

EDITORIAL

Dear Readers,

In front of you is the new issue of the journal *Poredbeno pomorsko pravo* = *Comparative Maritime Law*, in which, as always, great effort and dedicated work has been invested. This issue is special in that it contains academic papers by Croatian and foreign scholars and experts in the field of international law presented at the international scientific conference held in Rijeka on 31 March 2023 in memory of Professor Emeritus Vladimir-Đuro Degan. The conference was organised by the Faculty of Law of the University of Rijeka and the Adriatic Institute of the Croatian Academy of Sciences and Arts in order to show respect for the life and work of Professor Degan (1935-2022), who was a long-term director of the Adriatic Institute and Professor Emeritus at the Faculty of Law, University of Rijeka. In addition to the aforementioned papers, this issue of the journal also contains contributions from the field of maritime law prepared by prominent Croatian maritime law experts. In all, there are two original scientific papers and six review articles, reviews of three books, four court rulings published in this issue of the journal, selective bibliography, and two obituaries.

Professor Vesna Crnić-Grotić, PhD, Professor Sandra Fabijanić Gagro, PhD, and Associate Professor Petra Perišić, PhD, co-authored the original scientific paper "Annex G of the 2001 Agreement on Succession Issues: Self-executing or Not?", in which they analyse the relevant provisions of the Vienna Convention on the Law of Treaties of 1969 and the jurisprudence of the successor States in order to respond to the question of whether the Agreement on succession issues of 2001, concluded after the dissolution of the former SFRY, is indeed self-executing.

Professor Lénárd Sándor, PhD, is the author of the original scientific paper entitled "Globalisation with a Human Face and the Role of the United Nations". The author investigates various modern challenges in the protection of human rights, and provides an overview of the historical development of international legal regulation, as well as contemporary regulatory initiatives, in order to clarify the States' duties and responsibility to protect human rights in the context of business and human rights.

Issues of human rights protection are further dealt with by Associate Professor Nives Mazur Kumrić, PhD, in the review article entitled "Upholding United Nations Global Legitimacy in Human Rights Protection and Humanitarian

Assistance within the European Union: A Legal Overview of the EU-UN Natural Partnership". The author analyses the legal framework for partnership between the European Union and the United Nations in order to achieve the protection of human rights and unhindered access to humanitarian aid. The author also presents examples of such partnership, such as the early recovery of war-affected communities in Ukraine through the United Nations Development Programme.

Professor Vesna Barić-Punda, PhD, and Irena Nišević, LLM, are co-authors of the review article "The General Assembly Resolution 'Protection of the Environment in Relation to Armed Conflicts' of 2022: Where We Stand 30 Years after", in which they deal with the threshold of prohibited environmental damage in armed conflicts. They consider and analyse the relevant principles of the Resolution "Protection of the Environment in Relation to Armed Conflicts" adopted by the General Assembly of the United Nations in 2022. The authors propose possible solutions for the regulation of environmental protection related to armed conflicts.

Assistant Professor Rutvica Rusan Novokmet, PhD, is the author of the review article "Application and Interpretation of the Genocide Convention in the Recent Jurisprudence of the International Court of Justice: Issues of Jurisdiction". The paper examines certain questions about determining the responsibility of States according to the Convention on the Prevention and Punishment of the Crime of Genocide of 1948 and the most recent cases before the International Court of Justice. Despite the fact that the merits have not yet been decided in these cases, the author states that the decisions made so far on questions of a preliminary nature will have a significant impact on the correct and effective application of the Convention in the future.

Among the maritime law topics in this issue of the journal, Professor Petra Amižić Jelovčić, PhD, deals with the issue of navigation safety in circumstances of pirate attacks, in the area of the Gulf of Guinea, which today is the riskiest navigable area in the world. In the review article entitled "The Gulf of Guinea: A Piracy Hot Spot and a New Threat to the International Safety of Navigation", the author presents an overview of the most important international documents adopted to limit and suppress piracy attacks, with special emphasis on the regulatory role of the European Union.

Associate Professor Marija Vidić, PhD, and Miho Baće, PhD, are the authors of the review article "Special Features of Vessel Leasing Contracts in Legal Transactions in the Republic of Croatia". The authors consider the peculiarities of the contracts in the vessel leasing business in the Republic of Croatia in

comparison with other movables. They place emphasis on business practice, in particular on the general terms and conditions of vessel leasing contracts and critically analyse the solutions provided therein.

Zoran Tasić, LL.M., is the author of the review article "The Consequences of Brexit for the Maritime Law of the European Union", in which he considers the impact of Brexit on the maritime industry in relation to issues of the applicable law and jurisdiction. Even though the European Union regulations on the basis of which the judgments of the courts of the Member States are automatically recognised and enforced have ceased to be valid in the United Kingdom, the author gives arguments in support of the tendency of maritime industry stakeholders to continue to choose English law and jurisdiction in their commercial transactions.

In addition to academic papers, this issue of the journal contains the reviews of three books. The book *Maritime Law* authored by Professor Dragan Bolanča, PhD, and Professor Petra Amižić Jelovčić, PhD, deals with a wide range of maritime law topics. It is intended primarily for students of law and maritime studies, but it will be useful for any reader who wishes to become better acquainted with this interesting subject. The author of the review is Professor Jasenko Marin, PhD. Two monographs dealing with the legal regulation of carriage of goods, including maritime transport in particular, are also presented in this issue. The review of the book *The Carriage of Goods in Swiss Law: A Comprehensive Overview of the Swiss Legal System, the Liability of Carriers and Freight Forwarders and the Marine and Liability Insurance* by Vesna Polić Foglar, PhD, was prepared by Associate Professor Adriana Vincenca Padovan, PhD, and the book entitled *A Modern Lex Mercatoria for Carriage of Goods by Sea* by Petar Kragić, PhD, and Diana Jerolimov, dipl. iur., is presented by Vesna Skorupan Wolff, PhD. Both monographs by acknowledged Croatian maritime law experts are written in English and deal with internationally relevant maritime law topics, so they will surely find an international readership.

Four judgments of Croatian courts, including the High Commercial Court of the Republic of Croatia and the Supreme Court of the Republic of Croatia, are presented in this issue. The author of these notes is Vesna Skorupan Wolff, PhD, who analyses court practice on various maritime legal issues. Reviews of recent judicial practice are of immense importance for scholars and practitioners for the proper interpretation of positive law.

In this issue of the journal we also publish a selected bibliography in the field of road and railway transport law, the law of insurance of transport risks,

market competition in the field of transport, multimodal transport, and tourism and passenger rights. The compiler of the bibliography is Aleksandra Čar, MSc, spec., senior librarian. The bibliography includes references to selected articles and papers published in Croatian and foreign academic and professional journals, as well as books and book chapters published by Croatian and foreign (mainly European) publishers.

Finally, it is with profound respect that we remember our late colleagues, Professor Drago Pavić, PhD, and Professor Hrvoje Kačić, PhD. In the obituaries prepared by Professor Ranka Petrinović, PhD, and Petar Kragić, PhD, we recall their significant contributions to maritime and insurance law. Their professional integrity and their expertise and dedication to the advancement of maritime legal science remain a permanent source of inspiration for the whole of the academic community.

We congratulate and thank all the authors for their excellent contributions that enrich this issue of the journal. Of course, the knowledge and diligence of the peer-reviewers and editors, to whom we express special gratitude, undoubtedly contribute to the quality of the published articles. Finally, we duly acknowledge and appreciate the interest shown in our journal by those who form part of its already established readership and those who are new to it.

Professor Jakša Barbić, Editor-in-Chief