



COMITÉ MARITIME INTERNATIONAL

HAMBURG 2014 ASSEMBLY

**Minutes of a meeting of the
CMI Assembly on Tuesday, 17 June 2014
at 14.30 at the Atlantic Hotel, Hamburg, Germany**

Welcome

President Stuart Hetherington welcomed all delegates present.

Attending

Officers of the Comité Maritime International

President:	Stuart HETHERINGTON
Past-President:	Karl-Johan GOMBRII
Vice-President:	Giorgio BERLINGIERI
Vice-President:	Christopher DAVIS
Secretary-General:	John HARE (taking minutes)
Administrator:	Lawrence TEH
Treasurer/Head	
Office Director:	Benoit GOEMANS
Councillors:	Tomotaka FUJITA
	Måns JACOBSSON
	Louis MBANEFO
	Jorge RADOVICH
	Andrew TAYLOR
	Dihuang SONG
	Dieter SCHWAMPE
	Alexander von ZIEGLER

Member Associations

Member associations were duly represented by delegates listed in the Attendance Register attached to these minutes.

1. Report of the Credentials Committee

Chris Davis and Benoit Goemans reported that the Assembly had been properly convened with notice of the Agenda as tabled, that a quorum of member associations was present, and that, in terms of the Constitution, all member associations represented were entitled to vote.

2. Memorials

The President advised the Assembly of the passing of the following distinguished members of the CMI family, and asked all to stand in a moment of silent tribute.

- (a) Richard Shaw (Member *Honoris Causa*)
- (b) Niall McGovern (Honorary Vice-President)
- (c) S Venkiteswaran (Venki) (India MLA)
- (d) Hidetaka Moriya (Japan MLA)
- (e) Sergio Turci (Italy MLA)

The President read a note prepared by Francesco Berlingieri concerning Niall McGovern and his service to the CMI and Patrick Griggs shared his memories of Richard Shaw and reminded delegates of his significant contribution to the work of the CMI.

3. Approval of the Minutes of the Assembly held in Dublin on 1 October 2013 (see attachment)

The Secretary-General tabled the minutes of the meeting of the Assembly held in Dublin on Ireland on 1 October 2013 which were duly adopted, and signed by the President and Secretary-General.

4. Matters arising from Minutes of the Assembly held in Dublin on 1 October 2013

There were no matters arising other than those to be dealt with in the Agenda.

5. Report of the President

The President tabled and delivered his attached Report which was duly adopted.

In his verbal report, the President made mention of the Management Committee meeting held in Antwerp in March and the wish of Benoit Goemans to retire as Treasurer of the CMI during the ensuing year. The President recalled the enormous contribution made to the CMI by Benoit Goemans (and his father before him) over decades, and that the CMI owed Benoit a "huge debt of gratitude". He also confirmed the retirement of Måns Jacobsson from the Executive Council, remarking that the Executive Council "will miss his sunny disposition and intelligence", and thanked him for his considerable contributions to the work of the CMI. The President also reported on the engagement of Anne Verlinde to work in the Antwerp office and her attendance in Hamburg. The President also referred to the need for MLAs to provide contact details of their membership (or identify a single recipient) for direct mailings by the CMI from its website.

6. Finances

(a) The Treasurer's report for accounts year ended 31 December 2013

The Treasurer presented his report of the accounts of the CMI for 2013. Income for 2013 was €212 671 against expenditure of €224 554 giving a deficit of €11 883 for the year, in line with the then financial policy of reducing reserves considered to be greater than required. The Treasurer recorded a significant drop in expenditure for the year, due in part to the absence of secretarial assistance during the year under review and also attributable to digital era savings - and the generous

waiver by then Secretary-General Nigel Frawley of his stipend for 2013. He reported further that 2013 reserves closed at €601635.

Adoption of the Treasurer's report was proposed by Australia/New Zealand, seconded by Ecuador, and approved by show of hands.

(b) Report of the Chair of the Audit Committee

Måns Jacobsson tabled and presented the report of the Audit Committee, in the absence of the Chair Liz Burrell.

He explained that the Audit Committee examines the audit conducted by the CMI's appointed auditors and conducts between its members, in depth discussion of the auditor's report. Owing to geographic separation, these discussions are done by telephone.

