



LAWS8092

Law of the Sea

Session 2, Infrequent attendance, North Ryde 2021

Macquarie Law School

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Session 2 Learning and Teaching Update

The decision has been made to conduct study online for the remainder of Session 2 for all units WITHOUT mandatory on-campus learning activities. Exams for Session 2 will also be online where possible to do so.

This is due to the extension of the lockdown orders and to provide certainty around arrangements for the remainder of Session 2. We hope to return to campus beyond Session 2 as soon as it is safe and appropriate to do so.

Some classes/teaching activities cannot be moved online and must be taught on campus. You should already know if you are in one of these classes/teaching activities and your unit convenor will provide you with more information via iLearn. If you want to confirm, see the list of [units with mandatory on-campus classes/teaching activities](#).

Visit the [MQ COVID-19 information page](#) for more detail.

General Information

Unit convenor and teaching staff

Convener

Nengye Liu

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Tutor

Ethan Beringen

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Credit points

10

Prerequisites

(Admission to JD and 80cp in LAWS or LAW units at 6000 level or above) or (admission to LLM) or (admission to MIntTrdeComLaw)

Corequisites

Co-badged status

Unit description

The oceans cover five-sevenths of the planet's surface and are undoubtedly one of the world's most important resources. The economic, political, strategic and social interests at play are enormous. This unit will examine the different maritime zones, address the regulation of activities undertaken in connection with the oceans, and consider how the demands of different states have impacted on this complex legal regime.

Important Academic Dates

Information about important academic dates including deadlines for withdrawing from units are available at <https://www.mq.edu.au/study/calendar-of-dates>

Learning Outcomes

On successful completion of this unit, you will be able to:

ULO1: Describe and critically analyse the role of the key actors and institutions involved in the law of the sea and the legal principles governing that maritime activity.

ULO2: Evaluate and critique the interests of states in their decision-making in relation to maritime governance, assessing the relative strengths and weaknesses of conflicting views over ocean space and use.

ULO3: Discuss, explain and critique in oral and written form different viewpoints on law of the sea from an international perspective.

ULO4: Identify and analyse how the law of the sea interacts with related areas of international law such as maritime security and concepts of state sovereignty

ULO5: Apply advanced knowledge of the 1982 United Nations Convention on the Law of the Sea and apply this knowledge in the context of the specific workings of international law, especially other relevant treaties, customary international law and methods of dispute resolution;

General Assessment Information

Late Assessment Submission Penalty Unless a Special Consideration request has been submitted and approved, (a) a penalty for lateness will apply – 10 marks out of 100 credit will be deducted per day for assignments submitted after the due date – and (b) no assignment will be accepted seven days (incl. weekends) after the original submission deadline.

Assessment Tasks

Name	Weighting	Hurdle	Due
Online engagement	20%	No	Ongoing
Final time limited assessment	40%	No	23:59 10/11/2021
Research paper	40%	No	23:59 17/09/2021

Online engagement

Assessment Type ¹: Participatory task

Indicative Time on Task ²: 24 hours

Due: **Ongoing**

Weighting: **20%**

Students will engage in online discussion and problem solving activities prior to and following from intensive seminars

On successful completion you will be able to:

- Describe and critically analyse the role of the key actors and institutions involved in the law of the sea and the legal principles governing that maritime activity.
- Evaluate and critique the interests of states in their decision-making in relation to maritime governance, assessing the relative strengths and weaknesses of conflicting

views over ocean space and use.

- Discuss, explain and critique in oral and written form different viewpoints on law of the sea from an international perspective.
- Identify and analyse how the law of the sea interacts with related areas of international law such as maritime security and concepts of state sovereignty
- Apply advanced knowledge of the 1982 United Nations Convention on the Law of the Sea and apply this knowledge in the context of the specific workings of international law, especially other relevant treaties, customary international law and methods of dispute resolution;

Final time limited assessment

Assessment Type ¹: Quiz/Test

Indicative Time on Task ²: 6 hours

Due: **23:59 10/11/2021**

Weighting: **40%**

A final time limited assessment will cover the whole of the course materials

On successful completion you will be able to:

- Describe and critically analyse the role of the key actors and institutions involved in the law of the sea and the legal principles governing that maritime activity.
- Evaluate and critique the interests of states in their decision-making in relation to maritime governance, assessing the relative strengths and weaknesses of conflicting views over ocean space and use.
- Discuss, explain and critique in oral and written form different viewpoints on law of the sea from an international perspective.
- Identify and analyse how the law of the sea interacts with related areas of international law such as maritime security and concepts of state sovereignty
- Apply advanced knowledge of the 1982 United Nations Convention on the Law of the Sea and apply this knowledge in the context of the specific workings of international law, especially other relevant treaties, customary international law and methods of dispute resolution;

