



COMITÉ MARITIME INTERNATIONAL

PRESIDENT

9 May 2018

Presidents of MLAs
Executive Council

By email

Dear All

Recognition of Judicial Sales: UNCITRAL, New York, 29 June 2018

I want to bring you up to date with developments on this topic.

As the heading to this letter confirms the application by Malta and Switzerland to have the CMI instrument placed on the work agenda of UNCITRAL will be discussed on 29 June at UNCITRAL, in the United Nations building, in New York.

I am **attaching** the latest material received from UNCITRAL which contains the agenda. As you will see, item number 10 is "Work programme of the Commission" and on page 10 you will see the issues to be discussed include the proposal of Malta and Switzerland.

I shall be attending the meeting at UNCITRAL on 28 and 29 June together with Ann Fenech and Alexander Von Ziegler of the Executive Council. We will try and meet as many delegates as possible on 28 June.

I would be grateful if you would let me know as soon as possible before those dates, who will be representing your country and what its position will be in relation to that Agenda item. If your country is not going to be represented at that meeting could you please ascertain whether they will be sending a Note Verbale to the UNCITRAL Secretariat supporting the addition of this work to the UNCITRAL Agenda?

I am sure it is not too late to persuade your government to support this project. I say that because I know the frustrations many of you face with government inactivity. In my own case in Australia I have had great difficulty persuading the government to take a proactive stance. In the last few weeks, however, letters have been sent to the Attorney-General from both the Admiralty judges and the Maritime Law Association of Australia & New Zealand urging Australia to support the project. I have been told by the Attorney-General's office that they are seeking to arrange a three way telephone hook-up for the Attorney-General with the Chief Justice of the Federal Court and myself. I am hopeful that this might be a positive development.

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In another favourable development I attended the United States MLA's Spring Meeting in New York last week. It took place jointly with a meeting of BIMCO, and in particular its Documentary Committee. I was invited to address the Documentary Committee on the CMI's Judicial Sales project. I am pleased to report that at the conclusion of that meeting BIMCO agreed to support CMI in this work.

I am **attaching** a suite of materials in case you do not already have them which might assist you in any further discussions with your government. They are the same materials which delegates to the Malta Colloquium received in February.

I look forward to hearing from you as to whether your government will be represented at the UNCITRAL meeting and whether they will be supporting the Malta and Switzerland proposal, and if not whether they will send a Note Verbale supporting this project.

With kind regards,



Stuart Hetherington

Regards