



FISCHER
RECHTSANWÄLTE

The Arrest in Inland Waterway Vessels

Strasbourg, 10 October 2025

I. Introduction

1. Normal procedure:



1. Arrest:



Gesetz zur Reform des Seehandelsrechts vom 20.04.2013:

§ 917 I S.2 ZPO:

*‘No reason for arrest is required if the arrest is only
for the purpose of securing enforcement in a vessel.’*

I. Introduction

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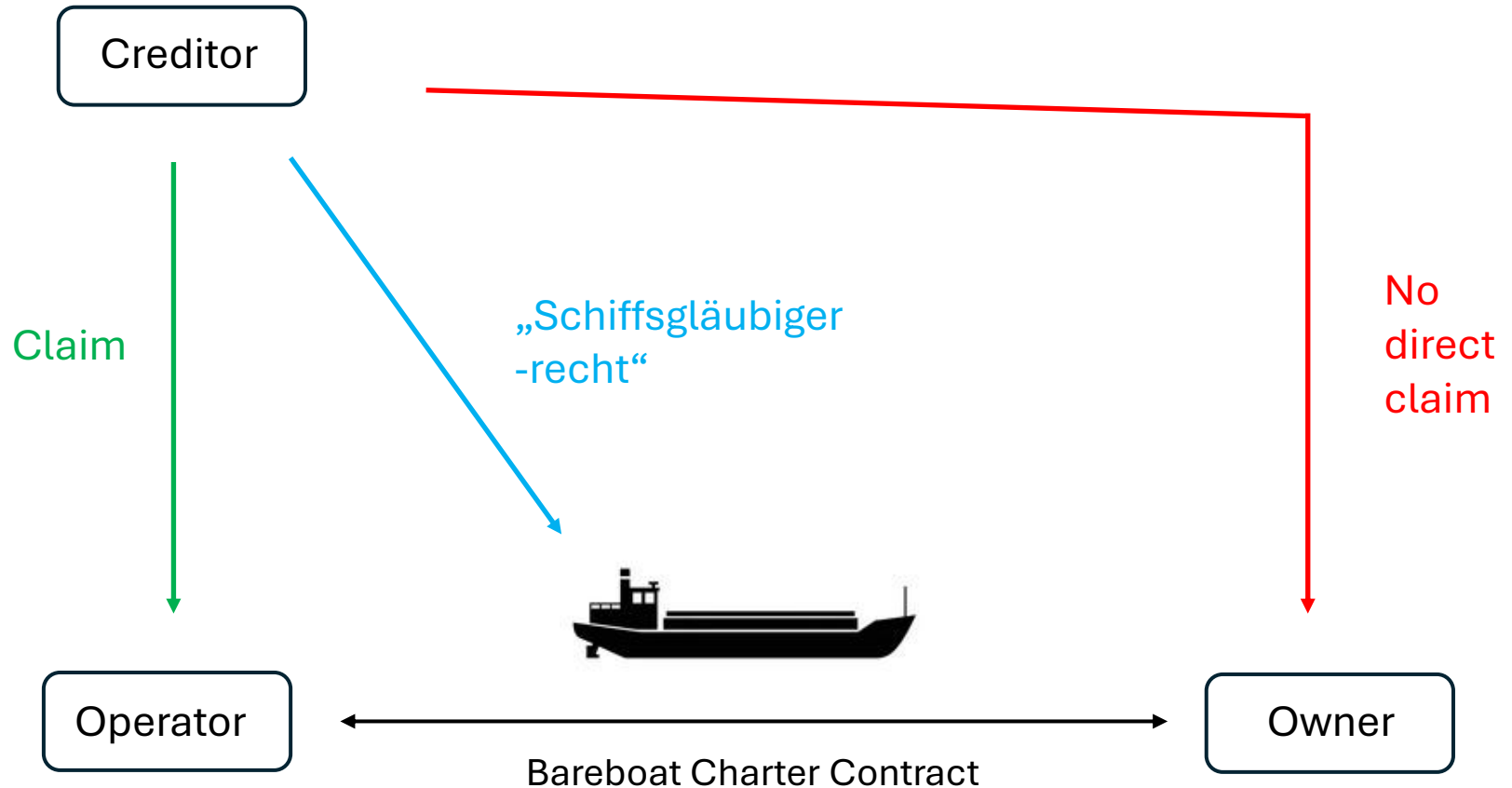


