



**Evaluation Report**  
**Masters of Laws (LL.M.) in Law of the Sea programme**

**February 2016**

## Executive summary

The following is a report (the Report) concerning an evaluation of the Master of Laws (LL.M.) in Law of the Sea programme (the Programme) administered by the Faculty of Law (the Faculty) at UiT – The Arctic University of Norway (UiT). The purpose of the Report is to appraise and evaluate the Programme, and is authored by the Evaluation Group, in accordance with their mandate as established by the Academic Affairs Committee. The Evaluation Group consists of five members, each appointed by the Vice-Dean of Teaching: Signe Veierud Busch, Seamus Ryder, Richard Caddell, Lene Emilie Øye and Ingvild Stock-Jørgensen.

In this Report, and in evaluating the Programme, a number of methods, criteria and other points of reference have been relied upon, including:

- assessing whether the Programme meets criteria laid out in relevant regulations;
- taking into account available student feedback and previous student results from the Programme;
- drawing on members of the Evaluation Group's first-hand experience and knowledge of the Programme;
- and, to a lesser degree, employing comparative perspectives and experiences regarding other similar educational programmes, both within Norway and internationally.

Following an introduction, the Report presents each of the individual courses in the Programme, with a brief description of the content and objectives, teaching, and assessments of each course. The Report then presents the various findings of the Evaluation Group. These consist of reflections and recommendations related to a broad range of issues of concern to the overall Programme as a whole, as well as reflections and recommendations related to aspects of individual courses within the overall Programme. Finally, the Report offers a conclusion, including a summary of the Evaluation Group's main recommendations.

These main recommendations are as follows:

- Maintain the Programme's unique and specialized focus on law of the sea and, in particular, associated Arctic legal issues;
- Maintain the Programme's connection to the K.G. Jebsen Centre for the Law of the Sea (JCLOS);
- Maintain the overall structure of the Programme in its current form, including by keeping the majority of courses in the Programme closed and exclusively for Programme students, with the exception of JUR-3050, which should remain open for external candidates.
- Increase the amount of resources available for teaching and administration of the Programme, including by setting aside a separate allotment of hours for writing courses and other activities, such as the Moot Court exercise; developing clearer routine descriptions; and crediting both the Programme Director and all members of the Exam Committee with more hours for discharging their respective responsibilities;
- Introduce a mandatory information meeting; an online introduction course; a mandatory oral presentation linked to JUR-3910 Master's Thesis in Law of the Sea; and a mandatory writing course in advance of the Master's thesis;
- Record all regular lectures in the Programme, and make these available as podcasts for students on Fronter;
- In addition to furnishing *all* writing courses with increased teaching hours, set aside from the regular teaching hours in each course, make the hand-ins for both Writing

Course I and II mandatory assignments, and requirements for writing the exams in JUR-3050 and JUR-3052, respectively;

- Further develop the diversity of assessment methods featured in the Programme, including by exploring options to make the Moot Court Exercise a formal method of assessment in JUR-3054;
- Update the curriculum of all courses in the Programme annually, and particularly in the case of JUR-3052 and JUR-3053, which are in immediate need of updating.
- Revise the list of accepted auxiliary material for exams to contain only one alternative – preferably “Global and Regional Treaties” edited by Ole Kristian Fauchald and Bård Sverre Tuseth;
- Update the Programme description and all individual course descriptions;
- In relation to JUR-3050, make adjustments to the teaching schedule and improve preparation of reading-plans;
- In relation to JUR-3054, rename the title of the course to better reflect its content and objectives; consider revising the selection of topics and material addressed; and explore options to make the Moot Court a formal method of assessment in the course;
- In relation to JUR-3052, appoint a new Evaluation Group to conduct a detailed review of the course; and incorporate a mandatory hand-in as a requirement for the exam, in connection with Writing Course II;
- In relation to JUR-3053, maintain the overall content and design of course, but update the curriculum on an annual basis; and maintain the excursion to Svalbard as an integral component of the course, and in doing so, strengthen cooperation with UNIS;
- In relation to JUR-3910, develop teaching and training preparing students for writing the Master’s thesis, including by introducing a mandatory writing course of at least 10 hours, dealing with topics such as methodology; introduce, maintain, and continuously update a “theme-bank” for Master’s thesis topics; formalize guidelines for both supervisors and censors of the Master’s thesis;
- Consider whether current admission requirements for the Programme are still appropriate;
- Adopt a clearer strategy for the recruitment of students to the Programme; and
- Improve methods and routines for obtaining student feedback; better ensure that instructors can readily obtain such feedback; and regularly maintain records of student feedback across all years of the Programme.

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# **1. Introduction**

The Master of Laws (LL.M.) in Law of the Sea programme (the Programme) was established in 2008. Since then, there have been traditional evaluations of the individual courses that form the Programme, but not of the Programme as a whole. The Academic Affairs Committee therefore decided that it is both necessary and useful to evaluate the Programme in its entirety. The timing for this evaluation is also appropriate, since the university board has recently decided to review all study programs with fewer than 20 registered students: as discussed below, the Programme has characteristically experienced small class sizes and limited enrolment, although recent years have seen considerable increases in this regard.

## **1.1 Mandate**

The Academic Affairs Committee has established the mandate for evaluating the Programme, and has authorized the Vice-Dean to appoint members to an Evaluation Group. The Evaluation Group's mandate is to appraise and evaluate the Programme, based on past experiences and previous student evaluations. The mandate provides some steering as to the main themes of and areas of interest for the evaluation: namely courses, mandatory assignments, teaching methods, exams, admission requirements, recruitment, dimensions, and resources.

## **1.2 Evaluation Group**

The Evaluation Group consists of five members: Signe Veierud Busch, Seamus Ryder, Richard Caddell, Lene Emilie Øye and Ingvild Stock-Jørgensen. Each member contributes different experiences and perspectives to the evaluation.

Signe Veierud Busch is a Postdoc at the K.G. Jebsen Centre for the Law of the Sea (JCLOS) at UiT – The Arctic University of Norway (UiT), and Programme Director of the LL.M. Programme. She has been a researcher at the Faculty of Law (the Faculty) since 2009, and teaches courses in the law of the sea and public international law, in addition to several writing courses within the LL.M. Programme. In the LL.M. Programme, she has been acting as teacher, supervisor, examiner, head of the examination committee, and now as Programme Director.

Seamus Ryder is a Research Fellow (Stipendiat) at JCLOS, UiT, and is also an alumnus of the LL.M. Programme (2012-13). He has taught in the LL.M. Programme since 2014, and was responsible for administering the Moot Court exercise within the framework of JUR-3054

in Fall 2015. In addition to teaching within the Programme, he has acted as an exam and thesis censor, and a member of the Examination Committee.

Dr. Richard Caddell is a Senior Research Associate and Nippon Foundation Senior Nereus Fellow at the Netherlands Institute for the Law of the Sea. He has over ten years of teaching experience and in running postgraduate courses in international maritime law at a number of UK universities and has regularly acted as an exam and thesis censor for the LL.M. Programme at UiT since 2008.

Lene Emilie Øye is International Coordinator at the Faculty, UiT. She has had administrative responsibility for the LL.M. Programme since Spring 2015.

Ingvild Stock-Jørgensen is an adviser at the Faculty, UiT, and she is the Faculty's representative to UiT's resource group for study programmes and study plans. This role entails providing support and advice to the staff at the Faculty when study programmes and/or study plans are being created, discontinued or changed.

### **1.3 Methodology**

In evaluating the Programme, a number of methods, criteria and other points of reference have been relied upon. First, the LL.M. Programme must correspond with several relevant regulations: "Forskrift om tilsyn med utdanningskvaliteten i høyere utdanning" provides different requirements for education in Norway, and demands that study programs must be in accordance with the Norwegian Qualifications Framework for Lifelong Learning. "Forskrift om krav til mastergrad" establishes admission requirements for acceptance and entry into studies at master level. The Evaluation Group has therefore assessed the LL.M. Programme on the basis of these regulations and the specific requirements they provide. Where it is uncertain whether the Programme is meeting particular requirements, the Evaluation Group has factored this into their recommendations.

In addition, a qualitative and quantitative analysis of student feedback and previous results of both exams and Master's theses have been important factors in this evaluation. Student feedback offers a first-hand account of how participants view and evaluate various aspects of the LL.M. Programme, offering value and insight for the purpose of this evaluation. However, it should also be noted that in many aspects this feedback is limited – it is not available for all years of the Programme; for all courses; and the quality and depth of the feedback is also quite variable. Despite this, the Evaluation Group has analyzed all available past feedback and attempted to consolidate main trends, patterns and commonalities based on this analysis, and this report has attempted to take these into account. Similarly, the Evaluation

Group analyzed past results from exams and Master's theses completed in connection with the LL.M. Programme, primarily with a view to determining whether learning outcomes have been achieved and if the various courses, assessments and exercises are equipping candidates with the knowledge, skills and competencies required to succeed in the Programme.

To a lesser degree, some comparative perspectives and experiences have been employed. Where appropriate and applicable, in evaluating the LL.M. Programme, the Evaluation Group has looked to other similar educational Programmes, both within Norway and internationally. Such comparative methods have only been minimally relied on, however, in light of the uniqueness of the LL.M. Programme (see below) and the similarly unique context in which it is situated. The Evaluation Group has adopted the common view that it is paramount to focus on what works best in the context of the LL.M. Programme itself, recognizing that each and every other Programme involves different contexts or circumstances.

#### **1.4 General description of the Programme**

The Programme aims to equip candidates with the knowledge, skills and competencies needed to hold positions dealing with law of the sea issues. Following the first course in General Law of the Sea, the courses in the Programme offer a specialized focus within different topics of this area. This makes it possible for the candidates to learn about different elements and applications of the law of the sea, and to obtain a firm educational foundation on the overarching principles of this subject. From a global perspective, the Programme is unique. It is the only existing master's programme with a pure focus on the law of the sea. Further, it is one of the only programs worldwide to focus on Arctic legal perspectives and issues. Whilst other programs also deal with law of the sea or Arctic issues, they most commonly combine these with studies on public international law, more generally, or maritime law, diminishing their focus on these priority areas.

