

## Law of the Sea and Protection of Oceans (C002500)

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

Credits	3.0	Study time	90 h	Contact hrs	39.0 h
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Course offerings and teaching methods in academic year 2018-2019

A (semester 1)	English	lecture	38.75 h
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Lecturers in academic year 2018-2019

Maes, Frank	RE06	lecturer-in-charge
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Offered in the following programmes in 2018-2019

	crdts	offering
<a href="#">Master of Science in Marine and Lacustrine Science and Management</a>	3	A

Teaching languages

English

Keywords

International law, law of the sea, protection of oceans and seas

Position of the course

General description of the objectives: Providing understanding of the international legal rules dealing with the use of the sea, its natural resources and the environmental protection of seas. To provide knowledge of the international legal norms and standards with respect to various activities that can take place within the marine environment. To provide in depth knowledge concerning international principles and rules to protect oceans and seas, the international organizations involved and the application of those principles and rules in state practice. Learn to assess critically the developments of international norms and standards in order to evaluate the relation between the law of the sea and the economical, political and security aspects involved.

Contents

The course starts with a general introduction to international environmental law and law of the sea. The legal status of the various maritime areas will be extensively dealt with (internal waters, territorial sea, EEZ, high seas...). An analysis will be made of some functional elements, such as fisheries, pollution, navigation, passage through international straits. The legal status of natural non-living resources, sovereignty and sovereign rights of states will be explained. After the exploitation rights, the accompanying duties will be dealt with. Focus is on general principles of international environmental law: the duty to prevent pollution/damage, the precautionary principle/approach, the polluter pays principle, sustainable development/management, common but differentiated responsibilities, the duty to consult and to inform. Finally, specific rules to protect oceans and seas will be explained in depth based on the sources (rivers, air, ships, dumping, ...) and threats (climate change), as well as civil liability rules and compensation for damage in case of shipping accidents at sea

Initial competences

There are no specific prerequisites save those that follow from obtaining a master's degree and the willingness and interest to develop a multidisciplinary, scientific and critical attitude.

Final competences

- 1 Knowledge of international legal rules regulating the use and the protection of the sea in all of its aspects.
- 2 Understanding the legal system of the law of the sea and the protection of oceans and seas, including how this works within the international community.
- 3 Legal assessment of actual occurrences at sea within the framework of the law of the

sea and international environmental law.

#### 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

#### Extra information on the teaching methods

Ex cathedra and additional documentation material on MINERVA. Guest lecturers for specific themes.

#### Learning materials and price

- Tanaka, Y., The International Law of the Sea, Cambridge University Press, 2015 (second edition), 470 p. (Cost: € 55).
- Law of the Sea Convention (10 december 1982) – pdf op MINERVA (fre of charge)
- Power points ter ondersteuning van de lessen – op MINERVA (free of charge)

#### References

- Attard, J.D. (ed.), The IMLI Manual on International Maritime Law. Vol. I. The Law of the Sea, Oxford University Press, 2014, 723 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.

#### Course content-related study coaching

Stduents can contact the assistant available for additional explanations.

#### Evaluation methods

end-of-term evaluation

#### Examination methods in case of periodic evaluation during the first examination period

Oral examination

#### Examination methods in case of periodic evaluation during the second examination period

Oral examination

#### Examination methods in case of permanent evaluation

#### Possibilities of retake in case of permanent evaluation

not applicable

#### Extra information on the examination methods

Open questions with the opportunity for a short written preparation.

#### Calculation of the examination mark

100% oral exam