II. Requirements and Procedure

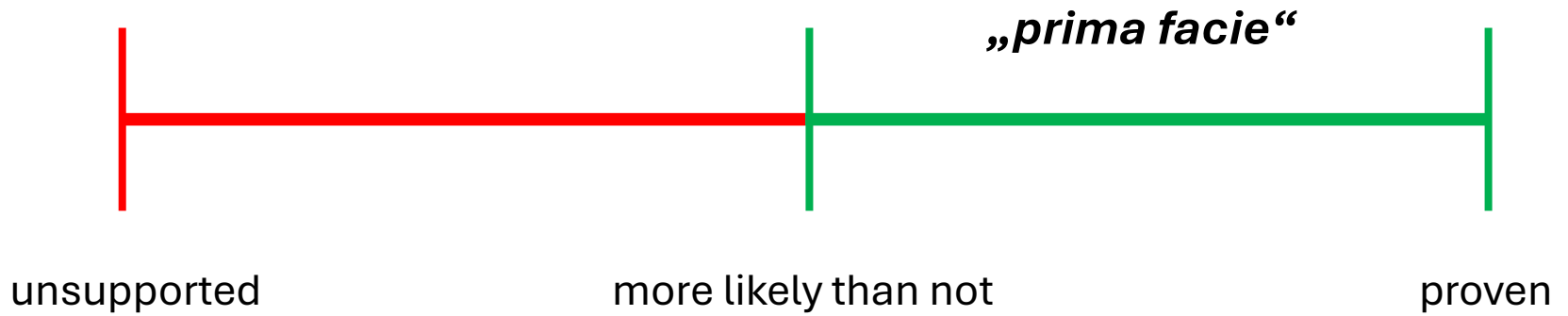
§ 920 ZPO:

- (1) *The request is to set out **the designation of the claim**, specifying the amount of money or the monetary value, as well ~~as the reason~~ for the arrest order.*
 § 917 II S.2 ZPO
- (2) *The claim and the reason for the arrest order are to be **demonstrated by prima facie evidence** to the court.*

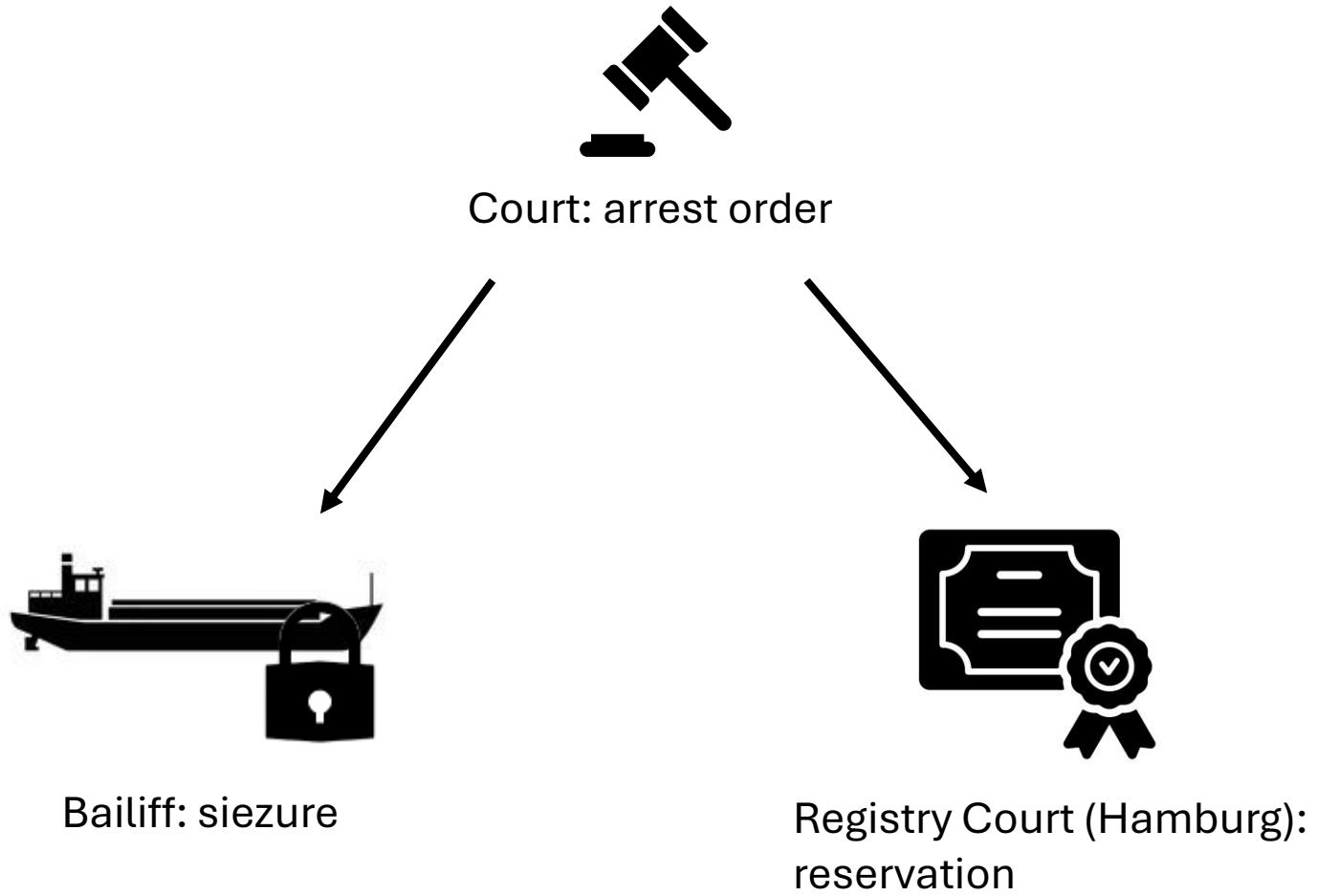
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I. Requirements and Procedure

