

# Contemporary Maritime Legal Framework of the Ship Salvage

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## Abstract:

Salvage operations have been an essential aspect of maritime law for centuries due to their critical role in averting the loss relating to life and property of our natural ecosystem following a maritime disaster. The Salvage Convention,<sup>1</sup> enacted in 1989, is the primary international legal basis for salvage operations. This study examines the Convention and its bearing on current maritime law. In this essay, we'll go over what Salvage is, how it's regulated by law, and what the Convention's main provisions and principles are. Subsequently, a set of case studies is employed to scrutinize the pertinence of the Convention, with a focus on critical concerns and challenges within the sector. The study offers a meticulous evaluation of the Convention, a juxtaposition with alternative global legal structures, and suggestions for enhancement. The research results demonstrate that the Convention has significantly affected current maritime law and that further adjustments are required to address new problems and difficulties in the sector. The analysis concludes with implications for the current marine law system and recommendations for future research.

**Keywords:** Legal frameworks; Maritime law; Salvage contracts; Uniformity; Compensation regime

## I. Introduction

Marine mishaps can result in catastrophic outcomes, such as fatalities, environmental harm, and substantial economic setbacks. Salvage operations aim to save and retrieve ships, cargo, and other properties that are in danger; therefore, they play a vital role in reducing the severity of these effects. In terms of international law, the International Convention on Salvage, which came into effect in 1989, is the most important precedent for salvage operations.

"salvage"<sup>2</sup> refers to providing aid to freight or ship<sup>3</sup> to mitigate or prevent harm to the environment, other containers, or property. Salvage operations are integral to maritime law since they are performed to save lives and retrieve lost or damaged cargo or vessels. The notion of Salvage has historical roots that can be traced back to antiquity, a period marked by frequent shipwrecks, which necessitated the involvement of indigenous fishermen and seafarers in salvage activities.

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<sup>1</sup> The International Convention on Salvage, 1989

<sup>2</sup> [https://www.irjmets.com/Uploadedfiles/Paper//Issue\\_3\\_march\\_2023/35193/Final/Fin\\_irjmets1680422470.Pdf](https://www.irjmets.com/Uploadedfiles/Paper//Issue_3_march_2023/35193/Final/Fin_irjmets1680422470.Pdf) [2023] International Research Journal of Modernization in Engineering Technology and Science <<http://dx.doi.org/10.56726/irjmets35193>>

<sup>3</sup> Kimrey LC and Helton D, "ABANDONED VESSEL AUTHORITIES AND BEST PRACTICES GUIDANCE- A REVIEW OF NRT WORK" (2014) 2014 International Oil Spill Conference Proceedings 2053 <<http://dx.doi.org/10.7901/2169-3358-2014.1.2053>>

The Convention came into existence due to the escalating intricacy and expenses associated with salvage operations and the requirement for specific legal regulations to oversee such operations. The document delineates the entitlements and responsibilities of individuals engaged in salvage activities, including salvors, ship proprietors, and other relevant stakeholders, while instituting a mechanism for compensating salvors for their contributions. The Convention has been instrumental in influencing modern maritime law since its inception. As a result of its widespread adoption, its provisions have been used in countless salvage operations all over the world. This research paper aims to enhance comprehension of the Convention's function in present-day maritime law and to pinpoint prospects for improving the legal structure that regulates salvage operations.<sup>4</sup>

### 1. Legal Framework for Salvage Operations

Salvage operations are governed by a complex set of rules, laws and regimes<sup>5</sup> on both an international and national level. The law of the country where the salvage operation is conducted takes precedence over the law of the ship's flag state. The International Convention on Salvage, ratified in 1989, establishes a comprehensive legal structure for the conduct of salvage operations and delineates the rights and responsibilities of the various stakeholders involved in such operations.

