

**UNCITRAL** United Nations Commission on International Trade Law



**The United Nations Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea (the “Rotterdam Rules”)**

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## Who am I and why am I here?

- Secretariat of United Nations Commission on International Trade Law (UNCITRAL)
- **Role:** Develop an improved legal framework to facilitate international trade through preparation of legislative instruments in key areas of commercial law
- **One area:** Transport Law
- Intergovernmental Negotiating Body
- Includes NGOs and industry representatives

## Why the Rotterdam Rules?

- “Providing access to sea ports for land-locked countries - improving the legal basis”
- Convention for the carriage of goods “wholly or partly by sea”
- “Maritime-plus” Convention
  - International sea leg
  - Carriage preceding or subsequent to sea carriage
  - Door-to-door carriage of goods

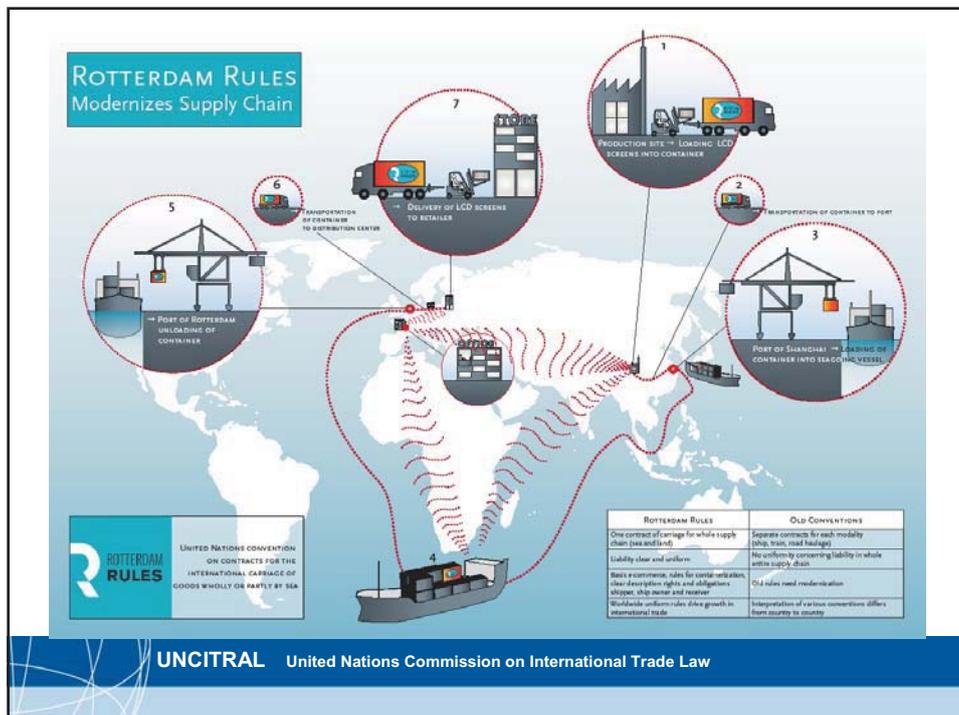
## Compelling Reasons

- **Pursuit of Harmonization**
  - Lack of a universal system:
    - [Hague Rules](#) - 1924
    - [Visby Protocol](#) - 1968
    - [Hamburg Rules](#) - 1978
    - Domestic gap-filling legislation and Regional attempts
  - Achieve a **global** regime
- **Pursuit of Modernization**
  - No current regime takes into account modern container transport
  - No current regime provides for electronic commerce

## Adoption of the Convention

- 11 December 2008– 63<sup>rd</sup> Session of United Nations General Assembly
  - Opened for signature 23 Sept 2009 in Rotterdam
  - Called upon all Governments to consider becoming party to the Convention
  - Echo this call with the participating States of the OSCE

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## Signing Ceremony – 23 Sept 2009

16 States signed:

Congo	Ghana	Nigeria	Spain
Denmark	Greece	Norway	Switzerland
France	Guinea	Poland	Togo
Gabon	Netherlands	Senegal	United States

- Several already pursuing ratification
- World Trade Volume: **Over 25%\***
- Compare: Hamburg Rules – 34 Contracting Parties: **5%\***

\*According to United Nations 2008 International Merchandise Trade Statistics Yearbook

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## Additional Signatures

Madagascar	25 Sept 09
Armenia	29 Sept 09
Cameroon	29 Sept 09
Niger	22 Oct 09
Mali	26 Oct 09

TOTAL: **21** (10 OSCE)

**Of Interest:** Signatories represent mix of developing and developed countries, strong maritime and trading nations, shipper and carrier states

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## Conclusion

- **Industry-driven project**
- **Comprehensive instrument**
- **Modernizes and Harmonizes**
- **Door-to-door but preserves existing unimodal transport regimes (CMR, CIM-COTIF, etc.)**
- **Predictability**
- **Transparency**
- **Enhanced efficiency**
- **Reduced transaction costs**

## Recommendation

- **That the OSCE take up the call of the UN General Assembly, and recommend to its participating States that they consider becoming party to the Rotterdam Rules**

## The Rotterdam Rules

For further information on the Rotterdam Rules,  
please contact Kate Lannan at

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or visit our website: [www.uncitral.org](http://www.uncitral.org)

THANK YOU FOR YOUR ATTENTION



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