

Legal and Linguistic Nuances of Key Terminology in the STCW Convention: The Case of Montenegro

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The aim of this paper is to examine the use of specific terms in the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), one of the key conventions established by the International Maritime Organization. This interdisciplinary study highlights the importance of accurately understanding specialized terminology, which is essential for the effective implementation of the STCW Convention, particularly in the training and education of seafarers. Recognizing that legal texts reflect broader social, economic, legal, and political narratives (van Dijk, 2001, 2008; Fairclough, 2004), the paper uses Critical Discourse Analysis to explore how language reveals legal paradigms within the Montenegrin regulatory context. The findings show that the nuances of legal discourse extend beyond terminology; proper interpretation and implementation require a deeper understanding of social, cultural, and political factors.

KEY WORDS

- ~ STCW convention
- ~ Legal framework
- ~ Critical discourse analysis
- ~ Translation
- ~ Montenegro

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1. INTRODUCTION

The norms of a particular society are expressed through language. Establishing these shared norms is a complex task that requires not only a deep understanding of legal principles but also the involvement of professionals from various related fields. When creating law, it is preferable to use general or everyday language familiar to the public. Although the goal is to rely on common terms, the lawmaking process often requires the incorporation of specialized legal terminology. One of the fundamental challenges in legal drafting is ensuring the accuracy, neutrality, and formal consistency of regulations (Morgan & Yeung, 2007).

Although international conventions have been developed and translated into numerous languages, English remains the primary language of maritime law (Bocanegra Valle, 2013). Legal English plays a central role in the maritime industry and commercial sector, serving as the main language of contracts, conventions, and agreements regulating shipping activities. This includes documents such as charter parties, incident reports, and insurance policies. The prevalence of English in legal discourse is understandable, given England's historical dominance in political and economic spheres and its naval supremacy, which significantly influenced the development of maritime law and the global shipping industry (Bruce, 2014; Potter, 2014; Ivošević & Pejović, 2019). Furthermore, the global relevance of maritime legal standards, along with their shared foundations and context-specific implementations, highlights the importance of integrating these norms into national legal systems (Paulsen, 1982; Tetley, 1999; Allsop, 2010). However, incorporating international regulations into national frameworks remains challenging, especially given the diverse social, political, economic, and cultural contexts of individual countries (Wiswall, 1982).

Ensuring accurate translation between source and target languages presents significant difficulties, particularly within the framework of maritime regulations in Montenegro. This complexity arises from two main factors. First, there is a lack of adequate institutional and administrative capacity, further limited by financial constraints and incoherence within national legislation. Second, language barriers create obstacles to the accurate translation and interpretation of key legal texts. These issues directly affect Montenegrin policymakers and other stakeholders involved in maritime and legal regulations.

This paper addresses the complex challenges of translating specific terms, particularly those within the cognitive domain found in the STCW Convention. Our research focuses on lexical items that carry semantic meaning, examining their ambiguity in context through a pragmatic and intertextual approach. The analysis draws on previous studies examining the use of legal language in Montenegrin translations of international conventions (Lakić, 2020; Veljović, 2021). Consequently, this study employs discourse analysis to interpret the STCW Convention within the framework of Montenegrin law. The approach integrates perspectives from maritime law and linguistics, highlighting how language reflects the relationship between written texts and social contexts, as discussed by Van Dijk (2006, 2008, 2014). This is closely related to the concept of "legal and cultural relativism" (Twining, 2009, 42).

Section 2 explores the linguistic and discursive aspects relevant to the analysis of legal documents, as well as the challenges associated with implementing the STCW Convention in Montenegro from an institutional perspective. Section 3 presents the corpus and methodology, while Section 4 outlines the main findings. Finally, Section 5 provides conclusions and recommendations for future initiatives.

2. LINGUISTIC AND LEGAL EXPERTISE

Recognizing that law is inherently a social construct closely linked to language, this research is based in Critical Discourse Studies. As discourse and critical discourse studies have gained prominence, various legal genres have undergone detailed linguistic analysis. This approach extends beyond grammatical or textual analysis by incorporating a social perspective that considers power relations and political contexts (van Dijk, 2001; 2008; Fairclough, 2004).

International laws, conventions, and regulations are created and interpreted within specific national frameworks. Therefore, understanding legal texts requires a comprehensive approach that integrates both social and legal analyses (Twining, 2009; Twining & Miers, 2010). As Bhatia et al. (2008, 5) observe, globalization and intensified communication have significantly influenced legal systems, shifting the focus from national to international perspectives. The complexity of interpreting legal documents arises not only from specialized language but also from broader factors such as social, cultural, and political contexts, institutional capacities, and prevailing ideologies (Bhatia and Bhatia, 2011, 494). The concept of power in legal discourse is analytically valuable because it exposes competing interpretations and highlights which narratives become dominant or marginalized (Niemi-Kiesiläinen, 2007; Rajah, 2017).