Mr Jacobsson commended the Treasurer for his handling of CMI investments in the turbulent market of the past few years. He has played safe, without risk to the CMI. He confirmed that the CMI has reduced reserves as decided, gradually. Last year (2013) it was said we should aim again for a modest deficit budget. It was however decided that the CMI could operate on a modest deficit for a further year (2014). The Audit Committee now feels that reserves have been brought down to a reasonable level, and that the CMI should thus aim for future years (2016 and beyond) for a balanced budget.

The Audit Committee recorded its full confidence in the Treasurer, and noted the fact that he has decided to retire, with acclaim for his considerable efforts for the CMI over many years.

The Report of the Auditors was adopted with no dissent, by show of hands.

(c) Budget update for 2014 and Budget for 2015

The Treasurer pointed out to the Assembly that the Constitution requires the Treasurer to prepare budgets for the current year (2014) and a budget projection for the next year (2015). As Assemblies are often conducted in the middle of the CMI financial year, it is appropriate in mid-year to review the estimated budget for the current year against the actual figures of the first half of that budget year.

The Treasurer tabled and presented an updated 2014 budget reflecting a projected deficit of €46 478, and a projected budget deficit for 2015 (without increase of subscriptions) of €18 453.

The Secretary-General informed the Assembly that he had submitted to EXCO a detailed accounting of the actual exposure of the CMI for concessions and costs of the Hamburg Conference. The total exposure, including EXCO and CMI speakers' registration, travel and accommodation costs, was €66 896. This figure was then used by the Treasurer to adjust the 2014 budget estimates for the above line items. The Secretary-General expressed the hope, without guarantee, that the excellent attendance at and the most generous sponsorship of the Hamburg Conference may result in a reduction of the CMI Hamburg expenses, it having been agreed with the DVIS organising committee that the total revenues of the Conference will be examined post-Conference in the hope that the Conference budget may be able to absorb a greater share of the CMI expenses. Nevertheless it was considered proper to update the 2014 budget in respect of Conference-related expenses from estimates made in Dublin to actual exposure now known.

(d) Subscriptions for 2015

The Treasurer expressed the clear view of EXCO and the Audit Committee that the CMI should, for the 2015 year, be aiming for a balanced budget, and that this could only be achieved (given the significant reduction of costs of administration already achieved) by an increase in subscriptions from 2016.

Notice was therefore duly given to the Assembly that there would be an increase in subscriptions proposed for approval by the 2015 Assembly.

EXCO will need to decide the level of subscriptions to recommend to the Assembly, in the light of the above projected deficit of €18453 if subscriptions are not increased. EXCO had discussed at its Hamburg meeting whether it should propose a subscription increase to this meeting of the Assembly. It was decided that the present level of reserves allow a continuing (and increased) deficit for the 2014 year, and that the 2015 Assembly needs to receive proper notice of proposed increases.

The Treasurer confirmed that the Early bird subscription payment discount for 2015 would be 2,5%. In response to a query from the MLAUS, he confirmed that this discount had been reduced from 5% to 2,5% which will result in a small increase in subscription revenue during 2015.

Adoption of the Treasurer's report was proposed by Ireland, seconded by Australia/New Zealand, and adopted by a show of hands. The President thanked the Treasurer for his considerable efforts in relation to the budget.

(e) Report on collection of outstanding subscriptions

Chris Davis reported progress in the collections of arrears, and that older outstanding subscriptions have continued to decline as a result of negotiating settlements with NMLAs and writing off unpaid contributions from expelled NMLAs. About a dozen defaulters remain however from 2012 and earlier, and will continue to be followed up.

The President commended Chris Davis and Jorge Radovich for their continuing efforts.

(f) Approval of the Nomination of Der Mol Meuldermans & Partners BVBA as auditors for the 2015 accounts

Proposed by Greece, seconded by Switzerland and carried by show of hands.

(g) CMI Charitable Trust

Patrick Griggs tabled the report of the CMI Charitable Trust on behalf of Tom Birch Reynardson, who was unable to attend the Conference, for noting by the Assembly. Mr Griggs notified the Assembly that the Trust had €457187 in investment which for the past year has produced a return of 6,86%.

Mr Griggs confirmed the resignation and acknowledged the contribution of Charles Goldie as Trustee over many years, and announced that Stuart Hetherington and Ann Fenech had been appointed Trustees.

