

Original Paper

Legal Reflections on the Protection of Legitimate Expectations in Maritime Law Enforcement

Yongzheng Wang¹

¹ Dalian Ocean University, Dalian, Liaoning Province, China

Received: December 5, 2025 Accepted: December 22, 2025 Online Published: December 24, 2025

doi:10.22158/elp.v8n2p318

URL: <http://dx.doi.org/10.22158/elp.v8n2p318>

Abstract

The principle of legitimate expectation protection is an important rule in maritime law enforcement, which aims to safeguard the legitimate rights and interests of ships and crew members, and promote maritime safety and order. With the development of global trade and the shipping industry, maritime law enforcement issues have become increasingly prominent, making the principle of legitimate expectation protection a key to solving these problems. From a jurisprudential perspective, this paper conducts a study on the principle of legitimate expectation protection in maritime law enforcement. Starting with the current situation of maritime law enforcement at home and abroad, it analyzes the jurisprudential basis and practical significance of legitimate expectation protection, explores its practical application in maritime law enforcement, and puts forward legal suggestions for improving the principle in light of the legal problems faced by current maritime law enforcement.

Keywords

maritime law enforcement, legitimate expectations, legal recommendations

1. Introduction

Maritime law enforcement refers to the actions taken by maritime administrative authorities in accordance with the law to supervise and inspect maritime transportation, vessels, and related operations, as well as to impose administrative penalties. Maritime administrative law enforcement is a form of maritime administrative action distinct from land-based enforcement, carried out by authorized agencies or organizations with the aim of safeguarding national maritime rights and interests and maintaining order in maritime areas (Qian, M. Z., 2025, pp. 7-39). With the development of global trade and the shipping industry, maritime transportation has gradually become a crucial pillar of national economies. However, it also presents numerous issues related to safety, environmental protection, and criminal activities, necessitating strengthened maritime law enforcement to address them. The protection of

legitimate expectations, within the context of maritime law enforcement, entails providing necessary safeguards in legal procedures and administrative actions to vessels and crew members who have established reasonable expectations, thereby preventing undue infringement on their legitimate rights and interests due to improper enforcement actions. The protection of legitimate expectations serves as a fundamental principle in maritime law enforcement and holds significant importance in maintaining maritime safety and order.

2. Legal Basis and Practical Significance

2.1 Theoretical Basis of the Principle of Legitimate Expectations

The principle of legitimate expectations is a significant principle in administrative law, primarily grounded in the need to maintain the stability of the legal order and protect the legitimate interests of members of society. When members of society have reasonable expectations regarding certain elements within administrative procedures, and such expectations are worthy of protection, the administrative body must not alter these procedures or, if alterations are made, must provide reasonable compensation for any losses incurred due to the breach of these expectations. This is presupposed by the fundamental requirements of a coexistent and interactive order, and is a protection that the law cannot relinquish. Failure to adhere to these rules would render both a coexistent order and the law itself impossible to sustain (Jo ã, B. M., & Fan, X. D., 2025, pp. 366-415). The theoretical foundation of this principle lies mainly in the principle of good faith and legal certainty.

The principle of good faith is both a moral and a legal principle. In administrative actions, the government should act in good faith, honoring its own actions or commitments, and refrain from making arbitrary changes to avoid causing unnecessary difficulties for members of society. Legal certainty is one of the fundamental functions of law, aimed at achieving a reasonable order in human conduct and relationships. It demands that the law must be just, which forms the basis of legal certainty. Simultaneously, the law should possess clarity, enabling people to accurately understand its specific requirements. Furthermore, the law should maintain stability, avoiding frequent changes, so that those living under its order can foresee the future. The certainty of law manifests in many aspects, such as the positivity of enacted law, the certainty of the law itself, the determinacy of facts, and the certainty of positive law. In the field of criminal law, the principle of legality (*nullum crimen, nulla poena sine lege*) is an important manifestation of legal certainty, while in administrative law, it is reflected in the principle of legitimate expectations.