2.1. Analysis of legal genres

A legal document represents a distinct genre characterized by specific features that make it easily recognizable. Each genre serves its own function and purpose, follows a recognizable form, employs specialized vocabulary, and uses particular grammatical patterns (Berūkštienė, 2016, 97–104). Proper classification facilitates the identification and mapping of genres, as understanding the nature of a legal text is essential for its correct interpretation (Berūkštienė, 2016, 112). The link between law and linguistics – specifically, how legal texts are formulated to regulate human behavior – is especially relevant. As Wang (2013, 105) notes, “The problem of standardizing legal language is not only a simple technical issue related to wording, but also involves some important matters such as right, obligation, fairness and justice.”

Scholars have explored the pragmatic connection between language and law, demonstrating how legal discourse reflects the distinctive characteristics of national contexts. Nădrag and Buzarna-Tihenea (2016) analyzed Romanian maritime regulations, focusing on the transposition of the Hamburg Rules and the challenges of maintaining terminological accuracy. Similarly, Visan (2023, 75) highlights the difficulties caused by false cognates in maritime translation, where words such as operational, interest, and facility can easily be misinterpreted. In South Slavic languages, ambiguity often arises as well: for instance, list can denote both a document and a vessel's inclination, while commodity refers to cargo or goods rather than comfort.

Among maritime legal genres, contracts and legal documents – particularly charter parties – have been most extensively examined (Del Pozo Triviño, 2014). Translating such standardized documents requires understanding the specific legal circumstances in which they occur (Del Pozo Triviño, 2014). Because lexical words carry the primary semantic load, maritime legal narratives often overlap with general and commercial language. Đurović (2022) used corpus analysis to examine charter parties, revealing significant overlaps between maritime and legal terminology. For example, while the English word average denotes “mean value,” in maritime law it refers to “damage” or “loss” (Đurović, 2022). Dževerdanović Pejović (2016) examined Standing Orders as a distinct legal and administrative genre aboard ships. These texts reflect hierarchical structure and the distribution of authority, positioning the shipmaster as the central figure of command. Consequently, scholars emphasize the role of social and ethnographic dimensions in shaping the interpretation of legal texts (Bhatia et al., 2008; Bhatia, 2013).

Finally, Franceschi (2014) analyzes the linguistic features of Maritime English as a form of specialized English, highlighting its pragmatic, syntactic, and lexical features such as redundancy, archaism, and verbosity. Gundić et al. (2020) further address the clarity and consistency of terminology used to define learning outcomes and competencies outlined in STCW-related IMO Model.

2.2. Legal anchoring, national challenges and comparative context

Upon reviewing the legal categories that contribute to Montenegro's legal framework, it is clear that there is an urgent need for well-defined and well-worded legislation. This is especially important as Montenegro continues its efforts to harmonize its legal system with European Union regulations, highlighting the significance of precise interpretation and implementation of EU directives (Lakić, 2020; Veljović, 2021).

Montenegro officially became a signatory to the STCW Convention through a notice of succession after joining the International Maritime Organization (IMO) on October 16, 2006. According to Article 9 of the Constitution of Montenegro, as published in the Official Gazette of Montenegro (Nos. 1/2007 and 38/2013), “ratified and published international agreements ... are an integral part of the domestic legal system and take precedence over national legislation” (Constitution of Montenegro, 2007). Additionally, in accordance with Article 82, paragraph 17 of the Constitution, the Parliament of Montenegro enacted laws to ratify international treaties. However, these laws primarily serve as a procedural mechanism for Montenegro's commitment to the STCW Convention. Implementing the STCW Convention, a complex legal framework, poses various challenges for Montenegrin legislation for several reasons:

- a) The complexity of legal instruments and lack of resources: The STCW Convention is a complex legal document that requires detailed analysis and incorporation into national legislation. Financial limitations resulting from decades of political instability have led to a shortage of a skilled workforce educated and competent in implementing regulations and monitoring compliance. These issues directly affect the availability of adequate resources for the education and training of seafarers in accordance with international standards.
- b) Changes in the political climate: Montenegro has experienced a period of political instability and rapid changes in government composition. These factors have slowed decision-making processes and resulted in discontinuity in the implementation of the STCW Convention. In previous years, poor economic and political conditions, as well as the rise of corruption and drug trafficking – in which several Montenegrin seafarers were implicated – have significantly

damaged the reputation of Montenegrin seafarers. Additionally, the negative reputation of Montenegrin seafarers in the seafaring market was attributed to inadequate compliance with international standards and procedures, which, as mentioned, was directly influenced by political and institutional turmoil. Since 2020, Montenegro has had three changes of government. This period has been marked by political conflicts between parties. Not only the presidential elections, but also a series of events in recent years confirm a political environment in which political and governing positions have been largely focused on personal gain. According to the European Commission's Report on Montenegro, there is a notable lack of government commitment to EU integration, particularly evident in the reform of the judicial system and political corruption. Therefore, the political environment in Montenegro in 2023 was described as power-based, posing a challenge to its democratic orientation and the EU integration process (Golubović, 2023)