7. Members:

(a) New NMLA Members

Three new members were introduced by the President for election as members of the CMI. The President confirmed that the Executive Council had found that the applications were in order, properly supported in each case by documentation demonstrating them to be in accord with the prescript of the Constitution:

- (i) Senegal
Accepted by acclamation

(ii) Romania
Accepted by acclamation

(iii) East Africa
Accepted by acclamation

(b) New Consultative Member

The Secretary-General proposed the application for Consultative Status, which was recommended by the Executive Council of the Nautical Institute be accepted. , He indicated the mutual benefit that such membership should inure for both the CMI and the Institute. He confirmed that following contact between him and the Director of the Nautical Institute earlier in the year, cooperation between the CMI and the Institute was already in place.

Accepted by acclamation

(c) Titulary Members/Nominations (see attachments)

The President reported the receipt of applications by MLAs for Titulary Membership which had been considered and approved by the Executive Council.

The following distinguished persons were elected by acclamation as Titulary Members

- (i) Francis Nolan (USA)
- (ii) Hal Watson (USA)
- (iii) Gregory O'Neill (USA)
- (iv) Benoit Goemans (Belgium)
- (v) Måns Jacobsson (Sweden)
- (vi) Gregory Timagenis (Greece)

(d) Expulsion of MLAs

The President confirmed that in pursuance of a decision taken by the Assembly at Dublin, Guatemala had been given due notice that continued non-payment of subscriptions due would result in its expulsion from the CMI at this Assembly. No payment or contact having been received, the President, with regret, moved for the expulsion of Guatemala.

The proposal was then carried by show of hands.

(e) Provisional membership

The President reported that two applications for Provisional Membership had been received and considered by the Executive Council, who recommended that approval be given by the Assembly.

- (i) Theis Klauberg (Latvia)

Carried by a show of hands, and congratulations offered to Mr Klauberg who

was attending the Conference.

(ii) Kwabena Asare (Ghana)

Carried by show of hands, and congratulations offered to Mr Asare who was attending the Conference.

(f) Proposed expulsions

The President informed the Assembly that two NMLAs were in long term and continuing default and invited the Assembly to resolve to place them in line for expulsion at the 2015 Assembly, neither of them having responded to correspondence in the past or participated in the CMI for some years. Dr José Apolo Teran (Ecuador) asked for an explanation of the process of expulsion. He enquired whether if the default is perhaps evidenced by unanswered letters, could there be valid reasons such as misdirection of mails? The President explained that the consequence of the resolution to place an NMLA in line for expulsion is that a final demand letter is sent to the defaulter, notifying them of the motion to expel for continuing non-payment. But before this step, numerous attempts would have been made by the subscription collection committee of Chris Davis and Jorge Radovich (and Karl-Johan Gombrii in the past), to make contact and ascertain if the defaulting NMLA has payment problems or are perhaps defunct. Those who answer the CMI's final demands are at liberty to negotiate a settlement of their outstanding account for good reasons given. The CMI is always open to reasonable discussion, and the process to expel is the end of the line where no other alternatives present themselves.

The President then moved for expulsion proceedings be commenced against

(i) Pakistan; and

(ii) Bulgaria

for resolution by the 2015 Assembly in the absence of their debts being paid. Carried by a show of hands.

8. Amendments to the Constitution (see Attachment)

The President tabled and proposed an amendment to Article, 8(d) and 15 of the Constitution. The import of the amendments were, in relation to Art 8, to make reference to the changed description of the Treasurer to "Treasurer and Head Office Director"; and in relation to Art 15 to tidy up the nomination process to require the Chair of the Nominating Committee first to ascertain whether Councillors eligible for re-election are available, and whether NMLAs wish to propose any candidate for possible nomination by the Nominating Committee before the Nominating Committee seeks the views of NMLAs on candidates. The time limits for responses are also changed.

Dr José Modesto Apolo Teran (Ecuador) questioned the process adopted by the Nominations Committee in naming only one name per vacancy, because this makes it appear there can be no vote in the Assembly.

The Secretary-General responded by confirming that nomination from the floor was always possible, upon due notice given in terms of the Constitution, and that in such event the Assembly would be invited to vote upon competing candidates. However he acknowledged that the nomination and election process needs in present times to be (and be perceived to be) fully transparent and that, in an attempt to address undoubted concerns and perceptions, he has submitted to EXCO a more general and

wider amendment of Article 15 for consideration by the Constitution Committee and referral in due course to EXCO and the Assembly.

