

Resolution adopted by the 39th CMI Conference
on Limitation of Liability in Maritime Law
in Athens 17 October 2008

The Comité Maritime International (CMI):

1. bearing in mind its purpose, in accordance with its Constitution, “*to contribute by all appropriate means and activities to the unification of maritime law in all its aspects*”,
2. noting that international conventions in connection with limitation of liability have contributed to the unification of maritime law but there is considerable diversity procedurally in the way they are implemented and applied in various States,
3. noting that a considerable number of States have not ratified any relevant convention and that they apply national law, which is not based upon any convention, relating to the limitation of liability in maritime law.
4. believing that it may contribute to the harmonization of the procedures relating to the limitation of liability in maritime law by preparing procedural guidelines,

adopted at its 39th Conference, held in Athens between 12th and 17th October 2008, Guidelines in respect of Procedural Rules relating to Limitation of Liability in Maritime Law.

The CMI further considers that a number of other issues, both of procedural and substantive nature relating to limitation of liability in maritime law, including gaps or ambiguities in existing conventions, need further consideration and for this reason decided to extend in time and broaden in scope the mandate of the “International Subcommittee on Limitation of Liability” with a view to preparing a list of issues concerning limitation of liability in Maritime Law, considering these issues and making recommendations to the Executive Council of the CMI for further action. In the context of its work the “International Subcommittee on Limitation of Liability” may propose more detailed elaboration of certain of the Guidelines adopted or amendments arising from its subsequent work or otherwise.

Finally, the 39th CMI Conference authorises the Executive Council to consider any linguistic or drafting inconsistencies and/or improvements required and make the necessary improvements to the adopted Guidelines, before their publication.