

Law of the Sea (B001361)

Course size *(nominal values; actual values may depend on programme)*

Credits 4.0

Study time 120 h

Course offerings and teaching methods in academic year 2023-2024

A (semester 1)

English

Gent

lecture

peer teaching

Lecturers in academic year 2023-2024

Willaert, Klaas

RE22

lecturer-in-charge

Offered in the following programmes in 2023-2024

crdts

offering

Master of Science in Teaching in Social Sciences(main subject Laws)

4

A

Master of Laws in Laws

4

A

Master of Laws in International and European Law(main subject International and Human Rights Law)

4

A

Master of Laws in International and European Law(main subject International and National Legal Orders)

4

A

Master of Laws in International and European Law

4

A

Exchange Programme in Law

4

A

Teaching languages

English

Keywords

International law, law of the sea, maritime zones, shipping activities, natural resources, marine environment

Position of the course

This course provides insight into the law of the sea, broadly governing the rights and duties of states in marine areas. This legal regime regulates various activities at sea through a spatial division in distinct maritime zones (entailing different rules for navigation, exploitation and protection of natural resources) and a number of overarching principles. During this course, students also learn to critically assess new developments in the law of the sea within its broader political and economic context, including sustainable development goal (SDG) 14.

Contents

- Importance of the oceans and seas
- History and development of the law of the sea
- Baselines and maritime features
- Maritime zones (including legal status, delineation and delimitation, rights of states, jurisdiction)
 - Internal waters and ports
 - Territorial sea
 - Contiguous zone
 - Exclusive economic zone
 - Continental shelf
 - High seas
 - The Area
- International straits
- Fisheries
- Marine environmental protection
- Dispute settlement

- Selected topical issues

Initial competences

Having basic knowledge of public international law

Final competences

- 1 Understanding the legal regime of the law of the sea and how it is implemented
- 2 Having knowledge of the international legal rules regulating the oceans and seas
- 3 Applying the rules and principles of the law of the sea to actual cases
- 4 Critically assessing topical issues and new developments within the law of the sea
- 5 Developing a personal opinion on topical issues and new developments within the law of the sea
- 6 Presenting and discussing topical issues and new developments within the law of the sea

Conditions for credit contract

Access to this course unit via a credit contract is unrestricted: the student takes into consideration the conditions mentioned in 'Starting Competences'

Conditions for exam contract

This course unit cannot be taken via an exam contract

Teaching methods

Group work, Lecture, Peer teaching

Extra information on the teaching methods

- Lecture: during the classes, students are stimulated to ask questions and to participate actively.
- Group work: students have to prepare a paper on a topical issue related to the law of the sea in small groups.
- Peer teaching: students present the paper to their peers during class, followed by a group discussion.

Learning materials and price

- Slides [free of charge; on Ufora]
- UN Convention on the Law of the Sea 1982 [free of charge; on Ufora]

References

- Tanaka, Y., *The International Law of the Sea*, Cambridge University Press, 2023, 650 p.
- Rothwell, D.R., Oude Elferink, A.G., Scott, K.N. & Stephens, T. (eds.), *The Oxford Handbook of the Law of the Sea*, Oxford University Press, 2015, 850 p.
- Attard, J.D. (ed.), *The IMLI Manual on International Maritime Law - Vol. I. The Law of the Sea*, Oxford University Press, 2014, 723 p.
- Churchill, R., Lowe, V. & Sander, A. (eds.), *The Law of the Sea*, Manchester University Press, 2022, 968 p.

Course content-related study coaching

- Students can contact the lecturer or assistant through e-mail if they have questions or require additional explanation.
- Instructions on the paper and presentation, as well as a list of suggested topics, are provided on Ufora.
- Information regarding the exam (including an explanation of the types of questions and a number of examples) is provided during class.

Assessment moments

end-of-term and continuous assessment

Examination methods in case of periodic assessment during the first examination period

Written assessment with open-ended questions

Examination methods in case of periodic assessment during the second examination period

Written assessment with open-ended questions

Examination methods in case of permanent assessment

Presentation, Assignment

Possibilities of retake in case of permanent assessment

examination during the second examination period is possible

Extra information on the examination methods

- Written exam: evaluation on the basis of a variety of open questions to assess knowledge and insight.
- Assignment: evaluation of the paper in terms of insight and analysis, critical input, structure, bibliography and citation, style and formalities.
- Presentation: evaluation of the presentation in terms of insight and analysis, structure, presentation skills and personal opinion.

Retake possibility paper and presentation: students can redraft the paper or submit a new one, followed by a presentation before the lecturer and assistant.

Calculation of the examination mark

- Written exam: 50%
- Paper: 25%
- Presentation: 25%

Facilities for Working Students

In accordance with Education and Examination Code