



COMITE MARITIME INTERNATIONAL

PRESIDENT

11 April 2013

Dear President

Standing Committee on Promotion of Conventions

The Executive Council decided in Beijing last year to set up a small (at this stage) Standing Committee consisting of Louis Mbanefo as Chairman and Deucalion Rediadis as Rapporteur to investigate the possibility of joint action being taken by the CMI, the International Chamber of Shipping and the IMO to identify significant maritime conventions which those organisations considered needed to be implemented in order to give greater uniformity to International Maritime Law. The work they will be doing (with you) is to promote ratification/accession to the designated conventions. This is distinct from the work Francesco Berlingieri has been doing on Implementation and Jurisprudence on Maritime Conventions.

A meeting was held on 17 December 2012 between Louis Mbanefo and Deucalion Rediadis on behalf of the CMI and Kiran Khosla, Director, Legal Affairs, International Chamber of Shipping and Simon Bennett, Director, External Relations at the International Chamber of Shipping, at which it was decided that the organisations should work together to see what could be achieved in promoting treaty ratification.

It was followed by a meeting with Dr Rosalie Balkin, Mrs D Lost-Sieminska and Ms Nihan Unlu Asin of the Secretariat of the IMO Legal Division on 18 December 2012.

Further meetings were held on 26 March 2013 with the ICS and the Deputy Director of the IMO's Technical Co-operation Division Mr Juvenal Shiundu.

It was decided that the CMI would send this letter to National Maritime Law Associations and the International Chamber of Shipping would send a similar letter to its Member associations. The purpose of these letters is to request NMLAs and ICS members to get together, in those countries where the CMI and the International Chamber of Shipping both have memberships, with a view to meeting with the appropriate government officials.

I note there is no ICS affiliate in your country, however this should not, in my view, prevent the CMI and your Association from running the above exercise on our own. If there is some other industry body in your country whom you feel comfortable working with for the above purpose, please let me know so that CMI may consider writing to any international organisation to which such body may be affiliated.

STUART HEIHERINGION COCOLIN BIGGERS & PAISLEY,
Level 42, 2 Park Street, Sydney, NSW, 2000, Australia -
GPO Box 214, Sydney, NSW 2001 Australia

Tel: +61 2 8281 4477 E-Mail: swh@cbp.com.au Fax: +61 2 8281 4567

Registered Office CMI, Aisbl: Everdijkstraat 43, 2000 Antwerpen, Belgique

www.comitemaritime.org

The Conventions which it has been agreed to concentrate on are the following:

1. United Nations Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea (Rotterdam Rules) 2009
2. Protocol of 2002 to the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea 1974
3. International Convention on Liability and Compensation for Damage in connection with the Carriage of Hazardous and Noxious Substances by Sea 1996 and Protocol of 2010
4. The Nairobi International Convention on the Removal of Wrecks 2007, including extension of its scope of application to the territory of States Parties under Art. 3(2)
5. Protocol of 1996 to the Convention on Limitation of Liability for Maritime Claims 1976
6. Maritime Labour Convention 2006
7. MARPOL Protocol of 1997 (MARPOL Annex VI - Prevention of Atmospheric Pollution by Ships)
8. Convention on Facilitation of International Maritime Traffic 1965
9. International Convention for the Safe and Environmentally Sound Recycling of Ships (Hong Kong), 2009
10. Seafarers' Identity Documents Convention (Revised) (ILO 185), 2003
11. International Convention on Arrest of Ships 1999

It is suggested that you might seek to ascertain the following information from the appropriate government officials:

1. If the government of your country has not yet ratified or acceded to any of the conventions listed above, is it considering to take the necessary steps in order that your country become party to any of them?
2. If so, what is the likely procedure and time frame for such ratification to take place?
3. Has your government already considered the possible ratification of any of the conventions listed above and come to the conclusion that such ratification is not advisable?
4. If so, please give briefly the reasons (bullet points will suffice)
5. If the government in your country is undecided as to whether to ratify a Convention is there anything that your Maritime Law Association or other industry body in your country can do to assist the government reaching a decision?

It is not intended by the above questions to limit enquiries which you might be able to make of your government officials but they are suggested as an indication of the sort of information which we think it would be helpful for you to obtain, so that you can report back to the CMI as to the likelihood of the listed conventions being implemented and you will also be able to ascertain whether there is anything that you can do to assist your government in working through any issues that they have with any particular convention. For example, you may be able to host or arrange seminars for government officials and others in the industry who might be affected by a particular convention.

It would clearly be appropriate for you to appoint one or more members of your Association to be responsible for this work and notify Deucalion Rediadis (dr@rediadis.gr) of the person or persons you have nominated, together with their contact details, at the earliest opportunity.

I would be grateful if your nominee would then make arrangements, as soon as possible, to meet with the appropriate government officials.

I would also be grateful if you/your nominee would forward your reports to Deucalion after your meetings with the government official, or if you are only able to ascertain responses from your government on one or more of the listed conventions, please send your reports as they are completed in respect of each convention. Clearly the above information is not relevant where your country has ratified any of the above conventions. When reporting on your meetings please indicate whether the government of your country has ratified any of the conventions.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Stuart Hetherington', written in a cursive style.

Stuart Hetherington