- c) Administrative constraints, including language barriers, refer to the complexity of administrative procedures and bureaucratic burdens. The STCW Convention has been incorporated into Montenegrin national law through the Law on Safety of Maritime Navigation (published in the Official Gazette of Montenegro, Nos. 62/13, 6/14, 47/15, 71/17, 34/2019, and 77/2020) and the Rulebook on the Titles and Conditions for the Acquisition of Titles and Issuing Authorizations for the Crew Members of Sea-Going Ships (Official Gazette MNE, Nos. 51/2015, 44/2016, 63/2018, 50/2020, 077/21, and 022/23). Notably, Montenegro lacks an official translation of the STCW Convention and its amendments since gaining independence in 2006, allowing for the possibility of different interpretations of some sections or terminology. This is especially significant considering Montenegro's pre-accession phase to the European Union and the need for proper incorporation of key maritime conventions into the national legislative framework (Anđelić, 2015).

Considering the comparative practices of neighboring EU countries, such as Croatian and Slovenian maritime legislation (Pijaca & Gundić, 2021; Pijaca, 2022; Visan, 2023), we observe similar challenges in distinguishing the interchangeably used terms competence and competency, as well as in defining and providing qualified lecturers and assessors in the education and training process, as prescribed in the Convention, Section A-I/6 (IMO, 2011). Such comparisons are relevant because they demonstrate how linguistic nuances, particularly those reflected in the training versus education dilemma, should be addressed in specialist glossaries, with cross-references to the STCW Code, IMO and EU standards, and consistent definitions at the beginning of legal texts (Manuel, 2017). In this context, linguistic argumentation directly impacts legal effect: to mitigate dilemmas regarding the transposition of the international legal framework into national systems, the primary issue is to avoid ambiguity in synonymous terms such as competence, ability, or knowledge. Clarification in translation and interpretation between discourse and language ensures consistency and international recognition of Certificates of Competency (Anđelić, 2015; Golubović, 2023).

3. CORPUS AND METHOD

The corpus analyzed in this paper consists of the English text of the STCW Convention, adopted in 1978 and amended in 1995 and 2010 (International Maritime Organization, 2011). Word frequencies were established using the AntFileConverter program (Anthony, 2022a), resulting in total of 129,947 tokens. To quantify and analyze data such as frequency, collocations, and co-occurrence patterns, the AntConc software (Anthony, 2022b) was employed. Function words such as *the*, *of*, *and*, *to* and similar grammatical particles were excluded. Normalized frequencies (per 1,000 words) are presented in Table 1.

Both quantitative and qualitative methods were used to analyze established language facts within the context of maritime legislation. The analysis is based on Critical Discourse Analysis (CDA). By applying CDA, this study reveals how the wording of the STCW Convention conveys discipline-specific meanings and reflects broader social and institutional power relationships within the Montenegrin maritime legal context.

The STCW term	Normalized frequency (n.f.)	Raw frequency
Training	10.03	1304
Competence	5.47	711
Knowledge	4.88	635
Equipment	3.85	501
Safety	3.80	494
STCW	3.49	454
Seafarers	3.19	415
Certification	3.15	410
Standards	3.13	408
Assessment	2.83	369
Control	2.22	286
Ability	2.09	272
Understanding	1.97	256
Proficiency	1.69	220
Criteria	1.31	171

Table 1: Top 15 content words in the STCW corpus (Source: Authors)

The analysis was conducted at three language levels:

- a) At the lexical level, the focus was on the frequency, collocation, and n-grams of words from the cognitive domain, which represent the most important meaning-bearing words. We then compared specific English translations of lexemes from the cognitive domain with their Montenegrin equivalents as found in the Rulebook on the Titles and Conditions for the Acquisition of Titles and Issuing Authorizations for Crew Members of Sea-Going Ships ("Official Gazette MNE," Nos. 51/2015, 44/2016, 63/2018, 50/2020, 077/21, and 022/23) and in the Law on the Ratification of the STCW from 1978 ("Official Gazette of the Federal Socialist Republic of Yugoslavia, No. 3/84, 1984). The lexemes central to our research were: ability, assessment, certification, competence, control, criteria, education, equipment, knowledge, proficiency, safety, seafarers, STCW, training, and understanding. The purposeful selection of these fifteen words was based on two factors: first, we observed a sharp drop in normalized frequency after the fifteenth ranked word; second, these words are the most relevant in terms of their cognitive and legal significance, representing the intersection between discursive exponents and legal function. In this way, we aimed to obtain a representative and replicable sample for analysis while ensuring methodological coherence.
- b) At the syntactic level, the analysis focused on binominals typical of legal discourse, while the pragmatic level examined how language constructs legal meaning, as illustrated by contrasting pairs such as competency versus competence or education versus training.

