

COMITE MARITIME INTERNATIONAL

**YEARBOOK
1992
ANNUAIRE**

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FOREWORD

The format of the Yearbook differs from that of the previous years in that it refers to a single year, namely, in this case, 1992, whilst in the past the Yearbook referred to two consecutive years. The last edition — Yearbook 1990-1991 — was based on the situation that existed in early 1991.

Another change in the format of the Yearbook is that it is now divided into three parts: Part I includes information on the organization of the CMI (the Constitution, the list of Member Associations and Titulary Members of the CMI), Part II includes documents relating to the work performed by the CMI in a certain year, Part III includes the Status of Ratifications of and Accessions to the International Conventions as at the end of a given year.

AVANT-PROPOS

La présentation de l'annuaire diffère de celle des années précédentes en ce qu'il se rapporte à une seule année, en l'occurrence 1991, alors qu'auparavant l'annuaire se rapportait à deux années consécutives. La dernière édition — Annuaire 1990-1991 — reprenait une situation qui existait au début de 1991.

Une autre modification dans la composition de l'annuaire résulte de ce qu'il est maintenant partagé en trois parties: Partie I comprenant les renseignements concernant l'organisation du CMI (les statuts, la liste des Associations Membres et des Membres Titulaires du CMI), Partie II comprenant des documents en rapport avec les travaux accomplis par le CMI au cours de l'année, Partie III comprenant l'état arrêté à la fin de l'année concernée des ratifications de et adhésions aux conventions internationales.

1970-1971 PART I (1971) 100

PART I

Organization of the CMI

Comité Maritime International

CONSTITUTION

(1992)

PART I - GENERAL

Article 1

Object

The Comité Maritime International is a non-governmental international organization, the object of which is to contribute by all appropriate means and activities to the unification of maritime law in all its aspects.

To this end it shall promote the establishment of national associations of maritime law and shall cooperate with other international organizations.

Article 2

Domicile

The domicile of the Comité Maritime International is established in Belgium.

Article 3

Membership

- a) The Comité Maritime International shall consist of national (or multinational) Associations of Maritime Law, the objects of which conform to that of the Comité Maritime International and the membership of which is open to persons (individuals or bodies corporate) who either are involved in maritime activities or are specialists in maritime law. Member Associations should endeavour to present a balanced view of the interests represented in their Association.

Where in a State there is no national Association of Maritime Law in existence, and an organization in that State applies for membership of the Comité Maritime International, the Assembly may accept such organization as a Member of the Comité Maritime International if it is satisfied that the object of such organization, or one of its objects, is the unification of maritime law in all its aspects. Whenever reference is made in this Constitution to Member Associations, it will be deemed to include any organization admitted as a Member pursuant to this Article.

Only one organization in each State shall be eligible for membership, unless the Assembly otherwise decides. A multinational Association is eligible for

Comite Maritime International

STATUTS

1992

Ière PARTIE - DISPOSITIONS GENERALES

Article 1er

Objet

Le Comité Maritime International est une organisation nongouvernementale internationale qui a pour objet de contribuer, par tous travaux et moyens appropriés, à l'unification du droit maritime sous tous ses aspects.

Il favorisera à cet effet la création d'Associations nationales de droit maritime. Il collaborera avec d'autres organisations internationales.

Article 2

.Siège

Le siège du Comité Maritime International est fixé en Belgique.

Article 3

Membres

a) Le Comité Maritime International se compose d'Associations nationales (ou multinationales) de droit maritime, dont les objectifs sont conformes à ceux du Comité Maritime International et dont la qualité de membre est accordée à toutes personnes (personnes physiques ou personnes morales) qui, ou bien participent aux activités maritimes, ou bien sont des spécialistes du droit maritime. Chaque Association membre s'efforcera de maintenir l'équilibre entre les divers intérêts représentés dans son sein.

Lorsque dans un pays il n'existe pas d'Association nationale, si une organisation de ce pays pose sa candidature pour devenir membre du Comité Maritime International, l'Assemblée peut accepter une pareille organisation comme membre du Comité Maritime International après s'être assurée que l'objectif, ou un des objectifs, poursuivis par cette organisation est l'unification du droit maritime sous tous ses aspects. Toute référence dans les présents statuts à des Associations membres comprendra toute organisation qui aura été admise comme membre conformément au présent article.

Une seule organisation par pays est éligible en qualité de membre du Comité Maritime International, à moins que l'Assemblée n'en décide autrement. Une

membership only if there is no Member Association in any of its constituent States.

- b) Individual members of Member Associations may be appointed by the Assembly as Titulary Members of the Comité Maritime International upon the proposal of the Association concerned, to the maximum of twenty-one per Member Association. The appointment shall be of an honorary nature and shall be decided having regard to the services rendered by the candidates to the Comité Maritime International and to their reputation in legal or maritime affairs. Titulary Members shall not be entitled to vote.

Titulary Members presently or formerly belonging to an association which is no longer a member of the Comité Maritime International may continue to be individual Titulary Members at large, pending the formation of a new Member Association in their State.

- c) Nationals of States where there is no Member Association in existence and who have demonstrated an interest in the object of the Comité Maritime International may be admitted as Provisional Members but shall not be entitled to vote. Individuals who have been Provisional Members for not less than five years may be appointed by the Assembly as Titulary Members, to the maximum number of three such Titulary Members from any one State.

- d) The Assembly may appoint to Membership *Honoris Causa* any individual who has rendered exceptional service to the Comité Maritime International, with all of the rights and privileges of a Titulary Member but without payment of contributions.

Members *Honoris Causa* shall not be attributed to any Member Association or State, but shall be individual Members of the Comité Maritime International as a whole.

- e) International organizations which are interested in the object of the Comité Maritime International may be admitted as Consultative Members but shall not be entitled to vote.

PART II - ASSEMBLY

Article 4

Composition

The Assembly shall consist of all Members of the Comité Maritime International and the members of the Executive Council.

Each Member Association and Consultative Member may be represented in the Assembly by not more than three delegates.

As approved by the Executive Council, the President may invite Observers to attend all or parts of the meetings of the Assembly.

Article 5

Meetings

The Assembly shall meet annually on a date and at a place decided by the

association multinationale n'est éligible en qualité de membre que si aucun des Etats qui la composent ne possède d'Association membre.

- b) Des membres individuels d'Associations membres visées dans la première partie de cet article peuvent être nommés membres titulaires du Comité Maritime International par l'Assemblée sur proposition de l'Association membre intéressée, à raison de vingt et un au maximum par Association membre. Cette nomination aura un caractère honorifique et sera décidée en tenant compte des services rendus au Comité Maritime International par les candidats et de la notoriété qu'ils auront acquise dans le domaine du droit ou des affaires maritimes.

Les membres titulaires n'auront pas le droit de vote.

Les membres titulaires appartenant ou ayant appartenu à une Association qui n'est plus membre du Comité Maritime International peuvent rester membres titulaires individuels hors cadre, en attendant la constitution d'une nouvelle Association membre dans leur Etat.

- c) Les nationaux des pays où il n'existe pas une Association membre mais qui ont fait preuve d'intérêt pour les objectifs du Comité Maritime International peuvent être admis comme membres provisoires, mais n'auront pas le droit de vote. Les personnes physiques qui sont membres provisoires depuis cinq ans au moins peuvent être nommées membres titulaires par l'Assemblée, à concurrence d'un maximum de trois par pays.

- d) L'Assemblée peut nommer membre d'honneur, jouissant des droits et privilèges d'un membre titulaire mais dispensé du paiement des cotisations, toute personne physique ayant rendu des services exceptionnels au Comité Maritime International.

Les membres d'honneur ne relèvent d'aucune Association membre ni d'aucun Etat, mais sont à titre personnel membres du Comité Maritime International pour l'ensemble de ses activités.

- e) Les organisations internationales qui s'intéressent aux objectifs du Comité Maritime International peuvent être admises en qualité de membres consultatifs, mais n'auront pas le droit de vote.

2ème PARTIE - ASSEMBLEE

Article 4

Composition

L'Assemblée est composée de tous les membres du Comité Maritime International et des membres du Conseil Exécutif.

Toute Association membre et tout membre consultatif peuvent être représentés à l'Assemblée par trois délégués au maximum.

Le Président peut, avec l'approbation du Conseil Exécutif, inviter des observateurs à assister, totalement ou partiellement, aux réunions de l'Assemblée.

Article 5

Réunions

L'Assemblée se réunit chaque année à la date et au lieu fixés par le Conseil

Executive Council. The Assembly shall also meet at any other time, for a specified purpose, if requested by the President, by ten of its Member Associations or by the Vice-Presidents. At least six weeks notice shall be given of such meetings.

Article 6

Agenda and Voting

Matters to be dealt with by the Assembly, including election to vacant offices, shall be set out in the agenda accompanying the notice of the meeting. Decisions may be taken on matters not set out in the agenda, other than amendments to this Constitution, provided no Member Association represented in the Assembly objects to such procedure.

Each Member Association present in the Assembly and entitled to vote shall have one vote. The right to vote cannot be delegated or exercised by proxy.

All decisions of the Assembly shall be taken by a simple majority of Member Associations present, entitled to vote, and voting. However, amendments to this Constitution shall require the affirmative vote of a two-thirds majority of all Member Associations present, entitled to vote, and voting.

Article 7

Functions

The functions of the Assembly are:

- a) To elect the Officers of the Comité Maritime International;
- b) To admit new members and to appoint, suspend or expel members;
- c) To fix the rates of member contributions to the Comité Maritime International;
- d) To consider and, if thought fit, approve the accounts and the budget;
- e) To consider reports of the Executive Council and to take decisions on the future activity of the Comité Maritime International;
- f) To approve the convening and decide the agenda of, and ultimately approve resolutions adopted by, International Conferences;
- g) To amend this Constitution;
- h) To adopt rules of procedure not inconsistent with the provisions of this Constitution.

PART III - OFFICERS

Article 8

Designation

The Officers of the Comité Maritime International shall be:

- a) The President,
- b) The Vice-Presidents,
- c) The Secretary-General,

Exécutif. L'Assemblée se réunit en outre à tout autre moment, avec un ordre du jour déterminé, à la demande du Président, de dix de ses Associations membres, ou des Vice-Présidents. Le délai de convocation est de six semaines au moins.

Article 6

Ordre du jour et votes

Les questions dont l'Assemblée devra traiter, y compris les élections à des charges vacantes, seront exposées dans l'ordre du jour accompagnant la convocation aux réunions. Des décisions peuvent être prises sur des questions non inscrites à l'ordre du jour, exception faite de modifications aux présents statuts, pourvu qu'aucune Association membre représentée à l'Assemblée ne s'oppose à cette façon de faire.

Chaque Association membre présente à l'Assemblée et jouissant du droit de vote dispose d'une voix. Le droit de vote ne peut pas être délégué ni exercé par procuration.

Toutes les décisions de l'Assemblée sont prises à la majorité simple des Associations membres présentes, jouissant du droit de vote, et prenant part au vote. Toutefois, le vote positif d'une majorité des deux tiers de toutes les Associations membres présentes, jouissant du droit de vote et prenant part au vote sera nécessaire pour modifier les présents statuts.

Article 7

Fonctions

Les fonctions de l'Assemblée consistent à :

- a) Elire les membres du Bureau du Comité Maritime International;
- b) Admettre de nouveaux membres et nommer, suspendre ou exclure des membres;
- c) Fixer les montants des cotisations des membres du Comité Maritime International;
- d) Examiner et, le cas échéant, approuver les comptes et le budget;
- e) Etudier les rapports du Conseil Exécutif et prendre des décisions concernant les activités futures du Comité Maritime International;
- f) Approuver la convocation et fixer l'ordre du jour de Conférences Internationales du Comité Maritime International, et approuver en dernière lecture les résolutions adoptées par elles;
- g) Modifier les présents statuts;
- h) Adopter des règles de procédure sous réserve qu'elles soient conformes aux présents statuts.

3ème PARTIE - MEMBRES DU BUREAU

Article 8

Désignation

Les membres du Bureau du Comité Maritime International sont :

- a) le Président,
- b) les Vice-Présidents,
- c) le Secrétaire Général,

- d) The Treasurer,
- e) The Administrator (if an individual), and
- f) The Executive Councillors.

Article 9

President

The President of the Comité Maritime International shall preside over the Assembly, the Executive Council, and the International Conferences convened by the Comité Maritime International. He shall be an ex-officio member of any Committee, International Sub-Committee or Working Group appointed by the Executive Council.

With the assistance of the Secretary-General and the Administrator he shall carry out the decisions of the Assembly and of the Executive Council, supervise the work of the International SubCommittees and Working Groups, and represent the Comité Maritime International externally.

In general, the duty of the President shall be to ensure the continuity and the development of the work of the Comité Maritime International.

The President shall be elected for a full term of four years and shall be eligible for re-election for one additional term.

Article 10

Vice-Presidents

There shall be two Vice-Presidents of the Comité Maritime International, whose principal duty shall be to advise the President and the Executive Council, and whose other duties shall be assigned by the Executive Council.

The Vice-Presidents, in order of their seniority as officers of the Comité Maritime International, shall substitute for the President when the President is absent or is unable to act.

Each Vice-President shall be elected for a full term of four years, and shall be eligible for reelection for one additional term.

Article 11

Secretary-General

The Secretary-General shall have particular responsibility for organization of the non-administrative preparations for International Conferences, Seminars and Colloquia convened by the Comité Maritime International, and to maintain liaison with other international organizations. He shall have such other duties as may be assigned by the Executive Council and the President.

The Secretary-General shall be elected for a term of four years, and shall be eligible for reelection without limitation.

Article 12

Treasurer

The Treasurer shall be responsible for the funds of the Comité Maritime International, and shall collect and disburse, or authorize disbursement of, funds as directed by the Executive Council.

The Treasurer shall keep the financial accounts, and prepare the balance sheet

- d) le Trésorier,
- e) l'Administrateur (s'il est une personne physique) et
- f) les Conseillers Exécutifs.

Article 9

Le Président

Le Président du Comité Maritime International préside l'Assemblée, le Conseil Exécutif et les Conférences Internationales convoquées par le Comité Maritime International. Il est membre de droit de tout comité, de toute commission internationale ou de tout groupe de travail désignés par le Conseil Exécutif.

Avec le concours du Secrétaire Général et de l'Administrateur il met à exécution les décisions de l'Assemblée et du Conseil Exécutif, surveille les travaux des commissions internationales et des groupes de travail, et représente, à l'extérieur, le Comité Maritime International.

D'une manière générale, la mission du Président consiste à assurer la continuité et le développement du travail du Comité Maritime International.

Le Président est élu pour un terme entier de quatre ans et est rééligible une fois.

Article 10

Les Vice-Présidents

Le Comité Maritime International comprend deux Vice-Présidents, dont la mission principale est de conseiller le Président et le Conseil Exécutif, et dont d'autres missions leur sont confiées par le Conseil Exécutif.

Le Vice-Président le plus ancien comme membre du Bureau du Comité Maritime International supplée le Président quand celui-ci est absent ou dans l'impossibilité d'exercer sa fonction.

Chacun des Vice-Présidents est élu pour un mandat entier de quatre ans, renouvelable une fois.

Article 11

Le Secrétaire Général

Le Secrétaire Général a tout spécialement la responsabilité d'organiser les préparatifs, autres qu'administratifs, des Conférences Internationales, séminaires et colloques convoqués par le Comité Maritime International, et de poursuivre la liaison avec d'autres organisations internationales. D'autres missions peuvent lui être confiées par le Conseil Exécutif et le Président.

Le Secrétaire Général est élu pour un mandat de quatre ans, renouvelable sans limitation de durée.

Article 12

Le Trésorier

Le Trésorier répond des fonds du Comité Maritime International, il encaisse les fonds et en effectue ou en autorise le déboursement conformément aux instructions du Conseil Exécutif.

Le Trésorier établit les comptes financiers, prépare le bilan de l'année civile écoulée ainsi que les budgets de l'année en cours et de l'année suivante, et sou-

for the preceding calendar year and the budgets for the current and next succeeding year, and shall present these not later than the 31st of January each year for review by the Executive Council and approval by the Assembly.

The Treasurer shall be elected for a term of four years, and shall be eligible for re-election without limitation.

Article 13

Administrator

The functions of the Administrator are:

- a) To give official notice of all meetings of the Assembly and the Executive Council, of International Conferences, Seminars and Colloquia, and of all meetings of Committees, International Sub Committees and Working Groups;
- b) To circulate the agendas, minutes and reports of such meetings;
- c) To make all necessary administrative arrangements for such meetings;
- d) To carry into effect the administrative decisions of the Assembly and of the Executive Council, and administrative determinations made by the President;
- e) To circulate such reports and/or documents as may be requested by the President, the Secretary General, the Treasurer or the Executive Council;
- f) In general to carry out the day by day business of the secretariat of the Comité Maritime International.

The Administrator may be an individual or a body corporate. If an individual, the Administrator may also serve, if elected to that office, as Treasurer of the Comité Maritime International.

The Administrator, if an individual, shall be elected for a term of four years, and shall be eligible for re-election without limitation. If a body corporate, the Administrator shall be appointed by the Assembly upon the recommendation of the Executive Council, and shall serve until a successor is appointed.

Article 14

Executive Councillors

There shall be eight Executive Councillors of the Comité Maritime International, who shall have the functions described in Article 18.

The Executive Councillors shall be elected upon individual merit, also giving due regard to balanced representation of the legal systems and geographical areas of the world characterized by the Member Associations.

Each Executive Councillor shall be elected for a full term of four years, and shall be eligible for re-election for one additional term.

Article 15

Nominations

A Nominating Committee shall be established for the purpose of nominating individuals for election to any office of the Comité Maritime International.

The Nominating Committee shall consist of:

- a) A chairman, who shall have a casting vote where the votes are otherwise equally divided, and who shall be elected by the Executive Council,

met ceux-ci, au plus tard le 31 janvier de chaque année, à l'examen du Conseil Exécutif et à l'approbation de l'Assemblée.

Le Trésorier est élu pour un mandat de quatre ans, renouvelable sans limitation de durée.

Article 13

L'Administrateur

Les fonctions de l'Administrateur consistent à :

- a) envoyer les convocations pour toutes les réunions de l'Assemblée et du Conseil Exécutif, des conférences internationales, séminaires et colloques, ainsi que pour toutes réunions de comités, de commissions internationales et de groupes de travail,
- b) distribuer les ordres du jour, procès-verbaux et rapports de ces réunions,
- c) prendre toutes les dispositions administratives utiles en vue de ces réunions,
- d) mettre à exécution les décisions de nature administrative prises par l'Assemblée et le Conseil Exécutif, et les instructions d'ordre administratif données par le Président,
- e) assurer les distributions de rapports et documents demandées par le Président, le Secrétaire Général, le Trésorier ou le Conseil Exécutif,
- f) d'une manière générale accomplir la charge quotidienne du secrétariat du Comité Maritime International.

L'Administrateur peut être une personne physique ou une personne morale. L'Administrateur personne physique peut également exercer la fonction de Trésorier du Comité Maritime International, s'il est élu à cette fonction.

L'Administrateur personne physique est élu pour un mandat de quatre ans, et est rééligible sans limite. L'Administrateur personne morale est élu par l'Assemblée sur proposition du Conseil Exécutif et reste en fonction jusqu'à l'élection d'un successeur.

Article 14

Les Conseillers Exécutifs

Le Comité Maritime International compte huit Conseillers Exécutifs, dont les fonctions sont décrites à l'article 18.

Les Conseillers Exécutifs sont élus en fonction de leur mérite personnel, en ayant également égard à une représentation équilibrée des systèmes juridiques et des régions du monde auxquels les Association membres appartiennent.

Chaque Conseiller Exécutif est élu pour un mandat entier de quatre ans, renouvelable une fois.

Article 15

Présentations de candidatures

Un Comité de Présentation de candidatures est mis en place avec mission de présenter des personnes physiques en vue de leur élection à toute fonction au sein du Comité Maritime International.

Le Comité de Présentation de candidatures se compose de :

- a) un président, qui a voix prépondérante en cas de partage des voix, et qui est élu par le Conseil Exécutif;

- b) The President and past Presidents,
- c) One member elected by the Vice-Presidents, and
- d) One member elected by the Executive Councillors.

Notwithstanding the foregoing paragraph, no person who is a candidate for office may serve as a member of the Nominating Committee during consideration of nominations to the office for which he is a candidate.

On behalf of the Nominating Committee, the chairman shall first determine whether any officers eligible for re-election are available to serve for an additional term. He shall then solicit the views of the Member Associations concerning candidates for nomination. The Nominating Committee shall then make nominations, taking such views into account.

Following the decisions of the Nominating Committee, the chairman shall forward its nominations to the Administrator in ample time for distribution not less than one-hundred twenty days before the annual meeting of the Assembly at which nominees are to be elected.

Member Associations may make nominations independently of the Nominating Committee, provided such nominations are forwarded to the Administrator before the annual meeting of the Assembly at which nominees are to be elected.

Article 16

Immediate Past President

The Immediate Past President of the Comité Maritime International shall have the option to attend all meetings of the Executive Council with voice but without vote, and at his discretion shall advise the President and the Executive Council.

PART IV - EXECUTIVE COUNCIL

Article 17

Composition

The Executive Council shall consist of:

- a) The President,
- b) The Vice-Presidents,
- c) The Secretary-General,
- d) The Treasurer,
- e) The Administrator (if an individual),
- f) The Executive Councillors, and
- g) The Immediate Past President.

Article 18

Functions

The functions of the Executive Council are:

- a) To receive and review reports concerning contact with:
 - (i) The Member Associations,
 - (ii) The CMI Charitable Trust, and
 - (iii) International organizations;
- b) To review documents and/or studies intended for:

- b) le Président et les anciens Présidents du C.M.I.;
- c) un membre élu par les Vice-Présidents;
- d) un membre élu par les Conseillers Exécutifs.

Nonobstant les dispositions de l'alinéa qui précède, aucun candidat ne peut siéger au sein du Comité de Présentation pendant la discussion des présentations intéressant la fonction à laquelle il est candidat.

Agissant au nom du Comité de Présentation, son Président détermine tout d'abord s'il y a des membres du bureau qui, étant rééligibles, sont disponibles pour accomplir un nouveau mandat. Il demande ensuite l'avis des Associations membres au sujet des candidats à présenter. Tenant compte de ces avis, le Comité de Présentation fait alors des propositions.

Le président du Comité de Présentation transmet les propositions décidées par celui-ci à l'Administrateur suffisamment à temps pour être diffusées cent-vingt jours au moins avant l'Assemblée annuelle appelée à élire des candidats proposés.

Des Associations membres peuvent, indépendamment du Comité de Présentation, faire des propositions, pourvu que celles-ci soient transmises à l'Administrateur avant l'Assemblée annuelle appelée à élire des candidats présentés.

Article 16

Le Président sortant

Le Président sortant du Comité Maritime International a la faculté d'assister à toutes les réunions du Conseil Exécutif avec voix consultative mais non délibérative, et peut, s'il le désire, conseiller le Président et le Conseil Exécutif.

4ème PARTIE - CONSEIL EXECUTIF

Article 17

Composition

Le Conseil Exécutif est composé:

- a) du Président,
- b) des Vice-Présidents,
- c) du Secrétaire Général,
- d) du Trésorier,
- e) de l'Administrateur, s'il est une personne physique,
- f) des Conseillers Exécutifs,
- g) du Président sortant.

Article 18

Fonctions

Les fonctions du Conseil Exécutif sont:

- a) de recevoir et d'examiner des rapports concernant les relations avec:
 - (i) les Associations membres,
 - (ii) le "CMI Charitable Trust", et
 - (iii) les organisations internationales;
- b) d'examiner les documents et études destinés:
 - (i) à l'Assemblée,

- (i) The Assembly,
 - (ii) The Member Associations, relating to the work of the Comité Maritime International or otherwise advising them of developments, and
 - (iii) International organizations, informing them of the views of the Comité Maritime International on relevant subjects;
- c) To initiate new work within the object of the Comité Maritime International, to establish Standing Committees, International Sub-Committees and Working Groups to undertake such work, and to supervise them;
 - d) To encourage and facilitate the recruitment of new members of the Comité Maritime International;
 - e) To oversee the finances of the Comité Maritime International;
 - f) To make interim appointments, if necessary, to the offices of Treasurer and Administrator;
 - g) To review and approve proposals for publications of the Comité Maritime International;
 - h) To set the dates and places of its own meetings and, subject to Article 5, of the meetings of the Assembly, and of Seminars and Colloquia convened by the Comité Maritime International;
 - i) To propose the agenda of meetings of the Assembly and of International Conferences, and to decide its own agenda and those of Seminars and Colloquia convened by the Comité Maritime International;
 - j) To carry into effect the decisions of the Assembly;
 - k) To report to the Assembly on the work done and on the initiatives adopted.

The Executive Council may establish and delegate to its own Committees and Working Groups such portions of its work as it deems suitable. Reports of such Committees and Working Groups shall be submitted to the Executive Council and to no other body.

Article 19

Meetings and Quorum

At any meeting of the Executive Council seven members, including the President or a Vice-President and at least three Executive Councillors, shall constitute a quorum. All decisions shall be taken by a simple majority vote. The President or, in his absence, the senior Vice-President in attendance shall have a casting vote where the votes are otherwise equally divided.

The Executive Council may, however, take decisions when circumstances so require without a meeting having been convened, provided that all its members are consulted and a majority respond affirmatively in writing.

PART V - INTERNATIONAL CONFERENCES

Article 20

Composition and Voting

The Comité Maritime International shall meet in International Conference upon dates and at places approved by the Assembly, for the purpose of discussing and taking decisions upon subjects on an agenda likewise approved by the Assembly.

- (ii) aux Associations membres, concernant le travail du Comité Maritime International, en les avisant de tout développement utile,
- (iii) aux organisations internationales, pour les informer des vues du Comité Maritime International sur des sujets adéquats;
- c) d'aborder l'étude de nouveaux travaux entrant dans le domaine du Comité Maritime International, de créer à cette fin des comités permanents, des commissions internationales et des groupes de travail et de contrôler leur activité;
- d) d'encourager et de favoriser le recrutement de nouveaux membres du Comité Maritime International;
- e) de contrôler les finances du Comité Maritime International;
- f) en cas de besoin, de pourvoir à titre provisoire à une vacance de la fonction de Trésorier ou d'Administrateur;
- g) d'examiner et d'approuver les propositions de publications du Comité Maritime International;
- h) de fixer les dates et lieux de ses propres réunions et, sous réserve de l'article 5, des réunions de l'Assemblée, ainsi que des séminaires et colloques convoqués par le Comité Maritime International;
- i) de proposer l'ordre du jour des réunions de l'Assemblée et des Conférences Internationales, et de fixer ses propres ordres du jour ainsi que ceux des Séminaires et Colloques convoqués par le Comité Maritime International;
- j) d'exécuter les décisions de l'Assemblée;
- k) de faire rapport à l'Assemblée sur le travail accompli et sur les initiatives prises.

Le Conseil Exécutif peut créer ses propres comités et groupes de travail et leur déléguer telles parties de sa tâche qu'il juge convenables. Ces comités et groupes de travail feront rapport au seul Conseil Exécutif.

Article 19

Réunions et quorum

Lors de toute réunion du Conseil Exécutif, celui-ci ne délibère valablement que si sept de ses membres, comprenant le Président ou un Viceprésident et trois Conseillers Exécutifs au moins, sont présents. Toute décision est prise à la majorité simple des votes émis. En cas de partage des voix, celle du Président ou, en son absence, celle du plus ancien VicePrésident présent, est prépondérante.

Le Conseil Exécutif peut toutefois, lorsque les circonstances l'exigent, prendre des décisions sans qu'une réunion ait été convoquée, pourvu que tous ses membres aient été consultés et qu'une majorité ait répondu affirmativement par écrit.

5ème PARTIE - CONFERENCES INTERNATIONALES

Article 20

Composition et Votes

Le Comité Maritime International se réunit en Conférence Internationale à des dates et lieux approuvés par l'Assemblée aux fins de délibérer et de se prononcer sur des sujets figurant dans un ordre du jour également approuvé par l'Assemblée.

The International Conference shall be composed of all Members of the Comité Maritime International and such Observers as are approved by the Executive Council.

Each Member Association which has the right to vote may be represented by ten delegates and the Titulary Members who are members of that Association. Each Consultative Member may be represented by three delegates. Each Observer may be represented by one delegate only.

Each Member Association present and entitled to vote shall have one vote in the International Conference; no other members or Officers of the Comité Maritime International shall have the right to vote.

The right to vote cannot be delegated or exercised by proxy.

The resolutions of International Conferences shall be adopted by a simple majority of the Member Associations present, entitled to vote, and voting.

PART VI - FINANCE

Article 21

Arrears of Contributions

Member Associations remaining in arrears of payment of contributions for more than one year from the date of the Treasurer's invoice shall be in default and shall not be entitled to vote until such default is cured.

Members liable to pay contributions who remain in arrears of payment for more than three years from the date of the Treasurer's invoice shall, unless the Executive Council decides otherwise, receive no publications or other rights and benefits of membership until such default is cured.

Contributions received from a Member in default shall be applied to reduce arrears in chronological order, beginning with the earliest year of default.

Article 22

Financial Matters

The Administrator shall receive compensation as determined by the Executive Council.

Members of the Executive Council and Chairmen of Standing Committees, International SubCommittees and Working Groups, when travelling on behalf of the Comité Maritime International, shall be entitled to reimbursement of travelling expenses, as directed by the Executive Council.

The Executive Council may also authorize the reimbursement of other expenses incurred on behalf of the Comité Maritime International.

PART VII - TRANSITIONAL PROVISIONS

Article 23

Entry into Force

This Constitution shall enter into force on the first day of January, a.d. 1993.

La Conférence Internationale est composée de tous les membres du Comité Maritime International et d'observateurs dont la présence a été approuvée par le Conseil Exécutif.

Chaque Association membre, ayant le droit de vote, peut se faire représenter par dix délégués et par les membres titulaires, membres de leur Association. Chaque membre consultatif peut se faire représenter par trois délégués. Chaque observateur peut se faire représenter par un délégué seulement.

Chaque Association membre présente et jouissant du droit de vote dispose d'une voix à la Conférence Internationale, à l'exclusion des autres membres et des membres du Bureau du Comité Maritime International.

Le droit de vote ne peut pas être délégué ni exercé par procuration.

Les résolutions des Conférences Internationales sont prises à la majorité simple des Associations membres présentes, jouissant du droit de vote et prenant part au vote.

6ème PARTIE - FINANCES

Article 21

Retards dans le paiement de Cotisations

Les Associations membres qui demeurent en retard de paiement de leurs cotisations pendant plus d'un an depuis la date de la facture du Trésorier sont considérés en défaut et ne jouissent plus du droit de vote jusqu'à ce qu'il ait été remédié au défaut de paiement.

Les membres redevables de cotisations qui demeurent en retard de paiement pendant plus de trois ans depuis la date de la facture du Trésorier ne bénéficient plus, sauf décision contraire du Conseil Exécutif, de l'envoi des publications ni des autres droits et avantages appartenant aux membres, jusqu'à ce qu'il ait été remédié au défaut de paiement.

Les cotisations reçues d'un membre en défaut sont imputées par ordre chronologique, en commençant par l'année la plus ancienne du défaut de paiement.

Article 22

Questions financières

L'Administrateur reçoit une indemnisation fixée par le Conseil Exécutif.

Les membres du Conseil Exécutif et les présidents des comités permanents, des commissions internationales et des groupes de travail ont droit au remboursement des frais des voyages accomplis pour le compte du Comité Maritime International, conformément aux instructions du Conseil Exécutif.

Le Conseil Exécutif peut également autoriser le remboursement d'autres frais exposés pour le compte du Comité Maritime International.

7ème PARTIE - DISPOSITIONS TRANSITOIRES

Article 23

Entrée en vigueur

Les présents statuts entreront en vigueur le 1er janvier 1993.

Article 24

Election of Officers

Notwithstanding any of the foregoing provisions of this Constitution, no election of officers shall be held until the terms of office current at the time of entry into force of this Constitution have expired; at which time the following provisions shall govern until, in accordance with Article 25, this Part VII lapses.

- a) Following adoption of this Constitution by the Assembly, the Nominating Committee shall be constituted as provided in Article 15.
- b) For purposes of determining eligibility for office, all persons holding office at the time of entry into force of this Constitution shall at the expiration of their current terms be deemed to have served in their respective offices for one term.
- c) The President, Secretary-General, Treasurer and Administrator shall be elected as provided in Articles 9, 11, 12 and 13.
- d) One Vice-President shall be elected as provided in Article 10 above, and one Vice-President shall be elected for a term of two years. When the two year term expires, the election of Vice-Presidents shall become wholly governed by Article 10.
- e) Two Executive Councillors shall be elected as provided in Article 14; two Executive Councillors shall be elected for terms of three years, two shall be elected for terms of two years, and two shall be elected for terms of one year. When the one year terms expire, two Executive Councillors shall be elected as provided in Article 14. When the two year terms expire, two Executive Councillors shall be elected as provided in Article 14. When the three year terms expire, the election of Executive Councillors shall become wholly governed by Article 14.

Article 25

Lapse of Part VII

When the election of all Executive Councillors becomes wholly governed by Article 14 of this Constitution, then this Part VII shall lapse and shall be deleted from any future printing of this Constitution.

Article 24

Elections des membres du Bureau

Nonobstant toute disposition précédente des présents statuts, il n'y aura pas d'élection de membres du Bureau avant l'expiration des mandats dans les fonctions en cours au moment de l'entrée en vigueur des présents statuts; à ce moment, les dispositions suivantes s'appliqueront jusqu'à ce que, conformément à l'article 25, la présente 7ème Partie devienne caduque.

- a) Après adoption des présents statuts par l'Assemblée, le Comité de Présentation de candidatures sera constitué conformément à l'Article 15.
- b) Pour la détermination des conditions d'éligibilité, toute personne titulaire d'une fonction au moment de l'entrée en vigueur des présents statuts sera, à l'expiration de son mandat en cours, réputée avoir accompli un mandat dans cette fonction.
- c) Le Président, le Secrétaire Général, le Trésorier et l'Administrateur seront élus conformément aux Articles 9, 11, 12 et 13.
- d) Un Vice-Président sera élu conformément à l'Article 10 ci-dessus, et un Vice-Président sera élu pour un mandat de deux ans. A l'expiration de ce mandat de deux ans, l'élection des Vice-Présidents deviendra entièrement conforme à l'Article 10.
- e) Deux Conseillers Exécutifs seront élus conformément à l'Article 14; deux Conseillers Exécutifs seront élus pour un mandat de trois ans, deux seront élus pour un mandat de deux ans, et deux seront élus pour un mandat d'un an. A l'expiration de ces mandats d'un an, deux Conseillers Exécutifs seront élus conformément à l'Article 14. A l'expiration des mandats de deux ans, deux Conseillers Exécutifs seront élus conformément à l'Article 14. A l'expiration des mandats de trois ans, l'élection des Conseillers Exécutifs deviendra entièrement conforme à l'Article 14.

Article 25

Caducité de la 7ème Partie

Lorsque l'élection de tous les Conseillers Exécutifs sera devenue entièrement conforme à l'article 14, la présente 7ème Partie deviendra caduque et sera supprimée dans toute publication ultérieure des présents Statuts.

OFFICERS - COMITE DE DIRECTION

President ad honorem: Francesco BERLINGIERI, Genova

Président ad honorem:

President - Président: Allan PHILIP, Kobenhavn

Vice-Presidents: William BIRCH-REYNARDSON, London

Vice-Présidents: Eugenio CORNEJO, Valparaiso

Anatoliy KOLODKIN, Moscow

Tsuneo OHTORI, Tokyo

Jan RAMBERG, Stockholm

Ron SALTER, Melbourne

Jan C. SCHULTSZ, Amsterdam

William TETLEY, Montreal

Secretary General Executive: Norbert TROTZ, Rostock

Secrétaire Général Exécutif:

Secretary General Administrative and Treasurer:

Secrétaire Général Administratif et Trésorier:

Henri Voet, Antwerpen

Honorary Vice-Presidents: Nicholas J. HEALY, New York

Vice-Présidents honoraires: J. Niall MCGOVERN, Dublin

Walter MÜLLER, Basel

José D. RAY, Buenos Aires

Jean WAROT, Paris

EXECUTIVE COUNCIL - CONSEIL EXECUTIF

President - Président: Allan PHILIP, Kobenhavn

Secretary General Executive: Norbert TROTZ, Rostock

Secrétaire Général Exécutif:

Secretary General Administrative and Treasurer:

Secrétaire Général Administratif et Trésorier:

Henri VOET, Antwerpen

Members: José Luis GONI, Madrid

Membres: Patrick GRIGGS, London

Etienne GUTT, Jandrain, Belgium

Rolf HERBER, Hamburg

Pierre LATRON, Paris

Frank L. WISWALL Jr., Reston, Va., USA

Administrative Officer: Firme Henry VOET - GENICOT,

Conseiller Administratif: Antwerpen

MEMBER ASSOCIATIONS

ASSOCIATIONS MEMBRES

ARGENTINA

ASOCIACION ARGENTINA DE DERECHO MARITIMO

(Argentine Maritime Law Association)

c/o Dr. José Domingo Ray, 25 de Mayo 489, 5th FL.,
1339 Buenos Aires.

Telex: 22222 - Fax: 313-7765

Established: 1905

Officers:

President: Dr. José Domingo RAY.

Vice-Presidents: Dr. Antonio Ramon MATHE.

