

INTERNATIONAL MARITIME ORGANIZATION



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ASSEMBLY
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Agenda item 10

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**Adopted on 29 November 2001
(Agenda item 10)**

IMPLEMENTATION OF THE HNS CONVENTION

THE ASSEMBLY,

RECALLING the adoption of the International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, 1996 (hereinafter referred to as the "HNS Convention"),

RECOGNIZING the dangers posed by the worldwide carriage by sea of hazardous and noxious substances,

BEING AWARE of the need to ensure that adequate, prompt and effective compensation is available to persons who suffer damage caused by incidents in connection with the carriage by sea of such substances,

HAVING AGREED to adopt uniform international rules and procedures for determining questions of liability and compensation in respect of such damage,

NOTING that only eight States are signatories to the HNS Convention and that at 29 November 2001 only two States have become party to it,

NOTING FURTHER that the Legal Committee established a Correspondence Group in October 1999 to monitor the efforts of interested parties to become party to the HNS Convention and their achievements in implementing it, thus encouraging other States to follow this path,

RECALLING the importance of Governments being mindful of the time needed for effectively implementing the HNS Convention, and thus of the need for well-planned time schedules for the implementation process,

BELIEVING that it is desirable for Member States to take a co-ordinated approach towards the implementation of the HNS Convention,

CONSCIOUS that the ultimate effectiveness of any instrument depends, *inter alia*, upon all States:

- (a) becoming Party to the instrument;
- (b) implementing it fully and effectively; and
- (c) enforcing it rigorously;

URGES all Member States to place a high priority on working towards the implementation of the HNS Convention and on resolving any practical difficulties in setting up the new regime, with the aim of ratification of, acceptance, approval or accession to, the HNS Convention;

ENCOURAGES all Member States to participate in the ongoing work of the HNS Correspondence Group and to work together with industry to assist in the implementation process by sharing details of available information on identifying receivers, contributing cargo and other relevant information; and

REQUESTS the Legal Committee, when reporting to the Assembly, specifically to address the progress made and practical issues encountered in accepting and implementing the HNS Convention.