4. FINDINGS

In this section, we analyze the fifteen most frequent lexical words in the STCW text. Particular attention is given to the translation of general and semi-specialized STCW terms such as *training*, *competence* and *ability*, as well as cognitive-domain words such as *knowledge* and *understanding*, as shown in Table 1.

4.1. Competence, knowledge, understanding, proficiency and ability

We first address the frequent overlap of synonymous words throughout the STCW Convention texts, such as competence, knowledge, understanding, proficiency, and ability. The Convention uses a group of near-synonyms – competence, competency, proficiency, and ability – whose legal roles, however, differ. According to Pravna enciklopedija 1 (1989) and the Legal Dictionary (Jovanović & Todorović, 2004), competence may mean: (a) jurisdiction (Mne. nadležnost); (b) capability (Mne. sposobnost); or (c) proficiency (Mne. vještina, znanje, stručnost), and competence (Mne. kompetencija, sposobnost).

Analysis of the STCW text (Article II, Chapter I, Regulation I/1, Section A-1/1, “Definition of Terms”) shows that it does not provide explicit clarification for these terms. It only defines Certificates of Competency (CoC) and Certificates of Proficiency (CoP) (International Maritime Organization, 2011, 23). The former are issued to shipmasters, officers, and GMDSS radio operators as proof of their professional qualifications, while the latter confirm that a seafarer has completed specific professional training or sea service.

In this context, competence generally refers to ability or proficiency, whereas competency denotes the formal certification of that competence, as in the expression certificate of competency, which appears nineteen times in the Convention. The term competency – more common in American English – usually designates a specific occupational skill linked to emerging labor market profiles (Škrinjarić, 2022). In Montenegrin, the phrase certificate of competency (Article 2 of the Rulebook on Vocations and Certifications of Seafarers, Ministry of Transport and Maritime Affairs, 2009) is translated as *ovlašćenje o osposobljenosti*, equivalent to qualification or adequately qualified, implying practical competence in a defined area.

Thus, competency mainly refers to certification, while competence represents a broader concept encompassing the knowledge, skills, proficiency, and abilities of seafarers. To identify common collocations, we generated n-grams illustrating the context in which the noun competence typically occurs. The most frequent clusters are shown in Table 2.

1. Criteria for evaluating competence
2. Standard of competence
3. Competence, knowledge, understanding and proficiency
4. Competence assessment of evidence obtained
5. Competence examination and assessment
6. Competence, knowledge and ability
7. Competence in basic training
8. Competence of seafarers as required
9. Competence, capabilities and operational requirements
10. Competence to undertake the tasks

Table 2: Clusters(n-grams) of the ten most frequent occurrences of the noun competence in the STCW Convention text (Source: Authors)

The examples demonstrate that the context in which the word competence appears mainly relates to assessment (1, 2, 4, 5) or to measures for evaluating seafarers’ standards of competence. In examples 3, 6, 7, 9, and 10 presented in Table 2, the Convention text contains synonymous series of terms, a typical feature of legal normative texts. Such repetition highlights the importance of seafarers’ cognitive performance and practical work, encompassing the knowledge, understanding, proficiency, abilities, and skills acquired during maritime education and training.

Since the 1995 amendments, the term competence has been used more extensively and has acquired a more specific meaning associated with a competence-based approach. The phrase competence-based, as used in the revised STCW Convention text, emphasizes the importance of learning outcomes, a fundamental component of higher education curricula. These curricula outline the specific knowledge and skills that students are expected to acquire upon completing a course (Gundić, 2020).

Accordingly, competence functions as an umbrella term that includes knowledge, understanding, proficiency, and ability. Based on Bloom’s Taxonomy of Knowledge (Adams, 2015, 153), which identifies six categories of cognitive skills listed in ascending order as knowledge, comprehension, application, analysis, synthesis, and evaluation, the term knowledge is the third most prominent in the STCW corpus. The Montenegrin translation of knowledge in both the Law on Ratification (1984) and the Rulebook (2019) primarily uses the term “*poznavanje*,” rather than the more general Montenegrin word “*znanje*,” the latter lacking disciplinary precision in the STCW context.

4.2. Training and education in Montenegrin context

The distinction between education and training remains central to the competence-competency debate. Although education is one of the most frequently used terms in the STCW Convention, both concepts have gained prominence in Montenegro. The difference between training and education was a major topic of discussion among maritime professionals

at recent roundtables in Montenegro, focusing on the role of educational institutions in aligning their syllabi with the Convention and the responsibilities of administrative bodies and seafaring companies (Round Table, 2022).

The term education refers to the acquisition of knowledge and skills through formal schooling, whereas training involves gaining knowledge and skills through specific, content-based programs that complement formal education (Rulebook, 2019). While the word education appears 43 times in the corpus, indicating relatively low frequency, the term training occurs 1,304 times, making it the most frequently used (Table 1). This linguistic observation, however, does not undermine the importance of the educational process, particularly the knowledge gained in secondary and higher educational institutions (Evans et al., 2017).