Dr. Alberto C. CAPPAGLI

Secretary: Dr. M. Domingo LOPEZ SAAVEDRA

Pro-Secretary: Dr. Manuel COLOMBRES

Treasurer: Sr. Francisco WEIL

Pro-Treasurer: Dr. Carlos R. LESMI

Advisers (Vocales):

Dr.-Abraham AUSTERLIC

Dr.-Fernando Romero CARRANZA

Dr.-Carlos LEVI

Dr.-Marcial J. MENDIZABAL

Sr.-Victorio PIOTTO

Sr.-Jorge CONSTENLA

Sr.-Ferruccio DEL BENE

Honorary Vice-President: Dr. Alberto N. DODERO

Titulary Members:

Dr. Jorge BENGOLEA ZAPATA, Dr. Alberto C. CAPPAGLI, Dr. F. Romero CARRANZA, Dr. Domingo Martín LOPEZ — SAAVEDRA, Dr. Antonio MATHE, Dr. Marcial José Z. MENDIZABAL, Dr. Alfredo MOHORADE, Dr. José Domingo RAY, Dra. H. S. TALAVERA, Francisco WEIL.

Membership:

AUSTRALIA AND NEW ZEALAND

THE MARITIME LAW ASSOCIATION OF AUSTRALIA AND NEW ZEALAND

Executive Secretary Christopher QUENNELL

c/o Norton Smith & Co.

20 Martin Place, Sydney NSW 2000, Australia

Tel: 930 7500 - Telefax: 930 7600

Established: 1974

Officers:

President: Mr. Stuart HETHERINGTON, Ebsworth & Ebsworth, GPO Box 713 Sydney 2001, Australia, Tel:234.2366 - Fax:235.3606.

Australian Vice-President: The Honourable Mr. Justice R.E.COOPER, Supreme Court of Queensland - George Street, Brisbane 4000 Australia Tel:227 5745 - Fax:221 7565.

New Zealand Vice-President: Mr. Neil WHEELER, P & I Services - PO Box 437, Auckland, New Zealand - Tel:303.1900 - Fax:308.9204.

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Treasurer: Mr. Ian MAITLAND, Finlaysons, GPO Box 1244, Adelaide, South Australia. 5000, Tel.:235.7400 - Fax:232.2944.

Immediate Past-President: Mr. Ron SALTER, Phillips Fox, 461 Bourke Street, Melbourne 3000 Australia - Tel: 604.5555 - Fax: 602.3100.

Titulary Members:

The Honourable Mr. Justice K.J. CARRUTHERS, Mr. I. MACKAY, Mr. P. G. WILLIS.

Membership:

560.

BELGIUM

ASSOCIATION BELGE DE DROIT MARITIME BELGISCHE VERENIGING VOOR ZEERECHT

c/o Firme HENRY VOET-GENICOT, Mechelsesteenweg 203 bus 6

B-2018 Antwerpen 1 - Telex : 31653 - Tél.:(03)218.74.64

Fax:(03)218.67.21

Année de fondation: 1896

Membres du Bureau:

Président: M. Roger ROLAND, Avocat, chargé de cours de droit maritime et des transports à la Faculté de Droit de l'Université d'Anvers, Antoon van Dijkstraat 2, bus 5, B-2018 Antwerpen 1 - Tél: 03/232.44.08 - Fax:03/225.13.58.

Vice-Présidents:

M. Jozef VAN DEN HEUVEL, Ancien Bâtonnier et avocat, Professeur Extraordinaire à la Vrije Universiteit Brussel, Professeur au RUCA Antwerpen, Schermersstraat 30, B-2000 Antwerpen 1, Belgique.

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Trésorier: Baron Leo DELWAIDE, Avocat, chargé de cours aux Universités d'Anvers et de Bruxelles, Markgrvestraat 17, B-2000 Antwerpen 1.

Secrétaire d'administration: Firme Henry VOET-GENICOT, Mechelsesteenweg 203 bus 6, 2018 Antwerpen 1.

Membres Titulaires:

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Membres:

BRAZIL

ASSOCIACAO BRASILEIRA DE DIREITO MARITIMO

(Brazilian Maritime Law Association)

Rua México, 111-5º andar, Sala 501

CEP 20031 - Rio de Janeiro - RJ. Brasil - Tel.: 220.5488

Fax: 220 7621

Established: 1961

Officers:

President: Mr. Luiz Antônio SEVERO DA COSTA, retired judge of the State High Court and Professor of the Faculty of Law of Rio de Janeiro.

Secretary General: Mr. Délio MAURY, legal Adviser of the Ministry of the Navy.

Vice-Presidents:

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Mr. Pedro CALMON FILHO, Lawyer in Rio de Janeiro, Professor of Commercial Law at the Law School of the Federal University of Rio de Janeiro, former Judge at the Admiralty Court, Pedro Calmon Filho & Associados, Av. Franklin Roosevelt, 194/801, Rio de Janeiro, RJ. CEP 20021 (Tel: 220-2323 - Tlx: 21-21606 PCFA BR).

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Treasurer: Mr. Stenio DUGUET COELHO, Lawyer in Rio de Janeiro, Former Legal Adviser & Attorney of Comp. Nacional Navegação COSTEIRA - A.F., Rua Laranjeiras, 328 apt. 103, Rio de Janeiro, R.J. CEP 22240.

Titulary Members:

Messrs: Pedro CALMON Filho, Maria Cristina DE OLIVEIRA PADILHA, Carlos DA ROCHA GUIMARAES, Walter de SA LEITAO, Jorge Augusto DE VASCONCELLOS, Stenio DUGUET COELHO, Rucemah Leonardo GOMES PEREIRA, Manoel MOREIRA de BARROS e SILVA, Luis Antonio SEVERO DA COSTA.

Membership:

Physical Members: 350; Official Entities as Life Members: 22; Juridical Entity Members: 20; Correspondent Members: 15.

BULGARIA

ASSOCIATION BULGARE DE DROIT MARITIME

(Bulgarian Maritime Law Association)

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1000 - Sofia - Bulgariya (telex : 22758)

Année de fondation: 1970

Membres du Bureau:

Président: Professeur Ivan Vladimirov IVANOV

Vice-Présidents: Bratoy BRATOEV, Ivan LAZAROV, Liuben GORBANOV.

Secrétaire-Général: Vladimir JIVODINOV

Membres: Prof. Slava STEPANOVA, Bojida HRISTOV, Dicho UZUNOV, Angel SHISHKOV, Georgi BOGDANOV, Simeon BOJANOV, Marin SLAVCHEV, Evgeni CHARAPCHIEV, Zaven CHILIAN, Hristo TEPAVICHAROV.

CANADA

CANADIAN MARITIME LAW ASSOCIATION ASSOCIATION CANADIENNE DE DROIT MARITIME

c/o John A. Cantello

360 St. Jacques Ouest, Suite 2000

Montreal, Quebec, H2Y 1P5, Telephone: (514)849-4161

Fax: (514)849-4167

Established: 1951

Officers:

President: Professor Edgar GOLD, Huestis Holm, 708 Commerce Tower, 1809 Barrington St., Halifax, N.S. B3J 3K8 Tel.: (902)423-7264, Fax: (902) 422-4713

Immediate Past-President: W. David ANGUS, Q.C. Stikeman, Elliott, 1155 René-Lévesque Blvd. West, Suite 3700, Montreal, Quebec H3B 3V2.

Vice-President: Johanne GAUTHIER, Ogilvy, Renault, 1981 McGill College Avenue, Suite 1100, Montreal, Quebec H3A 3C1.

Regional Vice-Presidents:

Nigel H. FRAWLEY - Ontario;

Sean J. HARRINGTON, Quebec;

John L. JOY, Maritimes;

A. Barry OLAND, West

Secretary and Treasurer: John A. CANTELLO, Osborn & Lange Inc., 360 St. Jacques W. Suite 2000, Montreal, Quebec H2Y 1P5

Chairman of Nominating Committee: W. David ANGUS, Q.C.

Canadian Vice-President of the C.M.I.: Professor W. TETLEY, Q.C., McGill University, 3644 Peel Street Montreal, P.Q., H3A 1W9, Canada, Fax: (514)398.4659. Tel.: (514) 398.6619

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Executive Committee:

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Guy VAILLANCOURT, Vaillancourt & St.Pierre, 3350 de la Pérade, Suite 205, Quebec G1K 2L7

Constituent Members:

The Association of Average Adjusters of Canada, c/o Anthony E. Brain, Finnamore & Partners Ltd., 276 St. Jacques West, Suite 107, Montreal, Quebec H2Y 1N3

The Association of Maritime Arbitrators of Canada, c/o Clifford H. Parfett, Marine Surveyors of Canada Ltd., 407 McGill Street, Room 408, Montreal, Quebec H2Y 2G3

The Canadian Board of Marine Underwriters, c/o Douglas McRae Jr., Marine Underwriters Ltd. 507 Place d'Armes, Suite 1600, Montreal, Quebec H2Y 2W8

The Canadian Shipowners Association, c/o T.Norman HALL, 350 Sparks Street, Suite 705, Ottawa, Ontario K1R 7S8

The Shipping Federation of Canada, c/o George ROBICHON, Fednav Limited, 600 de la Gauchetière Street West, Suite 2600, Montreal, Quebec H3B 4M3

Honorary Members: The Hon. W.R.JACKETT, Mr. William A. O'NEIL.

Honorary Life Members: Messrs. W. David ANGUS, Q.C., William BAATZ, David BRANDER-SMITH, Q.C., John R.CUNNINGHAM, Q.C., A.Stuart HYNDMAN, Q.C., The Hon. Mr. Justice K.C.MACKAY, Bart N. MALOTT, The Hon. G.R.W. OWEN, W.T. SMITH, The Hon. Arthur J.STONE, Prof. William TETLEY, Q.C.

Titulary Members:

W.David ANGUS, Q.C., William BAATZ, David BRANDER-SMITH, Q.C., John A.CANTELLO, John R.CUNNINGHAM, Q.C., Professor Edgar GOLD, A.Stuart HYNDMAN, Q.C., Bart N.MALOTT, Alfred H.E. POPP, Q.C., Robert SIMPSON, William T.SMITH, The Hon. A.J. STONE, Professor William TETLEY, Q.C.

The addresses for Regional Vice-President are as follows:

Nigel H. FRAWLEY, McMaster Meighen, Box 11, 11th Floor, 200 King St. W., Merrill Lynch Canada Tower, Sun Life Centre, Toronto, Ontario M5H 3T4

Sean J. HARRINGTON, McMaster Meighen, 630 Blvd. René-Lévesque W., 7th Floor, Montreal, Quebec H3B 4H7

John L. JOY, White, Ottenheimer & Green, P.O. Box 5457, Baine Johnston Centre, 10 Fort William Place, St. John's, Nfld., Alc 5W4

A. Barry OLAND, P.O. Box 11547, 650 West Georgia St., 2020 Vancouver Center, Vancouver, B.C. V6B 4N7.

Membership

Constituent Members: 13 - Regular Members: 302 - Total membership including Honoraries & Constituent: 328.

CHILE

ASOCIACION CHILENA DE DERECHO MARITIMO

(Association Chilienne de Droit Maritime)

Prat 827, Piso 12, Casilla 75, Valparaiso

Tel.: (56032) 252535 - Fax: 56.32.252622

Année de fondation: 1965

Membres du Bureau:

Président: don Eugenio CORNEJO Fuller, Prat 827, Piso 12, Casilla 75, Fax: 56032 252622, Valparaiso.

Vice-Président: Alfonso ANSIETA Nunez, Prat 827, Piso 12, Casilla 75, Fax: 56032 252622, Valparaiso.

Trésorier: Félix GARCIA Infante, Casilla 173-V, Valparaiso.

Vocal: José Tomas GUZMAN SALCEDO, Huérfanos 835, Oficina 1601, Fax: 5602 382614, Santiago, Chile.

Membres Titulaires:

don Alfonso ANSIETA Nunez, don Eugenio CORNEJO Fuller, don José Tomas GUZMAN SALCEDO.

CHINA

CHINA MARITIME LAW ASSOCIATION

6/F, CIEC Service Building,
6, East Beisanhuan Road, Beijing 100027, China
Fax: 4677335 - Phone: 4675317, 4664433

Established: 1988

Officers:

President: LI Yumin

Vice-Presidents:

Mr. GUO Dechun

Mr. LE Tianxiang

Mr. DAI Qiquan

Mr. LI Guotang

Mr. ZHANG Zhongye

Mr. GAO Zhunlai

Executive Committee:

Chairman: Mr. GAO Zhunlai(concurrently)

Vice-Chairmen:

Mr. LI Jiahua

Mr. ZHU Zengjie

Mr. LIANG Kuanglin

Mr. FU Xumei

Mr. LIU Shujian

Secretary-General: Mr. LIU Shujian(concurrently)

Deputy Secretaries-General:

Mr. MENG Yuqun, Mr. WANG Jian, Mrs. YU Tianwen, Mr. SONG Dihuang

COLOMBIA

ASOCIACION COLOMBIANA DE DERECHO MARITIMO COMERCIAL

(Colombian Association of Commercial Maritime Law)
Calle 90, N°12-45 piso 5, 76600 Bogota D.E., Colombia
Tlx: 41379 PVLAW CO, Fax: (571)2171950, Tel: (571)2175055

Established: 1980

Officers:

President: Dr. Juan Manuel PRIETO.

Vice-President: Capitan Sigifredo RAMIREZ.

Other members of the Executive Committee:

Principals:

Dr. Jorge Sues cun MELO

Dr. Ricardo SARMIENTO

Dr. Jorge Alberto RODRIGUEZ.

Alternates:

Dr. Jaime Canal RIVAS

Dr. Carlos Alfonso RAMIREZ

Dr. Reglio VALENCIA.

Internal Auditor: Admiral (R) Hernando CAMACHO.

Alternate Auditor: Dr. Diego MUNOZ.

Secretary: Dra. Narda Patricia RAMIREZ.

Titulary Members:

Dr. Guillermo SARMIENTO RODRIGUEZ, Capt. Sigifredo RAMIREZ.

COSTA RICA

ASOCIACION INSTITUTO DE DERECHO MARITIMO DE COSTA RICA

P.O. Box 784, San José 1000, San José, Costa Rica
Tel: (506) 34.6710 - Fax: (506) 34.1126

Established: 1981

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ICELAND

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ITALY

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PART II

The Work of the CMI

REVIEW OF THE LAW OF GENERAL AVERAGE AND YORK- ANTWERP RULES 1974 (AS AMENDED 1990)

REPORT TO THE INTERNATIONAL SUB-COMMITTEE OF THE CHAIRMAN OF THE WORKING GROUP

1. THE CIRCUMSTANCES

1.1 Following the CMI decision in December 1990 to carry out a study of the law of General Average and of the York-Antwerp Rules, a Working Group was established to prepare a Preliminary Report and Questionnaire for consideration by national associations. This was circulated in July 1991 and replies were invited by November 1991.

1.2 The Working Group consisted of D W Taylor (UK) as Chairman, B Nielsen (Denmark) as Rapporteur, D R Adams (USA), J J H Gerritzen (Netherlands), K Harada (Japan), N G Hudson (UK), P Latron (France), D J L Watkins (UK). They met at the end of January 1992 to consider the replies to the Questionnaire and to assist in the preparation of this Report. Mr G Brice QC also attended this meeting as special adviser. As Chairman I wish to pay tribute to my colleagues for their support and great contributions in both skill and time.

1.3 The Working Group has been cognisant of the contemporaneous interest in the subject of General Average shown by UNCTAD. A Report on General Average, prepared by the UNCTAD Secretariat was considered by the Working Group on Shipping Legislation (WIGSL) in November 1991. It was resolved that the UNCTAD Secretariat "should consult closely with CMI, the insurance industry, including the International Union of Marine Insurance (IUMI) and international organisations representing commercial parties involved in General Average to consider, as a preliminary to any further work, the extent to which insurance arrangements could simplify the General Average system". The WIGSL will receive a further report in November 1992. There is helpful cooperation between the UNCTAD Secretariat and CMI in response to the request of WIGSL to the UNCTAD Secretariat to cooperate with and contribute to the work of the CMI International Sub-Committee.

1.4 At the same time, the International Association of European General Average Adjusters (AIDE) is carrying out, as part of its normal work, a review of the York-Antwerp Rules and close cooperation between AIDE and CMI has been pledged and given effect to.

2. THE QUESTIONNAIRE AND REPLIES

2.1 Replies from some twenty national associations had been received by the time the Working Group met in Copenhagen in January 1992 to consider replies. Other replies are still being received.

2.2 The Questionnaire was in two main parts. Part A sought general background information to provide a full awareness of legal, commercial and technical operating development which had occurred since the last review in 1974. Part B sought opinions on the form and substance of the Rules with, inter alia, simplification and clarification in mind. Part B also invited proposals for specific amendments and the introduction into the Rules of any new issue in addition to a number of specifically suggested subjects [such as currency of adjustment, differential salvage awards, franchises, etc].

3. ANALYSIS OF THE REPLIES TO THE QUESTIONNAIRE

3.1 INTRODUCTION

3.1.1. The Working Group thought that the replies could most helpfully be considered by analysing them in four categories:

- (i) Responses to Part A of the Questionnaire — the more general and background information (See 3.2.1).
- (ii) The Rules of Interpretation and Lettered Rules (See 3.2.3).
- (iii) The Numbered Rules (See 3.2.4).
- (iv) Topics for consideration not currently covered by the York-Antwerp Rules 1974 (as amended 1990) (See 3.2.5 and 3.2.6).

3.1.2 Appendix A of this Report is an analysis showing those Rules to which amendments have been suggested as at 31 January 1992, giving the text of a proposed amendment where a text was provided.

3.1.3 It is evident from the replies that now is considered to be an appropriate time for this work to be undertaken. There is, presently, as one response remarks, “an absence of controversy with no demand from commercial interests for abolition or radical curtailment of the General Average system.” This climate is seen as a right climate in which to consider improvements while at the same time consideration can be given to technical and legal developments, such as slot chartering, containerisation, Through Bills of Lading, Electronic Data Information (EDI), together with environmental issues. It is perhaps appropriate particularly to note from the replies a concern that, in considering amendments or modifications to the Rules, close regard should be had to the unique uniformity of acceptance of the Rules and the extent to which those Rules balance the interests of all parties.

3.2 DETAILED CONSIDERATION OF THE RESPONSES TO THE QUESTIONNAIRE

3.2.1 Background and Legal and Technical Developments (Questionnaire Part A)

- (a) **National Legislation**
 - (i) The responses to the Questionnaire indicate that where detailed legislation incorporating the law of General Average exists, it does not generally differ materially from the York-Antwerp Rules. The responses indicate that no country seems to have mandatory Rules. Some countries have incorporated the York-Antwerp Rules into their national law.
 - (ii) There have generally been no statutory developments of which account needs to be taken in relation to the contemplated revision.

The Australian MLA interestingly mentions, however, that various consumer protection legislation may provide the basis for a claim by a consumer that he should not be bound by the contractual incorporation of the York-Antwerp Rules, e.g. with respect to a personal effects claim.

- (iii) There appear to be no special Rules relating to General Average for cabotage or inland navigation with the exception, however, of the Rhine-Rules IVR for Inland Navigation. These Rules are incorporated in the legislation of the Netherlands as non-mandatory rules for inland navigation. The responses by France and Germany indicate that the Rhine Rules are applied to French river traffic as well as to the River Elbe and partly to the River Weser, as well as to the Rhine.

(b) **Legal Decisions**

The responses draw attention to relevant legal decisions as follows:

- Canada mentions the Court of Appeal decision in *The "City of Colombo"* (1986): non-separation agreement.
- The British MLA mentions six cases:
 - *Australian Coastal Commission -v- Green* (remarks by Lord Denning) (1971): causal connection, Rule C;
 - The House of Lords decision in *The "Goring"* (1987): salvage in non-tidal waters;
 - *The "Seapool"* (1934): admission of tortious liabilities;
 - *Austin Friars -v- Spillers & Bakers* (1915): admission of tortious liabilities and causal connection, Rule C;
 - *Goulandris Bros. -v- Goldman* (1958): Rule D; and
 - *The "Potoi Chau"* (1984): Average Bond/Guarantee, separate contracts, time bars.
- The United States MLA mentions the cases of *The "Eagle Courier"* (1980) and *The "Damodar Tanabe"* (1990).
- Two decisions are mentioned by the Netherlands MLA, namely *The "Sils"* (1990) and *The "Borussia"* (1990): General Average documents.
- [The decision of the English Commercial Court (February 1992) in *The "Bijela"* — temporary repairs and substituted expenses — Rule XIV — should also be noted. It is understood to be subject to appeal by the shipowners].

The effect of these decisions merits further study.

(c) **New Documentation**

Many responses mention that since 1974, the main documentary changes are those which occur in new marine policy forms. However, the UK MLA mentions that increased use of General Average absorption clauses in hull policies suggests a generally felt need to avoid the inconvenience of obtaining General Average security and having a full adjustment prepared where the amounts involved do not justify this. The French MLA draws attention to

a standard absorption clause in the French hull policy at 1% of the value of the vessel with a limit of FRs 250,000 (an amount which is often, in practice, increased).

(d) **Current or Recent Studies**

The responses generally indicate that there are no current or recent studies of which particular account needs to be taken.

(e) **International Conventions**

Several responses draw attention to the coming into force of the Hamburg Rules in 1992 and the importance of considering the effect of the Hamburg Rules on General Average (See Rule D — 3.2.3 (b) below).

(f) **Rules of Practice**

Rules of Practice exist in Canada, the United Kingdom, the United States and Japan. Belgian average adjusters customarily apply the Rules of Practice of the UK Association of Average Adjusters and the French MLA indicates that, although there are no Rules of Practice in France, strictly speaking, there do exist approved recommendations governing a number of issues.

(g) **Developments of International Trade Law and Practice**

The responses draw attention to the following developments:

- (i) The increased complexity of ownership of property involved in maritime adventures, pooling agreements and the use of slot charters.
- (ii) Developments in relation to containerisation, ro-ro ships, ferries, lash barges, and other technically advanced craft.
- (iii) The development of electronic data interchange (EDI) and computerised Bills of Lading.
- (iv) The Chilean MLA repeats its concern, expressed at the CMI Sub-Committee meeting in Paris in 1990, in respect of those cases where disbursements, chargeable in General Average, are mixed up with disbursements incurred in avoiding contamination or pollution. This concern appears again in relation to responses to questions put in Part B of the Questionnaire.

3.2.2 Law and Practice - Simplification

- (a) The question posed was “What, if any, modifications of the general principles of the law or practice of general average would, in your opinion, assist simplification and further unification in the interest of the international trading and shipping community?”

With one exception, all responses are unanimous in expressing a desire to maintain the existing fundamental principles of General Average concerning, as they do (a) sacrifices and expenditures made and incurred for the preservation of the property at risk in the common maritime adventure (Vide Rule A of the York- Antwerp Rules) and (b) expenditure incurred in respect of measures undertaken to preserve the voyage with cargo.

The exception is contained in a paper submitted on the part of the MLA of Australia and New Zealand suggesting that sacrifices should lie where they fall and should no longer be brought into apportionment.

Implicit in the replies is the view that the Rules form the most effective vehicle for the application of these principles and for the unification of practice. As was said by Prof. Knud Selmer, by no means a sympathetic critic, "It may safely be said that General Average is the field of maritime law where the international unification efforts have succeeded to the greatest degree."

- b) A further question was posed: "Given that uniformity is achieved by voluntary agreement, is the language of the York-Antwerp Rules acceptable? Could/Should the language be simplified to aid understanding and clarity in the interest of wider of acceptability and uniformity?"

The replies were unanimous in accepting the present language of the Rules. General Average, being a technical subject, much of the terminology and language is inevitably of a technical nature and should not be lightly interfered with.

- (c) The third question posed was "Is there a case for a complete redraft of the York-Antwerp Rules to establish a single code in substitution for the present dual system of numbered rules and lettered rules?"

All the replies agreed that the present dual system of numbered rules and lettered rules, linked by the Rule of Interpretation has worked well in practice and should not be changed.

3.2.3 The Rule of Interpretation and the Lettered Rules

- (a) **The Rule of Interpretation**
No change has been proposed.
- (b) **The Lettered Rules**

Rule A

In general, all associations are content with the existing wording. The Japanese MLA, however, suggests that this Rule might be amended so as to recognise expenditure incurred for the common benefit, provided the expenditure was undertaken to preserve the voyage in being. The British MLA suggested that the words "and only when" are mere surplusage and could lead to misunderstanding.

Rule B

Some associations have suggested that Rule B is unnecessary. It will need to be considered whether the text of Rule B might be deleted.

Rule C

The replies suggest that consideration be given to redrafting this Rule in the interests of clarity. The British MLA have offered the following suggestions:

- the wording of the first paragraph is to be reconsidered in order to clarify whether the direct consequences of a general average act should be limited to those which are foreseen, or extended to those which are foreseeable.
- the second paragraph to read:
“Demurrage, loss of market and loss or damage sustained or expense incurred by reason of delay, whether on the voyage or subsequently shall not be admitted as general average.”

Rule D

A number of associations have suggested that Rule D should be reconsidered in the light of the coming into force of the Hamburg Rules in 1992. No specific proposals are made.

Rule E

No comments were available at the time of the meeting of the Working Group.

Rule F

General approval was given, in the responses, to allowances in General Average being based upon the principle of substituted expenses. However, the United States MLA is not content with the current status of the treatment of substituted expenses in the lettered and numbered rules. The United States MLA is giving consideration to a proposal to lead to the restoration of Rule X(d) and the application of its principles to all substituted expenses. The Netherlands MLA considers that further study is desirable, particularly into the question whether the Rule should make provision for substituted losses. This question has also been considered by the British MLA, although the British position is that in the few instances when it would be reasonable to make allowances for an additional loss (e.g., a depreciation in the value of cargo) sustained in substitution for a general average expense, this can in practice be dealt with by a special agreement in derogation of the Rules.

A suggestion was also made that Rule F might be an appropriate place in which to insert a new provision dealing with the forwarding of cargo.

Rule G

No proposals were available at the time of the meeting.

3.2.4 The Numbered Rules

The responses indicate a general satisfaction with the wording of the numbered Rules. While a number of points of clarification were raised, other responses related to matters of substance.

(a) Rule I (Jettison of cargo)

The Rule provides that no jettison of cargo shall be made good in General Average, unless such cargo is carried in accordance with the “recognised custom of trade”. The British MLA wishes this

to extend the allowance to deck cargo carried not in accordance with the customs of the trade.

(b) **Rule III (Extinguishing Fire on Shipboard)**

The Netherlands MLA submits that the disallowance of compensation under this Rule of "damage by smoke or heat however caused" works unfairly, if the heat and smoke damage is attributable to GA measures. The United States MLA proposes deletion of the whole of the existing Rule III and its substitution by the 1950 version.

(c) **Rule IV (Cutting away wreck)**

The United States MLA proposes rescinding the whole of this Rule and replacing it with the following text:

"When the ship, cargo or other property on board the ship sustains a combination of sacrificial damage and damage which is not General Average, the amount to be made good in General Average under any of these Rules shall not exceed the increase in net repair or replacement costs resulting from the sacrificial damage."

(d) **Rule V (Voluntary Stranding)**

The United States MLA proposes deleting the existing 1974 text and replacing it with the 1950 text. The 1974 text allows beaching damage in General Average "whether or not (the ship) might have been driven on shore". The earlier 1950 text disallowed such damage when, otherwise, the vessel would inevitably have driven on shore or rocks anyway.

(e) **Rule VI (Salvage Renumeration)**

The 1974 text has already been amended by proposals put forward by the CMI in Paris in 1990. The Australian and New Zealand MLA comment that Rule VI "may produce a lot of work in practice, for not much net result, where values for salvage and for General Average purposes are slightly different". Differential salvage awards are mentioned below (see paragraph 3.2.5(d)).

(f) **Rule IX (Ship's Materials and Stores Burnt for Fuel)**

The Turkish MLA proposes the deletion of this Rule. The British MLA proposes the replacement of this Rule with a new text on the ground that in its present form it is obsolete. It proposes that the new text also provides for an allowance in respect of cargo burnt for fuel, irrespective of the carriers' failure to supply an ample quantity of fuel in the first place. The British MLA recognises the difficulties in drafting a Rule which serves to give credit for an allowance for the value of the fuel that would have been consumed, and resolving the question as to whose account the amount set off should be debited.

(g) **Rule X (Expenses at Port of Refuge etc)**

The British MLA comments that it may be necessary to consider the insertion of a paragraph "dealing with cost of environment

damage avoidance measures, which may be undertaken as a condition of entry into a port of refuge". The amendment, it is submitted, raises the question of the clarification of what is or is not allowable in General Average in the following circumstances:

- (i) The cost of environmental damage avoidance measures, when the ship or the cargo is not yet in a port of refuge, and such measures are taken by salvors; alternatively by the ship or cargo owners.
- (ii) The cost of such measures, when they are taken either by the salvor or by the ship or cargo owners "as a condition of entry into a port of refuge".
- (iii) The cost of such measures undertaken when the ship is safely in port, but still presenting an actual environmental risk (due to oil leakage or whatever).
- (iv) The cost of such measures when the ship is safely in port and appears to be presenting no actual environmental threat (in the sense that there is no present leakage of oil or whatever), but the port authorities insist on measures being taken (e.g. an oil boom or a skimming vessel on stand-by) as a condition of remaining in port of refuge.

(h) **Rule X (a)**

The Netherlands MLA proposes that Rule X (a), paragraph 2, could be clarified so as to cover all repairs which would not be economically viable in the first port of refuge, although physically possible. They submit that the expression "... cannot be carried out ..." could be amended to read "... cannot reasonably be carried out ..." so as to give effect to this intent.

(i) **Rule X (b)**

The German MLA points out that there can be problems in the interpretation of Rules in that experience has shown that problems arise with the handling onboard of bulk-cargo and considers that further investigation is needed as to the nature and extent of the problems in order to rephrase the text so as to meet them. The British MLA proposes exclusion from what is allowable under Rule X (b), first paragraph, of "the cost of dumping worthless cargo where the loss of such cargo was not the result of a GA sacrifice, except when the need for such dumping was appreciated at the time the discharge of such cargo was undertaken". In essence, this amendment would exclude from General Average dumping of worthless cargo, which was to take place in any event.

The United States MLA raises a number of points on both Rules X and XI and comments that both Rules are under review to give consideration to the following suggestions:

- (a) that the cost of removal expenses to another port should follow the necessity for the repairs, also to include the provision that temporary repairs effected to carry out the removal were not sufficient to complete the voyage.

- (b) Restowing of cargo to the General Average when necessary for the continuation of the voyage.
- (c) Provision that Port charges shall also be allowed in General Average during the period to completion of discharge of cargo if condemnation or abandonment takes place before that date.
- (d) Reinstatement of Rule X (d) of the 1950 text (omitted in the 1974 text).
- (e) Modification of Rule XI to cover repatriation of crew or part crew if possible, even if no repatriation is actually made.
- (f) An allowance in respect of wages and maintenance of crew only up to the time the vessel is made ready to sail.
- (g) Increasing the period of detention to cover the reloading of cargo discharged as a General Average act or to provide security to a Salvor.
- (h) The introduction of wording to permit the allowance of wages and provisions of crew while the vessel is on a voluntary strand.

Further as regards Rule X (b), paragraph 2, the Netherlands MLA points out the inconsistency which may arise if the cost of cargo handling (restowing of shifted cargo) is not allowed in General Average, if such handling is required for the safe prosecution of the voyage. It points out the costs of cargo handling for repairs to the vessel, which are necessary for the safe prosecution of the voyage, are so allowed.

(j) **Rule XI**

The Japanese MLA proposes that the wages and maintenance of the crew incurred during the prolongation of the voyage, caused by the ship entering a port of refuge, should be calculated if possible in a simpler way than the present practice. In discussions it emerged that the practice of adjusters in this respect varied.

(k) **Rule XI (b) (Second paragraph)**

The British MLA pointed out that in the interest of precision this paragraph should exclude not only the wages and fuel but also port charges otherwise allowable under Rule XI when incurred during the extra detention excluded by the proviso.

(l) **Rule XI(d) (Substituted expenses)**

The British MLA submitted that Rule XI (d) could be deleted and that any reasonable allowance in the circumstances mentioned in Rule XI (d) could already be justified under Rule F.

(m) **Rule XII (Damage to Cargo in Discharging, etc.)**

The British MLA submitted a re-draft of Rule XII be made to include loss or damage consequential to forced discharge etc.

(n) **Rule XIII (Deductions from Costs of Repairs)**

Some Associations (Denmark, Australia and New Zealand and the United States) suggested that consideration be given to rescinding Rule XIII — the British MLA also raised this point.

(o) **Rule XIV (Temporary Repairs)**

The United States MLA suggested a 6 month time-limit for carrying out permanent repairs. The Danish MLA contends for the disallowance of improvements to the ship in General Average. The British MLA pointed out that different practices of interpretation had come to light in adjustments dealing with the costs of temporary repairs for accidental damage. It therefore favoured an amendment to the 2nd paragraph of Rule XIV along the following lines:

“Temporary repairs of accidental damage, which are effected in order to enable the adventure to be completed shall be deemed to be an extra expense in terms of Rule F”.

[The meaning of the second paragraph of Rule XIV was considered in The “Bijela” February 1992.]

(p) **Rule XVI**

(First paragraph). The British MLA submitted that the amount to be made good regarding cargo damage should be based on its value at the time of delivery under the contract of affreightment. In the course of discussion it became apparent that it was necessary to consider the implications of this amendment, where for example the contract of affreightment included a substantial land passage (for example cif Prague via Rotterdam). As regards Rule XVI, 2nd paragraph, anomalies in the basis of evaluation need to be investigated.

The United States MLA suggests that in Rules XVI and XVII the phrase “Shipped Value” be changed to “Sound Value at the time of the loss”.

(q) **Rule XVII**

The Netherlands and Japanese MLAs and the British MLA raised points regarding private vehicle cars, caravans etc. (whether or not shipped under a Bill of Lading). The Netherlands MLA referred to the text of Rhine Rule XXVI as a suitable basis for determining what was included in “cargo” for the purpose of Rule XVII. The Rhine Rule XXVI reads:

“Trucks, Containers, Pallets and Similar Items

- (i) Whenever, in the preceding rules, reference is made to ‘Cargo’ this shall be understood to include irrespective of their actual ownership, trucks, trailers, containers, pallets, and similar items which are or may be used to consolidate goods.
- (ii) Allowances and contributory values in respect of the items mentioned in paragraph (i) shall be based upon their actual value on the last day of discharge from the vessel, or at the termination of the adventure in case this ends at a place other than the original destination, and not upon any cif value as mentioned in Rules VII and XII.

(r) **Rule XVIII (b) (Damage to Ship)**

The Netherlands MLA submitted that this Rule might have an unjust effect in those cases, in which the damage to the vessel has

been caused by General as well as Particular Average, but where the Particular Average alone exceeds the difference between the vessel's sound value and the value of the wreck. In such a case no allowance in General Average can be made under the present Rule XVIII (b). The Netherlands MLA submits that it would be more just to apportion the depreciation pro rata over Particular Average and General Average and to allow a proportional part in General Average (Compare and contrast United States MLA proposal regarding new Rule IV).

(s) **Rule XX (Provision of Funds)**

This Rule provides for a commission of 2 per cent on General Average disbursements with certain exceptions. The British MLA recommends the deletion of the exception to the Rule so that 2 per cent commission be allowed on all G.A. disbursements. The United States MLA is giving consideration to allowing advance commission and interest on Special Charges. It is also considering restricting the period for earning interest to a "reasonable" time.

(t) **Rule XXI**

The Japanese MLA submits that the rate of interest should not be fixed at 7 per cent per annum, but should, if possible, be the actual market rate prevailing in each case. It suggests (for consideration as an exchange for this amendment) the abolition of commission on General Average disbursements. The Netherlands MLA also proposes the use of the current rate of interest. It further submits that the period of interest ought to be extended until 2 or 3 months after the date of the adjustment and draws attention to Rhine Rule IX, which provides for 1 month after the date of adjustment. The British MLA proposes that Rule XXI would be an appropriate place at which to link the related matters of interest and rates of exchange. They put forward a revised Rule XXI as follows based on the Lisbon Rules (Collision Damages):

"Rule XXI (Currency of adjustment, rates of exchange and rate of interest)

Unless the parties have agreed that the adjustment shall be prepared in a specific currency, the adjustment shall be prepared in Special Drawing Rights (SDRs). For this purpose the contributory values and the amounts made good for General Average sacrifice (other than disbursements) shall be converted into SDRs or the specified currency at the rate of exchange prevailing at the termination of the adventure, and disbursements shall be so converted at the rate of exchange prevailing on the dates when payment was made. The final balances so calculated shall be paid to the creditors in the currency of their choice at the rate of exchange prevailing on the date of settlement. Where no official SDR exchange rate is quoted for any currency, conversion to and from SDRs shall be made by reference to United States dollars.

Interest shall be allowed on expenditure, sacrifices and allowances from the date of conversion, as set out in the preceding paragraph, until one month after the date of issue of the adjustment. When the adjustment has been prepared in SDRs, the rate of interest shall be London rate for three months SDR linked deposits ruling on the date of the termination of the adventure; otherwise the rate of interest shall be ...”.

The British MLA’s comments on this text are:

- (a) Further consideration may need to be given to the suggestion to allow interest to run from the further period of one month after the date of issue of the adjustment in order to allow for a reasonable time in which to effect settlement.
- (b) In the opinion of the British MLA, the selection of the actual rate of interest to be applied when a currency other than SDRs has been selected is a question on which commercial interests should be invited to give their views.

(u) **Rule XXII (Treatment of Cash Deposits)**

The United States MLA has Rule XXII under review. The Netherlands MLA points out that the Rule is confusing. It draws attention in particular to the fact that the Rule deals with Cash-Deposits as a security and also with Payments on Account. These are legally different matters and they have different impacts on the rights of the contributing interests.

3.2.5 Topics proposed for consideration with a view to making provision in the Rules

(a) **Currency of Adjustment and Rates of Exchange**

The majority of replies indicate a preference for introducing a Rule on this subject. Only two associations prefer it to be dealt with by Bill of Lading or Charterparty clauses. The British MLA propose the text of a new Rule to be included in Rule XXI and based upon the Lisbon Rules, which would read as above (See 3.2.4 (t)). The Associations of Denmark, Australia/New Zealand, Germany, Netherlands and Turkey indicate support for using Special Drawing Rights (SDRs) as a currency. It is evident that further study of this topic is desirable.

