

# **Liability of the carrier in international carriage of goods with respect to road carriage**

## **Abstract**

The content of this thesis is carrier's liability in international carriage of goods focused on carriage of goods by road, which is one of the crucial branches of carriage for landlocked states.

The introducing part explains basic terms which are common in international carriage, defines subjects participating in the carriage and its possible plurality. Moreover, the thesis presents individual types of carriage and a specific chapter is dedicated to cabotage.

The second part of the thesis describes both international and national legislation of carriage contract. This part includes the relation between these two from the private international law point of view. Different types of contracts are also mentioned as another possibility of carriage.

Common interpretation is enclosed in the third part with issues of liability from legal doctrine perspective. This part also analyses particular presumptions in generating of liability and differences among strict liability and liability for fault.

The liability of the carrier as a main point of this thesis is expanded in the adjacent passage. Fundamental types of carrier's liability for loss or damage of goods as well as for any delay in delivery are found in the fourth part. Additional types of liability covering cases that differ from those mentioned before are elaborated on in a specific chapter.

With regards to the specific character of strict liability, the fifth part offers overview of liability exclusions that lead to exemption from obligation to pay damages. If the carrier is just partly relieved from such obligation, commentary on shared liability is later mentioned in the chapter which follows the preview explication about general and specific liability exclusions.

The sixth part comprises the scope of compensation and its limits in the case of loss, damage of goods, delay in delivery as well as in specific cases of liability. Furthermore, each possibility of breaking liability limits comprising wilful misconduct and gross negligence which leads to unlimited liability are described.

In the final part, it is appropriate, in the context of carrier's liability, to mention claims and actions regulation in case of demand for compensation including specific statute of limitation.