Furthermore, a longstanding dilemma persists regarding the relative importance of education and training, a topic also discussed at the Round Table in 2022. The discussion centered on identifying appropriate criteria and methods to assess acquired knowledge and competencies. Rather than viewing education and training as opposing ends of the same spectrum, the revised STCW Convention emphasizes the significance of competence-based training aimed at achieving specific and specialized outcomes. Given the dynamic nature of the maritime profession, educational institutions must facilitate the attainment of academic degrees that address evolving social, environmental, and legal contexts. Therefore, education and training should be regarded as complementary paradigms (Manuel, 2017). In this respect, contemporary maritime education requires the development of content-based educational programs (Gundić, 2020), whereby specific STCW training modules enhance growing competencies.

The Montenegrin version of Article 2 of the Rulebook on the Titles and Conditions for the Acquisition of Titles and Issuing Authorizations for the Crew Members of Sea-Going Ships ("Official Gazette MNE," Nos. 51/2015, 44/2016, 63/2018, 50/2020, 077/21, and 022/23) defines training as "the acquisition of knowledge and skills through training and mastering professional programs of specific purposes" (Mne. obuka odnosno posebna obuka je sticanje znanja i vještina putem uvježbavanja i savladavanja stručnih programa posebne namjene). In contrast, education is defined as "the acquisition of knowledge and skills through regular schooling" (Mne. obrazovanje je sticanje znanja i vještina u okviru redovnog školovanja).

In light of these definitions, this paper refers to programs associated with the competencies prescribed by the STCW Convention and implemented by maritime education and training (MET) institutions. There are two types of programs. The first consists of specialized training courses designed to obtain certificates of competency mandated by the STCW Convention, typically provided by maritime training centers. The second includes competencies acquired through formal education at institutions of higher learning, where students pursue university degrees that qualify them for managerial positions (e.g., officers and shipmasters). Academic education programs are generally broader in scope than those offered at maritime training centers, although they remain aligned with STCW standards. Consequently, maritime faculties aim to develop more extensive competencies that integrate academic, technical, and soft-skill knowledge in diverse fields such as ship operations, maritime law, maritime economics, logistics, maritime marketing, digitalization, smart shipping, and intercultural communication.

The term education (Mne. "obrazovanje") refers to the formal educational process and the academic degrees obtained at higher education institutions. Conversely, the term "training," translated as "obuka," is often interpreted in Montenegrin as "trening," denoting practical courses conducted outside academic institutions. Linguistically, the Montenegrin translation of the English term "training" as "trening" is closer to the English words exercise and drill, implying a more practice-oriented connotation associated with specific STCW courses offered at training institutions. This distinction supports the view that lexical meaning is context dependent and that accurate interpretation requires knowledge of the discipline (Lakić, 2020, 201).

Furthermore, power dynamics and institutional hierarchies frequently shape the interpretation of legal provisions. Despite the inherent ambiguity of legal discourse, social and institutional constraints regulate the implementation of these norms (Van Dijk, 2014). As shown in Figure 1, there are 40 sentences in the STCW Convention text referring to standards of competence, indicating that officers must complete both appropriate education and training. This interdependence highlights the connection between academic qualifications and professional training within seafaring careers, which are becoming increasingly interdisciplinary.

Total Hits: 40 Page Size 100 hits 1 to 40 of 40 hits

	File	Left Context	Hit	Right Conte
1	IMO STCW ...	dance with the Radio Regulations; .5 have completed approved	education	and training and meet the standard c
2	IMO STCW ...	as been served as chief mate; and .2 have completed approved	education	and training and meet the standard c
3	IMO STCW ...	dance with the Radio Regulations; .4 have completed approved	education	and training and meet the standard c
4	IMO STCW ...	period of not less than six months; have completed approved	education	and training and meet the standard c
5	IMO STCW ...	ed as second engineer officer; and .2 have completed approved	education	and training and meet the standard c
6	IMO STCW ...	ve as second engineer officer; and .2 have completed approved	education	and training and meet the standard c
7	IMO STCW ...	service in the engine department; .3 have completed approved	education	and training and meet the standard c
8	IMO STCW ...	not less than 18 years of age; and have completed approved	education	and training and meet the standard c
9	IMO STCW ...	of competence specified in table A-II/1, to complete relevant	education	and training and meet the standard c
10	IMO STCW ...	of competence specified in table A-III/1, to complete relevant	education	and training and meet the standard c

Figure 1: The screenshot of the collocation “education and training” in the text of the STCW Convention (Source: Authors)

4.3. Certification and assessment, control and criteria

The revised STCW 2010 Convention places significant emphasis on the criteria and methods for evaluating seafarers’ competencies through an integrated, vocational and education-based approach (Manuel, 2017). This concern is mirrored in the Montenegrin maritime discourse, particularly regarding the qualifications of instructors delivering courses and the standards that maritime teachers, lecturers, and trainers must meet. According to the STCW Convention:

“Each Party shall ensure that instructors, supervisors and assessors are appropriately qualified for the particular types and levels of training or assessment of competence of seafarers either on board or ashore...”
(IMO STCW, Section A-I/6).