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II. Requirements and Procedure

To-do:

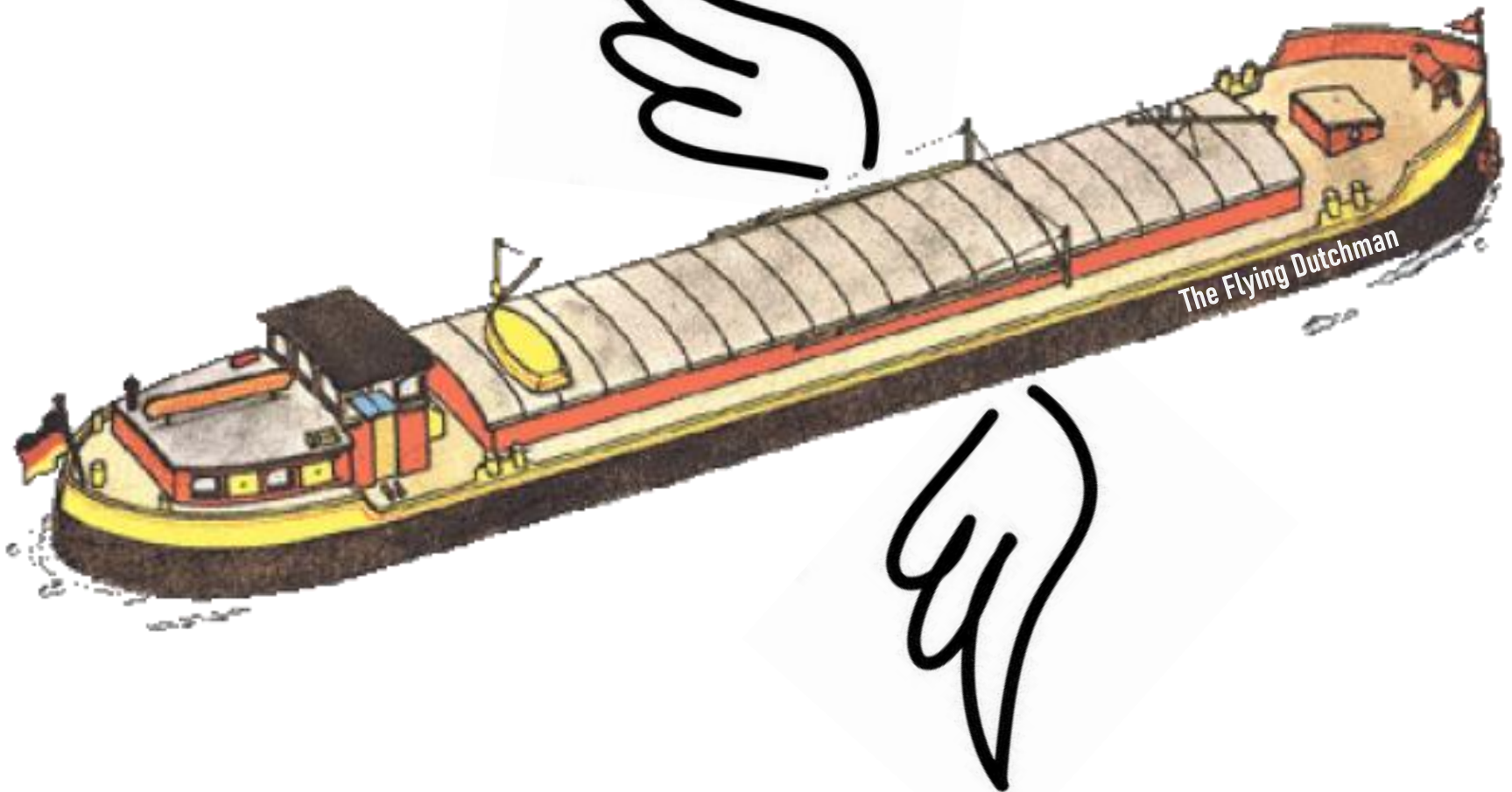
1. Gathering information to substantiate the claim.
2. Determining the location of the vessel.
3. Finding a way to serve the arrest order.

III. Risks and Benefits

Pros	Cons
1. fast security	1. costs
2. reservation in ship register	2. risk of liability
3. can not sail (pressure)	3. can not sail (bankruptcy)

III. Risks and Benefits

„Fliegender Arrest“
(„sailing arrest“)



III. Risks and Benefits

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III. Risks and Benefits

Conclusion:

1. Avarages:
 - security through „Schiffsgläubigerrecht“ usually sufficient
 - arrest only if vessel could disappear
 - as no means of pressure (Rotterdam guarantee / release sum)
2. Cargo claims:
 - most of the cases secured by a „Schiffsgläubigerrecht“ too
 - in some cases arrest only possibility of securing the claim
 - in smaller claims good means of pressure (depending on insurance)
3. Other contractual claims:
 - arrest always only way of securing the claim
 - good means of pressure in smaller claims

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Thank you for
your attention!