



ACADEMIE DE DROIT INTERNATIONAL DE LA HAYE  
HAGUE ACADEMY OF INTERNATIONAL LAW

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# La criminalité en mer

# Crimes at Sea

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EDITED BY

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## **THE BOOK AND THE AUTHORS**

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**Table analytique des matières — Analytical Index**

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Le présent ouvrage collectif est le fruit de recherches communes entreprises au sein du Centre d'étude et de recherche de droit international et de relations internationales de l'Académie, qui s'est terminé en septembre 2012, et ce sont les données connues à cette date qui ont été principalement exploitées. En outre, les opinions exprimées ci-après n'engagent que les auteurs et ne représentent pas nécessairement celles des organisations ou des services qui les emploient.

The present collective work is the result of joint research undertaken in the Centre for Studies and Research in International Law and International Relations of the Academy. It was completed in September 2012 and is based primarily on material available at that date. The opinions hereafter expressed are those of the authors and do not necessarily reflect those of the organizations or services for which they work.

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## **PRINCIPALES ABRÉVIATIONS**

## **PRINCIPAL ABBREVIATIONS**

1979 Hostages Convention	International Convention against the Taking of Hostages of 1979
1988 SUA Convention	Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation of 1988
1988 Vienna Convention	United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988
1993 FAO Compliance Agreement	Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas of 1993
1995 New York Agreement/ 1995 Fish Stocks Agreement	United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks of 1995
1999 TFC	International Convention for the Suppression of the Financing of Terrorism of 1999
2005 Model Scheme	Model Scheme on Port State Measures to Combat IUU Fishing adopted in 2005
2005 SUA Protocol	Illegal, Unreported and Unregulated Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation of 1988
2009 Agreement on Port State Measures	Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing of 2009
ACCT	ASEAN Convention on Counter-terrorism of 2007
ADM	Armes de destruction massive
AFDI	<i>Annuaire français de droit international</i>
AFM	Armed Forces of Malta
AGNU	Assemblée générale des Nations Unies

AIEA	Agence internationale de l'énergie atomique
AJIL	<i>American Journal of International Law</i>
BIMCO	Baltic and International Maritime Council
BMI	Bureau maritime international
BMPs	Best Management Practices
Caribbean Agreement	Agreement concerning Co-operation in Suppressing Illicit Maritime and Air Trafficking in Narcotic Drugs and Psychotropic Substances in the Caribbean Area of 2003
CARICOM Agreement	CARICOM Maritime and Airspace Security Co-operation Agreement of 2008
CCA	Conception, construction et armement des navires
CCAMLR	Commission on the Conservation of Antarctic Marine Living Resources of 1982
CDH	Conseil des droits de l'homme
CDI	Commission du droit international des Nations Unies
CEDH	Convention européenne des droits de l'homme de 1950 ou Cour européenne des droits de l'homme
CIJ	Cour internationale de Justice
CJCE	Cour de justice des Communautés européennes
CJUE	Cour de justice de l'Union européenne
CMB/CNUDM	Convention des Nations Unies sur le droit de la mer de 1982
COFI	Committee on Fisheries
COMSAR	IMO Sub-Committee on Radiocommunications and Search and Rescue
Convention contre la criminalité transnationale organisée	Convention des Nations Unies contre la criminalité transnationale organisée de 2000
Convention contre la prise d'otages	Convention internationale contre la prise d'otages de 1979
Convention de 1988/ Convention SUA	Convention pour la répression d'actes illicites contre la sécurité de la navigation maritime de 1988
Convention de Vienne	Convention des Nations Unies contre le trafic illégitime de stupéfiants et de substances psychotropes de Vienne de 1988
CPI	Cour pénale internationale
CVDT	Convention de Vienne sur le droit des traités de 1969
Djibouti Code of Conduct	Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden (of the IMO)
DTVIA	Drug Trafficking Vessel Interdiction Act
ECJ	European Court of Justice

ECtHR	European Court of Human Rights
EEZ	Exclusive Economic Zone
EJIL	<i>European Journal of International Law</i>
EUNAVFOR / EU NAVFOR	European Union Naval Force
EUROSUR	European Border Surveillance System
EUSC	European Union Satellite Centre
FAL	Facilitation Committee
FAL Convention	Convention on Facilitation of International Maritime Traffic of 1965
FAO	Food and Agriculture Organization of the United Nations
FAO Code of Conduct	FAO Code of Conduct for Responsible Fisheries of 1995
FIDH	Fédération internationale des ligues des droits de l'homme
FIR	Flight Information Region
FRONTEX	Agence européenne pour la gestion de la coopération opérationnelle aux frontières extérieures des Etats membres de l'Union européenne/European Agency for the Management of Operational Co-operation at the External Borders of the Members States of the European Union
GISTI	Groupe d'information et de soutien des immigrés
GMDSS	Global Maritime Distress and Safety System
GUARDCON	Security Guards on Vessels
HRA	High Risk Areas
IACs	International Armed Conflicts
IAMSAR Manual	International Aeronautical and Maritime Search and Rescue Manual
ICAO	International Civil Aviation Organization
ICC	International Criminal Court
ICJ	International Court of Justice
ICL	International Criminal Law
ICoC	International Code of Conduct for Private Security Service Providers
ICRC	International Committee of the Red Cross
ICS	International Chamber of Shipping
ICTR	International Criminal Tribunal for Rwanda
ICTY	International Criminal Tribunal for the former Yugoslavia
IHL	International Humanitarian Law
IJMCL	<i>International Journal of Marine and Coastal Law</i>
ILA	International Law Association
ILC	International Law Commission
ILC Articles Commentary	ILC Articles on Responsibility of States for Internationally Wrongful Acts with Commentaries of 2001

