



Ministry of Infrastructure and the  
Environment

# Rotterdam Rules

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## Existing legislation in maritime transport

- the Hague Rules (1924)
- the Hague – Visby Rules (1968) and
- Hamburg Rules (1978).



## 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**
  - The Montreal Convention, 1999.



# 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
 Cameroon	 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 19<sup>th</sup> and 20<sup>th</sup> 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?**