The LL.M. extends over three semesters, or roughly one calendar year. The Programme is currently structured as four 15 ECTS courses, and one 30 ECTS Master's thesis, for 90 ECTS, in total. The courses 'JUR-3050 General Law of the Sea' (JUR-3050) and 'JUR-3054 General Law of the Sea II' (JUR-3054) are delivered in the Fall semester, and the courses 'JUR-3052 Law of the Sea and Marine Biodiversity' (JUR-3052) and 'JUR-3053 Law of the Sea and the Arctic' (JUR-3053) are delivered in the Spring semester. The Master's thesis is written by the candidates in the Summer semester and handed in on September 1<sup>st</sup> of each year, under the framework of 'JUR-3910 Master's Thesis in Law of the Sea'.



The teaching of the 15 ECTS courses is organized in a similar fashion to the regular courses in the fifth year of the ordinary Master program in Law at the Faculty. This means that 30 teaching hours are allocated within each course, representing a combination of lectures and seminars, including oral presentations and moot court exercises.

### **1.5 Structure and outline**

Following this introduction, in ‘Courses’, each of the individual courses in the LL.M. Programme are presented, with a brief description of the content and objectives, teaching, and assessments of each course. The Evaluation Group has also attempted to account for relevant student feedback within these descriptions. The next part of the Report, ‘Evaluation of the Programme and Courses’, presents the various findings of the Evaluation Group. This consists of corresponding discussions on ‘General reflections’ (reflections and recommendations related to a broad range of issues of concern to the overall Programme as a whole); and ‘Course-specific Evaluations’ (reflections and recommendations related to aspects of individual courses within the overall Programme). Finally, the Report offers a conclusion including a summary of the Evaluation Group’s main recommendations.

## 2. Courses

### 2.1 JUR-3050 General Law of the Sea

#### 2.1.1 Course content and objective of the course

JUR-3050 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 is also 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).

#### *Knowledge*

Having passed the exam for JUR-3050, the student shall have acquired:

- Advanced knowledge on the various maritime zones and their legal status;
- Advanced knowledge on the rights and jurisdiction of coastal states and restrictions thereon within their maritime zones;
- Advanced knowledge on principles for delimitation of maritime zones and delineation of the outer limits of the continental shelf;
- 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;
- Specialised 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 rules on military uses of the sea, the history of law of the sea and conservation of marine biological diversity.

#### *Skills and general qualifications*

Having passed the exam for JUR-3050, the student will:

- 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.

#### 2.1.2 Teaching

The course is organized in three intervals of teaching, comprising a total of 30 hours. First, the course and curriculum are introduced by a series of lectures. Second, there is a series of seminars. Third, the students attend a writing course where they must complete a mandatory hand-in exercise. The students are expected to be prepared and active during both the lectures and the seminars, 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.

#### *Lectures*

The lectures in JUR-3050 are delivered by Professor Erik Jaap Molenaar, who has 10 hours at his disposal for covering the most important topics in the curriculum. All 10 hours of lectures are generally delivered in a one- or two-week period at the start of the semester, when Professor Molenaar is visiting Tromsø from the Netherlands.

#### *Seminars*

The seminars are delivered by a staff member at JCLOS – currently, Associate Professor Elise Johansen. There are 20 hours of seminar teaching in JUR-3050. In the seminars, the teacher gives small, thematically appropriate mini-lectures, and the students work with theoretical and practical assignments at independently, in groups, and in plenary.

#### *Other activities*

As part of the seminar teaching in JUR-3050 General Law of the Sea, the students have an informal moot court exercise. In addition, the students have to participate in a writing course, resulting in a mandatory hand-in. This hand-in must be passed in order to be allowed to take the exam in JUR-3050 General Law of the Sea. A pass in this case is considered as equivalent to a D or better, using UiT's grading system as reference. The written assignment shall not exceed 5000 words.

#### 2.1.3 Method of assessment

The course is assessed through a six-hour written exam. The exam may include theoretical and/or scenario questions. The grading scale of A to F is applied, where F constitutes fail. Students who fail their examination are entitled to re-sit the exam (cf. Regulations for examinations at the University of Tromsø Sec.22).

As mentioned above, in order to be able to write this exam, the students admitted to the LL.M. Programme on Law of the Sea are also required to hand in a written assignment and have it accepted as adequate. Currently, this requirement is linked to a writing course conducted within the framework of JUR-3050 General Law of the Sea.

## **2.2 JUR-3054 General Law of the Sea II**

### 2.2.1 Course content and objective of the course

JUR-3054 covers the following topics:

- The principles and procedures for the delimitation of overlapping maritime zones and the establishment of the outer limits of the continental shelf;
- The principles of dispute settlement
- The regime for maritime scientific research
- Maritime security (piracy, terrorism and other crimes at sea)
- International security (maritime warfare, military uses at sea)

### *Knowledge*

Having passed the exam for JUR-3054, the student shall have acquired:

- Advanced knowledge on principles for delimitation of maritime zones and delineation of the outer limits of the continental shelf;
- Advanced knowledge on the principles of dispute settlement
- Advanced knowledge on the regime for maritime scientific research
- Advanced knowledge on maritime security (piracy, terrorism and other crimes at sea)
- Specialised knowledge on international security (maritime warfare, military uses at sea)

### *Skills and general qualifications*

Having passed the exam, the student will:

- 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

### 2.2.2 Teaching

JUR-3054 is organized in three intervals of teaching, comprising a total of 30 hours. First, the course and curriculum are introduced by a series of lectures. Second, the students are challenged to apply the course material through an intensive moot court exercise. Third, there is another series of lectures and seminars on additional topics. 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.

### *Lectures*

The Lectures in JUR-3054 are currently delivered by Professor Alex Oude Elferink and Professor Magne Frostad, who shares the hours and themes between them. Professor Oude Elferink gives a total of 10 hours of lectures, whilst Professor Frostad gives 10 hours of combined lectures and seminars. Professor Oude Elferink lectures on the topics maritime delimitation, dispute settlement and marine scientific research, typically over a one- to two-

week period while visiting from the Netherlands. Professor Frostad teaches the topics law enforcement, maritime security, piracy and military uses of the sea.

### *Seminars*

The seminars in JUR-3054 are given by Professor Magne Frostad, as described in the previous subsection.

### *Other activities*

As part of the teaching in JUR-3054 the students participate in a comprehensive Moot Court exercise, led by JCLOS staff members. There are 8 hours of teaching attributed to this part of the course. The Moot Court is designed to offer students with a good basic knowledge of public international law and the law of the sea the opportunity to deepen their knowledge through the in-depth and active study of a specific area, problem or current development in the law of the sea. The emphasis in the Moot Court is upon the active participation of the student.

Students are expected, working in teams (of two or three), to prepare and defend a written (counter-)memorial concerning an actual case pending (or discontinued) before the International Court of Justice or an arbitral tribunal. The cases are selected keeping in mind the topics that are being taught in JUR-3054. During the Moot Court students improve both their knowledge and their legal skills in public international law and the law of the sea by preparing writing a (counter-)memorial and presenting and defending these orally, as well as by discussing the presentations of their colleagues. The teaching method used in the Moot Court consists of a combination of an introductory lecture, several seminar sessions for the oral pleadings, and one seminar session for reviewing the pleadings in the individual cases and an evaluation of the Moot Court.

The Moot Court is not a mandatory exercise or requirement for JUR-3054, although in practice, the instructors treat it as such. At present, however, the participants receive no grades or other form of credit for participating in the exercise, and do so only on a voluntary basis.

### 2.2.3 Method of assessment

JUR-3054 is assessed through a six-hour written exam. The exam may include theoretical and/or scenario questions. The grading scale of A to F is applied, where F constitutes fail. Students who fail their examination are entitled to re-sit the exam (cf. Regulations for examinations at the University of Tromsø Sec.22). Presently, there are no other methods of assessment associated with the course.

## **2.3 JUR-3052 Law of the Sea and Marine Biodiversity**

### **2.3.1 Course content and objective of the course**

JUR-3052 addresses issues concerning the conservation and sustainable use of living marine resources and the protection and preservation of the marine environment and marine biodiversity. These issues are introduced in JUR-3050 General Law of the Sea, but are examined more in-depth in this course. Accordingly, JUR-3052 covers the following topics:

- The concept of sustainable development and principles under international environmental law defining the obligations for states to exploit the resources sustainably and to protect the marine environment;
- The obligations under the LOS Convention on the protection and preservation of the marine environment, including regional protection of the marine environment exemplified through the OSPAR Convention for the Northeast Atlantic Ocean;
- International law on the protection and preservation of marine biodiversity and the implications for traditional uses under the law of the sea (e.g. marine protected areas, ecosystem-based oceans management and marine spatial planning)
- Rights and obligations under law of the sea and international environmental law relating to the conservation of marine living resources (e.g. on marine mammals and introduction of invasive alien species);
- Trade-related measures to protect and preserve the marine environment and marine biodiversity and their consistency under international trade law (including World Trade Organization (WTO) instruments and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

### *Knowledge*

Having passed the exam for JUR-3052, the student shall have acquired:

- Advanced knowledge on the basic principles under international environmental law on conservation of living resources and protection of the environment;
- Advanced knowledge on the legal regime under LOSC for the protection of the marine environment;
- Advanced knowledge on the obligations on conservation of living marine resources and institutions established to implement them at international level

- Advanced knowledge on the obligations under international law on the conservation and sustainable use of biological diversity and its implications for the obligations under the law of the sea;
- Specialised knowledge on the relationship between protection of the environment and international trade law.
- Knowledge on the regime on trade in endangered species

#### *Skills and general qualifications*

Having passed the exam for JUR-3052, the student will:

- Be able to identify and analyse questions of theoretical and practical character in law of the sea and biodiversity
- Be able to independently and critically apply the sources of law of the sea and biodiversity
- Be able to identify the limitations of existing law
- Be able to use English terminology with this field of law

#### 2.3.2 Teaching

The teaching consists of a combination of lectures, seminars (including a writing course), comprising a total of 30 hours. Guest lectures on relevant natural science topics may be given. The students are expected to be prepared and active during the seminars in discussions of 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.