The Secretary-General had asked leave to join the Constitution Committee, which was agreed by EXCO at its Hamburg meeting.

The amendment as tabled was proposed by Argentina, seconded by Belgium and carried by show of hands.

9. Work in Progress

The President invited reports from the Chairs of CMI International Working Groups and Standing Committees. Reports were duly tabled and presented thus:

(a) Acts of Piracy and Maritime Violence

Andrew Taylor tabled and presented a piracy update, reporting a continuing drop in Somali piracy, but a worrying increase in piracy of a more violent nature in the Gulf of Guinea. He reported the increasing use of GUARDCON as the industry standard for on board security, which has had 100% effectiveness in warding off attacks. But Mr Taylor echoed the caution of the IMB that there can be no room for complacency.

(b) Fair Treatment of Seafarers

Kiran Khosla tabled and presented Olivia Murray's report on the Fair Treatment of Seafarers, recording that Kate Lewins had joined the IWG. Ms Khosla reported observer attendance at the 101st Session of the Legal Committee of the IMO and efforts there to encourage the IMO to promote implementation of the Fair Treatment Guidelines. The report outlined current work, including continuing cooperation with Seafarers' Rights International in which the CMI is involved with a joint project to ascertain and encourage more widespread acceptance of the Fair Treatment Guidelines by the use of questionnaires and direct enquiry.

(c) Recognition of Foreign Judicial Sales of Ships

Chair Prof. Henry Li reported the outcome of the CMI Plenary session held before the Hamburg Assembly. He recorded that the Plenary had adopted the text of the **Draft International Convention on Foreign Judicial Sales of Ships and their Recognition** after debate, Prof. Li was invited by the President to propose the text of the instrument for adoption by the Assembly.

The proposal was thus made by China and seconded by Australia/New Zealand. Put to the vote, there were 24 acceptances - from the NMLAs of Argentina, Australia/New Zealand, Belgium, Brazil, Canada, China, Democratic Republic of Korea, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Japan, Malta, Netherlands, Nigeria, Norway, Spain, Sweden, Switzerland, Turkey, United Kingdom and abstentions from the United States (who indicated that their delegation declined to vote because they had no mandate, though delegates present indicated that they were personally in favour of the instrument) and Poland. There were no votes against.

The President commended Prof. Li and his team for the enormous amount of work done to arrive at the adoption of the text of the draft convention, and this acclaim was echoed by all present.

(d) Marine Insurance

Dieter Schwampe tabled and presented the report of the Marine Insurance IWG. He reported that the scope of the remit of the IWG is continually narrowing and that it now focuses on only four aspects – summarised on the last page of the report as including:

- The recommendation that national governments require insurers to provide confirmation that cover provided is at least for minimum convention

requirements;

- That the IMO extend the Bunker Convention financial security requirements to other convention security requirements.
- That the IWG does not proceed with attempts to harmonize time limits for direct actions against insurers at this stage.

That the IWG be authorised by EXCO to put out a questionnaire to NMLAs on practices and procedures in the case of termination of insurance cover. He reported that EXCO had agreed that the IWG proceed with such questionnaire, and that consideration be given as to whether amendments to current PSC/MoU systems are in need of amendment.

(e) Cross-border Insolvency

Chris Davis tabled and presented the report of the Cross Border Insolvency IWG and reported that the IWG had held discussions in Hamburg. Work on the topic, which remained relevant in international shipping circles, has continued. There has been an evaluation of the 15 replies received on the May 2012 Questionnaire, and the IWG is now reviewing the best way forward to promote reform and harmonisation of law and international practices, and will report further to EXCO.

(f) Polar Shipping (formerly Arctic/Antarctic Legal Regimes)

Aldo Chircop, newly appointed Chair of the IWG, presented his report, paying tribute to Nigel Frawley, his predecessor, who has fortunately agreed to remain on the Group. The IWG held meetings in Hamburg, and members of the group presented sessions on certain aspects of Polar Shipping. The ongoing work of the IWG is outlined on the annexure to Prof. Chircop's report. Its focus includes developing an inventory of initiatives of international organisations in relation to the regulatory regime in polar waters; a review of international private and public maritime law conventions to consider applicability to polar environments; and an evaluation of pollution liability regimes applicable to polar regions.

