



COMITE MARITIME INTERNATIONAL

PRESIDENT

President's Report

It has been a busy 12 months since my last report. We had the extremely successful Colloquium in Istanbul shortly after that report was written. The host association deserves enormous credit for putting on such a successful meeting, from both a scholastic and social sense. Since then our efforts have been concentrated on ensuring that the New York Conference which is to take place in a few weeks' time will be as successful. It will be different from previous CMI Conferences. It will take place over a shorter period of time and will be a melding of two events, CMI Conference and the MLAUS Spring Meeting which takes place each year in early May.

Finances

We said goodbye to Benoit Goemans in Istanbul who had managed the financial affairs of the CMI for over 10 years and steered the CMI through the global financial crisis.

Peter Verstuyft took over his role when his role as CEO of the Belgian Shipowners Association concluded on 1 September 2015. Peter was able to join us in Istanbul and met a number of you. I trust you will introduce yourselves to him during the New York Conference.

Peter, with the able assistance of Anne Verlinde was able to produce the accounts for 2015 in a most satisfactory and expeditious manner for both the Auditor and the Audit Committee very much earlier in the year than would usually be the case, as we have our Assembly Meeting on 6 May 2016.

Having participated in that preparation, and in particular the telephonic conference of the Audit Committee a few days before compiling this Report, I am pleased to be able to advise you that, as you will see from the accounts which I will be able to forward to you as soon as the Audit Committee's Report has been finalised, the Colloquium in Istanbul was not only a success in academic and social terms but also in a financial sense in that a surplus was achieved for both the Turkish MLA and the CMI, the latter covering purely CMI expenditure and the overall result of

STUART HETHERINGTON C/O COLIN BIGGERS & PAISLEY,
TEL: +61 2 8281 4477 E-MAIL: swh@cbp.com.au FAX: +61 2 8281 4567
REGISTERED OFFICE CMI, AISBL: Ernest Van Dijckkaai 8, B-2000 Antwerp, Belgium
Enterprise n° 0867 385 381
www.comitemaritime.org

the CMI's finances in 2015 was a larger surplus than had been predicted in Istanbul. In addition the CMI's investments still stand at over €600,000.

The financial situation is most pleasing when it is considered that only a year or two ago, the Executive Council considered that it may be necessary to raise subscriptions.

The Management Committee

The decision was made not to hold a formal meeting of the Management Committee at the beginning of this year. That decision was made for a variety of reasons. Firstly I had attended the MLAUS Resort meeting in Bermuda in October for the purposes of promoting the Conference to MLAUS delegates, meeting with the MLAUS Organising Committee and holding one to one meetings with the Chairs of MLAUS Committees in order to discuss possible topics for the joint meetings in New York and encourage them to liaise with their opposite numbers on CMI IWGs.

Other reasons for not holding a Management Committee meeting were that:

- John Hare made a private visit to New Zealand at the end of 2015 and detoured to Sydney for a couple of days where we had lengthy discussions about many of the matters that would have been discussed at a Management Committee meeting. This provided an invaluable opportunity to cover a number of matters both relating to the forthcoming Conference in New York and others relating to the general management of the CMI and the work that is being done by the IWGs and Committees.
- John Hare was to be visiting Antwerp in February this year, which he did and where he was able to discuss a number of administrative matters with Peter and Anne. One of the tasks he and Anne undertook was to come to grips with the huge archive of materials which the CMI has. We are holding in storage large numbers of copies of former publications of the CMI and we are very keen to reduce and consolidate the amount of material for which we continue to pay storage charges. Anne will be contacting you further in relation to these materials over the next few months.

Anne Verlinde has been a tower of strength in the Antwerp office and I trust more and more of you are coming to deal with her direct in having materials placed on the website and in the various ways in which MLAs interact with the CMI. She is now extremely proficient in managing the website herself which has saved CMI considerable expense in outsourcing that work.

Work Projects of the CMI

The most important work which will be carried out in New York is of course the review of the Rules of General Average. The Chair of this IWG, Bent Nielsen, with his Rapporteurs Taco van der Valk and Richard Corneh have worked assiduously with industry to seek to achieve unanimity on the reforms which would be acceptable to industry in respect of a new version of the York

Antwerp Rules. The lesson that we should all have learned from the Vancouver Conference is that there is no point seeking to adopt a reform which one part of the industry objects to. It is therefore essential that all the reforms which are sought to be made during the meeting in New York are supported unanimously by the major industry players. Whilst the CMI and the maritime lawyers will "hold the pen" as Louis Franck said all those years ago it is industry which must dictate the contents of the final document to be approved. Please bear that in mind during the debates which take place in New York.

The topic of Judicial Sales of Ships will be mentioned during the New York Conference. There is to be a meeting of the IMO Legal Committee in early June in London. Considerable work has been done since the Colloquium in Istanbul to prepare a submission to have the draft instrument which was finalised in Hamburg introduced as a work topic at the IMO. Henry Li, Jonathan Lux and Andrew Robinson have worked tirelessly to produce the materials which will be sent in the next few days to the IMO Legal Committee. In New York I will be urging each MLA to actively lobby the person or persons in their country who attend the IMO Legal Committee to support this work. Two States, China and the Republic of Korea, have agreed to co-sponsor this work at the IMO Legal Committee. The Chinese Maritime Law Association and the Korean Maritime Law Association have done a wonderful job in getting their two countries to support it. Please do the same within your own countries.

I am not going to mention all of the International Working Groups and Committees by name. A number of them have only been recently formed and I referred to them in last year's report. All of them will be having a session in New York and reporting on their activities and seeking your input.

As usual I must commend all the Chairs, Rapporteurs and Members of the IWGs and Committees for all the hard work they have done since the Istanbul Colloquium, not least the organisation of their sessions in New York.

CMI Website

Anne Verlinde has taken on a considerable amount of the work in updating the website. Please keep her informed of changes to your executive, of events you organise and details of your membership. We are able through the website to send communications direct to your members. Many of you have in the past provided the names and email addresses of your members to CMI. It is perhaps time to refresh that information as people and their email addresses do change. Please remember that if you have privacy concerns you can provide CMI with a single point of contact who can then forward CMI's communications to your members.

New York Conference

Finally, if you have not already done so, I urge you to register and attend the New York Conference. It will be opened by Kitack Lim, the Secretary-General of the IMO and the President

of the British MLA, and recently retired President of the Supreme Court of England and Wales, Lord Phillips of Worth Matravers KG PC has agreed to say a few words at the formal opening on the Tuesday evening as well. I know it is going to be an incredibly successful Conference. The members are already close to reaching record levels. The MLAUS Organising Committee has done a fantastic job in securing sponsorship and in the organisation of this Conference. Vince Foley has led the process and to him and John Hare an enormous debt of gratitude is owed by all of us who will benefit from THE hard work that they done over the last two or three years in preparation for this meeting.

Stuart Hetherington

Sydney, 24 March 2016