However, the issue of translating and interpreting the word *qualified* continues to pose challenges. It is crucial to clarify the academic, disciplinary, and vocational competencies required of lecturers, and to identify which national authorities, beyond external assessment bodies, are responsible for internal evaluations. This complexity renders the Maritime Education and Training (MET) system multifaceted, indicating a synergy of academic and engineering knowledge from both theoretical and vocational perspectives (Erdogan and Demirel, 2017). Notably, the STCW Convention does not explicitly define the term *qualified*. Instead, it allows each member state to do so autonomously, resulting in varied national practices and interpretations (Pijaca & Gundić, 2021; Pijaca, 2022).

With the *assessment* domain, the most frequent terms appear in the following order: *certification*, *assessment*, *control* and *criteria*. The term *certification*, translated into Montenegrin as “izdavanje sertifikata,” refers to the process of issuing certificates rather than that of obtaining them. *Control* and *criteria* play a crucial role in conducting assessments, which are grounded in national legislation. In Montenegro, the educational process falls under the jurisdiction of higher education institutions and maritime training centers, both of which are under the supervision of state universities and institutions. Another challenge that needs to be addressed lies in the implementation of *controls* and *criteria* aimed at verifying lecturers’ qualifications, revising the curricula, and assessing training centers and facilities dedicated to maritime education and training.

Over the past decades, Montenegro’s turbulent political and social developments have significantly undermined the international reputation of Montenegrin seafarers, particularly regarding the recognition of their certificates of competence by international shipping agencies. The image of Montenegrin seafarers has thus been closely linked to prevailing political context and political power. This phenomenon is consistent with van Dijk’s (2001, 362) perspective on the dominance of institutional discourse. Consequently, the criteria for exercising control and evaluating certification processes are highly dependent on institutional capacity. Section 2 of the STCW Convention, which governs control procedures, must therefore be implemented with precision. The standardization of maritime terminology is particularly important for CoC and CoP certification processes. Uniform language ensures legal clarity and facilitates international recognition of certificates, and strengthens institutional coordination among national authorities— particularly given that approximately seven thousand Montenegrin seafarers are employed by foreign shipping companies.

4.4. STCW, seafarers, safety and equipment

The frequent use of the abbreviation “STCW” in the text of the Convention is justified, as it represents the commonly referenced concept associated with the STCW Convention. Similarly, the repeated use of the term “code” is understandable, as it denotes a legal mechanism or rulebook governing specific standards and practices. The following section elaborates on several frequent collocations found in the text such as: “safety and security” (40 occurrences), “safety of life” (36), “safety culture” (7), and “safety personnel” (10). These recurrent binomials highlight the central importance of ensuring the safety of seafarers and their working environment.

The word “seafarers” frequently collocates with “training” (as in “seafarers’ training”) in 70 instances, and “seafarers’ certification” appears in 32 sentences. The last two identified linguistic phrases reflect pressing issues in Montenegrin seafaring, as discussed in the previous section. Specifically, the issue of training for Montenegrin seafarers involves a complex procedure that includes various stakeholders, such as the Ministry of Maritime Affairs, higher education institutions, training centers and the seafaring trade union.

5. CONCLUSIONS AND RECOMMENDATIONS

The findings presented in this paper demonstrate the close relationship between language and law in interpreting the STCW Convention, showing how linguistic choices influence the legal implementation of international maritime regulations in Montenegro. The analysis also identifies political and institutional factors that continue to challenge the consistent application of the Convention, confirming that differences in legal and social context are reflected in varying interpretations of discourse (Fairclough, 2004).

Furthermore, the study examines the translation and interpretation of selected terms within the maritime legal framework, emphasizing that the relationship between legal norms and language must remain precise in both wording and interpretation. The interchangeable use of abstract terms such as competence, proficiency, ability, competency, or knowledge and understanding should be minimized, as it can lead to ambiguity. In Montenegrin, many of these concepts are translated by a single lexical item, which further increases the risk of misinterpretation. Therefore, these terms should be clearly defined in the terminology sections of legal and educational documents, particularly in cases involving false cognates, such as training versus education. A future revision of the STCW Convention should also clarify the process of defining and measuring competencies, since “inconsistently classified or unmeasurable competences have led to poor practical models” (Škrinjaric, 2022).

Another important issue concerns the role of translators in legal drafting. Translators must have subject-specific expertise to ensure accuracy and terminological consistency in certification procedures. Moreover, it is essential that key international documents be officially translated into the national language – in this case, Montenegrin – to avoid ambiguity in legal implementation. Notably, there is currently no official translation of the STCW Convention into Montenegrin. Although the Convention has been ratified and incorporated into national legislation, its English version is still used. Therefore, preparing an official Montenegrin version would be a significant step toward ensuring linguistic precision and harmonization with the international maritime community.

