



## Diplomatic Conference on Arrest of Ships

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Geneva, 1 March 1999  
Agenda item 8

### PREPARATION AND ADOPTION OF A CONVENTION ON ARREST OF SHIPS

#### Draft Final Act of the United Nations/International Maritime Organization Diplomatic Conference on Arrest of Ships

1. The General Assembly of the United Nations, by resolution 52/182 of 18 December 1997, endorsed the convening of a Diplomatic Conference in order to consider and adopt a convention on arrest of ships.

2. The United Nations/International Maritime Organization Diplomatic Conference on Arrest of Ships was convened at Geneva from 1 to 12 March 1999.

3. Representatives from the following States participated in the Conference: Algeria, Angola, Argentina, Australia, Belarus, Belgium, Benin, Brazil, Bulgaria, Burundi, Cameroon, Canada, Chile, China, Colombia, Côte d'Ivoire, Croatia, Cuba, Cyprus, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guinea, Haiti, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Italy, Japan, Kenya, Latvia, Lebanon, Liberia, Lithuania, Madagascar, Malta, Marshall Islands, Mauritania, Mexico, Monaco, Morocco, Mozambique, Netherlands, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Thailand, Trinidad and Tobago,

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Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Viet Nam, and Yemen.

4. Honk Kong Special Administrative Region of China and Macao, associate members of the International Maritime Organization, were represented by an observer.

5. The following intergovernmental organizations were represented by an observer: Arab Labour Organization, Organization of African Unity, Organization of American States, Organization of the Islamic Conference, Intergovernmental Organization for International Carriage by Rail.

6. The following non-governmental organizations were represented by an observer: general category: International Chamber of Commerce, International Confederation of Free Trade Unions, World Federation of United Nations Associations; special category: International Ship Suppliers Association, International Association of Ports and Harbours, Latin American Association of Navigational Law and Law of the Sea, International Chamber of Shipping, Comité Maritime International, Institute of International Container Lessors, Ibero-American Institute of Maritime Law, International Group of P&I Clubs, International Union for Conservation of Nature and Natural Resources.

7. The Conference elected the following officers:

President: Mr. Zhu Zengjie (China)  
Vice-Presidents: Mrs. Ida Barinova (Russian Federation)  
Mr. Marc Gauthier (Canada)  
Mr. Mykola Maimeskul (Ukraine)  
Mr. Mahmoud Bahey Eldin Ibrahim Nasrah (Egypt)  
Mr. Eladio Peña Loza (Panama)  
Mr. Luigi Rovelli (Italy)  
Mr. Lalchand K. Sheri (Singapore)

Rapporteur-General: Mr. Walter de Sa'Leitao (Brazil)

8. The Conference established a Main Committee, a Drafting Committee and a Credentials Committee.

Main Committee

Chairman: Mr. K.J. Gombrii (Norway)

Members: open-ended

Drafting Committee

Chairman: Mr. Malcolm J. Williams, Jr. (United States of America)

Core members: Algeria, Argentina, Belgium, China, Côte d'Ivoire, Croatia, Denmark, Egypt, France, Gambia, Germany, Ghana, Lithuania, Mexico, Russian Federation, Spain, Sri Lanka, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, and United States of America.

Credentials Committee

Chairman: Ms. Sama Payman (Australia)

Members: Australia, Benin, Brazil, China, Haiti, Mozambique, Philippines, Russian Federation, United States of America.

9. The secretariat of the Conference included the following officers: Secretary-General of UNCTAD, Mr. Rubens Ricupero; Executive Secretary, Mr. Jean Gurunlian, Director, Division for Services Infrastructure for Development and Trade Efficiency, UNCTAD; Deputy Executive Secretary, Mrs. Rosalie Balkin, Director, Legal Affairs and External Relations Division, IMO; Mrs. Monica N. Mbanefo, Senior Deputy Director, IMO; Mr. Agustín Blanco-Bazán, Senior Legal Officer, IMO; Ms. Mahin Faghfour, Head, Legal Unit, SITE, UNCTAD; Mr. Carlos Moreno, Legal Officer, SITE, UNCTAD; Mr. Erik Chrispeels, Senior Legal Officer, UNCTAD; Mr. Awni Behnam, Secretary of the Conference, UNCTAD; Mr. Karma Tenzing, Deputy Secretary of the Conference, UNCTAD.

10. The Conference had before it, as a basis for its work, the draft articles for a convention on arrest of ships<sup>1</sup>, prepared by the Joint UNCTAD/IMO Intergovernmental Group of Experts on Maritime Liens and Mortgages and Related Subjects, and the compilation of comments and proposals by Governments, and by intergovernmental and non-governmental organizations, on the draft convention on arrest of ships<sup>2</sup>. The Conference adopted its rules of procedure<sup>3</sup> and its agenda<sup>4</sup>

11. On the basis of its deliberations as recorded in its report,<sup>5</sup> the Conference established the text of the INTERNATIONAL CONVENTION ON ARREST OF SHIPS, 1999.

12. The text of the Convention was adopted by the Conference on 12 March 1999. The Convention will be open for signature at United Nations Headquarters, New York, from 1 September 1999 to and including 31 August 2000.

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<sup>1</sup> TD/B/IGE.1/5.

<sup>2</sup> A/CONF.188/3 and Add.1-3.

<sup>3</sup> A/CONF.188/2.

<sup>4</sup> A/CONF.188/1.

<sup>5</sup> A/CONF.188/5.

IN WITNESS WHEREOF the undersigned representatives have signed the Final Act. Done in Geneva, on this twelfth day of March, one thousand nine hundred and ninety-nine, in one original in the Arabic, Chinese, English, French, Russian and Spanish languages, all texts being equally authentic. The original of the Final Act shall be deposited in the archives of the United Nations Secretariat.

Zu Zenjie  
President of the Conference

R. Ricupero  
Secretary-General of UNCTAD

J. Gurunlian  
Executive Secretary of the Conference

R. Balkin  
Deputy Executive Secretary of the Conference

M. Faghfour  
Head, Legal Unit, SITE

E. Chrispeels  
Senior Legal Officer

A. Behnam  
Secretary of the Conference