The dawn of modern-day maritime terrorism arose in October 1985, when members of the Palestine Liberation Front (PLF) boarded an Italian cruise ship as passengers and seized control of the vessel while it was sailing in the Mediterranean Sea. They threatened to destroy the ship, the Achille Lauro, its crew, and its passengers unless Israel released certain Palestinian prisoners. When Israel refused to accede to their demands, the terrorists killed an invalid Jewish-American passenger and threw his body and wheelchair overboard. Although the 1982 United Nations Convention on the Law of the Sea (LOS Convention) has provisions concerning several common crimes committed on the seas, including piracy, the slave trade, and illicit drug trafficking, the Convention did not sufficiently address acts of maritime terrorism that emerged after it had been signed.

This chapter discusses the measures states have developed over the past few decades to prevent maritime terrorism and to secure the safety of navigation. Section A reviews a call for action by the U.N. General Assembly, several conventions promulgated under the auspices of the International Maritime Organization (IMO), and the implementation of those conventions by states. The conventions respond to security risks facing vessels and other aspects of the complex maritime domain, including cargos, crews, and ports. Section B analyzes voluntary efforts undertaken by states, including the Proliferation Security Initiative, an informal cooperative framework initiated by the United States and widely (but not universally) endorsed by other countries.

A International Conventions Addressing Maritime Security

UNITED NATIONS GENERAL ASSEMBLY RESOLUTION 40/61
UN Doc. A/RES/40/61 (1985)

The General Assembly…

Deeply concerned about the world-wide escalation of acts of terrorism in all its forms, which endanger or take innocent human lives, jeopardize fundamental freedoms and seriously impair the dignity of human beings, …
Convinced of the importance of expanding and improving international co-operation among States, on a bilateral and multilateral basis, which will contribute to the elimination of acts of international terrorism and their underlying causes and to the prevention and elimination of this criminal scourge, . . .

1. Unequivocally condemns, as criminal, all acts, methods and practices of terrorism wherever and by whomever committed, including those which jeopardize friendly relations among States and their security;

2. Deeply deplores the loss of innocent human lives which results from such acts of terrorism;

3. Also deplores the pernicious impact of acts of international terrorism on relations of co-operation among States, including co-operation for development;

4. Appeals to all States that have not yet done so to consider becoming party to the existing international conventions relating to various aspects of international terrorism;

5. Invites all States to take all appropriate measures at the national level with a view to the speedy and final elimination of the problem of international terrorism, such as the harmonization of domestic legislation with existing international conventions, the fulfilment of assumed international obligations, and the prevention of the preparation and organization in their respective territories of acts directed against other States;

6. Calls upon all States to fulfil their obligations under international law to refrain from organizing, instigating, assisting or participating in terrorist acts in other States, or acquiescing in activities within their territory directed towards the commission of such acts;

7. Urges all States not to allow any circumstances to obstruct the application of appropriate law enforcement measures provided for in the relevant conventions to which they are party to persons who commit acts of international terrorism covered by those conventions;

8. Also urges all States to co-operate with one another more closely, especially through the exchange of relevant information concerning the prevention and combating of terrorism, the apprehension and prosecution or extradition of the perpetrators of such acts, the conclusion of special treaties and/or the incorporation into appropriate bilateral treaties of special clauses, in particular regarding the extradition or prosecution of terrorists;

9. Further urges all States, unilaterally and in co-operation with other States, as well as relevant United Nations organs, to contribute to the progressive elimination of the causes underlying international terrorism and to pay