

**Japanese MLA's Comments**  
**On the Beijing Draft of**  
**International Convention on Recognition of Foreign Judicial Sales of Ships**

Japanese MLA has carefully reviewed the Beijing Draft of International Convention on Recognition of Foreign Judicial Sales of Ships, and wishes to submit its comments and proposal.

1. Revision of Article 8, para 3

As is already expressed in the previous comments, JMLA hesitates to accept a scheme in which a result of foreign judicial sale is automatically recognized without a review with respect to the procedure and the nature of the claim on which the judicial sale is based. The current wording of Article 8, 3rd para, from JMLA's viewpoint, is not clear enough in this regard. Therefore, JMLA wishes to revise the provision as follows: -

8.3 Recognition of a Judicial Sale may also be refused if the Court in a State Party in which recognition is sought finds that either, (i) the Judicial Sale or any of the underlying procedures or (iii) claims or documentation pursuant to which the Judicial Sale was obtained is contrary to the public policy of that State Party.