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A summary of the doctoral dissertation:

Carrier's liability in the unimodal and multimodal carriage of goods

The aim of the dissertation is to analyze and compare cargo carriers' liability regime issues, with a special focus on international regulations, but also with the consideration of the domestic regulation binding in the Republic of Poland, and the regulation of carriers' liability in multimodal carriage.

The scope of the research concerns private law. In the area of the unimodal carrier's liability regimes, the research complies with the traditional division of the carrier's liability regimes, which refers to the variety of types of transport. Within the dissertation has been analyzed and compared liability regimes of the most important legs of transport in the world, i.e. maritime transport, railway transport, road transport, air transport, and inland waterway transport. The research has been focused on the area of the regulation of the most important and commonly regulated (at the moment) types of carriage of goods. These regulations are quite various in the different kinds of transports and these varieties are especially the scope of the research. There has been also analyzed the causes of the variety of each unimodal carrier's liability regimes and also the possibilities and perspectives of the unification of the different cargo carrier's liability regimes.

As it was said, however, an increasing impact in international and domestic carriage has also a multimodal carriage, which contains a carriage with the use of at least two different kinds of modes of transport but based on a single contract of carriage. In this kind of carriage of goods, there have been developed various solutions to the problems refer to the variety of the regulation of unimodal carriages. These kinds of issues are also contained in the scope of the research in the dissertation, as well as the aforementioned issues referring to insurance in transport.

The structure of the dissertation is divided into eight chapters, introduction, and final remarks. The research methods used in the dissertation included the analytical and



dogmatical methods, but also a comparatist and historical method. Within the research has been used very various sources, the gross part of the foreign literature and judiciary.

In the introduction has been described the main goal of the dissertation, the basic thesis, with the description of the research topic taken into consideration and its scientific and practical value.

The first chapter describes the transport regulation in the unimodal carriage, i.e. especially the history of transport regulation in this area. The next four chapters refer to the comparison of the basic elements of the carrier's liability regimes' mechanism.

The second chapter contains an analysis and comparison of the similarities and differences between the unimodal (international, as well as domestic in Poland) carrier liability regimes in the area of the conditions of cargo carriers' liability, like, inter alia, the character of transport loss, causal and temporal relationship between the carrier's act and the loss, and other important aspects connected with the conditions of carrier's liability e.g. the rule of carrier's liability, the liability for the other person involved in the carriage. There have been analyzed the possibilities of unification in the unimodal carrier's liability regime.

The third chapter relates to the regulation of circumstances excluding the carrier's liability. In this chapter has been contained an analysis and comparison of the carrier's liability regulation in this area, concerning the construction, similarities, and differences between each carrier's liability regulation, as well as the possibilities of unification.

The fourth chapter refers to the comparison and analysis of the rules for determining the amount of compensation for the loss caused by the carrier. This chapter has analyzed such aspects as the compensation for the loss of cargo, as well as loss connected with the delay in transport (and other kinds of transport damages). There have been also analyzed such aspects, like limits of the carrier's liability or situations of the abolition of the limits of the carrier's liability. Analysis in this chapter also focuses on the similarities, differences, and the possibilities of unification.

The fifth chapter is related to the aspects connected with the burden of proof within the aspects of the carrier's liability regime analyzed in the chapters second, third, and fourth, i.e. conditions of the carrier's liability, circumstances excluding the carrier's liability and aspects of determining the damages for loss. In this chapter have been compared such aspects of the carrier's liability, also focusing on the differences, similarities, and possibilities of unification.



Chapters sixth and seventh refer to multimodal carriage. In this chapter have been analyzed various aspects of multimodal carrier's liability regime, like types of the legal solution of regulation, attempts at global regulation, regional (binding or just proceeded) solutions, as well as the domestic regulations in several countries around the world from Europe, North America, Asia, and Oceania. There also has been analyzed the multimodal regulation of the Rotterdam rules convention (which is – still not legally binding – a maritime convention including regulation of the multimodal carriage, known also as the „Maritime Plus” convention), and its connection with international conventions from the other (than maritime) legs of transport.

The last, eighth chapter focuses on the *de lege ferenda* remarks in the analyzed earlier aspects of the unimodal and multimodal carrier's liability regulations. In this chapter have been taken efforts to final remarks on the possible and desired changes in carrier's liability regulation in Polish law and in international law (but mainly in the area of the domestic regulations of carrier's liability), concerning especially the possibilities of unification aspects of liability within the various legs of transport.

In the final remarks have been shortly summed up the conclusion of the dissertation's research and the effects of analysis. One of the most important conclusions is that not every difference between regulations of liability in each leg of transport is reasonable, which could give an area of unification. However, some of the differences are actually important and necessary, because of which full unification of each carrier's liability regime would not be desired and recommended.

Toruń, 28.05.2023 r.

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