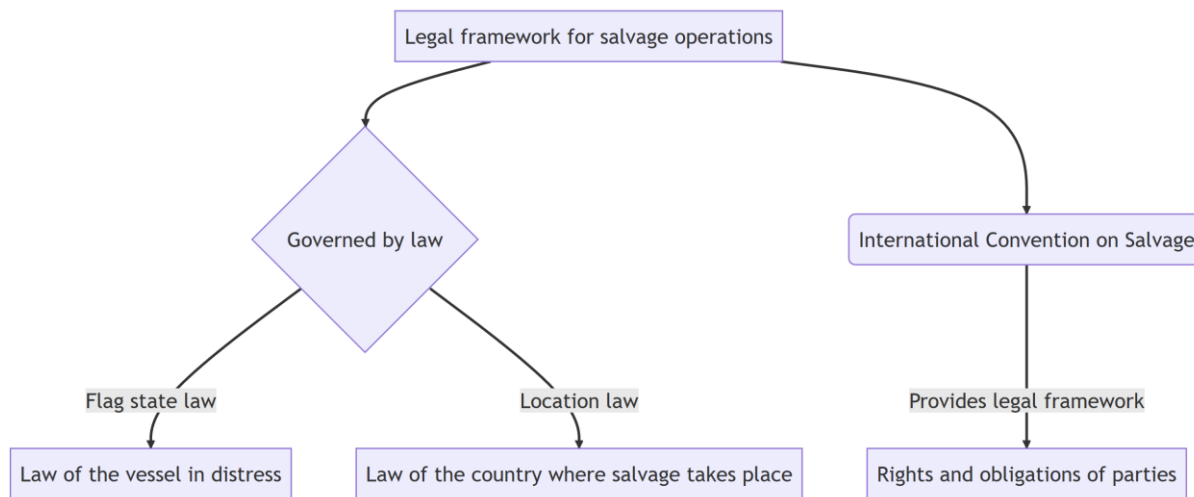


Fig.1 Legal framework

Salvors are entitled to compensation for their services under the Convention, often determined as a portion of the ratios of the salvaged item. The worth of the assets set aside, the expertise and effort of the salvagers, and the risk associated with the operation all play a role in determining the award amount. Salvage operations may need to comply with other national and international laws and regulations, such as environmental and safety regulations<sup>6</sup>, in addition to the Convention. Observance of these rules and regulations is essential to preventing additional damage to marine life, infrastructure, and the environment during salvage operations. Overall, the legal framework for salvage operations is complicated and

<sup>4</sup> Proshanto K. Mukherjee and Mark Brownrigg, *Farthing on International Shipping*, (4th edn, Berlin-Heidelberg: Springer-Verlag, 2013), at p.274

<sup>5</sup> "9. Existing Regulatory Regime Governing Marine Transportation" [1982] *The Management of Marine Regions: The North Pacific* 308 <<http://dx.doi.org/10.1525/9780520311749-014>>

<sup>6</sup> The Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009.

changing, necessitating careful research and analysis to ensure that salvage operations are conducted safely, effectively, and legally.

Salvage operations can take numerous shapes and sizes depending on the nature and extent of the catastrophe, the location of the ship in trouble, and the resources at hand. The International Convention on Salvage recognizes several distinct forms of salvage operations.

*Contract Salvage:* This salvage operation is being performed per the terms of a contract between the salvor and the shipowner or cargo owner. The contract can be signed before or after the catastrophe, and it details everything from the scope of the salvage operation to the salvor's compensation.<sup>7</sup>

*Pure Salvage:* The present scenario pertains to a salvage operation that is being executed in the want of a proper understanding among the parties and the salvor, the stakeholders of the ship or the cargo. In instances of Salvage, the individual or entity undertaking the salvage operation is eligible for compensation commensurate with the ratio to the recovered assets and the hazards inherent in the salvage endeavour.

*Ancillary Services:* Firefighting, pollution control, and towing are among the services salvage companies perform. Salvors might get additional money for these services.

*Special Compensation:* When a salvage operation poses a substantial threat to the environment, a form of compensation known as a reward may be awarded to the salvors involved. The recompense aims to acknowledge the additional expenses and hazards assumed by the salvors to avert or reduce the impact of ecological harm.

Salvage operations generally encompass a wide range of intricate and varied procedures. The legal structure governing such functions must be flexible to accommodate diverse scenarios, ensuring sufficient safeguarding for all stakeholders, including salvors, shipowners, and other relevant entities.

## II. The International Convention on Salvage 1989

Indeed, the Salvage Convention ultimately went live in 1996 after being adopted in 1989. The Convention covers all kinds of watercraft like ships, boats, and floating platforms, and their stuff and cargo. So basically, the Convention lays out the rules for salvage operations and who's responsible for what.<sup>8</sup>

Some of the Convention's essential rules and principles are listed below.

