

IMLI *e*-News

The IMO International Maritime Law Institute Official Electronic Newsletter (Vol. 16, Issue No. 28) 12 February 2019

PROFESSOR OF INTERNATIONAL LAW AT THE STOCKTON CENTER FOR INTERNATIONAL LAW AT THE U.S. NAVAL WAR COLLEGE LECTURES AT IMLI

Commander David Dubay, U.S. Coast Guard, presently assigned as a Professor of International Law at the Stockton Center for International Law at the U.S. Naval War College in Newport, Rhode Island, visited IMLI between 30 and 31 January 2019. He delivered a set of lectures on “The Protection of the Environment in Ports” to the IMLI Class of 2018-2019.



CDR David Dubay, USCG (Professor at the Stockton Center for International Law at the U.S. Naval War College) meeting the IMLI Class of 2018-2019

CDR Dubay started his lectures by introducing the students to the roles and missions of the United States Coast Guard. He described both the Coast Guard’s homeland security and non-homeland security missions. While homeland security missions cover ports, waterways, and coastal security and drug interdiction, among others, the Coast Guard’s non-homeland security missions include marine safety, search and rescue, aids to navigation and marine environmental protection.

CDR Dubay described the origins of environmental law and discussed how marine environmental disasters, including the 1967 Torrey Canyon oil spill and 1989 Exxon Valdez oil spill, precipitated new treaties and laws for the protection and preservation of the marine environment. He also discussed how the evolution of environmental law has been influenced by specific principles and concepts such as polluter pays, the precautionary principle, sustainable development, biological diversity, best environmental practices, among others.

CDR Dubay then turned to ports and discussed how the operations and equipment within ports themselves (including wharves, cranes, cargo handling equipment, yards and sheds) and the vessels that visit them result in emissions and discharges that contribute to the deterioration of the air and water quality in the ports, which are often in areas that are already in non-attainment of environmental standards. Using the Ports of Los Angeles and Long Beach as examples, CDR Dubay discussed several of the new international and national legal requirements, as well as technical solutions, designed to reduce the environmental footprint of the shipping industry and port operations including the implementation of the new reduced-sulfur fuel standards under MARPOL, the use of shore power for vessels while in port, and the testing and deployment of new reduced- and zero-emissions trucks and other port equipment.



CDR David Dubay with the IMLI Class of 2018-2019

Asked about his impression of IMLI and its role in the development of future maritime professionals, CDR Dubay said:

IMLI's Masters' programmes provide students with the unique opportunity to immerse themselves in the study of international maritime law and learn from some of the most distinguished leaders, scholars, and faculty in the field. One great benefit of the programmes is that IMLI brings in highly distinguished visiting fellows and guest lectures to provide additional specialized training in their specific professional and academic fields. IMLI's comprehensive curricula ensure that its students receive focused training that covers all the subject areas of international maritime law. I was very impressed that IMLI's programmes cover not only the subjects related to public international law but also cover very challenging private law subjects of shipping. The students benefit greatly from the opportunity to study international maritime law in Malta, one of the oldest and most important places in shipping and maritime history. IMLI's programmes provide the optimum training, resources and environment to ensure that students are extremely well prepared for their future endeavours as part of the next generation of shipping and maritime professionals.

CDR David Dubay is currently on active duty in the U.S. Coast Guard and is assigned as a Professor of International Law at the Stockton Center for International Law at the U.S. Naval War College in Newport, Rhode Island. The Stockton Center is an internationally recognized research Institute for the study of international law and military operations that produces original analysis for national decision-makers, senior military leaders, scholars, and legal practitioners throughout the world in order to better grasp the role of international law in naval, joint, and combined operations. The Stockton Center focuses on the most vexing questions of international law, often by conducting focused research workshops that bring together leading thinkers from government, international organizations, non-governmental organizations, academia, and the private sector to explore them. The Stockton Center annually hosts legal research workshops on emergent issues drawing many of the world's leading international law experts. The Center also co-hosts an annual International Law of Military Operations course and Maritime Security Cooperation Workshop for legal advisors from the U.S. and abroad. The Center provides legal support to War Games, and when requested, advice to the Fleet and other Department of Defense entities on a variety of international, operational, and maritime legal issues. The Center also serves as the Primary Review Authority for the Commander's Handbook on the Law of Naval Operations.

CDR previously served as the Deputy Staff Judge Advocate for Coast Guard Pacific Area, where he provided legal advice that enabled mission execution in an area of responsibility that encompassed 6 continents, 71 countries, and more than 74 square million miles of ocean from the West Coast of the United States to Asia, and from the Arctic to Antarctica. His legal advice covered homeland security, marine safety, international law & law of the sea, environmental law, fisheries, counter-drug, and alien migration interdiction. He concurrently served as the Coast Guard's legal advisor for Joint Task Force-West, the federal task force responsible for securing the southwest land border and the West Coast.

CDR Dubay has extensive experience in environmental law and environmental civil litigation. From 2011 to 2014, he worked in various positions within the Office of Claims and Litigation including Deputy Office Chief, at Coast Guard Headquarters in Washington, D.C. Other positions held by him include a Staff Attorney at the National Pollution Funds Center in Arlington, Virginia from June 2005 to July 2009.

CDR Dubay earned his J.D. from the University of Houston Law Center and his LL.M. from George Washington University, with highest honors. CDR Dubay also graduated from Texas A&M University with a B.S. Degree in Industrial Engineering.

** If you do not want to receive IMLI e-News in future, please return this message to the above address with request to DELETE in the subject field.*

*** For further information please contact Dr. Buba Bojang (Editor, IMLI e-News) at publications@imli.org*