(b) **Tug (or pushboat) and barges**

Six replies favour the introduction of a new Rule on this subject and three replies do not indicate a preference. The Netherlands MLA mentions Rule XXV of the Rhine Rules (IVR 1979), in accordance with which the majority of General Averages on the Rhine and adjacent waters are adjusted. The Rhine Rules cater for this situation in the following manner:

“*Convoys*

- 1) For the purpose of this Rule, a convoy is considered to be a group of vessels coupled with each other in such a way that none of the vessels has any freedom of independent movement.
- 2) When measures are taken to preserve a vessel and/or some or

all vessels of such convoy and their cargo from a common peril, Rules I to XXIV shall be applied accordingly. A vessel forming part of a convoy is not in common peril with another vessel of that convoy, if by a mere uncoupling of the connection with such other vessel she can be placed in safety.

- 3) If a common peril exists, Rules I to XXIV shall be applied as much for the profit as to the charge of those concerned in the vessels of the convoy and their cargoes.
- 4) For the calculation of contributory values and allowances the vessels will be considered "the vessel" and the total cargo carried in those vessels will be considered to be "the cargo" in the sense these words bear in Rules I to XXIV."

In view of the importance of this mode of transport in certain areas it is considered that further study should be made of the various problems which arise in cases of General Average involving tug and/or tow, pushboat and/or barges. The main issue appears to be which measures are to be considered of a General Average nature and who are the contributing interests: the tug, the tow, or both the tug and tow.

(c) **Rules relating to contributing interests, such as passenger vehicles, trucks and trailers, containers, pallets or similar articles of transport used to consolidate goods.**

Seven associations favoured the introduction of a provision in the Rules to deal with this subject. Five opposed such an introduction and three responses do not express a view.

The French MLA indicates that these questions do not only concern General Average but also salvage. Reference is made to the work undertaken by AIDE in this respect. The French MLA suggests that it might not be possible to introduce a provision which covered every situation. The reply from the British MLA suggests that accompanied private motor vehicles, not shipped under Bills of Lading, should not contribute to General Average. The Australian/New Zealand MLA proposes that passenger vehicles, whether or not shipped under Bills of Lading, be exempted from contribution. The Dutch MLA mentions Rule XXVI of the Rhine Rules, quoted above (see paragraph 3.2.4.(q) above)

The Japanese MLA proposes the introduction of standards for the calculation of contributory values of containers. Account should be taken of the work already undertaken by AIDE in conjunction with IUMI and of the schedule of container values and depreciations which has been agreed by insurers (IUMI) and Average Adjusters (AIDE).

(d) **Reapportionment of differential salvage awards or salvage settlements**

The majority of the replies do not favour any new provision on this subject other than the present recently amended Rule VI. The majority favour retaining the status quo, which leads to reappor-

tionment of all, and therefore also differential salvage awards in General Average.

The replies of the Associations of Canada and Belgium, however, are in favour of introducing a new provision to the effect that such re-apportionment should not occur. The United States MLA observes that there is a divergence in practice notwithstanding the apparently clear wording of Rule VI and recommends that further consideration be given to the Rule. The Japanese MLA suggests that where General Average consists almost exclusively of salvage and where only a few cargo interests are involved, salvage settlements be not reapportioned in General Average.

- (e) **Non-separation Agreements, with or without Bigham Clause**
Four associations favour introducing a Non-separation Agreement into the Rules. Six replies oppose this and five are undecided. The French MLA does not favour introducing a Non-separation Agreement but comments that if one is introduced, a Bigham Clause should not be added to it.
- (f) **General Average Franchises**
The majority do not favour incorporating a franchise into the Rules on the basis that the question of franchises is best left to be agreed by the parties to the contract of affreightment. The issue of General Average absorption clauses in Hull policies is dealt with below.
- (g) **Cost of measures to protect the environment imposed on the vessel in a port of refuge**
The majority favour further study of the problems relating to allowance in General Average of the cost of environmental measures. The replies indicate sympathy for an allowance in General Average of the cost of environmental measures taken as a condition of permission to enter a port of refuge.
The British MLA, noting the importance of this topic, suggests that consideration of these issues should include:
 - (i) the scope of admission in or exclusion from General Average of liabilities and expenses (including clean-up costs) arising from the escape or release of substances which might cause environmental damage;
 - (ii) the treatment of the cost of environmental damage protection measures when such measures are demanded by port authorities as a condition for entering into a port of refuge;
 - (iii) the treatment of the cost of measures to protect the environment imposed on a vessel in a port of refuge.The French, Belgian and Swedish Associations indicate an opposition to the suggestion that the cost of environmental measures be allowed in General Average.
This topic is of great importance, involves substantial sums of money and should be considered further in depth.
- (h) **Contributions of freight when the vessel is in ballast**
Whilst several delegations do not favour the incorporation of a

provision in the Rules to deal with this situation, three responses favour the introduction of a provision. The British MLA indicates that under English law the position is clear, namely that chartered freight is recognised as a separate contributing interest. English policy conditions cover freight's contribution adequately and the matter is further governed by a Rule of Practice of the British Association of Average Adjusters.

Under other legal systems, however, the situation is unclear as, indeed, is the position of other insurance markets. This question merits further investigation.

3.2.6 Other matters not directly dealt with by the Rules also proposed for consideration

(a) Time Limits/Time Bars

- (i) The British MLA suggests the introduction (in Rule E) of two time limits:
 - (a) for production of documents to the Average Adjuster
 - (b) for the commencement of suit to contend that General Average contributions be not payable.
- (ii) The reply from the Belgian MLA proposes the introduction of an obligation to pay interest on General Average contributions if they are not paid before a certain date after the issue of the adjustment.

These proposals are important and may help to speed up General Average procedures and settlements. Reference is made to Rhine Rule XIV, which reads as follows:

"The obligation to furnish required information

Parties to the general average shall provide the average adjuster with all information and documentation required by him for the preparation of the statement of general average.

If they do not fulfil this obligation, the average adjuster will himself obtain the necessary information, the correctness of which shall be assumed subject to proof to the contrary."

- (iii) The Netherlands MLA suggests that efforts be made to achieve uniformity of time bars.
- (iv) The Chilean MLA suggests that the Average Bond should contain a provision concerning the legitimacy of the GA and the date by which contributions have to be paid.

(b) Multimodal Transport/Place of Adjustment/Appointment of Adjusters

The Japanese MLA suggests that provisions be introduced:

- (i) with regard to the application of the Rules to multimodal transport (e.g. cargo to contribute on value at the end of the sea-passage);
- (ii) with regard to the place of adjustment; and
- (iii) with regard to the question of who is entitled to appoint the Average Adjuster.

As to the place of adjustment, it is observed that this question is normally dealt with in the Bill of Lading or Charterparty clauses and the present Rule G specifically refrains from making any ruling on the place of adjustment.

3.2.7 Rules of Practice — Proposals to amend or introduce Rules of Practice

Three observations relating to Rules of Practice were made.

The Chilean MLA proposes the introduction of a Rule of Practice governing cargo's right to appoint a co-adjuster. The United States MLA makes reference to the recent amendment to the Rules of Practice of the US Association concerning air freight. The Japanese MLA mentions a recent amendment to the Rules of Practice of the Japanese Association of Average Adjusters to the effect that the cost of disposal of waste cargo at a port of refuge be allowable in General Average. The British MLA, commenting on Rule X, makes an opposite proposal, namely that the cost of dumping worthless cargo be excluded from General Average (see 3.2.4.(i) above).

Rules of Practice issued by various Associations of Average Adjusters, which give directives on specific practices in different insurance markets, are seen to serve a useful purpose, despite the fact that they apply only to a limited group of Average Adjusters. The question may arise as to whether efforts be undertaken to establish international Rules of Practice to achieve uniformity.

3.2.8 Matters relating to General Average regulated outside the Rules by standard forms or otherwise

(a) General Average absorption clauses in hull insurance policies

The replies indicate a unanimous view that the drafting of such clauses should be left to the parties to the contract of insurance. Reference is made to the work of AIDE concerning the standardisation of absorption clauses.

(b) General Average security documents (Average Bonds, General Average Guarantees and General Average deposit receipts)

The Associations of Canada, Denmark, Belgium, Germany and the Netherlands favour standardisation. The United Kingdom, Australia/New Zealand and the United States do not. Seven associations do not express a view.

Lack of uniformity in Average Bonds and Average Guarantees increases delay and costs. The work on this topic already undertaken by AIDE is noted.

(c) Bill of Lading or Charterparty Clauses

Three associations (Canada, Denmark and Belgium) favour the standardisation of clauses in Bills of Lading and Charterparties. Five associations (France, United Kingdom, Australia/New Zealand, United States and the Netherlands) prefer that these questions are left to the parties. It is noted that a set of draft Bill of Lading/Charterparty Clauses was produced by AIDE in 1979.

(d) Other specific contractual regulation outside the Rules

The Belgian MLA suggested provisions covering securities for payment of General Average contributions, salvage remuneration and

special charges. It appears desirable that further examination be undertaken of the question as to whether or how the collection of General Average and salvage security can be simplified. In this context, the General Average/salvage security document produced by AIDE in 1985 is noted.

4. CONCLUSION

4.1 The extent of both the numbers and content of the responses to the Questionnaire indicates to the Working Group a serious interest in the continuation of efforts to update, simplify and improve the Rules to take account of present day circumstances. Central to these efforts is the ambition to continue to increase uniformity while, at the same time, trying to identify ambiguity and uncertainty so as to reduce delay and expense.

4.2 It is recognised, however, that responses from other associations will become available before the Sub-Committee meets. Additionally several associations remark that they themselves are continuing work within their own countries upon particular topics and the results of this work will only later be available.

4.3 The work currently being carried out by AIDE and UNCTAD and cooperation with these bodies by CMI holds out the prospect of the identification of areas for improvement or simplification and widely accepted solutions.

4.4 It is specifically recommended that the Working Group which, by this Report, passes responsibility for further study of General Average and the York-Antwerp Rules to the International SubCommittee, should itself remain in being to act (i) as a liaison group with the UNCTAD Secretariat, (ii) as a liaison group with AIDE and (iii) as a steering group for the International Sub-Committee.

David W Taylor, Chairman of the Working Group

London, 24 March 1992

Time Table

1. It is provisionally proposed that the International Sub-Committee should meet in Antwerp or London in December 1992.
2. AIDE meets at Travemunde, Germany, in October 1992.
3. UNCTAD Working Group on International Shipping Legislation meets in Geneva in November 1992.
4. Joint AIDE/CMI Working Group meeting (provisional) January 1993.
5. CMI — Sydney, week commencing 7 October 1994

**COMITE MARITIME INTERNATIONAL
REVIEW OF THE LAW OF GENERAL AVERAGE AND YORK-
ANTWERP RULES 1974 (AS AMENDED 1990)**

**REPORT TO THE INTERNATIONAL SUB-COMMITTEE OF THE
CHAIRMAN OF THE WORKING GROUP**

APPENDIX A

Rule	Proposed by	Suggestion
A	GB	Delete "and only when".
B	S	Delete Rule in toto.
C	GB	Para 1. clarification required. Para 2. delete and substitute: "Demurrage, loss of market and any loss of damage sustained or expense incurred by reason of delay, whether on the voyage or subsequently, shall not be admitted in general average."
D	Chile	Reconsider in light of the Hamburg Rules.
F	NL	Consider inclusion of substituted losses.
G	USA	Add at end of para.1: "in the currency of the contract of affreightment".
I	GB	Delete or substitute wording of positive effect.
	J	List expressly included and excluded types of loss.
II	US	Title to read: "Damage to sacrifice for the common safety".
	USA	Revert to 1950 text.
	NL	Reconsider exclusion of heat and smoke damage.
IV	USA	Delete present Rule and substitute: "When the ship, cargo, or other property on board the ship sustains a combination of sacrificial damage and damage which is not general average, the amount made good in general average under any of these Rules shall not exceed the increase in net repair or replacement costs resulting from the sacrificial damage."
V	USA	Revert to 1950 text.
VI	Several	Consider aspect of differential salvage.
IX	GB	Replace with new text providing for the allowance of cargo burnt for fuel, irrespective of the carrier's failure to supply an ample quantity of fuel.

Rule	Proposed by	Suggestion
X(a)	GB	Para 1: delete commas after "port or place of refuge" and "other extraordinary circumstances".
	NL	Para 2: insert "permanent" before "repairs".
X(b)	NL	Para 2: insert "reasonably" in the expression "because repairs cannot . . . be carried out".
	GB	Reconsider cost of re-stowage of shifted cargo in port of refuge.
X(c)	GB	Amend to deal with cost of dumping worthless cargo.
	GB	Para 2: Delete "or does not proceed on her original voyage" and substitute "or the voyage is abandoned".
XI(a)	J	Wages and maintenance of crew to be allowed according to tariff.
XI(b)	GB	Para 2: include reference to port charges.
		Para 3: delete "or does not proceed on her original voyage" and substitute "or the voyage is abandoned".
XI(d)	GB	Delete Sub-Rule in toto.
XII	GB	Re-draft so as to include loss or damage consequential upon the forced discharge, etc.
XIII	AUS/NZ	Abolish "new for old" deductions.
XIV	GB	Para 2: delete and substitute: "Temporary repairs of accidental damage which are effected in order to enable the adventure to be completed shall be deemed to be an extra expense in terms of Rule F."
	USA	Consideration to six months time limit, after completion of the voyage, in which to effect permanent repairs.
XVI	GB	Para 1: delete "at the time of discharge" and substitute "at the time of delivery under the contract of affreightment".
	USA	Para 1: "shipped value" and substitute "sound market value at the time and place of loss".
XVII	GB	Similar amendments as for Rule XVI
	USA	
	NL	Freight at risk to contribute at a fixed percentage of the gross.
	GB	Para 4: delete and substitute: "Passengers' luggage, personal effects and accompanied private motor vehicles not shipped under Bills of Lading and mails shall not contribute in general average."

Rule	Proposed by	Suggestion
XVIII	NL	When vessel has unrepaired damage from both GA and PA causes, extent of depreciation to be apportioned.
XX	GB	Para 1: delete: "other than the wages and maintenance of the master, officers and crew and fuel and stores not replaced during the voyage." Para 1: delete the second section commencing with the words "but when the funds . . ." to end of paragraph, and substitute: "The capital loss sustained by the owners of goods sold for the purpose of raising funds shall be allowed in general average." Para 2: delete and substitute: "The costs of insuring general average disbursements shall also be allowed in general average."
XXI	GB	Delete and substitute new text dealing with Currency of Adjustment, Rates of Exchange and rate of interest.
	NL	Interest to be allowed until two or three months after the date of the adjustment.
	J	Interest to be allowed at market rate (and abolition of commission on disbursements XX).
XXII	NL	Re-consider generally.

REVIEW OF THE DRAFT CONVENTION ON OFF-SHORE MOBILE CRAFT

REPORT BY THE CHAIRMAN OF THE INTERNATIONAL SUB-COMMITTEE

1. By letter of 4th January 1991 from the President of the CMI, I have been requested to prepare a report based on the following terms of reference:

"Following the resolution of the IMO Legal Committee and the request of the Secretary-General of IMO, to consider the text of the draft convention on Off-Shore Mobile Craft approved by the CMI Conference held in Rio de Janeiro in 1977 and report whether, in the light of developments since 1977, there is a need for updating or revising the draft."

A Report dated 4th April, 1991 was considered by the CMI Executive Council on the 12th April, 1991 at which time it was decided to request the writer to prepare a Report and Questionnaire to be submitted to the Member Associations.

As will appear from the comments below it may be deemed desirable to consider additional items to be included in a Draft Convention. It may also be appropriate to take into consideration the Convention on Conditions of Registration of Ships 7 February 1986 and the new Salvage Convention 28 April 1989. Otherwise there appears to be no particular reason for the CMI to propose changes in the existing draft.

2. It can safely be concluded that off-shore oil exploration, production and ancillary activities have expanded considerably since the CMI Draft Convention was adopted in September 1977. The expansion is noticeable in three specific fields:

- a. a substantial increase in the number of off-shore drilling units;
- b. a very substantial increase in movements of drilling units throughout the world;
- c. a noticeable increase in the number of averages and accidents involving off-shore craft.

a. Whereas there were 374 mobile drilling units in existence at the end of 1976 there were 617 such units at the peak of 1985. By mid-1989 the number had been reduced to 565 units and at that time only a few new units were on order.

Of the total of the 565 drilling units available, about 2/3 or 375 are jack-ups, while about 1/3 or about 190 units are floaters of which 158 are semi-submersibles and 32 are drillships.

b. A distinctive feature of the development has been the movement of drilling units between different Continental Shelves and over large geographical areas. The long term drilling contracts, where were prevailing in the early 1980's, were replaced by short-term contracts thereafter which called for more frequent rig moves. That feature has been prevalent to the present day. At the same time an important development for drilling rig mobility was the introduction around 1980 of a series of heavy lift semi submersible vessels which could carry jack-ups on

deck and which made movement of such units over large areas much faster and less risky than before when the only alternative was "wet tow".

c. Nevertheless, the past decade has also experienced a number of averages by way of collisions, groundings, breaking of towing lines, capsizings, foundering and other accidents which have demonstrated the need for having international rules governing the handling of such events.

The experience has shown the movement of drilling units is a risky operation. The moving operation is normally time consuming to the extent that unpredicted adverse weather conditions frequently cause accidents.

Data from the Worldwide Off-shore Accident Databank (WOAD) Statistical Report 1990 show that during the 10-year period 1980-89 there were a total of 31 collisions, 44 contact cases, 39 towing accidents, 21 groundings, 35 cases of foundering and 53 cases of unit capsizing. Other available statistical data published by Sedgwick Energy Limited, an insurance company associated with Lloyds in London, show that there has also been a heavy loss of lives resulting from accidents during transportation. Of a total of 1,289 lives lost in 122 off-shore accidents altogether from 1964 to date, almost 700 lives were lost in connection with accidents during transportation, of which, however, a number of them resulted from accidents with helicopters.

It might be mentioned that in a jack-up which capsized during tow off the coast of China in 1979, 70 lives were lost and with a drillship which capsized during a typhoon off the coast of Thailand in November 1989, 91 lives were lost altogether. The semi-submersible platform "Ocean Ranger" sank in a storm off New Foundland in 1982 in which 84 lives were lost. Other serious accidents with heavy loss of lives could be mentioned although they are not related to the movement of drilling rigs.

d. A feature relevant to the incorporation in the Draft Convention of the Lien and Mortgage Conventions is that during the latter part of the past decade there have also been a number of voluntary and involuntary winding-ups of drilling companies which has made it necessary for financial creditors to enforce their claims.

All of these elements have made it no less important today than it was in 1977 to formulate and adopt a convention on international mobile craft.

3. An important consideration in 1977 was to distinguish between industrial construction units for production at sea, and moveable exploration units. It was felt that the elements, which should be subject to convention treatment, were those connected with the movement of off-shore units from one location to the other. Objects permanently rather than temporarily attached to the sea-bed were not in need of the same international uniformity.

The movement of drilling units from one Continental Shelf to another has raised difficult but important problems with respect to applicable national rules and jurisdiction which have not been addressed in the CMI Draft Convention. Over the past decade there has been a vast increase in national rules and regulations applicable to off-shore craft. They are imposed on the units by the "Flag States" as well as by the "Coastal — i.e. Continental Shelf States". Problems have arisen in application of the various sets of national rules where a drilling unit registered in one state operates on the Continental Shelf of another state

or where it moves from one shelf to another. Frequently the states involved have conflicting rules and regulations for important segments such as safety standards which may affect requirements pertinent to seaworthiness, manning, crew-certificates and the quality and quantity of various technical equipment. It is generally accepted that for drilling activities the rules of the Continental Shelf States shall apply. But as for maritime and nautical features of the units, it is considered impractical and undesirable to have differing coastal state regulations applicable whenever a unit moves from one location to another. It is generally held that for rules regarding maritime safety and marine movements the rules of the flag state should apply. However, there is a large grey area in which conflicting sets of rules cause uncertainty and confusion and it could be that the problem should be addressed when an international convention on off-shore craft is considered.

4. One aspect of applicable national law relates to the removal of wreck. In August 1990 the accommodation jack-up 'West Gamma' capsized and sank in bad weather during towing from one location to the other. The unit was to be moved about 70 nautical miles from the Ekofisk Field in the Norwegian sector of the North Sea to a field in the Danish sector. The towline parted and the unit drifted threatening to collide with a Danish platform and ultimately sank in the German sector of the North Sea. The German Ministry of Transport has considered the wreck to represent a threat to the maritime environment as well as to the safety of the shipping routes in general and would like to have the wreck removed. But there seems to be jurisdiction for neither the flagstate nor the coastal state to compel the removal. The removal expenses are expected to exceed USD 10 million whereas the scrap value of the wreck is considered to be less than USD 1 million. The destiny of the wreck is unsettled and discussions are still underway as to which national legislation, if any, is applicable to the issue.

5. The 1989 Salvage Convention in Art. 3 provides that the Convention shall not apply to fixed or floating platforms or to mobile off-shore drilling units when such platforms or units are on location engaged in the exploration, exploitation or production of seabed mineral resources. It might be considered, by implication, that the Convention shall apply to such units when they are not on location. However, Art. 1 defines a vessel as being any ship or craft, or any structure capable of navigation. That means that semi-submersibles and drillships are included, but not jack-ups while being under tow or drifting. The writer does not know whether it was intentional to exclude the application of the Convention to jack-up drilling units in transit, but the question is one that should be brought to the attention of the IMO Legal Committee.

6. Based on the foregoing comments, the CMI Member Associations are requested to answer the following questions:

1. In view of the developments since 1977, do you consider that there still is a need for covering the maritime/nautical activities of offshore mobile craft in an international convention?
2. Do you consider that the matter is of urgency or not, and should it be given high priority by IMO Legal Committee?
3. Do you consider the CMI Rio Draft Convention to be suitable for the purpose? If not, why?

4. The Draft Convention in Article 5 covers limitation of liability, and in Article 7, covers liability for oil pollution. Articles 6 and 10 cover maritime liens. Do you consider that the Convention should cover these topics? Please state why or why not.
5. In case of limitation of liability, should the limits of the respective limitation conventions as adopted in member states be applicable or should there be other and higher limitation amounts? Should the limitation be based on tonnage or on some other criterion, such as the value of the craft or a fixed monetary ceiling for crafts?
6. Do you agree that liability for oil pollution should be limited to oil contained in the craft and not to oil escaping from the seabed in connection with drilling activities?
7. Do you consider it practical and desirable to maintain maritime liens in offshore craft, particularly in exploration drilling units, to the same extent as for vessels?
8. Should the 1989 Salvage Convention be included or referred to together with the 1910 Salvage Convention mentioned in Article 3? In such case, should a special provision be added so as to include jack-up drilling units which are not self propelled and thus appear to have been excluded in Article 3 of the 1989 Salvage Convention?
9. Should provisions on liability for the removal of wreck and debris be included in the Draft Convention? In such case, do you think that the extent of — and liability for — removal should be made subject to the national law of the Continental Shelf State, or should detailed provisions be incorporated in the Convention?
10. Should the Draft Convention distinguish and define maritime/nautical rules to be governed by the law of the “flag” state, respectively the Continental Shelf States? In such case, should there be provisions on jurisdiction?
11. Are there other changes, additions or deletions which should be made in the Draft Convention?

7. For further information on the problems relating to the Draft Convention which have been raised, reference is made to the CMI 1977 — Documentation from the Rio Conference, and to the CMI Introductory Report to the IMO Legal Committee dated 20 October 1977 which is enclosed herewith.

Oslo, 24 September 1991
 Frode Ringdal

ANNEX

INTRODUCTORY REPORT TO THE LEGAL COMMITTEE OF IMCO FROM COMITE MARITIME INTERNATIONAL

DRAFT CONVENTION ON OFFSHORE MOBILE CRAFT

I. At its XXXI Conference held in Rio de Janeiro 25th-30th September 1977, the Comité Maritime International adopted a Draft Convention on Offshore Mobile Craft. The draft had been prepared by an international sub-committee under the chairmanship of Mr. Frode Ringdal, Norway. It is submitted herewith in the hope that it may form a useful basis for the contemplated work on the topic by IMCO. Together with it is also submitted the working papers of the CMI contained in CMI Documentation I/1977 including the initial Sub-Committee Report and two preliminary alternative convention drafts.

II. Due to the rapidly expanding offshore oil exploration activity it has been felt necessary to regulate its maritime features to which no special rules apply today. The CMI associations consider that such regulations are required already at the present time. They should be international and uniform in order to avoid enactment of widely differing national rules which may cause international confusion and conflict.

The extent of the offshore activity is illustrated by these figures:

At the end of 1976 there were 374 mobile drilling units in existence (excluding tenders). They were "registered" in 23 different countries although almost two thirds, or 306 of them, were registered in seven countries. There were 46 additional drilling units on order. The seven countries having the largest number of units were: the United States (139), Panama (79), Norway (27), Liberia (19), Venezuela (16), the United Kingdom (13) and Canada (13). The other countries had less than ten units each. The drilling units were working in about 20 geographical areas comprising about 25 different countries. The most important ones were the Gulf of Mexico (104 units), the North Sea (44), Arabian Persian Gulf (36), Venezuela (26), Brazil (21), Mediterranean area (18), West Africa (17), South-East Asia (14) and Red Sea/Gulf of Suez (12).

Of the total number of drilling units in operation 172 were jack-up rigs, 106 were semi-submersibles, 17 were submersibles and 58 were ship shape (vessels).

The drilling units are the most important ones for the off-shore activity. But to aid them a wide variety of more than 30 different types of craft is involved, including those for pipe-laying, hoisting of equipment, accommodation, storage, construction, repair and several ancillary activities. They are structures of varying shapes and sizes and have physical features which may or may not resemble those of ships. However, all of them share with ships the ability to float and to move from one location to another. Some of them frequently move on the high seas and between different national territories. Having these characteristics

the offshore crafts are exposed to the same maritime hazards as ships are. They may collide and otherwise cause and suffer damage.

In many countries some or all of these crafts are held to be ships and are treated legally as such. But as they frequently lack the ship shape and other ship characteristics some times being self-propelled, at other times not — many states hold them not to be ships. In such case there are normally no rules governing their maritime activity.

Taking into consideration the feature of movability common to all craft two basic aims should be fulfilled by the new regulations, i.e. obtaining international uniformity and treating craft as ships to the extent possible. The CMI Draft Convention endeavours to satisfy both requirements although with some reservations and exceptions.

III. The CMI Conference unanimously held it desirable to have the widest possible definition of craft including all movable structures used in offshore activities. Thus, structures held to be ships by various state parties are also included in the definition of craft contained in the draft Article 1. However, the various international conventions subsequently referred to in the Draft as well as national law in respect of state parties not being parties to the respective international conventions shall apply to craft where they do not already otherwise apply, i.e. in those instances where craft are not held to be ships.

Drilling units and other types of offshore craft are also used for regular oil production. In such case they are often structures permanently fixed into the sea bed. Once they are on location they are not intended for being moved to other locations. Such structures are not included in the definition of craft and are not to be covered by the Draft Convention. They lack the feature of movability and are really fixed objects to which national industrial legislation apply. But for such craft which are covered by the definition it shall make no difference whether or not they are actually floating or attached to the sea bed during operations. The offshore activities included in the definition are the exploration, exploitation, processing, transport or storage of the mineral resources of the sea bed or subsoil or in ancillary activities. Again, actual production activities are excluded, but the activities are not confined to oil. They include the search for other subsoil minerals or products such as manganese nodules resting on the sea bed.

IV. The Draft Convention in Articles 2 to 7 makes applicable to offshore craft the international maritime conventions for ships where they are in force in the State Parties. In that way international unification will be obtained for craft to exactly the same extent as is the case for ships. However, considering that some of the most important countries involved in oil exploration activities are not parties to the maritime conventions it has been felt to be inadequate merely to make those conventions applicable also to craft. Four of the seven states having registered the largest number of drilling units are not maritime convention countries. They are the United States, Panama, Liberia and Venezuela. Important Continental Shelf states such as the Arab countries, some Latin American states and major African and Asian nations have equally remained nonconvention states. Some countries such as Canada have rules for ships similar to those of the maritime conventions although it has not adopted the latter. In order to involve some of those important states in the unification effort the Draft Convention in Arti-

cle 8 provides that, with some modifications, such non-convention states shall apply to craft the national rules which they apply to ships.

There are benefits as well as handicaps to this solution. Although the provision will not result in international unification it will at least secure some national uniformity as between ships and craft. In that way some degree of predictability and certainty is obtained regarding the rules applicable to craft in those states. The ideal solution generally, which the CMI Conference held to be impractical, would have been to spell out in a new convention all substantive maritime rules considered desirable for craft and hope for a wide acceptance of the convention by the states concerned. But in the process some separate rules for ships and craft could hardly have been avoided which would have created differences between craft that are held to be ships by some convention states and not by others. Furthermore, those states which are not parties to the existing maritime conventions could hardly be expected to adopt a new convention on craft making applicable the substantive rules of such conventions. The best that can be hoped for, therefore, seems to be that non-convention states are required to treat craft as ships.

There can be no problem extending *existing* national rules to craft. But many states may find it unacceptable to undertake restrictions in their future legislation by compelling them to treat ships and craft identically. They may also find that different treatment of ships and craft is desirable in some respects. These considerations have justified a second paragraph of Article 8 leaving a state party some freedom not to equalize ships and craft in future legislation. Although necessary, the solution is not entirely satisfactory. The predictability and certainty aimed at will be lost when state parties are free to amend or supplement their existing rules in the future. Had the relevant substantive rules been spelled out in the Draft Convention, the state parties would have been bound by them as long as they would remain parties to the convention. In order to secure a degree of certainty and predictability and give some real significance to Article 8, it was proposed at the CMI Conference to add a provision to the effect that in the fields covered a state party shall mandatorily apply to craft the national rules applicable to ships at the time of the new convention coming into force for that state party. These rules would not then be subject to change as regards craft. However, the proposed provision was rejected.

V. The legal equalization of ships and craft through an international convention in certain areas is required in order to obtain uniform treatment of craft in those countries that do and those that do not hold them to be ships. For that purpose it would have been better to apply every ship rule in the areas covered equally to craft. In such case it would not be necessary to draw the borderline between the categories ship and craft.

However, that has not proved possible. In some respects, notably as regards limits of liability, oil pollution liability and maritime liens, other rules for craft than for ships have been considered necessary. As a consequence it is still essential to maintain a clear distinction between the categories. Inasmuch as the definition of what is a ship differs widely from one country to another, the question arises which law shall decide whether a structure is a ship or a craft. There are at least three solutions. One is to provide that the convention shall apply to craft which are not ships under the law of their home state. That was proposed by the CMI Working Group in their Draft Article 2 (CMI Documentation 1/1977

page 36). An objection raised against that solution is that it may give the home state an opportunity of discriminating in favour of its own craft, for instance by widening its definition of ship and applying to craft the more favourable limitation rules for ships which would not otherwise apply.

A second solution to the question is to have the convention itself govern by defining craft as different from ship with binding effect for the state parties. That was proposed by one delegation at the CMI Conference. However, the result would be that the craft which are today held by a state party to be ships might not be so under the Draft Convention. Such a consequence may not be acceptable to some state parties.

A third solution which has been partly chosen in the Draft Convention is to leave the question open. Articles 2-7 provide that the various maritime conventions shall apply to such craft to which they would not otherwise apply. But they remain silent on who is to decide in the matter. The fact that Article 8 provides for non-convention states to apply certain of their rules on ships to craft can hardly be construed to bind other state parties to accept definitions used in those states. It is not an ideal solution to leave open such an important question as that of applicable law as it creates uncertainty and possible conflicts. For that reason the matter might be given further study by IMCO.

In one important respect national law has been prescribed. As regards rights in craft Article 6 provides that a structure's status as a craft shall be determined in accordance with the law of the state where title or mortgage has been registered. Other solutions in that respect might render the financing of craft difficult.

VI. The areas covered by the Draft Convention are those of the existing maritime conventions. Although some interested parties would have preferred a more comprehensive and extensive convention, covering all operational aspects of the offshore activities including the legal problems related to oil production, it has been concluded that only the maritime matters common to ships and craft should be covered. The non-maritime legal problems connected with offshore activities include many fields of law other than maritime law and are held not to be within the natural scope of the CMI and the IMCO work. They are better dealt with in other international conventions.

For the reason mentioned, the Draft Convention in Article 12 expressly excludes its application to concessionaires, licensees or other holders of rights with respect to mineral resources. The rights and obligations affecting such parties are to a large extent different in nature from those affecting the craft owner and they are also basically under the jurisdiction of the Continental Shelf states.

VII. Some modification in the rules relating to ships have been proposed in respect of craft. The most controversial one relates to the limitation of liability. Several CMI delegations have felt that the limits of liability resulting from the various limitation conventions are too low for some of the very expensive craft, notably the drilling units. They have argued that there should be a reasonable ratio between the limits and the value and earning capacities of the craft having regard also to the extent of insurance available to the craft owner. Other delegations have been in favour of retaining the limits applicable to ships on the ground that there is no compelling reason to have different limits. They have pointed out that it would be unfortunate to treat differently a drilling ship and a drilling

platform of about the same drilling capacity. They also argue that the slow-moving platforms have a lesser damage causing capacity than do ships.

The problem is one that particularly concerns the drilling platforms and similar structures. They are not only large and expensive, but also of a shape that may be difficult to measure for tonnage under the rules of the Measurement Conventions. In consequence, a fixed tonnage on platforms for limitation purposes has been provided for in Article 9, it being understood that such tonnage shall be substantially higher than that which would result from the ordinary measurement. However, no specific figure has been proposed.

It has been argued by some that the term "platform" is imprecise and ambiguous and by others that there are also very small platforms to which a high standard tonnage assessment would be unsuitable. Although it appears that the word "drilling platform" is frequently used by those parties concerned (and also in the 1976 Limitation Convention, see Article 15 No. 5), another descriptive term might well be substituted for it. Suggestions have also been made that the craft subject to the fixed tonnage criterion should be structures having a defined minimum length and breadth. IMCO may wish to give the question further consideration.

VIII. At the CMI Conference there was some discussion on whether or not the Draft Convention should include provisions on liability for oil pollution and, if so, to what extent. It was concluded that such provisions would be useful and that the rules laid down in existing international conventions such as the 1969 Convention would be suitable, particularly the provisions on liability without fault and on the limits of liability. The oil pollution provisions are contained in Article 7. A majority of the CMI associations wanted to extend the scope of application of the 1969 Convention to the escape or discharge of any oil contained in craft, whereas a minority wanted to limit the application to persistent oil carried as cargo in the same manner as stipulated in the convention. However, it was the general consensus that the Draft Convention should not cover liability for blow-out damage as it is of such a nature and magnitude that it requires special treatment in national law and other conventions.

Liability for blow-out damage is primarily the concern of the concessionaire or licensee for the exploration or exploitation of oil resources. But it may also be incurred by a craft owner, for instance as a result of collision between a craft and a drilling unit or of fault otherwise committed by his employees. In order to facilitate the financing of craft by way of suitable mortgages it was concluded that there ought to be no maritime lien in respect of blow-out damage or any pollution damage other than that provided for in the Draft Convention. A provision to that effect has been included in Article 10.

IX. Some miscellaneous comments should be added.

In II above reference has been made to the registration of drilling units in 23 countries. However, in many of them the registration has been for various purposes other than for title or rights, such as registration for inspection and certification. For that reason it has been deemed necessary in Article 6 to make specific reference to the registration for ownership and other rights.

In Article 2 concerning collisions reference has been made to the 1952 International Convention on Civil Jurisdiction in collision cases. At the Rio Confer-

ence the CMI adopted a new draft convention on those and related matters which is also being submitted to IMCO for consideration. However, that draft makes no reference to craft and it seems natural that IMCO may want either to include the reference to a replacement for the 1952 Convention in Article 2 or to include craft in the new collision jurisdiction convention.

X. The provisions and problems described herein are the main ones considered by the CMI Conference. It is realized, however, that the various issues are complex and require thorough deliberation as they border on legal virgin territory. Nevertheless, the Draft Convention should provide the necessary basis for further work to be undertaken by IMCO.

DRAFT INTERNATIONAL CONVENTION ON OFF-SHORE MOBILE CRAFT

Article 1 - Definition

In this Convention "craft" shall mean any marine structure of whatever nature not permanently fixed into the sea-bed which

- a. is capable of moving or being moved whilst floating in or on water, whether or not attached to the sea-bed during operations, and
- b. is used or intended for use in the exploration, exploitation, processing, transport or storage of the mineral resources of the sea-bed or its subsoil or in ancillary activities.

Article 2 - Collisions

A State Party which is also a party to

- the International Convention for the unification of certain rules of law with respect to collision between vessels and Protocol of signature dated September 23, 1910, or to
- the International Convention for the unification of certain rules concerning civil jurisdiction in matters of collision dated May 10, 1952, or to
- the International Convention for the unification of certain rules relating to penal jurisdiction in matters of collision or other incidents of navigation dated May 10, 1952,

shall apply the rules of such convention or conventions to craft to which they would not otherwise apply.

Article 3 - Salvage

A State Party which is also a party to

- the Convention for the unification of certain rules of law relating to assistance and salvage at sea and Protocol of signature dated September 23, 1910, or to
- the said Convention with Protocol dated May 27, 1967,

shall apply the rules of the said convention or conventions with Protocol to craft to which they would not otherwise apply.

Article 4 - Arrest

A State Party which is also a party to the International Convention for the unification of certain rules relating to the arrest of sea-going ships, dated May

10, 1952, shall apply the rules of that convention to craft to which they would not otherwise apply.

