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COUNCIL
89th session
Agenda item 9

C 89/9/Add.1
12 November 2002
Original: ENGLISH

**REPORT ON THE INTERNATIONAL CONFERENCE ON THE REVISION OF THE
ATHENS CONVENTION RELATING TO THE CARRIAGE OF PASSENGERS AND
THEIR LUGGAGE BY SEA, 1974**

Note by the Secretary-General

SUMMARY

- Executive summary:*** This document reports on the outcome of the International Conference on the revision of the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 1974
- Action to be taken:*** Paragraph 11
- Related documents:*** LEG/CONF.13/20, LEG/CONF.13/21 and LEG/CONF.13/22

1 The International Conference on the revision of the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 1974, took place at the Headquarters of IMO from 21 October to 1 November 2002. The Conference was convened by decision of the Council at its twenty-first extraordinary session, which was endorsed by the Assembly at its twenty-second regular session by resolution A.906 (22).

2 Seventy-one States were represented by delegations at the Conference. The Czech Republic and Hong Kong, China, an Associate Member of the Organization, were represented by observer delegations. Observers from four intergovernmental organizations and from seventeen non-governmental international organizations in consultative status with IMO also participated in the Conference.

3 The Conference elected H.E. Dr. Ra Jong-Yil, Ambassador of the Republic of Korea to the United Kingdom and Head of the delegation of the Republic of Korea, as the President of the Conference. H.E. Mr. A. DaCosta Fernandes (Angola), H.E. Mr. B.G. O'Brien (Bahamas), Ms. M. Markus (Estonia), Lt. Cdr. E. Tsantzas (Greece) and H.E. Mr. J. Mortada (Lebanon) were elected as Vice-Presidents of the Conference.

4 As a result of its deliberations, the Conference adopted a treaty instrument, the text of which is in document LEG/CONF.13/20, entitled: Protocol of 2002 to the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 1974.

For reasons of economy, this document is printed in a limited number. Delegates are kindly asked to bring their copies to meetings and not to request additional copies.

5 The main objective of this Protocol is to provide compensation in adequate measure for loss of human life and physical injury for passengers travelling by sea. The compensation available under the 1974 Athens Convention has been substantially enhanced under this Protocol. Moreover, to the benefit of passengers, the notion of strict liability of the carrier has been introduced into the Convention, as well as that of compulsory insurance and a simplified procedure for updating the limitation amounts. As with all IMO Conventions, the aim of this new treaty is to create an internationally accepted regime, so that the shipping industry does not become subject to a variety of individual national schemes.

6 The Protocol will be open for signature at the Headquarters of the Organization from 1 May 2003 until 30 April 2004 and shall thereafter remain open for accession. It will enter into force twelve months following the date on which ten States have expressed their consent to be bound by it.

7 Sixty-four States signed the Final Act of the Conference, the text of which is in document LEG/CONF.13/21.

8 The Conference also adopted the following resolutions, the texts of which are contained in the attachment to the Final Act and also in document LEG/CONF.13/22:

- .1 Resolution on Regional Economic Integration Organizations, *inter alia* requesting the Organization to carry out a study on the issue, and, if found necessary, to develop appropriate provisions which may be considered in new treaties it may develop, or in amendments to existing treaties, when there will be a need for such provisions to be included so as to enable present and future regional economic integration organizations and their Member States to become parties to such treaties;
- .2 Resolution on certificates of insurance or other financial security and ships flying the flag of a State under the terms of a bareboat charter registration, *inter alia* requesting the Organization to carry out a study of the issuing of the certificate with regard to bareboat charter registration in the context of the Convention as modified by the Protocol and, if found necessary, to develop appropriate guidelines; and
- .3 Resolution on framework of good practice with respect to carriers' liabilities, *inter alia* requesting the Organization to consider the issue, and, if found necessary, to develop appropriate guidelines on the provision of insurance or other financial security for compensation for claims for death of or personal injury to passengers which will establish an appropriate framework of good practice to ensure that all carriers take steps to maintain full insurance or financial security to meet the full level of their liability provided in Article 6 of the Protocol (Article 7 paragraph 1 of the Convention as revised by the Protocol).

9 Under the provisions of paragraph 20 of the Final Act, the Conference requested the Secretary-General to prepare the authentic, consolidated texts in Arabic, Chinese, English, French, Russian and Spanish of the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 2002.

10 Under the provisions of paragraph 21 of the Final Act, the Secretary-General shall send certified copies of the Final Act and the Resolutions, certified copies of the authentic texts of the Protocol and of the consolidated texts of the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 2002, to the Governments of the States invited to be represented at the Conference.

Action requested of the Council

11 The Council is invited to take note of the information in this document and to authorize the Secretary-General to perform the functions requested of him by the Conference.