The President thanked Prof. Chircop for having taken over the Chair of the IWG, and for the most interesting and informed presentations on polar shipping at the Hamburg Conference.

(g) Review of the Rules on General Average

Taco van der Valk presented the report of the IWG on General Average, which had been the subject of a more detailed report at a session during the seminar in Hamburg.

(h) Rotterdam Rules

Tomotaka Fujita as Chair, tabled and presented the report of the IWG on the Rotterdam Rules. He reported that there have been three ratifications – Congo, Spain and Togo. He reported that there are moves afoot in other countries to ratify, including some European countries.

Prof. Fujita reported further that the African regional economic community (CEMAC) has used the Rules as a model law and incorporated the terms of the Rules into the CEMAC Merchant Marine Code. Prof. Fujita had heard also that the Rules were now “on the USA Secretary of State's desk” which was perhaps an indication of some movement of the Rules in the USA.

The report of the IWG makes reference also to the UNCITRAL Working Group IV on Electronic Commerce on which the CMI has been represented by observers Alexander von Ziegler in Zurich and Messrs Foley and Nolan in New York.

(i) Offshore Activities - Pollution Liability and related issues

Patrick Griggs, Chair, tabled and presented the report of the IWG on Offshore Activities. The activities of the IWG have focussed mainly on the questionnaire sent out to NMLAs in July 2013 to which there have to date been 17 replies. Mention was made of the precedent of the bilateral agreement between Mexico and the USA which may serve as a useful precedent for the CMI. Mr Griggs referred the Assembly to the publication of an IDDRI study entitled "Seeing beyond the horizon of deepwater oil and gas: strengthening the international regulation of offshore exploration and exploitation" which will be of great use to the CMI. Reference was also made to the CMI observations at the 101st Session of the Legal Committee of the IMO at which issues relating to transboundary pollution from offshore activities was raised.

A supplementary memo was also tabled by Chair Patrick Griggs. The report recorded the participation of the CMI observers at the IMO Legal Committee meeting in London in April 2014 and that the IMO had expressed a preference for bi-lateral and regional agreements rather than international convention regulation. It recorded that all present at the Legal Committee had been of the view that further work needs to be undertaken. The CMI observers reported to the Legal Committee that the CMI had sent out a questionnaire, but that to date there has been limited reply. In his report to the Assembly Patrick Griggs also referred to his perception that industry may be coming round to the view that a voluntary regime (similar to TOVALOP and others) may be necessary.

(j) Arbitration

Luc Grellet as Chair of the ad hoc Working Group on Arbitration delivered a report from the floor. He referred to exchanges between himself, Vincent de Orchis, Leo Kailas, Liz Burrell and David Martowski which had been put before EXCO. The essence of this exchange was the conclusion that "the CMI is uniquely suited to promote uniform international maritime arbitral practice and procedure, and that an important first step would be an impartial and expert review/comparison of the various fora". Luc Grellet confirmed that his Committee would be working further considering the matter, and would report to the November meeting of the Executive Council.

10. Standing Committees**(a) Jurisprudence on Maritime Conventions**

Taco van der Valk reported that this project has been on hold since March but that discussions were under way to determine the best way forward. EXCO had resolved not to renew the contract of Ms Audile Plegat when it expired in March 2014. Ms Plegat had developed good contacts with a number of MLAs, assembled some cases, and carried out an investigation as to the most appropriate means to reconstruct the data base on the website, including the significant collection of judgments prepared by Prof. Francesco Berlingieri which had been handed over to CMI and is now on the website. Issues under debate concern whether the database is formatted so that it becomes fully searchable, and whether English casenotes should be added. Original texts are in their language of source.

The Secretary-General reported that the Management Committee had discussed ways forward for this initiative and had resolved to approach Prof. Stephen Girvin of the National University of Singapore to ascertain his willingness to drive the project from a Singapore base. Prof. Girvin (who was attending the Hamburg proceedings) has expressed positive indications, but acceptable details now need to be discussed between him and the CMI. The Administrator has been asked by EXCO to take this further, in consultation with Taco van der Valk.

(b) Promoting Ratification of Maritime Conventions

Deucalion Rediadis as Rapporteur of this Committee reported that the CMI awaits responses to the questionnaire sent out during the past year and that once responses are received, an analysis will be done and presented to the 2015 Assembly. This project ties in well with the IMO's theme for 2014 which was declared to be the promotion of the implementation of existing conventions.