Article 5 - Limitation of Liability

A State Party which is also a party to

- the International Convention for the unification of certain rules relating to the limitation of the liability of the owners of sea-going vessels and Protocol of signature dated August 25, 1924, or to
- the International Convention relating to the limitation of the liability of owners of sea-going ships and Protocol of signature dated October 10, 1957, or to
- the Convention on limitation of liability for maritime claims dated November 19, 1976,

shall, subject to Article 9 below, apply the rules of any such convention to craft to which they would not otherwise apply. In the case of the 1976 Convention, a State Party shall do so notwithstanding the provisions of Article 15, paragraph 5 of that convention.

Article 6 - Rights in Craft

A State Party which is also a party to

- the International Convention for the unification of certain rules relating to maritime liens and mortgages and Protocol of signature dated April 10, 1926, or to
- the International Convention for the unification of certain rules relating to maritime liens and mortgages dated May 27, 1967, or to
- the International Convention relating to registration of rights in respect of vessels under construction dated May 27, 1967,

shall, subject to Article 10 below, apply the rules of such convention or conventions to craft to which they would not otherwise apply, provided that the State Party has established a system of registration of rights in relation to such craft.

Where such a system permits the registration of ownership of craft, a right so registered in one State Party shall be recognized by the other State Parties.

For the purpose of this Article a structure's status as a craft as defined in Article 1 shall be determined in accordance with the law of the State where a title to or a mortgage on such structure is registered.

Article 7 - Liability for Oil Pollution

Subject to the succeeding paragraph of this Article, a State Party which is also a party to the International Convention on civil liability for oil pollution damage dated November 29, 1969, shall apply the rules of that convention to the escape or discharge of oil contained in craft, insofar as they would not otherwise apply.

A State Party shall apply such rules only in the absence of other applicable provisions on liability contained in other International Conventions to which it is a party.

Article 8 - Application of National Rules

Subject to the provisions contained in Articles 9 and 10, a State Party, insofar as it is not a party to a convention referred to in Articles 2, 3, 4, 5, 6 or 7, shall apply to craft the rules which the State Party applies to vessels, in relation to the subject matters dealt with in any such convention.

Nevertheless, a State Party may, when enacting legislation with regard to vessels subsequent to this convention coming into force for that State, exclude craft which are not vessels from the application of such new legislation.

Article 9 - Minimum of Limits of Liability for Platforms

For the purpose of calculating the limit of liability under Articles 5 and 7, craft which are platforms shall be deemed to be of not less than "x" tons. The same shall apply to the limit of liability under national law pursuant to Article 8 above if and insofar as such a limit is based on tonnage.

Article 10 - Maritime Lien in respect of Pollution

No maritime lien shall attach to craft in respect of liability for pollution damage of whatever nature other than that imposed by Article 7 or similar rules applicable under Article 8.

Article 11 - Nationality

If, under any of the conventions applicable pursuant to Articles 2, 3, 4, 5, 6 and 7 or the national rules pursuant to Article 8, nationality is a relevant factor, a craft shall be deemed to have the nationality of the State in which it is registered for title, or if not so registered, the State of its owner.

Article 12 - Savings

Nothing in this Convention shall affect the rights or obligations of any person or company in the capacity of concessionaire, licensee or other holder of rights with respect to mineral resources.

PART III

**Status of ratifications of
Maritime Conventions**

**Etat des ratifications
aux Conventions de Droit Maritime**

**ETAT DES
RATIFICATIONS ET ADHESIONS
AUX CONVENTIONS INTERNATIONALES
DE DROIT MARITIME DE BRUXELLES
au 15 septembre 1991**

(Information communiquée par le Ministère des Affaires Etrangères,
du Commerce Extérieur et de la Coopération au Développement
de Belgique, dépositaire des Conventions).

**STATUS OF THE
RATIFICATIONS OF AND ACCESSIONS
TO THE BRUSSELS INTERNATIONAL MARITIME
LAW CONVENTIONS
as per 15th September 1991**

(Information provided by the Ministère des Affaires Etrangères,
du Commerce Extérieur et de la Coopération au Développement de Belgique,
depository of the Conventions).

Notes de l'éditeur/Editor's notes:

(1) - Les dates mentionnées sont les dates du dépôt des instruments. L'indication (r) signifie ratification, (a) adhésion.

- The dates mentioned are the dates of the deposit of instruments. The indication (r) stands for ratification, (a) for accession.

(2) - Les réserves formulées par les Etats contractans lors du dépôt des instruments de ratification ou d'adhésions sont publiées après l'état des ratifications de chaque convention.

- Reservations made by Contracting States at the time of the deposit of the instruments of ratification or accession and other relevant information are published after the status of ratification of each convention.

(3) - Certaines Conventions ont en certains Pays été incorporées dans la loi nationale sans que ces Pays aient formellement ratifié ou adhéré à la dite Convention. Ces Pays ne sont pas repris dans les listes. Pour toute certitude une vérification locale est toujours conseillée.

- Some Countries may have enacted in their domestic law some Conventions without having formally ratified or acceded to that Convention. Those Countries are not listed herein. For certainty local verification is always recommended.

(4) - A la suite de l'unification de l'Allemagne les conventions, qui avaient été ratifiées par la République Fédérale d'Allemagne avant l'unification, sont également en vigueur dans les nouveaux états fédérés qui constituaient naguère la République Démocratique Allemande (Brandebourg, Mecklembourg Vorpommern, Saxe, Saxe Anhalt et Thuringe): voir l'article 11 du "Vertrag zwischen der Bundesrepublik Deutschland und der Deutschen Demokratischen Republik über die Herstellung der Einheit Deutschlands-Einigungsvertrag". Les

conventions uniquement ratifiées par la République Démocratique Allemande ne sont plus en vigueur à la suite de la dissolution de la République Démocratique Allemande.

- As a consequence of the German unification the Conventions ratified by the Federal Republic of Germany prior to the unification are in force also in the new Federal States formerly constituting the German Democratic Republic (Brandenburg, Mecklenburg-Vorpommern, Sachsen, Sachsen-Anhalt and Thüringen): See Art. 11 of the "Vertrag zwischen der Bundesrepublik Deutschland und der Deutschen Demokratischen Republik über die Herstellung der Einheit Deutschlands-Einigungsvertrag". The Conventions ratified only by the former German Democratic Republic are not effective anymore, owing to the dissolution of the German Democratic Republic.

(5) - Le 30 juillet 1992 a été reçue au Ministère des Affaires étrangères, du Commerce extérieur et de la Coopération au Développement de Belgique une note verbale par laquelle la République de Croatie notifie qu'elle se considère liée par les Conventions suivantes et qu'elle succède à partir de la date de l'indépendance de la Croatie, c'est-à-dire au 8 octobre 1991, aux droits et aux obligations souscrits antérieurement par la République socialiste fédérative de Yougoslavie.

1. Abordage (1910)
2. Assistance et sauvetage (1910)
3. Assistance et sauvetage - Protocole (1967)
4. Connaissance (1924)
5. Compétence civile (1952)
6. Compétence pénale (1952)
7. Saisie conservatoire (1952).

On 30th July 1992 a note verbale has been received by the Ministry of Foreign Affairs, of Foreign Trade and of Co-Operation and Development of Belgium whereby the Republic of Croatia notifies that it considers itself bound by the following Conventions and that it succeeds as of the date of independence of Croatia, namely of 8th October 1991, to the rights and obligations previously pertaining to the Socialist Federal Republic of Yugoslavia:

1. Collision (1910)
2. Assistance and Salvage (1910)
3. Assistance and Salvage - Protocol (1967)
4. Bills of Lading (1924)
5. Civil Jurisdiction (1952)
6. Penal Jurisdiction (1952)
7. Arrest of Ships (1952)

**Convention internationale
l'unification de certaines
règles en matière d'**

Abordage (*)

et protocole de signature

Bruxelles, le 23 septembre 1910
Entrée en vigueur: 1er mars 1913

**International convention
for the unification of certain
rules of law relating to**

Collision between vessels ()**

and protocol of signature

Brussels, 23rd September, 1910
Entered into force: 1 March 1913

(Translation)

Allemagne, Rép.Fédérale d' (1)	(r)	1.II.1913
Angola	(a)	20.VII.1914
Antigua et Barbude	(a)	1.II.1913
Argentine	(a)	28.II.1922
Australie	(a)	9.IX.1930
Ile Norfolk	(a)	1.II.1913
Autriche	(r)	1.II.1913
Barbados	(a)	1.II.1913
Belgique	(r)	1.II.1913
Brésil	(r)	31.XII.1913
Canada	(a)	25.IX.1914
Cap Vert (Iles)	(a)	20.VII.1914
Chypre	(a)	1.II.1913
Croatie	(a)	8.X.1991
Danemark	(r)	18.VI.1913
Dantzig	(a)	2.VI.1922
Dominique (Rép.de la)	(a)	1.II.1913
<i>Dominica (Rep. of): see Dominique</i>		
<i>(Rép. de la)</i>		
Egypte	(a)	29.XI.1943
Espagne	(a)	17.XI.1923
Esthonie	(a)	15.V.1929
Fidji	(a)	1.II.1913
Finlande	(a)	17.VII.1923
France	(r)	1.II.1913

(1) Allemagne, République Fédérale d' : remise en vigueur à partir du 1er novembre 1953.

(*) Voir aussi:

- Compétence civile (1952)
- Compétence pénale (1952)

(**) See also:

- Civil jurisdiction (1952)
- Penal jurisdiction (1952)

Gambie	(a)	1.II.1913
<i>Germany (Federal Republic of): see Allemagne, Rép. Fédérale d'</i>		
Ghana	(a)	1.II.1913
Goa	(a)	20.VII.1914
Grèce	(r)	29.IX.1913
Grenade	(a)	1.II.1913
Guinée-Bissau	(a)	20.VII.1914
Guyane	(a)	1.II.1913
Haiti	(a)	18.VIII.1951
Hongrie	(r)	1.II.1913
Inde	(a)	1.II.1913
Indian Union: see Inde		
Iran	(a)	26.IV.1966
Irlande	(r)	1.II.1913
Italie	(r)	2.VI.1913
Jamaïque	(a)	1.II.1913
Japon	(r)	12.I.1914
Kenya	(a)	1.II.1913
Kiribati	(a)	1.II.1913
Lettonie	(a)	2.VIII.1932
Libye	(a)	9.XI.1934
Macao	(a)	20.VII.1914
Malgache (Republique)	(r)	1.II.1913
Etats Malais Fédérés de Perak		
Selangor, Négresembilan et Pahang	(a)	1.II.1913
Malte	(a)	1.II.1913
Maurice	(a)	1.II.1913
Mexique	(r)	1.II.1913
Mozambique	(a)	20.VII.1914
<i>Netherlands: see Pays-Bas</i>		
<i>Newfoundland: see Terre Neuve</i>		
<i>New Zeland: see Nouvelle Zélande</i>		
Nicaragua	(r)	18.VII.1913
Nigeria	(a)	1.II.1913
Norvège	(r)	12.XI.1913
Nouvelle Zélande	(a)	19.V.1913
Papouasie-Nouvelle Guinée	(a)	1.II.1913
Paraguay	(a)	22.XI.1967
Pays-Bas	(r)	1.II.1913
Pologne	(a)	2.VI.1922
Portugal	(r)	25.XII.1913
Roumanie	(r)	1.II.1913
Royaume-Uni de Grande-Bretagne		
(y compris Jersey, Guernesey et Ile de Man)	(r)	1.II.1913
Anguilla, Bermudes, Gibraltar, Hong-Kong,		

Abordage 1910

Collision 1910

Iles Falkland et leurs dépendances, Iles		
Turques et Caïques et les Iles Cayman, Iles		
Vierges Britanniques, Montserrat, Sainte		
Hélène, Wei-Hai-Wei (p.m.)	(a)	1.II.1913
Russian Federation	(r)	10.VII.1936
Saint-Christophe-Nevis	(a)	1.II.1913
Sainte Lucie	(a)	3.III.1913
Saint Vincent et Grenadines	(a)	1.II.1913
Salomon (îles)	(a)	1.II.1913
Sao Thome E. Principe (îles)	(a)	20.VII.1914
Seychelles	(a)	1.II.1913
Sierra Leone	(a)	1.II.1913
Singapour	(a)	1.II.1913
Somalie (ex-brit.)	(a)	1.II.1913
Somalie (ex-ital.)	(a)	9.XI.1934
Sri-Lanka	(a)	1.II.1913
Spain: see Espagne		
Suède	(r)	12.XI.1913
Suisse	(a)	28.V.1954
Terre Neuve	(a)	11.III.1914
Timor	(a)	20.VII.1914
Tonga	(a)	13.VI.1978
Trinité et Tobago	(a)	1.II.1913
Turquie	(a)	4.VII.1913
Tuvalu	(a)	1.II.1913
United Kingdom: see: Royaume Uni		
Uruguay	(a)	21.VII.1915
Zaire (Republique du)	(a)	17.VII.1967

* Pursuant to a notification of the ministry of foreign affairs of the Russian Federation dated 13th January 1992, the Russian Federation is now a party to all treaties to which the U.S.S.R. was a party. Russia had ratified the convention on the 1st February 1913.

**Convention internationale
pour l'unification de certaines
certaines règles en matière d'**

**International convention
for the unification of
certain rules of law
relating to**

**Assistance et de sauvetage
maritimes (*)**

**Assistance and salvage at
sea (**)**

et protocole de signature

and protocol of signature

Bruxelles, le 23 septembre 1910
Entrée en vigueur: 1 mars 1913

Brussels, 23rd September, 1910
Entered into force: 1 March 1913

(Translation)

Algérie	(a)	13.IV.1964
Allemagne, Rép. Fédérale d'(1)	(r)	1.II.1913
Angola	(a)	20.VII.1914
Antigua et Barbude	(a)	1.II.1913
Argentine	(a)	28.II.1922
Australie	(a)	9.IX.1930
Ile Norfolk	(a)	1.II.1913
Autriche	(r)	1.II.1913
Bahamas	(a)	1.II.1913
Barbade	(a)	1.II.1913
Belgique	(r)	1.II.1913
Belize	(a)	1.II.1913
Brésil	(r)	31.XII.1913
Canada	(a)	25.IX.1914
Cap Vert (îles)	(a)	20.VII.1914
Chypre	(a)	1.II.1913
Croatie	(a)	8.X.1991
Danemark	(r)	18.VI.1913
Dantzig	(a)	15.X.1921
Dominique (République de la)	(a)	1.II.1913
<i>Dominica: see Dominique, Rép. de la</i>		
Dominicaine (République)	(a)	23.VII.1958
<i>Dominican republic: see Dominicaine, Rép.</i>		

(1) Allemagne, République Fédérale d': remise en vigueur à partir du 1er novembre 1953.

(2) Y compris Jersey, Guernsey et l'île de Man.

(*) Voir aussi:

- Protocole (1967) portant
modification de la Convention

(**) See also:

- Protocol (1967) to amend the
Convention

Assistance et sauvetage 1910

Assistance and salvage 1910

Egypte	(a)	19.XI.1943
Espagne	(a)	17.XI.1923
Etats-Unis d'Amérique	(r)	1.II.1913
Fidji	(a)	1.II.1913
Finlande	(a)	17.VII.1923
France	(r)	1.II.1913
Gambie	(a)	1.II.1913
<i>Germany, Federal Rep. of: see Allemagne, Rép. Fédérale d'</i>		
Ghana	(a)	1.II.1913
Goa	(a)	20.VII.1914
Grèce	(r)	15.X.1913
Grenade	(a)	1.II.1913
Guinée-Bissau	(a)	20.VII.1914
Guyane	(a)	1.II.1913
Haiti	(a)	18.VIII.1951
Hongrie	(r)	1.II.1913
Inde	(a)	1.II.1913
<i>Indian Union: see Inde</i>		
Iran	(a)	26.IV.1966
Irlande	(r)	1.II.1913
Italie	(r)	2.VI.1913
Jamaïque	(a)	1.II.1913
Japon	(r)	12.I.1914
Kenya	(a)	1.II.1913
Kiribati	(a)	1.II.1913
Lettonie	(a)	2.VIII.1932
Macao	(a)	20.VII.1914
Etats Malais Fédérés de Perak, Selangor, Négresembilan et Paha	(a)	1.II.1913
Malte	(a)	1.II.1913
Malgache (République)	(r)	1.II.1913
Maurice (île)	(a)	1.II.1913
Mexique	(r)	1.II.1913
Mozambique	(a)	20.VII.1914
<i>Netherlands: see Pays-Bas</i>		
<i>Newfoundland: see Terre-Neuve</i>		
<i>New Zealand: see Nouvelle-Zélande</i>		
Nigeria	(a)	1.II.1913
Norvège	(r)	12.XI.1913
Nouvelle-Zélande	(a)	19.V.1913
Oman (Sultanat d')	(a)	21.VIII.1975
Papouasie - Nouvelle Guinée	(a)	1.II.1913
Paraguay	(a)	22.XI.1967
Pays-Bas	(r)	1.II.1913

Assistance et sauvetage 1910

Assistance and salvage 1910

Pologne	(a)	15.X.1921
Portugal	(r)	25.VII.1913
Roumanie	(r)	1.II.1913
Royaume Uni de Grande-Bretagne (1)	(r)	1.II.1913
Anguilla, Bermudes, Gibraltar, Hong-Kong,		
Iles Falkland et leurs dépendances, Iles		
Turques, Iles Vierges Britanniques,		
Montserrat, Saint Hélène	(a)	1.II.1913
Russian Federation (2)	(a)	10.VII.1936
Saint Christophe-Nevis	(a)	1.II.1913
Sainte Lucie	(a)	3.III.1913
Saint Vincent et Grenadines	(a)	1.II.1913
Salomon (îles)	(a)	1.II.1913
Sao Tomé E Principe (îles)	(a)	20.VII.1914
Seychelles	(a)	1.II.1913
Sierra Leone	(a)	1.II.1913
Singapour	(a)	1.II.1913
Somalie (<i>ex-brit.</i>)	(a)	1.II.1913
Somalie (<i>ex-ital.</i>)	(a)	2.VI.1913
Spain: <i>see Espagne</i>		
Sri Lanka	(a)	1.II.1913
Suède	(r)	12.XI.1913
Suisse	(a)	28.V.1954
Syrienne (Rép.Arabe)	(a)	1.VIII.1974
Terre-Neuve	(a)	11.III.1914
Timor	(a)	20.VII.1914
Tonga	(a)	13.VI.1978
Trinité et Tobago	(a)	1.II.1913
Turquie	(a)	4.VII.1955
Tuvalu	(a)	1.II.1913
United Kingdom: <i>see Royaume-Uni</i>		
United States of America: <i>see Etats-Unis d'Amérique</i>		
Uruguay	(a)	21.VII.1915
Zaire (République du)	(a)	17.VII.1967

(1) Y compris Jersey, Guernsey et l'Île de Man

(2) See foot note at page 135

**Protocole portant modification
de la convention internationale
pour l'unification de
certaines règles en matière d'**

**Assistance et de sauvetage
maritimes**

**Signée à Bruxelles, le 23
septembre 1910**

**Bruxelles, 27 mai 1967
Entré en vigueur: 15 août 1977**

**Austria
Belgium
Brasil
Croatia
Egypt, Arab Republic of
Jersey, Guernsey & Isle of Man
Papua New Guinea
Syrian Arab Republic
United Kingdom of Great Britain**

**Protocol to amend the
international convention for
the unification of certain
rules of law relating to**

**Assistance and salvage at
sea**

**Signed at Brussels on 23rd
September, 1910**

**Brussels, 27th May, 1967
Entered into force: 15 August 1977**

(r)	4.IV.1974
(r)	11.IV.1973
(r)	8.XI.1982
(r)	8.X.1991
(r)	15.VII.1977
(a)	22.VI.1977
(a)	14.X.1980
(a)	1.VIII.1974
(r)	9.IX.1974

**Convention internationale pour
l'unification de certaines
règles concernant la**

**International convention for
the unification of certain
rules relating to the**

**Limitation de la responsabilité
des propriétaires
de navires de mer (*)**

**Limitation of the liability
of owners
of sea-going vessels (**)**

et protocole de signature

and protocol of signature

Bruxelles, 25 août 1924
Entrée en vigueur: 2 juin 1931

Brussels, 25th August, 1924
Entered into force: 2 June, 1931

(Translation)

Belgique	(r)	2.VI.1930
Brésil	(r)	28.IV.1931
Danemark	(r)	2.VI.1930
<i>(dénonciation - 30.VI.1983)</i>		
Dominicaine (République)	(a)	23.VII.1958
Espagne	(r)	2.VI.1930
Finlande	(a)	12.VII.1934
<i>(dénonciation - 30.VI.1983)</i>		
France	(r)	23.VIII.1935
<i>(dénonciation - 26.X.1976)</i>		
Hongrie	(r)	2.VI.1930
Malgache (République)	(r)	12.VIII.1935
Monaco	(r)	15.V.1931
<i>(dénonciation - 24.I.1977)</i>		
Norvège	(r)	10.X.1933
<i>(dénonciation - 30.VI.1963)</i>		
Pologne	(r)	26.X.1936
Portugal	(r)	2.VI.1930
Spain: voir Espagne		
Suède	(r)	1.VII.1938
<i>(dénonciation - 30.VI.1963)</i>		
Turquie	(a)	4.VII.1955

(*) Voir aussi:

- **Limitation de la responsabilité (1957)**
- **Protocole (1979) portant modification de la Convention de 1957**

() See also:**

- **Limitation of liability (1957)**
- **Protocol (1979) to amend the 1957 Convention**

**Convention internationale pour
l'unification de certaines
règles en matière de**

Connaissance (*)

et protocole de signature

“Règles de La Haye 1924”

Bruxelles, le 25 août 1924

Entrée en vigueur: 2 juin 1931

**International convention for
the unification of certain
rules of law relating to**

Bills of lading ()**

and protocol of signature

“Hague Rules 1924”

Brussels, 25 August 1924

Entered into force: 2 June 1931

(Translation)

Algérie	(a)	13.IV.1964
Allemagne, Rép. Fédérale d' (1)	(r)	1.VII.1939
Angola	(a)	2.II.1952
Antigua et Barbude	(a)	2.XII.1930
Argentine	(a)	19.IV.1961
Australie (2)	(a)	4.VII.1955
Norfolk	(a)	4.VII.1955
Bahamas	(a)	2.XII.1930
Barbados	(a)	2.XII.1930
Belgium	(r)	2.VI.1930
Belize	(a)	2.XI.1930
Bolivia	(a)	28.V.1982
Cameroun (3)	(a)	2.XII.1930
Cap Vert (îles du)	(a)	2.II.1952
Chypre	(a)	2.XII.1930
Côte d'Ivoire (4)	(a)	15.XII.1961
Croatie	(r)	8.X.1991
Cuba (5)	(a)	25.VII.1977
Danemark (6)	(a)	1.VII.1938
<i>(dénonciation - 1.III.1984)</i>		
Dominique (République de la)	(a)	2.XII.1930
Egypte (7)	(a)	29.XI.1943
Equateur	(a)	23.III.1977

(*) Voir aussi:

- **Protocole (1968) portant modification de la Convention de 1924**
- **Protocole (1979) portant modification du Protocole de 1968**

() See also:**

- **Protocol (1968), to amend the Convention of 1924**
- **Protocol (1979), to amend the 1968 Protocol**

Règles de La Haye 1924

Hague Rules 1924

Espagne	(r)	2.VI.1930
Etats-Unis d'Amérique (8)	(r)	29.VI.1937
Fidji	(a)	2.XII.1930
Finlande	(a)	1.VII.1939
<i>(dénonciation — 1.III.1984)</i>		
France (9)	(r)	4.I.1937
Gambie	(a)	2.XII.1930
<i>Germany, Federal Republic of: see Allemagne, Rép. Fédérale d'</i>		
Goa	(a)	2.II.1952
Grenade	(a)	2.XII.1930
Guiana	(a)	2.XII.1930
Guinée-Bissau	(a)	2.II.1952
Hongrie	(r)	2.VI.1930
Iran	(a)	26.IV.1966
Irlande (10)	(a)	30.I.1962
Israël	(a)	5.IX.1959
Italie	(r)	7.X.1938
<i>(dénonciation — 22.XI.1984)</i>		
<i>Ivory Coast: see Côte d'Ivoire</i>		
Jamaica	(a)	2.XII.1930
Japon (11)	(r)	1.VII.1957
Kenya	(a)	2.XII.1930
Kiribati	(a)	2.XII.1930
Kuwait (12)	(a)	25.VII.1969
Liban	(a)	19.VII.1975
Etats Malais Fédérés (13)	(a)	2.XII.1930
Etats Malais non Fédérés (13)	(a)	2.XII.1930
Malgache (République)	(a)	13.VII.1965
Maurice	(a)	24.VIII.1970
Monaco	(a)	15.V.1931
Mozambique	(a)	2.II.1952
Nauru (14)	(a)	4.VII.1955
<i>Netherlands: see Pays-Bas</i>		
Nigeria	(a)	2.XII.1930
Norvège (15)	(a)	1.VII.1938
<i>(dénonciation — 1.III.1984)</i>		
Papouasie-Nouvelle Guinée (16)	(a)	4.VII.1955
Paraguay	(a)	22.XI.1967
Pays-Bas (17)	(a)	18.VIII.1956
<i>(dénonciation — 26.IV.1982)</i>		
Perou	(a)	29.X.1964
Pologne	(r)	4.VIII.1937
Portugal	(a)	24.XII.1931
Macao	(a)	2.II.1952
Roumanie	(r)	4.VIII.1937

Règles de la Haye 1924

Hague Rules 1924

Royaume-Uni de Grande Bretagne et Irlande du Nord (y compris Jersey, Guernesey et Ile de Man) (18)	(r)	2.VI.1930
<i>Royaume-Uni de Grande Bretagne, et l'Ile de Man (dénonciation — 13.VI.1977)</i>		
Gibraltar	(a)	2.XII.1930
<i>(dénonciation — 22.IX.1977)</i>		
Bermudes, Hong Kong, Iles Falkland et leurs dépendances, Iles Turques et Caïques, Iles Cayman, Iles Vierges Britanniques, Montserrat, Territoires Antarctiques Britanniques	(r)	2.XII.1930
<i>(dénonciation — 20.X.1983)</i>		
Anguilla	(a)	2.XII.1930
Ascension, Sainte Hélène	(a)	3.XI.1931
Sabah (Borneo du Nord)	(a)	2.XII.1930
Sao Tomé et Principe (îles)	(a)	2.II.1952
Sarawak	(a)	3.XI.1931
Senegal	(a)	14.II.1978
Seychelles	(a)	2.XII.1930
Sierra-Leone	(a)	2.XII.1930
Singapour	(a)	2.XII.1930
Salomon (îles)	(a)	2.XII.1930
Somalie	(a)	2.XII.1930
<i>Spain: see Espagne</i>		
Sri-Lanka	(a)	2.XII.1930
St. Christophe-Nevis	(a)	2.XII.1930
St. Lucia	(a)	2.XII.1930
St. Vincent et Grenadines	(a)	2.XII.1930
Suède	(a)	1.VII.1938
<i>(dénonciation — 1.III.1984)</i>		
Suisse (19)	(a)	28.V.1954
Syrienne (République Arabe)	(a)	1.VIII.1974
Tanzanie (20)	(a)	3.XII.1962
Timor	(a)	2.II.1952
Tonga	(a)	2.XII.1930
Trinité et Tobago	(a)	2.XII.1930
Turquie	(a)	4.VII.1955
Tuvalu	(a)	2.XII.1930
<i>United Kingdom of Great Britain and Northern Ireland: see Royaume-Uni de Grande Bretagne et Irlande du Nord)</i>		
<i>United States of America: see Etats-Unis d'Amérique</i>		
Zaïre (République du)	(a)	17.VII.1967

(1) **Federal Republic of Germany:** Reinstated as from November 1st, 1953.

(2) **Australia:** "...*Now therefore, I, Sir William Joseph Slim, the Governor-General in and over the Commonwealth of Australia acting with the advice of the Federal Executive Council and in the exercise of all powers me thereunto enabling do by these presents accede in the name and on behalf of Her Majesty in respect of the Commonwealth of Australia and Norfolk Island to the Convention aforesaid subject to the following reservations, namely:*

a) The Commonwealth of Australia reserves the right to exclude from the operation of legislation passed to give effect to the Convention the carriage of goods by sea which is not carriage in the course of trade or commerce with other countries or among the States of Australia.

b) The Commonwealth of Australia reserves the right to apply Article 6 of the Convention in so far as the national coasting trade is concerned to all classes of goods without taking account of the restriction set out in the last paragraph of that Article."

(3) Par note verbale du 20 janvier 1983 le Gouvernement du Cameroun notifie que la République Unie du Cameroun n'est pas partie à ladite Convention.

(4) **Ivory Coast:** "Le Gouvernement de la République de Côte d'Ivoire, en adhérant à ladite Convention précise que:

1°) Pour l'application de l'article 9 de la Convention relatif à la valeur des unités monétaires employées, la limite de responsabilité est égale à la contre-valeur en francs CFA sur la base d'une livre or égale à deux livres sterling papier, au cours du change de l'arrivée du navire au port de déchargement.

2°) Il se réserve le droit de réglementer par des dispositions particulières de la loi nationale le système de la limitation de responsabilité applicable aux transports maritimes entre deux ports de la République de Côte d'Ivoire."

(5) **Cuba:** Le Gouvernement de Cuba se réserve le droit de ne pas appliquer les termes de la Convention au transport de marchandises en navigation de cabotage national.

(6) **Denmark:** "... Cette adhésion est donnée sous la réserve que les autres Etats contractants ne soulèvent aucune objection à ce que l'application des dispositions de la Convention soit limitée de la manière suivante en ce qui concerne le Danemark:

1) La Loi sur la navigation danoise en date du 7 mai 1937 continuera à permettre que dans le cabotage national les connaissements et documents similaires soient émis conformément aux prescriptions de cette loi, sans que les dispositions de la Convention leur soient appliquées aux rapports du transporteur et du porteur du document déterminés par ces titres.

2) Sera considéré comme équivalent au cabotage national sous les rapports mentionnés au paragraphe 1) — au cas où une disposition serait édictée en ce sens en vertu de l'article 122, dernier alinéa, de la loi danoise sur la navigation — le transport maritime entre le Danemark et les autres Etats nordiques, dont les lois sur la navigation contiennent des dispositions analogues.

3) Les dispositions des Conventions internationales concernant le transport des voyageurs et des bagages et concernant le transport des marchandises par chemins de fer, signées à Rome, le 23 novembre 1933, ne seront pas affectées par cette Convention."

(7) **Egypt:** "... Nous avons résolu d'adhérer par les présentes à la dite Convention, et promettons de concourir à son application. L'Egypte est, toutefois, d'avis que la Convention, dans sa totalité, ne s'applique pas au cabotage national. En conséquence, l'Egypte se réserve le droit de régler librement le cabotage national par sa propre législation. En foi de quoi, ..."

(8) **United States of America:** "... *And whereas, the Senate of the United States of America by their resolution of April 1 (legislative day March 13), 1935 (two-thirds of the Senators present concurring therein), did advise and consent to the ratification of the said convention and protocol of signature thereto, with the understanding, to be made a part of such ratification, that, notwithstanding the provisions of Article*

4, Section 5, and the first paragraph of Article 9 of the convention, neither the carrier nor the ship shall in any event be or become liable within the jurisdiction of the United States of America for any loss or damage to or in connection with goods in an amount exceeding 500.00 dollars, lawful money of the United States of America, per package or unit unless the nature and value of such goods have been declared by the shipper before shipment and inserted in the bill of lading”.

And whereas, the Senate of the United States of America by their resolution of May 6, 1937 (two-thirds of the Senators present concurring therein), did add to and make a part of their aforesaid resolution of April 1, 1935, the following understanding: That should any conflict arise between the provisions of the Convention and the provisions of the Act of April 16, 1936, known as the 'Carriage of Goods by Sea Act', the provisions of said Act shall prevail:

Now, therefore, be it known that I, Franklin D. Roosevelt, President of the United States of America, having seen and considered the said convention and protocol of signature, do hereby, in pursuance of the aforesaid advice and consent of the Senate, ratify and confirm the same and every article and clause thereof, subject to the two understandings hereinabove recited and made part of this ratification.

(9) **France**: «... En procédant à ce dépôt, l'Ambassadeur de France à Bruxelles déclare, conformément à l'article 13 de la Convention précitée, que l'acceptation que lui donne le Gouvernement Français ne s'applique à aucune des colonies, possessions, protectorats ou terri-toires d'outre-mer se trouvant sous sa souveraineté ou son autorité.»

(10) **Ireland**: "... subject to the following declarations and reservations: 1. In relation to the carriage of goods by sea in ships carrying goods from any port in Ireland to any other port in Ireland or to a port in the United Kingdom, Ireland will apply Article 6 of the Convention as though the Article referred to goods of any class instead of to particular goods, and as though the proviso in the third paragraph of the said Article were omitted; 2. Ireland does not accept the provisions of the first paragraph of Article 9 of the Convention."

(11) **Japan**: "Au moment de procéder à la signature de la Convention Internationale pour l'unification de certaines règles en matière de connaissance, le soussigné, Plénipotentiaire du Japon, fait les réserves suivantes:

a) A l'article 4.

Le Japon se réserve jusqu'à nouvel ordre l'acceptation des dispositions du a) à l'alinéa 2 de l'article 4.

b) Le Japon est d'avis que la Convention dans sa totalité ne s'applique pas au cabotage national; par conséquent, il n'y aurait pas lieu d'en faire l'objet de dispositions au Protocole. Toutefois, s'il n'en est pas ainsi, le Japon se réserve le droit de régler librement le cabotage national par sa propre législation.

M. Adachi

Bruxelles, le 25 août 1925."

"... Le Gouvernement du Japon déclare

1) qu'il se réserve l'application du premier paragraphe de l'article 9 de la Convention; 2) qu'il maintient la réserve b) formulée dans la Note annexée à la lettre de l'Ambassadeur du Japon à Monsieur le Ministre des Affaires étrangères de Belgique, du 25 août 1925, concernant le droit de régler librement le cabotage national par sa propre législation; et 3) qu'il retire la réserve a) de ladite Note, concernant les dispositions du a) à l'alinéa 2 de l'article 4 de la Convention."

(12) **Kuwait**: "... sous la réserve suivante: Le montant maximum en cas de responsabilité pour perte ou dommage causé aux marchandises ou les concernant, dont question à l'article 4, paragraphe 5, est augmenté jusque £ 250 au lieu de £ 100." Cette réserve a été rejetée par la France et la Norvège. Le retrait de l'opposition de la Norvège a été enregistré le 12 avril 1979 par le Gouvernement belge.

Par note du 30 mars 1971, reçue par le Gouvernement belge le 30 avril 1971, le Gouvernement de Kuwait déclare que le montant de "£ 250" doit être remplacé par "Kuwaiti Dinars 250".

(13) **Federated Malay States:** Adhésion effectuée par la Grande Bretagne conformément aux dispositions de l'article 13. Par notification du 7 février 1957, enregistrée le 11 février 1957, la Grande-Bretagne a étendu l'application de la Convention aux Etats malais suivants: Kedah, Kelantan, Trengganu et Perlis, qui forment depuis le 1er février 1948 la Fédération de Malaisie avec les autres Etats malais de Negri Sembilan, Perak, Selangor et Johore.

(14) **Nauru:** Reservations: "a) the right to exclude from the operation of legislation passed to give effect to the Convention on the carriage of goods by sea which is not carriage in the course of trade or commerce with other countries or among the territory of Nauru; b) the right to apply Article 6 of the Convention in so far as the national coasting trade is concerned to all classes of goods without taking account of the restriction set out in the last paragraph of that Article."

(15) **Norway:** "... L'adhésion de la Norvège à la Convention internationale pour l'unification de certaines règles en matière de connaissance, signée à Bruxelles, le 25 août 1924, ainsi qu'au Protocole de signature y annexé, est donnée sous la réserve que les autres Etats contractants ne soulèvent aucune objection à ce que l'application des dispositions de la Convention soit limitée de la manière suivante en ce qui concerne la Norvège:

1) La loi sur la navigation norvégienne continuera à permettre que dans le cabotage national les connaissements et documents similaires soient émis conformément aux prescriptions de cette loi, sans que les dispositions de la Convention leur soient appliquées ou soient appliquées aux rapports du transporteur et du porteur du document déterminés par ces titres.

2) Sera considéré comme équivalent au cabotage national sous les rapports mentionnés au paragraphe 1) — au cas où une disposition serait édictée en ce sens en vertu de l'article 122, dernier alinéa, de la loi norvégienne sur la navigation — le transport maritime entre la Norvège et autres Etats nordiques, dont les lois sur la navigation contiennent des dispositions analogues.

3) Les dispositions des Conventions internationales concernant le transport des voyageurs et des bagages et concernant le transport des marchandises par chemins de fer, signées à Rome le 23 novembre 1933, ne seront pas affectées par cette Convention.

Bruxelles, le 1er juillet 1938.

(s.) *A. Haspel,*

Chargé d'affaires de Norvège."

(16) **Papua New Guinea:** Reservations: 'a) the right to exclude from the operation of legislation passed to give effect to the Convention on the carriage of goods by sea which is not carriage in the course of trade or commerce with other countries or among the territories of Papua and New-Guinea; b) the right to apply Article 6 of the Convention in so far as the national coasting trade is concerned to all classes of goods without taking account of the restriction set out in the 1st paragraph of that Article."

