

THE INTERNATIONAL SCIENTIFIC-PRACTICAL CONFERENCE “ARREST OF SHIPS: JUDICIAL PRACTICE, INNOVATIONS AND TENDENCIES”

On November 30, 2018, the International Scientific and Practical Conference “Arrest of ships: judicial practice, innovations and tendencies” was held at the National University “Odessa Law Academy”. The organizers of the conference were the legal – administrative faculty and the maritime and customs law department of the National University “Odessa Law Academy”.

The conference was devoted to the peculiarities of arrests of sea-going ships in accordance with the new civil, economic and criminal procedural legislations. In addition, the problems of the application of the International Convention for the Unification of Certain Rules relating to Arrest of Sea-going Ships of 1952 in Ukraine and the prospects of joining the International Convention on the Arrest of Ships of 1999 were considered. To participate in the conference were invited scientists and specialists in the field of maritime private law who expressed their desire to engage in a discussion and a resolution of the relevant theoretical and practical issues of sea-going ships’ arrests in Ukraine and in foreign countries.

The work of the conference was opened by the head of the maritime and customs law department, a professor Boris Kormych and an associate professor of the maritime and customs law department, a managing partner of “the Sergeev’s Legal Bureau” Yuriy Sergeev.

Speakers of the conference were Yuriy Sergeev (“The Sergeev’s Legal Bureau”), Vitaliy Serafimov (The legal group “Vitaliy Serafimov and partners”), Mikhail Selivanov (The International Law Service “InterLegal”). In their reports, they drew attention to the main innovations and peculiarities of the procedural order of arrests of ships in Ukraine in accordance with the updated legislation, characterized the current practice of arrests and drew attention to the main problems of enforcement in this area. The particular interest and the lively discussion caused the existing imperfections of the modern Ukrainian legislation, which make it possible to arrest ships in criminal proceedings in order to provide material evidence. To represent such gaps, the decision of the Kyiv Court of Appeal in the case No. 11-cc/824/1068/2018 was analyzed. It was noted that due to

this decision the final point was finally put in the collision of the Ukrainian legislation, the opposition to illegal arrest of a foreign ship in criminal proceedings was made, a legitimate judgement was pronounced and a number of negative consequences and losses was prevented from abroad.

The main thematic areas of the conference were defined:

1. Arrest of ships in the civil process.
2. Arrest of ships in the economic process.
3. Problems of the implementation of the International Convention on the Unification of Certain Rules relating to Arrest of Sea-going Ships of 1952 in Ukraine.
4. Perspectives of Ukraine's joining to the International Convention on the Arrest of Ships in 1999.
5. Foreign practice of ships arrests.

During the conference, a panel discussion was held on the strategy and tactics of the lawyer's procedural actions regarding the arrest of sea-going ships, the implementation of high-quality translations of international conventions on maritime law, and ensuring freedom of navigation in the Black Sea and the Azov Sea. Separately, the possibility of using the method of legal hermeneutics for solving the conflict of qualifications of the norms of international agreements in the field of arrest of ships was noted, and the need to develop a unified approach to the implementation of official translations of international agreements in Ukraine, in particular in the maritime sphere, was noted.

The conference was attended by practitioners, scientists, post-graduate students and students of National University "Odessa Law Academy", National University "Odessa Maritime Academy", Odessa National Maritime University.

In order to popularize their scientific and practical developments and in order to form a platform for their further discussion, the participants of the conference were invited to publish their papers, prepared in scientific articles, in the legal journal "Lex Portus". This initiative was supported by the conference participants and allowed to form a block of scientific articles in this issue of the journal. We hope that these materials will become interesting for a wide range of readers both in Ukraine and abroad.

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