- The Convention requires all ships to assist any vessel in distress, regardless of the flag or classification of the distressed ship. The preceding obligation extends to everyone on board, including the personnel, passengers, and anybody else.
- The Convention acknowledges that salvors are entitled to just compensation for their efforts. The reward is determined by several variables, including the price of the assets salvaged, the salvors' level of effort and expertise, and the danger of the salvage mission.
- Salvage agreements between a salvor and a shipowner or cargo owner are permissible under the Convention. The sum of the salvage incentive must be agreed upon in writing.

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<sup>7</sup> "The Obligations of the Carrier Regarding the Cargo" (*SpringerLink*) <<https://link.springer.com/book/10.1007/978-3-319-62440-2>>

<sup>8</sup> Newton JZ, "Https://Digitalcommons.Ciis.Edu/Cgi/Viewcontent.Cgi?Article=1079&context=ijts-Transpersonalstudies" (2015) 34 *International Journal of Transpersonal Studies* 172 <<http://dx.doi.org/10.24972/ijts.2015.34.1-2.172>>

- Thanks to the Convention, salvors are allowed to keep the property they have rescued until they are given their salvage payment. A salvage lien exists when this occurs.
- If a salvage operation harms the environment or other property, the salvors' responsibility is limited under the Convention. The burden is capped at the market worth of the rescued goods.<sup>9</sup>
- Salvage operations have environmental safeguards emphasized by the Convention. When conducting a salvage operation, salvage companies are responsible for taking all necessary precautions to protect the environment and may be held liable for any harm done.<sup>10</sup>

## 1. Application and Scope:

The salvage convention is a universally helpful instrument that pertains to all salvage operations conducted in the territorial waters of a state and high seas or any other maritime region beyond the purview of a state. The Convention includes all watercraft, encompassing ships, boats, and floating platforms, alongside their respective cargoes and equipment. The Convention is intended to have broad applicability, encompassing a diverse array of salvage operations and its expansive geographical reach, including those that entail intricate or hazardous circumstances. The Convention acknowledges the variability of salvage operations and offers a versatile legal structure that can accommodate diverse events. The Convention encompasses a broad spectrum of entities engaged in salvage operations, comprising salvors, shipowners, cargo owners, insurers, and other relevant stakeholders. The Convention delineates the entitlements and responsibilities of the involved parties and furnishes a lucid structure for settling conflicts that could emerge during salvage undertakings. The Convention places significant importance on collaboration and synchronization among the parties engaged in salvage operations. The Convention acknowledges the necessity of a well-coordinated effort among salvors, authorities, and other relevant parties during salvage operations, and it presents a structure to ensure such coordination. The International Convention on Salvage is a comprehensive and flexible instrument pertaining to a broad spectrum of salvage operations and the entities involved. The extensive range of its implementation and extent has ensured that retrieval procedures are executed securely, efficiently, and ecologically accountable.

## 2. Contemporary Issues and Challenges

Recently, the maritime sector has undergone notable transformations characterized by the emergence of novel technologies, equipment, and operational practices that could potentially influence salvage operations. Several significant contemporary advancements have been made in the maritime area.<sup>11</sup> The maritime industry has observed a rise in adopting automated systems and equipment, which could potentially affect salvage operations. Mechanical systems have the potential to offer expedited and precise responses to salvage scenarios. However, they may also introduce novel complexities concerning navigation and decision-making. The progress in communication: The emergence of novel communication technologies has facilitated communication among stakeholders engaged in salvage operations. Enhancing coordination and decision-making can be achieved through this approach; however, it also concerns the dependability and safety of communication infrastructures. Recently, there has been a shift in the types of

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<sup>9</sup> Gold, Edgar. "Legal Aspects of the Transportation of Dangerous Goods at Sea." (1986) 10 Marine Policy 3, 185, 191.

<sup>10</sup> International Code for the Safe Carriage of Packaged Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Waste on Board Ships. See also *supra* note 37, pp89-100.

