Draft Survey for my Paper for the 10th Hässelby Colloquium 2005

The German legislation on multimodal transport – why did it come true and has it worked out well?

1. The German Transport Law Reform of 1998 – Overview of
   - Reasons
   - Principles

2. The German Rules on Multimodal Transport (§§ 452 to 452d HGB)
   - Contents
   - Practical Importance, in particular in respect of multimodal transport including sea-transport

3. Main crucial area of the Rules: Situation of Section 452a (Known place of damage). In this context decisions are required – and debated - to answer the questions
   - Which parts of the multimodal transport are separable “legs of carriage”? 
   - In particular: Is handling of the cargo during terminal operations a separate leg and, if so, how can it be divided from pure loading and discharging? 
   - In that context more general: What is the legal character of terminal operations (at least insofar they include transport at the terminal)? 
   - With respect to international transports: Which law is to be applied to the (fictitious) contract of (unimodal) carriage on the respective “leg of carriage”? 

4. Summary of experience and outlook.