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Bar Association Endorses Rotterdam Rules

R.G. Edmonson | Feb 09, 2010 11:50AM EST

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Adoption of the Rotterdam Rules took a significant step forward on Monday when the American Bar Association voted to urge Congress to ratify the international shipping liability rules.

The rules, which the United States signed last September, would replace the 1924 Carriage of Goods by Sea Act to cover liability for cargo that's damaged at sea or on land when part of a door-to-door intermodal move. The ABA House of Delegates is meeting in Orlando, Fla.

"The present legal regimes for maritime cargo transportation are numerous and outdated," the ABA said. "The Rotterdam Rules will provide greater harmony, efficiency, uniformity, and predictability for those involved in marine shipping."

Maritime attorney Chester D. Hooper, a member of the U.S. delegation to the United Nations Commission on International Trade Law working group that drafted the rules, said the endorsement is important because the Senate will consult with the ABA about the rules when they come up for ratification.

Hooper said he was unsure when the Senate will take up the rules, but with ABA endorsement and support from shippers and carriers, the rules should be ratified without difficulty.

Along with the ABA endorsement, the Arab Academy for Science, Technology and Maritime Transport in a declaration on Feb. 3 recommended that the 15 member countries of the Arab League jointly sign the rules “as a clear signal that the Arab region is dedicated to the developments of globalization and modernization in international maritime transport.”

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