

EMLO/MMLA JOINT SEMINAR

CHAMBER OF COMMERCE, VALLETTA, MALTA, 8 MAY 2014

SPEAKERS' BIOGRAPHIES



LORD PHILLIPS OF WORTH MATRAVERS was the first President of the UK Supreme Court, an appointment that he held from 2009 until 2012. Called to the Bar of England and Wales in 1962, he took silk in 1978, specialising in Commercial Law and Admiralty Law. In 1982, he was appointed a Recorder and from 1987 to 1995, he served as a Judge of the High Court of Justice, Queen's Bench Division. In 1995, he joined the Court of Appeal and in 1999 became a Lord of Appeal in Ordinary. He became Master of the Rolls in 2000 and held the post of Head of Civil Justice at the Court of Appeal until 2005. In 2005 he was appointed Lord Chief Justice.



Dr. ANN FENECH qualified in Malta 1986 and immediately joined Holman Fenwick and Willan in London specialising in disputes arising out of charterparties and bills of lading. In 1991 she moved to New Orleans and worked with Chaffe McCall, Phillips Toler and Sarpy specialising in wet work.

In 1992 she returned to Malta and created the marine litigation department of Fenech and Fenech Advocates. In 2008 she was elected the Managing Partner of the Firm. She deals exclusively with maritime issues but handles a cross section of shipping disputes ranging from collisions to ship repair contracts, from salvage and explosions on board vessels to arrest, judicial sales and court approved private sales.

She is the President of the Malta Maritime Law Association, a member of the executive committee of the Yachting Trade Section of the Chamber of Commerce and a Council Member of the European Maritime Law Organisation. She lectures extensively on her subjects both in Malta and abroad and lectures on shipping law at the University of Malta and the International Maritime Law Institute.

In 2012 she was awarded Best in Shipping and Maritime at the Euromoney "European Women in Business Law Awards 2012."



CHRISTOPHE TYTGAT studied Law, International Politics and Eastern European Studies at the Catholic University of Leuven and International and European Law at the Université Libre de Bruxelles.

He started his professional career at the Belgian Federal Administration, first at the Ministry of Foreign Affairs and then in the Ministry of Transport (Maritime Department). In June 2001 he joined the European Community Shipowners' Association as executive advisor. In 2006, he became Manager Legal Affairs and from September 2013 he is Senior Director. As Senior Director, he is responsible for the daily management in replacement of the secretary general as well as for lobbying the relevant EU Institution in the following matters: state aid, competition issues, taxation matters, social affairs, legal affairs, and trade facilitation.

Mr Tytgat is secretary of the ECSA Board of Directors and is responsible for several ECSA Committees and Working Groups. He is also an ECSA representative in the Sectoral Social Dialogue Committee for Maritime Transport, which comprises the social partners for maritime transport.

Mr Tytgat is an active observer in the International Chamber of Shipping (ICS)/International Shipping Federation in London, notably in the ICS Maritime Law Committee, the ICS Law Committee, the ICS Shipping Policy Committee and the ISF Labour Affairs Committee. He has been an expert in the European Economic and Social Committee (EESC) and the Comité of the Regions and he was expert on issues of distortion of competition in the context of the assessment of Marco Polo projects under the 2011 Call for Projects.

Mr Tytgat is author of a number of legal articles relating to his field of competence.



FERGUS RANDOLPH QC has over 25 years experience litigating and advising on matters of EU and competition law. His practice is wide-ranging, covering all aspects of EU and competition law including shipping, EU and UK sanctions, State aid, fisheries, insurance, commercial agency, essential facilities, motor vehicle insurance, intellectual property and contentious M&A work. He has recently represented a number of applicants including IRISL in successful sanctions appeals before the EU General Court in Luxembourg. He is presently instructed in multi-million pound competition damages claim on behalf of several national retailers against MasterCard in the Commercial Court.



Dr. VINCENT POWER Partner at A+L Goodbody Solicitors practises EU, Competition, State Aid and Transport Law. He is the author of "EU Shipping Law" which won the Comité Maritime International's Albert Lilar Prize for being the best shipping law book in the world. It is seen as the definitive book on the topic. He has been involved in a number of the leading cases in this area and is recognised by all directories as a leader in his field. He has a BCL (from the UCC) as well as a LLM and a PhD (from Cambridge). He is the author, co-author or editor of seven books.



COMMISSIONER REBECCA F. DYE of North Carolina, was first nominated and confirmed to the Federal Maritime Commission (FMC) in 2002 and was nominated to her third term, which expires on June 30, 2015, by President Barack Obama and confirmed by the Senate on April 14, 2011.

Prior to her appointment to the FMC, Commissioner Dye was Counsel to the Transportation and Infrastructure Committee of the U.S. House of Representatives. She held that position from 1995 until 2002. As Counsel, she provided advice to Members of Congress on issues pertaining to commercial shipping, international maritime agreements, oil pollution, maritime safety and law enforcement, the Federal budget process and Federal financing.

Commissioner Dye comes to the Commission with an extensive background in maritime matters. She began her Federal career as a commissioned officer and attorney in the Coast Guard's Office of the Chief Counsel, then served as a law instructor at the Coast Guard Academy. After two years as an attorney at the U.S. Maritime Administration, she joined the staff of the former Committee on Merchant Marine and Fisheries, and served there as Minority Counsel from 1987 to 1995.