Research paper

Assessment Type ¹: Essay

Indicative Time on Task ²: 30 hours

Due: **23:59 17/09/2021**

Weighting: **40%**

Students will be set a paper of approx 3000 words requiring independent research

On successful completion you will be able to:

- Describe and critically analyse the role of the key actors and institutions involved in the law of the sea and the legal principles governing that maritime activity.
- Evaluate and critique the interests of states in their decision-making in relation to maritime governance, assessing the relative strengths and weaknesses of conflicting views over ocean space and use.
- Discuss, explain and critique in oral and written form different viewpoints on law of the sea from an international perspective.
- Identify and analyse how the law of the sea interacts with related areas of international law such as maritime security and concepts of state sovereignty
- Apply advanced knowledge of the 1982 United Nations Convention on the Law of the Sea and apply this knowledge in the context of the specific workings of international law, especially other relevant treaties, customary international law and methods of dispute resolution;

¹ If you need help with your assignment, please contact:

- the academic teaching staff in your unit for guidance in understanding or completing this type of assessment
- the [Writing Centre](#) for academic skills support.

² Indicative time-on-task is an estimate of the time required for completion of the assessment task and is subject to individual variation

Delivery and Resources

Required Resources

There are no required texts in this course. Students will, however, need to be able to access a number of international agreements such as the United Nations Convention on the Law of the Sea, Convention on Biological Diversity and other pieces of Commonwealth and state legislation used during part of the course, in particular, on a range of areas such as shipping, fisheries management, marine energy, marine biodiversity. These can be found online through the various United Nations and government websites.

Recommended Resources

TEXT BOOK(S)

D.R. Rothwell & T. Stephens, *The International Law of the Sea 2nd Edition* (Hart Publishing, 2016)

D.R. Rothwell, A.G. Oude Elferink, K.N. Scott & T. Stephens (eds), *The Oxford Handbook of the Law of the Sea* (Oxford University Press, 2015)

OTHER REFERENCES

Other reference that students may find useful:

Y. Tanaka, *The International Law of the Sea 2nd Edition* (Cambridge University Press, 2015)

R. Rayfuse (ed), *Research Handbook on International Marine Environmental Law* (Edward Elgar, 2015)

Journals

International Journal of Marine and Coastal Law

Ocean Development and International Law

Ocean Yearbook

Marine Policy

Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central \(https://policies.s.mq.edu.au\)](https://policies.s.mq.edu.au). Students should be aware of the following policies in particular with regard to Learning and Teaching:

- [Academic Appeals Policy](#)
- [Academic Integrity Policy](#)
- [Academic Progression Policy](#)
- [Assessment Policy](#)
- [Fitness to Practice Procedure](#)
- [Grade Appeal Policy](#)
- [Complaint Management Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#)

Students seeking more policy resources can visit [Student Policies \(https://students.mq.edu.au/support/study/policies\)](https://students.mq.edu.au/support/study/policies). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

To find other policies relating to Teaching and Learning, visit [Policy Central \(https://policies.mq.edu.au\)](https://policies.mq.edu.au) and use the [search tool](#).

Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: <https://students.mq.edu.au/admin/other-resources/student-conduct>

Results

Results published on platform other than [eStudent](#), (eg. iLearn, Coursera etc.) or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in [eStudent](#). For more information visit ask.mq.edu.au or if you are a Global MBA student contact globalmba.support@mq.edu.au

Student Support

Macquarie University provides a range of support services for students. For details, visit <http://students.mq.edu.au/support/>

Learning Skills

Learning Skills (mq.edu.au/learningskills) provides academic writing resources and study strategies to help you improve your marks and take control of your study.

- [Getting help with your assignment](#)
- [Workshops](#)
- [StudyWise](#)
- [Academic Integrity Module](#)

The Library provides online and face to face support to help you find and use relevant information resources.

- [Subject and Research Guides](#)
- [Ask a Librarian](#)

Student Services and Support

Students with a disability are encouraged to contact the [Disability Service](#) who can provide appropriate help with any issues that arise during their studies.

Student Enquiries

For all student enquiries, visit Student Connect at ask.mq.edu.au

If you are a Global MBA student contact globalmba.support@mq.edu.au

IT Help

For help with University computer systems and technology, visit http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/.

When using the University's IT, you must adhere to the [Acceptable Use of IT Resources Policy](#). The policy applies to all who connect to the MQ network including students.