

Preface

For the preparatory work on the new Turkish Commercial Code of 2011, the question of how to translate the common law legal term “wilful misconduct” into Turkish should have been clarified. Dr. *iur.* F. Kerim Atamer, who was the member of the Commission in charge of the preparation of the Draft of the Code, attracted my attention to the problem, thus providing the starting point of this work. Upon having been accepted as a scholar at the International Max Planck Research School for Maritime Affairs (IMPRS), I conducted this study under the supervision of Prof. Dr. Dr. *h.c.* Jürgen Basedow, LL.M. (Harvard), Director of the Max Planck Institute for Comparative and International Private Law. I am most grateful for his support, encouragement and detailed advice, without which this work would not have been completed. I would also like to thank Prof. Dr. Ulrich Magnus, Director of the Seminar of Foreign and Private International Law of the Faculty of Law at the University of Hamburg and Judge at the Hanseatic Court of Appeal, for the timely submission of the second opinion on my thesis. I am also thankful to Prof. Dr. Dr. *h.c.* Peter Ehlers, former Director of the Federal Maritime and Hydrographic Agency of Germany, and to Prof. Dr. Rainer Lagoni, Managing Director of the Institute of Maritime Law and the Law of the Sea at the University of Hamburg, for their informative seminars on the law of the sea which helped me foster a wider view and a better understanding of how maritime law and the law of the sea interlink.

I wish to express my particular gratitude to two individuals. Firstly, I am grateful to Dr. *iur.* F. Kerim Atamer, Director of the Dr. Nüsret-Semahat Arsel Research Center for International Business Law and Associate Professor for Maritime, Insurance and Transport Law at the Koc University in Istanbul, who has always fully supported and encouraged me in my career, especially in becoming a scholar at the IMPRS, from whom I have learned a great deal and, who invested much time and effort into my personal development as a research fellow in maritime, insurance and transport law. Secondly, I am grateful to Dr. *iur.* Yeşim M. Atamer, Associate Professor for Civil Law and Comparative Civil Law at the Istanbul Bilgi University, for her support and encouragement in general and specifically as regards my application to the IMPRS.

I am most thankful to the IMPRS and its directors for granting me the scholarship which made my stay and my research in Hamburg and in Cambridge possible. For their help during my two-month research stay at the Squire Law Library at the University of Cambridge, I am deeply thankful to Professor Malcolm A. Clarke, Professor of Commercial Contract Law at the University of Cambridge, and to Dr. *iur.* Jens M. Scherpe. I am, further, deeply thankful to the staff mem-

bers of the libraries of the Max Planck Institute for Comparative and International Private Law and the Squire Law Library at the University of Cambridge, who have been very patient with my endless book requests and inquiries on the whereabouts of various legal sources. I am also thankful to Michael Friedman for the speedy proof reading of the thesis.

I should not forget to thank all my close friends for supporting and encouraging me. However, I am above all deeply grateful to my family: to my father Dr. *med.* Hüseyin Damar, my mother Ayhan Damar, my sister Sevgi Damar and my brother H. Selim Damar, for their endless love, support, encouragement and understanding, without which no single achievement in my life would have been possible.

Duygu Damar
Hamburg, May 2011



<http://www.springer.com/978-3-642-21508-7>

Wilful Misconduct in International Transport Law

Damar, D.

2011, XXII, 316 p., Softcover

ISBN: 978-3-642-21508-7