<sup>11</sup> "Briefing: Carl Gray's Article on Time Management <http://www.bmj.com/cgi/content/full/316/7137/S2-7137> Seemed to Go ..." (1998) 316 BMJ 3a <<http://dx.doi.org/10.1136/bmj.316.7149.3a>>

cargo transported via sea, with a growing emphasis on the conveyance of hazardous or high-value cargo. The presence of such shipments can potentially impact salvage operations by introducing novel challenges in the areas of risk mitigation and safeguarding the environment. New guidelines and requirements have been coming up to ensure that environmental safety is not compromised during salvage operations.<sup>12</sup> Operators of salvage vessels must now consider the potential environmental impacts of their operations, and they may be held liable for any environmental damage caused.

There are new challenges in salvage operations because of these contemporary factors. There is a rising need to maintain the security and protection of these systems from cyber-attacks as the maritime industry grows more reliant on automated systems and communication technology. Due to the increasing complexity of these endeavours, there is a growing need to define the responsibilities of salvors, shipowners, cargo owners, and insurers in salvage operations. There has been some success in adopting norms and standards for environmental protection during salvage operations. Still, these must be strictly implemented, and salvors must be held responsible for any environmental harm they create. As salvage operations get more sophisticated and more governments are involved, there is an increasing need for international cooperation and coordination. These fresh innovations and growing concerns highlight the need for the International Convention on Salvage as a developing legal foundation for salvage operations.

### 3. Challenges in Implementing the Convention

Although the International Convention on Salvage offers a robust legal foundation for salvage operations, its implementation has many challenges. Among the most significant difficulties are:

- The Convention's implementation is complicated by the need to interpret its essential provisions. Uncertainty and inconsistency in the application of the Convention can arise from the fact that it is open to diverse interpretations by different countries.
- The Convention's implementation also presents difficulties. Although the Convention lays out clear standards and procedures for salvage operations, enforcing compliance with these requirements can be challenging, primarily when salvage actions are carried out in politically or geographically delicate areas.
- The Convention has instituted a liability framework for salvage operations; however, specific difficulties persist in ascertaining liability and ensuring sufficient insurance coverage. In certain instances, salvors may hesitate to undertake salvage operations owing to apprehensions regarding liability and insurance indemnification.
- The Convention's implementation may encounter complications due to variations in salvage operation regulations across different nations. Diverse limitations may exist among countries regarding the registration of salvors or the disbursement of salvage rewards.
- As mentioned, the Convention's implementation faces novel challenges due to emerging cybersecurity and environmental preservation concerns. It is imperative to guarantee the pertinence and adaptability of the Convention in response to evolving circumstances.

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<sup>12</sup> "Brief History of IMO" <http://www.imo.org/en/About/HistoryOfIMO/Pages/Default.aspx>; accessed 25 September 2016; see also Kopacz, Z., W. Morgas, and J. Urbanski. "The Maritime Safety System, its Main Components and Elements." (2001) 54 *The Journal of Navigation* 02, 199, 204.

In general, the challenges above underscore the necessity for continuous discourse and collaboration among diverse entities engaged in salvage undertakings, along with persistent endeavours to elucidate and construe the tenets of the Convention in a uniform and lucid fashion.

### III. Case Studies

Examining specific salvage cases can provide valuable insights into the practical application of the International Convention on Salvage. The subsequent instances furnish illustrations of the diverse contexts in which the Convention has been implemented. In 2012, the Costa Concordia, a vessel designed for leisure travel and accommodating more than 4,000 individuals, experienced a shipwreck incident in which it collided with the seabed near the Italian shoreline.<sup>13</sup> Efforts were undertaken to commence salvage operations to extract the vessel from the reef and mitigate the risk of an ecological catastrophe. The case, as mentioned earlier, has brought forth several concerns on the implementation of the Convention. These include the assessment of salvage compensation, the ship proprietor's accountability, and the maritime nations' involvement in salvage undertakings.<sup>14</sup> The MOL Comfort, a vessel transporting more than 4,000 containers, experienced a structural failure resulting in its division and submersion in the Indian Ocean during the year 2013. Efforts were undertaken to commence salvage operations to retrieve the containers and mitigate any potential harm to the marine ecosystem. The case, as mentioned earlier, has brought forth concerns about the implementation of the Convention in a multifaceted and demanding rescue mission, in addition to the responsibility of the ship proprietor and the function of the rescuers in operation.<sup>15</sup>

The text stresses the importance of continuous communication and collaboration among various parties engaged in salvage operations. Additionally, it emphasizes the need for constant endeavours to elucidate and construe the regulations of the Convention in a uniform and lucid fashion. The cases mentioned earlier are examples of the varied complications and obstacles that may arise during salvage endeavours, underscoring the significance of establishing a well-defined legal structure.