(17) **Netherlands:** "... Désirant user de la faculté d'adhésion réservée aux Etats non-signataires par l'article 12 de la Convention internationale pour l'unification de certaines règles en matière de connaissance, avec Protocole de signature, conclue à Bruxelles, le 25 août 1924, nous avons résolu d'adhérer par les présentes, pour le Royaume en Europe, à ladite Convention, Protocole de signature, d'une manière définitive et promettons de concourir à son application, tout en Nous réservant le droit, par prescription légale,

1) de préciser que dans les cas prévus par l'article 4, par.2 de c) à p) de la Convention, le porteur du connaissement peut établir la faute personnelle du transporteur ou les fautes de ses préposés non couverts par l'article 4, par. 2 a) de la Convention;

2) d'appliquer, en ce qui concerne le cabotage national, l'article 6 à toutes les catégories de marchandises, sans tenir compte de la restriction figurant au dernier paragraphe dudit article, et sous réserve:

1) que l'adhésion à la Convention ait lieu en faisant exclusion du premier paragraphe de l'article 9 de la Convention;

2) que la loi néerlandaise puisse limiter les possibilités de fournir des preuves contraires contre le connaissement.

En foi de quoi, ..."

(18) **Great Britain:** "... *I Declare that His Britannic Majesty's Government adopt the last reservation in the additional Protocol of the Bills of Lading Convention. I Further Declare that my signature applies only to Great Britain and Northern Ireland. I reserve the right of each of the British Dominions, Colonies, Overseas Possessions and Protectorates, and of each of the territories over which his Britannic Majesty exercises a mandate to accede to this Convention under Article 13. "... In accordance with Article 13 of the above named Convention, I declare that the acceptance of the Convention given by His Britannic Majesty in the instrument of ratification deposited this day extends only to the United Kingdom of Great Britain and Northern Ireland and does not apply to any of His Majesty's Colonies or Protectorates, or territories under suzerainty or mandate.*

(s.) *Granville,*

His Britannic Majesty's Ambassador at Brussels."

(19) **Switzerland:** "... Conformément à l'alinéa 2 du Protocole de signature, les Autorités fédérales se réservent de donner effet à cet acte international en introduisant dans la législation suisse les règles adoptées par la Convention sous une forme appropriée à cette législation."

(20) **Tanzania:** "The Government of the Republic of Tanzania has requested the Government of Belgium to circulate the following remarks concerning Tanzania's relation to the International Convention for the unification of certain rules of Law relating to Bills of Lading, done at Brussels, August 25th, 1924.

Tanzania acceded to the Convention by Instrument dated November 16th, 1962. As the Convention had been applied to the territory of Tanzania prior to its independence, Tanzania was given the opportunity to declare that it considered the Convention in force as to its territory from the date of independence, rather than having to wait the normal six-month period provided for in article 11 of the Convention. While Tanzania availed itself of this opportunity of having the Convention in force from the day of its independence by virtue of the Instrument of November 16, 1962, this in no way should be considered as indicating that Tanzania considered itself bound by the United Kingdom accession to the Convention which had applied to the territory of Tanzania prior to independence. It is the position of Tanzania that it has adhered to the Convention of its own volition and did not inherit, or consider itself in any way bound, by the obligations of the Government of the United Kingdom vis-a-vis the Convention."

Protocole portant modification de la Convention Internationale pour l'unification de certaines règles en matière de connaissance, signée à Bruxelles le 25 août 1924

Protocol to amend the International Convention for the unification of certain rules of law relating to bills of lading, signed at Bruxelles on 25 August 1924

Règles de Visby

Bruxelles, 23 février 1968
Entré en vigueur: 23 juin 1977

Visby Rules

Brussels, 23rd February 1968
Entered into force: 23 June, 1977

Belgium	(r)	6.IX.1978
Denmark (1)	(r)	20.XI.1975
Ecuador	(a)	23.III.1977
Egypt, Arab Republic (2)	(r)	31.I.1983
Finland	(r)	1.XII.1984
France	(r)	10.VII.1977
Italy	(r)	22.VIII.1985
Lebanon	(a)	19.VII.1975
Netherlands (3)	(r)	26.IV.1982
Norway	(r)	19.III.1974
<i>Pays-Bas: voir Netherlands</i>		
Poland (4)	(r)	12.II.1980
<i>Royaume-Uni de Grande Bretagne: voir: United-Kingdom of Great Britain</i>		
Singapore	(a)	25.IV.1972
Sri-Lanka	(a)	21.X.1981
Sweden	(r)	9.XII.1974
Switzerland	(r)	11.XII.1975
Syrian Arab Republic	(a)	1.VIII.1974
Tonga	(a)	13.VI.1978
United Kingdom of Great Britain (5)	(r)	1.X.1976
Bermuda, Hong-Kong	(a)	1.XI.1980
Gibraltar	(a)	22.IX.1977
Isle of Man	(a)	1.X.1976

(*) Voir aussi:
- Protocole (1979)

(**) See also:
- Protocol (1979)

Connaissance 1968
Règles de Visby

Bills of Lading 1968
Visby Rules

**British Antarctic Territories,
Caimans, Caicos & Turks Islands,
Falklands Islands & Dependencies,
Montserrat, Virgin Islands (extension)**

(a)

20.X.1983

(1) Does not apply to the Faroe Islands.

(2) **Egypt Arab Republic:** La République Arabe d'Egypte déclare dans son instrument de ratification qu'elle ne se considère pas liée par l'article 8 dudit Protocole (cette déclaration est faite en vertu de l'article 9, du Protocole).

(3) **Netherlands:** Ratification effectuée pour le Royaume en Europe. Le Gouvernement du Royaume des Pays-Bas se réserve le droit, par prescription légale, de préciser que dans les cas prévus par l'article 4, alinéa 2 de c) à p) de la Convention, le porteur du connaissance peut établir la faute personnelle du transporteur ou les fautes de ses préposés non couverts par le paragraphe a).

Le Protocole qui était, en ce qui concerne le Royaume des Pays-Bas, uniquement applicable au Royaume en Europe, a été étendu à *Aruba* le 16.IX.1986 avec effet rétroactif à compter du 1er janvier 1986.

(4) **Poland:** Confirmation des réserves faites lors de la signature, à savoir: "La République Populaire de Pologne ne se considère pas liée par l'article 8 du présent Protocole".

(5) Including the Isle of Man.

**Protocole portant modification
de la Convention Internationale
pour l'unification de certaines
règles en matière de**

**Protocol to amend the
International Convention
for the unification of
certain rules relating to**

Connaissance

Bills of lading

telle qu'amendée par le
Protocole de modification du
23 février 1968.
Bruxelles, le 21 décembre 1979
Entré en vigueur: 14 février 1984

As modified by the
Amending Protocol of
23rd February 1968.
Brussels, 21st December, 1979
Entered into force: 14 February, 1984

Belgium	(r)	7.IX.1983
Denmark (1)	(a)	3.XI.1983
<i>Espagne: voir Spain</i>		
Finland	(r)	1.XII.1984
France	(r)	18.XI.1986
Italy	(r)	22.VIII.1985
Netherlands (for the Kingdom of Europe)	(r)	18.II.1986
Norway	(r)	1.XII.1983
<i>Pays-Bas: voir Netherlands</i>		
Poland (2)	(r)	6.VII.1984
<i>Royaume-Uni de Grande Bretagne et Irlande du Nord: voir: United Kingdom of Great Britain and Northern Ireland</i>		
Spain	(r)	6.I.1982
Sweden	(r)	14.XI.1983
Switzerland (3)	(r)	20.I.1988
United Kingdom of Great-Britain and Northern Ireland	(r)	2.III.1982
Bermuda, British Antarctic Territories, Virgin Islands, Caimans, Falkland Islands & Dependencies, Gibraltar, Hong-Kong, Isle of Man, Montserrat, Caicos & Turks Island (extension)	(a)	20.X.1983

(1) Does not apply to the Faroe Islands (nor to Groenland).

(2) Poland does not consider itself bound by art III.

(3) Suisse: Le Conseil fédéral suisse déclare, en se référant à l'article 4, paragraphe 5, alinéa d) de la Convention internationale du 25 août 1924 pour l'unification de certaines règles en matière de connaissance, telle qu'amendée par le Protocole de modification du 23 février 1968, remplacé par l'article II du Protocole du 21 décembre 1979, que la Suisse calcule de la manière suivante la valeur, en droit de tirage spécial (DTS), de sa monnaie nationale:

La Banque nationale suisse (BNS) communique chaque jour au Fonds monétaire international (FMI) le cours moyen du dollar des Etats-Unis d'Amérique sur le marché des changes de Zürich. La contrevaletur en francs suisses d'un DTS est déterminée d'après ce cours du dollar et le cours en dollars DTS, calculé par le FMI. Se fondant sur ces valeurs, la BNS calcule un cours moyen du DTS qu'elle publiera dans son Bulletin mensuel.

**Convention internationale pour
l'unification de certaines règles
relatives aux**

**Privilèges et hypothèques
maritimes (*)**

et protocole de signature

Bruxelles, 10 avril 1926
entrée en vigueur 2 juin
1931

**International convention
for the unification of
certain rules relating to**

**Maritime liens and
mortgages (**)**

and protocol of signature

Brussels, 10th April, 1926
entered into force 2 June,
1931

(translation)

Algérie	(a)	13.IV.1964
Argentine	(a)	19.IV.1961
Belgique	(r)	2.VI.1930
Brésil	(r)	28.IV.1931
Cuba (1)	(a)	21.XI.1983
Danemark	(r)	2.VI.1930
<i>(dénonciation — 1.III.1965)</i>		
Espagne	(r)	2.VI.1930
Esthonie	(r)	2.VI.1930
Finlande	(a)	12.VII.1934
<i>(dénonciation — 1.III.1965)</i>		
France	(r)	23.VIII.1935
Haiti	(a)	19.III.1965
Hongrie	(r)	2.VI.1930
Iran	(a)	8.IX.1966
Italie (2)	(r)	7.XII.1949
Liban	(a)	18.III.1969
Malgache (République)	(r)	23.VIII.1935
Monaco	(a)	15.V.1931
Norvège	(r)	10.X.1933
<i>(dénonciation — 1.III.1965)</i>		
Pologne	(r)	26.X.1936
Portugal	(a)	24.XII.1931
Roumanie	(r)	4.VIII.1937
<i>Spain: see Espagne</i>		
Suisse	(a)	28.V.1954
Suède	(r)	1.VII.1938
<i>(dénonciation — 1.III.1965)</i>		

(*) Voir aussi:
- **Privilèges et Hypothèques
Maritimes (1967)**

(**) See also:
- **Maritime Liens and
Mortgages (1967)**

Privilèges et hypothèques
maritimes 1926

Maritime liens and
mortgages 1926

Syrie	(a)	14.II.1951
Turquie	(a)	4.VII.1955
Uruguay	(a)	15.IX.1970
Zaïre (République du)	(a)	17.VII.1967

(1) **Cuba:** (*traduction*) l'instrument d'adhésion contient une déclaration relative à l'article 19 de la Convention.

(2) **Italy:** (*traduction*): "L'Etat italien se réserve la faculté de ne pas conformer son droit interne à la susdite Convention sur les points où ce droit établit actuellement:
- l'extension des privilèges dont question à l'art.2 de la Convention, également aux dépendances du navire, au lieu qu'aux seuls accessoires tels qu'ils sont indiqués à l'art.4;
- la prise de rang, après la seconde catégorie de privilèges prévus par l'art.2 de la Convention, des privilèges qui couvrent les créances pour les sommes avancées par l'Administration de la Marine Marchande ou de la Navigation intérieure, ou bien par l'Autorité consulaire, pour l'entretien et le rapatriement des membres de l'équipage."

**Convention internationale pour
l'unification de certaines règles
concernant les**

**International convention for the
unification of certain rules
concerning the**

**Immunités des navires
d'état**

**Immunity of state-owned
ships**

Bruxelles, 10 avril 1926

Brussels, 10th April, 1926

et protocole additionnel

and additional protocol

Bruxelles, 24 mai 1934

Brussels, May 24th, 1934

Entrée en vigueur: 8 janvier 1937

Entered into force: 8 January 1937

(Translation)

Allemagne, République Fédérale d' (1)	(r)	27.VI.1936
Arabe Unie (République)	(a)	17.II.1960
Argentine	(a)	19.IV.1961
Belgique	(r)	8.I.1936
Brésil	(r)	8.I.1936
Chili	(r)	8.I.1936
Chypre	(a)	19.VII.1988
Danemark	(r)	16.XI.1950
Estonie	(r)	8.I.1936
France	(r)	27.VII.1955
<i>Germany, Federal Rep. of: see Allemagne, Rép. Féd. d'</i>		
Grèce	(a)	19.V.1951
Hongrie	(r)	8.I.1936
Italie	(r)	27.I.1937
Lybie	(r)	27.I.1937
Malgache, République	(r)	27.I.1955
<i>Netherlands: see Pays-Bas</i>		
Norvège	(r)	25.IV.1939
Pays-Bas (2)	(r)	8.VII.1936
Pologne, Curaçao, Indes Néerlandaises	(r)	16.VII.1976
Portugal	(r)	27.VI.1938
Roumanie	(r)	4.VIII.1937
<i>(dénonciation — 21.IX.1959)</i>		
Royaume-Uni de Grande Bretagne	(r)	3.VII.1979
Royaume-Uni de Grande Bretagne pour les Baillages de		
Jersey et Guernesey et l'Île De Man (3)	(a)	19.V.1988
Somalie	(r)	27.I.1937
Suède	(r)	1.VII.1938
Suisse	(a)	28.V.1954

Immunité navires d'Etat

Immunity of State-owned ships

Surinam	(r)	8.VII.1936
Syrienne (République Arabe)	(a)	17.II.1960
Turquie	(a)	4.VII.1955
<i>United Kingdom: see Royaume-Uni</i>		
Uruguay	(a)	15.IX.1970
Zaïre (République du)	(a)	17.VII.1967

(1) **Germany (Federal Republic of):** Reinstated as from November 1st 1953 between, on the one hand, the German Federal Republic and, on the other hand, the Allied Powers except Hungary, Poland and Rumania (as agreed in Brussels on the 25th September and 13th October 1953).

(2) Cette ratification est valable depuis le 1er janvier 1986 pour le Royaume des Pays-Bas, les Antilles néerlandaises et Aruba.

(3) **United Kingdom:** "We reserve the right to apply Article 1 of the Convention to any claim in respect of a ship which falls within the Admiralty jurisdiction of Our courts, or of Our courts in any territory in respect of which We are party to the Convention. We reserve the right, with respect to Article 2 of the Convention to apply in proceedings concerning another High Contracting Party or ship of another High Contracting Party the rules of procedure set out in Chapter 11 of the European Convention on State Immunity, Signed at Basle on the Sixteenth day of May, in the Year of Our Lord One thousand Nine hundred and Seventy-two.

In order to give effect to the terms of any international agreement with a non-Contracting State, We reserve the right to make special provision:

(a) as regards the delay or arrest of a ship or cargo belonging to such a State, and (b) to prohibit seizure of or execution against such a ship or cargo." The Convention and Protocol do not apply to the following territories: Bermuda, British Indian Ocean Territory, Gibraltar.

**Convention internationale pour
l'unification de certain règles
relatives à la**

**International convention for the
unification of certain rules
relating to**

**Compétence civile
en matière d'abordage (**)**

**Civil jurisdiction
in matters of collision (*)**

Bruxelles, 10 mai 1952

Brussels, 10th May, 1952

Entrée en vigueur:

Entered into force:

14 septembre 1955

14 September 1955

Algeria	(a)	18.VIII.1964
<i>Allemagne, République Fédérale d': voir Germany Fed. Rep. of.</i>		
Antigua and Barbados	(a)	12.V.1965
Argentine	(a)	19.IV.1961
Bahamas	(a)	12.V.1965
Belgium	(r)	10.IV.1961
Belize	(a)	21.IX.1965
Benin	(a)	23.IV.1958
Cameroon	(a)	23.IV.1958
Centrafica, Republic of	(a)	23.IV.1958
Comores Isles	(a)	23.IV.1958
Congo, Popular Republic	(a)	23.IV.1958
Costa Rica (1)	(a)	13.VII.1955
<i>Côte d'Ivoire: voir Ivory Coast</i>		
Croatia (2)	(r)	8.X.1991
Djibouti	(a)	23.IV.1958
Dominica (Republic of)	(a)	12.V.1965
Egypt	(r)	24.VIII.1955
<i>Espagne: voir Spain</i>		
Fiji	(a)	10.X.1974
France	(r)	25.V.1957
Overseas Territories	(a)	23.IV.1958
Gabon	(a)	23.IV.1958
Germany, Federal Republic of	(r)	6.X.1972
Greece	(r)	15.III.1965
Grenada	(a)	12.V.1965
Guinea Republic	(a)	23.IV.1958
Guiana	(a)	29.III.1963

(*) Voir aussi:

- Abordage (1910)
- Compétence pénale (1952)

(**) See also:

- Collision (1910)
- Penal jurisdiction (1952)

Compétence civile 1952

Civil Jurisdiction — 1952

Haute Volta	(a)	23.IV.1958
Holy Seat	(r)	10.VIII.1956
Ireland	(a)	17.X.1989
Italy	(r)	9.XI.1979
Ivory Coast	(a)	23.IV.1958
Khmere Republic (3)	(a)	12.XI.1959
Kiribati	(a)	21.IX.1965
Malgache Republic	(a)	23.IV.1958
Maroc	(a)	11.VII.1990
Mauretania	(a)	23.IV.1958
Mauritius	(a)	29.III.1963
Niger	(a)	23.IV.1958
Nigeria	(a)	7.XI.1963
North Borneo	(a)	29.III.1963
Paraguay	(a)	22.XI.1967
Poland	(a)	14.III.1986
Portugal	(r)	4.V.1957
<i>Royaume-Uni de Grande Bretagne et Irlande du Nord:</i>		
<i>voir United Kingdom of Great-Britain and Northern Ireland</i>		
<i>Saint Siège: voir Holy Seat</i>		
Sarawak	(a)	29.VIII.1962
Senegal	(a)	23.IV.1958
Seychelles	(a)	29.III.1963
Solomon Isles	(a)	21.IX.1965
Spain	(r)	8.XII.1953
St. Christopher-Nevis	(a)	12.V.1965
St. Lucia	(a)	12.V.1965
St. Vincent and Grenadines	(a)	12.V.1965
Sudan	(a)	23.IV.1958
Switzerland	(a)	28.V.1954
Syrian Arab Republic	(a)	1.VIII.1974
Tchad	(a)	23.IV.1958
Togo	(a)	23.IV.1958
Tonga	(a)	13.VI.1978
Tuvalu	(a)	21.IX.1965
United Kingdom of Great Britain and		
Northern Ireland	(r)	18.III.1959
Gibraltar, Hong-Kong	(a)	29.III.1963
British Virgin Islands	(a)	29.V.1963
Bermuda	(a)	30.V.1963
Caiman Islands, Montserrat	(a)	12.V.1965
Anguilla, St. Helena	(a)	12.V.1965
Turks Isles and Caicos	(a)	21.IX.1965
Guernsey	(a)	8.XII.1966
Falkland Islands and Dependencies	(a)	17.X.1969
Zaïre Republic	(a)	17.VII.1967

(1) **Costa-Rica:** (*Traduction*) - "Le Gouvernement de la République du Costa Rica, en adhérant à cette Convention, fait cette réserve que l'action civile du chef d'un abordage survenu entre navires de mer ou entre navires de mer et bateaux de navigation intérieure, pourra être intentée uniquement devant le tribunal de la résidence habituelle du défendeur ou de l'Etat dont le navire bat pavillon.

En conséquence, la République du Costa Rica ne reconnaît pas comme obligatoires les lettres b) et c) du premier paragraphe de l'article premier."

"Conformément au Code du droit international privé approuvé par la sixième Conférence internationale américaine, qui s'est tenue à La Havane (Cuba), le Gouvernement de la République du Costa Rica, en acceptant cette Convention, fait cette réserve expresse que, en aucun cas, il ne renoncera à sa compétence ou juridiction pour appliquer la loi costaricienne en matière d'abordage survenu en haute mer ou dans ses eaux territoriales au préjudice d'un navire costaricien."

(2) **Croatia:** Reservation made by Yugoslavia and now applicable to Croatia: "Le Gouvernement de la République Populaire Fédérative de Yougoslavie se réserve le droit de se déclarer au moment de la ratification sur le principe de "sistership" prévu à l'article 1^o lettre (b) de cette Convention".

(3) **Khmere Republic:** "Le Gouvernement de la République Khmère, en adhérant à ladite convention, fait cette réserve que l'action civile du chef d'un abordage survenu entre navires de mer ou entre navires de mer et bateaux de navigation intérieure, pourra être intentée uniquement devant le tribunal de la résidence habituelle du défendeur ou de l'Etat dont le navire bat pavillon.

En conséquence, le Gouvernement de la République Khmère ne reconnaît pas le caractère obligatoire des alinéas b) et c) du paragraphe 1^o de l'article 1^o.

En acceptant ladite convention, le Gouvernement de la République Khmère fait cette réserve expresse que, en aucun cas, elle ne renoncera à sa compétence ou juridiction pour appliquer la loi khmère en matière d'abordage survenu en haute mer ou dans ses eaux territoriales au préjudice d'un navire khmère."

**Convention internationale
pour l'unification de
certaines règles
relatives à la**

**International convention
for the unification of
certain rules
relating to**

**Compétence pénale
en matière d'abordage et
autres événements
de navigation (*)**

**Penal jurisdiction
in matters of collision
or other incidents
of navigation (**)**

Bruxelles, 10 mai 1952
Entrée en vigueur:
20 novembre 1955

Brussels, 10th May, 1952
Entered into force:
20 November 1955

Allemagne, Rép. Fédérale d': voir Germany, Federal Rep. of

Antigua and Barbuda (1)	(a)	12.V.1965
Argentina (2)	(a)	19.IV.1961
Bahamas (3)	(a)	12.V.1965
Belgium (4)	(r)	10.IV.1961
Belize (5)	(a)	21.IX.1965
Benin	(a)	23.IV.1958
Burman Union	(a)	8.VII.1953
Cameroon	(a)	23.IV.1958
Centrafrica, Republic of	(a)	23.IV.1958
Comores, Isles	(a)	23.IV.1958
Congo Popular Republic	(a)	23.IV.1958
<i>Côte d'Ivoire: voir Ivory Coast</i>		
Costa Rica (6)	(a)	13.VII.1955
Croatia (37)	(r)	8.X.1991
Djibouti	(a)	23.IV.1958
Dominica (Republic of) (7)	(a)	12.V.1965
Egypt (8)	(r)	24.VIII.1955
<i>Espagne: voir Spain</i>		
Fidji (9)	(a)	29.III.1963
France (10)	(r)	20.V.1955
France		
Overseas Territories	(a)	23.IV.1958
Gabon	(a)	23.IV.1958
Germany, Federal Republic of (11)	(r)	6.X.1972
Greece	(r)	15.III.1965
Grenada (12)	(a)	12.V.1965
Guiana (13)	(a)	19.III.1963

(*) Voir aussi:
- **Abordage (1910)**
- **Compétence Civile (1952)**

() See also:**
- **Collision (1910)**
- **Civil Jurisdiction (1952)**

Compétence pénale 1952

Penal jurisdiction 1952

Guinea	(a)	23.IV.1958
Haiti	(a)	17.IX.1954
Haute-Volta	(a)	23.IV.1958
Holy Seat	(r)	10.VIII.1956
Italy (14)	(r)	9.XI.1979
Ivory Coast	(a)	23.IV.1958
Khmere Republic (15)	(a)	12.XI.1956
Kiribati (16)	(a)	21.IX.1965
Lebanon	(r)	19.VII.1975
Malgache Republic	(a)	23.IV.1958
Maroc	(a)	11.VII.1990
Mauretania	(a)	23.IV.1958
Mauritius (17)	(a)	29.III.1963
Netherlands (18)	(r)	
Kingdom in Europe, West Indies and Aruba	(r)	25.VI.1971
Niger	(a)	23.IV.1958
Nigeria (19)	(a)	7.XI.1963
North Borneo (20)	(a)	29.III.1963
Paraguay	(a)	22.XI.1967
<i>Pays-Bas: voir Netherlands</i>		
Portugal (21)	(r)	4.V.1957
<i>Royaume-Uni de Grande Bretagne et Irlande du Nord: voir</i> <i>United-Kingdom of Great Britain and Northern Ireland</i>		
<i>Saint Siège: voir Holy Seat</i>		
Sarawak (22)	(a)	28.VIII.1962
Senegal	(a)	23.IV.1958
Seychelles (23)	(a)	29.III.1963
Solomon Isles (24)	(a)	21.IX.1965
Spain (25)	(r)	8.XII.1953
St. Christopher-Nevis (1)	(a)	12.V.1965
St. Lucia (26)	(a)	12.V.1965
St. Vincent and Grenadines (1)	(a)	12.V.1965
Sudan	(a)	23.IV.1958
Surinam	(r)	25.VI.1971
Switzerland	(a)	28.V.1954
Syrian Arab Republic	(a)	10.VII.1972
Tchad	(a)	23.IV.1958
Togo	(a)	23.IV.1958
Tonga (27)	(a)	13.VI.1978
Tuvalu (28)	(a)	21.IX.1965
United Kingdom of Great Britain and Northern Ireland (29)	(r)	18.III.1959
Gibraltar, Hong-Kong (30)	(a)	29.III.1963
British Virgin Islands (31)	(a)	29.V.1963
Bermuda (32)	(a)	30.V.1963
Anguilla, Caiman Islands, Montserrat, St. Helena (1)	(a)	12.V.1965

Turks Islands and Caicos (33)	(a)	21.IX.1965
Guernsey (34)	(a)	8.XII.1966
Falkland Islands and dependencies (35)	(a)	17.X.1969
Vietnam (Republic of) (36)	(a)	26.XI.1955
Zaire Republic	(a)	17.VII.1967

(1) Antigua, Cayman Island, Montserrat, etc.:

“(a) The Governments of Antigua, the Cayman Islands, Montserrat, St. Christopher-Nevis-Anguilla, St. Helena and St. Vincent. They reserve the right not to observe the provisions of Article 1 of the said Convention in the case of any ship if the State whose flag the ship was flying has as respects that ship or any class of ship to which that ship belongs assented to the institution of criminal or disciplinary proceedings before judicial or administrative authorities in Antigua, the Cayman Islands, Montserrat, St. Christopher-Nevis-Anguilla, St. Helena and St. Vincent. They reserve the right under Article 4 of this Convention to take proceedings in respect of offences committed within the territorial waters of Antigua, the Cayman Islands, Montserrat, St. Christopher-Nevis-Anguilla, St. Helena and St. Vincent.”

(2) **Argentina: (Traduction)** - “La République Argentine adhère à la Convention internationale pour l’unification de certaines règles relatives à la compétence pénale en matière d’abordage et autres événements de navigation, sous réserve expresse du droit accordé par la seconde partie de l’article 4, et il est fixé que dans le terme “infractions” auquel cet article se réfère, se trouvent inclus les abordages et tout autre événement de la navigation visés à l’article 1^o de la Convention.”

(3) Bahamas: “... subject to the following reservations:

(a) the right not to observe the provisions of Article 1 of the said Convention in the case of any ship if the State whose flag the ship was flying has, as respects that ship or any class of ship to which that ship belongs, assented to the institution of criminal and disciplinary proceedings before judicial or administrative authorities of the Bahamas;

(b) the right under Article 4 of the said Convention to take proceedings in respect of offences committed within the territorial waters of the Bahamas.”

(4) **Belgium:** “... le Gouvernement belge, faisant usage de la faculté inscrite à l’article 4 de cette Convention, se réserve le droit de pour-suivre les infractions commises dans les eaux territoriales belges.”

(5) Belize: “... subject to the following reservations:

(a) the right not to observe the provisions of Article 1 of the said Convention in the case of any ship if the State whose flag the ship was flying has, as respects that ship or any class of ship to which that ship belongs, consented to the institution of criminal and disciplinary proceedings before judicial or administrative authorities of Belize;

(b) the right under Article 4 of the said Convention to take proceedings in respect of offences committed within the territorial waters of Belize.”

(6) **Costa-Rica: (Traduction)** Le Gouvernement de Costa-Rica ne reconnaît pas le caractère obligatoire des articles 1^o et 2^o de la présente Convention.

(7) Dominica Republic of: “... subject to the following reservations:

(a) the right not to observe the provisions of Article 1 of the said Convention in the case of any ship if the State whose flag the ship was flying has, as respects that ship or any class of ship to which that ship belongs, assented to the institution of criminal and disciplinary proceedings before judicial or administrative authorities of Dominica;

(b) the right under Article 4 of the said Convention to take proceedings in respect of offences committed within the territorial waters of Dominica.”

(8) **Egypt**: Au moment de la signature le Plénipotentiaire égyptien a déclaré formuler la réserve prévue à l'article 4, alinéa 2. Confirmation expresse de la réserve faite au moment de la signature.

(9) **Fiji**: "The Government of Fiji reserves the right not to observe the provisions of article 1 of the said Convention in the case of any ship if the State whose flag the ship was flying has as respect that ship or any class of ship to which that ship belongs consented to the institution of criminal or disciplinary proceedings before judicial or administrative authorities in Fiji.

The Government of Fiji reserves the right under article 4 of this Convention to take proceedings in respect of offences committed within the territorial water of Fiji".

(10) **France**: "Au nom du Gouvernement de la République Française je déclare formuler la réserve prévue à l'article 4, paragraphe 2, de la convention internationale pour l'unification de certaines règles relatives à la compétence pénale en matière d'abordage."

(11) **Germany (Federal Republic of)**: (*traduction*) - "Sous réserve du prescrit de l'article 4, alinéa 2."

(12) **Guyana**: "... subject to the following reservations;

(a) the right not to observe the provisions of Article 1 of the said Convention in the case of any ship if the State whose flag the ship was flying has, as respects that ship or any class of ship to which that ship belongs, consented to the institution of criminal and disciplinary proceedings before the judicial or administrative authorities of Guyana;

(b) the right under Article 4 of the said Convention to take proceedings in respect of offences committed within the territorial waters of Guyana."

(13) **Grenada**: "... subject to the following reservations:

(a) the right not to observe the provisions of Article 1 of the said Convention in the case of any ship if the State whose flag the ship was flying has, as respects that ship or any class of ship to which that ship belongs, consented to the institution of criminal and disciplinary proceedings before the judicial or administrative authorities of Grenada;

(b) the right under Article 4 of the said Convention to take proceedings in respect of offences committed within the territorial waters of Grenada."

(14) **Italy**: Le Gouvernement de la République d'Italie se réfère à l'article 4, paragraphe 2, et se réserve le droit de poursuivre les infractions commises dans ses propres eaux territoriales.

(15) **Khmere Republic**: "Le Gouvernement de la République Khmère, d'accord avec l'article 4 de ladite convention, se réservera le droit de poursuivre les infractions commises dans ses eaux territoriales."

(16) **Kiribati**: "... subject to the following reservations:

(a) the right not to observe the provisions of Article 1 of the said Convention in the case of any ship if the State whose flag the ship was flying has, as respects that ship or any class of ship to which that ship belongs, consented to the institution of criminal and disciplinary proceedings before the judicial or administrative authorities of Kiribati;

(b) the right under Article 4 of the said Convention to take proceedings in respect of offences committed within the territorial waters of Kiribati."

(17) **Mauritius**: "... subject to the following reservations:

(a) the right not to observe the provisions of Article 1 of the said Convention in the case of any ship if the State whose flag the ship was flying has, as respects that ship or any class of ship to which that ship belongs, consented to the institution of criminal and disciplinary proceedings before the judicial or administrative authorities of Mauritius;

(b) the right under Article 4 of the said Convention to take proceedings in respect of offences committed within the territorial water of Mauritius."

(18) **Netherlands:** "Conformément à l'article 4 de cette Convention, le Gouvernement du Royaume des Pays-Bas se réserve le droit de poursuivre les infractions commises dans ses propres eaux territoriales." Ratification valable pour le Royaume en Europe et les Antilles néerlandaises. Cette ratification est valable depuis le 1er janvier 1986 pour le Royaume des Pays-Bas, les Antilles néerlandaises et Aruba.

(19) **Nigeria:** "The Government of the Federal Republic of Nigeria reserve the right not to implement the provisions of Article 1 of the Convention in any case where that Government has an agreement with any other State that is applicable to a particular collision or other incident of navigation and if such agreement is inconsistent with the provisions of the said Article 1. The Government of the Federal Republic of Nigeria reserves the right, in accordance with Article 4 of the Convention, to take proceedings in respect of offences committed within the territorial waters of the Federal Republic of Nigeria."

(20) **North Borneo:** The Government of North Borneo reserve the right not to observe the provisions of Article 1 of the said Convention in the case of any ship if the State whose flag the ship was flying has as respects that ship or any class of ship to which that ship belongs consented to the institution of criminal or disciplinary proceedings before judicial or administrative authorities in North Borneo. The Government of North Borneo reserve the right under Article 4 of this Convention to take proceedings in respect of offences committed within the territorial waters of North Borneo.

(21) **Portugal:** "Au nom du Gouvernement portugais, je déclare formuler la réserve prévue à l'article 4, paragraphe 2, de cette Convention."

(22) **Sarawak:** "The Government of Sarawak reserve the right not to observe the provisions of Article 1 of the said Convention in the case of any ship if the State whose flag the ship was flying has as respects that ship or any class of ship to which that ship belongs consented to the institution of criminal or disciplinary proceedings before the judicial or administrative authorities in Sarawak." "The Government of Sarawak reserve the right under Article 4 of the Convention to take proceedings in respect of offences committed within the territorial waters of Sarawak."

(23) **Seychelles:** "... subject to the following reservations:

(a) the right not to observe the provisions of Article 1 of the said Convention in the case of any ship if the State whose flag the ship was flying has, as respects that ship or any class of ship to which that ship belongs, consented to the institution of criminal and disciplinary proceedings before the judicial or administrative authorities of the Seychelles Islands;

(b) the right under Article 4 of the said Convention to take proceedings in respect of offences committed within the territorial waters of the Seychelles Islands."

(24) **Solomon Isles:** "... subject to the following reservations:

(a) the right not to observe the provisions of Article 1 of the said Convention in the case of any ship if the State whose flag the ship was flying has, as respects that ship or any class of ship to which that ship belongs, consented to the institution of criminal and disciplinary proceedings before the judicial or administrative authorities of the Solomon Islands;

(b) the right under Article 4 of the said Convention to take proceedings in respect of offences committed within the territorial waters of the Solomon Islands."

(25) **Spain:** "La Déléation espagnole désire, d'accord avec l'article 4 de la Convention sur la compétence pénale en matière d'abordage, se réserver le droit au nom de son Gouvernement, de poursuivre les infractions commises dans ses eaux territoriales." Confirmation expresse de la réserve faite au moment de la signature.

(26) **St. Lucia:** "... subject to the following reservations:

(a) the right not to observe the provisions of Article 1 of the said Convention in the case of any ship if the State whose flag the ship was flying has, as respects that ship or any class of ship to which that ship belongs, consented to the institution of criminal

nal and disciplinary proceedings before the judicial or administrative authorities of St. Lucia;

(b) the right under Article 4 of the said Convention to take proceedings in respect of offences committed within the territorial waters of St. Lucia."

(27) **Tonga:** "1. The Government of Tonga reserves the right not to observe the provisions of Article 1 of the said Convention in the case of any ship if the State whose flag the ship was flying has as respects that ship or any class of ship to which that ship belongs consented to the institution of criminal or disciplinary proceedings before judicial or administrative authorities in Tonga.

2. The Government of Tonga reserves the right under Article 4 of the said Convention to take proceedings in respect of offences committed within the territorial waters of Tonga."

(28) **Tuvalu:** "... subject to the following reservations:

(a) the right not to observe the provisions of Article 1 of the said Convention in the case of any ship if the State whose flag the ship was flying has, as respects that ship or any class of ship to which that ship belongs, consented to the institution of criminal and disciplinary proceedings before the judicial or administrative authorities of Tuvalu;

(b) the right under Article 4 of the said Convention to take proceedings in respect of offences committed within the territorial waters of Tuvalu."

(29) **Great Britain and Northern Ireland:**

"1. - Her Majesty's Government in the United Kingdom reserves the right not to apply the provisions of Article 1 of this Convention in any case where there exists between Her Majesty's Government and the Government of any other State an agreement which is applicable to a particular collision or other incident of navigation and is inconsistent with that Article.

2. - Her Majesty's Government in the United Kingdom reserves the right under Article 4 of this Convention to take proceedings in respect of offences committed within the territorial waters of the United Kingdom."

"... subject to the following reservations:

(1) The Government of the United Kingdom of Great Britain and Northern Ireland reserve the right not to observe the provisions of Article 1 of the said Convention in the case of any ship if the State whose flag the ship was flying has as respects that ship or any class of ship to which that ship belongs consented to the institution of criminal or disciplinary proceedings before the judicial or administrative authorities of the United Kingdom.

(2) In accordance with the provisions of Article 4 of the said Convention, the Government of the United Kingdom of Great Britain and Northern Ireland reserve the right to take proceedings in respect of offences committed within the territorial waters of the United Kingdom.

(3) The Government of the United Kingdom of Great Britain and Northern Ireland reserve the right in extending the said Convention to any of the territories for whose international relations they are responsible to make such extension subject to the reservation provided for in Article 4 of the said Convention..."

(30) **Gibraltar and Hongkong:** "The Governments of Gibraltar and Hong-Kong reserve the right not to observe the provisions of Article 1 of the said Convention in the case of any ship if the State whose flag the ship was flying has as respects that ship or any class of ship to which that ship belongs consented to the institution of criminal or disciplinary proceedings before judicial or administrative authorities in Gibraltar and Hong-Kong."

"The Governments of Gibraltar and Hong-Kong reserve the right under Article 4 of this Convention to take proceedings in respect of offences committed within the territorial waters of Gibraltar and Hong-Kong."

(31) **British Virgin Islands:** "The Government of the British Virgin Islands reser-

ve the right not to observe the provisions of Article 1 of the said Convention in the case of any ship if the State whose flag the ship was flying has as respects that ship or any class of ship to which that ship belongs consented to the institution of criminal or disciplinary proceedings before judicial or administrative authorities in the British Virgin Islands."

"The Government of the British Virgin Islands reserve the right under Article 4 of this Convention to take proceedings in respect of offences committed within the territorial waters of the British Virgin Islands."