##### *Lectures*

The students receive 10 hours of lectures in JUR-3052, taught by a JCLOS staff member – currently, Professor Tore Henriksen. The lectures are delivered quite early in the spring semester - this year in weeks 2 and 3.

##### *Seminars*

A 10-hour series of seminars are given by Associate Professor Nele Matz-Lück, this year in week 7. This means there is a considerable time gap in the time between the lectures and the seminars. The other seminar hours are reserved for a writing course, discussed below.



### *Other activities*

In addition to the lectures and seminars, the students are offered a writing course – the second course of its kind in the Programme, overall. This writing course builds on the knowledge from the first writing course delivered within the framework of JUR-3050, and focuses in particular on methodology and argumentation. The writing course also draws upon the students' performances in the Fall semester exams, focusing on issues which were particularly challenging. Unlike the first writing course in JUR-3050, which is a mandatory requirement in the Programme, participation in the JUR-3052 writing course is voluntary.

In addition, as the *Arctic Frontiers* conference is held in Tromsø on an annual basis during the last week of January, students are encouraged to attend and participate in the conference, and the relevant week is typically kept free of other scheduled activities so that they may do so. Although this is not a formal component of the Programme, in practice, guest lectures are typically organized for the students featuring experts who are visiting JCLOS and attending the Arctic Frontiers conference.

#### 2.3.3 Method of assessment

The course is assessed through a six-hour written exam. The exam may include theoretical and/or scenario-based questions. The grading scale of A to F is applied, where F constitutes fail. Students who fail their examination are entitled to re-sit the examination, cf. regulations for examinations at the University of Tromsø Sec.22.

## **2.4 JUR-3053 Law of the Sea and the Arctic**

### 2.4.1 Course content and objective of the course

JUR-3053 is essentially a case study of Arctic law of the sea issues, building on issues and material introduced in all three previous courses, as described above. The course covers the following topics:

- The various maritime zones in the Arctic, their legal regimes and their consistency with international law;
- Disputes, baselines, claims to historic title over marine areas, unresolved maritime boundaries and the state of play on the establishment of the outer limits of the continental shelf;
- Other Arctic-specific disputes, such as the spatial scope of application of the Spitsbergen Treaty and the applicability of Article 234 of the United Nations

Convention on the Law of the Sea (LOS Convention) to marine areas off Canada and the Russian Federation in light of the regime of transit passage through straits used for international navigation;

- The existing international legal regime for the governance and regulation of the marine Arctic for specific sectors (e.g. navigation, marine capture fisheries and offshore hydrocarbon activities) and the mandate and output of international bodies in this regard (e.g. the International Council for the Exploration of the Sea (ICES), the International Maritime Organization (IMO), regional fisheries management organizations and arrangements (RFMOs/As), the OSPAR Commission and the Arctic Council);
- The adequacy of the current international legal regime for the governance and regulation of the marine Arctic in light of climate change and the increased human activity which it enables or could enable. In case the regime is determined to be inadequate, analyses will be made to determine which adjustments could be made in order to
  - prevent, reduce and control marine pollution;
  - ensure sustainable utilisation of marine living resources;
  - protect and preserve marine biodiversity;
  - deliver ecosystem-based oceans governance;
  - safeguard the rights and interests of Arctic indigenous peoples;

For each of these cases, separate attention will be devoted to

- The potential role and responsibility of different states and entities (Arctic and non-Arctic) in their capacities as coastal, flag or port states;
- The potential role of existing international bodies to deliver such adjustments;
- The need to establish new regional bodies.

### *Knowledge*

Having passed the exam for JUR-3053, the student shall have acquired:

- Advanced knowledge on the application of the regulations of law of the sea on entitlements to maritime zones to the Arctic Oceans and its seas;
- Advanced knowledge on the application of the legal regime under law of the sea and international law for the protection of the marine environment and conservation of living marine resources to the Arctic; including the role of relevant international bodies (e.g. IMO, Arctic Council and NEAFC);

- Advanced knowledge on the existing and potential jurisdictional disputes between Arctic states and between Arctic coastal states following increased use of the marine areas (e.g. shipping, fishing and petroleum activities) and their possible resolution;
- Advanced knowledge on the adequacy of existing legal framework for sustainable use of the Arctic Ocean and its resources and on strategies for strengthening of and other development of the framework;
- Advanced knowledge on the Svalbard Treaty and its implications for the legal status of the waters off the archipelago;
- Knowledge on Arctic indigenous peoples and their rights under international human rights to access and use maritime waters and their natural resources

#### *Skills and general qualifications*

Having passed the exam for JUR-3053, the student will:

- Be able to identify and analyse questions of theoretical and practical character related to the marine Arctic and apply the knowledge acquired during the previous to address them
- Be able to independently and critically apply the relevant sources of law
- Be able to identify the limitations of existing law
- Be able to use English terminology with this field of law

#### 2.4.2 Teaching

The teaching consists of a combination of lectures, seminars, and excursions comprising a total of 30 hours. Guest lectures on relevant natural science topics and international law may be given. The students are expected to be prepared and active during the seminars in discussions of 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.

#### *Lectures*

The lectures in JUR-3053 are delivered by several instructors, typically provided by a number of JCLOS researchers. The researchers give two-hour guest lectures on Arctic-related research topics, such as the European Union and the Arctic, Arctic Fisheries, Arctic Indigenous Peoples, navigation in the Arctic and hydrocarbon development in the Arctic. During the Svalbard

excursion, discussed below, the students also have traditional lectures from JCLOS staff members, in addition to a number of guest lectures from external guests.

### *Seminars*

The seminars are delivered, in part, as reading seminars - where the students read, present and discuss different articles relevant for the course (representing six hours) – and, in part, as traditional seminars, working on practical seminar assignments (at Svalbard).

### *Other activities*

As part of the teaching in JUR-3053, the students participate in an excursion to Longyearbyen, Svalbard. The excursion is not mandatory, but significant portions of the teaching in the JUR-3053 are only given on Svalbard, and there are no other student activities at Tromsø Campus during the time of the excursion. The excursion contributes to a more practical understanding of the topics. This is significant, as JUR-3053 itself is a practically oriented course, building on the learning outcomes of earlier courses (JUR-3050, JUR-3054 and JUR-3052). In JUR-3053 the students are challenged to use the knowledge they have acquired on a more practical issue – namely the specific challenges of the Arctic.

#### 2.4.3 Method of assessment

The course is assessed through a written home exam (5 days) and one oral exam. The grading scale of A to F is applied, where F constitutes fail. Students who fail their examination are entitled to re-sit the examination, cf. regulations for examinations at the University of Tromsø Sec.22.

## **2.5 JUR-3910 Master's thesis in Law of the Sea**

### 2.5.1 Course content and objective of the course

JUR-3910 engages students in legal research work, principally through completing a Master's thesis on relevant topics in law of the sea. The course builds on and is intended to develop the knowledge and skills acquired by the students during the previous courses of the programme, including the written assignments and methodological knowledge and skills. The purpose of the master's thesis is to provide the students with practice in processing and presenting larger legal or partly legal research questions, based on an independent analysis of themes and sources. In addition, the master's thesis shall provide students with an in-depth study of a particular

topic. The length of the Master's thesis must be of minimum 12,000 words and maximum 18,000 words.

### *Knowledge*

Having successfully completed the Master's thesis, the student shall have acquired:

- Advanced knowledge on processing and presenting larger legal or partly legal research questions
- Advanced knowledge in legal methodology in order to undertake independent analysis of theme and sources, including advanced knowledge on the use of references to legal sources
- Advanced knowledge within a particular theme within the law of the sea.
- Knowledge on ethical dilemmas in legal research

### *Skills and general qualifications*

Having successfully completed the Master's thesis, the student shall be able to:

- Identify, formulate and discuss legal research questions on the basis of a larger set of sources, including the ability to split research questions into several sub-questions.
- Apply legal sources in a critical and independent way.
- Argue in a transparent and as complete manner as possible, with precise and verifiable use of references.
- Produce a larger legal study on minimum 12 000 words and maximum 18 000 words.
- Distinguish between legal doctrine analyses and normative discussions in legal presentations, including critical review of applicable law and discussions of need for revisions.
- Present and communicate in writing legal arguments in a clear and precise manner to the academic community
- Identify and understand the societal relevance of the legal research questions to be investigated

### 2.5.2 Teaching

It follows from the course description that the teaching in JUR-3910 includes both lectures and seminars. However, in practice, such teaching is limited to a mandatory course in which

students are provided with an introduction to writing a major research paper and scientific methodology. The course consists of just two hours of lectures and two hours of seminars.

The theme of the thesis must be of a legal or semi-legal character, and may include perspectives such as legal theory and legal history. The thesis must consist of independent analyses of the topic and the legal sources available. The thesis shall provide the student with an in-depth study of a particular topic. The discussion within thesis must be transparent and as complete as possible. The references to the sources must be precise and verifiable. The topic must be approved by the Faculty. The students must hand in a topic proposal by April 15th. The program director approves the topics and appoints supervisors for the students. In August, the program director suggests examiners for the master's theses. The Master's thesis must be of minimum 12,000 words and maximum 18,000 words.

The students are entitled to 19 hours of supervision during the writing of the master's thesis. At this point, the current *Regulations for the Masters of Laws in Law of the Sea Program* are not updated; see section 15 on academic supervision.

