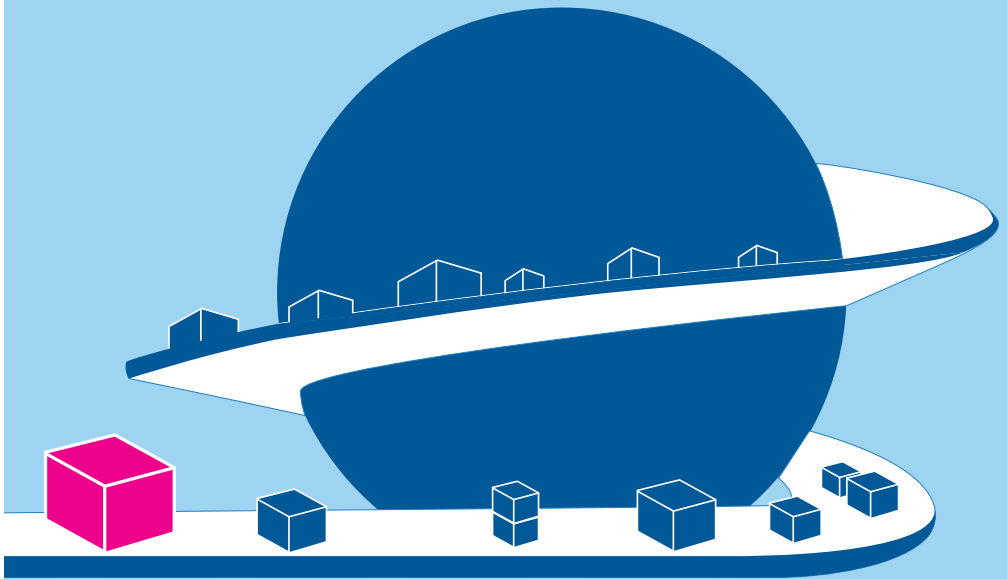


CONFERENCE

Transportation law on the move: Challenges in the modern logistics world



25–26 APRIL 2019

UNIVERSITY OF LUCERNE, ROOM 4.B47

Transportation law on the move: Challenges in the modern logistics world.

Transportation and logistics have undergone substantial changes since the 19th century. The most notable two changes are the introduction of containers in the 1960s, the development of IT from the 1970s to today's tracking and blockchain. But there are also external factors, such as the rapidly growing and globalized world economy with immense volumes, the modern, more challenging product ranges (e.g. dangerous goods, temperature-controlled goods) or the changed transport flows (e.g. urban logistics), that have influenced transportation and logistics.

Most parts of Swiss transportation law were developed in the 19th century. Changes in Swiss transportation law were only made if this was necessary due to Switzerland's accession to international conventions (e.g. at maritime law), but the core of Swiss Transportation law in Art. 440 SCO remained unchanged. This dynamic in practice and stability in Law raises the question whether the Swiss transportation law nowadays may meet modern requirements of transportation and logistics. Further doubts arise from the fact that many of countries in Europe and the rest of the world have completely or partially reformed their transport law in the last thirty years.

The scope of this conference is to discuss the cornerstones of a modern transportation law embedded in a modern logistics and supply chain environment. For this purpose, experts from different countries, which have recently changed their transport law, meet at the conference. The participants shall exchange their experience made, compare the different legal approaches of these jurisdictions and discuss the remaining unsolved issues. The organizers of the conference strive for new insights from lessons learned in other countries by identifying where in national law and international conventions new and conceptually convincing answers can be found. All these insights shall inspire the discussion on a possible reformation of Swiss transportation law.

The target audience of the conference are internationally recognized transportation law experts in academia, law making and leading positions. In addition, top officials of the Swiss Federal office of Justice will be present at the conference.

At first, we will discuss the challenges in modern transportation. Subsequently, we will take a look at the needs of the legal practice and future developments in transportation and logistics, with a specific view on the different transportation modalities followed by several key topics, introduced by an expert, succeeded by a discussion and knowledge exchange. Finally, we will end the conference with a look at the needs for change in Swiss transportation and logistics law.

