

# Sandrine Drapier

[sandrine.drapier@univ-lemans.fr](mailto:sandrine.drapier@univ-lemans.fr)

Associate Professor (MCF HDR) at Le Mans University, Le Mans, France

Research Unit: Thémis UM (EA 4333) and CDMO (associated)

1

## ACADEMIC AND PROFESSIONAL APPOINTMENTS

### Habilitation to Direct Research

March 2006, Université de la Réunion, France

Jury: Pr. Cabrillac, Pr. Goubeaux, Pr. Mainguy, Pr. Puig, Pr Seube, Pr. Zattara

### Associate Professor (tenured)

Private law and criminal sciences

2004 – 2013, UFR Droit, Université de La Réunion

2013 – Present, IUT GEA, Le Mans Université

### Certificate of Aptitude for the Legal Profession (Lawyer)

2003, Nîmes Bar

### PhD in Private Law

May 2000, Université de Nancy II

“*Incomplete Contrats*” (*Les contrats imparfaits*), directed by Pr. Goubeaux, Pr. Gobert, Pr. Gross, Pr. Jacquot, Pr. Jamin  
Awards: very honorable, congratulations from the jury, thesis reproducible as is, thesis prize

## SCIENTIFIC AND ADMINISTRATIVE ACTIVITIES

### International research networks – ERC programmes

Member of the European research program LASCAUX

2009 - 2014

Contributor to the European research programme HUMAN SEA

2014 - 2019

### Supervision, research animation, conferences, scientific and administrative responsibilities

- Regional Jurisprudence Workshop of La Réunion, for Lexisnexis editor (2005 - 2008)
- Management of Master 2 reports
- Co-organization of study days, two national conferences, twenty communications at national and international conferences, four invitations to universities abroad, mainly on environmental themes or maritime law
- Member of two thesis juries and four current thesis directors

### Administrative activities

Full member of the *National Council of Universities (CNU) Section 01 college B*

2015 - 2023

Full member of the *Academic Council of COMUE UBL*

2016 - 2019

Member of the *Establishment Consultative Commission (CCE Section 1 to 4)*

2022 - 2027

Elected member of the technical committee Le Mans University

2021 - 2023

Member of the research committee of IUT Le Mans University

2024

### Publications summary

#### Full Works

- **Les Contrats Imparfaits**, individual work, preface G. GOUBEAUX, PUAM, 2001 (536 pages)  
Themes: preliminary contracts; suspensive condition; sales contract; real contracts; contractual sets; instantaneousness; incursion of the judge; interpretation; opposability; proof; repentance; general theory of obligations; transfer of ownership
- **Le nouveau droit des contrats**, co-directed work  
Creation of a textbook, writing pp. 381 to 701 and pp. 806 to 872, Polymathis, September 2021

*Chapters in international collective works*

- 3 chapters in *Dictionnaire juridique de la sécurité alimentaire dans le monde*, under the direction of Pr. Collart-Dutilleul, ed. Larcier, 2013
- **"Normes sociales à bord des navires sous pavillons bis européens" : vers "Un retour des Etats côtiers"**, in *Penser une démocratie alimentaire*, volume 1, under the direction of Pr. Collart-Dutilleul, INIDA, 2013, pp. 371-380  
Themes: self-regulation, regulatory authorities, consumers, environment, investors, evaluation methods, transnational standards, rating, international organizations, risks
- **"Normes sociales à bord des navires sous pavillons bis européens : vers un retour des Etats côtiers ?"**, in *Gens de mer : un marché international du travail*, bilingual collective work under the direction of Pr. Chaumette, Gomylex, 2016, pp. 335-352  
Themes: complacency; port control; Geneva Convention on the High Seas of 1958; Maritime Labour Convention of 2006; distortion of competition; social dumping; nationality privilege; second register; posted worker
- **"La lutte contre la piraterie en mer par les entreprises privées de protection des navires"**, in *Espaces marins : surveillance et prévention des trafics illicites en mer*, bilingual collective work under the direction of Pr. Chaumette, Gomylex 2016, pp. 247-263  
Themes: CMB; fundamental rights; self-defense; flag; detention on board; seizure of ships; maritime intervention company
- **"La résolution pour inexécution, une approche résolument différente en droit français et québécois ?"**, in *Droit québécois – droit français : inspirations mutuelles*, in collaboration with M. Cumyn, under the direction of S. Normand and D. Cholet, Société de Législation comparée, 2019 (20 pages)  
Themes: termination clause, contract, seriousness of non-performance, formal notice, termination by notification, judicial termination, rescission, retroactivity, economic utility of the contract
- **"Le retraitement des épaves de navires pour la protection de la mer"** (Chap. 26), in *"Le droit de l'Océan transformé par l'exigence de conservation de l'environnement marin"*, under the direction of Prof. P. Chaumette, Marcial Pons éd., 2019, pp. 481-496  
Themes: maritime cultural property; Convention "Bunker"; Nairobi Convention; imminent danger; maritime environment; removal operation; concept of maritime wrecks; marine pollution; liability of wreck owners; maritime traffic
- **"Le requin, un être vivant doué de sensibilité"**, in *"Le travail et la mer"*, under the direction of A. Charbonneau, O. Fotinopoulou-Basurko, and F. Mandin, Pédone, 2021, pp. 85-98  
Themes: animal; biodiversity; common property; environment; fishing; qualification; wild and migratory; public safety; endangered species
- **"Pavillons de complaisance : obstacles à la transition environnementale ?"** in *"Les pavillons de navires : défis, dérives, et perspectives pour une gouvernance durable des océans"*, under the direction of C. DEVAUX, LGDJ, Fondation Varenne, to be published in 2025
- Table ronde **"Recovering shipwrecks... with what rights?"** - Statut des épaves à caractère en droit français, in *"After the wreckage...wreck recovery, reuse and recycling"*, under the direction of M. Jaouen, C. Sauvage, E. Rieth, and L. Contabt, Archæonautica (CNRS Éditions), to be published in 2025