Given Montenegro’s ongoing EU integration process, a practical solution would be the development of a bilingual maritime terminology handbook. Such a publication would enhance institutional coherence and accurate translation, facilitating mutual understanding among international maritime stakeholders. Clarifying fundamental maritime concepts outlined in the STCW Convention, such as competency, competence, training, education, and qualification, would strengthen the implementation of international standards in Montenegro and support the country’s alignment with the broader international maritime framework.

CONFLICT OF INTEREST

Authors declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

REFERENCES

- Adams, E.N., 2015. Bloom’s taxonomy of cognitive learning objectives. *Journal of the Medical Library Association*, 103(3), pp.152–153. Available at: <https://doi.org/10.3163/1536-5050.103.3.010>
- Allsop, J., 2010. Maritime law: The nature and importance of its international character. *Australian Law Journal*, 84, pp.681–682. Available at: <https://livepages.thomsonreuters.com.au/media/1334/102866.pdf>

- Anđelić, T.J., 2015. Legal interpreting in Montenegro in view of its EU accession: Diagnosis and proposals of necessary modifications. *MonTI*, 7, pp.1–14. Available at: <https://raco.cat/index.php/MonTI/article/view/313245/403357>
- Anthony, L., 2022a. *AntFileConverter (Version 2.0.2)* [Computer software]. Tokyo: Waseda University. Available at: <https://www.laurenceanthony.net/software>
- Anthony, L., 2022b. *AntConc (Version 4.2.0)* [Computer software]. Tokyo: Waseda University. Available at: <https://www.laurenceanthony.net/software>
- Berūkštienė, D., 2016. Legal discourse reconsidered: Genres of legal texts. *Comparative Legilinguistics*, 28(1), pp.89–119. Available at: <https://scispace.com/pdf/legal-discourse-reconsidered-genres-of-legal-texts-cd1ch5nh24.pdf>
- Bhatia, V.K. and Bhatia, A., 2011. Legal discourse across cultures and socio-pragmatic contexts. *World Englishes*, 30(4), pp.481–495. Available at: <https://onlinelibrary.wiley.com/doi/10.1111/j.1467-971X.2011.01727.x>
- Bhatia, V.K. et al., 2008. Concepts, contexts and procedures in arbitration discourse. In: V.K. Bhatia, C.N. Candlin and J. Engberg (eds.) *Legal discourse across cultures and systems*. Hong Kong: Hong Kong University Press, pp.3–29. Available at: <https://hkupress.hku.hk/image/catalog/pdf-preview/9789622098527.pdf>
- Bocanegra Valle, A., 2013. Maritime English. In: C.A. Chapelle (ed.) *The encyclopedia of applied linguistics*. Oxford: Blackwell, pp.3570–3583. Available at: https://www.academia.edu/4762288/Maritime_English_Definition_in_The_Encyclopedia_of_Applied_Linguistics
- Bruce, A., 2014. *Encyclopedia of naval history*. London: Routledge.
- Constitution of Montenegro, 2007. *Official Gazette of Montenegro*, Nos. 1/2007 and 38/2013. Available at: <https://www.wipo.int/wipolex/en/legislation/details/21398>
- Del Pozo Triviño, M., 2014. Analysis of charterparty agreements from textual genre and translation perspectives. *Meta*, 59(1), pp.160–175. Available at: <https://doi.org/10.7202/1026475a>
- Đurović, Z., 2022. How many words do seafarers need for adequate reading comprehension of charter parties? In: *Proceedings of the 19th International Conference on Transport Science*, Portorož.
- Dževerdanović Pejović, M., 2016. Discourse exponents of standing orders on board ship. *Scientific Journal of Maritime Research*, 30, pp.67–74. Available at: <https://hrcak.srce.hr/file/236741>
- Erdoğan, O. and Demirel, E., 2017. New technologies in maritime education and training: Turkish experiment. *Universal Journal of Educational Research*, 5(6), pp.947–952. Available at: <https://files.eric.ed.gov/fulltext/EJ1143794.pdf>
- Evans, U.F. et al., 2017. Evaluation of awareness of the STCW-78 as amended in Manila 2010. *Australian Journal of Maritime & Ocean Affairs*, 9(8), pp.1–14. Available at: <https://www.tandfonline.com/doi/full/10.1080/18366503.2017.1306915>
- Fairclough, N., 2004. *Analysing discourse: Textual analysis for social research*. London: Routledge.
- Franceschi, D., 2014. Features of maritime English discourse. *International Journal of English Linguistics*, 4(2), pp.78–87. Available at: <https://www.ccsenet.org/journal/index.php/ijel/article/view/32964>
- Golubović, V., 2023. Montenegro political briefing: Political review of Montenegro in 2023. *China-CEE Institute*, 68(1), pp.1–9. Available at: <https://china-cee.eu/2024/01/09/montenegro-political-briefing-political-review-of-montenegro-in-2023/>
- Gundić, A. et al., 2020. Methods for demonstrating competence in STCW Convention. *Scientific Journal of Maritime Research*, 34, pp.245–251. Available at: <https://doi.org/10.31217/p.34.2.5>
- International Maritime Organization, 2011. *STCW Convention including 2010 Manila amendments*. London: IMO.
- Ivošević, B. and Pejović, Č., 2019. *Pomorsko pravo*. Beograd: Pravni fakultet Univerziteta Union.
- Jovanović, J. and Todorović, S., 2004. *Rečnik pravnih termina*. Beograd: Narodna biblioteka Srbije.
- Lakić, I., 2020. Syntactic and lexical aspects of students' legal translations. *Folia Linguistica et Litteraria*, 33, pp.189–205. Available at: <https://folia.ucg.ac.me/image/33/Lakic.pdf>
- Law on safety of maritime navigation, 2020. *Official Gazette of Montenegro*.
- Law on the ratification of the STCW Convention, 1984. *Official Gazette SFRJ*, No. 3/84.
- Manuel, M.E., 2017. Vocational and academic approaches to maritime education and training. *WMU Journal of Maritime Affairs*, 16, pp.473–483. Available at: <https://doi.org/10.1007/s13437-017-0130-3>
- Morgan, B. and Yeung, K., 2007. *An introduction to law and regulation: Text and materials*. Cambridge: Cambridge University Press.
- Nădrag, L. and Buzarna-Tihenea, A., 2016. Aspects of legal translation in contracts of carriage. *Ovidius University Annals*, pp.35–40. Available at: https://stec.univ-ovidius.ro/html/anale/RO/wp-content/uploads/2015/03/ANALE-vol-16_issue_1_site.pdf
- Niemi-Kiesiläinen, J. et al., 2007. Legal texts as discourses. In: *Exploiting the limits of law*. Ashgate, pp.69–88.
- Paulsen, W.G., 1982. Historical overview of uniformity in international maritime law. *Tulane Law Review*, 57, p.1065. Available at: <https://www.tulanelawreview.org/pub/volume57/issue5/an-historical-overview-of-the-development-of-uniformity-in-international-maritime-law>

