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Integrating Human Rights into the Legal Developments on Oceans and Seas: A Promise to be Fulfilled

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Abstract

In theory, international human rights law recognises a framework of rights and freedoms for individuals that applies constantly, regardless of whether on land at sea. Therefore, at first glance, there appear to be no substantial controversies at the intersection between international human rights law and the international law of the sea that would give rise to complex scientific debate. However, difficulties in connecting human rights and the marine environment persist relating to at least two aspects. Firstly, there are the particular challenges of applying international human rights norms to marine related issues such as ensuring the rights of vulnerable groups at sea. Secondly, international human rights law is closely linked to developments impacting maritime ecosystems. Rising sea and ocean levels, increased plastic pollution and the challenges of managing climate change have direct and proportional impacts on marine and human environment. Additionally, the significant effects of technological developments in ICT, robotics and artificial intelligence on the balance between human activity in the marine environment and human rights must also be considered. Therefore, it is necessary to understand the importance of addressing these issues at the level of the three relevant international organizations: the United Nations, the Council of Europe and the European Union.

The scientific objective of this paper is to explore the role of the seas and oceans and to place it in the context of the study of the right to a healthy environment as a third generation right, referencing the recent initiatives of international organisations in the field of human rights.

Keywords: Human Rights, Seas and Oceans, Healthy Environment, International Organizations, Multilateralism