### 2.5.3 Method of assessment

The main method of assessment in JUR-3910, is the Master's thesis, which students are required to write and submit within a fixed deadline. The theme of the thesis must be of a legal or semi-legal character, and may include perspectives such as legal theory and legal history. The thesis must consist of independent analyses of the topic and the legal sources available. The thesis shall provide the student with an in-depth study of a particular topic. The discussion within thesis must be transparent and as complete as possible. The references to the sources must be precise and verifiable. The Master's thesis must be of minimum 12,000 words and maximum 18,000 words.

As stated, before students can submit their thesis for examination, they are required to have attended the introductory course. Exemption from the course may only be granted in special circumstances, based on a written application to the Faculty. The topic must be approved by the Faculty, and the students must hand in a topic proposal by April 15<sup>th</sup> in the corresponding academic year. The Programme Director subsequently approves the topics and appoints supervisors for the students. The students are entitled to 19 hours of supervision during the writing of the Master's thesis. On this point, the Evaluation Group observes that the current *Regulations for the Masters of Laws in Law of the Sea Program* are not updated; see section 15 on academic supervision.

In August, the Programme Director appoints censors to assess the Master's theses. A submitted Master's thesis is assessed by two censors, of which at least one is external. The candidate's academic supervisor cannot be one of the censors. The grading scale of A to F is applied, where F constitutes fail, with reference to Section 35 of the Regulations for examinations at the University of Tromsø, as well as supplementary descriptions adopted by the Faculty Board on 11.06.03 (JF 41/03). Students who fail their examination are entitled to re-submit the Master's thesis, cf. regulations for examinations at the University of Tromsø, Section 22.

### 3. Evaluation of the Programme and courses

#### 3.1 General reflections

With the above understanding of the Programme and its constituent courses in mind, the Evaluation Group has identified both positive and negative aspects of the LL.M. Programme in general.

First, this is the only programme, in both national and international contexts, which awards candidates with an LL.M. specifically focused on law of the sea. As stated in the introduction, other postgraduate programs address this field of study in the broader context of general international law or other specialist subjects, such as environmental or maritime law. The Programme is therefore unique in providing teaching and legal training focused on a range of themes and topics concerning the law of the sea, as well as an unprecedented degree of depth in this subject. In addition, the Programme has an Arctic focus, which further enhances its uniqueness and topicality – particularly in light of its location in Tromsø and Norway's High North, as well as the strong links between study topics and UiT's priority areas (see *Strategic plan for UiT The Arctic University of Norway 2014-2020* at <[https://en.uit.no/om/art?p\\_document\\_id=377752&dim=179033](https://en.uit.no/om/art?p_document_id=377752&dim=179033)>).

Although the uniqueness of the Programme should be viewed as a strength, it can also be seen as a reason for the relatively small number of applicants and participants: its specialized focus inevitably narrows the pool of interested students. It is nevertheless expected to continue to attract strong, motivated candidates, interested in specializing in law of the sea. However, there is likely a lot to gain in this regard from a clearer strategy for recruitment of new candidates for the Programme, as discussed below.

Second, a further main strength of the Programme is its connection to JCLOS, which is a research centre located at the Faculty, and is quickly establishing itself as a worldwide leader in law of the sea research. Although the Faculty – not JCLOS – is formally responsible for the LL.M. Programme, the Programme still benefits from the JCLOS' specialist resources. For example, JCLOS staff are responsible for the teaching in the LL.M. In addition to the lectures and seminars, the connection to the JCLOS also facilitates further exchanges and dialogues between the staff and students. JCLOS invites the students to participate in various workshops and its annual Centre Days. During the latter, a number of leading international law of the sea researchers visit the Centre to evaluate the work of the Centre, and participate in workshops. These visiting researchers at the Centre provide guest lectures to students in the Programme, as



a supplement to the ordinary teaching. By attending these kinds of activities, the students are able to build and expand their network within the international law of the sea academic environment and meet with world leading researchers within the field. In their feedback, the students express that they highly value this aspect of the Programme, and would like an even stronger connection to JCLOS during their studies.

### **3.2 Programme structure**

The Evaluation Group finds that the overall structure of the Programme is satisfactory. In reaching this conclusion, the Evaluation Group has considered whether the size and weight (in terms of ECTS per course) of the courses in the Programme (being 15 and 30 ECTS, respectively) is appropriate. In this regard, it can be noted that other Norwegian universities and a majority of universities abroad organize their teaching in 10 credit courses, which, from this perspective, would be inconsistent with the size of the majority of courses in the Programme. However, in both the Programme and other university programmes, students typically complete 30 ECTS a semester – in the Programme, this is the case because students either complete *two* 15 ECTS courses, or *one* 30 ECTS course, a semester; in other university programmes, students complete either *three* 10 ECTS courses, or *one* 30 ECTS course a semester. Therefore, in terms of the total number of ECTS awarded a semester, the Programme is consistent with the general trend among other university programmes.

Moreover, the courses in the Programme are organized in the same manner as the other elective courses in the 5<sup>th</sup> year of the ordinary law degree programme at the Faculty (Master i rettsvitenskap). This allows students in the ordinary law degree programme to register for JUR-3050, which is open for students not admitted in the LL.M. Programme, and ensures law students at UiT the unique possibility of integrating law of the sea in their master's degree. As will be returned to, JUR-3050 contributes to the recruitment of programme students, and therefore it would be undesirable to have a programme structure was not in line with the structure of the other elective courses in the Faculty. On this basis, the Evaluation Group recommends that the size and weight of the courses in the Programme, in terms of ECTS per course, be maintained.

It has also been observed that some student feedback has recommended that the third semester (Summer semester) should be made longer, in order to allow more time to work on the master's thesis. The LL.M. Programme is a 90 ECTS programme, equivalent to 1,5 years workload, but currently completed in one calendar year. Here it is noted that both the intensiveness and accelerated nature of the Programme is promoted as one of its advantages,

both to recruit foreign students, but also to attract Norwegian students to the Programme. For example, the current structure of the Programme allows Norwegian students in the ordinary law degree programme to register for the LL.M. Programme in their 5<sup>th</sup> year of law studies, rewarding them concurrently with two Master's degrees upon completing the Programme by 1<sup>st</sup> September, in the same year and time that their fellow students in the ordinary Master's degree programme would be completing a single Master's degree. If the LL.M. Programme were to be administered over 1,5 calendar years (rather than one, as it is currently administered), this would be expected to negatively affect the recruitment of Norwegian students. Further, a number of our international students are on leave from their ordinary positions in their home country while they complete the Programme in Tromsø. If the duration of the Programme was extended, this could affect such students' ability to participate in the Programme. The Evaluation Group therefore recommends that the Programme remains an intensive and accelerated course of study, assigning 90 ECTS over the course of one calendar year. The challenges of short semesters and a perceived lack of time are better addressed in another manner.

The Evaluation Group has also discussed whether the courses in the Programme should be open for external students – namely, those who are not registered to study in the Programme in its entirety. Currently, only the JUR-3050, the introductory course in the Programme, is open to students who are not registered in the Programme. In respect of JUR-3050, in particular, it is observed that a number of our LL.M. students have taken JUR-3050 as an elective course at an earlier stage. This usually applies to one or two students every year. This demonstrates that JUR-3050 is an appropriate course to keep as an open course, as it in fact contributes to the recruitment of future programme students.

In contrast to JUR-3050, none of the other courses in the Programme are open for external students. One advantage of opening several courses in the Programme for other students is that this could likely attract a higher number of exchange students to the Faculty. On the other hand, it could also undermine the Programme, as the Programme would then come across as less exclusive. Students could then pick and choose amongst the Programme courses, reducing the incentive to apply and register in the Programme in its entirety, and thus reducing the number of students graduating from the Programme. It should also be noted that the Faculty currently offers a number of 15 ECTS elective courses, and exchange students have a variety to choose from without opening courses in the Programme. If a student wishes to study law of the sea exclusively, they should be required to apply for admission to the LL.M. programme.

Moreover, students in the Programme are required to pass the exams in JUR-3050 and JUR-3054 in order to in order to register for JUR-3052 and JUR-3053 in the Spring semester and therefore continue in the Programme. The reason for this is that JUR-3052 and JUR-3053 are courses that require certain background knowledge in the law of the sea, and the participation in JUR-3050 and JUR-3054 ensures that the students possess the required minimum knowledge. If these Spring semester courses were open for students outside the Programme, this may be perceived as unfair for Programme students who risk being denied access to the same courses due to insufficient background knowledge in the law of the sea. It would be difficult to ensure that all single course students possess sufficient background knowledge.

Upon this basis, the Evaluation Group recommends that the majority of courses in the LL.M. Programme should remain closed, whilst JUR-3050 should remain open for students who are not registered in the Programme.

### **3.3 Resources**

#### **3.3.1 Teaching resources**

In general, the current approach to teaching in the Programme is strong, but suffers to a certain extent under limited teaching resources. As previously introduced, each course in the Programme is taught with 30 teaching hours, most commonly 10 hours of lectures, and the other hours being split into seminar teaching and other activities. However, no teaching hours are explicitly designated for the writing courses, which means that in order to arrange the writing courses, the hours have to be lent from the 30 hours ascribed for each individual course, greatly affecting the teaching resources in that specific course. It is therefore recommended that a separate allotment of hours be set aside for arranging the five different writing courses that are held throughout the year. On this point, we refer to subsection 3.4.5 below, concerning writing courses.

With an increasing number of students in the Programme, the teaching situation becomes more demanding. Particularly, this is the case for the instructors in the Moot Court exercise under JUR-3054. The instructors spend significant time supervising the different teams, providing them with feedback on written statements, helping them prepare oral presentations, assessing the oral proceedings, and holding feedback seminars at the end of the exercise. This is not reflected in the number of teaching hours the instructors are credited with, nor in the time allotted for teaching in the course schedule. More specific aspects of teaching are revisited in section 3.4 below, and throughout the course-specific evaluations in section 3.8.