- Pijaca, M., 2022. Legal regulation of navigation period of teachers. *Poredbeno Pomorsko Pravo*, 61(176), pp.503–525. Available at: <https://hrcak.srce.hr/clanak/420016>
- Pijaca, M. and Gundić, A., 2021. Qualifications of MET instructors. In: *Proceedings of the International Conference on Maritime Education and Development*, pp.247–261.
- Potter, E.B., 2014. *Sea power: A naval history*. Annapolis: Naval Institute Press.
- Pravna enciklopedija, 1989. Beograd: Savremena administracija.
- Rajah, J., 2017. Legal discourse. In: J. Flowerdew and J. Richardson (eds.) *The Routledge handbook of critical discourse studies*. London: Routledge, pp.480–496.
- Round Table, 2022. Education of seafarers: Making of competent staff is of primary importance. Available at: <https://zuns.me/prosvjetni-rad/clanak>
- Rulebook on the titles and conditions for acquisition of titles, 2023. *Official Gazette of Montenegro*.
- Škrinjarić, B., 2022. Competence-based approaches in organizational context. *Humanities and Social Sciences Communications*, 9, p.28. Available at: <https://doi.org/10.1057/s41599-022-01047-1>
- Tetley, W., 1999. Uniformity of international private maritime law. *Tulane Maritime Law Journal*, 24, p.775. Available at: <https://www.elgaronline.com/display/book/9781782547235>
- Twining, W., 2009. *General jurisprudence*. Cambridge: Cambridge University Press.
- Twining, W. and Miers, D., 2010. *How to do things with rules*. Cambridge: Cambridge University Press.
- van Dijk, T.A., 2001. Critical discourse analysis. In: *The handbook of discourse analysis*. Oxford: Blackwell, pp.352–372.
- van Dijk, T.A., 2008. *Discourse and context*. Cambridge: Cambridge University Press.
- van Dijk, T.A., 2014. *Discourse and knowledge*. Cambridge: Cambridge University Press.
- Veljović, L., 2021. Legal linguistics and ethnological jurisprudence in Montenegro. *International Journal of Law, Language & Discourse*, 9(1), pp.41–67. Available at: <https://journals.indexcopernicus.com/api/file/viewByFileId/1266693>
- Visan, I.R., 2023. Errors and difficulties in translating maritime terminology. *Translation Studies: Theory and Practice*, 3(1), pp.66–84. Available at: <https://doi.org/10.46991/TSTP/2023.3.1.066>
- Wang, F., 2013. Relation between legal language and judicial justice. In: *Proceedings of the International Conference on Law, Language and Discourse*, pp.103–111.
- Wiswall, F.L., 1982. Uniformity in maritime law: Domestic impact of international regulation. *Tulane Law Review*, 57, pp.1208–1209.