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CONFERENCE REVIEW

TWENTY-FIFTH INTERNATIONAL SCIENTIFIC CONFERENCE TITLED “LOSS CAUSE, COMPENSATION AND INSURANCE”

XXV International Scientific Conference titled “Loss Cause, Compensation and Insurance” was held in Valjevo, in the period from September 21 to 23, 2022 and it was organized by the Institute for Comparative Law, the Association for Tort Law and the Judicial Academy in Belgrade.

As in previous years, the Conference was much contributed to by numerous experts from the sphere of theory and practice of law, engaged in claims compensation and insurance, who came from the Republic of Serbia, Austria, Bosnia and Herzegovina, Montenegro, Croatia, Italy and Poland.

This year’s conference was also supported by the Town of Valjevo and the mayor welcomed the audience.

During the Conference, interesting discussions were held with a view to exchanging the experience and knowledge in the sphere of insurance and claim compensation.

Since this year’s conference was a jubilee, certificates of appreciation were awarded to long-term contributors and participants of this traditional Conference. Moreover, **prof. Nataša Mrvić Petrović, PhD**, on behalf of the traditional organizers, the Institute for Comparative Law and the Association for Tort Law, prepared a list of the anthologies published in the period from 1998 to 2022 as well as a name register of the authors of the texts published in these anthologies.

The Conference was opened by the organizers and editors of the Proceedings of “Loss Cause, Compensation and Insurance”, **prof. Zdravko Petrović, PhD**, **prof. Vladimir Čolović, PhD** and **prof. Dragan Obradović, PhD**. In the introductory part, the organizers, together with other participants, referred to the work of **prof.**

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Duško Medić, PhD, judge of the Constitutional Court of the Republic Srpska and full professor of the Faculty of Legal Sciences – Pan-European University Apeiron from Banja Luka, who passed away at the end of June 2022 and who was a regular participant of previous conferences. On that occasion, they highlighted the value of his works as well as the content and benefits of his discussions. Bearing in mind his contribution to the development of jurisprudence in the field of civil and property law, which was also achieved through papers published in the Proceedings of previous conferences organized by the Institute for Comparative Law and the Association for Tort Law. The Proceedings of the XXV Scientific Conference "Loss Cause, Compensation and Insurance" is dedicated exactly to prof. Duško Medić, PhD.

The working part of the meeting took place through two parallel sessions. **Prof. Zdravko Petrović, PhD** chaired the session of "Loss Cause, Liability and Compensation" where papers were presented by **prof. Vladimir Čolović, PhD**, relating to the insurance activity.

In their papers presented at this year's Conference, the authors dealt with various topics that were not only important for the development of legal theory and practice, but also for everyday life.

Ilija Smiljanić, PhD, a lecturer at the Educational Center of the Serbian Chamber of Commerce and owner of the NOEDAL DIV Insurance Brokers Company from Belgrade (who co-authored the paper titled "Legal Definition of Self-Propelled Scooters as Means of Transportation in Republic of Serbia", which he wrote together with **Dušan Smiljanić**, a mechanical engineer employed with the "Putevi Srbije" Company) dealt with the problem of using electric scooters in traffic, given that the use thereof was not defined by law. Therefore, he said, insuring liability for damages caused to third parties for these scooters could represent a special issue. Bearing in mind that no liability insurance had been introduced and that the electric scooter had the status of a vehicle, the authors concluded that the Guarantee Fund was responsible for the damage that might be caused by the use of such scooters to a third party.

The report "Compensation of Non-Material Damage from Whiplash Injury to Neck as Minor Physical Injury", authored by **prof. Vladimir Kozar, PhD**, full professor at the Faculty of Law for Commerce and Judiciary of the University Business Academy in Novi Sad, **Vladimir Vrhovšek**, judge of the High Court in Belgrade and **Sandra Đorđević**, graduate lawyer and trainee of the initial training at the Judicial Academy of the Republic of Serbia, pointed to the problems and challenges that arose in the proceedings before the civil court when awarding compensation for non-material damages for minor bodily injury, more precisely whiplash injury to the cervical spine, due to a traffic accident.

The paper titled "Forensic Dilemmas in Examination of Whiplash Neck Injuries" is of particular practical importance and it contains the multidisciplinary approach of **prof. Zorana Bajina, PhD**, specialist in orthopaedic surgery and traumatology of

physical medicine and rehabilitation and sports medicine and full professor at the State University in Novi Pazar, **LLM Milica Z. Petrović**, doctoral student at the Faculty of Law of the University of Kragujevac, and **LLM Sara Zarubica**, doctoral student at the Faculty of Law of the University of Belgrade. In the aforementioned report, the authors dealt with the method of expert testimony in lawsuits for damage awards, more particular in the cases led for compensation of non-material damages arising from traffic accidents, bearing in mind the issue that arised in such lawsuits – namely the causal connection between the traffic accident and the resulting consequences, where the consequence is the whiplash neck injury.

An interesting approach is contained in the report of **prof. Wolfgang Rohrbach, PhD**, from the University of Krems and academician of the European Academy of Sciences from Salzburg. The title of the report is "Titanic Accident from Perspective of Insurance History", where the author had in mind that this accident could serve as an instructive example of a great misuse of insurance. He pointed out that insurance of such a large volume must not be accompanied by speculation and careless actions and that it was equally important for both the Insured and insurance service providers to comply with specific instructions on proper behaviour in similar crisis situations.

Berislav Matijević, a graduate lawyer from the Croatian Society for Civil Law Sciences and Practice and the Croatian Association for Insurance Law, dealt with the topic of "Rights of Insurers to Subrogation". In the report, the author pointed out to the similarities and differences between the right of subrogation and two related institutes: the assignment of a claim - cession, and the Insurer's right of recourse.

The authors **prof. Vladimir Čolović, PhD**, full professor and scientific advisor at the Institute of Comparative Law and **Dr. Magdalena Makiela**, a lawyer from Krakow authored a report that dealt with the topic of "Payment Lines in Bankruptcy Proceedings against Insurance Companies". The authors analyzed the legislation of the Republic of Serbia in that area, the laws of individual countries in the region as well as the provisions of the Solvency II Directive that governed the above matter. Based on the conducted analysis, the authors also defined proposals for the future regulation of the status of creditors' claims against insurance companies in bankruptcy proceedings.

Prof. Vladimir Njegomir, PhD, full professor at the Faculty of Law and Business Studies "Dr. Lazar Vrkatić" in Novi Sad, in his report "Impact of Institutional Investment of Insurers on Economic Growth in Conditions of Economic Turbulence" concluded that institutional investment of insurance companies' assets had a significant impact on the economy through increasing the volume of capital and lowering the price of capital and/or that the expected increase in interest rates would have short-term negative and long-term positive effects on the business of insurance companies and, consequentially, on the economic growth.

As in the previous years, the twenty-fifth jubilee conference titled “Loss Cause, Compensation and Insurance”, by its sole tradition, brought together a large number of local and foreign scientific researchers and experts. Many of this year’s topics were very significant or little considered. In their reports, the authors proposed various solutions for the improvement of positive legal regulations and practice. As in all previous years, the result of this conference was the Proceedings of Scientific Papers. In this review, we referred to the reports of particular authors, but this in no way diminishes the relevance and significance of the other authors. Bearing in mind their quality and contribution, we have to mention that they collectively made a great contribution to the improvement of theory and practice in the field of insurance.

An integral version of the proceedings from the XXV scientific conference “Loss Cause, Compensation and Insurance” can be downloaded from the website of the Institute for Comparative Law.

*Translated from Serbian by: **Bojana Papović***