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CONVENTION RELATING TO THE CARRIAGE OF PASSENGERS AND THEIR LUGGAGE BY SEA 2002, REGULATION NO 392/2009 OF THE EUROPEAN UNION AND MARITIME LAW OF THE REPUBLIC OF CROATIA

Abstract

Maritime Law of the Republic of Croatia was changed and amended in May, 2013. Changes are, among other things, related to carriage of passengers and their luggage. These changes and amendments served for harmonization with European Union norms. I specially point out the legal text about the obligation of applying Regulation No 392/2009 of the European Parliament and of the Council on the liability of carriers of passengers by sea in the event of accidents. With that the Republic of Croatia (and before that with ratification in February 2013) committed itself to applying Protocol or Athens Convention from 2002 relating to the carriage of passengers and their luggage by sea, with intervening of the International Maritime Organization (IMO) in the text of the Convention due to the level of responsibility, as it is valid for the entire EU area. Adopting the mentioned Convention offers better protection to passengers because during the international and national carriage by A and B class ships objective responsibility for his death or bodily harm in the event of accident is introduced. The existing regulations of the Maritime Law, which were based on the Athens Convention from 1974 (with protocols) before its change, are used for the national carriage of passengers and luggage by ships which are not class A or B and that means further applying of presumed guilt.

Key words: carriage of passengers, Athens Convention 2002, Regulation 393/2009 of the European Union, Maritime Law of RC