

No. 6332

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**FEDERAL REPUBLIC OF GERMANY, BELGIUM,  
BRAZIL, DENMARK, SPAIN, etc.**

**International Convention for the unification of certain rules  
relating to penal jurisdiction in matters of collision or  
other incidents of navigation. Signed at Brussels, on  
10 May 1952**

*Official texts: French and English.*

*Registered by Belgium on 2 October 1962.*

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**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE, BELGIQUE,  
BRÉSIL, DANEMARK, ESPAGNE, etc.**

**Convention internationale pour l'unification de certaines  
règles relatives à la compétence pénale en matière  
d'abordage et autres événements de navigation. Signée  
à Bruxelles, le 10 mai 1952**

*Textes officiels français et anglais.*

*Enregistrée par la Belgique le 2 octobre 1962.*

No. 6332. INTERNATIONAL CONVENTION<sup>1</sup> FOR THE UNIFICATION OF CERTAIN RULES RELATING TO PENAL JURISDICTION IN MATTERS OF COLLISION OR OTHER INCIDENTS OF NAVIGATION. SIGNED AT BRUSSELS, ON 10 MAY 1952

The High Contracting Parties,

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

*Article 1*

In the event of a collision or any other incident of navigation concerning a sea-going ship and involving the penal or disciplinary responsibility of the master or of any other person in the service of the ship, criminal or disciplinary proceedings may be instituted only before the judicial or administrative authorities of the State of which the ship was flying the flag at the time of the collision or other incident of navigation.

<sup>1</sup> In accordance with article 8 (a), the Convention came into force on 20 November 1955, six months after the date of deposit of the second instrument of ratification. Here follows a list of States which have deposited their instruments of ratification or accession (a) with the Ministry of Foreign Affairs of Belgium, indicating the date of deposit and the date of entry into force of the Convention for each State:

| <i>State</i>                                                                                                       | <i>Date of deposit</i> |          | <i>Date of entry into force</i> |
|--------------------------------------------------------------------------------------------------------------------|------------------------|----------|---------------------------------|
| Burma . . . . .                                                                                                    | 8 July                 | 1953 (a) | 20 November 1955                |
| Spain (express confirmation of the reservation made at the time of signature; see p. 243 of this volume) . . . . . | 8 December             | 1953     | 20 November 1955                |
| Switzerland . . . . .                                                                                              | 28 May                 | 1954 (a) | 20 November 1955                |
| Haiti . . . . .                                                                                                    | 17 September           | 1954 (a) | 20 November 1955                |
| France* . . . . .                                                                                                  | 20 May                 | 1955     | 20 November 1955                |
| Costa Rica (with reservation**) . . . . .                                                                          | 13 July                | 1955 (a) | 13 January 1956                 |
| Egypt (confirming the reservation made at the time of signature; see p. 243 of this volume) . . . . .              | 24 August              | 1955     | 24 February 1956                |
| Republic of Viet-Nam (with reservation**) . . . . .                                                                | 26 November            | 1955 (a) | 26 May 1956                     |
| Yugoslavia (with reservation**) . . . . .                                                                          | 21 April               | 1956     | 21 October 1956                 |
| Holy See . . . . .                                                                                                 | 10 August              | 1956     | 10 February 1957                |
| Cambodia (with reservation**) . . . . .                                                                            | 12 November            | 1956 (a) | 12 May 1957                     |
| Portugal . . . . .                                                                                                 | 4 May                  | 1957     | 4 November 1957                 |
| United Kingdom of Great Britain and Northern Ireland (with reservations**) . . . . .                               | 18 March               | 1959     | 18 September 1959               |
| Belgium (with reservation**) . . . . .                                                                             | 10 April               | 1961     | 10 October 1961                 |
| Argentina (with reservation**) . . . . .                                                                           | 19 April               | 1961 (a) | 19 October 1961                 |

\* A notification of application to the French Overseas Territories, the Trust Territories of Togoland and Cameroon under French administration was received by the Government of Belgium on 23 April 1958 and took effect on 23 October 1958.

\*\* For the text of these reservations, see p. 246 of this volume.

*Article 2*

In the case provided for in the preceding Article, no arrest or detention of the vessel shall be ordered, even as a measure of investigation, by any authorities other than those whose flag the ship was flying.

*Article 3*

Nothing contained in this Convention shall prevent any State from permitting its own authorities, in cases of collision or other incidents of navigation, to take any action in respect of certificates of competence or licences issued by that State or to prosecute its own nationals for offences committed while on board a ship flying the flag of another State.

*Article 4*

This Convention does not apply to collisions or other incidents of navigation occurring within the limits of a port or in inland waters.

Furthermore the High Contracting Parties shall be at liberty, at the time of signature, ratification or accession to the Convention, to reserve to themselves the right to take proceedings in respect of offences committed within their own territorial waters.

*Article 5*

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 6*

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 7*

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 8*

(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 9*

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

The accession of any State shall be notified to the Belgian Ministry of Foreign Affairs which shall inform through diplomatic channels all signatory and acceding States of such notification.

The Convention shall come into force in respect of the acceding State six months after the date of the receipt of such notification but not before the Convention has come into force in accordance with the provisions of Article 8 a).

*Article 10*

Any High Contracting Party may three years after the coming into force of this Convention in respect of such High Contracting Party or at any time thereafter request that a conference be convened in order to consider amendments to the Convention.

Any High Contracting Party proposing to avail itself of this right shall notify the Belgian Government which shall convene the conference within six months thereafter.

*Article 11*

Any High Contracting Party shall have the right to denounce this Convention at any time after the coming into force thereof in respect of such High Contracting Party. This denunciation shall take effect one year after the date on which notification thereof has been received by the Belgian Government which shall inform through diplomatic channels all the other High Contracting Parties of such notification.

*Article 12*

(a) Any High Contracting Party may at the time of its ratification of or accession to this Convention or at any time thereafter declare by written notification to the Belgian Ministry of Foreign Affairs that the Convention shall extend to any of the territories for whose international relations it is responsible. The

Convention shall six months after the date of the receipt of such notification by the Belgian Ministry of Foreign Affairs extend to the territories named therein, but not before the date of the coming into force of the Convention in respect of such High Contracting Party.

(b) A High Contracting Party which has made a declaration under paragraph *a*) of this Article extending the Convention to any territory for whose international relations it is responsible may at any time thereafter declare by notification given to the Belgian Ministry of Foreign Affairs that the Convention shall cease to extend to such territory and the Convention shall one year after the receipt of the notification by the Belgian Ministry of Foreign Affairs cease to extend thereto.

(c) The Belgian Ministry of Foreign Affairs shall inform through diplomatic channels all signatory and acceding States of any notification received by it under this Article.

DONE at Brussels, in a single copy, May 10, 1952, in the French and English languages, the two texts being equally authentic.