ILC (Draft) Articles	ILC (Draft) Articles on Responsibility of States for Internationally Wrongful Acts of 2001
IMB	International Maritime Bureau
IMO	International Maritime Organization
IMO Convention	Convention on the International Maritime Organization of 1948
IOM	International Organization for Migration
IPOA-IUU	International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing of 2001
ISO	International Organization for Standardization
ISP	Initiative de sécurité contre la prolifération
ISPS Code	International Ship and Port Facility Security Code
ITLOS	International Tribunal for the Law of the Sea
IUU	Illegal, Unreported, (and) Unregulated
JICJ	<i>Journal of International Criminal Justice</i>
JOCE	<i>Journal officiel des Communautés européennes</i>
LEDET(s)	Law Enforcement Detachments
LOSC	United Nations Convention on the Law of the Sea of 1982
MARPOL	Convention internationale pour la prévention de la pollution par les navires de 1973, telle que modifiée par le Protocole de 1978/International Convention for the Prevention of Pollution from Ships of 1973, as modified by the 1978 Protocol
MIOs	Maritime Interdiction Operations
MLA	Mutual Legal Assistance
Montego Bay Convention	United Nations Convention on the Law of the Sea of 1982
MoU(s)	Memorandum(a) of Understanding
MRCC	Maritime Rescue Coordination Centre
MSC	Maritime Safety Committee
NATO	North Atlantic Treaty Organization
NIACs	Non-International Armed Conflicts
OHCHR	Office of the United Nations High Commissioner for Human Rights
OILPOL	International Convention for the Prevention of Pollution of the Sea by Oil of 1954
OMI	Organisation maritime internationale
ONU	Organisation des Nations Unies
P&I	Protection & Indemnity
PACE	Parliamentary Assembly of the Council of Europe
PAG	Private Armed Guards
PCASP	Privately Contracted Armed Security Personnel
PMSC	Private Maritime Security Companies

Projet d'articles sur la responsabilité (de la CDI)	Projet d'articles sur la responsabilité de l'Etat pour fait internationalement illicite de 2001
Protocol I	Protocol Additional to the Geneva Conventions of 1949, and relating to the Protection of Victims of International Armed Conflicts of 1977
Protocol II	Protocol Additional to the Geneva Conventions of 1949, and relating to the Protection of Victims of Non-International Armed Conflicts of 1977
Protocole contre le trafic illicite de migrants	Protocole de 2000 contre le trafic illicite de migrants par terre, air et mer à la Convention des Nations Unies contre la criminalité internationale organisée
Protocole (SUA) de 2005	Protocole de 2005 à la Convention pour la répression d'actes illicites contre la sécurité de la navigation maritime de 1988
PSI	Proliferation Security Initiative
RCC	Rescue Co-ordination Centre
Refugee Convention	Convention relating to the Status of Refugees of 1951
RFMOs	Regional Fisheries Management Organisations
RGDIP	<i>Revue générale de droit international public</i>
RNIGA	Règles et normes internationales généralement acceptées
ROE	Rules of Engagement
RSA	<i>Recueil des sentences arbitrales</i>
RUDH	<i>Revue universelle des droits de l'homme</i>
RUF	Rules concerning/on the use of force
SAR	Search and Rescue
SAR Convention	International Convention on Maritime Search and Rescue of 1979
SC	Security Council (of the United Nations)
SMP	Sociétés militaires et de sécurité privées
Smuggling Protocol	Protocol against the Smuggling of Migrants by Land, Sea and Air of 2000, supplementing the United Nations Convention against Transnational Organized Crime
SOLAS (Convention)	International Convention for the Safety of Life at Sea of 1974
SOP(s)	Standard Operating Procedure(s) (for Shipmasters)
SRR	Search and Rescue Region(s)
SUA (Convention)	Convention pour la répression d'actes illicites contre la sécurité de la sécurité maritime de 1988/ Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation of 1988
TEZ	Total Exclusion Zone
TIDM	Tribunal international du droit de la mer
TNP	Traité sur la non-prolifération des armes nucléaires de 1968