(32) **Bermuda**: "The Government of Bermuda reserve the right not to observe the provisions of Article 1 of the said Convention in the case of any ship if the State whose flag the ship was flying has as respects that ship or any class of ship to which that ship belongs consented to the institution of criminal or disciplinary proceedings before judicial or administrative authorities in Bermuda."

"The Government of Bermuda reserve the right under Article 4 of this Convention to take proceedings in respect of offences committed within the territorial waters of Bermuda."

(33) **Turk's Isles and Caicos**: "... subject to the following reservations:

(a) the right not to observe the provisions of Article 1 of the said Convention in the case of any ship if the State whose flag the ship was flying has, as respects that ship or any class of ship to which that ship belongs, consented to the institution of criminal and disciplinary proceedings before judicial or administrative authorities of the Turks and Caicos Islands;

(b) the right under Article 4 of the said Convention to take proceedings in respect of offences committed within the territorial waters of the Turks and Caicos Islands."

(34) **Guernsey**: "... subject to the following reservations:

(a) The Guernsey authorities reserve the right not to observe the provisions of Article 1 of the said Convention in the case of any ship if the State whose flag the ship is flying has, in respect of that ship or any class of ship to which that ship belongs, consented to the institution of criminal and disciplinary proceedings before judicial or administrative authorities in their respective territories";

"(b) The Guernsey authorities reserve the right under Article 4 of the said Convention to take proceedings in respect of offences committed within the territorial water of Guernsey."

(35) **Falkland Islands and Dependencies**: "... subject to the following reservations:

(a) The Falkland Islands and its Dependencies reserve the right not to observe the provisions of Article 1 of the said Convention in the case of any ship if the State whose flag the ship is flying has, as respects that ship or any class of ship to which that ships belongs, consented to the institution of criminal and disciplinary proceedings before judicial or administrative authorities in their respective territories;

(b) The Falkland Islands and its Dependencies reserve the right under Article 4 of the said Convention to take proceedings in respect of offences committed within the territorial waters of the Falkland Islands and its Dependencies."

(36) **Vietnam**: "Comme il est prévu à l'article 4 de la même convention, le Gouvernement vietnamien se réserve le droit de poursuivre les infractions commises dans la limite de ses eaux territoriales."

(37) **Croatia**: Reservation made by Yugoslavia and now applicable to Croatia: "Sous réserve de ratifications ultérieure et acceptant la réserve prévue à l'article 4 de cette Convention."

"Conformément à l'article 4 de ladite Convention, le Gouvernement yougoslave se réserve le droit de poursuivre les infractions commises dans ses propres eaux territoriales."

**Convention internationale pour
l'unification de certaines
règles sur la**

**International convention for the
unification of certain rules
relating to**

**Saisie conservatoire
des navires de mer**

Arrest of sea-going ships

Bruxelles, 10 mai 1952
Entrée en vigueur: 24 février 1956

Brussels, 10th May, 1952
Entered into force: 24 February, 1956

Allemagne, Rép. Fédérale d': voir Germany

Algeria	(a)	18.VIII.1964
Antigua & Barbuda (1)	(a)	12.V.1965
Bahamas (2)	(a)	12.V.1965
Belgium	(r)	10.IV.1961
Belize (2)	(a)	21.IX.1965
Benin	(a)	23.IV.1958
Cameroon	(a)	23.IV.1958
Centrafica Republic	(a)	23.IV.1958
Comores Isles	(a)	23.IV.1958
Congo Popular Republic	(a)	23.IV.1958
Costa Rica (8)	(a)	13.VII.1955
<i>Côte d'Ivoire: voir Ivory Coast</i>		
Croatia (13)	(r)	8.X.1991
Cuba (3)	(a)	21.XI.1983
Danmark (14)	(r)	2.V.1989
Djibouti	(a)	23.IV.1958
Dominica (Republic of) (1)	(a)	12.V.1965
Egypt (5)	(r)	24.VIII.1955
<i>Espagne: voir Spain</i>		
Fiji (1)	(a)	29.III.1963
France	(r)	25.V.1957
France		
Overseas Territories	(a)	23.IV.1958
Gabon	(a)	23.IV.1958
Germany, Federal Republic of (6):	(r)	6.X.1972
Greece	(r)	27.II.1967
Grenada (1)	(a)	12.V.1965
Guiana (2)	(a)	29.III.1963
Guinea Republic	(a)	23.IV.1958
Haiti	(a)	4.XI.1954
Haute-Volta	(a)	23.IV.1958
Holy Seat	(r)	10.VIII.1956
Ireland (7)	(a)	17.X.1989
Italy (4)	(r)	9.XI.1979
Ivory Coast (15)	(a)	23.IV.1958
Khmere Republic (9)	(a)	12.XI.1956
Kiribati (2)	(a)	21.IX.1965

Saisie des navires 1952

Arrest of ships 1952

Malgache Republic	(a)	23.IV.1958
Maroc	(a)	11.VII.1990
Mauritania	(a)	23.IV.1958
Mauritius (1)	(a)	29.III.1963
Netherlands (10)	(r)	20.I.1983
Niger	(a)	23.IV.1958
Nigeria	(a)	7.XI.1963
North Borneo (1)	(a)	29.III.1963
Paraguay	(a)	22.XI.1967
<i>Pays-Bas: voir Netherlands</i>		
Poland	(a)	16.VII.1976
Portugal	(r)	4.V.1957
<i>Royaume Uni et Irlande du Nord,</i>		
<i>Royaume Uni (Territoires d'Outre-Mer):</i>		
<i>voir United Kingdom of Great Britain and Northern Ireland</i>		
<i>and Overseas Territories</i>		
<i>Saint Siège: voir Holy Seat</i>		
Sarawak (1)	(a)	28.VIII.1962
Senegal	(a)	23.IV.1958
Seychelles (2)	(a)	29.III.1963
Solomon Isles (2)	(a)	21.IX.1965
Spain	(r)	8.XII.1953
St. Christopher-Nevis (11)	(a)	12.V.1965
St. Lucia (1)	(a)	12.V.1965
St. Vincent (1)	(a)	12.V.1965
Sudan	(a)	23.IV.1958
Switzerland	(a)	28.V.1954
Syrian Arabic Republic	(a)	3.II.1972
Tchad	(a)	23.IV.1958
Togo	(a)	23.IV.1958
Tonga (1)	(a)	13.VI.1978
Tuvalu (2)	(a)	21.IX.1965
United Kingdom of Great Britain		
and Northern Ireland (12)	(r)	18.III.1959
United Kingdom (Overseas Territories)		
Gibraltar, Hong-Kong (1)	(a)	29.III.1963
British Virgin Islands (1)	(a)	29.V.1963
Bermuda (1)	(a)	30.V.1963
Anguilla, Caiman Islands, (1)		
Montserrat (1) St. Helena	(a)	12.V.1965
Turks Isles and Caicos (2)	(a)	21.IX.1965
Guernsey (1)	(a)	8.XII.1966
Falkland Islands and dependencies (1)	(a)	17.X.1969
Zaïre Republic	(a)	17.VII.1967

(1) **Dominica (Republic of); Fiji; Great Britain and Northern Ireland: Antigua, Caiman Islands, Montserrat, St. Christopher Nevis, Anguilla, St. Helena, St. Vincent, Bermuda, British Virgin Islands, Falkland Islands and Dependencies, Gibraltar, Hong Kong, Guernsey, Grenada, Mauritius, Nigeria, North Borneo, Sarawak, St. Lucia, Tonga:** "... reserve the right not to apply the provisions of this Convention to warships or to vessels owned by or in the service of a State."

(2) **Bahamas; Great Britain and Northern Ireland: Belize, Turk's Isles and Caicos, Guyana, Kiribati, Seychelles, Solomon Isles, Tuvalu:** "... with reservation of the right not to apply the provisions of this Convention to warships or to vessels owned by or in service of a State."

(3) **Cuba:** (*traduction*): L'instrument d'adhésion contient les réserves prévues à l'article 10 de la Convention celles de ne pas appliquer les dispositions de la Convention aux navires de guerre et aux navires d'Etat ou au service d'un Etat, ainsi qu'une déclaration relative à l'article 18 de la Convention.

(4) **Italy:** Le Gouvernement de la République d'Italie se réfère à l'article 10, par, (a) et (b), et se réserve:

(a) le droit de ne pas appliquer les dispositions de la présente Convention à la saisie d'un navire pratiquée en raison d'une des créances maritimes visées aux o) et p) de l'article premier et d'appliquer à cette saisie sa loi nationale;

(b) le droit de ne pas appliquer les dispositions du premier paragraphe de l'article 3 à la saisie pratiquée sur son territoire en raison des créances prévues à l'alinéa q) de l'article 1.

(5) **Egypt:** Au moment de la signature le Plénipotentiaire égyptien a déclaré formuler les réserves prévues à l'article 10.

Confirmation expresse des réserves faites au moment de la signature.

(6) **Germany (Federal Republic of):** (*traduction*): "... sous réserve du prescrit de l'article 10, alinéas a et b."

(7) **Irlande:** "Ireland reserves the right not to apply the provisions of the Convention to warships or to ships owned by or in service of a State".

(8) **Costa-Rica:** (*traduction*): Premièrement: le 1er paragraphe de l'article 3 ne pourra pas être invoqué pour saisir un navire auquel la créance ne se rapporte pas et qui n'appartient plus à la personne qui était propriétaire du navire auquel cette créance se rapporte, conformément au registre maritime du pays dont il bat pavillon et bien qu'il lui ait appartenu.

Deuxièmement: que Costa-Rica ne reconnaît pas le caractère obligatoire des alinéas a), b), c), d), e) et f) du paragraphe 1er de l'article 7, étant donné que conformément aux lois de la République les seuls tribunaux compétents quant au fond pour connaître des actions relatives aux créances maritimes, sont ceux du domicile du demandeur, sauf s'il s'agit des cas visés sub o), p) et q) à l'alinéa 1er de l'article 1, ou ceux de l'Etat dont le navire bat pavillon."

"Le Gouvernement de Costa-Rica, en ratifiant ladite Convention, se réserve le droit d'appliquer la Législation en matière de Commerce et de Travail relative à la saisie des navires étrangers qui arrivent dans ses ports."

(9) **Khmere Republic:** "Le Gouvernement de la République Khmère en adhérant à cette convention formule les réserves prévues à l'article 10."

(10) **Netherlands:** Réserves formulées conformément à l'article 10, paragraphes (a) et (b):

- les dispositions de la Convention précitée ne sont pas appliquées à la saisie d'un navire pratiquée en raison d'une des créances maritimes visées aux alinéas o) et p) de l'article 1, saisie à laquelle s'applique la loi néerlandaise; et

- les dispositions du premier paragraphe de l'article 3 ne sont pas appliquées à la saisie pratiquée sur le territoire du Royaume des Pays-Bas en raison des créances prévues à l'alinéa q) de l'article 1.

- Cette ratification est valable depuis le 1er janvier 1986 pour le Royaume des Pays-Bas, les Antilles néerlandaises et Aruba.

(11) **St. Christopher-Nevis**: "... reserve the right not to apply the provisions of this Convention to warships or the vessels owned by or in the Service of a State".

(12) **Great Britain and Northern Ireland**: Her Majesty's Government of the United Kingdom reserve the right not to apply the provisions of this convention to warships or to vessels owned by or in the service of a State.

- ... subject to the following reservations:

- 1. The Government of the United Kingdom of Great Britain and Northern Ireland reserve the right not to apply the provisions of the said Convention to warships or to vessels owned by or in the service of a State.

- 2. The Government of the United Kingdom of Great Britain and Northern Ireland reserve the right in extending the said Convention to any of the territories for whose international relations they are responsible to make such extension subject to the reservations provided for in Article 10 of the said Convention."

(13) **Croatia**: Reservation made by Yugoslavia and now applicable to Croatia: "... en réservant conformément à l'article 10 de ladite Convention, le droit de ne pas appliquer ces dispositions à la saisie d'un navire pratiquée en raison d'une créance maritime visée au point o) de l'article premier et d'appliquer à cette saisie la loi nationale."

(14) **Denmark**: "Une note verbale datée au 1er août 1989 déclare que, sur instruction du Gouvernement danois et jusqu'à nouvel ordre, la Convention précitée ne s'appliquera ni aux îles Féroé, ni au Groenland".

(15) **Côte d'Ivoire**: Confirmation d'adhésion de la Côte d'Ivoire.

"Au nom du Gouvernement de la République de Côte d'Ivoire, nous, Ministre des Affaires Etrangères, confirmons que par Succession d'Etat, la République de Côte d'Ivoire est devenue, à la date de son accession à la souveraineté internationale, le 7 août 1960, partie à la Convention Internationale pour l'Unification de certaines règles sur la Saisie Conservatoire des Navires de mer, signée à Bruxelles le 10 mai 1952, qu'elle l'a été de façon continue depuis lors et que cette Convention est aujourd'hui, toujours en vigueur à l'égard de la Côte d'Ivoire".

**Convention internationale
sur la**

**Limitation
de la responsabilité
des propriétaires
de navires de mer (**)**

et protocole de signature

Bruxelles, le 10 octobre 1957
Entrée en vigueur: 31 mai 1968

**International convention
relating to the**

**Limitation of the liability
of owners
of sea-going ships (*)**

and protocol of signature

Brussels, 10th October, 1957
Entered into force: 31 May, 1968

Algeria	(a)	18.VIII.1964
<i>Allemagne, Rép. Fédérale d': voir Germany, Federal Rep. of)</i>		
Australia (1)	(r)	30.VII.1975
<i>(denunciation — 30.V.1990)</i>		
Bahamas (2)	(a)	21.VIII.1964
Barbados (2)	(a)	4.VIII.1965
Belgium	(r)	31.VII.1975
<i>(denunciation — 1.IX.1989)</i>		
Belize (2)	(r)	31.VII.1975
Denmark (3)	(r)	1.III.1965
<i>(denunciation — 1.IV.1984)</i>		
Dominica (Republic of) (2)	(a)	4.VIII.1965
Egypt (Arab Republic of)		
<i>(denunciation — 8.V.1985)</i>		
<i>Espagne: voir Spain</i>		
Fiji (4)	(a)	21.VIII.1964
Finland (5)	(r)	19.VIII.1964
<i>(denunciation — 1.IV.1984)</i>		
France (6)	(r)	7.VII.1959
<i>(denunciation — 15.VII.1987)</i>		
Germany, Federal Republic of (7)	(r)	6.X.1972
<i>(denunciation — 1.IX.1986)</i>		
Ghana (8)	(a)	26.VII.1961
Grenada (2)	(a)	4.VIII.1965
Guiana (2)	(a)	25.III.1966
Iceland (9)	(a)	16.X.1968
India (10)	(r)	1.VI.1971

(*) Voir aussi:

- Limitation de la responsabilité (1924)
- Protocole (1979) portant modification de la Convention de 1957

() See also:**

- Limitation of Liability (1924)
- Protocol (1979) to amend the Convention of 1957

Limitation de la responsabilité 1957

Limitation of liability 1957

Iran (11)	(r)	26.IV.1966
Israël (12)	(r)	30.XI.1967
Japan (13)	(r)	1.III.1976
<i>(denunciation — 19.V.1983)</i>		
Kiribati (16)	(a)	21.VIII.1964
Malgache Republic	(a)	13.VII.1965
Mauritius (2)	(a)	21.VIII.1964
Monaco (14)	(a)	24.I.1977
Netherlands (15)	(r)	10.XII.1965
<i>(denunciation — 1.IX.1989)</i>		
Norway (16)	(r)	1.III.1965
<i>(denunciation — 1.IV.1984)</i>		
Papua New Guinea (17)	(a)	14.III.1980
<i>Pays-Bas: voir Netherlands</i>		
Poland	(r)	1.XII.1972
Portugal (18)	(r)	8.IV.1968
<i>République Arabe Unie: voir United Arab Republic</i>		
<i>Royaume-Uni de Grande Bretagne et</i>		
<i>Irlande du Nord: voir United Kingdom of Great</i>		
<i>Britain and Northern Ireland</i>		
Seychelles (2)	(a)	21.VIII.1964
Singapore (19)	(a)	17.IV.1963
Solomon Isles (2)	(a)	21.VIII.1964
St. Lucia (2)	(a)	4.VIII.1965
St. Vincent (2)	(a)	4.VIII.1965
Spain (20)	(r)	16.VII.1959
Sweden (21)	(r)	4.VI.1964
<i>(denunciation — 1.IV.1984)</i>		
Switzerland	(r)	21.I.1966
Syrian Arab Republic	(a)	10.VII.1972
Tonga (22)	(a)	13.VI.1978
Tuvalu (2)	(a)	21.VIII.1964
United Arab Republic (23)	(a)	7.IX.1965
United Kingdom of Great Britain and		
Northern Ireland (24)	(r)	18.II.1959
Isle of Man (2)	(a)	18.XI.1960
Bermuda, British Antarctic Territories,		
Falkland and Dependencies, Gibraltar,		
Hong Kong, British Virgin Islands (2)	(a)	21.VIII.1964
Guernsey and Jersey (2)	(a)	21.X.1964
Caiman Islands, Montserrat,		
Caicos and Turks Isles (2)	(a)	4.VIII.1965
<i>Isle of Man, Bermuda, Falkland and Depen-</i>		
<i>dencies, Gibraltar, Hong-Kong, British Virgin</i>		
<i>Islands, Guernsey and Jersey, Caiman Islands,</i>		

Montserrat, Caicos and Turks Isles
(denunciation — 1.XII.1985)

Vanuatu

(a) 8.XII.1966

Zaire Republic

(a) 17.VII.1967

(1) **Australia:** "... The Government of Australia, reserves for and on behalf of Australia the right to exclude the application of Article 1 paragraph (1)(c) of the Convention."

(2) **Bahamas, Barbados, Dominica (Republic of); Great Britain: Isle of Man, Bermuda, British Antarctic Territories, Falkland and Dependencies, Gibraltar, Hong-Kong, British Virgin Islands, Guernsey and Jersey, Caiman Islands, Montserrat, St. Vincent, Caicos and Turks Isles, Belize, Grenada, Guyana, Kiribati, Mauritius, Seychelles, Solomon Isles, St. Lucia, Tuvalu:** "... subject to the same reservations as those made by the United Kingdom on ratification namely the reservations set out in sub-paragraphs (a) and (b) of paragraph (2) of the Protocol of Signature."

(3) **Denmark:** "Le Gouvernement du Danemark se réserve le droit:

- 1. de régler par la loi nationale le système de limitation de responsabilité applicable aux navires de moins de 300 tonneaux de jauge;
- 2. de donner effet à la présente Convention, soit en lui donnant force de loi, soit en incluant dans la législation nationale les dispositions de la présente Convention sous une forme appropriée à cette législation."

(4) **Fiji:** "... subject to the same reservations as those made by the United Kingdom on ratification namely the reservations set out in sub-paragraphs (a) and (b) of paragraph (2) of the Protocol of Signature."

Le 22 août 1972 a été reçue au Ministère des Affaires étrangères, du Commerce extérieur et de la Coopération au Développement une lettre de Monsieur K.K.T. Mara, Premier Ministre et Ministre des Affaires étrangères de Fidji, notifiant qu'en ce qui concerne cette Convention, le Gouvernement de Fidji reprend, à partir de la date de l'indépendance de Fidji, c'est-à-dire le 10 octobre 1970, les droits et obligations souscrits antérieurement par le Royaume-Uni, avec les réserves figurant ci-dessous.

- 1. In accordance with the provisions of subparagraph (a) of paragraph (2) of the said Protocol of signature, the Government of the United Kingdom of Great Britain and Northern Ireland exclude paragraph (1)(c) of Article 1 from their application of the said Convention.
- 2. In accordance with the provisions of subparagraph (b) of paragraph (2) of the said Protocol of signature, the Government of the United Kingdom of Great Britain and Northern Ireland will regulate by specific provisions of national law the system of limitation of liability to be applied to ships of less than 300 tons. Furthermore in accordance with the provisions of subparagraph (c) of paragraph (2) of the said Protocol of signature, the Government of Fiji declare that the said Convention as such has not been made part in Fiji law, but that the appropriate provisions to give effect thereto have been introduced in Fiji law."

(5) **Finlande:** "Le Gouvernement de Finlande se réserve le droit:

- 1. de régler par la loi nationale le système de limitation de responsabilité applicable aux navires de moins de 300 tonneaux de jauge;
- 2. de donner effet à la présente Convention soit en lui donnant force de loi, soit en incluant dans la législation nationale les dispositions de la présente Convention sous une forme appropriée à cette législation."

(6) **France:** "Le Gouvernement de la République Française se réserve le droit:

- 1. d'exclure l'application de l'article 1, paragraphe (1)(c);
- 2. de régler par la loi nationale le système de limitation de responsabilité applicable aux navires de moins de 300 tonneaux de jauge;

- 3. de donner effet à la présente Convention, soit en lui donnant force de loi, soit en incluant dans la législation nationale les dispositions de la présente Convention sous une forme appropriée à cette législation.”

(7) **Germany (Federal Republic of):** (*traduction*): “... sous réserve que les dispositions de cette Convention internationale soient reprises dans une réglementation légale particulière sous une forme adaptée au droit allemand, ainsi que sous réserve du prescrit du 2, alinéas a et b du Protocole de signature.”

(8) **Ghana:** “The Government of Ghana in acceding to the Convention reserves the right:

- 1) To exclude the application of Article 1, paragraph (1)(c);
- 2) To regulate by specific provisions of national law the system of limitation of liability to be applied to ships of less than 300 tons;
- 3) To give effect to this Convention either by giving it the force of law or by including in national legislation, in a form appropriate to that legislation, the provisions of this Convention.”

(9) **Iceland:** “The Government of Iceland reserves the right:

- 1) to regulate by specific provisions of national law the system of limitation of liability to be applied to ships of less than 300 tons;
- 2) to give effect to this Convention either by giving it the force of law or by including in national legislation, in a form appropriate to that legislation, the provisions of this Convention.”

(10) **India:** (Reserve the right):

- 1. To exclude the application of Article 1, paragraph (1)(c);
- 2. To regulate by specific provisions of national law the system of limitation of liability to be applied to ships of less than 300 tons;
- 3. To give effect to this Convention either by giving it the force of law or by including in national legislation, in a form appropriate to that legislation, the provisions of this Convention.”

(11) **Iran:** “Le Gouvernement de l’Iran se réserve le droit:

- a) d’exclure l’application de l’article 1, par.(1)(c);
- b) de régler par la loi nationale le système de limitation de responsabilité applicable aux navires de moins de 300 tonneaux de jauge;
- c) de donner effet à la présente Convention soit en lui donnant force de loi soit en incluant dans la législation nationale les dispositions de la présente Convention sous une forme appropriée à cette législation.”

(12) **Israel:** The Government of Israel reserves to themselves the right to:

- 1. exclude from the scope of the Convention the obligations and liabilities stipulated in Article 1 (1)(c);
- 2. regulate by provisions of domestic legislation the limitation of liability in respect of ships of less than 300 tons of tonnage.

“The Government of Israel reserves to themselves the right to give effect to this Convention either by giving it the force of law or by including in its national legislation, in a form appropriate to that legislation, the provisions of this Convention.

(13) **Japan:** En déposant son instrument de ratification le Gouvernement japonais a fait les réserves prévues au paragraphe 2° du Protocole de signature.

On 19 May, 1983 Japan has notified the denunciation in respect of this Convention. In accordance with article 13 of the said Convention this denunciation has become operative on 20 May, 1984.

(14) **Monaco:** En déposant son instrument d’adhésion, Monaco fait les réserves prévues au paragraphe 2° du Protocole de signature.

(15) **Netherlands:** “Le Gouvernement des Pays-Bas se réserve le droit:

- 1. d’exclure l’application de l’article 1, paragraphe (1)(c);
- 2. de régler par la loi nationale le système de limitation de responsabilité applicable aux navires de moins de 300 tonneaux de jauge;

- 3. de donner effet à la présente Convention soit en lui donnant force de loi, soit en incluant dans la législation nationale les dispositions de la présente Convention sous une forme appropriée à cette législation.”

“... Conformément au paragraphe (2)(c) du Protocole de signature Nous nous réservons de donner effet à la présente Convention en incluant dans la législation nationale les dispositions de la présente Convention sous une forme appropriée à cette législation.” Cette ratification vaut “pour le Royaume en Europe”.

La Convention qui était, en ce qui concerne le Royaume de Pays-Bas, uniquement applicable du Royaume en Europe, a été étendue à *Aruba* à partir du 16.XII.1986 avec effet rétroactif à compter du 1er janvier 1986.

La dénonciation de la Convention par les Pays-Bas au 1er septembre 1989, n'est pas valable pour *Aruba*.

(16) **Norway:** Le Gouvernement du Royaume de Norvège se réserve le droit de régler par la loi nationale le système de limitation de responsabilité applicable aux navires de moins de 300 tonneaux de jauge.

“Le Gouvernement du Royaume de Norvège se réserve le droit de donner effet à la présente Convention, soit en lui donnant force de loi, soit en incluant dans la législation nationale les dispositions de la présente Convention sous une forme appropriée à cette législation.”

(17) **Papua New-Guinea:** ‘(a) The Government of Papua New Guinea excludes paragraph (1)(c) of Article 1.

(b) The Government of Papua New Guinea will regulate by specific provisions of National Law the system of limitation of liability to be applied to ships of less than 300 tons.

(c) The Government of Papua New Guinea shall give effect to the said Convention by including the provisions of the said Convention in the National Legislation of Papua New Guinea.”

(18) **Portugal:** (*Traduction*): “..., avec les réserves prévues aux alinéas a), b) et c) du paragraphe deux du Protocole de signature...”

(19) **Singapore:** Le 13 septembre 1977 à été reçue une note verbale datée du 6 septembre 1977, émanant du Ministère des Affaires étrangères de Singapour, par laquelle le Gouvernement de Singapour confirme qu'il se considère lié par la Convention depuis le 31 mai 1968, avec les réserves suivantes:

“... subject to the following reservations:

a) the right to exclude the application of Article 1 paragraph 1 (c); and

b) to regulate by specific provisions of national law the system of limitation of liability to be applied to ships of less than 300 tons. The Government of the Republic of Singapore declares under sub-paragraph (c) of paragraph (2) of the Protocol of Signature that provisions of law have been introduced in the Republic of Singapore to give effect to the Convention, although the Convention as such has not been made part of Singapore law.”

(20) **Spain:** “Le Gouvernement espagnol se réserve le droit:

- 1. d'exclure du champ d'application de la Convention les obligations et les responsabilités prévues par l'article 1, paragraphe (1)(c);

- 2. de régler par les dispositions particulières de sa loi nationale le système de limitation de responsabilité applicable aux propriétaires de navires de moins de 300 tonneaux de jauge;

- 3. de donner effet à la présente Convention, soit en lui donnant force de loi, soit en incluant dans la législation nationale les dispositions de la Convention sous une forme appropriée à cette législation.”

(21) **Sweden:** “Le Gouvernement suédois se réserve le droit:

- 1. de régler par la loi nationale le système de limitation de responsabilité applicable aux navires de moins de 300 tonneaux de jauge;

- 2. de donner effet à la présente Convention, soit en lui donnant force de loi, soit

en incluant dans la législation nationale les dispositions de la présente Convention sous une forme appropriée à cette législation.”

(traduction): “La Suède se réserve le droit:

- a) d'exclure l'application de l'article 1, paragraphe (1)(c);
- b) de régler par la loi suédoise le système de limitation de responsabilité applicable aux navires de moins de 300 tonneaux de jauge;
- c) de donner effet à la Convention en incluant dans la législation suédoise les dispositions de la Convention.”

(22) **Tonga:** Reservations:

- 1. In accordance with the provisions of sub-paragraph (a) of paragraph (2) of the Protocol of Signature, the Government of the Kingdom of Tonga exclude paragraph (1)(c) of Article 1 from their application of the said Convention.
- 2. In accordance with the provisions of sub-paragraph (b) of paragraph (2) of the Protocol of Signature, the Government of the Kingdom of Tonga will regulate by specific provisions of national law the system of liability to be applied to Ships of less than 300 tons.”

(23) **United Arab Republic** (Reserves the right):

- 1. to exclude the application of Article 1, paragraph (1)(c).
- 2. to regulate by specific provision of national law the System of Limitation to be applied to ships of less than 300 tons.
- 3. on 8 May, 1984 the Egyptian Arab Republic has verbally notified the denunciation in respect of this Convention. This denunciation will become operative on 8 May, 1985.

(24) **United Kingdom of Great Britain and Northern Ireland:** “Subject to the following observations:

- 1. In accordance with the provisions of sub-paragraph (a) of paragraph (2) of the said Protocol of Signature, the Government of the United Kingdom of Great Britain and Northern Ireland exclude paragraph (1)(c) of Article 1 from their application of the said Convention.
- 2. In accordance with the provisions of sub-paragraph (b) of paragraph (2) of the said Protocol of Signature, the Government of the United Kingdom of Great Britain and Northern Ireland will regulate by specific provisions of national law the system of limitation of liability to be applied to ships of less than 300 tons.
- 3. The Government of the United Kingdom of Great Britain and Northern Ireland also reserve the right, in extending the said Convention to any of the territories for whose international relations they are responsible, to make such extension subject to any or all of the reservations set out in paragraph (2) of the said Protocol of Signature. Furthermore, in accordance with the provisions of sub-paragraph (c) of paragraph (2) of the said Protocol of Signature, the Government of the United Kingdom of Great Britain and Northern Ireland declare that the said Convention as such has not been made part of United Kingdom law, but that the appropriate provisions to give effect thereto have been introduced in United Kingdom law.”

**Protocole portant modification de
la convention internationale sur la**

**Protocol to amend the international
convention relating to the**

**Limitation
de la responsabilité
des propriétaires de navires
de mer (*)**

du 10 octobre 1957

Bruxelles le 21 décembre 1979

Entré en vigueur: 6 octobre 1984

**Limitation
of the liability of owners
of sea-going
ships (**)**

of 10 October 1957

Brussels, 21st December, 1979

Entered into force: 6 October, 1984

Australia	(r)	30.XI.1983
Belgium	(r)	7.IX.1983
<i>Espagne: voir Spain</i>		
Poland	(r)	6.VII.1984
Portugal	(r)	30.IV.1982
Spain	(r)	14.V.1982
Switzerland	(r)	20.I.1988
United Kingdom of Great Britain and Northern Ireland	(r)	2.III.1982
<i>(denunciation — 1.XII.1985)</i>		
<i>Isle of Man, Bermuda, Falkland and Depen- dencies, Gibraltar, Hong-Kong, British Virgin Islands, Guernsey and Jersey, Caiman Islands Montserrat, Caicos and Turks Isles (denunciation — 1.XII.1985)</i>		

(*) Voir aussi:
- Limitation de Responsabilité (1924)
- la Convention de 1957

(**) See also:
- Limitation of Liability (1924)
- the Convention of 1957

Convention internationale sur les

Passagers Clandestins

Bruxelles, 10 octobre 1957 (*)

Belgium
Denmark
Finland
Italy
Malgache Republic
Morocco
Norway
Peru
Sweden

International convention relating to

Stowaways

Brussels, 10th October 1957 (*)

(r)	31.VII.1975
(r)	16.XII.1963
(r)	2.II.1966
(r)	24.V.1963
(a)	13.VII.1965
(a)	22.I.1959
(r)	24.V.1962
(r)	23.XI.1961
(r)	27.VI.1962

(*) This Convention has not yet come into force, the conditions required in Art.8, 1° not having been fulfilled.

Cette Convention n'est pas encore entrée en vigueur, les conditions requises par son article 8, 1° n'étant pas remplies.

Article 8

1° La présente Convention entrera en vigueur entre les dix premiers Etats qui l'auront ratifiée, six mois après la date du dépôt du dixième instrument de ratification.

2° Pour chaque Etats signataire, ratifiant la Convention après le dixième dépôt, elle entrera en vigueur six mois après la date du dépôt de son instrument de ratification.

Article 8

1° This Convention shall come into force between the ten States which first ratify it, six months after the date of the deposit of the tenth instrument of ratification.

2° This Convention shall come into force in respect of each signatory State which ratifies it after the deposit of the instrument of ratification, six months after the date of the deposit of the instrument of ratification of that State.

**Convention internationale
pour l'unification de certaines
règles en matière de**

**International convention
for the unification of
certain rules relating to**

**Transport de passagers
par mer**

**Carriage of passengers
by sea**

et protocole

and protocol

Bruxelles, 29 avril 1961

Brussels, 29th April 1961

Entrée en vigueur: 4 juin 1965

Entered into force: 4 June, 1965

Algeria, Dem. and Pop. Rep. of

(a)

2.VII.1973

Cuba (1)

(a)

7.I.1963

France (2)

(r)

4.III.1965

(denunciation — 3.XII.1975)

Haïti

(a)

19.IV.1989

Iran

(a)

26.IV.1966

Malgache Republic

(a)

13.VII.1965

Morocco (3)

(r)

15.VII.1965

Peru

(a)

29.X.1964

Switzerland

(r)

21.I.1966

Tunisia

(a)

18.VII.1974

United Arab Republic (4)

(r)

15.V.1964

Zaire

(a)

17.VII.1967

(1) **Cuba:** (*traduction*): "... avec les réserves suivantes:

1. De ne pas appliquer la Convention aux transports qui, d'après sa loi nationale, ne sont pas considérés comme transports internationaux.

2. De ne pas appliquer la Convention, lorsque le passager et le transporteur sont tous deux ressortissants de cette Partie Contractante.

3. De donner effet à cette Convention, soit en lui donnant force de loi, soit en incluant dans sa législation nationale les dispositions de cette Convention sous une forme appropriée à cette législation."

(2) **France:** "... sous la réserve suivante: le Gouvernement de la République Française se réserve de ne pas faire bénéficier de la présente Convention les ressortissants des Etats qui useraient des facultés reconnues par l'article 8 de la Convention et par le Protocole additionnel dans les conditions qui aboutiraient à dénaturer la portée de ladite Convention."

(3) **Morocco:** "... sont et demeurent exclus du champ d'application de cette convention:

1° les transports de passagers effectués sur les navires armés au cabotage ou au bornage, au sens donné à ces expressions par l'article 52 de l'annexe I du dahir du 28 Joumada II 1337 (31 mars 1919) formant code de commerce maritime, tel qu'il a été modifié par le dahir du 29 Chaabane 1380 (15 février 1961).

2° les transports internationaux de passagers lorsque le passager et le transporteur sont tous deux de nationalité marocaine.

Les transports de passagers visés... ci-dessus demeurent régis en ce qui concerne la limitation de responsabilité, par les disposition de l'article 126 de l'annexe I du dahir du 28 Joumada II 1337 (31 mars 1919) formant code de commerce maritime, tel qu'il a été modifié par le dahir du 16 Joumada II 1367 (26 avril 1948)."

(4) **United Arab Republic:** "sous les réserves prévues aux paragraphes (1), (2) et (3)" (du Protocole).

**Convention internationale
relative à la responsabilité
des exploitants de**

**International convention
relating to the liability
of operators of**

**Navires nucléaires
et protocole additionnel**

**Nuclear ships
and additional protocol**

Bruxelles, 25 mai 1962 (*)

Brussels, 25th May 1962 (*)

Lebanon	(r)	3.VI.1975
Malgache Republic	(a)	13.VII.1965
Netherlands (1)	(r)	20.III.1974
Portugal	(r)	31.VII.1968
Syrian Republic	(a)	1.VIII.1974
Zaire Republic	(a)	17.VII.1967

(*) This Convention has not yet come into force, the conditions required in Art.XXIV (1) not having been fulfilled.

Cette Convention n'est pas encore entrée en vigueur, les conditions requises par son Art.XXIV (1) n'étant pas remplies.

Article XXIV

1° La présente Convention entrera en vigueur trois mois après la date du dépôt des instruments de ratification par deux Etats dont au moins un Etat dont émane la licence.

2° Pour chaque Etat signataire ratifiant la Convention après l'entrée en vigueur telle qu'elle est prévue au paragraphe 1 du présent article, la présente Convention entrera en vigueur trois mois après la date du dépôt de son instrument de ratifications.

Article XXIV

1° This Convention shall come into force three months after the deposit of an instrument of ratification by at least one licensing State and one other State.

2) This Convention shall come into force, in respect of each signatory State which ratifies it after its entry into force as provided in paragraph 1 of this Article, three months after the date of deposit of the instrument of ratification of that State.

(1) **Netherlands:** Par notre verbale datée du 29 mars 1976, reçue le 5 avril 1976, par le Gouvernement belge, l'Ambassade des Pays-Bas à Bruxelles a fait savoir: "Le Gouvernement du Royaume des Pays-Bas tient à déclarer, en ce qui concerne les dispositions du Protocole additionnel faisant partie de la Convention, qu'au moment de son entrée en vigueur pour le Royaume des Pays-Bas, ladite Convention y devient impérative, en ce sens que les prescriptions légales en vigueur dans le Royaume n'y seront pas appliquées si cette application est inconciliable avec les dispositions de la Convention."

**Convention internationale
pour l'unification de certaines
règles en matière de**

**International Convention
for the unification of
certain rules relating to**

**Transport de bagages
de passagers par mer**

**Carriage of passengers'
luggage by sea**

Bruxelles, 27 mai 1967 (*)

Brussels, 27th May 1967 (*)

**Algeria, Dem. and Pop. Rep. of
Cuba (1)**

**(a) 2.VII.1973
(a) 15.II.1972**

(*) This Convention has not yet come into force, the conditions required in Article 21, 1, not having yet been fulfilled.

Cette Convention n'est pas encore entrée en vigueur, étant donné que les conditions requises par l'article 21, 1, ne sont pas encore remplies.

Article 21

1° La présente Convention entrera en vigueur trois mois après la date du dépôt du cinquième instrument de ratification.

2° Pour chaque Etat signataire ratifiant la Convention après le cinquième dépôt, celle-ci entrera en vigueur trois mois après la date du dépôt de son instrument de ratification.

