	E RECEIVING FUND	131
§7.	Pro	OCEEDINGS	131
Chap	oter 12	2. Particular Average	133
§1.	Gei	NERAL CONCEPTS	133
§2.	Pai	RTICULAR AVERAGE ON THE VESSEL	134
	I. II. III.	Definition Insurance Settlement	134 135 137
§3.	Pai	RTICULAR AVERAGE ON CARGO	138
	I. II. III.	Definition Insurance Settlement	138 138 140
Chap	pter 1	3. Collisions	141
§1.	DE	FINITIONS	141
§2.	STA	ATUTORY PROVISIONS	141
	I. II.	Incorporation of Treaty Law Damages and Procedure	142 143

	A. Basic Rules on Liability B. The Evaluation of Fault C. Liability for Damage to Other Vessels D. Liability for Cargo Claims E. Liability for Personal Injury F. Procedure, Especially the Determination of Damages III. Limitation of Liability	143 144 146 147 148 149				
Chap	ter 14. Marine Pollution	152				
§1.	Introduction	152				
§2.	STATUTORY PROVISIONS: SOURCES OF LAW	152				
§3.	Sources of Pollution	153				
	I. Pollution from ShipsII. Pollution from Land-Based SourcesIII. Pollution from Sea-Bed Activities	153 157 157				
Chap	ter 15. The Arrest of Ships	158				
§1.	Sources of Law	158				
§2.	REQUIREMENTS FOR AN ARREST UNDER GENERAL ARREST LAW	158				
§3.	REQUIREMENTS FOR AN ARREST OF SHIPS					
§4.	THE 1952 ARREST CONVENTION AND THE RELEVANCE OF MARITIME CLAIMS					
§5.	Judicial Procedure	160				
§6.	PROTECTIVE BRIEFS	162				
§7.	Enforcement of the Arrest Order	163				
§8.	SECURITY AND COUNTER SECURITY	163				
§9.	Subsequent and Repeated Arrest	164				
§10.	LIFTING OF THE ARREST	165				
§11.	Remedies for Wrongful Arrest	165				
§12.	Appeals	166				

§13.	Costs		166
Chap	ter 16. (Carriage of Passengers by Sea	168
§1.	Introdu	JCTION	168
§2.	STATUTO	DRY PROVISIONS	169
§3.	Liabilit	ry and Limitation of Liability	169
Part	III. Other	Transport	175
Chap	oter 1.	Transport by Road	175
§1.	Introdu	JCTION	175
		e CMR Convention and German Internal Law mpulsory Regulations	175 175
§2.	THE SCO	OPE OF APPLICATION OF THE GERMAN INTERNAL LAW	176
§3.		AND OBLIGATIONS OF THE CARRIER, THE CONSIGNOR AND NSIGNEEUNDER NATIONAL LAW AND CMR	177
	II. The	neral e Consignment Note e Carrier e Consignor e Consignee	177 179 181 185 188
§4.	Liabilit	TY AND LIMITATION OF LIABILITY OF THE CARRIER	189
	A. B. C.	e Basis for Liability The Starting Point: Liability Based on Custody General Exceptions Special Exceptions Consument Courses	189 189 193 194 195
	II. The A. B. C. D.	Concurrent Causes e Limitations of Liability General Loss Damage Delay Other Pecuniary Loss	196 196 196 196 198 198
	F. G.	Interest Extra-contractual Claims	199 199 200
	III. Un	llimited Liability	∠∪(

	IV. V.	Time Limits for Complaint and Action Jurisdiction of Courts	201 204
§5.	Ca	rriage of Removal Goods	204
§6.	Cal	rriage of Passengers by Road	205
Chap	oter 2.	Transportation by Rail	206
§1.	Int	RODUCTION	206
§2.	STA	TUTORY PROVISIONS: LEGISLATION	206
§3.	Тн	E CIV Convention (Passenger and Their Baggage)	206
	I. II. III.	Scope of Application Liability of the Passenger Liability for Death and Personal Injury and Damage to	207 207
	****	Baggage or for Delay in Delivery	207
§4.	CIN	M Convention (Carriage of Goods by Rail)	209
	I. II. III.	Scope of Application Liability of the Consignor Liability for Loss of or Damage to Goods or for Delay in	209 209
		Delivery	209
§5.	Do	MESTIC CARRIAGE OF PASSENGERS AND BAGGAGE BY RAIL	211
§6.	Do	mestic Carriage Goods by Rail	211
Chap	oter 3.	Inland Navigation	212
§1.	Cai	rriage of Goods by Inland Waterways	212
	IV. V. VI.	River Craft: Definition Owner's Legal Liability Charter Parties and Carriage of Goods Limitation of Liability Towage and Pushing General Average Freight Market Regulation	212 213 213 213 216 216 217
§2.	Int	ernational Inland Navigation, Treaty Law	217

	Goods by Inland Waterway of 26 May 2000 (C	MNI) 218
I	II. Strasbourg Convention on the Limitation of Li Inland Navigation of 4 November 1988 (CLNI	
Chapte	er 4. Air Transport	221
§1.	Introduction	221
§2.	German National Law	221
J	I. Carriage of Cargo by Air II. Carriage of Passengers and Their Baggage by A III. Non-contractual Liability of the Air Carrier	221 Air 221 224
§3.	THE MONTREAL CONVENTION	226
	I. Scope of Application II. The Ticket and the Air Waybill III. Liability in Case of Carriage of Passengers or II. III. Liability in Case of Carriage of Goods IV. Liability for Delay IV. Liability of the Consignor IVII. Successive and Actual Carriers and Combined IVIII. Time Limits IX. Jurisdiction of Courts, Procedure and Arbitratic IX. Mandatory Applicability	228 229 229 Transport 229 231
Chapte	er 5. Multimodal Transportation	233
§1.	General	233
§2.	GERMAN STATUTORY LAW	233
]]]	I. The Multimodal Contract of Carriage II. Unknown and Known Locations of Loss III. Notice of Damage and Limitation Periods IV. Multimodal Removal Contracts V. Mandatory Application	233 236 238 239 240
§3.	Treaty Law	240
]	I. The Hamburg Rules II. The Rotterdam Rules III. The CMR Convention IV. The CIM Convention	241 241 242 242

V. The CIV Convention	243
VI. The Athens Convention	243
VII. The Warsaw Convention and the Montreal Convention	244
Selected Bibliography	247
Index	249