The conference will be held in English. Its proceedings will be published by the end of 2019.

List of speakers

- **Prof. Dr. Abhinayan Basu Bal, LL.M.**
University of Gothenburg, Sweden
- **Raphael Brunner, LL.M.**
Lawyer, MME Legal I Tax I Compliance (Zürich/Zug), Switzerland
- **Stephan Erbe**
Lawyer, ThomannFischer (Basel), Switzerland
- **Dr. Erik Evtimov**
Deputy Secretary General of the International Rail Transport Committee (CIT) (Bern), Switzerland
- **Prof. Tomotaka Fujita**
University of Tokyo, Japan
- **Prof. Dr. Andreas Furrer, LL.M.**
LL.M., University of Lucerne and Lawyer, MME Legal I Tax I Compliance (Zürich/Zug), Switzerland
- **Prof. Gen Goto**
University of Tokyo, Japan
- **Dr. Olaf Hartenstein, LL.M.**
Lawyer, Arnecke Sibeth Dabelstein (Hamburg), Germany
- **PD Dr. Viola Heutger**
University of Lucerne, Switzerland
- **PD Dr. Michael Hochstrasser**
Lawyer, Schiller Rechtsanwälte AG (Winterthur), Switzerland
- **Prof. Dr. Peter Mankowski**
University of Hamburg, Germany
- **Prof. Dr. Sylvain Marchand**
University of Geneva, Switzerland
- **Prof. Fumiko Masuda**
University of Okayama, Japan
- **Prof. Dr. Wolf Müller-Rostin**
German Association for Transport Law (Bonn), Germany
- **Prof. Dr. Herbert Ruile**
University of Applied Sciences and Arts Northwestern Switzerland FHNW (Basel), Switzerland
- **Prof. Dr. Dieter Schwampe**
German Maritime Law Association (Hamburg), Germany
- **Dr. Michiel Spanjaart**
Trains & Co (Rotterdam), Netherlands
- **Prof. Dr. Sik Kwan Tai**
United International College (UIC) (Zuhai), China
- **Katharina Uribe Casillas**
Vice President Global Business Development, Kühne & Nagel (Schindellegi), Switzerland
- **Prof. Dr. Wouter Verheyen**
Erasmus University Rotterdam, Netherlands
- **Erik Wirsing**
Vice President Global Innovation, DB Schenker (Frankfurt a.M.), Germany

Program

Thursday, 25. April 2019

Introduction

09.45 to 10.15 **Transportation on the move: Introduction**
Andreas Furrer

10.15 to 10.45 Coffee break

The transformation of the transportation market: Challenges and chances

Chair: Andreas Furrer

10.45 to 11.15 **Today's challenges: A view of a global player in Logistics on transportation law requirements**
Katharina Uribe Casillas

11.15 to 11.45 **A prospect into the future: The Logistics Market in 2030**
Erik Wirsing

11.45 to 12.15 **Panel discussion with participants**
Herbert Ruile

12.15 to 13.30 Lunch

Basic principles in transportation under review

Chair: Viola Heutger

13.30 to 14.00 **How to allocate the parties' rights and duties in modern transportation law?**
Fumiko Masuda

14.00 to 14.30 **Rights and duties of third parties in modern transportation law?**
Olaf Hartenstein

14.30 to 15.00 **Limitation of liability: Indispensable principle or obstacle in modern transport law to overcome?**
Gen Goto

15.00 to 15.30 Coffee break

15.30 to 16.00 **Freedom of contract law: Do we still need mandatory provisions in national law and international conventions**
Peter Mankowski

16.00 to 16.30 **New role of multimodal transportation law?**
Michiel Spaanjart

16.30 to 17.00 **The inclusion of subcontractors in the national and the international transport**
Michael Hochstrasser