### 3.3.2 Administrative resources and routines

There are two employees at the Faculty managing the Programme: one member of the academic staff with academic responsibility and one member of the administrative staff with administrative responsibility. It is the Evaluation Group's view that having only two persons responsible makes the administration of the Programme somewhat vulnerable in the event one of these staff members becomes unavailable. Therefore, it is important that routines be established that ensure that all necessary tasks and procedures are completed and that there is a system in place where these routines can be referred to as needed. For instance, in relation to the Faculty's ordinary law degree programme there exists several routine descriptions, but similar routines have not been developed and implemented in the organization of the LL.M. Programme. The Evaluation Group therefore recommends such routine descriptions are developed and that the following descriptions are translated and modified as needed for use in the LL.M. Programme:

- Reglement for avdelingslederne ved Det juridiske fakultet, Universitetet I Tromsø
- Retningslinjer for veiledning av masteroppgaver
- Instruks for sensor av masteroppgaver i rettsvitenskap
- Karakterbeskrivelser for masteroppgaver i rettsvitenskap
- Retningslinjer karaktergiving for juridiske fag
- Retningslinjer til hjemmeoppgaver ved graden master i rettsvitenskap
- Retningslinjer for tillitsvalgte
- Instruks for retting av øvingsoppgaver – Juridisk fakultet
- Rutinebeskrivelser for muntlige presentasjoner

### 3.3.3 Academic organization of the Programme

The academic organization of the Programme is a time consuming assignment, and differs from the academic organization of the Faculty's ordinary law degree programme. as international students have different needs. Generally, the international students tend to require a higher degree of guidance than Norwegian students do, as they are not accustomed to the Norwegian teaching system. The position also requires coordination of a number of foreign teachers, foreign students, seminars, lectures, writing courses, excursions and the Master's thesis, in addition to guest lecturers and other events, such as hosting and participating at dinners and social gatherings for the students. The Programme Director is also required to go on recruitment trips and other work travel related to developing the Programme.

The Programme Director is credited with 50 hours per semester for organizing the Programme, but the position demands much more time than this. The 50 hours do not adequately cover the time spent on organizing the program. They are also very different when compared to the hours that other staff members with academic responsibility for the 1<sup>st</sup> to 5<sup>th</sup> years of the ordinary law degree programme are credited with (75 hours per semester). The Evaluation Group therefore recommends that more hours are provided to accommodate the work of the Programme Director.

The same recommendation applies to the situation of the Exam Committee for the LL.M. Programme, which is responsible for setting and reviewing the content of all exams in the Programme. Within this Committee, the Head of the Exam Committee is credited 15 hours on an annual basis, whereas the Second Head of the Exam Committee is credited 6 hours. Due to the nature of the Programme, it is not possible to arrange for a current Programme student to participate in the Exam Committee, and therefore, Seamus Ryder, a Research Fellow at JCLOS and a former LL.M. Programme student has acted in the role of student member for the past two years. However, according to Faculty policies the student member of the Exam Committee is supposedly not to be credited with any hours for such involvement. While this might make sense in other contexts, it does not seem to be appropriate when the third member is also a Faculty employee. In recent years, in order to meet these challenges, the hours have been redirected internally, so that the Head of the Examination Committee receives only 11 hours on an annual basis, the Second Head of the Exam Committee receives only 5 hours, so that the so-called ‘student member’ can also receive 5 hours.

This arrangement does not reflect the amount of work of the Examination Committee, which currently is responsible for arranging three 6-hour school exams, one home exam and one oral exam on an annual basis. For sake of comparison, it can be mentioned that other Heads of Exam committees in the 1<sup>st</sup> to 5<sup>th</sup> years of the ordinary law degree program are credited 50 hours on an annual basis, whilst Second Heads of Exam Committees are credited 20 hours. The Evaluation Group therefore recommends that the amount of hours credited to *all* members of the Examination Committee in the LL.M. Programme be adjusted to accommodate its work.

### **3.4 Teaching**

#### **3.4.1 General observations**

Norwegian law studies are based on a combination of lectures, seminars, other teaching activities and self-tuition. In the LL.M. Programme, the courses are taught in sequence, each one building on the next, and not in parallel. The periods of teaching are concentrated and work

intensive, but the students have time in between teaching-intensive periods for reading and self-tuition. The majority of foreign students in the Programme are accustomed with less self-tuition, and more organized teaching. Based on student feedback, the Norwegian system seems to confuse them, and leads them to the misconception that whenever there is not any teaching scheduled, they have “time off”. In addition, the majority of the activities in the Programme have a voluntary nature. This means that in practice, students can come and go as they please, and are not required to participate in all activities. This may affect their engagement in their studies, and contributes to strengthening the misconception that it is “easy” to study in Norway. As a matter of fact, the LL.M. Programme is difficult; with 50 per cent more ECTS earned in a year than earned under a “normal” study progression. It is therefore important that Programme students are focused, well prepared, and participate in all teaching and other activities conducted within the framework of the Programme. The Evaluation Group has put forward a number of recommendations believed to improve student participation, commitment, and learning outcomes, overall.

#### 3.4.2 Information meeting

The LL.M. students’ first interaction with the Programme takes place during an information meeting in mid-August. The meeting is voluntary, but contains important information about the Programme, studying in Norway, and the requirement of independent studies. The instructors’ experience is that, generally, about half of the Programme students attend the meeting, whilst others do not participate in the Programme (or have not even arrived in Tromsø) until the first lecture, which is usually held in the first week of September. At the same time, the students in the Programme regularly comment that the Programme has very short semesters, and particularly the Fall semester, during which all teaching is generally concluded by mid-November. A common complaint amongst the available student feedback is that the lectures in the first course, JUR-3050, are very challenging. However, this can likely be attributed to the fact that students often have not read the relevant curriculum in advance of the lectures, in spite of being encouraged to do so.

The Evaluation Group therefore recommends that the information meeting is made mandatory. This will contribute to the students’ more rapid integration within the Programme, effectively creating a longer Fall semester, and give the students both time and encouragement to read and prepare for their first lectures in JUR-3050.

#### 3.4.3 Online introduction course

Student feedback also reveals that students perceive the first semester in the Programme (Fall) as quite challenging, with a steep learning curve. Despite screening for qualified applicants, most LL.M. students are relatively unfamiliar with the law of the sea or broader public international law when they commence their studies. To address this, in recent years, two introductory lectures have been arranged in August: the first, an “Introduction to public international law”; and the second, an “Introduction to the law of the sea”. As these lectures have been held in August, in the time period between the voluntary information meeting and the start of ordinary lectures, in general, only about half of the Programme students attend these lectures.

In order to better prepare the Programme students, the Evaluation Group recommends that resources be set aside for the preparation of an online introduction course. It is recommended that such course can be made available electronically when the students accept their place in the programme. The online introduction course should cover certain elementary issues, such as an introduction to public international law and to the law of the sea. Furthermore, as the majority of students in the Programme are international, and may not have the same methodological background as Norwegian students, a series of short lectures on methodology should also be included in the online introduction course. The fourth element to be covered in the introduction course is a presentation of practical issues, such as an overview of the Programme in its entirety, an introduction to Fronter, student registration, key contacts, reading lists, and other items normally addressed in the voluntary information meeting.

#### 3.4.4 Oral presentations

There are no requirements for mandatory oral presentations in the LL.M. Programme. The Evaluation Group observes, however, that in the Faculty’s ordinary law degree programme for Norwegian students, students are required to pass one oral presentation in order to take the exams in that programme. It is the Evaluation Group’s view that mandatory oral presentations will contribute to strengthen student participation in class, help the students prepare for the oral exam in the Spring semester, and, more generally develop highly transferable presentation skills. Every year there are a number of students who struggle with spoken English language, and a mandatory oral presentation will contribute to developing such language skills. On this basis, it is recommended that there should be at least one mandatory oral presentation during the Programme. Due to capacity issues and current limitations on schedules and resources in each of the 15 ECTS courses, however, the mandatory requirement should not be directly linked

to any of these 15 ECTS courses. Instead, it should be linked to JUR-3910 Master's Thesis in law of the sea, and completing a relevant oral presentation at some point before the Summer semester should become a prerequisite for completing the Master's thesis in that course.

#### 3.4.5 Writing courses

The Programme has a strong focus on writing. The students in the Programme have different academic and cultural traditions, and this is reflected in their analytical and writing skills. It is evident from the student results on these courses that such courses are necessary, and the courses should be further developed to strengthen the students' writing abilities even more. For students who struggle with the language, the writing courses offers very important training for the exam.

The students are offered a number of writing courses during the program. None of the writing courses are mandatory *per se*, but the assignment from the first writing course (Writing Course I), in connection with JUR-3050 in the Fall semester, has to be passed in order for students to be eligible to take the exam in JUR-3050. The focus of Writing Course I is to teach the students how to respond to both case-based and theoretical exam questions. The instructors' experience is that many of the students are unfamiliar with case-based exams, and their analytical skills are variable. A number of students tend to write descriptive papers, rather than analytical. In addition, there is a voluntary writing course in connection with JUR-3052 in the Spring semester (Writing Course II). Neither the course nor the subsequent hand-in are mandatory. Writing Course II draws upon the particular challenges the students experienced during Writing Course I, and during their exams in the fall semester, and is adapted to the student group from year to year. Both writing courses are process-oriented, and intended to teach the students how to use the proper methodology, and how to build their argumentation technique.

Some students find it challenging to give and receive comments from their fellow students. This is partly a result of cultural differences, and partly because they have not properly understood the purpose of the course. The students have always found the writing courses helpful, and have asked for more writing courses, as this prepares them for their exams. However, there is a tendency that students do not prioritize participation in the writing courses and/or hand in the assignment, as it is not mandatory.

In spite of the focus on writing, the students' results show that they can struggle with written assignments and further consideration of this issue may be appropriate. The only mandatory assignment during the LL.M. Programme is the hand-in for Writing Course I. It is



the Evaluation Group's strong opinion that all students benefit from the writing courses, and therefore recommend that the hand-in for Writing Course II is also made mandatory, and that the students have to pass this assignment in order to take the exam in JUR-3052.

