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TRADE AND DEVELOPMENT BOARD  
Joint UNCTAD/IMO Intergovernmental Group  
of Experts on Maritime Liens and  
Mortgages and Related Subjects  
Ninth session  
Geneva, 2 December 1996  
Agenda item 6

**DRAFT REPORT OF THE JOINT UNCTAD/IMO INTERGOVERNMENTAL  
GROUP OF EXPERTS ON MARITIME LIENS AND MORTGAGES AND  
RELATED SUBJECTS ON ITS NINTH SESSION**

Rapporteur : Mr. Zengjie Zhu (China)

**AGENDA ITEM 3**

Speakers : Deputy Secretary-General of UNCTAD

**Note for Delegations**

This draft report is a provisional text circulated for clearance by delegations.

Requests for amendments - to be submitted in English or French - should be communicated **by Friday, 12 December 1996 at the latest** to:

The UNCTAD Editorial Section  
Room E.8106  
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## INTRODUCTION

1. The Joint Intergovernmental Group of Experts on Maritime Liens and Mortgages and Related Subjects, established by the International Maritime Organization (IMO) and the United Nations Conference on Trade and Development (UNCTAD), held its ninth session at the Palais des Nations, Geneva, from 2 to 6 December 1996.

2. During the session, ... plenary meetings and ... informal meetings of the sessional group of the whole were held.

### Opening statement

3. The **Deputy Secretary-General of UNCTAD**, speaking also on behalf of the Secretary-General of IMO, said that the objective of the Group's work was to produce a legal framework which would protect the interests of owners of cargo and ships by securing the free movement of vessels and by prohibiting arrest for unjustifiable claims and claims not related to the operation of vessels. An appropriate legal framework widely accepted by the international community would contribute to greater international uniformity of rules applicable to the enforcement of maritime claims. He congratulated the Joint Group for the progress achieved during the two sessions devoted to the review of the 1952 Convention on Arrest of Ships; he was particularly pleased that the work had been carried out in an atmosphere of excellent co-operation between the two United Nations agencies and the private sector, particularly the Comité Maritime Internationale (CMI), which had provided very valuable assistance to the Group.

4. Pursuant to the outcome of UNCTAD IX, UNCTAD had been given a new, revitalized role. Its mandates had been streamlined and focused on key issues directly related to trade and development. Both the intergovernmental machinery and the secretariat had gone through a process of restructuring and reorientation and prioritization of their work to enable them to respond better to the new challenges. As a result of these structural changes, this would be the last session of the Group to be held in UNCTAD. However, UNCTAD would, in principle, continue to co-operate with IMO until the work of the Joint Group had been completed.

Chapter I

**CONSIDERATION OF THE REVIEW OF THE INTERNATIONAL  
CONVENTION FOR THE UNIFICATION OF CERTAIN RULES  
RELATING TO THE ARREST OF SEA-GOING SHIPS, 1952**

(Agenda item 3)

5. For its consideration of this item, the Joint Intergovernmental Group of Experts had before it the following documentation:

"Consideration of the review of the International Convention for the Unification of Certain Rules Relating to the Arrest of Sea-going Ships, 1952 - note by the secretariats of UNCTAD and IMO" (JIGE(IX)/2 - TD/B/IGE.1/2-LEG/MLM/39);

"Compilation of comments and proposals by Governments on the draft articles for a convention on arrest of ships - note by the secretariat of UNCTAD" (JIGE(IX)/3-TD/B/IGE.1/3-LEG/MLM/40).

6. At its opening plenary, the Joint Intergovernmental Group decided to pursue its consideration of this item within the framework of an informal sessional group of the whole.

## Chapter II

### ORGANIZATIONAL MATTERS

#### A. Opening of the session

7. The ninth session of the Joint Intergovernmental Group of Experts was opened on 2 December 1996 by Mr. C. Fortin, Deputy Secretary-General of UNCTAD.

#### B. Election of officers

(Agenda item 1)

8. At its opening plenary meeting, on 2 December 1996, the Joint Intergovernmental Group of Experts elected Mr. K.-J. Gombrii (Norway) as its Chairman and Ms. I.I. Barinova (Russian Federation) as a Vice-Chairman. The officers for the ninth session were therefore as follows:

<u>Chairman</u> :	Mr. K.-J. Gombrii	(Norway)
<u>Vice-Chairmen</u> :	Mr. I. Melo Ruiz	(Mexico)
	Ms. I.I. Barinova	(Russian Federation)
<u>Vice-Chairman-</u> <u>cum-Rapporteur</u> :	Mr. Zengjie Zhu	(China)

#### C. Adoption of the agenda and organization of work

(Agenda item 2)

9. At its opening plenary meeting, on 2 December 1996, the Joint Intergovernmental Group of Experts adopted its provisional agenda, as contained in document JIGE(IX)/1-TD/B/IGE.1/1-LEG/MLM/38. The agenda for its ninth session was thus as follows:

1. Election of officers
2. Adoption of the agenda and organization of work
3. Consideration of the review of the International Convention for the Unification of Certain Rules Relating to the Arrest of Seagoing Ships, 1952

4. Provisional agenda and date of the next session
5. Other business
6. Adoption of the report of the ninth session

10. Also at its opening plenary, the Joint Intergovernmental Group decided to establish an informal sessional group of the whole to consider agenda item 3.

**D. Provisional agenda and date of the next session**

(Agenda item 4)

[To be completed]

**E. Other business**

(Agenda item 5)

[To be completed, as appropriate]

**F. Adoption of the report of the ninth session**

(Agenda item 6)

[To be completed]