Rotterdam Rules

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Existing legislation in maritime transport

- the Hague Rules (1924)
- the Hague – Visby Rules (1968) and
Existing legislation in other transport modes

- **Road**
  - CMR Convention 1956. When the vehicle makes use of another modes of transport this Convention continues to apply.
  - E CMR.

- **Rail**
  - the COTIF – CIM Convention 1999. The COTIF-CIM is applicable when a loaded railway wagon is carried by sea onwards.
  - Agreement on International Goods Transport (SMGS) regulates contracts in Eastern Europe, Central Asia, Caucasus, China.

- **Inland waterways**
  - the Budapest Convention CMNI 2000.

- **Air**
Need for modernisation in maritime transport

The Rotterdam Rules:

- Establishes a modern, comprehensive, uniform legal regime governing the rights and obligations of shippers, carriers and consignees under a contract for door to door shipments that involve international sea transport.
- Including digitalisation of the information
- Improved liability.
The Rotterdam Rules

United Nations Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea
The Rotterdam Rules content

Chapter 1. General provisions
Chapter 2. Scope of application
Chapter 3. Electronic transport records
  • Article 8. Use and effect of electronic transport records
Chapter 4. Obligations of the carrier
  • Article 11. Carriage and delivery of the goods
  • Article 12. Period of responsibility of the carrier
Chapter 5. Liability of the carrier for loss, damage or delay
Chapter 6. Additional provisions relating to particular stages of carriage
  • Article 26. Carriage preceding or subsequent to sea carriage
Chapter 7. Obligations of the shipper to the carrier
  • Article 28. Cooperation of the shipper and the carrier in providing information and instructions
The Rotterdam Rules content

Chapter 8. Transport documents and electronic transport records
  • Article 35. Issuance of transport document / electronic transport record
  • Article 36. Contract particulars
Chapter 9. Delivery of the goods
Chapter 10. Rights of the controlling party
Chapter 11. Transfer of rights
Chapter 12. Limits of liability
  • Article 59. Limits of liability
Chapter 13. Time for suit
Chapter 14. Jurisdiction
Chapter 15. Arbitration
Chapter 17. Matters not governed by this Convention
  • Article 82. International conventions governing the carriage of goods by other modes of transport
Chapter 18. Final clauses
Consequences and results

- Better uniformity in procedures
- Digitalisation improves and is faster
- Reducing costs
- Multi modal transport is supported
Rotterdam Rules status of implementation

- Entering force: 20 countries have ratified
- In total 24 signatories
- 3 countries have ratified:
  - Congo
  - Spain
  - Togo
- But several countries are in the process of implementing
  - Poland, US, NL
Signatories Rotterdam Rules

| Armenia | Mali |
| Cameroong | Netherlands |
| Congo | Niger |
| Democratic Republic of the Congo | Nigeria |
| Denmark | Norway |
| France | Poland |
| Gabon | Senegal |
| Ghana | Spain |
| Greece | Sweden |
| Guinea | Switzerland |
| Guinea-Bissau | Togo |
| Luxembourg | United States |
| Madagascar | |
Related issues

• Improving quality of the data provided

• Better link with intermodal transport

• Implement agreements in other modes of transport
  – CTU code packing containers
  – Road transport (weights and dimensions)
  – Rail transport (prevention overloading)
  – Inland navigation (stability)
  – Maritime transport (obligation to determine mass containers)
Conclusions and Summary

- **Rotterdam Rules**
  - Modernisation and Update of old 19th and 20th century agreements
  - Review of responsibility
  - Digital versions
  - Multimodal contracts; may reduce border delay

- **Related topics - Provide correct information in the supply chain**
  - Mass containers / IMO
  - Prevention overloading
  - Correct information: EU directive 96/53
  - Inland navigation
Thank you for your attention!

Questions?