Mr Rediadis confirmed that this Standing Committee would now combine with the other conventions Working Group formerly led by Prof. Francesco Berlingieri.

(c) Young CMI

Taco van der Valk as Chair of the Standing Committee on Young CMI tabled and presented his report of the Committee's considerable efforts during the past year, culminating in the cooperation of Young CMI with the Young Maritime Lawyers Group (Belgian, British, Dutch, French and German young maritime lawyers) during and before the Hamburg Conference, when each were to attend the deliberations of the other. This was considered to be a valuable exchange.

Taco van der Valk was commended for his driving of Young CMI and its related projects such as the convening speakers at CMI events and CMI on LinkedIn.

(d) Constitution Committee

The Treasurer as Chair of the Standing Committee on the Constitution, confirmed the deliberations of the Committee over the past year, and to the amendments referred to in para 8 of these Minutes. He reported that the last revision of the constitution dates back to Singapore and that the Committee had begun the process of reviewing the text and clearing any anomalies. Part of this would involve checking the English text against the French and the renumbering of articles, possibly making Art 3 a separate part of the Constitution. The nomination and election process will also be reviewed, and the Committee will report further to EXCO and to the next Assembly.

(e) General Average Interest rates

Taco van der Valk, on behalf of Bent Nielsen, Chair of this Standing Committee explained that the York Antwerp Rules require the Assembly to fix the GA interest rate for the ensuing year. The Committee recommended a continuation of the present rate of 2.75% for 2015 but as it is early in the year to anticipate a fair and reasonable rate for 2015 adjustments, he asked the Assembly to delegate to EXCO the power to vary the GA rate for 2015, upon any later recommendation of the Standing Committee. A proposal was tabled to this effect, which was proposed by Germany, seconded by Ireland, and carried by a show of hands.

11. Publications: Yearbook and Newsletter; LinkedIn, website and Handbook on Maritime Conventions

Vice-President Giorgio Berlingieri reported that work was already in hand for the next CMI Newsletter which will be on the CMI site soon. Proceedings of the Dublin Symposium and preparatory documentation for the Hamburg proceedings will be included in the 2014 Yearbook. The remainder of the Hamburg proceedings will be in the 2015 Yearbook.

The President reported that there had been limited progress on the CMI Handbook on Maritime Conventions, and that EXCO had tasked the Secretary-General with following up this project with Frank Wiswall, with whom he has recently been in contact.

The Secretary-General reported that as an experiment, all the presentations in Hamburg (excluding the Conference, Plenary and Assembly) had been recorded by video and audio, and that after editing, all would be made available initially on the Conference website and then transferred to the CMI site. If considered useful by NMLAs, this could become a regular feature of CMI events, making the product of its research and the collective expertise of delegates available to the broader CMI membership. Similarly, all speakers' papers and presentations would be uploaded to the Conference site as soon as possible.

12. 2015 Colloquium and 2016 Conference

(a) Colloquium in 2015 – Istanbul

The President reported the set-back of arrangements which had recently taken place owing to concerns expressed by the then President of the Turkish MLA on the security and political stability of Turkey. These concerns were not shared by the general membership of the Turkish MLA, resulting in a change in leadership of that association. The new leadership had expressed confidence in the suitability and ability of Turkey to host the 2015 Assembly and Symposium.

Vice-President Chris Davis had recently visited Istanbul and had conferred with the Turkish MLA. He had presented favourable reports to EXCO which now sought confirmation of the decision to hold the 2015 event in Istanbul. The former President has since retracted his concerns and expressed his full support for the holding of the 2015 Symposium in Istanbul.

The President invited the Turkish delegation, comprising Prof. Didem Light, Mr Sertaç Sayhan and Ms Bahar Sayhan to make a short presentation, at the end of which the Assembly affirmed the decision taken at Dublin to hold the 2015 Colloquium in Istanbul.

(b) Conference 2016 - New York

MLA US President Bob Clyne reported to the Assembly that arrangements were proceeding apace for the holding of the CMI 2016 Conference concurrently with the MLAUS Spring meetings in the first week of May 2016. Vincent Foley is chairing CMI 2016 New York organising Committee which has already engaged extensively with the President and the Secretary-General and Vice-President Chris Davis. A meeting of the MLAUS and the CMI team had been held in Hamburg prior to the Assembly.