2.2 The Status and Function of the Principle of Legitimate Expectations in Administrative Law

The principle of legitimate expectations holds an extremely important position and plays a significant role in administrative law. Firstly, it contributes to maintaining the stability of the legal order. When members of society have reasonable expectations towards administrative actions, protecting these expectations can prevent frequent changes in the legal order, thereby safeguarding social stability and order. Secondly, the principle of legitimate expectations is beneficial for protecting the legitimate

interests of members of society. When interests arising from reliance on administrative actions are protected, it prevents undue harm to their legitimate rights. Furthermore, the principle of legitimate expectations plays a crucial role in the implementation of administrative law. It requires administrative organs to fully consider and protect the lawful rights and interests of the relative parties when making administrative decisions, thereby avoiding losses to their interests due to improper decisions.

Simultaneously, the principle of legitimate expectations also helps promote law-based administration by government agencies and enhances the scientific and democratic nature of administrative decision-making. The protection of legitimate expectations embodies the humanistic care and social justice values of the law. By protecting the lawful rights and interests of relative parties, it can increase their trust in and compliance with maritime law enforcement, thereby promoting the maintenance of maritime safety and order. The protection of legitimate expectations also helps enhance the credibility and authority of maritime law enforcement.

2.3 The Practical Significance of the Principle of Legitimate Expectations in Maritime Law Enforcement

Implementing the principle of legitimate expectations in maritime law enforcement carries dual value: upholding the credibility of law enforcement and ensuring the stability of the marine economy. Law enforcement departments such as the China Coast Guard can earn the trust of relative parties, including fishermen and shipping enterprises, through fair, standardized, and professional conduct. This trust forms the social-psychological foundation for the smooth operation of law enforcement activities. For instance, the Changdao Workstation's practice of the maritime "Fengqiao Experience"—resolving minor issues onboard, major issues within the island, preventing conflicts from escalating, and settling disputes on-site—is a vivid example of the public's trust and recognition of its law enforcement behavior.

At the same time, the marine economy, as a significant component of the national economy, relies on a stable policy environment and predictable enforcement actions for its healthy development. The principle of legitimate expectations provides stable institutional guarantees for marine economic activities by restraining arbitrariness in law enforcement. For example, the Ningbo Maritime Court's efficient resolution of maritime disputes has offered strong support for the thriving development of the marine economy.

3. Analysis of the Current Situation

3.1 Legislative Status of Trust Protection in Maritime Law Enforcement

The legislative status of trust protection in international maritime law enforcement can be discussed through the following major international conventions and documents from international organizations. As a crucial legal basis for global ocean governance, *the United Nations Convention on the Law of the Sea (UNCLOS)*, while not containing specific provisions on trust protection in maritime law enforcement, explicitly proposes the principle of "due regard for the interests of all," providing guiding principles for the international community to protect legitimate expectations in maritime enforcement. *The International Convention for the Safety of Life at Sea (SOLAS)* is a key international treaty concerning

ship safety and maritime environmental protection. Regarding ship safety inspections and port state control, the convention emphasizes the principle of reasonable trust protection, requiring states to consider a ship's reputation and historical performance when conducting inspections. The International Maritime Organization (IMO) has issued a series of recommendations and guidelines highlighting the importance of trust protection in maritime law enforcement. For example, *the Procedures for Port State Control* mention that port states should consider a ship's reputation and historical performance during inspections to avoid causing unnecessary harm to legitimate expectations. The IMO is currently developing amendments to SOLAS, which involve issues related to ship reputation and historical performance, aiming to further clarify and standardize the requirements for states to protect legitimate expectations in maritime law enforcement. This indicates that the international community is continuously promoting the improvement of legislation concerning trust protection in maritime law enforcement.

Additionally, there are other regional conventions and organizational documents. For instance, the European Union has adopted *the European Union Guidelines for Port State Control*, which explicitly stipulate that port states should consider a ship's reputation and historical performance during inspections to protect the legitimate expectations of ships and crews. Although these international conventions and organizational documents have not established specific legal provisions to regulate trust protection in maritime law enforcement, the principles and spirit they embody provide an important reference for states to protect legitimate expectations in practice. The legislative landscape for trust protection in international maritime law enforcement shows a trend of gradual improvement. While specific legal provisions are still not fully developed, the international community has recognized the importance of the principle of trust protection and is promoting its application and development in practice through a series of international conventions and organizational documents.

