



## COMITE MARITIME INTERNATIONAL

10<sup>h</sup> September 2022

Member Associations  
Titulary Members  
Consultative Members

Dear Presidents and Members.

***Re Antwerp Conference and the Convention on the International Effects of Judicial Sales of Ships***

As you are all aware the 55<sup>th</sup> Commission session at UNCITRAL, on 30<sup>th</sup> June 2022 concluded its approval of the draft convention and was able to adopt a decision recommending to the General Assembly of the United Nations that:

- a. It adopts the UN Convention on the International Effects of Judicial sales of Ships.
- b. It authorizes a signing ceremony to be held as soon as practicable in 2023 in Beijing upon which the Convention would be open for signature
- c. It decides that the Convention be known as the “Beijing Convention on Judicial Sale of Ships”.

To say that this was a cause for great celebration for all those delegations in the UN building in New York on Thursday 30<sup>th</sup> June and to those not able to join us then but who had joined at various stages of this hugely intense and gratifying journey, is quite an understatement.

Starting from the very first steps at CMI to work on this very project and the team led by Henry Li which produced the Beijing Draft; to the Malta Colloquium which gathered the industry enabling a hands on report to be presented to UNCITRAL; to Alex von Zeigler’s key role in introducing the project to UNCTIRAL together with Stuart Hetherington and the 4 year marathon of discussion, negotiation and diplomacy in working group V1 at UNCITRAL - the end result is that we are on the cusp of our Beijing Convention being adopted by the General Assembly of the United Nations.

The final draft is in the process of being translated into all the official languages by UNCITRAL and we expect to have these shortly, certainly ready for circulation prior to our meeting in Antwerp.

Of course this is a cause for great celebration and the Antwerp Conference could not be a better occasion to celebrate this historic achievement, discuss the actual final text and discuss the next steps.

As you would have seen from the Antwerp conference programme, the subject of Judicial Sales is scheduled for 11.30 to 1300 on **Thursday October 20<sup>th</sup>**.

For this important session we have invited Beata Czerwenka, chair of working group V1 at UNCITRAL, Jose Angelo Estrella Faria, principal legal officer and head legislative branch - UNCITRAL, and Angele Sears de Bono from the EU Commission to address the session. In addition we plan to have a panel of speakers who will deal with different aspects of the new convention.

In addition, you would have noted from the programme that Wednesday 19<sup>th</sup> is dedicated to meetings of the various CMI international working groups (“IWG”). The Judicial sale of ships IWG is scheduled to meet between 1400 and 1600. Given the fact that this IWG has effectively completed its work on the draft convention, it has been decided that it would be much more useful at this juncture to turn this IWG session into an International Sub-Committee meeting.

This is therefore an ***open invitation*** to all those attending the conference and interested in the subject to attend this international sub-committee meeting between ***1400 and 1600 on Wednesday 19<sup>th</sup> October***.

This meeting will concentrate on the following:

- The road to the Beijing Convention on Judicial Sale of Ships and its significance and importance to the market today.
- The role and function of the IMO as the repository of the notices of judicial sale and of the certificates of the judicial sale
- Encouraging ratification by state parties.

We are very grateful to Frederick Kenney Director legal affairs and external relations division at the IMO who will be attending this session and who will be explaining to us the role and function of the IMO which has been identified as the repository through an additional module on the IMO GISIS platform. This session will also be attended by a number of market leaders and we will keep you informed closer to the day.

The precise location in Antwerp of the international sub-committee meeting will be announced later.

Finally, it would help us enormously if those attending this informal meeting on Wednesday would let us know directly by sending an email to [ann.fenech@fenechlaw.com](mailto:ann.fenech@fenechlaw.com).

Very much looking forward to seeing you all

Best regards

A handwritten signature in blue ink, appearing to read 'Ann Fenech', with a horizontal line underneath.

Ann Fenech  
Co-Chair IWG on Judicial Sales  
CMI Co-ordinator at Working Group V1 UNCITRAL