In addition to the two larger process-oriented writing courses, mentioned above, the students are also given "crash courses" in how to write home-exams and how to write their Master's thesis. These are lecture-based courses, without any hand-in of written material. The students have specifically requested more information about oral exams, and that is something that should also be subject to a similar two-hour "crash course". The course on writing a home-exam seems to be sufficient (at two hours), but the writing course in advance of the Master's thesis is not (at four hours). In relation to the Master's thesis, the Evaluation Group therefore recommends that a mandatory course be considered, similar to the course in the Faculty's ordinary law degree programme.

Of course, the main challenge in terms of writing courses is resources. As previously discussed, the courses in the LL.M. Programme are taught with 30 hours per course, but no hours are explicitly assigned for the provision of writing courses. This means that in order to arrange writing courses for the students, the hours for such courses have to be taken from the ordinary courses in the program. This is an unfortunate and undesirable configuration. On this basis, the Evaluation Group recommends that a portion of additional hours are provided for conducting all writing courses, set aside from the teaching hours in each ordinary course.

#### 3.4.6 Podcasts

One of the recurring themes in student feedback is that students find the lectures in the Programme to be very intensive. However, the intensive nature of lectures is necessary, in light of the fact that they must introduce and address numerous key issues and topics that within relatively few teaching hours. Contributing to the intensive nature of lectures in the Programme is the fact that a number of the key lecturers who deliver them are Adjunct Professors who can only be on Tromsø Campus for one- to two-week periods. In such cases, the majority of lectures in the Programme tend to be scheduled within the first few weeks of a course, leading to an intensive lecture schedule covering a considerable amount of material in a short time. It should be noted, however, that such a configuration allows the students to benefit from leading experts in the field of law of the sea, who would otherwise not be available to teach in the Programme.

On part of the students, many report that they have not read the relevant literature before the lectures, either because they have not had adequate time to do so, or, simply chose not to. Many are unable to entirely understand the topics addressed in lectures until after they have

read the curriculum or participated in subsequent seminars. However, if questions persist regarding lecture material, or if the student missed a lecture in the first place, it can be difficult for students to rely on the lectures for clarification. Although all presentations from the lectures are posted to Fronter (and most students accompany these with detailed notes) and all lecturers endeavour to respond to questions via email or office hours, in the case of visiting Adjunct Professors, such office hours are not available; in such cases, despite best efforts on behalf of both the student and lecturer, uncertainties may remain regarding topics addressed in lectures.

Accordingly, in order to provide the students with some extra assistance and service, and to allow them to revisit the difficult sections of the lectures, at their own pace and on their own time, The Evaluation Group recommends that the lectures delivered by staff lecturers (including Adjunct Professors of the Faculty, but excluding guest lecturers) be recorded and made available to the Programme students as online podcasts. Not only is this believed to enhance their overall learning experience during and following the lectures themselves, it will also serve as an important tool in their preparation for exams.

### **3.5 Assessments**

As presented above in the course descriptions, the method of assessment used in most of the 15 ECTS courses is a six-hour written exam, conducted on campus, and the method of assessment used in the 30 ECTS course, JUR-3910, is the Master's thesis. JUR-3053 stands out among the 15 ECTS courses, however, as the method of assessment used in this course takes the format of a home exam combined with an oral exam. This exam format allows the students to demonstrate a wider skillset than a six-hour written exam. That said, the Evaluation Group does not consider it desirable to have a combination of home and oral exams in all courses, as this would be far too demanding on time and resources. Moreover, the Evaluation Group considers that having a range of different assessment methods featured in the Programme is positive, and that the current mix is mostly appropriate. Accordingly, in relation to JUR-3050, the Evaluation Group considers the existing six-hour written exam format to be the appropriate, and arrives at a similar conclusion in respect of JUR-3052.

The Evaluation Group does feel, however, that there are opportunities to further develop the diversity of assessment methods featured in the Programme, including by exploring options to make the Moot Court exercise – currently carried out within the framework of JUR-3054 – a formal method of assessment in that course. This Moot Court exercise is described above, in section 2.2. Although student feedback suggests that most candidates view the exercise as a very positive experience - commenting in particular on the quality of instruction and learning

outcomes - a high volume of this feedback indicates the desire for the Moot Court to be formally assessed towards a grade in the course or broader Programme. Such feedback seems warranted, particularly in light of the high degree of preparation and effort involved on behalf of the students. Therefore, converting the Moot Court into a formal assessment alongside the written exam in JUR-3054 – or, at the very least, making it a mandatory requirement in the course – is recommended.

In evaluating the method of assessments featured in the Programme, the Evaluation Group also considered results of students in the various courses over the past years. The level of the students is understandably variable. However, the average result on this past year's exams was the grade of 'C' as represented on UiT's grading scale. The Evaluation Group considers this an acceptable result, in line with relevant guidelines, targets, and regulations. That said, it is obvious that a number of the students struggle with the language barrier both in oral and written assessments each year. This poses an additional challenge in exams, and may affect the level of grades negatively. For this reason, the Evaluation Group once again emphasizes its previous recommendation that a number of mandatory writing courses and oral presentations be introduced to the Programme.

### **3.6 Curriculum**

Generally, it is noted that the curriculum of all courses in the Programme must be updated annually, in order to reflect the most recent research and case law. It is the responsibility of the Programme Director to remind teachers about deadlines for making changes to the curriculum, but it should be the main responsibility of the instructors of the different courses to suggest updates and changes to the curriculum in a timely Fashion. This is particularly a problem with JUR-3052 and JUR-3053, where staffing has not been as stable as it is in relation to JUR-3050 and JUR-3054.

The amount of curriculum in JUR-3050 seems appropriate, and for the students it is more manageable that the recommended reading is a book, rather than a number of different articles they have to collect. It is important to have in mind that whilst the students on the one hand seem to prefer having their curriculum in either compendiums or books, the online articles are a much cheaper alternative for them. Most law books are quite expensive, and having in mind the financial situation of many international students, it is recommended that the cost of the curriculum be kept as low as possible. That said, it is timely to review the mandatory reading of the course, and evaluate whether or not "*The International Law of the Sea*" by Rothwell and Stephens is still the most appropriate book for the course. The students have specifically

suggested this in their feedback. It is generally important to have in mind that the law of the sea is a field where there is constantly new research published. It is important that the curriculum taught is always up to date, and a specific responsibility rests on the teacher of each course to suggest changes or additions to the curriculum. A second edition of the book has recently been published. Still, it should be considered whether this book is the most appropriate for the course JUR-3050.

The curriculum in JUR-3054 consists of a number of articles, some of which are collected in a compendium, which can be bought at the university book store, and the rest are available online free of charge. The students have expressed that they think the curriculum is very extensive, but it is noted that the number of pages of the curriculum is in accordance with the requirements. The students would also like all articles to be included in the compendium, but the Evaluation Group finds that it is sufficient that the articles can be downloaded free of charge.

The curriculum in JUR-3052 is available in compendiums and online. As noted elsewhere in this report, it is timely to update the course JUR-3052, and the same goes for the curriculum. The curriculum in the course is based on relatively old research, mostly from before 2010, with the exception of two to three articles from 2011. This means that research from the past five previous years is not part of the curriculum, and this is troubling. There is an immediate need to update the curriculum of this course.

The curriculum in JUR-3053 is available in compendiums and online, and suffers under the same insufficiencies as JUR-3052, with only two articles from 2012, and the rest significantly older. There has been ample Arctic law research over the past four to five years of relevance for the course.

In addition to the curriculum in the different courses, the Evaluation Group also observes that the students have two books that they can use as reference materials in the exams: “*The Legal Order of the Oceans*” edited by A.V. Lowe and S.A.G. Talmon, and “*Global and Regional Treaties*” edited by Ole Kristian Fauchald and Bård Sverre Tuseth. This is quite confusing for the students, and they tend to raise the question whether which they should acquire. As they are free to choose, they tend to buy only the cheapest book, which is “*The Legal Order of the Oceans*”. The teachers and program director have received multiple complaints from the students about the quality of “*The Legal Order of the Oceans*”, as several very important instruments are missing, such as the Vienna Convention on the Interpretation of Treaties, and the UN Statutes. The Evaluation Group therefore recommends that the list of

auxiliary material is revised, and contain only one alternative, preferably “Global and Regional Treaties”.

### **3.7 Programme and course descriptions**

The Evaluation Group observes that the Programme description and the individual course-specific descriptions do not appear to be in accordance with “Forskrift om tilsyn med utdanningskvaliteten i høyere utdanning” and “The Norwegian Qualifications Framework for Lifelong Learning”. Accordingly, these descriptions should be updated so that they comply with such regulations and qualification framework. As part of this process, the changes resulting from this Report should also be reflected in the revised Programme and course-specific descriptions.

The Evaluation Group further observes that the “*Regulations for the Master of Laws in Law of the Sea Program*” are not updated, and are not in accordance with the current practice at the Faculty: see for example Section 15 on Academic Supervision. The Evaluation Group therefore recommends that the regulations are updated so that they correspond with the current practice, and reviewed in light of the similar regulations applicable for the 5th year of the ordinary law degree programme (*Reglement for den valgfrie delen av masterstudiet i rettsvitenskap*), particularly with a focus on §§ 6, 8, 9 and chapter 3 of the regulations concerning the Master’s thesis.

### **3.8 Course-specific evaluations**

#### **3.8.1 JUR-3050 General Law of the Sea**

As previously introduced, JUR-3050 General Law of the Sea is the introductory course to the LL.M. Programme. It gives the students a general introduction to the basics of the law of the sea. However, although this is an introductory course, some students report that they feel overwhelmed by the course. The Evaluation Group observes that the teaching in the course is quite intensive, and most students will have difficulty keeping up with the pace and volume of lectures unless they read and prepare for the classes in advance. A number of students express that they did not have the time to read the curriculum before the lectures start in September, or that they did not know what to read and prepare from time to time. Both problems are best addressed by the course instructor, who should strive to prepare a reading-list, or a list of themes for each lecture, a few weeks in advance of the first lecture. This will help the students better organize their reading.