Evening event: Dinner in Lucerne

Program

Friday, 26. April 2019

Towards a modern logistics law

Chair: Viola Heutger

- | | |
|----------------|--|
| 08.30 to 09.00 | A view on Chinese Transportation Law
Sik Kwan Tai |
| 09.00 to 09.30 | The corner stone of a Logistic law and its implications on transportation law
Andreas Furrer |
| 09.30 to 10.00 | Implications for the insurance of transportation damages
Dieter Schwampe |
| 10.00 to 10.30 | Coffee break |

Legal frameworks of the modalities

Chair: Viola Heutger

- | | |
|----------------|---|
| 10.30 to 11.00 | Legal Framework in Airfreight
Wolf Müller-Rostin |
| 11.00 to 11.30 | Legal Framework in Railway freight
Erik Evtimov |
| 11.30 to 12.00 | Legal Framework in Maritime freight
Tomotaka Fujita |
| 12.00 to 12.30 | Legal Framework in Road freight
Wouter Verheyen |
| 12.30 to 14.00 | Lunch |

Regulative frameworks for digital freight documents

Chair: Andreas Furrer

- | | |
|----------------|--|
| 14.00 to 14.30 | UNCITRAL Model Law on transferable records: A worldwide standard for logistics and transportation law services?
Abhinayan Basu Bal |
| 14.30 to 15.00 | The EU-Approach: Proposal for a European Regulation on electronic freight information
Viola Heutger |
| 15.00 to 15.30 | Coffee break |

Insights for Switzerland

Chair: Raphael Brunner

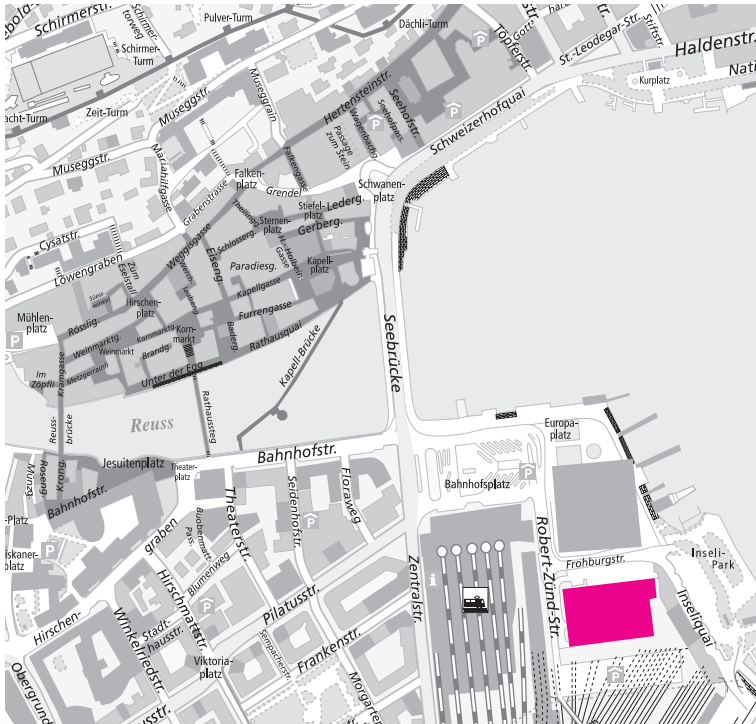
- | | |
|----------------|---|
| 15.30 to 16.00 | First View: Do we need a vision for a revised Swiss Code for Transportation and/or Logistics Law
Sylvain Marchand |
| 16.00 to 16.30 | Second View from a practical perspective
Stephan Erbe |
| 16.30 to 17.15 | Round Table |

End of the conference

With friendly assistance of



SWISS NATIONAL SCIENCE FOUNDATION



Organisation

University of Lucerne
Faculty of Law
Center for Logistics and Transport Law KOLT
Prof. Dr. iur. Andreas Furrer, LL.M.
Frohburgstrasse 3
6002 Luzern
Switzerland
andreas.furrer@unilu.ch
T+41 41 229 53 60



Venue

University of Lucerne
Frohburgstrasse 3
6002 Lucerne
Switzerland