

der Notifikation beim belgischen Ministerium für Auswärtige Angelegenheiten auf die darin genannten Gebiete Anwendung, jedoch nicht vor ihrem Inkrafttreten für die betreffende Hohe Vertragsschließende Seite.

b) Jede Hohe Vertragsschließende Seite, die eine Erklärung gemäß Buchstabe a) abgegeben hat, welche diese Konvention auf ein Gebiet erstreckt, dessen internationale Beziehungen die Hohe Vertragsschließende Seite wahrnimmt, kann jederzeit dem belgischen Ministerium für Auswärtige Angelegenheiten notifizieren, daß die Konvention für das betreffende Gebiet nicht mehr gilt. Diese Kündigung wird ein Jahr nach Eingang der Notifikation beim belgischen Ministerium für Auswärtige Angelegenheiten wirksam.

c) Das belgische Ministerium für Auswärtige Angelegenheiten setzt alle Staaten, die die Konvention unterzeichnet haben oder ihr beigetreten sind, auf diplomatischem Wege von jeder gemäß diesem Artikel bei ihm eingegangenen Notifikation in Kenntnis.

GESCHEHEN zu Brüssel am 10. Mai 1952 in einem Exemplar in französischer und englischer Sprache, wobei jeder Wortlaut gleichermaßen verbindlich ist.

**INTERNATIONAL CONVENTION
on certain rules concerning civil
jurisdiction in matters of collision,
signed at
Brussels, on May 10, 1952**

The High Contracting Parties,

Having recognised the advisability of establishing by agreement certain uniform rules relating to civil jurisdiction in matters of collision, have decided to conclude a Convention for this purpose and thereto have agreed as follows:

ARTICLE 1.

- (1) An action for collision occurring between seagoing vessels, or between seagoing vessels and inland navigation craft, can only be introduced:
 - (a) either before the Court where the defendant has his habitual residence or a place of business;
 - (b) or before the Court of the place where arrest has been effected of the defendant ship or of any other ship belonging to the defendant which can be lawfully arrested, or where arrest could have been effected and bail or other security has been furnished;
 - (c) or before the Court of the place of collision when the collision has occurred within the limits of a port or in inland waters.
- (2) It shall be for the Plaintiff to decide in which Of the Courts referred to in § 1 of this Article the action shall be instituted.
- (3) A claimant shall not be allowed to bring a further action against the same defendant on the same facts in another jurisdiction, without discontinuing an action already instituted.

ARTICLE 2.

The provisions of Article 1 shall not in any way prejudice the right of the parties to bring an action in respect of a collision before a Court they have chosen by agreement or to refer it to arbitration.

ARTICLE 3.

- (1) Counterclaims arising out of the same collision can be brought before the Court having jurisdiction over the principal action in accordance with the provisions of Article 1.
- (2) In the event of there being several claimants, any claimant may bring his action before the Court previously

seized of an action against the same party arising out of the same collision.

- (3) In the case of a collision or collisions in which two of more vessels are involved nothing in this Convention shall prevent any Court seized of an action by reason of the provisions of this Convention, from exercising jurisdiction under its national laws in further actions arising out of the same incident.

ARTICLE 4.

This Convention shall also apply to an action for damage caused by one ship to another or to the property or persons on board such ships through the carrying out of or the omission to carry out a manoeuvre or through non-compliance with regulations even when there has been no actual collision.

ARTICLE 5.

Nothing contained in this Convention shall modify the rules of law now or hereafter in force in the various contracting States in regard to collisions involving warships or vessels owned by or in the service of a State:

ARTICLE 6.

This Convention does not affect claims arising from contracts of carriage or from any other contracts.

ARTICLE 7.

This Convention shall not apply in cases covered by the provisions of the revised Rhine Navigation Convention of 17 October 1868.

ARTICLE 8.

The provisions of this Convention shall be applied as regards all persons interested when all the vessels concerned in any action belong to States of the High Contracting Parties.

Provided always that:

- (1) As regards persons interested who belong to a non-contracting State, the application of the above provisions may be made by each of the contracting States conditional upon reciprocity;
- (2) Where all the persons interested belong to the same State as the court trying the case, the provisions of the national law and not of the Convention are applicable.

ARTICLE 9.

The High Contracting Parties undertake to submit to arbitration any disputes between States arising out of the interpretation or application of this Convention, but this shall be without prejudice to the obligations of those High Contracting Parties who have agreed to submit their disputes to the International Court of Justice.

ARTICLE 10.

This Convention shall be open for signature by the States represented at the Ninth Diplomatic Conference on Maritime Law. The protocol of signature shall be drawn up through the good offices of the Belgian Ministry of Foreign Affairs.

ARTICLE 11.

This Convention shall be ratified and the instruments of ratification shall be deposited with the Belgian Ministry of Foreign Affairs which shall notify all signatory and acceding States of the deposit of any such instruments.

ARTICLE 12.

- (a) This Convention shall come into force between the two States which first ratify it, six months after the date of the deposit of the second instrument of ratification.
- (b) This Convention shall come into force in respect of each signatory State which ratifies it after the deposit of the second instrument of ratification six months after the date of the deposit of the instrument of ratification of that State.

ARTICLE 13.

Any State not represented at the Ninth Diplomatic Conference on Maritime Law may accede to this Convention.