China has established a relatively comprehensive legal system regarding maritime law enforcement. This includes major laws such as *the Maritime Traffic Safety Law of the People's Republic of China* and *the Marine Environment Protection Law of the People's Republic of China*, which provide the fundamental legal basis for maritime law enforcement. Within domestic laws and regulations, specific provisions concerning trust protection in maritime law enforcement are not prevalent. However, some laws and regulations reflect the principle of trust protection. For example, *the Maritime Traffic Safety Law of the People's Republic of China* stipulates that maritime administrative agencies shall perform their duties in accordance with the law and protect the lawful rights and interests of the parties involved. Some coastal provinces and municipalities have formulated local regulations and departmental rules to better implement maritime law enforcement. While these regulations and rules play a positive role in standardizing maritime law enforcement actions and protecting the rights and interests of ships and crews, their provisions on trust protection remain insufficiently clear and specific. In past judicial practice, the Supreme People's Court has issued several judicial interpretations and guiding cases regarding maritime law enforcement, providing references for trust protection in this field. However, due to the limited scope

of application of judicial interpretations and guiding cases, their influence is relatively constrained. China has acceded to several international conventions involving maritime law enforcement, such as *the United Nations Convention on the Law of the Sea*. Although these conventions contain relevant provisions on trust protection, they have not been fully transposed into domestic law within China's national legislation. Consequently, certain discrepancies exist in their practical implementation.

3.2 Current Enforcement Status of Trust Protection in Maritime Law Enforcement

In practice, countries that implement the principle of trust protection include Germany, Japan, the United Kingdom, and the United States, among others. These nations apply the principle of trust protection to varying degrees in the fields of administrative law or maritime law enforcement, with the aim of safeguarding the legitimate rights and interests as well as the trust-based expectations of the parties involved.

Germany is one of the birthplaces of the principle of trust protection and places significant emphasis on its application in the field of administrative law. In practice, German maritime law enforcement agencies also prioritize protecting the trust-based interests of the parties involved, implementing a series of measures to ensure the fairness and transparency of enforcement activities. Similarly, Japan regards the principle of trust protection as a key principle in administrative law and applies it in the domain of maritime law enforcement. Japanese maritime law enforcement agencies focus on protecting the trust-based interests of the parties involved in practice, employing non-coercive enforcement methods to encourage voluntary compliance with laws and regulations. Although the United Kingdom and the United States, as common law countries, do not explicitly propose the principle of trust protection, their maritime law enforcement practices reflect similar concepts. For instance, the United Kingdom has developed the concept of "legitimate expectations," while the United States applies the principle of "estoppel." These concepts or principles, to some extent, protect the trust-based interests of the parties involved, ensuring the fairness and transparency of maritime law enforcement. Countries such as Germany, Japan, the United Kingdom, and the United States implement the principle of trust protection to varying degrees in practice, thereby safeguarding the trust-based interests and legitimate rights of the parties involved. In their administrative law or maritime law enforcement practices, these nations emphasize maintaining the stability of the legal order and protecting the legitimate interests of members of society, providing a certain level of legal protection for the parties involved.

In China, relevant authorities such as the China Coast Guard, the Ministry of Transport, and the General Administration of Customs adhere to the provisions of the Traffic Safety Law and the Marine Environment Protection Law, undertaking the responsibility of trust protection in maritime law enforcement. Among these, the China Coast Guard, as the primary force in maritime law enforcement, is responsible for safeguarding national sovereignty, security, and maritime rights and interests, combating illegal and criminal activities at sea, and ensuring the safety of maritime production and operations. The Ministry of Transport oversees the supervision and management of maritime traffic safety, including vessel inspection and registration. The General Administration of Customs is tasked with monitoring the

legality of import and export goods and preventing smuggling and other illegal activities. In the specific implementation of policies related to the principle of trust, collaboration and coordination among multiple departments may be required to ensure the smooth implementation and execution of these policies. At the same time, it is essential to strengthen cooperation with the international community to jointly uphold maritime safety and stability.

