

D-2: INTERNATIONAL CONVENTION ON ARREST OF SHIPS

Name of the convention: International Convention on Arrest of Ships

Acronym or short name: Arrest of Ships

International organisation in charge of it: United Nations Conference on Trade and Development

Summary description (in plain language): The convention aims at providing a widely acceptable legal instrument promoting international trade and transport, by striking a balance between the interests of the owners of cargo and of ships in securing the free movement of ships and the right of the claimant to obtain security for his claim.

Date of first approval: 12 march 1999

Date of coming into force: not yet in force

Dates of revision: no

Reasons of revisions: no

Applicability (situation of ratification): This convention shall enter into force 6 months following the date on which 10 states have expressed their consent to be bound by it ([art.14](#)).

State may at the time of signature, ratification , acceptance, approval or accession, reserve the right to exclude the application of the convention to: ships which are not seagoing; ships not flying the flag of a State Party; claims under article 1, paragraph 1(s) ([art.10](#)).

Stakes for ports: Ports can be concerned by the maritime claims which involves the arrest of ships. In article 1 (n), maritime claims is constituted of claims arising out of port, canal, dock, harbour or other waterway dues and charges.

Port Authority “any dock or harbour authority” ([art.8 al.3](#)) enshrines its power and right to detain or to prevent from sailing any ship within their jurisdiction.

Links with other conventions:[United Nations Convention on Multimodal transport of Goods](#)

Key-words: arrest of ships, power of arrest, exercise of the right of arrest, maritime claims, release, control of jurisdiction

Internet hyperlink with other website:

<http://www.unctad.org/>

<http://www.imo.org/>

<http://www.comitemaritime.org/>

<http://www.un.org/>

(full text) <http://r0.unctad.org/ttl/docs/imo99d1.pdf>

(full text) <http://www.admiraltylawguide.com/conven/arrest1999.html>