

International Maritime Law: Foundations and Applications

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In the vast expanse of the world's oceans, a web of regulations governs interactions of nations, vessels, and resources. As the global maritime sphere evolves and new disputes and conflicts appear on the horizon, it is important to understand international maritime law and be able to apply it to rising situations. Also known as the "Law of the Sea", international maritime law is composed of treaties, conventions, and regulations meant to regulate organizations and keep the peace, governing possible issues. We can apply this law to the introduction of new European Union legislation in addition to major oceanic attacks and the relevance of international law in that discussion and diplomatic efforts. This article will both provide further information on international maritime law, the organizations it encompasses, and crucial conventions to know, as well as applications to current events relating to potential disputes between countries.

Let us lay the foundation for current events by diving into the basics. International waters pertain to waters outside of the jurisdiction of any given country. If a ship is traveling in international waters, they usually fall under what country they are registered under for maritime laws. Transitioning to peacekeeping, a specific agency part of the United Nations called the International Maritime Organization (relatively self-explanatory) assists in the establishment of maritime laws and regulations for countries under its membership. Four different conventions are encompassed underneath this organization: firstly, the Safety of Life at Sea Convention. To summarize the convention, it states the standards for both the construction, operation, and type of equipment required for vessels (only for those that sail in international waters). Member states of the United Nations are bound to comply with the SOLAS Convention. The Maritime Labor Convention is the second branch, and as assumed by its name, regulates hours worked by crew on a vessel, contracts, compensations, training, and other basic aspects of employment. Standards of Training, Certification, and Watchkeeping for Seafarers is the third UN convention, which establishes further regulations, training, and certification for workers onboard vessels. The International Convention for the Prevention of Pollution from Ships is the last convention, which regulates both pollution prevention and covers pollution-related accidents. As for maritime law in itself, although complex and circumstantial, it encompasses personal injuries, maintenance, mortgages, salvage, and allision. Although we will not delve deep into these terms and their applications, it is important to understand the concepts of each.

Now that a basis for maritime law is set, we can now transition into current events application. Although not directly correlated to the basics of international law, a recent Red Sea crisis has pointed to international efforts to help the mitigation process; however, these efforts have not sufficed. Global shipping in general has faced threats including piracy, robbery, hijackings, and diseases which have altered the balance between world trade and numerous supply chains. Beginning in November of 2023, a strategic shipping lane in the Red Sea has been the victim of numerous crimes on international shipping. From a helicopter raid in November to an eventual hostage situation, many are now calling on the earlier mentioned International Maritime Organization to de-escalate tensions and keep those on board vessels safe. This led to an eventual (January) resolution by the United Nations Security Council to condemn attacks and emphasize the rights of member states to defend themselves in these circumstances. The United Nations Convention on the Law of the Sea (not to get confused with other UN conventions) designates the rights of UN member states referring to maritime zones that are placed under their jurisdiction. With application to this current situation, the Red Sea is stated to be safeguarded with no permission for any warfighting; therefore, many ministers have called to the situation and stated it to be a deep violation of international law. While the conflict stems deeper, we will leave it at a positive note as many are now both calling and working towards a (potentially) peaceful resolution to this major international issue.

New European Union legislation is making its way into the realm of international law: shipping industries may now become more complex than ever as “FuelEU legislation” emerges. Mostly centered towards reducing the EU’s greenhouse gas emissions by over fifty percent by 2030 in order to continue towards climate neutrality by 2050. This legislation has not emerged without debates, however: many stringent rules that are now angering those in the shipping industry are a major side-effect of this new (and pretty ambitious) rule being put into place. As for the content of the legislation, it can be broken down into two main components: reduction of energy of arriving/departing/stagnant ships and requiring an On-Shore Power Supply for containers and vessels. A positive of this introduction is it gives shipowners more leeway regarding fuel-technology decisions. The compliance process for this initiative is set for August 1st of this year. This new regulation is one of the many pieces of legislation that is being added as scientists and climate activists increasingly call for large companies’ accountability and work, just as much as individual efforts to help mitigate the climate crisis and work towards a greener future.

International maritime law, while more complex and lesser-known than previously emphasized, generally plays a seemingly invisible yet crucial role within both the role of diplomacy and country relations. One name to keep in mind when hearing cases, watching the news, or completing research is the United Nations Law of the Sea Convention (referred to as UNCLOS). This convention, although not emphasized previously, is a main resolution factor for disputes in both ocean usage and sovereignty: such impacts have included the creation of the

International Seabed Authority, the creation of rules on the continental shelf, protection of ocean life in international waters, and the establishment of freedom-of-navigation rights (more in another article). This convention has been historically important, and continues to be in an era of ever-changing relations and uncertainty between countries.

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