It is not the impression of the Evaluation Group that the lack of reading-plans is an imminent problem in relation to this course - the course follows the structure of the textbook, and the textbook is readily accessed by the students. The overriding problem is that the students have not read the curriculum before the lectures starts, and on many occasions, they have not acquired the textbook in advance of the lectures. The necessity of reading the curriculum and preparing for lectures is explained for the students during their introductory meeting, which takes place two to three weeks before the lectures starts. This should allow the students sufficient time and initiative to prepare, and instructions to this effect should also be more strongly communicated to the students. As addressed in section 3.4.2, however, only about half of the students participate in the information meeting, and many of the remaining students do not come to Tromsø before the first lecture. This problem can be attributed to several different factors. First, when the students are accepted to the Programme, they receive a welcoming letter, saying that the first lecture is in September. This letter can easily be rephrased to ask the students to come to Tromsø in time for the information meeting. As suggested in section 3.4, the Evaluation Group is of the opinion that a series of online introductory lectures combined with a mandatory information meeting in mid-August will also assist in meeting the problem of unprepared students.

The learning curve is very steep in JUR-3050, as can perhaps be expected, given that it must introduce a wide range of topics to students who are generally unfamiliar with the law of the sea when they commence their studies. The Evaluation Group does not see the need to change the content of the course JUR-3050, however, as it sufficiently serves its introductory purpose. However, the Evaluation Group suggests that the Faculty could offer the students some additional academic support during their first weeks in Tromsø. To this end, the organization of the teaching in the course could also be reconsidered. One solution could be to organize the lectures and seminars differently. The students are generally happy with the seminars, and wish that they could have more hours of seminar teaching. The seminars help the students discuss the different aspects of topics addressed in the lectures, and provide them with better understanding of these topics. On this basis, the Evaluation Group recommends that some seminars are arranged in parallel with the lectures in the course.

In addition to the lectures and seminars, the students have one mandatory hand-in in this course. In feedback, the students are generally happy with the hand-in, and appreciate the opportunity to practice their writing skills. See discussion of the writing courses in subsection 3.4.5 above.

Summing up, the Evaluation Group is satisfied with the content and purpose of JUR-3050, and does not see any need for substantive adjustments in relation to the course's content and objectives. However, the Evaluation Group recommends adjustments in the teaching schedule and the preparation of reading-plans in advance of lectures.

### 3.8.2 JUR-3054 General Law of the Sea II

JUR-3054 General Law of the Sea II follows and builds on the topics and material addressed in JUR-3050 General Law of the Sea. However, it strikes the Evaluation Group that this is not a second part of a course introducing general topics and concepts in law of the sea, but rather an exploration of several specialised topics in the field. Accordingly, the Evaluation Group questions whether the current course title adequately reflects the content and objectives of the course. Further, the Evaluation Group recommends that the course be re-titled, with one suggested title being JUR-3054 Specialised Topics in Law of the Sea.

The Evaluation Group believes that retitling the course may be a good first step in improving linkages between the broad range of topics addressed in the course. Currently, these include topics such as dispute settlement, maritime delimitation, marine scientific research, maritime security and piracy. In student feedback, however, it seems that some students find it hard to grasp the connection between these different topics, and some feel that the corresponding curriculum is poorly balanced and, in some cases, excessive. The students report that they feel that the course could be better structured, and more focused on specific areas. The Evaluation Group therefore recommends that a new Evaluation Group be established to consider whether the current content and objectives of the course are appropriate, and to revise these as necessary.

Some of the concerns raised in student feedback regarding JUR-3054 may also be attributed to scheduling issues and a shortage of teaching hours. Accordingly, when planning and scheduling the course, both the administration and the relevant instructors should ensure that adequate resources are assigned to achieve the objectives of all planned activities. In particular, scheduling issues negatively affect the quality and outcome of the Moot Court exercise that takes place within the framework of JUR-3054 (this exercise and its requirements are discussed at various instances within this report, and in particular, in sections 2.2 and 3.5).

In the specific case of the Moot Court exercise, the Evaluation Group observes that the quality of this exercise tends to suffer if the teaching schedule provides less time than optimal to conduct the exercise. This also tends to overwhelm students, who find it difficult to balance their preparation and efforts in relation to the exercise with the other requirements of JUR-3054.

There also tends to be a shortage of resources available in terms of teaching hours, so instructors are forced to shorten or omit aspects of the exercise or conduct the associated lectures or seminars on a voluntary basis, without receiving teaching hours. The Evaluation Group therefore recommends that adequate time and resources be set aside to ensure the quality of the exercise and learning outcomes remains high, as they have been perceived in past student feedback.

Of course, the Evaluation Group once again repeats and emphasizes its previous recommendation that options to make the Moot Court exercise a formal method of assessment in the course be explored. Such an outcome would not only enhance the diversity of assessment methods featured in the Programme, but, when combined with a (potentially less-intensive) written examination, it could also help to ensure that all topics are adequately represented in assessments in the course. For example, the Moot Court could be used to assess the students grasp of principles of dispute settlement under law of the sea, whereas a written examination assesses knowledge in the remaining topics addressed in the course. Moreover, such an outcome would help to address the high volume of student feedback which indicates the desire for the Moot Court to be formally assessed towards a grade in the course or broader Programme. As stated previously, this seems warranted, particularly in light of the high degree of preparation and effort involved on behalf of the students.

Summing up, the Evaluation Group recommends that the title of the JUR-3054 be renamed to better reflect its content and objectives; that a new Evaluation Group be established to consider the selection of topics and material addressed in the course, and revise these as it deems necessary; and finally, that options to make the Moot Court a formal method of assessment in the course are explored.

### 3.8.3 JUR-3052 Law of the Sea and Marine Biodiversity

As previously introduced, JUR-3052 Law of the Sea and Marine Biodiversity is the first course in the Spring semester. JUR-3050 and JUR-3054 provides necessary background knowledge for participation in the course and students are required to pass the exams in JUR-3050 and JUR-3054 in order to register for the exam in JUR-3052. Currently, JUR-3052 is delivered through 10 hours of lectures, 10 hours of seminars and a voluntary writing course.

The Evaluation Group observes that the student feedback on this course is very limited, and accordingly, the basis for evaluating the course is similarly limited. The students do report that they are very satisfied with the seminar teaching in the course, currently provided by Associate Professor Nele Matz-Lück. Associate Professor Matz-Lück's seminars are designed



to cover the most relevant topics of the course, and are formulated as a variety of practical and theoretical assignments, combined with mini-lectures. The students find that Associate Professor Matz-Lück is an engaging teacher. The Evaluation Group has not been able to find any student feedback on the lectures in the course, which are traditionally delivered by different staff members of the Faculty.

Notwithstanding, the Evaluation Group recommends that the entire course is updated, for a number of reasons. First, a brief review of the description of the course content and objectives in section 2.3 suggests that the title of the course does not sufficiently reflect the content of the course, and it is suggested that a new title is created to more accurately indicate a dominant focus on marine environmental law. The topics addressed in the course seem appropriate, but the Evaluation Group has serious concerns that the curriculum of the course does not reflect recent research or case law – in most cases, it is not satisfactory to teach the course based on out-dated research. An update of the course would require that the course description is also updated, along with a review of the curriculum. The curriculum is specifically addressed in section 3.6.

Further, the voluntary writing course (Writing Course II) in the Spring semester uses hours attributed to ordinary teaching in JUR-3052. The Evaluation Group considers it unfortunate that the already limited amount of course specific teaching hours are reduced in order to administer the writing course. To this end, reference can be made to section 3.4.5, where the Evaluation Group recommended that additional teaching hours for writing courses should be allocated and set aside from the regular teaching hours in each course in the Programme. The Evaluation Group also emphasizes and repeats the recommendation that the Writing Course II in JUR-3052 should be made mandatory, and that passing the assignment connected with this course should be made a requirement for taking the six-hour written exam in JUR-3052.

Summing up, the Evaluation Group is not satisfied with the design of the course JUR-3052, and is of the opinion that the course should be reviewed. However, the Evaluation Group finds that a detailed review of the course is beyond its mandate, and suggests a new Evaluation Group be appointed for the purpose of reviewing JUR-3052 in its entirety. In addition, the Evaluation Group suggests the writing course in JUR-3052 to be mandatory, and that passing the assignment should be made a requirement for taking the exam in JUR-3052.

#### 3.8.4 JUR-3053 Law of the Sea and the Arctic

As previously introduced, JUR-3053 is the second course in the Spring semester. It combines the knowledge acquired throughout prior courses in the Programme, and applies an Arctic perspective. This Arctic perspective is appealing for students, who consistently report their keen interest in learning about Arctic legal issues. As stated elsewhere, this perspective is also appropriate in light of the Programme's location of delivery in Norway's High North, and contributes to the uniqueness of the program.

The Evaluation Group is generally satisfied with the content of the course, but recommends that the curriculum is continuously updated in order to reflect the most recent case law and research on relevant topics. For more on this point, see section 3.6.

Part of the teaching in JUR-3053 takes place in Tromsø (UiT) and part in Svalbard (UNIS), and takes the form of lectures and seminars. The Svalbard trip, discussed in 2.4.2, gives the students a practical understanding of the Arctic that they otherwise would not obtain. For example, they can observe first-hand the physical manifestation of relevant topics such as the marginal ice zone, ice covered areas and climate change. It provides that they otherwise would not obtain. Further, the students also benefit from guest lectures from the Governor's office (Sysselmannen), historians, and from the academic staff at UNIS – all of whom offer valuable non-legal perspectives on legal issues. The excursion also seems to be a source of inspiration for the students' upcoming Master's theses. In feedback, the students have unanimously described the excursion as a very positive element in the program, both from an academic and social point of view. The students find that the excursion is well organized and provides a good mix of teaching on general topics in addition to Svalbard-related topics. For most students, it is an once in a lifetime experience to visit Svalbard, and be in the core of the Arctic.