4. Legal Issues Facing Trust Protection in Maritime Law Enforcement

4.1 Issues of Legislative Deficiencies

China's current legislative framework regarding trust protection in maritime law enforcement exhibits certain shortcomings, necessitating further refinement of relevant laws, regulations, and rules. There is a need to explicitly define the specific scope of application and operational procedures for the principle of trust protection to enhance the fairness and transparency of maritime law enforcement and to better safeguard the legitimate rights and interests of vessels and crew. The key lies in how China can, without conflicting with the fundamental spirit and stipulations of *the United Nations Convention on the Law of the Sea (UNCLOS)*, elaborate and enrich as much as possible the legal basis for China's rights protection and law enforcement beyond its territorial seas (Chen, H. Z., & Bai, X. H., 2023, pp. 105-113).

Firstly, the lack of specific implementing rules and operational guidelines makes it difficult to accurately grasp the appropriate limits of trust protection in actual enforcement. *The Coast Guard Law* grants the China Coast Guard the authority to lawfully use force under statutory circumstances, but it does not specify the types of weapons that may be used or the permissible degree of force. Article 50 of this law stipulates that Coast Guard personnel shall reasonably determine the necessary limits for using weapons based on the dangerous nature, degree, and urgency of the illegal or criminal act and the perpetrator. However, the "necessary limits" prescribed in this article are overly abstract and allow excessive discretion (Zhang, Y. Q., 2022, pp. 36-50, p. 53). Secondly, differences in legislation among various countries lead to inconsistent enforcement standards, which can easily trigger international disputes. Therefore, improving relevant legislation is an urgent issue that needs to be addressed.

Following this is the issue of the interface between international law and domestic law. Maritime law enforcement must comply with both international and domestic law. International law primarily regulates the rights and obligations of states at sea, while domestic law stipulates specific enforcement procedures and standards. However, discrepancies often exist between the provisions of international and domestic law, creating interface problems in enforcement practice. For example, differing regulations on vessel emissions among countries subject vessels to varying enforcement requirements during international voyages.

4.2 Issues of Enforcement Jurisdiction

Maritime law enforcement jurisdiction serves as the legal basis for maritime administrative authorities of various countries to carry out enforcement actions. However, in practice, jurisdictional disputes frequently arise. On the one hand, there are differences in the legal provisions regarding jurisdiction

among countries; on the other hand, the transnational nature of maritime transport complicates the determination of jurisdiction. Jurisdictional disputes may lead to repeated inspections and penalties against vessels, increasing their operational costs. Furthermore, the issue of applicable law presents another challenge. During maritime law enforcement, determining the applicable law is a crucial question. Legal stipulations for the same illegal act may vary among countries, posing difficulties for enforcement personnel in selecting the applicable law when handling violations. Additionally, differences in how countries ratify international treaties and incorporate them into domestic law affect the uniformity of legal application.

Historically, China's maritime law enforcement has been dispersed among multiple agencies under different departments. Traditionally led by marine industry management departments with integrated management as a supplement, the current maritime law enforcement primarily consists of five forces: the Coast Guard, marine surveillance, marine administration, maritime safety administration, and customs anti-smuggling (Nan, M. Y., 2025, pp. 38-40). In actual maritime enforcement, due to the lack of unified operational guidelines and clear legal norms, enforcement officers often face considerable discretionary power. The identification of reasonable reliance is a prerequisite for trust protection. In maritime law enforcement, reasonable reliance should be determined based on specific circumstances. Generally, identifying reasonable reliance should consider the following factors: the conduct of the party concerned, evidentiary materials, and the legality and reasonableness of the enforcement procedures, among others. Some countries' enforcement authorities, motivated by safety, environmental protection, or order concerns, adopt relatively strict enforcement measures against vessels and crews, sometimes even neglecting the principle of trust protection, which can result in harm to the legitimate rights and interests of vessels and crews. Moreover, inter-state enforcement cooperation poses a significant challenge. Due to the lack of effective information-sharing and coordination mechanisms, countries often act independently when handling transnational maritime violations, leading to frequent occurrences of repeated inspections, penalties, or even conflicts. Therefore, in terms of enforcement, challenges exist regarding discretionary power, information sharing, and coordination mechanisms.

4.3 Issues of Judicial Review

In the judicial review practice concerning trust protection in maritime law enforcement, several difficulties and challenges exist. Firstly, evidence collection and determination are challenging. Evidence generated during maritime enforcement may be scattered and easily lost, making it difficult for courts to collect and ascertain relevant evidence during the review process. Furthermore, issues involving specialized technical knowledge may require the expertise and opinions of professionals, adding to the difficulty of evidence determination.

