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## **Compilation of comments on the draft convention on the international effects of judicial sales of ships**

### **Addendum**

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## **I. Governments (*continued*)**

### **L. Türkiye**

[Original: English]

[31 May 2022]

1. It is considered that the embassy or consulate of the flag State of the ship can be added to the persons to be notified in article 4 of the draft text regarding the notification of forced sale. Because, if there is an embassy or consulate of the flag State of the ship in the State where the forced sale is carried out, the relevant embassy or consulate will be able to access the necessary contact information more easily and more securely, and it is thought that problems that may arise from not reaching the relevant parties can be prevented by this way.

2. In addition, no statement was found confirming that the notification reached the correct address after the examination of the draft text. However, in article 11, paragraph 3 of the International Convention on Maritime Liens and Mortgages (1993), it was stipulated that the notification should be verified by saying that “[t]he notice specified in paragraph 2 of this article shall be in writing and either given by registered mail, or given by any electronic or other appropriate means which provide confirmation of receipt, to the persons interested as specified in paragraph 1, if known”. It is assumed that the notification requirement, which is one of the essential elements of the forced sale, is fulfilled without providing a confirmation in this direction and may cause loss of property and rights. For this reason, it would be beneficial to include a statement in the draft text that confirms that the notification has reached the addressee.

3. In appendix I to the draft convention, information about the anticipated date and place of the forced sale is envisaged. However, as soon as the exact date and place of the forced sale are determined, it would be appropriate to make a second notification to the relevant parties and include it in the convention.

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