PANEL VI:
VESSEL SOURCE POLLUTION AND PROTECTION OF THE MARINE ENVIRONMENT
Vessel Source Pollution and Protection of the Marine Environment

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Abstract

The pollution of water has a serious impact on all living creatures and can negatively affect the use of water for drinking, household needs, recreation, fishing, transportation, and commerce. Despite the widespread implementation of international conventions and domestic legislation for several decades prohibiting many forms of environmentally damaging pollution emanating from vessels, there continues to be a significant number of vessels that fail to comply with their legal obligations to properly dispose of shipboard wastes.

While accidental discharges do occur, a substantial number of cases involve knowing and willful acts of pollution. These are inevitably accompanied by unlawful engineering alterations, falsification of records and logs, and other attempts to obstruct law enforcement that are necessary to hide these activities.

As both a major port State and flag State, the United States aggressively enforces environmental laws to protect the marine environment. Enforcement tools include informal corrective actions, port State control measures, civil penalties, and criminal enforcement. The choice of enforcement tool varies depending on the facts presented by each case and the appropriateness of the remedy for achieving the ultimate goal of compliance. Criminal prosecution of vessel owners and operators is generally

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1 Captain Michel is currently the Chief of the Office of Maritime and International Law, US Coast Guard Headquarters, Washington, DC. The views expressed are those of the author and do not represent official Coast Guard policy. The author’s PowerPoint presentation can be viewed on the accompanying CD.