Regarding the implementation of international conventions and international law, although the international community has established some international conventions and organizational documents related to trust protection in maritime law enforcement, differences and shortcomings may exist in their implementation across countries. In judicial review practice, courts may need to address issues such as

how to implement international conventions and international law, and how to cooperate and coordinate with other countries. Secondly, the principle of trust protection in maritime law enforcement involves somewhat abstract and vague concepts, such as reasonable reliance and reliance interests. In judicial review practice, courts need to interpret and apply these relevant concepts to determine the legality and legitimacy of administrative actions. This requires an in-depth understanding and analysis of legal principles and spirit, accurately grasping legal standards and balancing interest relationships.

Finally, there is the issue of uniformity in judicial review standards and procedures. Due to potential differences in judicial review standards and procedures among different countries and regions, inconsistencies may arise when courts handle cases involving trust protection in maritime law enforcement. For instance, the “Notice on Issues Related to Jurisdiction over Maritime Criminal Cases” only clarifies the procedures for the Coast Guard agency to request approval for arrest or transfer for prosecution from the procuratorate, and does not involve maritime administrative departments. According to the principle of specialized jurisdiction, litigation concerning maritime civil and administrative cases is ultimately adjudicated by maritime courts. However, litigation for maritime criminal offenses is rarely conducted in maritime courts, and the jurisdiction of maritime criminal cases by maritime courts remains under exploration (Shan, T. B., & Sun, P., 2024, pp. 48-52).

5. Countermeasures and Recommendations for Improvement

5.1 Improving Legislation Related to Trust Protection in Maritime Law Enforcement

First, it is essential to clarify the legal status of the principle of trust protection. Within relevant international conventions or domestic laws, the importance and legal status of the principle of trust protection should be explicitly affirmed, establishing it as one of the core principles of maritime law enforcement. Legislative provisions need to be refined. Specific regulations for the implementation of the principle of trust protection should be developed, detailing concrete rules, clarifying identification criteria and procedures. Relevant laws and regulations should explicitly define the principle of trust protection, including its definition, scope of application, and fundamental requirements. This will help ensure that administrative authorities correctly understand and apply the principle of trust protection in maritime law enforcement, preventing abuse of power and infringement upon the legitimate rights and interests of the parties concerned. To protect these legitimate rights and interests, administrative procedure norms should be improved, clearly stipulating the procedures and requirements that administrative authorities must comply with during enforcement actions.

To safeguard the legitimate rights and interests of the parties concerned, corresponding compensation and indemnity mechanisms should be established. When a party suffers property losses due to reliance on an administrative action, reasonable compensation or indemnity should be provided. The standards and procedures for such compensation or indemnity should be clearly specified in relevant laws and regulations to ensure the effective protection of the parties’ legitimate rights and interests. To enhance the credibility and trustworthiness of administrative actions, a comprehensive integrity mechanism

should be established. This includes creating a credit record and public disclosure system to document and evaluate the enforcement actions of administrative authorities, with regular public announcements. Simultaneously, international cooperation and coordination should be strengthened. Promoting legislative cooperation and exchange among countries regarding the principle of trust protection can reduce international legislative differences and facilitate the interface between international law and domestic law, contributing to the uniformity and fairness of subsequent enforcement actions. It is also crucial to update legislation promptly. As maritime transportation and law enforcement continue to evolve, relevant legislation should be updated and improved in a timely manner to ensure the principle of trust protection can adapt to the demands of the times. Increasing related case studies and legal interpretations will help refine practical application and the theoretical system. Furthermore, the operability of legislation must be reinforced. During the legislative process, emphasis should be placed on enhancing the operability of laws, avoiding overly abstract or ambiguous clauses, and ensuring that enforcement personnel can accurately understand and implement relevant legal provisions.

