



7th IVR COLLOQUIUM

OPENINGSSPEECH BY THE IVR-PRESIDENT

State Secretary,

Secretary General of the Central Commission for the Navigation on the Rhine

Ladies and Gentlemen,

By welcoming all of you it is my pleasure and honour to officially open the 7th IVR-Colloquium in Bratislava.

The reason for organising this colloquium is the adoption of a new convention limiting the liability in inland navigation, CLNI 2012, on 27 September 2012 in Strasbourg. At that event a huge number of countries, amongst them many Danubian countries such as our host country, participated. By adopting the new CLNI 2012 convention the scope of application of the existing convention has been enlarged, being no longer restricted to the Rhine and the Moselle.

IVR has been involved in the process of negotiating and drafting the new convention from its very beginning. Harmonisation and unification of the inland navigation rules is one of the major aims of our association, in which the interests of the inland navigation and transport Insurance industry as well as other parties involved in inland navigation like lawyers, brokers and surveyors are represented.

Harmonisation and unification

The first major step towards unification in inland navigation was the signing and entering into force in April 2005 of the Budapest Convention on the Contract of the Carriage of Goods by Inland Waterways, the so-called **CMNI Convention**. This convention seems to be a huge success, after all it meanwhile has been ratified by 15 countries, amongst them Slovakia.

After this success the Central Commission for the Navigation on the Rhine started to negotiate the existing CLNI convention, which finally ended up in the new **CLNI 2012 convention**. One of the major aims of this renegotiation was the enlargement of the scope as already mentioned. As a consequence, the Convention shall be open for signature by all States for 2 years as from 27 September 2012. It shall enter into force after ratification by four States or on the date on which the actual convention ceases to be in force, whichever date is the later. Apart from that the limits of liability were increased as well. Despite lots of discussions and different opinions during the negotiation process, CCNR succeeded to bring this exercise to a positive end.

Although our association disagreed with a couple of provisions in the new convention, such as the strongly increased limits of liability and the still existing reservations under article 18, it believes that its advantages exceed its disadvantages. After all the transport particularism of limitation of liability will be introduced on a much wider scope. This means that the risks of the parties involved in transport keep in balance.



The broadening of unified rules regarding the limitation of liability all over Europe is of benefit to barge owners and - operators as well their insurers. Unification contributes to legal certainty and equality before the law which, after all, is in the interest of our members.

7th Colloquium

The signing of the CLNI 2012 Convention was the reason for organising another Colloquium to gather the experts in the very field and to exchange informations, views and experiences. I hope that we will have not only very interesting speeches and presentations but also fruitful discussions during the official and social part of the program.

Apart from that we hope that this will contribute to a fast signing and ratification of the new convention. Let the quick process which lead to the entering into force of the CMNI convention in 2005 act as good practise for the convention we are mainly dealing with in the next two days.

We are pleased that the very experts in the legal field of our industry were and are willing to contribute to this one and a half day conference, a huge number of them being members of our own Legal Committee.

Besides we are honoured that two very important ladies, who played a crucial role in the realisation of the new convention, Mrs. Czerwenka and Mrs. Tournaye, volunteered to participate at our colloquium. **Mrs. Czerwenka** even was willing to act as President of the Colloquium and by doing so following in the footsteps of famous predecessors like the late Prof. Walter Müller.

Sponsors

Finally I would like to express my sincere thanks to the sponsors being

Slovenská plavba a prístavy a.s SPaP,

Verejné Prístavy,

Respect Slovakia

KIOS Cooperative Solutions

VUD, Výskumný ústav dopravný

We very much appreciate their support in organising this event in Bratislava.

This of course would not have been able without the huge effort of one person whom I would like to mention and thank personally, **Mr. Vanicek**, who managed to get this event organised in the capital of his country, which by the way prominently was taking part at the negotiations in realising this important convention.

Mr. State Secretary, we are honoured to give you the floor to address as host country the audience before inviting the representative of the CCNR to do so. Unfortunately the Danube Commission will not be officially represented but sends you and us the best wishes for a fruitful conference.

Bratislava, 7 February 2013