#### 1. Lessons Learned and Best Practices

Best practices and lessons learned can be marked through the analysis of chosen salvage cases and the complications that crop up in implementing the International Convention on Salvage.<sup>16</sup> The items mentioned earlier encompass:

- The successful execution of salvage operations necessitates effective communication and collaboration among all stakeholders. This is crucial in ensuring the efficient and safe conduct of such operations. The parties as mentioned earlier, encompass the shipowner, salvors, coastal state, and other pertinent authorities. The timely engagement of proficient and knowledgeable salvors during the preparation and implementation of salvage operations can promote such operations' safe and effective conduct. This measure can additionally aid in the prevention of delays and the reduction of potential environmental harm. A transparent and unambiguous liability and insurance regime is imperative to

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<sup>13</sup> Wilson, John F. *Carriage of Goods by Sea*. (Essex, 6th edn, Pearson Education, 2008.) pp.1-7.

<sup>14</sup> Sanz Espinar G,

"[https://riull.uil.es/Xmllui/Bitstream/Handle/915/30978/C\\_22\\_%282022%29\\_28.Pdf?sequence=1&isAllowed=y](https://riull.uil.es/Xmllui/Bitstream/Handle/915/30978/C_22_%282022%29_28.Pdf?sequence=1&isAllowed=y)" [2022] Cédille 513 <<http://dx.doi.org/10.25145/j.cedille.2022.22.29>>

<sup>15</sup> <https://www.un.org/ecosoc/en/>, accessed 25 September, 2016.

<sup>16</sup> "AFRITACs - Independent Midterm Evaluation - Volume 1-Final Report" (2005) 2005 Policy Papers <<http://dx.doi.org/10.5089/9781498331654.007>>

ensure the sufficient protection of all stakeholders involved in salvage operations. This measure can also aid in avoiding conflicts and prolonging the resolution of salvage compensations. The observance of global standards and protocols, such as those formulated by the IMO<sup>17,18</sup> and the International Salvage Union (ISU), can promote the safe, effective, and ecologically sound execution of salvage undertakings.<sup>19</sup>

- The continuous/continually enhancing and adjusting work and optimal methodologies for salvage operations are crucial to guarantee their pertinence and efficacy in addressing emerging issues and challenges.

The previous lessons and best practices underscore the significance of continuous communication and collaboration among all parties engaged in salvage operations, alongside persistent endeavours to enhance and modify the legal framework and best practices on salvage operations.

#### IV. Critique and Evaluation of the Convention

The International Convention on Salvage is a globally applicable legal structure that thoroughly regulates salvage activities. The Convention exhibits various strengths. The Convention offers a precise legal design for the execution of salvage operations and guarantees that salvors receive appropriate remuneration for their services. The Convention places significant emphasis on safeguarding the oceanic ecosystem under the pretext of a salvage system, mandating that salvors undertake all requisite measures to forestall or mitigate environmental harm. The Convention aims to establish consistency and reliability in the resolution of salvage remunerations, thereby mitigating conflicts among the stakeholders engaged in salvage undertakings.

Notwithstanding its merits, the Convention also exhibits certain limitations. The Convention reveals an ambiguity in specific provisions, allowing for divergent interpretations that may result in incongruities in its practical implementation. The Convention has a restricted scope as it solely pertains to salvage operations and does not encompass other associated matters, such as marine pollution or wreck removal. The Convention's remuneration system may prove insufficient in compensating salvors for their services under certain circumstances, such as complex salvage operations.

In contrast to other global legal frameworks, such as the CLC<sup>20</sup> or the London Convention<sup>21,22</sup> the International Convention on Salvage possesses distinctive attributes, including its prioritization of environmental preservation and consistency in resolving salvage compensations. Continued discourse and collaboration among global legal frameworks are imperative to ensure their harmonious and efficient integration in tackling the intricate and interrelated concerns of the maritime sector.<sup>23</sup>

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<sup>17</sup> International Maritime Organization

<sup>18</sup> Henry, Cleopatra Elmira. *The Carriage of Dangerous Goods by Sea: the Role of the International Maritime Organization in International Legislation*. (Pinter, 1985), pp. 40-61.