Accordingly, the Evaluation Group observes that the Svalbard excursion serves as a very valuable contribution to the teaching of JUR-3053, and contributes to the uniqueness of the program. It can also be expected to have a positive impact on future recruitment to the Programme. For future excursions to Svalbard, the Evaluation Group recommends that further cooperation is achieved with ongoing research at UNIS. Programme students would benefit from increasing the interdisciplinary insight offered by such cooperation, for example in terms of Arctic biology, glaciology and geology. In return, the teachers from UiT could contribute with guest lectures on the law of the sea and the Arctic while visiting Svalbard and UNIS.

The course JUR-3053 has a different assessment method than the other courses in the Programme, with a home exam combined with an oral exam. The assessment methods in the Programme are discussed in section 3.5, and at this point the Evaluation Group finds that it is

sufficient to note that they are very satisfied with the students' results from this exam format. The combination of a take home exam and an oral exam tests a wide range of skills, and is appropriate. It is also appropriate that this assessment method is attributed to this specific course, as the course combines knowledge from all previous courses, adding a more practical perspective. The oral exam is a very strong development and gives the students an incentive to properly prepare. A considerable proportion of the students ultimately improve their grades through the oral component of this assessment.

Summing up, the Evaluation Group is satisfied with the content of the course, but maintains that the curriculum must be updated on an annual basis. This would presumably be easier to achieve with a more stable staff of teachers being responsible for the teaching in the course from year to year. The Evaluation Group also recommends that the excursion to Svalbard be maintained as an integral component in the Programme, and suggests an even closer cooperation with UNIS.

#### 3.8.5 JUR-3910 Master's Thesis in Law of the Sea

As previously introduced, the students write their Master's thesis over the summer semester, with a deadline on September 1st. In the Spring semester, the Faculty arranges a four-hour Master's thesis writing course. The Evaluation Group observes that a four-hour writing course as preparation for writing a master's thesis seems inadequate. In the Faculty's ordinary law degree programme, the students have to participate in a mandatory 10-hour Master's thesis writing course. There is also a mandatory curriculum associated with the Master's thesis writing course. (See Reglement for den valgfrie delen av masterstudiet i rettsvitenskap, §17). Nothing suggests that the LL.M. Programme students are better equipped for writing a Master's thesis than Norwegian Master's students, and the Evaluation Group therefore recommends that the Programme students should be offered the same amount of training before they start writing their theses.

In addition, the Evaluation Group observes that a number of students struggle to find an appropriate Master's thesis topic. For this purpose, it is recommended that a "theme-bank" is developed and continuously updated, similar to that which exists in relation to the Faculty's ordinary law degree programme. In the theme-bank, students can either seek inspiration or make direct use of one of the suggested topics. The Evaluation Group considers it a welcome tendency that past students have become more creative in their choice of a Master's thesis topic, but at the same time, the boundaries between law of the sea and other areas of law become increasingly obscured. It is important that the topic of the thesis reflects that the thesis is a law

thesis, within the field of the law of the sea. This is a shared responsibility of the Programme Director and individual thesis supervisors. To this end, the Evaluation Group observes that they have been unable to find any formalized guidelines for supervisors in the LL.M. Programme. To ensure a uniform practice and equality amongst students, it is important that supervisors are provided with uniform instructions and guidelines.

The students in the Programme describe that they have very little time to work on their Master's thesis. Although the Evaluation Group does not recommend the prolongation of the third semester, this problem can probably be met by other means, such as the Evaluation Group's previous recommendation that the Master thesis writing course be further developed to support earlier work on the thesis. The students should be encouraged and supported in finding a topic for their Master's thesis earlier in the Spring semester, and the process of approving the topics and appointing supervisors should be expedited.

Summing up, in relation to JUR-3910, the Evaluation Group recommends that: teaching and training that prepares students for writing the Master's thesis should be developed, including by introducing a mandatory writing course of at least 10 hours, dealing with topics such as methodology; a "theme-bank" for Master's thesis topics should be introduced and continuously updated; and finally that guidelines for both supervisors and censors of the Master's thesis should be formalized.

### **3.9 Admission**

The Evaluation Group observes that the admission requirements to the LL.M. Programme are not in accordance with "Forskrift om krav til mastergrad" § 3, which establishes that students admitted to the Programme must have a Bachelor degree or other education in minimum three years, where the education includes minimum 80 ECTS depression in the same subject area as the LL.M. Programme. Further, if the education is vocationally oriented, the requirement is minimum 120 ECTS within the same subject area as the LL.M. programme. It is noted, however, that institutions may in special cases approve other documented qualifications as equivalent to those mentioned above.

At any rate, the Evaluation Group does not believe that the current admission requirements are in accordance with the regulations, and therefore recommends that a new Evaluation Group be established to consider whether the admission requirements are appropriate, and whether new criteria should be adopted.

### **3.10 Recruitment**

The Evaluation Group observes that the current year's cohort of Programme students is higher than in previous years and very close to recruitment targets. The Evaluation Group suspects this might be a result of the recent establishment and increased profile of K.G. Jebsen Centre for the Law of the Sea, as well as a more goal-oriented recruitment strategy, which has been arranged by means of visits to reach prospective students ahead of application deadlines. Within the last year there has also been a number of information meetings aimed at recruiting students currently studying law in different cities in Norway. The Programme has a clear majority of foreign students and the number of Norwegian students has tended to be low. However, this year we observe a higher number of Nordic students in the group.

Although these are considered positive steps, the Evaluation Group are of the impression that a clearer recruitment strategy remains desirable. It therefore recommends that one be developed, targeting both international and Nordic applicants.

### **3.11 Quality Assurance**

In order to ensure that the students admitted to the Programme are getting the most out of their education, and in order to enhance the overall quality of the Programme, it is important that an adequate quality assurance system is in place. In recent years, there has been a focus on obtaining feedback from students. However, the Evaluation Group observes that records of feedback are not available for all years, and that the quality of feedback is variable. Further, there do not seem to be well established methods for receiving and reporting feedback. The evaluation Group therefore recommends that better quality assurance mechanisms be developed and formalized with the administrative routines in relation to the Programme.

The Evaluation Group also observes that in this past year there has been an increased focus on integrating the Programme students within the broader Faculty. For example, the students have been given access to reading rooms, together with the Norwegian law students. Further, cooperation exists within relevant student organizations at the Faculty to include the Programme students in their work. This means that the Programme students should be better included in relevant social and academic activities. Juridisk studentutvalg will also be responsible for arranging election of two student representatives, and give them relevant training to better facilitate this integration. The Evaluation Group recommends that such integration and initiatives continue to be supported.

## 4. Main recommendations

To conclude the Report, the Evaluation Group offers a summary of its main recommendations. These main recommendations are as follows:

- Maintain the Programme's unique and specialized focus on law of the sea and, in particular, associated Arctic legal issues;
- Maintain the Programme's connection to the K.G. Jebsen Centre for the Law of the Sea (JCLOS);
- Maintain the overall structure of the Programme in its current form, including by keeping the majority of courses in the Programme closed and exclusively for Programme students, with the exception of JUR-3050, which should remain open for external candidates;
- Increase the amount of resources available for teaching and administration of the Programme, including by setting aside a separate allotment of hours for writing courses and other activities, such as the Moot Court exercise; developing clearer routine descriptions; and crediting both the Programme Director and all members of the Exam Committee with more hours for discharging their respective responsibilities;
- Introduce a mandatory information meeting; an online introduction course; a mandatory oral presentation linked to JUR-3910 Master's Thesis in Law of the Sea; and a mandatory writing course in advance of the Master's thesis;
- Record all regular lectures in the Programme, and make these available as podcasts for students on Fronter;
- In addition to furnishing *all* writing courses with increased teaching hours, set aside from the regular teaching hours in each course, make the hand-ins for both Writing Course I and II mandatory assignments, and requirements for writing the exams in JUR-3050 and JUR-3052, respectively;
- Further develop the diversity of assessment methods featured in the Programme, including by exploring options to make the Moot Court Exercise a formal method of assessment in JUR-3054;
- Update the curriculum of all courses in the Programme annually, and particularly in the case of JUR-3052 and JUR-3053, which are in immediate need of updating;

- Revise the list of accepted auxiliary material for exams to contain only one alternative – preferably “Global and Regional Treaties” edited by Ole Kristian Fauchald and Bård Sverre Tuseth;
- Update the Programme description and all individual course descriptions;
- In relation to JUR-3050, make adjustments to the teaching schedule and improve preparation of reading-plans;
- In relation to JUR-3054, rename the title of the course to better reflect its content and objectives; consider revising the selection of topics and material addressed; and explore options to make the Moot Court a formal method of assessment in the course;
- In relation to JUR-3052, appoint a new Evaluation Group to conduct a detailed review of the course; and incorporate a mandatory hand-in as a requirement for the exam, in connection with Writing Course II;
- In relation to JUR-3053, maintain the overall content and design of course, but update the curriculum on an annual basis; and maintain the excursion to Svalbard as an integral component of the course, and in doing so, strengthen cooperation with UNIS;
- In relation to JUR-3910, develop teaching and training preparing students for writing the Master’s thesis, including by introducing a mandatory writing course of at least 10 hours, dealing with topics such as methodology; introduce, maintain, and continuously update a “theme-bank” for Master’s thesis topics; formalize guidelines for both supervisors and censors of the Master’s thesis;
- Consider whether current admission requirements for the Programme are still appropriate, and whether new ones should be adopted;
- Adopt a clearer strategy for the recruitment of students to the Programme; and
- Improve methods and routines for obtaining student feedback; better ensure that instructors can readily obtain such feedback; and regularly maintain records of student feedback across all years of the Programme.