

PROPOSED RESOLUTION OF THE COMMITTEE ON THE CARRIAGE OF GOODS OF THE MARITIME LAW ASSOCIATION OF THE UNITED STATES

WHEREAS, The Maritime Law Association of the United States has its purpose to promote international uniformity of private commercial law; and

WHEREAS, There are many different sets of laws relating to the carriage of goods by sea, of which the U.S. Carriage of Goods by Sea Act is one; and

WHEREAS, The United Nations Commission on International Trade Law has prepared the Convention on the International Carriage of Goods Wholly or Partly by Sea (to be known as the Rotterdam Rules), with the participation and advice of many governments and non-governmental organizations, including members of our Association; and

WHEREAS, The General Assembly of the United Nations has approved the Rotterdam Rules and set a signing ceremony to be held in Rotterdam in September 2009; and

WHEREAS, The Rotterdam Rules provide that those nations which become parties to it may adopt Chapter 14 on Jurisdiction and Chapter 15 on Arbitration if they choose to do so; and

WHEREAS, The Committee on the Carriage of Goods, by a majority of those voting by electronic means during the period February 27 to March 4, 2009, has recommended that the Association recommend that the United States sign and ratify the Rotterdam Rules and also that it choose to be bound by Chapter 14 on Jurisdiction and Chapter 15 on Arbitration of the Rules; it is

RESOLVED that The Maritime Law Association of the United States urges the United States of America to sign and ratify the United Nations Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea, which will probably be known as the “Rotterdam Rules.”

RESOLVED that The Maritime Law Association of the United States urges the United States of America to opt into Chapter 14 (Jurisdiction) of the United Nations Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea, which will probably be known as the “Rotterdam Rules.”

RESOLVED that The Maritime Law Association of the United States urges the United States of America to opt into Chapter 15 (Arbitration) of the United Nations Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea, which will probably be known as the “Rotterdam Rules.”

IT IS FURTHER RESOLVED, that the President of The Maritime Law Association of the United States or his delegate is authorized to make known these resolutions to the Secretary of State of the United States and such other bodies or organizations as the President may consider to be desirable.