



جامعة الإمارات العربية المتحدة
United Arab Emirates University

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Master Thesis Defense

Entitled

*THE CIVIL LIABILITY OF THE MARITIME CARRIER ABOUT THE TRANSPORT OF DANGEROUS
GOODS*

(A COMPARATIVE STUDY)

by

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Date & Venue

11:00 AM

Monday, 12 March 2018

Room 0012, Grand floor, H2 Building

Abstract

The environmental and security damage caused by maritime carriers who carry goods contrasts depends on the nature of goods whatever dangerous or normal goods. In this research, we explore the concept of dangerous goods in international maritime conventions. Some of the conventions refer to certain types of goods that are considered to be dangerous, such as the HNS Convention and the Civil Liability for Oil Pollution Damage Act of 1969. Other conventions do not distinguish dangerous goods as they only refer to the obligations of the shipper to disclose the condition of the goods to the carrier. This is mentioned in English law as well as the UAE law. Another code is the IMDG code, which deals with the transport of dangerous goods as it contains guidelines on how to deal with transferring dangerous goods and how to deal with them safely in case of emergencies. The Code does not address the carrier's responsibilities and referred to dangerous goods according to their scientific composition. The Code is applicable to all countries including the UAE and the UK and they should ratify on the SOLAS Agreement. The basis of the liability differs in the international conventions. To illustrate, some of the conventions assess the carrier's liability based on the tort liability such as the HNS Convention and the 1969 Civil Liability for Oil Pollution Damage Convention. Other conventions base the liability on the carrier in accordance with the contractual relationship with the shipper and the consignee such as the Brussels, Hamburg and Rotterdam Conventions. Everyone is liable for compensation to the extent of the damage caused. However, maritime laws exclude this rule because of the circumstances surrounding the transport and its risk, and to protect the interests of affected persons to encourage the maritime carrier to continue.

Keywords: Dangerous goods, responsibility of the maritime carrier, guarantees of compensation, limits of maritime carrier liability.