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Carriage of Goods by Sea in the Practice of the USSR Maritime Arbitration Commission

by Wim Albert Timmermans

LAW IN EASTERN EUROPE 43

In the age of *perestroika* and *glasnost*, it is rather peculiar that thus far in Western legal literature hardly any attention has been paid to Soviet shipping law, the more so since the Soviet merchant marine is among the biggest merchant fleets of the world. Many goods destined for Western countries are carried by Soviet vessels. In numerous cases, Soviet law applies to the respective contracts of carriage of goods by sea. Western lawyers, however, are usually not familiar with Soviet maritime law. The present study dealing with Soviet maritime transportation law puts an end to this *lacuna*. Next to a description of the statutory framework, the volume highlights the arbitration practice in this field.

The study shows that in spite of a number of peculiarities resulting from state directed merchant shipping, Soviet law of carriage of goods by sea is very much in line with the Western legal system under the Hague Rules, although the USSR did not adhere to the Hague or Hague-Visby Rules.

The author of the book – a staff member of the Leiden University Documentation Office for East European Law and an independent legal consultant to a number of major law firms and companies – has published several articles on Soviet maritime law and arbitration.

Contents

List of Abbreviations. Preface. 1. Introduction. 2. The USSR Maritime Arbitration Commission. 3. Contracts of Carriage of Goods by Sea. 4. Rights and Duties of the Shipper. 5. Rights and Duties of the Carrier. 6. Rights and Duties of the Consignee. 7. Charter-Parties. 8. Bills of Lading. 9. Loading and Unloading. 10. Laytime, Demurrage, and Dispatch. 11. Carriage of Dangerous Goods. 12. Payment of Freight. 13. Termination of the Contract of Carriage by Sea. 14. Impossibility to enter the Port of Destination. 15. Liability of the Carrier and the Shipowner. The USSR Merchant Shipping Code of 1968 as amended in 1974 (Excerpts). Sources cited. Table of Cases. Table of Legislation. Index.

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