Article 21

1° This Convention shall come into force three months after the date of the deposit of the fifth instrument of ratification.

2° This Convention shall come into force in respect of each signatory State which ratifies it after the deposit of the fifth instrument of ratification, three months after the date of the deposit of the instrument of ratification.

(1) **Cuba: (Traduction):** ... "Le Gouvernement révolutionnaire de la République de Cuba, Partie Contractante, formule les réserves formelles suivantes:

- 1. de ne pas appliquer cette Convention lorsque le passager et le transporteur sont tous deux ressortissants de cette Partie Contractante;
- 2. en donnant effet à cette Convention, la Partie contractante pourra, en ce qui concerne les contrats de transport établis à l'intérieur de ses frontières territoriales pour un voyage dont le port d'embarquement se trouve dans lesdites limites territoriales, prévoir dans sa législation nationale la forme et les dimensions des avis contenant les dispositions de cette Convention et devant figurer dans le contrat de transport. De même, le Gouvernement révolutionnaire de la République de Cuba déclare, selon le prescrit de l'article 18 de cette Convention, que la République de Cuba ne se considère pas liée par l'article 17 de ladite Convention".

**Convention internationale relative à
l'inscription des droits relatifs aux**

**International convention relating
to the registration of rights
in respect of**

Navires en construction

Vessels under construction

Bruxelles, 27 mai 1967 (*)

Brussels, 27th May 1967 (*)

Greece	(r)	12.VII.1974
Norway	(r)	13.V.1975
Sweden	(r)	13.XI.1975
Syrian Arab Republic	(a)	1.XIII.1974
Yugoslavia	(r)	3.V.1971

(*) This Convention has not yet come into force, the conditions required in Art.15, 1°, not having been fulfilled.

Cette Convention n'est pas encore entrée en vigueur, les conditions requises par son Article 15, 1°, n'étant pas remplies.

Article 15

1° La présente Convention entrera en vigueur trois mois après la date du dépôt du cinquième instrument de ratification.

2° Pour chaque Etat signataire ratifiant la Convention après le cinquième dépôt, celle-ci entrera en vigueur trois mois après la date du dépôt de son instrument de ratification.

Article 15

1° This Convention shall come into force three months after the date of the deposit of the fifth instrument of ratification.

2° This Convention shall come into force in respect of each signatory State which ratifies it after the deposit of the fifth instrument of ratification, three months after the date of the deposit of the instrument of ratification.

**Convention internationale
pour l'unification de
certaines règles relatives aux**

**International convention
for the unification of
certain rules relating to**

**Privilèges et hypothèques
maritimes**

**Maritime liens and
mortgages**

Bruxelles, 27 mai 1967 (*) (**)

Brussels, 27th May 1967 (*) (**)

Denmark (1)

(r) 23.VIII.1977

Morocco (2)

(a) 12.II.1987

Norway (3)

(r) 13.V.1975

Sweden (4)

(r) 13.XI.1975

Syrian Arab Republic

(a) 1.VIII.1974

(*) This Convention has not yet come into force, the conditions required in Article 19, 1° not having been fulfilled

Cette Convention n'est pas encore entrée en vigueur, les conditions requises par son Article 19, 1° n'étant pas remplies.

Article 19

1. La présente Convention entrera en vigueur trois mois après la date du dépôt du cinquième instrument de ratification.

2. Pour chaque Etat signataire ratifiant la Convention après le cinquième dépôt, celle-ci entrera en vigueur trois mois après la date du dépôt de son instrument de ratification.

Article 19

1. This Convention shall come into force three months after the date of the deposit of the fifth instrument of ratification.

2. This Convention shall come into force in respect of each signatory State which ratifies it after the deposit of the fifth instrument of ratification three months after the date of the deposit of the instrument of ratification.

(**) Voir aussi:

- **Privilèges et Hypothèques
Maritimes (1926)**

(**) See also:

- **Maritime Liens and
Mortgages (1926)**

(1) **Denmark:** L'instrument de ratification du Danemark est accompagné d'une déclaration dans laquelle il est précisé qu'en ce qui concerne les Iles Féroé les mesures d'application n'ont pas encore été fixées.

(2) **Morocco:** L'instrument d'adhésion est accompagné de la réserve suivante: "Le Royaume du Maroc adhère à la Convention Internationale pour l'unification de certaines règles relatives aux privilèges et hypothèques maritimes faite à Bruxelles le 27 mai 1967, sous réserve de la non-application de l'article 15 de la dite Convention.

(3) **Norway:** "Conformément à l'article 14 le Gouvernement du Royaume de Norvège fait les réserves suivantes:

1. mettre la présente Convention en vigueur en incluant les dispositions de la présente Convention dans la législation nationale suivant une forme appropriée à cette législation;
2. faire application de la Convention internationale sur la limitation de la responsabilité des propriétaires de navires de mer, signée à Bruxelles le 10 octobre 1957."

(4) **Sweden:** "Conformément à l'article 14 la Suède fait les réserves suivantes: 1. de mettre la présente Convention en vigueur en incluant les dispositions de la Convention dans sa législation nationale suivant une forme appropriée à cette législation.

2. de faire application de la Convention internationale sur la limitation de la responsabilité des propriétaires de navires de mer, signée à Bruxelles le 10 octobre 1957."

STATUS OF THE RATIFICATIONS OF AND ACCESSIONS TO THE IMO CONVENTIONS IN THE FIELD OF PRIVATE MARITIME LAW

(This Status is based on advices from the International Maritime Organisation and reflects the situation as at 31st December, 1991. A number of reservations — not included in this booklet — have been made by certain contracting States to the IMO Conventions. Their text can be obtained from the C.M.I. Secretariat upon request).

ETAT DES RATIFICATIONS ET ADHESIONS AUX CONVENTIONS DE L'OMI EN MATIERE DE DROIT MARITIME PRIVE

(Cet état est basé sur des informations reçues de l'Organisation Maritime Internationale et reflète la situation au 31 décembre 1991. Des réserves — ne figurant pas dans ce livre — ont été posées par certains Etats parties aux Conventions de l'OMI. Leur texte peut être obtenu sur demande au Secrétariat du C.M.I.)

Notes de l'éditeur/Editor's notes:

- Les dates mentionnées sont les dates du dépôt des instruments. L'indication (r) signifie ratification, (a) adhésion, (acc) acceptation.

- The dates mentioned are the dates of the deposit of instruments.

The letter (r) stands for ratification, (a) for accession, (acc) for acceptance.

International Convention on**Civil liability
for Oil Pollution Damage
(CLC 1969) (*)**

Done at Brussels, 29 November 1969
Entered into force: 19 June, 1975

Convention Internationale sur la**Responsabilité civile pour
les Dommages dus à la
Pollution par les
Hydrocarbures
(CLC 1969) (**)**

Signée à Bruxelles, le 29 novembre 1969
Entrée en vigueur: 19 juin 1975

Algeria	(a)	14.VI.1974
Australia	(r)	7.XI.1983
<i>(denunciation)</i>		22 June 1988
Bahamas	(a)	22.VII.1976
Belgium	(r)	12.I.1977
Belize (1)	(a)	2.IV.1991
Benin	(a)	1.XI.1985
Brazil	(r)	17.XII.1976
Cameroon	(r)	14.V.1984
Canada	(a)	24.I.1989
Chile	(a)	2.VIII.1977
China	(a)	30.I.1980
Colombia (2)	(a)	26.III.1990
Côte d'Ivoire	(r)	21.VI.1973
Croatia (3)	(r)	8.X.1991
Cyprus	(a)	19.VI.1989
Denmark	(a)	2.IV.1975
Djibouti (4)	(a)	1.III.1990
Dominican Republic	(r)	2.IV.1975
Ecuador	(a)	23.XII.1976
Egypt	(a)	3.II.1989
Fiji	(a)	15.VIII.1972
Finland	(r)	10.X.1980
France	(r)	17.III.1975
Gabon	(a)	21.I.1982
Gambia (5)	(a)	1.XI.1991

(*) Voir aussi:

- Protocol CLC 1976
- Protocol CLC 1984

(**) See also:

- Protocole CLC 1976
- Protocole CLC 1984

(1) Belize - entry into force: 1.VII.1991

(2) Colombia - entry into force: 24.VI.1990

(3) On 11 August 1992 Croatia notified to IMO its succession to this Convention as from the date of its independence (8.10.1991).

(4) Djibouti - entry into force: 30.V.1990

(5) Gambia - entry into force: 30.I.1992

(German Democratic Republic)	(a)	13.III.1978
Germany	(r)	20.V.1975
Ghana	(r)	20.IV.1978
Greece	(a)	29.VI.1976
Guatemala	(a)	20.X.1982
Iceland	(r)	17.VII.1980
India	(a)	1.V.1987
Indonesia	(r)	1.IX.1978
Italy	(r)	27.II.1979
Japan	(a)	3.VI.1976
Korea (Rep.of)	(a)	18.XII.1978
Kuwait	(a)	2.IV.1981
Lebanon	(a)	9.IV.1974
Liberia	(a)	25.IX.1972
Luxembourg (6)	(a)	14.II.1991
Maldives	(a)	16.III.1981
Malta (7)	(a)	27.IX.1991
Monaco	(r)	21.VIII.1975
Morocco	(a)	11.IV.1974
Netherlands	(r)	9.IX.1975
New Zealand	(a)	27.IV.1976
Nigeria	(a)	7.V.1981
Norway	(a)	21.III.1975
Oman	(a)	24.I.1985
Panama	(r)	7.I.1976
Papua New Guinea	(a)	12.III.1980
Poland	(r)	18.III.1976
Portugal	(r)	26.XI.1976
Qatar	(a)	2.VI.1988
Russian Federation (8)	(a)	24.VI.1975
St.-Vincent and the Grenadines	(a)	19.VI.1989
Senegal	(a)	27.III.1972
Seychelles	(a)	12.IV.1988
Singapore	(a)	16.IX.1981
South Africa	(a)	17.III.1976
Spain	(r)	8.XII.1975
Sri Lanka	(a)	12.IV.1983
Sweden	(r)	17.III.1975

(6) Luxembourg: entry into force: 15.V.1991

(7) Malta: entry into force: 6.XII.1991

(8) As from 26 December 1991 the membership of the USSR in the Convention is continued by the Russian Federation

CLC 1969

CLC 1969

Switzerland	(r)	15.XII.1987
Syrian Arab Republic	(a)	6.II.1975
Tunisia	(a)	4.V.1976
Tuvalu (succession)(9)		1.X.1978
United Arab Emirates	(a)	15.XII.1983
United Kingdom	(r)	17.III.1975
Vanuatu	(a)	2.II.1983
Yemen	(a)	6.III.1979

(9) As far as Tuvalu is concerned, the date is the date of entry into force for that country.

The Convention applies provisionally to the following States:

Kiribati
Solomon Islands

The United Kingdom declared ratification to be effective also in respect of:

Anguilla	8.V.1984
Bailiwick of Jersey and Guernsey, Isle of Man	1.III.1976
Bermuda	1.III.1976
Belize (*)	1.IV.1976
British Indian Ocean Territory	"
British Virgin Islands	"
Cayman Islands	"
Falkland Islands and Dependencies (**)	"
Gibraltar	"
Gilbert Islands (***)	"
Hong-Kong	"
Montserrat	"
Pitcairn	"
St.Helena and Dependencies	"
Seychelles (****)	"
Solomon Islands (****)	"
Turks and Caicos Islands	"
Tuvalu (*)	"
United Kingdom Sovereign Base	"
Areas of Akrotiri and Dhekelia	"
in the Island of Cyprus	"

(*) Has since become an independent State and Contracting State to the Convention.

(**) The depositary received a communication dated 16 August 1976 from the Embassy of the Argentine Republic in London. The communication, the full text of which was circulated by the depositary, includes the following:.

"The Extension of the convention to the Islas Malvinas, Georgias del Sur and Sandwich del Sur notified by the Government of the United Kingdom of Great Britain and Northern Ireland to the Secretary-General, on 1 April 1976 ... under the erroneous denomination of "Falkland Islands and Dependencies" - [does] not in any way affect the rights of the Argentine Republic over those islands which are part of its territory and come under the administrative jurisdiction of the Territorio Nacional de Tierra del Fuego, Antartida e Islas del Atlantico Sur.

"The afore-mentioned islands were occupied by force by a foreign power. The situation has been considered by the United Nations Assembly which adopted resolutions 2065(XX) and 3160(XXVIII). In both resolutions the existence of a dispute regarding the sovereignty over the archipelago was confirmed and the Argentine Republic and the occupying power were urged to negotiate with a view to finding a definitive solution to the dispute."

The depositary received the following communication dated 20 September 1976 from the Government of the United Kingdom.

"... With reference to the statement of the Embassy of the Argentine Republic ... Her Majesty's Government is bound to state that they have no doubt as to United Kingdom sovereignty over the Falkland Islands and the Falkland Islands dependencies."

(***) Has since become the independent State of Kiribati to which the Convention applies provisionally.

(****) Has since become the independent State of Seychelles.

(*****) Has since become an independent State to which the Convention applies provisionally.

**Protocol to the International
Convention on**

**Civil Liability
for Oil Pollution Damage**

(CLC PROT 1976) (*)

Done at London,
19 November 1976
Entered into force: 8 April, 1981

Australia
denunciation

Bahamas
Belgium
Belize (1)
Cameroon
Canada
China
Colombia (2)
Cyprus
Denmark
Egypt
Finland
France
Germany
Greece
India
Italy
Kuwait
Liberia
Luxembourg (3)
Maldives

**Protocole à la Convention
Internationale sur la**

**Responsabilité Civile pour
les Dommages dus à la
Pollution par les
Hydrocarbures**

(CLC PROT 1976) ()**

Signé à Londres,
le 19 novembre 1976
Entré en vigueur: 8 avril 1981

(a)	7.XI.1983
	22 June 1988
(acc)	3.III.1980
(a)	15.VI.1989
(a)	2.IV.1991
(a)	14.V.1984
(a)	24.I.1989
(a)	29.IX.1986
(a)	26.III.1990
(a)	19.VI.1989
(a)	3.VI.1981
(a)	3.II.1989
(a)	8.I.1981
(appr.)	7.XI.1980
(r)	28.VIII.1980
(a)	10.V.1989
(a)	1.V.1987
(a)	3.VI.1983
(a)	1.VII.1981
(a)	17.II.1981
(a)	14.II.1991
(a)	14.VI.1981

(*) Voir aussi:
- CLC Convention 1969
- Protocol CLC 1984

(**) See also:
- Convention CLC 1969
- Protocole CLC 1984

(1) Belize — entry into force: 1.VII.1991
(2) Colombia — entry into force: 24.VI.1990
(3) Luxembourg — entry into force: 15.V.1991

CLC PROT 1976

CLC PROT 1976

Malta (4)	(a)	27.IX.1991
Netherlands	(a)	3.VIII.1982
Norway	(a)	17.VII.1978
Oman	(a)	24.I.1985
Peru	(a)	24.II.1987
Poland	(a)	30.X.1985
Portugal	(a)	2.I.1986
Qatar	(a)	2.VI.1988
Russian Federation (5)	(a)	2.XII.1988
Singapore	(a)	15.XII.1981
Spain	(a)	22.X.1981
Sweden	(r)	7.VII.1978
Switzerland	(a)	15.XII.1987
United Arab Emirates	(a)	14.III.1984
United Kingdom (6)	(r)	31.I.1980
Vanuatu	(a)	13.I.1989
Yemen	(a)	4.VI.1979

(4) Malta — entry into force: 26.XII.1991

(5) See footnote at page 184

(6) The ratification by the United Kingdom was declared to be effective also in respect of: Anguilla, Bailiwick of Jersey, Bailiwick of Guernsey, Isle of Man, Belize has since become an independent state to which the Protocol applies provisionally, Bermuda, British Indian Ocean Territory, British Virgin Islands, Cayman Islands, Falkland Islands, Gibraltar, Hong-Kong, Montserrat, Pitcairn, Saint Helena and Dependencies, Turks and Caicos Islands, United Kingdom Sovereign Base Areas of Akrotiri and Dhekelia in the Island of Cyprus.

**Protocol of 1984 to amend the
International Convention on**

**Civil Liability for Oil
Pollution Damage, 1969**

(CLC PROT 1984) (*)

Done at London,
25 May 1984
Not yet in force.

Australia
France
Germany
Luxembourg
Peru
St.-Vincent and the Grenadines
South Africa

ENTRY INTO FORCE

Article 13

- 1. This Protocol shall enter into force twelve months following the date on which ten States including six States each with not less than one million units of gross tanker tonnage have deposited instruments of ratification, acceptance, approval or accession with the Secretary-General of the Organization.

- 2. However, any Contracting State to the 1971 Fund Convention may, at the time of the deposit of its instrument of ratification, acceptance, approval or accession in respect of this Protocol declare that such instrument shall be deemed not to be effective for the purposes of this Article until the end of the six-month period in Article 31 of the Protocol of 1984 to amend the 1971 Fund Convention. A State which is not a Contracting State to the 1971 Fund Convention but which deposits an instrument of ratification, acceptance, approval or accession in respect of the Protocol in 1984 to amend the 1971 Fund Convention may also make a declaration in accordance with this paragraph at the same time.

**Protocole de 1984 portant
modification à la Convention
Internationale sur la**

**Responsabilité Civile pour
les Dommages dus à la
Pollution par les
Hydrocarbures, 1969**

(CLC PROT 1984) ()**

Signé à Londres,
le 25 mai 1984
Pas encore en vigueur.

(a)	22.VI.1988
(r)	8.IX.1987
(r)	18.X.1988
(a)	14.II.1991
(a)	26.VIII.1987
(a)	19.IV.1989
(a)	31.I.1986

ENTREE EN VIGUEUR

Article 13

- 1. Le présent Protocole entre en vigueur douze mois après la date à laquelle dix Etats y compris six Etats possédant chacun au moins un million d'unités de jauge brute de navires citernes, ont déposé un instrument de ratification, d'acceptation, d'approbation ou d'adhésion auprès du Secrétaire général de l'Organisation.

- 2. Toutefois, tout Etat contractant à la Convention de 1971 portant création du Fonds peut, au moment du dépôt de son instrument de ratification, d'acceptation, d'approbation ou d'adhésion relatif au présent Protocole, déclarer que cet instrument est réputé sans effet aux fins du présent article jusqu'à l'expiration du délai de six mois prévu à l'article 31 du Protocole de 1984 modifiant la Convention de 1971 portant création du Fonds. Un Etat qui n'est pas un Etat contractant à la Convention de 1971 portant création du Fonds, peut également faire en même temps une déclaration conformément au présent paragraphe.

- 3. Any State which has made a declaration in accordance with the preceding paragraph may withdraw it at any time by means of notification addressed to the Secretary-General of the Organization. Any such withdrawal shall take effect on the date the notification is received, provided that such State shall be deemed to have deposited its instrument of ratification, acceptance, approval or accession in respect of this Protocol on that date.

- 4. For any State which ratifies, accepts, approves or accedes to if after the conditions in paragraph 1 for entry into force have been met, this Protocol shall enter into force twelve months following the date of deposit by such State of the appropriate instruments.

- 3. Tout Etat qui a fait une déclaration conformément au paragraphe précédent peut la retirer à tout moment au moyen d'une notification adressée au Secrétaire général de l'Organisation. Tout retrait ainsi effectué prend effet à la date de la réception de la notification, à condition que cet Etat soit considéré comme ayant déposé à cette date son instrument de ratification, d'acceptation, d'approbation ou d'adhésion relatif au présent Protocole.

- 4. Pour tout Etat qui le ratifie, l'accepte, l'approuve ou y adhère après que les conditions d'entrée en vigueur prévues au paragraphe 1 ont été remplies, le présent Protocole entre en vigueur douze mois après la date du dépôt par cet Etat de l'instrument approprié.

(*) See also:

- FUND Convention 1971
- FUND Protocol 1976

(**) Voir aussi:

- Convention FONDS 1971
- Protocole FONDS 1976

**International Convention
on the**

**Establishment of
an International fund
for compensation
for Oil Pollution Damage**

(FUND 1971) (*)

Done at Brussels, 18 December 1971
Entered into force: 16 October, 1978

Algeria
Bahamas
Benin
Cameroon
Canada
Côte d'Ivoire
Croatia (1)
Cyprus
Denmark
Djibouti
Fiji
Finland
France
Gabon
Gambia (2)
Germany
Ghana
Greece
Iceland
India
Indonesia
Italy
Japan
Kuwait
Liberia
Maldives
Malta (3)

**Convention Internationale
portant**

**Création d'un fonds
International
d'indemnisation pour les
Dommages dus à la Pollution
par les Hydrocarbures**

(FONDS 1971) ()**

Signée à Bruxelles, le 18 décembre 1971
Entrée en vigueur: 16 octobre 1978

(r) 2.VI.1975
(a) 22.VII.1976
(a) 1.XI.1985
(a) 14.V.1984
(a) 24.I.1989
(a) 5.X.1987
(r) 8.X.1991
(a) 26.VII.1989
(a) 2.IV.1975
(a) 1.III.1990
(a) 4.III.1983
(r) 10.X.1980
(a) 11.V.1978
(a) 21.I.1982
(a) 1.XI.1991
(r) 30.XII.1976
(r) 20.IV.1978
(a) 16.XII.1986
(a) 17.VII.1980
(a) 10.VII.1990
(a) 1.IX.1978
(a) 27.II.1979
(r) 7.VII.1976
(a) 2.IV.1981
(a) 25.IX.1972
(a) 16.III.1981
(a) 27.IX.1991

(1) On 11 August 1992 Croatia notified its succession to this Convention as from the date of its independence (8.10.1991).

(2) entry into force: 30.1.92

(3) entry into force: 26.XII.91

(*) See also:

Protocol FUND 1976
Protocol FUND 1984

(**) Voir aussi:

Protocole FONDS 1976
Protocole FONDS 1984

FUND 1971

FONDS 1971

Monaco	(a)	23.VIII.1979
Netherlands	(appr.)	3.VIII.1982
Nigeria	(a)	11.XI.1987
Norway	(r)	21.III.1975
Oman	(a)	10.V.1985
Papua New Guinea	(a)	12.III.1980
Poland	(r)	16.IX.1985
Portugal	(r)	11.IX.1985
Qatar	(a)	2.VI.1988
Russian Federation (4)	(a)	17.VI.1987
Seychelles	(a)	12.IV.1988
Spain	(a)	8.X.1981
Sri Lanka	(a)	12.IV.1983
Sweden	(r)	17.III.1975
Syrian Arab Republic	(a)	6.II.1975
Tunisia	(a)	4.V.1976
Tuvalu (5)	(succession)	
United Arab Emirates	(a)	15.XII.1983
United Kingdom (6)	(r)	2.IV.1976
Vanuatu	(a)	13.I.1989

(4) As from 26 December 1991 the membership of the USSR in the Convention is continued by the Russian Federation.

(5) Entry into force: 16.X.1978.

(6) The ratification by the United Kingdom was declared to be effective also in respect of:
- Anguilla: 1.IX.1984

- Bailiwick of Guernsey, Bailiwick of Jersey, Isle of Man, Belize (has since become the independent State of Belize), Bermuda, British Indian Ocean Territory, British Virgin Islands, Cayman Islands, Falkland Islands and Dependencies (see communication of the London Embassy of the Argentine Republic at p. 185), Gibraltar, Gilbert Islands (has since become the independent State of Kiribati), Hong-Kong, Montserrat, Pitcairn Group, St. Helena and Dependencies, Seychelles (has since become the independent State of Seychelles), Solomon Islands (has since become the independent State of Solomon Islands), Turks and Caicos Islands, Tuvalu (has since become an independent State and a Contracting State to the Convention), United Kingdom Sovereign Base Areas of Akrotiri and Dhekelia in the Island of Cyprus: 16.X.1978

**Protocol to the International
Convention on the**

**Establishment
of an International fund
for Compensation
for Oil Pollution Damage**

(FUND PROT 1976) (*)

Done at London, 19 November 1976
Not yet in force

Bahamas
Cyprus
Denmark
Finland
France
Germany
India
Italy
Liberia
Malta
Netherlands
Norway
Poland
Portugal
Russian Federation
Spain
Sweden
United Kingdom (2)
Vanuatu

**Protocole à la Convention
Internationale portant**

**Creation d'un fonds
International
d'Indemnisation pour les
Dommages dus à la Pollution
par les Hydrocarbures
(FONDS PROT 1976) (**)**

Signé à Londres, le 19 novembre 1976
Pas encore entré en vigueur

(acceptance)	3.III.1980
(a)	26.VII.1989
(a)	3.VI.1981
(a)	8.I.1981
(a)	7.XI.1980
(r)	28.VIII.1980
(a)	10.VII.1990
(a)	21.IX.1983
(a)	17.II.1981
(a)	27.IX.1991
(a)	1.XI.1982
(a)	17.VII.1978
(a)	30.X.1985
(a)	11.IX.1985
(a)	30.I.1989
(a)	5.IV.1982
(r)	7.VII.1978
(r)	31.I.1980
(a)	13.I.1989

Number of Contracting States: 19 (representing approximately two thirds of the total quantity of contributing oil required for entry into force).

(1) As from 26 December 1991 the membership of the USSR in the Convention is continued by the Russian Federation.

(2) The ratification by the United Kingdom was declared to be effective also in respect of: Anguilla, Bailiwick of Jersey, Bailiwick of Guernsey, Isle of Man, Belize (3), Bermuda, British Indian Ocean Territory, British Virgin Islands, Cayman Islands, Falkland Islands Gibraltar, Hong-Kong, Montserrat, Pitcairn, St. Helena and Dependencies, Turks and Caicos Islands, United Kingdom Sovereign Base Areas of Akrotiri and Dhekelia in the Island of Cyprus.

(3) Has since become the independent State of Belize.

(*) See also:

- FUND Convention 1971
- FUND Protocol 1984

(**) Voir aussi:

- Convention FONDS 1971
- Protocole FONDS 1984

Article 6

1. The present Protocol shall enter into force for the States which have ratified, accepted, approved or acceded to it on the ninetieth day following the date on which the following requirements are fulfilled:

(a) at least eight States have deposited instruments of ratification, acceptance, approval or accession with the Secretary-General, and

(b) the Secretary-General has received information in accordance with Article 39 of the Convention that those persons in such States who would be liable to contribute pursuant to Article 10 of the Convention have received during the preceding calendar year a total quantity of at least 750 million tons of contributing oil.

2. However, the present Protocol shall not enter into force before the Convention has entered into force.

3. For each State which subsequently ratifies, accepts, approves or accedes to it, the present Protocol shall enter into force on the ninetieth day after deposit by such State of the appropriate instrument.

Article 6

1. Le présent Protocole entre en vigueur à l'égard des Etats qui l'ont ratifié, accepté ou approuvé, ou qui y ont adhéré, le quatre-vingt-dixième jour après la date à laquelle les conditions suivantes sont remplies:

(a) au moins huit Etats ont déposé un instrument de ratification, d'acceptation, d'approbation ou d'adhésion auprès du Secrétaire général, et

(b) le Secrétaire général a été informé, conformément à l'article 39 de la Convention, que les personnes qui seraient tenues, dans ces Etats, de contribuer au Fonds en application de l'article 10 de la Convention, ont reçu, au cours de l'année civile précédente, au moins 750 millions de tonnes d'hydrocarbures donnant lieu à contribution.

2. Toutefois, le présent Protocole ne peut entrer en vigueur avant l'entrée en vigueur de la Convention.

3. Pour chacun des Etats qui ratifie, acceptent, approuvent le présent Protocole ou y adhèrent ultérieurement, celui-ci entre en vigueur le quatre-vingt-dixième jour après le dépôt par cet Etat de l'instrument approprié.

**Protocol of 1984 to amend
the 1971 International
Convention on the**

**Establishment of an
International
Fund for Compensation
for Oil Pollution Damage**

(FUND PROT 1984) (*)

Done at London, 25 May 1984
Not yet in force.

**France
Germany. Fed. Rep. of**

**Protocole de 1984 modifiant
la Convention Internationale
de 1971 portant**

**Creation d'un fonds
International
d'Indemnisation pour
les Dommages dus à la
Pollution par les
Hydrocarbures**

(FONDS PROT 1984) ()**

Signé à Londres,
le 25 mai 1984
Pas encore entré en vigueur

(Approv.)	8.IX.1987
(r)	18.X.1988

(*) See also:
- **FUND Convention 1971**
- **FUND Protocol 1976**

() Voir aussi:**
- **Convention FONDS 1971**
- **Protocole FONDS 1976**

**Convention relating to Civil
Liability in the Field of**

**Maritime Carriage
of Nuclear Material
(NUCLEAR 1971)**

Done at Brussels,
17 December 1971
Entered into force: 15 July, 1975

Argentina
Belgium
Denmark (1)
Finland (2)
France
Gabon
Germany
Italy
Liberia
Netherlands (3)
Norway
Spain
Sweden
Yemen

**Convention relative à la
Responsabilité Civile dans
le Domaine du**

**Transport Maritime
de Matières Nucléaires
(NUCLEAR 1971)**

Signée à Bruxelles,
le 17 décembre 1971
Entrée en vigueur: 15 juillet 1975

(a)	18.V.1981
(r)	15.VI.1989
(r)	4.IX.1974
(acc)	6.VI.1991
(r)	2.II.1973
(a)	21.I.1982
(r)	1.X.1975
(r)	21.VII.1980
(a)	17.II.1981
(a)	1.VIII.1991
(r)	16.IV.1975
(a)	21.V.1974
(r)	22.XI.1974
(a)	6.III.1979

- (1) shall not apply to the Faroe Islands.
(2) entry into force: 4.IX.1991
(3) entry into force: 30.X.1991

**Athens Convention relating
to the carriage
of Passengers
and their Luggage by sea
(PAL 1974)**

Done at Athens:
13 December 1974
Entered into force:
28 April 1987

**Convention d'Athènes
relative au transport
par mer de Passagers
et de leurs bagages
(PAL 1974)**

Signée à Athènes,
le 13 décembre 1974
Entrée en vigueur:
28 avril 1987

Argentina	(a)	26.V.1983
Bahamas	(a)	7.VI.1983
Belgium	(a)	15.VI.1989
Egypt (1)	(a)	18.X.1991
Germany Federal Republic of (2)	(a)	29.VII.1979
Greece (3)	(acc)	3.VII.1991
Liberia	(a)	17.II.1981
Luxembourg (4)	(a)	14.II.1991
Poland	(r)	28.I.1987
Spain	(a)	8.X.1981
Switzerland	(r)	15.XII.1987
Tonga	(a)	15.II.1977
United Kingdom (5)	(r)	31.I.1980
Russian Federation (6)	(a)	27.IV.1983
Vanuatu	(a)	13.I.1989
Yemen	(a)	6.III.1979

(1) Entry into force: 16.I.1992

(2) The Convention is in force only in the new five Federal States formerly constituting the German Democratic Republic: Brandenburg, Mecklenburg - Vorpommern, Sachsen, Sachsen - Anhalt and Thüringen. See note (4) at page .

(3) Entry into force: 1.X.1991

(4) Entry into force: 15.V.1991

(5) The United Kingdom declared ratification to be effective also in respect of: Bailiwick of Jersey, Bailiwick of Guernsey, Isle of Man, Bermuda, British Virgin Islands, Cayman Islands, Falkland Islands, Gibraltar, Hong Kong, Montserrat, Pitcairn, Saint Helena and Dependencies.

(6) See foot note at page 184.

Protocol to the

**Athens Convention relating
to the Carriage
of Passengers
and their Luggage by sea
(PAL PROT 1976)**

Done at London,
19 November, 1976
Entered into force: 10 April 1989

Argentina
Bahamas
Belgium
Greece
Liberia
Luxembourg (1)
Poland
Russian Federation (2)
Spain
Switzerland
United Kingdom (3)
Vanuatu
Yemen

Protocole à la

**Convention d'Athènes
relative au transport
par mer de passagers
et de leurs bagages
(PAL PROT 1976)**

Signé à Londres,
le 19 novembre 1976
Entré en vigueur: 10 avril 1989

(a)	28.IV.1987
(a)	28.IV.1987
(a)	15.VI.1989
(a)	3.VII.1991
(a)	28.IV.1987
(a)	14.II.1991
(a)	28.IV.1987
(a)	30.I.1989
(a)	28.IV.1987
(a)	15.XII.1987
(r)	28.IV.1987
(a)	13.I.1989
(a)	28.IV.1987

(1) Entry into force: 15.V.1991

(2) As from 26 December 1991 the membership of the USSR in the Convention is continued by the Russian Federation.

(3) The United Kingdom declared ratification to be effective also in respect of: Bailiwick of Jersey, Bailiwick of Guernsey, Isle of Man, Bermuda, British Virgin Islands, Cayman Islands, Falkland Islands, Gibraltar, Hong Kong, Montserrat, Pitcairn, Saint Helena and Dependencies.

Protocol of 1990 to amend the

1974 Athens

**Convention relating to the
Carriage of passengers
and their Luggage by Sea**

(PAL PROT 1990)

Done at London, 29 March 1990
Not yet in force:

Egypt

Protocole de 1990 modifiant

**La Convention d'Athènes
de 1974 relative au
Transport par Mer de
Passagers et de leurs
bagages
(PAL PROT 1990)**

Fait à Londres, le 29 mars 1990
Pas encore en vigueur:

(a) 18.X.1991

Convention on**Limitation of Liability
for Maritime claims****(LLMC 1976)**

Done at London,
19 November 1976
Entered into force:
1 December, 1986

Convention sur la**Limitation de la
Responsabilité en Matière
de Créances Maritimes
(LLMC 1976)**

Signée à Londres,
le 19 novembre 1976
Entrée en vigueur:
1 décembre 1986

Australia (1)	(a)	20.II.1991
Bahamas	(a)	7.VI.1983
Belgium (2)	(a)	15.VI.1989
Benin	(a)	1.XI.1985
Denmark	(r)	30.V.1984
Egypt	(a)	30.III.1988
Finland	(r)	8.V.1984
France (3)	(approval)	1.VII.1981
Germany (4)	(r)	12.V.1987
Greece	(a)	3.VII.1991
Japan (5)	(a)	4.VI.1982
Liberia	(a)	17.II.1981
Netherlands (6),(7),(8)	(a)	15.V.1990
Norway (9)	(r)	30.III.1984
Pays-Bas (voir: Netherlands)		
Poland (10)	(a)	28.IV.1986
Spain	(r)	13.XI.1981
Sweden (11)	(r)	30.III.1984
Switzerland (12),(13)	(a)	15.XII.1987
United Kingdom (14),(15),(16),(17)	(r)	31.I.1980
Yemen	(a)	6.III.1979

(1) Entry into force: 1.VI.1991

(2) **Belgium** (reservation): "In accordance with the provisions of article 18, paragraph 1, Belgium expresses a reservation on article 2, paragraphs 1(d) and (e)".

Belgium (notification): "In accordance with the provisions of article 15, paragraph 2, Belgium will apply the provisions of the Convention to inland navigation."

(3) **France** (reservation): "In accordance with article 18, paragraph 1, the Government of the French Republic reserves the right to exclude the application of article 2, paragraphs 1 (d) and (e)".

France (notification): " — that no limit of liability is provided for vessels navigating on French internal waterways; " - that, as far as ships with a tonnage of less than 300 tons are concerned, the general limits of liability are equal to half those established in article 6 of the Convention for ships with a tonnage not exceeding 500 tons."

(4) **Germany** (reservation): "In accordance with art.18, par. 1 of the Convention, the Federal Republic of Germany reserves the right to exclude the application of art. 2, par.1 (d) and (e) of the Convention".

Germany (notification): "In accordance with art. 15, par.2, first sentence, sub-par. (a) of the Convention, the system of limitation of liability to be applied to vessels which are, according to the law of the Federal Republic of Germany, ships intended for navigation on inland waterways, is regulated by the provisions relating to the private law aspects of inland navigation.

"In accordance with art. 15, par.2, first sentence, sub-par. (b) of the Convention, the system of limitation of liability to be applied to ships up to a tonnage of 250 tons is regulated by specific provisions of the law of the Federal Republic of Germany to the effect that, with respect to such a ship, the limit of liability to be calculated in accordance with art. 6, par.1 (b) of the Convention is half of the limitation amount to be applied with respect to a ship with a tonnage of 500 tons."

(5) **Japan** (statement) : "... the Government of Japan, in accordance with the provision of paragraph 1 of article 18 of the Convention, reserves the right to exclude the application of paragraphs 1 (d) and (e) of article 2 of the Convention".

(6) Entry into force: 1.IX.1990.

(7) **Netherlands** (reservation): In accordance with Article 18, paragraph 1, of the Convention on limitation of liability for maritime claims, 1976, done at London on 19 November 1976, the Kingdom of the Netherlands reserves the right to exclude the application of Article 2, paragraphs 1(d) and (e) of the Convention."

(8) **Netherlands** (notification): *Paragraph 2(a)* "The Act of June 14th 1989 (Staatsblad 239) relating to the limitation of liability of owners of inland navigation vessels provides that the limits of liability shall be calculated in accordance with an Order in Council.

"The Order in Council of February 19th 1990 (Staatsblad 96) adopts the following limits of liability in respect of ships intended for navigation on inland waterways.