5.2 Improving Maritime Law Enforcement Mechanisms

Firstly, during enforcement actions, procedures and standards should be strictly adhered to, ensuring the fairness and legality of enforcement. When conducting administrative inspections, investigations, and other enforcement activities, the rights and obligations of the parties concerned should be notified in accordance with the law. At the same time, based on the scope and authority of maritime enforcement jurisdiction, the division of responsibilities and collaboration mechanisms among different departments should be clarified. Jurisdictional conflicts and enforcement gaps should be avoided to ensure the uniformity and efficiency of maritime law enforcement. The purpose of integrating maritime enforcement mechanisms is to break the limitations of “territorial jurisdiction and functional division” and promote collaborative governance among all maritime governance entities. The focus should be on constructing two major mechanisms: first, establishing a coordinated enforcement command mechanism; second, establishing an “administrative-criminal linkage” mechanism (Ding, Y. L., & Hou, H. Q., 2025, pp. 35-41).

Concurrently, supervision and checks on the enforcement actions of administrative authorities should be strengthened to prevent procedural violations and abuse of power. The legal liabilities and penalty measures for enforcement personnel who violate the principle of trust protection should be clearly defined. The quality and awareness of enforcement personnel should be enhanced through intensified training and education. This includes reinforcing their sense of responsibility, integrity, and service, improving their awareness and capacity for law-based administration. Specific to maritime law enforcement, their foreign language communication skills should be strengthened, and international cooperation such as joint patrols should be promoted to foster international maritime enforcement exchanges and mutual assistance.

To protect the right to information and supervision of the parties concerned regarding administrative actions, the disclosure of maritime enforcement information and transparency in enforcement should be enhanced. Administrative authorities should release relevant information promptly and accurately, ensuring that the parties concerned can timely understand the basis, procedures, and outcomes of administrative actions. Furthermore, a comprehensive complaint and supervision mechanism should be established, encouraging the parties concerned to supervise and evaluate administrative actions and to provide suggestions for improvement.

Regarding enforcement methods, technological support and information system development should be strengthened to increase the technological content and informatization level of maritime law enforcement. An informatization platform for maritime law enforcement should be established to achieve information sharing and rapid response. The application of advanced technologies such as radar and satellites should be enhanced to improve maritime monitoring and control capabilities. This will increase the efficiency and accuracy of maritime law enforcement, reducing the impact of human factors. Drawing from the experience of the United States Coast Guard (USCG) in establishing a digital enforcement system for maritime cybersecurity, coast guard agencies can achieve the protection of maritime network systems through coordinated efforts with multiple forces. For example, cooperation with the navy, maritime authorities, shipping enterprises, and relevant network technology service companies can form a comprehensive layout to guard against maritime cyber attacks (Yuan, H. T., 2023, pp. 97-107).

5.3 Improving the Judicial Review Mechanism

First, it is necessary to clarify the scope and standards of judicial review, specifying which maritime law enforcement actions are subject to judicial review, as well as the criteria and procedures for such review. This will ensure the accuracy and fairness of judicial review and prevent the scope from being either excessively broad or overly narrow. Secondly, a comprehensive judicial review procedure and mechanism should be established, including stages such as application, acceptance, review, and adjudication. The review process must be fair, transparent, and efficient to ensure the full protection of the legitimate rights and interests of the parties involved. Simultaneously, the connection between judicial review and other relief avenues, such as administrative reconsideration and administrative litigation, should be strengthened to establish a coordinated and consistent relief system. The professionalism and authority of judicial review should be enhanced by providing professional training and management for judicial review personnel, thereby improving their legal competence and professional capabilities.

Furthermore, an expert consultation and deliberation mechanism for judicial review should be established and improved. Introducing external professional expertise into the review process will enhance the scientific rigor and authority of the review outcomes. At the same time, supervision and checks on judicial review should be strengthened to ensure it is conducted lawfully, fairly, and efficiently. A performance evaluation and accountability mechanism for judicial review could be established, involving regular assessment and evaluation of review outcomes, and holding reviewers accountable and

taking corrective actions when problems arise. Additionally, necessary international cooperation and exchanges should be enhanced to jointly explore international standards and best practices for judicial review in maritime law enforcement. Active participation in relevant discussions and collaborations within international organizations and forums, learning from the advanced experiences and practices of other countries, will promote international coordination and cooperation in the judicial review of maritime law enforcement. Finally, judicial relief channels should be improved to provide legal aid and support to the parties concerned, ensuring their legitimate rights and interests are fully protected.

