

JUR-3050 General Law of the Sea

Type of course

The course is part of the Master of Laws (LL.M) in Law of the Sea programme, cf. Programme description for Master of Laws (LL.M) in Law of the Sea.

Students at the five year integrated master's degree programme in law (Master i rettsvitenskap) may choose this course as a partial fulfilment of the requirements for the elective part of the programme's fifth year, cf. Studieplan for graden Master i rettsvitenskap ved UiT med tilhørende fagbeskrivelse for 5. avdeling.

Followed by necessary application and admission process, other students on master level may also choose this course.

Course content

The course covers the following topics:

- ~~A general overview of the different maritime zones (internal waters, territorial sea, archipelagic waters, contiguous zone, exclusive economic zone (EEZ), continental shelf, high seas and the Area);~~
- ~~The principles and procedures for the delimitation of overlapping maritime zones and the establishment of the outer limits of the continental shelf;~~
- ~~The substantive regimes for the uses of these maritime zones, in particular the exploitation of marine resources, navigation, marine scientific research and military uses and the appurtenant rights and obligations of coastal states and other states and the role of competent international organizations therein;~~
- ~~Attention will also be paid to the role of international dispute settlement in the law of the sea, in particular the mechanism laid down in the United Nations Convention on the Law of the Sea (LOS Convention).~~
- ~~The course also provides an introduction to the topics that will be further discussed in the continuation course JUR-3054. This will facilitate participation in JUR-3054.~~
 - Historical development, key institutions, and instruments of the law of the sea

- Maritime areas under coastal State jurisdiction (internal waters, the territorial sea, archipelagic waters, the contiguous zone, the exclusive economic zone (EEZ), the continental shelf, and the extended continental shelf)
- Maritime areas beyond coastal state jurisdiction (the high seas and the Area)
- The rights and duties of the coastal, flag, and port State in the different maritime zones
- Maritime delimitation and the establishment of the outer limits of the continental shelf beyond 200 nautical miles
- The role of dispute settlement in the law of the sea

Objectives of the course

Knowledge: Having passed the exam, the student shall have acquired:

- Advanced knowledge of the various maritime zones and their legal status;
- Advanced knowledge of the rights and duties of the coastal, flag and port State in the different maritime zones and jurisdiction of coastal states and restrictions thereon within their maritime zones;
- Knowledge of the principles for the delimitation of maritime zones and delineation of the outer limits of the continental shelf beyond 200 nautical miles;
- Knowledge of international dispute settlement and the dispute settlement procedures under the 1982 Law of the Sea Convention
- ~~Advanced knowledge on the rights and jurisdiction of states and restrictions thereon in areas beyond national jurisdiction (high seas and the Area);~~
- ~~Advanced knowledge on the rights and freedoms of states relating to navigation and their limitations;~~
- ~~Specialised knowledge on rights and obligations on the conservation and management of living marine resources (both commercially and non-commercially exploited species);~~
- ~~Specialised knowledge on rights and obligations (both procedural and substantive) on the protection and preservation of the marine environment under the law of the sea;~~
- ~~Knowledge on the dispute settlement procedures and on the rules on marine scientific research;~~
- ~~Specialised knowledge on the legal regime for seabed and subsoil beyond national jurisdiction;~~
- ~~Knowledge on the history of law of the sea and conservation of marine biological diversity;~~
- ~~Knowledge on rules on military uses of the sea.~~

Skills: ~~and general qualifications:~~ Having passed the exam, the student will be able to:

- ~~Be able to identify and analyse questions of theoretical and practical character in General Law of the Sea~~
- ~~Be able to independently and critically apply the sources of General Law of the Sea~~
- ~~Be able to identify the limitations of existing law~~
- ~~Be able to use English terminology with this field of law~~
 - Analyse jurisdictional conflicts that can occur in the different maritime zones as well as potential problems deriving from overlapping maritime zones
 - Critically evaluate State practice vis-à-vis rules and obligations of the law of the sea
 - Identify and interpret the relevant sources of the law of the sea, using the rules on treaty interpretation
 - Apply legal methodology in analysing law of the sea questions
 - Apply theoretical and practical reasoning to formulate appropriate responses to different law of the sea problems (e.g., jurisdictional conflicts, overlapping maritime zones)

General competence: Having passed the exam, the student will be able to:

- Identify and analyse law of the sea questions of a theoretical and practical character
- Communicate effectively, both orally and in writing about law of the sea questions and with proper use of relevant legal methodology and terminology
- Demonstrate the ability to work independently as well as the ability to cooperate and effectively work as part of a team

Teaching methods

The teaching consists of a combination of lectures and seminars, comprising a total of 30 hours. The students are expected to be prepared and active during both the lectures and the seminars, including by engaging in discussions on the prescribed material. They may also be asked to prepare papers and give presentations during the seminars. Students are expected to study independently in periods when there are no lectures or seminars.



Admission requirements

Other applicants must hold a bachelor's degree of at least 180 ECTS credits, comprising or in combination with at least 80 ECTS credits in either law or in a relevant social science subject (for example, in Political Science (e.g., international relations or peace and conflict studies)) or Maritime Studies (e.g., maritime policy, marine management, maritime history, maritime security, ship and port management, or nautical studies).

Admitted students should have basic knowledge of public international law.

Examination

School exam, 6 Hours (A–E, fail F)

Coursework requirements:

Take-home assignment (Approved/not approved)

More info about the coursework requirements: The students admitted to the course are required to hand in a written assignment and have it accepted as adequate before they can take the exam. The written assignment shall not exceed 10 pages.