*Articles published in national peer-reviewed journals*

- **"Réflexions sur la légitimité des lois de validation en matière contractuelle"**, 90% written by me, collaboration (10%), LPA 9/02/2001, pp. 4-11
- **"Les trésors cachés de l'article 716 du Code civil (Pour l'exhumation des droits de l'inventeur)"**, RRJ 2003/1, pp. 209-241 (Themes: attribution; cultural property; UNESCO convention; excavations; chance; inventor; movable property; occupation; common heritage; treasure)
- **"La « bourse et la vie » : de la sécurité dans le contrat d'hôtellerie"**, in collaboration, 50%, LPA 4 August 2006, pp. 11-17 (Themes: hospitality contract; necessary deposit; compensation; security obligation; liability)

- **"Les pavillons de complaisance concurrencés : la promotion du pavillon bis français !"**, DMF 2008, pp. 3-14 (Themes: social dumping; equal treatment and nationality privilege; flag of convenience; ship ownership; French international registry; maritime safety)
- **"La biodiversité, une chose commune"**, RRJ 2010/4, pp. 2113-2127 (Themes: biodiversity; common property; fruits and products; non-appropriation; ecological damage; factual universality; usufruct)
- **"La capture de pirates en mer : de droit ou de force"**, ADMO, t. XXX, 2012, pp. 99-114 (Themes: detention conditions; European Convention on Human Rights; destruction of seized property; right to liberty; maritime piracy; protection of property rights)
- **"De la disponibilité à la nécessité alimentaire : quelles règles ?"**, RRJ 2012/4, pp. 1643-1656 (Themes: biodiversity, food crisis, food availability, fundamental right, state of necessity, food obligation, food security, food emergency)
- **"Le renvoi, ce mal aimé du droit international privé des successions immobilières"**, RRJ 2011/2, pp. 727-737 (Themes: application of foreign law; jurisdictional competence; conflict of laws; lex rei sitae; jurisdiction privilege; European project; renvoi; immovable succession)
- **"Quel régime de responsabilité civile pour les choses communes endommagées ?"**, RJE 4/2016, pp. 652-669 (Themes: cultural property, biodiversity, common property, common heritage of humanity, cultural heritage, natural heritage, ecological damage, civil liability, strict liability)
- **"Quel régime de responsabilité civile pour les choses communes endommagées ?"**, RJE 4/2016, pp. 652-669 (Themes: cultural property, biodiversity, common property, common heritage of humanity, cultural heritage, natural heritage, ecological damage, civil liability, strict liability)
- **"La révision du contrat pour imprévision : un seuil de perfection à définir"**, RRJ 2016-4, pp. 1571-1583 (Themes: imperfect contract, incomplete contract, economic imbalance, effective utility, theory of unforeseen circumstances, contract law reform, renegotiation, judicial revision)
- **"A la recherche du trésor disparu (réflexions sur l'article 716 du Code civil)"**, RRJ 2019-2, pp. 623-641 (Themes: preventive archaeology; attribution; cultural property; immaterial property; excavations; chance; inventor; treasure)
- **"Covid-19 : Force majeure et annulation de vols"**, LPA 2020, pp. 11-14 (Themes: transport contract, force majeure, extraordinary circumstance, European air transport regulation, health crisis)
- **"Les DCP non récupérés sont-ils juridiquement des épaves maritimes ?"**, DMF 2020, pp. 567-566 (Themes: fish aggregating devices, concept of wreck, environment, sea pollution, liability)
- **"Réflexions sur la qualification de navires pour les constructions flottantes en mer"**, DMF 2021, no. 840, pp. 881-890 (Themes: concept of ship, buoyancy, sea devices, Montego Bay Convention, sea pollution, maritime safety)
