



REGERINGSKANSLIET

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**Ministry of Justice
Sweden**

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Dear Erik,

**Athens Convention Round #2 of intersessional
correspondance**

Thank you for your letter of 5 July 2004 where you provide for an account of the discussions this far on the terrorism issue under the revised Athens Convention, and for giving us yet another opportunity to comment upon it.

The views we put forward in our submission of 2 July 2004 are still valid. In that document we inter alia asked for the views above all from the businesses concerned on your options A and B. We hope that the comments will be provided in due time.

Pending such comments, there is in our view more or less only option C that remains a valid option, in one form or the other, on the international scene. Also on that option we offered some comments in our previous letter.

Your latest letter contains some interesting additional ideas on option C and also a call upon those who have viewed that duties to prevent terrorism in addition to the ISPS Code should specify them. It seems that ideas on additional duties to those stemming from the ISPS Code have been expressed by Sweden, and that your call therefore is directed to us.

We would be happy to elaborate somewhat on this. The deadline that you have set does however, for various reasons, not allow us to do so at this juncture. We hope however to be able to come back to the matter before long. At that point, perhaps, we will also have the benefit of some thoughts about options A and B from e.g. ICS and International Group of P & I Clubs, which might trigger some additional views from our side.

Finally some comments on the amount issue. We have certainly not taken any definitive position on the relationship between the limits of liability

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under the 2002 Athens Convention and the limits of global limitation under the 1996 LLMC. We foresee however, that it might be very difficult to get a political acceptance for a major discrepancy between those levels. We also understand however, that for some time such an arrangement could be necessary in order to get the “Athens system” working. This is a very delicate matter and we will have to consider it very carefully.

In this regard it would be very interesting to learn whether the insurance market would be able to provide insurance cover in a situation where the global limit of limitation would be set at 250 000 SDR, per passenger, and thus corresponding to the level for the compulsory insurance under Article 4bis.1 of the 2002 Athens Convention?

We shall indeed look forward to participating in the future discussions on these two topics. We sincerely hope that other states as well as NGO’s will.

We wish you and our colleagues a pleasant summer.

Best regards,

Thomas Johansson