PART FOUR

NUCLEAR WEAPONS AND WEAPON GRADE MATERIAL ON THE OCEANS
CHAPTER THIRTEEN

MARITIME TERRORISM AND THE INTERNATIONAL LAW OF BOARDING OF VESSELS AT SEA: A BRIEF ASSESSMENT OF THE NEW DEVELOPMENTS

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I. Introduction

Developments in international law frequently follow catastrophic or highly-publicized incidents, usually with the effect of changing or expanding the existing framework to deal with the past incident. The relationship of the environmental damage from the 1967 grounding of the Torrey Canyon and the 1978 grounding of the Amoco Cadiz with improvements in international maritime vessel-source pollution law are well recognized.¹ Not surprisingly, the events of September 11, 2001 have led to significant attention being given to terrorism in international law, and this has included terrorism involving commercial vessels, which can mean either the use of a vessel directly as a terrorist instrument or the use of a vessel to transport weapons of mass destruction and related materials or individuals who have been or who may be engaged in terrorist activity.

The primary fora for multilateral discussions of international legal developments concerning maritime terrorism has been the International Maritime Organization (IMO). The work of the IMO on maritime terrorism has yielded two products. The first came in 2002 with the adopted amendments to the 1974 Safety of Life at Sea Convention (SOLAS)² which included the addition of a new chapter to SOLAS,

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