Commissioner Dye graduated from the University of North Carolina at Chapel Hill in 1974, and earned a law degree from the University of North Carolina at Chapel Hill in 1977.



CAPTAIN WOLF-PETER RABITZ has obtained the *Foreign Going Master's and Dipl. Engineer for Sea Traffic Economy Certificate* in 1969. He had engagements with various Maritime Companies, in particular as Nautical Superintendent with Europa Afrika Line (EAL). In 1976 he obtained the pilot licence. He studied economy in Bremen and joined a regional P&I Club correspondent and taking in due course over the Admiralty Department.

In 1995 Captain Rabitz became Manager of MARCARE, the designated body of the Flagstate of Antigua + Barbuda for the arranging of ship safety inspections and investigations of Marine casualties worldwide. He set up an International system of Flagstate Inspectors. He attended an ISM seminar in Warsash and registered as International Auditor.

In 2006 Captain Rabitz founded UNICON Marine Average Consultants GmbH who offer assistance and case management in P&I matters – in particular cases concerning personal injury and stowaways worldwide.



Dr. NORMAN A. MARTÍNEZ GUTIÉRREZ read law at the National Autonomous University of Honduras (UNAH) and has been lecturing in international law and maritime law more than 15 years. In 1997 he was engaged by the Honduran General Directorate of the Merchant Marine where he occupied different posts. In 1998 he obtained a Master of Laws (LL.M.) Degree *with Distinction* from the IMO International Maritime Law Institute (IMLI), where his research on delimitation of maritime boundaries was awarded the IMO Secretary-General's Prize for Best Dissertation. He then joined the Institute's Faculty in 1999, where he has been lecturing since and where he is now a Senior Lecturer. In 2005 he was admitted as an Advocate to the Honduran Lawyers' Bar Association and in 2010 he was awarded by IMLI the Degree of Doctor of Philosophy (Ph.D.) in International Maritime Law *cum laude*.

Dr. Martínez has acted as an international maritime law consultant since the year 2000. He joined the International Maritime Organization's Roster of Experts in 2003 and in 2013 he was invited to join the Panel of Arbitrators of the *Câmara Arbitral Marítima no Rio de Janeiro, Brasil*.

He is the author of *Limitation of Liability in International Maritime Conventions: The Relationship between Global Limitation Conventions and Particular Liability Regimes*, Routledge, London / New York, 2011. He is the Editor of the books *Serving the Rule of International Law* and *Serving the Rule of International Maritime Law: Essays in Honour of Professor David Joseph Attard* and is co-editor of the forthcoming monumental three-volume work *The IMLI Manual on International Maritime Law*. Dr. Martínez is also a member of the Editorial Board of *Benedict's Maritime Bulletin* and has published numerous articles in prestigious law journals around the world. He has presented several papers at international conferences and has drafted legislation for governments in several areas of maritime law.

In 2011 the Government of Honduras presented him with a Diploma of Recognition for steadfast contributions to the international maritime community and in particular to the promotion of the good name of the Republic of Honduras.



PHILIP WAREHAM heads Hill Dickinson's EU & Competition team and has specialised in shipping-related competition law for nearly 20 years. He provides specialist advice across the marine industries, including ports, energy, insurance, commodities and logistics. Philip is the Treasurer of EMLO and an active speaker and writer on competition law. He edited the 2010 EMLO Guide to Competition Law in the Shipping and Port Industries and co-authored the 2007 analysis of tramp maritime services for the European Commission.



MARTIN ANDRÉ DITTMER is Head of EU & Competition at Gorrissen Federspiel, Copenhagen. He has extensive experience within EU law, including competition law, public procurement, state aid, and free movement. His expertise within in EU- and Danish competition law includes notifications to the European Commission with respect to mergers and joint ventures under the EU Merger Control Regulation, and advice on applying Articles 101 and 102 TFEU.

Mr. Dittmer has special insight into the shipping industry having advised ship owners, ship operators, traders, and organisations on a broad spectrum of matters, including shipping pools, commercial management agreements, information exchanges, interlocking directorates, joint purchasing, sales of vessels, and mergers.

Mr. Dittmer is a regular speaker at conferences and author and co-author of books and several articles.



Dr. Martin Kröger is Managing Director of the German Shipowners' Association (VDR). Before joining VDR, Dr. Kröger worked as Managing Director for the Association of German Seaports Operators and was actively involved in the work also of the Federation of European Private Port Operators – FEPORT in Brussels.

Dr. Kröger graduated in 2001 from the University of Hamburg in Germany with a degree in Law and Legal Studies and earned a Master of Laws degree in Shipping Law with honors at the University of Cape Town in 2003. He has been awarded with the Capt. Bob Deacon Shipping Law Prize of the University of Cape Town in 2004.



Avv. GIORGIO BERLINGIERI is Senior Partner of Studio Legale Berlingieri. He is a Member of the Genoa Bar, lawyer qualified to plead in the Supreme Court of Cassation, President of the Italian Maritime Law Association, Vice President of Comité Maritime International.

Giorgio Berlingieri is also Member of the Editorial Board of *Il Diritto Marittimo* and of *LexTrasporti* and of the Contributory Board of *Le Droit Maritime Français*.

Giorgio Berlingieri is author of many articles published in Italian and foreign reviews, speaker at conferences in Italy and abroad. His areas of special interest are Salvage, towage, collision, arrest of ships, forced sale, foreclosure of mortgages, charter-parties, carriage of goods by sea, commercial litigation and arbitration.