6. Conclusion

The principle of trust protection in maritime law enforcement is a core element in constructing the rule of law in maritime affairs and a key indicator for measuring the modernization level of maritime governance. It serves not only as an important tool for restraining enforcement discretion and protecting the rights and interests of administrative counterparts but also as a cornerstone for enhancing the credibility of enforcement and maintaining the stability of the maritime legal order. It acts as a vital link between government credibility and market vitality and is an inherent requirement in building a maritime rule of law. Based on the current legal challenges facing trust protection in maritime law enforcement, a systematic improvement path should be constructed across three dimensions: legislation, enforcement, and judiciary.

At the legislative level, the specific application rules of the principle of trust protection should be further refined. By formulating specialized implementation rules or enforcement guidelines, clear standards for identifying “reasonable reliance,” methods of protection, and compensation mechanisms can be established, providing clear guidance for maritime enforcement activities. Simultaneously, coordination and alignment among different legal norms need to be strengthened to reduce conflicts, ensuring that the Coast Guard agencies and relevant competent authorities can act in a coordinated and consistent manner when performing their duties, thereby providing clear and stable expectations for the parties involved.

At the enforcement level, the exercise of administrative discretion needs to be further regulated by comprehensively implementing and continuously improving the benchmark system for administrative penalty discretion. Establishing a guidance system for maritime administrative enforcement cases can provide concrete and intuitive references for frontline enforcement personnel. At the judicial level, the judicial review mechanism for maritime enforcement actions needs to be refined, clarifying the applicable standards for the principle of trust protection in judicial practice. General principles of administrative law should be actively applied to review whether trust protection is constituted, ensuring effective judicial relief for the legitimate rights and interests of administrative counterparts. Additionally, exploring the establishment of summary procedures or rapid handling mechanisms suited to the characteristics of maritime cases can reduce the cost of rights protection for the parties involved and improve the timeliness and effectiveness of judicial relief.

Looking ahead, by improving legal norms, restraining enforcement discretion, and safeguarding judicial relief, the legal foundation for trust protection will be continuously solidified. This will not only help protect the legitimate rights and interests of vessels and crew but also enhance the credibility and international image of China's maritime law enforcement. Ultimately, it will foster a stable, fair, and predictable legal environment conducive to the sustainable development of the maritime economy and the successful implementation of the maritime power strategy. The significance of this research lies not only in addressing the practical issues in current maritime law enforcement but also in providing theoretical support and pathway guidance for building a more just and efficient maritime enforcement system, promoting the steady and long-term progress of maritime enforcement activities within the framework of the rule of law.

References

- Chen, H. Z., & Bai, X. H. (2023). Theoretical Analysis of Foreign-related Maritime Rights Protection Law Enforcement: Connotation, Characteristics, and Trends. *Journal of Political Science and Law*, 40(05), 105-113.
- Ding, Y. L., & Hou, H. Q. (2025). Research on the Maritime "Integrated Governance" Model for Innovating and Developing the Maritime "Fengqiao Experience"—Taking the Zhoushan Archipelago New Area as an Example. *Journal of Zhejiang Ocean University (Humanities Sciences Edition)*, 42(02), 35-41.
- Jo ã, B. M., & Fan, X. D. (2025). On the Protection of Legitimate Expectations and "Going Back on One's Word". *Civil and Commercial Law Review*, 79(01), 366-415.
- Nan, M. Y. (2025). Research on the System and Mechanism of Integrated Maritime Law Enforcement. *China Fisheries*, 2025(02), 38-40.
- Qian, M. Z. (2025). Effectiveness of Maritime Administrative Law Enforcement Actions in Different Sea Areas. *Legal Expo*, 2025(24), 7-39.
- Shan, T. B., & Sun, P. (2024). Specific Systems for the "Administrative-Criminal Linkage" in Maritime Law Enforcement. *China Ports*, 2024(06), 48-52.
- Yuan, H. T. (2023). Research on Digital Rule of Law for Maritime Cybersecurity—Based on the Maritime Administrative Law Enforcement Authority of the China Coast Guard. In *Collected Papers of "Rule of Law Practice" 2023 Volume 3—Compilation of Research on National Security Work* (pp. 97-107). School of Law, Shanghai Maritime University.
- Zhang, Y. Q. (2022). Analysis of Maritime Law Enforcement Issues under Jurisdictional Transfer. *Asia-Pacific Security and Ocean Studies*, 2022(06), 36-50, 3.