

17<sup>th</sup> February 2026

**Coming into force of the Convention on the International Effects of Judicial Sales of Ships.**

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Tomorrow is a very special day for the CMI - we see the coming into force of the Convention on the International Effects of Judicial Sales of Ships. The Convention has 34 signatories and 3 ratifying states triggering the application of Article 21 of the Convention.

The trajectory of this Convention through UNCITRAL has been remarkable. In 6 years and 8 months we have gone from the first meeting of UNCITRAL's Working Group VI held in New York in 2019, on to its adoption by the General Assembly in December 2022, on to the first signing ceremony in Beijing in September 2023, the second signing ceremony in Malta in June 2024 and in 2025 we had the third state ratifying the Convention triggering the application of Article 21 and the commencement of the running of the 180 days for the coming into force of the Convention.

On this very special occasion I would like to thank a number of people who played a key role in this project.

Past President Stuart Hetherington who persevered and took the project to UNCITRAL together with Kate Lannan and Renaud Sorieul who were the two persons at UNCITRAL who guided Stuart Hetherington in the initial stages and approaches to UNCITRAL, Alex von Ziegler Past Secretary General of CMI who, on behalf of the Swiss government, presented the proposed CMI Beijing Draft and was actively present throughout and Ryan Harrington from the UNCITRAL secretariat who came to Malta and supported the Malta Colloquium in 2018 convened in record time, which gathered the industry and presented conclusions which effectively persuaded UNCITRAL to take on the project.

The progress registered during the sessions of Working Group VI, including virtual sessions held during Covid was significant and would simply not have happened if it were not for the determination of all and particularly of; the Chair of the Working Group, Prof Beate Czerwenka who kept a very firm grip on proceedings, Jose Angelo Estrella Faria - Principal Legal Officer and Head, Legislative Branch International trade Law Division, who expertly provided solutions to several delegations holding divergent views, Alex Kunzelmann, the producer of a number of reports including the explanatory notes on which so much emphasis has been placed by so many delegations throughout the six sessions and of course the Secretary General of UNCITRAL Madame Anna Joubin Bret and the Secretariat of UNCITRAL and to all the staff both in Vienna and in New York.

Thanks go to Rear Admiral Fred Kenney then Director Legal Affairs and External Relations at the IMO and his successor Dr. Dorota Lost Sieminska and past Secretary General of the IMO Kitak Lim and current Secretary General Arsenio Dominguez and the Legal Committee of the IMO for agreeing to host a special module on the IMO GISIS platform making it the repository for all Notices of Judicial Sales and Certificates of Judicial Sales.

Thanks go to the state delegations present during the deliberations who understood the importance of the Convention to international trade and worked hard to find consensus. It was a pleasure to work with the European Commission, head of delegation Angele Sears Debono with her very constructive approach as well as industry delegations who supported our work including BIMCO, ICS, ITF, International Association of Judges, Law Asia, IBA, IUMI, the International Law Institute, Institute of Arbitrators, FONASBA, and the Institute of Shipbrokers amongst others.

The Working Group examined each and every section of the draft, analysed, deliberated, raised numerous questions. In preparation for each of the 6 meetings of the working group the CMI IWG worked in identifying those parts and sections of the Draft, which could benefit from further explanation and so we prepared what we called the **CMI Notes** ahead of each session which assisted in focusing the minds of the delegations on key issues; we worked together with delegations in ironing out stumbling blocks and persevered in finding solutions until the Working Group VI finalised the Draft in New York in February 2022 which draft was approved by the Commission in June 2022 and recommended its adoption by the General Assembly of the United Nations in December 2022.

I would like to thank in particular the panellists who answered our call to speak at our Colloquium in Malta in 2018 who came to explain the need for the Convention and thanks to whom we were able to gather over 150 attendees from all over the world and across the maritime industry: Charles Buss from the UK, Peter Laurijssen from Belgium, Camila Mendes Viana Cardoso from Brazil, Brooke Shapiro from the United States, Tilman Stein from Germany, Jason Korbetis from Greece, Lawrence Teh from Singapore, Jan Erik Poetschke from Hamburg, Alexander von Zeigler from Switzerland, Stuart Hetherington from Australia, Ryan Harrington from UNCITRAL, Ann Fenech, Norman Martinez, Cornelia Zammit German and Ivan Sammut from Malta. A big thank you of course goes to the attendees who came from a cross section of the international maritime industry and whose views and deliberations had tremendous persuasive value in convincing UNCITRAL to take on the project.

Last but not least the members of the two, CMI IWGs on Judicial Sales. I speak about 2 IWGs – in the plural. The first IWG, under the Chairmanship of Henry Li worked tirelessly to produce the Beijing Draft. The idea for the Convention was brought to the table by Henry Li in 2007 and the Draft Convention was approved by the General Assembly in Hamburg in 2014. The members of this group were: Henry Li, Jonathan Lux, Andrew Robinson, Frank Smeele, William Sharpe, Lawrence Teh, Frank Nolan, Louis N. Mbanefo, Benoit Goemans, Dr. Klaus Ramming, Aurelio Fernandez-Concheso and Luc Grellet.

The second IWG took the convention to and through the UNCITRAL process and post adoption maintaining the tempo and pressures on various governments to sign and ratify the Convention. The members were and are: Henry Li and I as Co-Chairs, Stuart Hetherington, Frank Nolan, Peter Laurijssen, Jan Erik Poetschke, Tomotaka Fujita, Andrew Robinson, Petar Kragic, Paula Backden, Eduardo Albors, Beiping Chu and recently Harmen Hoek and Jose Angelo Estrella Faria.

As the CMI co-ordinator for the project at UNCITRAL I can vouch for the fact that all members worked tirelessly during the deliberations at UNCITRAL with intensive preparation in advance of every session, by contributing and preparing the Handbook on Judicial sales ably edited by Peter Laurijssen, in promoting the Convention after its adoption by the United Nations in December 2022 by speaking on the Convention in fora across the globe, by approaching their governments, approaching other administrations, contributing to articles and books, as well as lectures, speeches, public engagements, webinars and podcasts all aimed to publicize the importance of the Convention to international trade and its ratification. So many National Maritime Law Associations answered our calls and provided important support by organising events and interfacing with their own administrations with a view to encouraging the signature of the Convention.

Finally, I would like to thank the Ministries of Transport, Foreign Affairs and Justice of Malta, for having supported the CMI and its efforts to promote the Convention starting with the Malta Colloquium of 2018, going on to the further Colloquium in April 2023 and on to a 2<sup>nd</sup> signing ceremony of the Convention in Malta in 2024.

On this note it is with great pleasure that I announce that the Maltese Government in liaison with the UNCITRAL secretariat and the CMI is holding a ceremony on the 22<sup>nd</sup> of April 2026 to celebrate the coming into force of the Convention. Malta, like so many other EU Member States, plans to ratify the Convention as soon as all the EU processes are completed. More information about this will be circulated in due course.

The success of a Convention is totally dependent on the amount of States which make it part and parcel of their domestic law through ratification. So the work of the CMI and in particular the IWG on the ratification of the Convention continues with our deliverable being to convince as many states as possible to ratify the Convention.

Thank you all for contributing to this wonderful joint effort.