

No. 22380. CONVENTION ON A CODE OF CONDUCT FOR LINER CONFERENCES. CONCLUDED AT GENEVA ON 6 APRIL 1974¹

RATIFICATION

Instrument deposited on:

30 September 1987

BELGIUM

(With effect from 30 March 1988.)

With the following reservations and declarations:

[TRANSLATION — TRADUCTION]

I. *Reservations:*

1. For the purposes of the Code of Conduct, the term "national shipping line" may, in the case of a State member of the European Economic Community, include any vessel-operating shipping line established on the territory of that member State, in accordance with the Treaty establishing the European Economic Community.²

2. (a) Without prejudice to paragraph (b) of this reservation, Article 2 of the Code of Conduct shall not be applied in conference trades between States members of the Community and, on a reciprocal basis, between these States and other OECD countries which are parties to the Code:

(b) Point (a) shall not affect the opportunities for participation as third country shipping lines in such trades, in accordance with the principles reflected in Article 2 of the Code, of the shipping lines of a developing country which are recognized as national shipping lines under the Code and which are:

- (i) already members of a conference serving these trades; or
- (ii) admitted to such a conference under Article 1 (3) of the Code.

3. Articles 3 and 14 (9) of the Code of Conduct shall not be applied in conference trades between the States members of the Community and, on a reciprocal basis, between these States and other OECD countries which are parties to the Code.

4. In trades to which Article 3 of the Code of Conduct applies, the last sentence of that Article is interpreted as meaning that:

(a) The two groups of national shipping lines will co-ordinate their positions before voting on matters concerning the trade between their two countries;

(b) This sentence applies solely to matters which the conference agreement identifies as requiring the assent of both groups of national shipping lines concerned, and not to all matters covered by the conference agreement.

II. *Declarations:*

1. In accordance with the Resolution on non-conference shipping lines adopted by the Conference of Plenipotentiaries, as reproduced in annex II-2 to this Convention, the Government of the Kingdom of Belgium shall not prevent non-conference shipping lines from operating, provided that they compete with the conferences on a commercial basis, respecting the principle of fair competition. This Government confirms its intention to abide by the said Resolution.

¹ United Nations, *Treaty Series*, vol. 1334, p. 15, and annex A in volumes 1365, 1398, 1401, 1408, 1413, 1422 and 1444.

² *Ibid.*, vol. 298, p. 3.

2. The Government of the Kingdom of Belgium declares that it will implement the Convention and its annexes in accordance with the basic concepts and considerations herein stated and, in so doing, is not precluded by the Convention from taking appropriate steps in the event that another contracting party adopts measures or practices that prevent fair competition on a commercial basis in its liner trades.

Registered ex officio on 30 September 1987.