- **"Transfert du risque en matière de responsabilité environnementale : quelle imputation ? (libre propos)"**, RRJ 2022, RRJ 4/2022, pp. 794-808 (Themes: liability insurance, environmental damage, guarantee fund, imputation, imputability, ecological damage, climate risk, risk socialization)
- **"Climat : risque de submersion des ports, quelles responsabilités ?"**, ADMO 2023, pp. 107-120 (Themes: contract, prevention obligation, insurance premium, civil liability, potential risk, port submersion, vulnerability)
- **"Les secrets des ports francs"**, RRJ 2023-2, pp. 774-786 (Themes: customs duties, cultural property and illicit trafficking, inventory, maritime port, responsibilities, free zone)
- **"La Directive CSRD, modèle de reporting extra-financier au service de la durabilité des entreprises : un nouvel outil de persuasion ?"**, RIDO no. 6, 2023, pp. 47-62 (Themes: ESRS criteria, rating agency, CSRD directive, environmental sustainability, ecological and climate transitions, sanctions, maritime transport companies)
- **"Épaves maritimes : une notion « janusienne » à deux régimes pour le retraitement"**, LPA June 2024, pp. 15-25 (Themes: discovery zones, concept of wrecks, treasure, maritime cultural property, removal, cultural heritage, Nairobi Convention, declaration and sanctions)
- **"La pratique des pavillons de complaisance en mer à l'épreuve de la transition environnementale"**, Actu-juridique 27 July 2024, 26 pages (Themes: flags of convenience at sea, ship decarbonization, environmental sustainability, EU and IMO, RIF, maritime transport companies, climate transition)

*Commentaires published in national peer-reviewed journals*

- Cass. civ. 1ère, 21 March 2000: "**Succession internationale et loi de situation des immeubles : vers une unité de compétence juridictionnelle**", LPA 28 August 2000, pp. 8-13
- Cass. com., 30 October 2000: "**La saisie conservatoire d'un navire battant pavillon d'un Etat non contractant à la Convention de Bruxelles du 10 mai 1952**", Gaz. Pal. 2002, pp. 313-319
- Cass. 1ère civ., 20 April 2017, no. 16-16.983: "**Conflit de juridictions et partage d'indivision portant sur un immeuble : une compétence exclusive**", JCP N 2017, pp. 1315-1321
- Cass. 1ère civ., 6 June 2018 (no. 17-16.091): "**Quand la découverte de lingots d'or dans son jardin ne constitue pas un trésor**", JCP 2019, ed. N, 1163
- CJUE, 8 June 2023, aff. C-407/21 (UFC-Que choisir/France): "**Voyages à forfait : notion de « circonstances exceptionnelles et inévitables**", LPA no. 9, 2023, pp. 50-54

## TEACHINGS

- On average, 384 hours per year over the last five years  
Since 2020, both face-to-face and remotely  
Courses taught in initial and professional education  
Lectures in DUT and BUT GEA, LP (2013 - 2022); courses in Master 1 and 2 UFR Law and IEJ seminars (2013 -2023)  
Lectures mainly in Master 1 and 2 Law (2004 - 2013) UFR Law La Réunion
- Subjects taught in 2024  
Lectures: contract law, general regime of obligations, labor law (individual and collective relations), corporate law, business law, private international law, intellectual property law, general tax law  
Seminars: animal welfare in M2 health law; finance and environmental sustainability in M2 banking and financial law and at the IEJ du Mans: law of obligations, labor law, fundamental rights and freedoms, summary note
- Extra-pedagogical activities: internship monitoring (DUT and LP), supervised projects, dissertation supervision, Parcoursup selection , campus France, etc.
- Presidency of the oral exam jury or the CRFPA jury (Le Mans University) 2016 - 2023

*Done in December 2024*