Criminal Jurisdiction over Perpetrators of Ship-Source Pollution

International Law, State Practice and EU Harmonisation

By
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To my mother Ludmila Gilova

To my husband, Maxim, and our daughters, Jelena and Elizaveta

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Preface

This monograph represents my work as a post-doctoral research fellow at the Scandinavian Institute of Maritime Law ("the Institute") of the Faculty of Law at the University of Oslo, from February 2008 until summer 2012. It contributes to research being carried out within the context of the Safety and Security at Sea project that is being run by the Institute and led by Professor Erik Røsæg. Although I have worked independently on the writing of this work, its contents have been inspired by research being conducted as part of this project. In particular, the choice to focus on the legal systems of Norway and Russia, as well as the European Union rules on criminal sanctions for ship-source pollution, is explained by the project's focus on the Northern Areas and the relationship between the United Nations Convention on the Law of the Sea and EU law. However, I hope that this work has relevance beyond these regions and trust that it will be of interest to readers worldwide.

Completing this monograph within the time limitations imposed by a post-doctoral position at the Institute has proven to be a very ambitious goal. It would have been impossible without the support and encouragement of my colleagues and family. Some of my colleagues deserve particular thanks for reading and commenting on parts of the draft: Professor Erik Røsæg (the Institute), Dr. Henrik Ringbom (the Institute/formerly of the European Maritime Safety Agency), Professor Rosa Greaves (University of Glasgow/the Institute), stipendiats Irina Fodenko (the Institute), and Karin Bruzelius (former Justice of the Supreme Court of Norway/the Institute). I would also like to thank Dr. Henrik Ringbom and Dr. Malgorzata Nesterowicz for welcoming me at European Maritime Safety Agency and, in particular, for giving me access to the Agency's study on the Member States' implementation of the EU directive on sanctions for ship-source pollution.

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