<sup>19</sup> "Briefing: Carl Gray's Article on Time Management <http://www.bmj.com/cgi/content/full/316/7137/S2-7137> Seemed to Go ..." (1998) 316 BMJ 3a <<http://dx.doi.org/10.1136/bmj.316.7149.3a>>

<sup>20</sup> International Convention on Civil Liability for Oil Pollution Damage

<sup>21</sup> International Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter

<sup>22</sup> Kummer, Katharina. *International Management of Hazardous Wastes: the Basel Convention and Related legal Rules*. (Oxford University Press on Demand, 1999); pp 101-140

<sup>23</sup> "ASM Comments on EPA Draft Policy on NPDES" (2006) 1 Microbe Magazine 174 <<http://dx.doi.org/10.1128/microbe.1.174.1>>

## 1. Proposals for Reform and Improvement

The International Convention on Salvage has proven to be efficacious in furnishing a comprehensive legal structure for the execution of salvage operations. However, many suggestions exist for reforming and enhancing the Convention, which could potentially mitigate some of its inadequacies and constraints. The Convention would benefit from clarifying or updating specific provisions to align with current maritime practices and technologies, as some are unclear or outdated.

The suggestions, as mentioned earlier, aim to enhance the pertinence and efficacy of the Salvage Convention amidst the changing landscape of maritime practices and technologies while fostering sustainable development within the marine sector. The Convention's scope is currently limited to salvage operations, prompting a discussion on broadening its coverage to encompass associated concerns, including marine pollution and wreck removal. The existing compensation system outlined in the Convention may not provide sufficient recompense for the services rendered by salvors in specific scenarios. Therefore, exploring the possibility of augmenting compensation levels or devising alternative compensation methods is imperative. The Convention prioritizes safeguarding the marine environment; however, it is essential to contemplate enhancing its environmental protection provisions to align with the escalating significance of ecological sustainability in the maritime sector. The naval industry necessitates improved cooperation and coordination among various international legal frameworks to address the intricate and interrelated concerns associated with salvage operations and other related matters.

## V. Conclusion

The International Convention on Salvage serves as a fundamental legal structure for the execution of salvage activities within the maritime sector. The text offers a lucid explication of the term "salvage" and its associated legal framework alongside an exhaustive compilation of regulations and tenets that govern the execution of salvage endeavours on a global scale. The Convention is notably advantageous because it emphasizes safeguarding the marine ecosystem. The Convention endeavours to ensure that salvors undertake all reasonable measures to prevent or reduce environmental harm, as salvage operations can present significant environmental hazards. Ecologically, the threat establishes a compensation mechanism that incentivizes salvors to prioritize safeguarding the environment while ensuring they receive equitable remuneration. The Convention is notable for its prioritization of consistency and foresight in resolving salvage compensations. To avoid conflicts and promote consistency in the determination of salvage requests, the Convention provides clear guidelines for determining the amount of balance due to salvors.<sup>24</sup>

The International Convention on Salvage is a crucial legal framework within the maritime industry, which offers a comprehensive set of principles and regulations for the execution of salvage operations. The Convention does, however, show several flaws and restrictions. Certain aspects of the Convention can be seen as being out-of-date or unclear, failing to reflect modern marine practices and technological improvements fully. Furthermore, the Convention's purview is restricted to salvage operations, prompting a necessity to contemplate broadening its scope to encompass associated concerns, such as eliminating wrecks and contaminating marine environments. Moreover, the existing compensation system prescribed by the Convention may not invariably provide sufficient recompense to the salvors for their services,

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<sup>24</sup> Anthony Kenny "Responsibility; the Conceptual Problems" in Frey, Raymond Gillespie, and Christopher W. Morris. (eds), *Liability and Responsibility: Essays in law and morals*. (Cambridge University Press, 1991), pp13-19



particularly in situations where the salvaged property possesses restricted value or where the salvor's endeavours to safeguard the environment are noteworthy. To tackle this issue, it is imperative to contemplate augmenting compensation levels or devising alternative compensation mechanisms. To summarize, this Convention plays a major part in governing salvage operations. Although the Convention exhibits particular merits, it also exhibits deficiencies and constraints that necessitate continuous reform and enhancement to guarantee its pertinence and efficacy amidst the progression of maritime practices and technologies.

