

CMI Assembly Resolution

on The CMI Lex Maritima - The Tokyo Principles of Maritime Law

Adopted in Tokyo by the 44th CMI Conference

The 44th Conference of the Comité Maritime International (“CMI”),

Bearing in mind the purpose of the CMI, in accordance with its Constitution, ‘to contribute by all appropriate means and activities to the unification of maritime law in all its aspects’,

Noting that maritime law contains numerous specific concepts and rules, some of which differ considerably from related institutions in other branches of the law,

Noting that despite national divergences maritime law largely rests on a number of general, universally shared principles, known as the Lex Maritima,

Considering that the CMI as a worldwide umbrella of maritime law practitioners is the appropriate organisation to identify, compile and disseminate these universal principles;

Wishing to enunciate the universal foundations of maritime law, thereby clarifying its specificities and contributing to its international uniformity,

Acknowledging that the CMI’s International Working Group on the Restatement of the Lex Maritima (“the IWG”), established in 2014, has carried out substantive comparative law research in order to identify, compile and articulate these universal principles, based on extensive references to legal sources collected worldwide, including conventions, codes, statutes, case law, doctrine and model contracts and clauses,

Convinced that this compilation of the Lex Maritima can serve various useful functions, including as an educational tool, as guidance for national and international legislators and, where the positive law so permits, as an additional source of general principles of the Lex Marittima,

Stressing that this compilation of the Lex Maritima does not intend to derogate from the positive maritime law at either international or national level, but merely to serve as a supplementary tool,

Stressing that by adopting this Resolution and thereby adopting the compilation of the Lex Maritima, the CMI does not intend or suggest to have given this compilation any special authority or supremacy over other available sources evidencing general principles of the maritime law, maritime usages or maritime practice,

Noting that a first complete version of ‘The Draft CMI Lex Maritima’, known as ‘The Gothenburg Draft’, was submitted by the IWG in 2024,

Adopts the attached document as ‘The CMI Lex Maritima 2025 - The Tokyo Principles of Maritime Law’

and

Authorizes the Executive Council to consider in cooperation with the IWG any linguistic and grammatical inaccuracies and to make the necessary editorial corrections to the adopted document, before its publication.