

D. Approval of the draft convention

99. At its 1164th meeting, on 30 June 2022, the Commission adopted by consensus the following decision and recommendation to the General Assembly:

“The United Nations Commission on International Trade Law,

“Recalling its mandate under General Assembly resolution 2205 (XXI) of 17 December 1966 to further the progressive harmonization and unification of the law of international trade and in that respect to bear in mind the interests of all peoples, in particular those of developing countries, in the extensive development of international trade,

“Mindful of the crucial role of shipping in international trade and transportation, of the high economic value of ships used in both seagoing and inland navigation, and of the function of judicial sales as a means to enforce claims,

“Considering that adequate legal protection for purchasers may positively impact the price realized at judicial sales of ships, to the benefit of both shipowners and creditors, including lienholders and ship financiers,

*“Wishing, for that purpose, to establish uniform rules that promote the dissemination of information on prospective judicial sales to interested parties and give international effects to judicial sales of ships sold free and clear of any mortgage or *hypothèque* and of any charge, including for ship registration purposes,*

“Convinced that the adoption of a convention on the international effects of judicial sales of ships that is acceptable to States with different legal, social and economic systems would complement the existing international legal framework on shipping and navigation and contribute to the development of harmonious international economic relations,

“Noting that the preparation of the draft convention on the international effects of judicial sales of ships was the subject of due deliberation in the Commission and that the draft convention benefited from consultations with Governments and interested intergovernmental and international non-governmental organizations,

“Noting also that the text of the draft convention was circulated for comment before the fifty-fifth session of the Commission to all Governments invited to attend the meetings of the Commission and its Working Group VI (Judicial Sale of Ships) as members and observers,

“Having considered the draft convention and the comments submitted by Governments and international organizations at its fifty-fifth session, in 2022,

“1. Submits to the General Assembly the draft convention on the international effects of judicial sales of ships, as it appears in annex I to the report of the United Nations Commission on International Trade Law on the work of its fifty-fifth session;

“2. Recommends that the General Assembly, taking into account the

extensive consideration given to the draft convention by the Commission and its Working Group VI (Judicial Sale of Ships), consider the draft convention with a view to: (a) adopting, at its seventy-seventh session, on the basis of the draft convention approved by the Commission, the United Nations Convention on the International Effects of Judicial Sales of Ships; (b) authorizing a signing ceremony to be held as soon as practicable in 2023 in Beijing, upon which occasion the Convention would be open for signature; and (c) recommending that the Convention be known as the “Beijing Convention on the Judicial Sale of Ships”;

“3. *Requests* the Secretary-General to publish the Convention, upon adoption, including electronically and in the six official languages of the United Nations, and to disseminate it broadly to Governments and other interested bodies.”