1. Limits of liability for claims in respect of loss of life or personal injury other than those in respect of passengers of a ship, arising on any distinct occasion:

1. for a ship not intended for the carriage of cargo, in particular a passenger ship, 200 Units of Account per cubic metre of displacement at maximum permitted draught, plus, for ships equipped with mechanical means of propulsion, 700 Units of Account for each kW of the motorpower of the means of propulsion;
2. for a ship intended for the carriage of cargo, 200 Units of Account per ton of the ship's maximum deadweight, plus, for ships equipped with mechanical means of propulsion, 700 Units of Account for each kW of the motorpower of the means of propulsion;
3. for a tug or a pusher, 700 Units of Account for each kW of the motorpower of the means of propulsion;
4. for a pusher which at the time the damage was caused was coupled to barges in a pushed convoy, the amount calculated in accordance with 3 shall be increased by 100 Units of Account per ton of the maximum deadweight of the pushed barges; such increase shall not apply if it is proved that the pusher has rendered salvage services to one or more of such barges;
5. for a ship equipped with mechanical means of propulsion which at the time the damage was caused was moving other ships coupled to this ship, the amount calculated in accordance with 1, 2 of 3 shall be increased by 100 Units of Account per ton of the maximum deadweight or per cubic metre of displacement of the other ships; such increase shall not apply if it is proved that this ship has rendered salvage services to one or more of the coupled ships;
6. for hydrofoils, dredgers, floating cranes, elevators and all other floating appliances, pontoons or plant of a similar nature, treated as inland navigation ships in accordance with Article 951a, paragraph 4 of the Commercial Code, their value at the time of the incident;
7. where in cases mentioned under 4 and 5 the limitation fund of the pusher or the mechanically propelled ship is increased by 100 Units of Account per ton of the maximum deadweight of the pushed barges or per cubic metre of displacement of the other coupled ships, the limitation fund of each barge or of each of the other cou-

pled ships shall be reduced by 100 Units of Account per ton of the maximum deadweight of the barge or by 100 Units of Account per ton of the maximum deadweight or per cubic metre of displacement of the other vessel with respect to claims arising out of the same incident;

however, in no case shall the limitation amount be less than 200,000 Units of Account.

11. The limits of liability for claims in respect of any damage caused by water pollution, other than claims for loss of life or personal injury, are equal to the limits mentioned under 1.

111. The limits of liability for all other claims are equal to half the amount of the limits mentioned under 1.

IV. In respect of claims arising on any distinct occasion for loss of life or personal injury to passengers of an inland navigation ship, the limit of liability of the owner thereof shall be an amount equal to 60,000 Units of Account multiplied by the number of passengers the ship is authorized to carry according to its legally established capacity or, in the event that the maximum number of passengers the ship is authorized to carry has not been established by law, an amount equal to 60,000 Units of Account multiplied by the number of passengers actually carried on board at the time of the incident. However, the limitation of liability shall in no case be less than 720,000 Units of Account and shall not exceed the following amounts:

- (i) 3 million Units of Account for a vessel with an authorized maximum capacity of 100 passengers;
- (ii) 6 million Units of Account for a vessel with an authorized maximum capacity of 180 passengers;
- (iii) 12 million Units of Account for a vessel with an authorized maximum capacity of more than 180 passengers;

"Claims for loss of life or personal injury to passengers" have been defined in the same way as in Article 7, paragraph 2 of the Convention on Limitation of Liability for Maritime Claims, 1976.

"The Unit of Account mentioned under I-IV is the Special Drawing Right as defined in Article 8 of the Convention on Limitation of Liability for Maritime Claims, 1976".

Paragraph 2(b)

"The Act of 14 June 1989 (Staatsblad 241) relating to the limitation of liability for maritime claims provides that with respect to ships which are according to their construction intended exclusively or mainly for the carriage of persons and have a tonnage of less than 300, the limit of liability for claims other than for loss of life or personal injury may be established by Order in Council at a lower level than under the Convention.

"The Order in Council of February 19th 1990 (Staatsblad 97) provides that the limit shall be 100,000 Units of Account.

"The Unit of Account is the Special Drawing Right as defined in Article 8 of the Convention on Limitation of Liability for Maritime Claims, 1976".

(9) **Norway:** (Article 15(4)) "Because a higher liability is established for Norwegian drilling vessels according to the Act of 27 May 1983 (No. 30) on changes in the Maritime Act of 20 July 1893, paragraph 324, such drilling vessels are exempted from the regulations of this Convention as specified in article 15 No. 4".

(10) **Poland** (notification): "Poland will now calculate financial liabilities mentioned in the Convention in the terms of the Special Drawing Right, according to the following method.

"The Polish National Bank will fix a rate of exchange of the SDR to the United States dollar according to the current rates of exchange quoted by Reuter. Next, the US dollar will be converted into Polish zloties at the rate of exchange quoted by the Polish National Bank from their current table of rates of foreign currencies."

(11) **Sweden:** (Article 15(4)) "... in accordance with paragraph 4 of article 15 of the Convention, Sweden has established under its national legislation a higher limit of liability for ships constructed for or adapted to and engaged in drilling than that otherwise provided for in article 6 of the Convention."

(12) **Switzerland** (notification): "The Federal Council declares, with reference to article 8, paragraphs 1 and 4 of the Convention that Switzerland calculates the value of its national currency in special drawing rights (SDR) in the following way:

"The Swiss National Bank (SNB) notifies the International Monetary Fund (IMF) daily of the mean rate of the dollar of the United States of America on the Zurich currency market. The exchange value of one SDR in Swiss francs is determined from that dollar rate and the rate of the SDR in dollars calculated by IMF. On the basis of these values, SNB calculates a mean SDR rate which it will publish in its Monthly Gazette."

(13) **Switzerland** (notification): "In accordance with article 15, paragraph 2, of the Convention on Limitation of Liability for Maritime Claims, 1976, we have the honour to inform you that Switzerland has availed itself of the option provided in paragraph 2(a) of the above-mentioned article.

Since the entry into force of article 44a of the Maritime Navigation Order of 20 November 1956, the limitation of the liability of the owner of an inland waterways ship has been determined in Switzerland in accordance with the provisions of that article, a copy of which is [reproduced below]:

11. Limitation of liability of the owner of an inland waterways vessel

Article 44a

1. In compliance with article 5, subparagraph 3c, of the law on maritime navigation, the liability of the owner of an inland waterways vessel, provided in article 126, subparagraph 2c, of the law, shall be limited as follows:

- a. in respect of claims for loss of life or personal injury, to an amount of 200 units of account per deadweight tonne of a vessel used for the carriage of goods and per cubic metre of water displaced for any other vessel, increased by 700 units of account per kilowatt of power in the case of mechanical means of propulsion, and to an amount of 700 units of account per kilowatt of power for uncoupled tugs and pusher craft; for all such vessels, however, the limit of liability is fixed at a minimum of 200,000 units of account;
 - b. in respect of claims for passengers, to the amounts provided by the Convention on Limitation of Liability for Maritime Claims, 1976, to which article 49, subparagraph 1, of the federal law on maritime navigation refers;
 - c. in respect of any other claims, half of the amounts provided under subparagraph a.
2. The unit of account shall be the special drawing right defined by the International Monetary Fund.

3. Where, at the time when damage was caused, a pusher craft was securely coupled to a pushed barge train, or where a vessel with mechanical means of propulsion was providing propulsion for other vessels coupled to it, the maximum amount of liability, for the entire coupled train, shall be determined on the basis of the amount of the liability of the pusher craft or of the vessel with mechanical means of propulsion and also on the basis of the amount calculated for the deadweight tonnage or the water displacement of the vessels to which such pusher craft or vessel is coupled, in so far as it is not proved that such pusher craft or such vessel has rendered salvage services to the coupled vessels."

(14) **The United Kingdom** declared its ratifications to be effective also in respect of: Bailiwick of Jersey, Bailiwick of Guernsey, Isle of Man, Belize (*), Bermuda, British Virgin Islands, Cayman Islands, Falkland Islands, Gibraltar, Hong Kong, Montserrat, Pitcairn, St. Helena and Dependencies, Turks and Caicos Islands, United Kingdom Sovereign Base Areas of Akrotiri and Dhekelia in the Island of Cyprus.

(*) Has since become the independent State of Belize to which the Convention applies provisionally.

(15) **United Kingdom of Great Britain and Northern Ireland**: ... "reserving the right, in accordance with article 18, paragraph 1, of the Convention, on its own behalf and on behalf of the above mentioned territories, to exclude the application of article 2, paragraph 1 (d); and to exclude the application of paragraph 1 (e) with regard to Gibraltar only.

(16) **United Kingdom** (notification): "... the manner of calculation employed by the United Kingdom pursuant to article 8(1) of the Convention shall be the method of valuation applied by the International Monetary Fund."

(17) **United Kingdom** (notification): "... with regard to article 15, paragraph 2(b), the limits of liability which the United Kingdom intend to apply to ships of under 300 tons are 166,677 units of account in respect of claims for loss of life or personal injury, and 83,333 units of account in respect of any other claims."

International Convention on

Salvage, 1989 (SALVAGE 1989)

Done at London: 28 April 1989
Not yet in force.

Egypt
Mexico
Nigeria
Oman
Saudi Arabia

Convention Internationale

de 1989 sur l'assistance (ASSISTANCE 1989)

Signée à Londres le 28 avril 1989
Pas encore entrée en vigueur.

(a)	14.III.1991
(r)	10.X.1991
(r)	11.X.1990
(a)	14.X.1991
(a)	16.XII.1991

ENTRY INTO FORCE

Article 29

1. This Convention shall enter into force one year after the date on which 15 States have expressed their consent to be bound by it.

2. For a State which expresses its consent to be bound by this Convention after the conditions for entry into force there of have been met, such consent shall take effect one year after the date of expression of such consent.

ENTREE EN VIGUEUR

Article 29

1. La présente Convention entre en vigueur un an après la date à laquelle quinze Etats ont exprimé leur consentement à être liés par elle.

2. Pour un Etat qui exprime son consentement à être lié par la présente Convention après que les conditions d'entrée en vigueur ont été remplies, ce consentement prend effet un an après la date à laquelle il a été exprimé.

International Convention on Oil Pollution preparedness, response and co-operation 1990

Done at London 30
November 1990

Not yet in force.

Convention Internationale 1990 sur la preparation, la lutte et la cooperation en matière de Pollution par les Hydrocarbures

Signée à Londres le 30
novembre 1990

Pas encore en vigueur.

ENTRY INTO FORCE

Article 16

1. This Convention shall enter into force twelve months after the date on which not less than fifteen States have either signed it without reservation as to ratification, acceptance or approval or have deposited the requisite instruments of ratification, acceptance, approval or accession in accordance with article 15.

2. For States which have deposited an instrument of ratification, acceptance, approval or accession in respect of this Convention after the requirements for entry into force thereof have been met but prior to the date of entry into force, the ratification, acceptance, approval or accession shall take effect on the date of entry into force of this Convention or three months after the date of deposit of the instrument, whichever is the later date.

3. For States which have deposited an instrument of ratification, acceptance, approval or accession after the date on which this Convention entered into force, this Convention shall become effective three months after the date of deposit of the instrument.

4. After the date on which an amendment to this Convention is deemed to have been accepted under article 14, any instrument of ratification, acceptance, approval or accession deposited shall apply to this Convention as amended.

ENTREE EN VIGUEUR

Article 16

1. La présente Convention entre en vigueur douze mois après la date à laquelle au moins quinze Etats ont, soit signé cette convention sans réserve quant à la ratification, l'acceptation ou l'approbation, soit déposé les instruments requis de ratification, d'acceptation, d'approbation ou d'adhésion, conformément aux dispositions de l'article 15.

2. Pour les Etats qui ont déposé un instrument de ratification, d'acceptation, d'approbation de la présente Convention ou d'adhésion à celle-ci après que les conditions régissant son entrée en vigueur ont été remplies mais avant son entrée en vigueur, la ratification, l'acceptation, l'approbation ou l'adhésion prend effet à la date de l'entrée en vigueur de la présente Convention, ou trois mois après la date du dépôt de l'instrument si cette dernière date est postérieure.

3. Pour les Etats qui ont déposé un instrument de ratification, d'acceptation, d'approbation de la présente Convention ou d'adhésion à celle-ci après son entrée en vigueur, la présente Convention prend effet trois mois après la date du dépôt de l'instrument.

4. Tout instrument de ratification, d'acceptation, d'approbation ou d'adhésion déposé après la date à laquelle un amendement à la présente Convention est réputé avoir été accepté conformément à l'article 14 s'applique à la Convention dans sa forme modifiée.

**STATUS OF THE RATIFICATIONS OF
AND ACCESSIONS TO UNITED NATIONS
CONVENTIONS IN THE FIELD OF
PRIVATE MARITIME LAW**

**ETAT DES RATIFICATIONS ET ADHESIONS
AUX CONVENTIONS DES NATIONS UNIES
EN MATIERE DE DROIT MARITIME PRIVE**

Notes de l'éditeur/Editor's notes:

- Les dates mentionnées sont les dates du dépôt des instruments.
- L'indication (r) signifie ratification, (a) adhésion.
- The dates mentioned are the dates of the deposit of instruments. The indication (r) stands for ratification, (a) for accession.

United Nations Convention on a**Convention des Nations Unies sur
un****Code of Conduct
for Liner Conferences****Code de Conduite
des Conférences
Maritimes**

Geneva, 6 April, 1974
Entered into force: 6 October 1983
Status as at 19 February 1992:
76 Contracting Parties

Genève, 6 avril 1974
Entrée en vigueur: 6 octobre 1983
Etat au 19 février 1992:
76 Parties Contractantes

Algeria	(r)	12.XII.1986
Aruba	(a)	1.I.1986
Bangladesh	(a)	24.VII.1975
Barbados	(a)	29.X.1980
Belgium	(r)	30.IX.1987
Benin	(a)	27.X.1975
Bulgaria	(a)	12.VII.1979
Burkina Faso	(a)	30.III.1989
Cameroon	(a)	15.VI.1976
Cape Verde	(a)	13.I.1978
Central African Republic	(a)	13.V.1977
Chile	(S)	25.VI.1975
China	(a)	23.IX.1980
Congo	(a)	26.VII.1982
Costa Rica	(r)	27.X.1978
Côte d'Ivoire	(r)	17.II.1977
Croatia	(r)	8.X.1991
Cuba	(a)	23.VII.1976
Czechoslovakia	(AA)	4.VI.1979
Denmark (Except Greenland and the Faroe Islands)	(a)	28.VI.1985
Egypt	(a)	25.I.1979
Ethiopia	(r)	1.IX.1978
Finland	(a)	31.XII.1985
France	(a)	4.X.1985
Gabon	(r)	5.VI.1978
Gambia	(S)	30.VI.1975
Germany, Federal Republic of	(r)	6.IV.1983
Ghana	(r)	24.VI.1975
Gibraltar	(a)	28.VI.1985
Guatemala	(r)	3.III.1976
Guinea	(a)	19.VIII.1980
Guyana	(a)	7.I.1980
Honduras	(a)	12.VI.1979
Hong Kong	(a)	28.VI.1985
India	(r)	14.II.1978

Indonesia	(r)	11.I.1977
Iraq	(a)	25.X.1978
Italy	(a)	30.V.1989
Jamaica	(a)	20.VII.1982
Jordan	(a)	17.III.1980
Kenya	(a)	27.II.1978
Korea (Rep. of)	(a)	11.V.1979
Kuwait	(a)	31.III.1986
Lebanon	(a)	30.IV.1982
Madagascar	(a)	23.XII.1977
Malaysia	(a)	27.VIII.1982
Mali	(a)	15.III.1978
Mauritania	(a)	21.III.1988
Mauritius	(a)	16.IX.1980
Mexico	(a)	6.V.1976
Morocco	(a)	11.II.1980
Mozambique	(a)	21.IX.1990
Netherlands (For the Kingdom in Europe only)	(a)	6.IV.1983
Niger	(r)	13.I.1976
Nigeria	(a)	10.IX.1975
Norway	(a)	28.VI.1985
Pakistan	(S)	27.VI.1975
Peru	(a)	21.XI.1978
Philippines	(r)	2.III.1976
Portugal	(a)	13.VI.1990
Romania	(a)	7.I.1982
Russian Federation	(A)	28.VI.1979
Saudi Arabia	(a)	24.V.1985
Senegal	(r)	20.V.1977
Sierra Leone	(a)	9.VII.1979
Somalia	(a)	14.XI.1988
Sri Lanka	(S)	30.VI.1975
Sudan	(a)	16.III.1978
Sweden	(a)	28.VI.1985
Togo	(r)	12.I.1978
Trinidad and Tobago	(a)	3.VIII.1983
Tunisia	(a)	15.III.1979
United Kingdom	(a)	28.VI.1985
United Republic of Tanzania	(a)	3.XI.1975
Uruguay	(a)	9.VII.1979
Venezuela	(S)	30.VI.1975
Zaire	(a)	25.VII.1977
Zambia	(a)	8.IV.1988

r = ratification
 a = accession
 A = acceptance
 AA = approval
 S = definitive signature

**United Nations Convention
on the**

Carriage of goods by sea

Hamburg, 31 March, 1978

“HAMBURG RULES”

Entry into force:
1 November 1992

Barbados
Botswana
Burkina Faso
Chile
Egypt
Guinea
Hungary
Kenya
Lebanon
Lesotho
Malawi
Morocco
Nigeria
Romania
Senegal
Sierra Leone
Tanzania (United Rep. of)
Tunisia
Uganda
Zambia

**Convention des Nations
Unies sur le**

**Transport de marchandises
par mer**

Hambourg 31 mars 1978

“REGLES DE HAMBOURG”

Entrée en vigueur:
1 novembre 1992

(a)	2.II.1981
(a)	16.II.1988
(a)	14.VIII.1989
(r)	9.VII.1982
(r)	23.IV.1979
(r)	23.I.1991
(r)	5.VII.1984
(a)	31.VII.1989
(a)	4.IV.1983
(a)	26.X.1989
(r)	18.III.1991
(a)	12.VI.1981
(a)	7.XI.1988
(a)	7.I.1982
(r)	17.III.1986
(r)	7.X.1988
(a)	24.VII.1979
(a)	15.IX.1980
(a)	6.VII.1979
(a)	7.X.1991

**United Nations Convention
on the**

**International multimodal
transport of goods**

Geneva, 24 May, 1980,
Not yet in force.

Chile
Malawi
Mexico
Rwanda
Senegal
Zambia

**Convention des Nations
Unies sur le**

**Transport multimodal
international de
marchandises**

Genève 24 mai 1980
Pas encore en vigueur.

(r)	7.IV.1982
(a)	2.II.1984
(r)	11.II.1982
(a)	15.IX.1987
(r)	25.X.1984
(a)	7.X.1991

ENTRY INTO FORCE

Article 36

1. This Convention enters into force 12 months after the Governments of 30 States have either signed it not subject to ratification, acceptance, or approval or have deposited instruments of ratification, acceptance, approval or accession with the depositary.
2. For each State which ratifies, accepts, approves or accedes to this Convention after the requirements for entry into force given in paragraph 1 of this article have been met, the Convention shall enter into force 12 months after the deposit by such State of the appropriate instrument.

ENTREE EN VIGUEUR

Article 36

1. La présente Convention entrera en vigueur douze mois après que les gouvernements de 30 Etats l'auront signée sans réserve quant à la ratification, l'acceptation ou l'approbation, ou auront déposé un instrument de ratification, d'acceptation, d'approbation ou d'adhésion du dépositaire.
2. Pour chaque Etat qui ratifie la présente Convention, l'accepte, l'approuve ou y adhère après que les conditions d'entrée en vigueur énoncées au paragraphe 1 du présent article ont été remplies, la Convention entrera en vigueur douze mois après le dépôt, par cet Etat, de l'instrument approprié.

**United Nations Convention
on Conditions for**

Registration of ships

Geneva, 7 February, 1986

Not yet in force.

Côte d'Ivoire

Egypt

Haiti

Hungary

Iraq

Libyan Arab Jamahiriya

Mexico

Oman

(r) 28.X.1987

(r) 9.I.1992

(a) 17.V.1989

(a) 23.I.1989

(a) 1.II.1989

(r) 28.II.1989

(r) 21.I.1988

(a) 18.X.1990

**Convention des Nations
Unies sur les Conditions d'**

Immatriculation des Navires

Genève, 7 février 1986

Pas encore entrée en vigueur.

ENTRY INTO FORCE

Article 19

1. This Convention enters into force 12 months after the date on which not less than 40 States, the combined tonnage of which amounts to at least 25 per cent of world tonnage, have become Contracting Parties to it in accordance with article 18. For the purpose of this article the tonnage shall be deemed to be that contained in annex III of this Convention.

2. For each State which becomes a Contracting Party to this Convention after the conditions for entry into force under paragraph 1 of this article have been met, the Convention shall enter into force for that State 12 months after that State has become a Contracting Party.

ENTREE EN VIGUEUR

Article 19

1. La présente Convention entrera en vigueur douze mois après la date à laquelle 40 Etats au moins, dont le tonnage combiné représente au moins 25 % du tonnage mondial, seront devenus Parties contractantes conformément à l'article 18. Aux fins du présent article, le tonnage sera réputé être celui qui figure dans l'annexe III de la présente Convention.

2. Pour tout Etat qui deviendra Partie contractante à la présente Convention après la réalisation des conditions d'entrée en vigueur énoncées au paragraphe 1 du présent article, la Convention entrera en vigueur, pour cet Etat, douze mois après que cet Etat sera devenu Partie contractante.

United Nations Convention on

**The liability of operators of
Transport terminals in
the International trade**

Done at Vienna 19 April 1991

Not yet in force.

Convention des Nations Unies

**sur la responsabilité des
Exploitants de terminaux
Transport dans le Commerce
International**

Signée à Vienne 19 avril 1991

Pas encore entrée en vigueur.

ENTRY INTO FORCE

Article 22

1. This Convention enters into force on the first day of the month following the expiration of one year from the date of deposit of the fifth instrument of ratification, acceptance, approval or accession.

2. For each State which becomes a Contracting State to this Convention after the date of the deposit of the fifth instrument of ratification, acceptance, approval or accession, this Convention enters into force on the first day of the month following the expiration of one year after the date of the deposit of the appropriate instrument on behalf of that State.

3. Each State Party shall apply the provisions of this Convention to transport-related services with respect to goods taken in charge by the operator on or after the date of the entry into force of this Convention in respect of that State.

ENTREE EN VIGUEUR

Article 22

1. La présente Convention entrera en vigueur le premier jour du mois suivant l'expiration d'un délai d'un an à compter de la date du dépôt du cinquième instrument de ratification, d'acceptation, d'approbation ou d'adhésion.

2. Pour tout Etat qui deviendra Etat contractant à la présente Convention après la date du dépôt du cinquième instrument de ratification, d'acceptation, d'approbation ou d'adhésion, la présente Convention entrera en vigueur le premier jour du mois suivant l'expiration d'un délai d'un an à compter de la date du dépôt de l'instrument approprié au nom dudit Etat.

3. Chaque Etat partie appliquera les dispositions de la présente Convention aux services relatifs au transport concernant des marchandises prises en garde par l'exploitant à partir de l'entrée en vigueur de la Convention à son égard.

**STATUS OF THE RATIFICATIONS OF
AND ACCESSIONS TO UNIDROIT CONVENTIONS
IN THE FIELD OF PRIVATE MARITIME LAW**

**ETAT DES RATIFICATIONS ET ADHESIONS
AUX CONVENTIONS D'UNIDROIT EN MATIERE
DE DROIT MARITIME PRIVE**

**Unidroit Convention on
International Financial
Leasing 1988**

Done at Ottawa 28 May 1988

Not yet in force.

**Convention de Unidroit sur
le Creditbail International
1988**

Signée à Ottawa 28 mai 1988

Pas encore en vigueur.

ENTRY INTO FORCE

ARTICLE 16

1. This Convention enters into force on the first day of the month following the expiration of six months after the date of deposit of the third instrument of ratification, acceptance, approval or accession.

2. For each State that ratifies, accepts, approves, or accedes to this Convention after the deposit of the third instrument of ratification, acceptance, approval or accession, this Convention enters into force in respect of that State on the first day of the month following the expiration of six months after the date of the deposit of its instrument of ratification, acceptance, approval or accession.

CONFERENCES

OF THE COMITE MARITIME INTERNATIONAL

I. BRUSSELS - 1897

President: Mr. Auguste BEERNAERT.

Subjects: Organization of the International Maritime Committee - Collision-
- Shipowners' Liability.

II. ANTWERP - 1898

President: Mr. Auguste BEERNAERT.

Subjects: Liability of Owners of sea-going vessels.

III. LONDON - 1899

President: Sir Walter PHILLIMORE.

Subjects: Collisions in which both ships are to blame - Shipowners' liability.

IV. PARIS - 1900

President: Mr. LYON-CAEN.

Subjects: Assistance, salvage and duty to tender assistance - Jurisdiction in
collision matters.

V. HAMBURG - 1902

President: Dr. Friedrich SIEVEKING.

Subjects: International Code on Collision and Salvage at Sea - Jurisdiction
in collision matters - Conflict of laws as to owner-ship of vessels.

VI. AMSTERDAM - 1904

President: Mr. E.N. RAHUSEN.

Subjects: Conflicts of law in the matter of Mortgages and Liens on ships.
- Jurisdiction in collision matters - Limitation of Shipowners' Liability.

VII. LIVERPOOL - 1905

President: Sir William R. KENNEDY.

Subjects: Limitation of Shipowners' Liability - Conflict of Laws as to Ma-
ritime Mortgages and Liens - Brussels Diplomatic Conference.

CONFERENCES

DU COMITE MARITIME INTERNATIONAL

I. BRUXELLES - 1897

Président: Mr. Auguste BEERNAERT.

Sujets: Organisation du Comité Maritime International - Abordage - Responsabilité des propriétaires de navires de mer.

II. ANVERS - 1898

Président: Mr. Auguste BEERNAERT.

Sujets: Responsabilité des propriétaires de navires de mer.

III. LONDRES - 1899

Président: Sir Walter PHILLIMORE.

Sujets: Abordages dans lesquels les deux navires sont fautifs - Responsabilité des propriétaires de navires.

IV. PARIS - 1900

Président: Mr. LYON-CAEN

Sujets: Assistance, sauvetage et l'obligation de prêter assistance - Compétence en matière d'abordage.

V. HAMBURG - 1902

Président: Dr. Friedrich SIEVEKING.

Sujets: Code international pour l'abordage et le sauvetage en mer - Compétence en matière d'abordage. - Conflits de lois concernant la propriété des navires - Privilèges et hypothèques sur navires.

VI. AMSTERDAM - 1904

Président: Mr. E.N. RAHUSEN.

Sujets: Conflits de lois en matières de privilèges et hypothèques sur navires. - Compétence en matière d'abordage - Limitation de la responsabilité des propriétaires de navires.

VII. LIVERPOOL - 1905

Président: Sir William R. KENNEDY.

Sujets: Limitation de la responsabilité des propriétaires de navires - Conflits de lois en matière de privilèges et hypothèques - Conférence Diplomatique de Bruxelles.

VIII. VENICE - 1907

President: Mr. Alberto MARGHERI.

Subjects: Limitation of Shipowners' Liability - Maritime Mortgages and Liens - Conflict of law as to Freight.

IX. BREMEN - 1909

President: Dr. Friedrich SIEVEKING.

Subjects: Conflict of laws as to Freight - Compensation in respect of personal injuries - Publication of Maritime Mortgages and Liens.

X. PARIS - 1911

President: Mr. Paul GOVARE.

Subjects: Limitation of Shipowners' Liability in the event of loss of life or personal injury - Freight.

XI. COPENHAGEN - 1913

President: Dr. J.H. KOCH.

Subjects: London declaration 1909 - Safety of Navigation - International Code of Affreightment - Insurance of enemy property.

XII. ANTWERP - 1921

President: Mr. Louis FRANCK.

Subjects: International Conventions relating to Collision and Salvage at sea.
- Limitation of Shipowners' Liability - Maritime Mortgages and Liens
- Code of Affreightment - Exonerating clauses.

XIII. LONDON - 1922

President: Sir Henry DUKE.

Subjects: Immunity of State-owned ships - Maritime Mortgage and Liens.
- Exonerating clauses in Bills of lading.

XIV. GOTHENBURG - 1923

President: Mr. Efiel LÖFGREN.

Subjects: Compulsory insurance of passengers - Immunity of State owned ships - International Code of Affreightment - International Convention on Bills of Lading.

XV. GENOA - 1925

President: Dr. Francesco BERLINGIERI.

Subjects: Compulsory Insurance of passengers - Immunity of State owned ships - International Code of Affreightment - Maritime Mortgages and Liens.

XVI. AMSTERDAM - 1927

President: Mr. B.C.J. LODER.

Subjects: Compulsory insurance of passengers - Letters of indemnity - Ratification of the Brussels Conventions.

VIII. VENISE - 1907

Président: Mr. Alberto MARGHERI.

Sujets: Limitation de la responsabilité des propriétaires de navires - Privilèges et hypothèques maritimes - Conflits de lois relatifs au fret.

IX. BREME - 1909

Président: Dr. Friedrich SIEVEKING.

Sujets: Conflits de lois relatifs au fret - Indemnisation concernant des lésions corporelles - Publications des privilèges et hypothèques maritimes.

X. PARIS - 1911

Président: Mr. Paul GOVARE.

Sujets: Limitation de la responsabilité des propriétaires de navires en cas de perte de vie ou de lésions corporelles - Fret.

XI. COPENHAGUE - 1913

Président: Dr. J.H.KOCH.

Sujets: Déclaration de Londres 1909 - Sécurité de la navigation - Code international de l'affrètement - Assurance de propriétés ennemies.

XII. ANVERS - 1921

Président: Mr. Louis FRANCK.

Sujets: Convention internationale concernant l'abordage et la sauvetage en mer - Limitation de la responsabilité des propriétaires de navires de mer - Privilèges et hypothèques maritimes - Code de l'affrètement - Clauses d'exonération dans les connaissements.

XIII. LONDRES - 1922

Président: Sir Henry DUKE.

Sujets: Immunité des navires d'Etat - Privilèges et hypothèques maritimes - Clauses d'exonération dans les connaissements.

XIV. GOTHEMBOURG - 1923

Président: Mr. Efiel LÖFGREN.

Sujets: Assurance obligatoire des passagers - Immunité des navires d'Etat. - Code international de l'affrètement - Convention internationale des connaissements.

XV. GENES - 1925

Président: Dr. Francesco BERLINGIERI.

Sujets: Assurance obligatoire des passagers - Immunité des navires d'Etat. - Code international de l'affrètement - Privilèges et hypothèques maritimes.

XVI. AMSTERDAM - 1927

Président: Mr. B.C.J. LODER.

Sujets: Assurance obligatoire des passagers - Lettres de garantie - Ratification des Conventions de Bruxelles.

XVII. ANVERS - 1930

Président: Mr. Louis FRANCK.

Sujets: Ratification des Conventions de Bruxelles - Assurance obligatoire des passagers - Compétence et sanctions pénales en matière d'abordage en mer.

XVIII. OSLO - 1933

Président: Mr. Edvin ALTEN.

Sujets: Ratification des Conventions de Bruxelles - Compétence civile et pénale en matière d'abordage en mer - Saisie conservatoire de navires - Limitation de la responsabilité des propriétaires de navires.

XIX. PARIS - 1937

Président: Mr. Georges RIPERT.

Sujets: Ratification des Conventions de Bruxelles - Compétence civile et pénale en matière d'abordage en mer - Saisie conservatoire de navires - Commentaires sur les Conventions de Bruxelles - Assistance et Sauvetage et par avions en mer.

XX. ANVERS - 1947

Président: Mr. Albert LILAR.

Sujets: Ratification des Conventions de Bruxelles, plus spécialement de la Convention relative à l'immunité des navires d'Etat - Revision de la Convention sur la limitation de la responsabilité des propriétaires de navires et de la Convention sur les connaissements - Examen des trois projets de convention adoptés à la Conférence de Paris de 1936 - Assistance et sauvetage de et par avions en mer - Règles d'York et d'Anvers; taux d'intérêt.

XXI. AMSTERDAM - 1948

Président: Prof. J. OFFERHAUS.

Sujets: Ratification des Conventions internationales de Bruxelles - Révision des règles d'York et d'Anvers 1924 - Limitation de la responsabilité des propriétaires de navires (clause or) - Connaissements directs combinés - Révision du projet de convention relatif à la saisie conservatoire de navires - Projet de création d'une cour internationale pour la navigation par mer et par air.

XXII. NAPLES - 1951

Président: Mr. Amedeo GIANNINI.

Sujets: Conventions internationales de Bruxelles - Projet de Convention concernant la saisie conservatoire de navires - Limitation de la responsabilité des propriétaires de navires de mer - Connaissements (Révision de la clause-or) - Responsabilité des transporteurs par mer à l'égard des passagers - Compétence pénale en matière d'abordage en mer.

XVII. ANTWERP - 1930

President: Mr. Louis FRANCK.

Subjects: Ratification of the Brussels Conventions - Compulsory insurance of passengers - Jurisdiction and penal sanctions in matters of collision at sea.

XVIII. OSLO - 1933

President: Mr. Edvin ALTEN.

Subjects: Ratification of the Brussels Conventions - Civil and penal jurisdiction in matters of collision on the high seas - Provisional arrest of ships - Limitation of Shipowners' Liability.

XIX. PARIS - 1937

President: Mr. Georges RIPERT.

Subjects: Ratification of the Brussels Conventions - Civil and penal jurisdiction in the event of collision at sea - Arrest of ships - Commentary on the Brussels Conventions - Assistance and Salvage of and by Aircraft at sea.

XX. ANTWERP - 1947

President: Mr. Albert LILAR.

Subjects: Ratification of the Brussels Conventions, more especially of the Convention on Immunity of State-owned ships - Revision of the Convention on Limitation of the Liability of Owners of sea-going vessels and of the Convention on Bills of Lading - Examination of the three draft conventions adopted at the Paris Conference 1937 - Assistance and Salvage of and by Aircraft at sea - York and Antwerp Rules; rate of interest.

XXI. AMSTERDAM - 1948

President: Prof. J. OFFERHAUS

Subjects: Ratification of the Brussels International Convention - Revision of the York-Antwerp Rules 1924 - Limitation of Shipowners' Liability (Gold Clauses) - Combined Through Bills of Lading - Revision of the draft Convention on arrest of ships - Draft of creation of an International Court for Navigation by Sea and by Air.

XXII. NAPLES - 1951

President: Mr. Amedeo GIANNINI.

Subjects: Brussels International Conventions - Draft convention relating to Provisional Arrest of Ships - Limitation of the liability of the Owners of Sea-going Vessels and Bills of Lading (Revision of the Gold clauses) - Revision of the Conventions of Maritime Hypothèques and Mortgages - Liability of Carriers by Sea towards Passengers - Penal Jurisdiction in matters of collision at Sea.

XXIII. MADRID - 1955

Président: Mr. Albert LILAR

Sujets: Limitation de la responsabilité des propriétaires de navires - Responsabilité des transporteurs par mer à l'égard des passagers - Passagers clandestins - Clauses marginales et lettres de garantie.

XXIV. RIJEKA - 1959

Président: Mr. Albert LILAR

Sujets: Responsabilité des exploitants de navires nucléaires - Revision de l'article X de la Convention internationale pour l'unification de certaines règles de droit en matière de connaissements - Lettres de garantie et clauses marginales - Révision de l'article XIV de la Convention internationale pour l'unification de certaines règles de droit relatives à l'assistance et au sauvetage en mer - Statut international des navires dans des ports étrangers - Enregistrement des exploitants de navires.

XXV. ATHENES - 1962

Président: Mr. Albert LILAR

Sujets: Domages et intérêts en matière d'abordage - Lettres de garantie - Statut international des navires dans des ports étrangers - Enregistrement des navires - Coordination des conventions sur la limitation et les hypothèques - Surestaries et primes de célérité - Responsabilité des transporteurs des bagages.

XXVI. STOCKHOLM - 1963

Président: Mr. Albert LILAR

Sujets: Connaissements - Bagages des passagers - Navires en construction.

XXVII. NEW YORK - 1965

Président: Mr. Albert LILAR

Sujets: Révision de la Convention sur les Privilèges et Hypothèques maritimes.

XXVIII. TOKYO - 1969

Président: Mr. Albert LILAR

Sujets: "Torrey Canyon" - Transport combiné - Coordination des Conventions relatives au transport par mer de passagers et de leurs bagages.

XXIX. ANVERS - 1972

Président: Mr. Albert LILAR.

Sujets: Révision des Statuts du Comité Maritime International.

XXX. HAMBOURG - 1974

Président: Mr. Albert LILAR

Sujets: Révisions des Règles de York/Anvers 1950 - Limitation de la responsabilité des propriétaires de navires de mer - Les Règles de La Haye.

XXIII. MADRID - 1955

President: Mr. Albert LILAR.

Subjects: Limitation of Shipowners' Liability - Liability of Sea Carriers towards passengers - Stowaways - Marginal clauses and letters of indemnity.

XXIV. RIJEKA - 1959

President: Mr. Albert LILAR

Subjects: Liability of operators of nuclear ships - Revision of Article X of the International Convention for the Unification of certain Rules of law relating to Bills of Lading - Letters of Indemnity and Marginal clauses. Revision of Article XIV of the International Convention for the Unification of certain rules of Law relating to assistance and salvage at sea - International Statute of Ships in Foreign ports - Registry of operations of ships.

XXV. ATHENS - 1962

President: Mr. Albert LILAR

Subjects: Damages in Matters of Collision - Letters of Indemnity - International Statute of Ships in Foreign Ports - Registry of Ships - Coordination of the Convention of Limitation and on Mortgages - Demurrage and Despatch Money - Liability of Carriers of Luggage.

XXVI. STOCKHOLM - 1963

President: Mr. Albert LILAR

Subjects: Bills of Lading - Passenger Luggage - Ships under construction.

XXVII. NEW YORK - 1965

President: Mr. Albert LILAR

Subjects: Revision of the Convention on Maritime Liens and Mortgages.

XXVIII. TOKYO - 1969

President: Mr. Albert LILAR

Subjects: "Torrey Canyon" - Combined Transports - Coordination of International Convention relating to Carriage by Sea of Passengers and their Luggage.

XXIX. ANTWERP - 1972

President: Mr. Albert LILAR

Subjects: Revision of the Constitution of the International Maritime Committee.

XXX. HAMBURG - 1974

President: Mr. Albert LILAR

Subjects: Revisions of the York/Antwerp Rules 1950 - Limitation of the Liability of the Owners of Seagoing vessels - The Hague Rules.

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