

# EU to push for Rotterdam Rules ratification

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ICS secretary-general Tony Mason said: "This is not the end of the road but it is certainly a clear move in the right direction from three years ago when the European parliament was inviting the commission to develop regional rules."

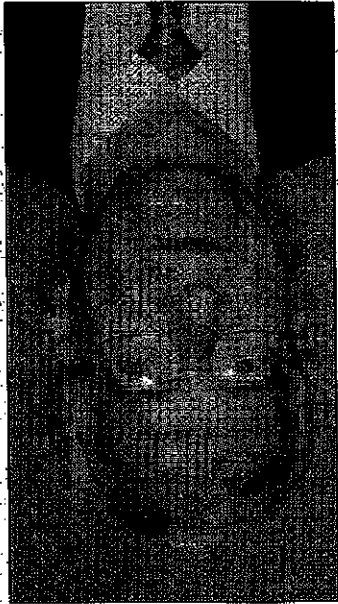
Mr Mason added: "The US is fully on side, and we could get to 20 states ratifying even without Asia. But the remaining gap for this to become a really useful international convention is that we need now to motivate Asian states to come forward and sign."

"There is not a single Asian signature, which is a disappointment because a number of Asian countries played a significant role at the Unctral discussions — with China and South Korea two of them." One source close to the original discussions at the UN Commission on International Trade Law said that negotiations are still under way with China and the rest of Asia. "These giants do not move quickly, and we are still very optimistic about progress," the source said.

In Europe, both the UK and Germany have yet to sign up for the Rotterdam Rules. The Department for Transport in London has appointed consultants to discuss the convention with freight industry groups before submitting its recommendations to ministers. A UK decision is expected at the end of this year, according to one industry insider.

The fact that no country has ratified the Rotterdam Rules, although 21 have signed, is not seen as a major problem by Mr Mason at the ICS. He said: "We have not seen a single ratification and not would you expect to. Any state that is seriously going to put this into national legislation has two years work ahead of them. An absence of ratification at this early stage is not something that worries us. It is completely normal."

Most industry observers believe that ratification by the US, an enthusiastic supporter of the Rotterdam Rules, will set the bandwagon rolling, and it is felt that the first ratifications will begin by the end of 2011. "If the ratifications are not coming in very pointed questions of government, who have stated their support," Mr Mason said. "The US is clearly very important to this and have made some of the most positive governmental statements in support. And in Europe we have some good maritime nations: Denmark, Netherlands, Spain, France and Greece have all signed."



Mason: "This is not end of road but is certainly a clear move in right direction."

Roger Holley

BRUSSELS wants member states to move "speedily to sign, ratify and implement" the Rotterdam Rules maritime liability regime, which still needs ratification by 20 countries worldwide before it becomes law.

Shipowner associations have jointly welcomed the European parliament's recommendation, contained in an adopted text on European Union maritime policy. Supporters of the rules hope that this endorsement will encourage Asian nations, including China, to join the US, African and key European maritime states in signing the final stage before full ratification.

The European Community Shippers' Association, the International Chamber of Shipping, BIMCO and the World Shipping Council welcomed the parliamentary recommendation of May 5.

The European parliament advice is not however binding on the EU's 27 member states, six of whom have signed up to, but not yet ratified, the United Nations convention which will replace the pre-contractation, internet and globalisation Hague-Visby and Hamburg liability conventions.