Maritime Disputes Lawyer Port of Sousse services require rapid legal and evidential action when cargo is short, damaged, contaminated or delayed, or when security must be obtained against a vessel. Dr. Brahim Latrech advises and represents shipowners, charterers, carriers, shippers, receivers, cargo interests, insurers, P&I Clubs, suppliers, agents and seafarers in every category of maritime dispute connected with Sousse and Tunisian jurisdiction.

The Tunisian Merchant Marine and Ports Authority describes Sousse as a commercial port specialised in handling various goods. Its mixed operations make evidence at loading, sea passage and discharge particularly important in disputes involving general cargo, dry bulk, bagged commodities, food products, industrial goods and containers.

Maritime Disputes Lawyer Port of Sousse: complete representation

Dr. Brahim Latrech specialises in all maritime disputes, including cargo claims, ship arrest and release, charterparties, bills of lading, marine insurance, P&I matters, general average, collisions, pollution, bunkers, port services, crew and personal-injury claims, foreign arbitration and enforcement.

Cargo shortage and shortage in transit

A difference between the quantity shown on the bill of lading and the quantity delivered does not automatically prove loss during the voyage. The parties must examine the agreed measurement method, shore weights, draft surveys, tallies, package counts, moisture variation, handling loss, sweepings, residues and customary allowances.

For bagged cargo, joint tallies, torn-bag and re-bagging records, stevedore reports and photographs are essential. For bulk cargo, draft surveys, scale tickets, calibration records and the vessel’s documents must be compared. The receiver should issue immediate written reservations and request a joint survey before the goods are dispersed, processed or sold.

Damage, contamination and deterioration

Maritime cargo may be affected by seawater, rain, condensation, insufficient ventilation, residues from a previous cargo, defective packaging, infestation, temperature change or negligent handling. Liability depends on proof of the cargo’s pre-shipment condition, the

state of the holds or containers, the causal event and the resulting loss.

Important evidence includes bills of lading, mate's receipts, pre-loading certificates, hatch inspections, deck and weather logs, ventilation or temperature data, container interchange reports, samples and laboratory analysis. Samples must be representative, sealed and supported by a clear chain of custody. Reasonable mitigation, segregation and salvage measures should also be documented.

Carrier, shipowner, charterer and stevedore liability

The correct defendant may be the contractual carrier, performing carrier, registered owner, charterer, shipper, stevedore, terminal operator or freight forwarder. Counsel must identify the relevant party from the bill of lading, signature clause, charterparty, corporate records and factual control of the operation. The vessel's agent is not automatically the carrier.

Jurisdiction, arbitration, applicable-law, notice and time-bar clauses require immediate review. Survey discussions or settlement negotiations should not be assumed to suspend a limitation period.

Ship arrest at the Port of Sousse

A qualifying maritime claim may support conservatory arrest when the vessel is present or expected at Sousse. Tunisian procedure is principally governed by Articles 100 to 106 of the Maritime Commerce Code. Article 101 identifies maritime claims capable of supporting arrest, while Article 104 may require security from a foreign claimant without domicile or attachable assets in Tunisia, subject to applicable treaty rules.

The application should contain the vessel's correct name and IMO number, live position, expected sailing time, registered ownership, documents proving the claim and a precise calculation. Sister-ship arrest requires compliance with statutory ownership conditions; common management or group affiliation alone is insufficient. Read our guide to ship arrest in Tunisia.

Vessel release and guarantees

Release may follow payment, agreement, cancellation of the arrest or adequate security. Challenges may concern the nature of the claim, identity of the vessel, ownership, jurisdiction, prescription or existing security. In Tunisian practice, a suitable Tunisian bank

guarantee or a deposit with the Tunisian General Treasury for the claimant's benefit is generally the most reliable court-facing security. A foreign guarantee or P&I Club letter may instead be accepted by agreement.

Laytime, demurrage and port delays

Disputes may concern notice of readiness, berth availability, customs or receiver documentation, weather, stevedore operations and completion of discharge. The charterparty, statement of facts, notices, port records and contemporaneous correspondence determine allocation of time. Contractual demurrage time bars may require a complete supporting package within a short period.

Casualties, insurance and P&I matters

The office also handles collisions, groundings, fire, pollution, personal injury, crew claims, salvage and general average. Early counsel involvement protects evidence, coordinates with the master, authorities, surveyors and insurers, and avoids premature admissions. Cargo insurers may pursue subrogated recovery after indemnification, while owners and carriers commonly instruct counsel through P&I Clubs.

Foreign arbitration and enforcement

A foreign arbitration or jurisdiction clause does not necessarily prevent provisional measures against a vessel in Tunisia. Arrest secures a maritime claim but does not determine its merits. A foreign award or judgment may require recognition before execution in Tunisia. See our guide to enforcement of foreign arbitral awards in Tunisia.

Documents for urgent assistance

- vessel name, IMO number, owner and sailing schedule;
- bill of lading, charterparty, sales contract and invoices;
- tallies, scale tickets, draft surveys and statements of facts;
- survey reports, photographs, samples and laboratory results;
- reservations, notices, correspondence and claim calculation;
- insurance, jurisdiction, arbitration and security documents.

Contact a maritime lawyer for Sousse

Dr. Brahim Latrech has practised law in Tunisia since 2004 and specialises in all maritime disputes. His office provides urgent representation at Sousse and throughout Tunisia's principal ports, coordinating with courts, enforcement officers, port authorities, agents, surveyors, insurers and P&I representatives.

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