### 1. Implications for contemporary maritime law

The International Convention significantly impacts current maritime law on Salvage. The legal framework serves as a fundamental basis for establishing specific regulations and basic principles governing the execution of salvage operations while also furnishing a structure for determining salvage-related disputations.<sup>25</sup>

The Convention has significantly promoted environmental protection as a fundamental principle in the maritime sector by mandating that salvors undertake all reasonable measures to prevent or mitigate environmental harm. Promoting ecological protection during salvage operations is a significant implication of the Convention. The circumstance, as mentioned earlier, has resulted in the emergence of novel technologies and methodologies aimed at mitigating the ecological ramifications of salvage undertakings.<sup>26</sup>

The Convention entails an additional ramification, which is the advancement of consistency and foreseeability in the resolution of salvage dresolvingntion has effectively mitigated the probability of conflicts and fostered uniformity in the key of salvresolvingng unambiguous standards for determining specification owed to salvors.

Moreover, the Convention bears significance for various other domains of modern maritime jurisprudence. The focus on safeguarding the environment has influenced the formation of global legal structures regarding the management and prevention of managing and preventing. The compensation system in place has had a significant impact edition on other legal frameworks on maritime insurability.<sup>27</sup>

To wrap it up, the International Convention on Salvage holds important, ramifimportantor modern-day maritime legislation. The prioritization of safeguarding the environment, consistency, and foreseeability in the resolution of salvage claims has acted as a major significant influencing the evolution of other legitimate structures in the maritime sector. Furthermore, this framework's continuous enhancement and reformation will have enduring effects on the industry going forward.<sup>28</sup>

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<sup>25</sup> Proshanto K. Mukherjee and Huiru Liu, "Safety and Security in Shipping: International, Common Law and Chinese Liability Perspectives" in Albert Tavidze (eds.) *Progress in Economics Research*, Vol. 33, New York: Nova Science Publishers, Inc., 2015, at p. 37.

<sup>26</sup> Donovan, James J. "Origins and Development of Limitation of Shipowners' Liability." (1978 ), *Tul. L. Rev.* 53, 999, 121.

<sup>27</sup> Fazzino D, "Michael Fabinyi and Kate Barclay: Asia-Pacific Fishing Livelihoods" (2022) 21 *Maritime Studies* 279 <<http://dx.doi.org/10.1007/s40152-022-00261-6>>

<sup>28</sup> See "Brief History of IMO" <http://www.imo.org/en/About/HistoryOfIMO/Pages/Default.aspx>; accessed 25 September 2016; see also Kopacz, Z., W. Morgas, and J. Urbanski. "The Maritime Safety System, its Main Components and Elements." (2001) 54 *The Journal of Navigation* 02, 199, 204.

## 2. Suggestions for future research

Future research could delve deeper into various aspects of the International Convention on Salvage. Several potential avenues for future research could be explored, including:

- This paper examines salvage arbitration's function in resolving salvage claims and its interplay with the tenets of the Convention.
- This study aims to evaluate the efficacy of the Convention in attaining its goals and to determine if it sufficiently tackles current obstacles in the maritime sector.
- This paper examines the interplay between the Convention and other international legal frameworks on maritime law, including the HNS convention.<sup>29</sup>
- This study examines the effects of emerging technologies, specifically autonomous vessels, on salvage operations and their potential implications for the application of the Convention.
- This study examines the experiences of developing countries in implementing the Convention and the challenges they encounter in applying its provisions.
- This paper examines the significance of salvage operations in preparedness for disaster and the utilization of the Convention in such contexts.<sup>30</sup>
- This study examines the Convention's effects on the insurance sector and the evolution of salvage agreements and other associated legal mechanisms.
- The topics mentioned earlier represent potential avenues for further investigation of the International Convention on Salvage and its current legal implementation within the maritime domain.

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<sup>29</sup> International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea.

<sup>30</sup> <http://www.nap.edu/read/4549/chapter/5>

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