

Marine Policy and Governance (C003870)

Course size	<i>(nominal values; actual values may depend on programme)</i>			
Credits 3.0	Study time 75 h	Contact hrs	30.0h	
Course offerings and teaching methods in academic year 2022-2023				
A (semester 1)	English	Gent	lecture	25.0h
			seminar: coached exercises	5.0h

Lecturers in academic year 2022-2023

Willaert, Klaas RE22 lecturer-in-charge

Offered in the following programmes in 2022-2023

	crdts	offering
International Master of Science in Marine Biological Resources	3	A
Master of Science in Environmental Science and Technology	3	A

Teaching languages

English

Keywords

Law of the sea, maritime zones, shipping activities, natural resources, marine environment, marine spatial planning

Position of the course

Marine policy and governance is driven by international law, politics and economics. This course explains those drivers and their interactions, shortcomings and challenges. It provides knowledge and understanding of the international legal regime dealing with the oceans and seas, as well as their various uses. The spatial division in distinct maritime zones is discussed and specific attention is paid to the rules and principles on the protection of the marine environment and its natural resources, the international organisations involved and the current state practice. 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

Marine governance and policy has its basis in the law of the sea, supplemented by other fields of international law (environmental law, biodiversity law, ...) that are directly or indirectly applicable to the oceans and seas. Numerous instruments are relevant and various international and regional organisations are involved, resulting in a fragmented whole. This course starts off with a general introduction to international law, as well as an overview of the different functions of the oceans and seas. Following a brief discussion on the history of the law of the sea and the main developments, the determination of baselines and the different maritime zones (internal waters and ports, territorial sea, contiguous zone, EEZ, continental shelf, high seas, the Area) are discussed, including an analysis of their legal status, delineation and delimitation, the rights of states and the jurisdiction within each of these. Different functions and activities are covered and the course focuses in-depth on the exploitation of natural resources (fisheries, non-living resources, ...) and marine environmental protection, covering general principles and mechanisms of international environmental law (principle of prevention, precautionary approach, polluter pays principle, EIA, ...) and zooming in on specific sources (land-based pollution, dumping, vessel-source pollution, pollution from seabed activities), aspects (prevention, remediation, liability) and issues (marine casualties, operational discharges, ballast water treatment, harmful anti-fouling, greenhouse

gases, ...). In the end, an interactive game regarding marine spatial planning, under guidance of experts, is played to apply the rules and principles of the law of the sea and marine governance in practice.

Initial competences

Having a general interest in the oceans and seas, as well as a willingness to develop a multidisciplinary and critical attitude

Final competences

- 1 Having knowledge of marine governance mechanisms and international legal rules regulating the various uses of the oceans and seas
- 2 Understanding the legal system of the law of the sea, how this works within the international community and which governmental organisations are involved
- 3 Critically assessing international marine governance from a multidisciplinary perspective
- 4 Evaluating actual cases at sea within the framework of the law of the sea

Conditions for credit contract

Access to this course unit via a credit contract is determined after successful competences assessment

Conditions for exam contract

This course unit cannot be taken via an exam contract

Teaching methods

Lecture, Seminar: coached exercises

Extra information on the teaching methods

- Lecture: during the courses, students are stimulated to ask questions and to participate actively.
- Coached exercises: students apply what they have learned during the lectures (different maritime zones, rights and duties of states, exploitation of natural resources, marine environmental protection, ...) by developing a marine spatial plan within the context of an interactive board game.

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, 2019, 557 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, Oxford, 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.
- Ehler, C. N. & Douvère, F., *Marine Spatial Planning. A Step-by-Step Approach toward Ecosystem-based Management*, UNESCO, 2009, 99 p.
- Ehler, C. N., *A Guide to Evaluating Marine Spatial Plans*, UNESCO, 2014, 84 p.

Course content-related study coaching

- Students can contact the lecturer or assistant through e-mail if they have questions or require additional explanation.
- 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 examination with open questions

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

Written examination with open questions

Examination methods in case of permanent assessment

Participation

Possibilities of retake in case of permanent assessment

examination during the second examination period is not possible

Extra information on the examination methods

- Written exam based on a variety of open questions to assess knowledge and insight.
- Evaluation of the active participation of the student during the MSP game.

Calculation of the examination mark

- Written exam: 80%
- MSP game: 20%