The President confirmed that The Hilton Hotel in New York has been chosen as the Conference venue, and the organising committee has commenced discussions on the likely work programme with the Secretary-General. This will hopefully include the culmination of the Review of the York Antwerp Rules, which the Secretary-General suggested may well lead to the New York Antwerp Rules, 2016.

13. CMI Regional Office in Singapore

The Administrator reported that the registration of the representative office of the CMI in Singapore had been renewed for a further year to 25 April 2015. He reported that the CMI had received an approach from the UNCITRAL Regional Centre for Asia and the Pacific (RCAP) who wish to increase levels of coordination and cooperation with the CMI in Asia. It has singled out in particular the Rotterdam Rules as something on which it is keen to set-up a regional expert group. It has suggested that a meeting of the regional expert group could take place around the time of the Singapore MLA's yearly Asian Maritime Law Conference next spring. The Administrator confirmed that EXCO had given him the go-ahead to cooperate with RCAP and indicated that such an initiative would be in accord with and serve the continuation of the defined 'Activities' of the CMI Regional Office registration as defined by the office of International Enterprise in Singapore. The Administrator also confirmed that he will

take the opportunity of visits to countries in South East Asia, where there is no MLA, to meet with practitioners and encourage them to form MLAs.

14. CMI - The Future

The President tabled Liz Burrell's preliminary report as chair of the Ad hoc Committee on the Future Role of the CMI in which Ms Burrell reported that there had been a number of contacts between members of the committee which has identified a number of issues (listed in the report). The committee is still deliberating these issues and is examining ways of collecting input from CMI members. It has no recommendations to proffer at this stage.

15. Planning Committee

The Secretary-General as chair of the Planning Committee reported limited contact between members of the Committee since Dublin, but was pleased to report that Prof. Michael Sturley had joined the Committee. This was considered by the Committee to be a useful step in working with the MLAUS towards 2016 New York. Only four members of the Committee are attending Hamburg, and thus a full meeting had not been possible during the Hamburg week.

Regarding matters on the CMI future work programme, the Planning Committee has been in discussions with Prof. Eric van Hooydonk in connection with his proposed project for the CMI to attempt a Restatement of the General Principles of Maritime Law. EXCO had agreed that the project could proceed, and that an Ad hoc IWG will be established. The Secretary-General and Alex von Ziegler were tasked with setting up an initial IWG with Prof. van Hooydonk to decide the way forward, and especially to advise EXCO on the broader composition of the group.

Other matters brought to the attention of the committee concern aspects of collision law, a possible revival of CMI efforts in relation to shipbreaking, and the increase in actions against shipowners and their vessels in claims against charterers. The Planning Committee took note of the decision taken at Beijing that it should make full reports to Conferences of the CMI every three to four years, and it aims to deliberate before, during and after Istanbul, and then to present a full report to the New York Assembly.

16. D&O Insurance

The President reported that the CMI had obtained €1m cover from AIG for the CMI's Directors' and Officers' Liability Insurance and a summary of the cover had been prepared by him. If anyone wished to see the extent of the cover they should apply to him or the Treasurer.

17. Elections

The President tabled the report of the Chairman of the Nominating Committee. That report recommended the election of officers as follows:

- (i) John Hare as Secretary-General
- (ii) Jorge Radovich for a second term as Executive Councillor
- (iii) Ann Fenech as Executive Councillor.

The Secretary-General confirmed that there had been no other nominations received for any of the above offices, and the President therefore declared all three nominees duly elected to office.

The Assembly congratulated those elected by acclamation.

18. Any other business

The delegates from the IIDM as Consultative members of the CMI extended an invitation to members of the CMI to their forthcoming Conference in Lisbon from 18 to 22 November 2014.

Closing remarks

The President thanked the Deutscher Verein für Internationales Seerecht (DVIS) and its organising committee for hosting an enjoyable and successful Conference, culminating in the adoption of the text of the Judicial Sales instrument. In addition he thanked all presenters of papers, Brands Alive and their team of Professional Conference Organisers, the audio visual teams and others who had contributed to the success of Hamburg 2014.

There being no other business the meeting closed at 16h35.



STUART HETHERINGTON, PRESIDENT



JOHN HARE, SECRETARY-GENERAL