



# LAW5086

## Law of the Sea

Session 2, Weekday attendance, North Ryde 2021

*Macquarie Law School*

## Contents

<b>General Information</b>	<b>2</b>
<b>Learning Outcomes</b>	<b>2</b>
<b>General Assessment Information</b>	<b>3</b>
<b>Assessment Tasks</b>	<b>3</b>
<b>Delivery and Resources</b>	<b>5</b>
<b>Unit Schedule</b>	<b>6</b>
<b>Policies and Procedures</b>	<b>6</b>

### **Disclaimer**

Macquarie University has taken all reasonable measures to ensure the information in this publication is accurate and up-to-date. However, the information may change or become out-dated as a result of change in University policies, procedures or rules. The University reserves the right to make changes to any information in this publication without notice. Users of this publication are advised to check the website version of this publication [or the relevant faculty or department] before acting on any information in this publication.

### **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

Tutor

Ethan Beringen

[ethan.beringen@mq.edu.au](mailto:ethan.beringen@mq.edu.au)

6 First Walk

Andrew Burke

[andrew.burke@mq.edu.au](mailto:andrew.burke@mq.edu.au)

Credit points

10

Prerequisites

130cp including LAWS2000 or LAWS259 or LAWS459

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 given the economic, political, strategic and social interests at play. This unit examines the different maritime zones, addresses the regulation of activities undertaken on the oceans, and considers 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:** Explain and 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:** Resolve factual problems to elucidate, apply and assess relevant legal principles

in the law of the sea.

**ULO4:** Apply professional communication skills in the context of the law of the sea and its related institutions.

## 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
Short Problem Questions	30%	No	23:59 10/11/2021
Participation and Engagement	20%	No	Ongoing
Legal Research Paper	50%	No	23:59 17/09/2021

### Short Problem Questions

Assessment Type <sup>1</sup>: Quiz/Test

Indicative Time on Task <sup>2</sup>: 6 hours

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

Weighting: **30%**

Final assessment of the unit requiring the resolution of legal problems in a time-limited assessment

On successful completion you will be able to:

- Explain and 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.
- Resolve factual problems to elucidate, apply and assess relevant legal principles in the law of the sea.
- Apply professional communication skills in the context of the law of the sea and its related institutions.

## Participation and Engagement

Assessment Type <sup>1</sup>: Participatory task

Indicative Time on Task <sup>2</sup>: 24 hours

Due: **Ongoing**

Weighting: **20%**

Students will participate in online or face to face discussions, role plays, debates and problem solving activities

On successful completion you will be able to:

- Explain and 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.
- Resolve factual problems to elucidate, apply and assess relevant legal principles in the law of the sea.
- Apply professional communication skills in the context of the law of the sea and its related institutions.

## Legal Research Paper

Assessment Type <sup>1</sup>: Essay

Indicative Time on Task <sup>2</sup>: 40 hours

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

Weighting: **50%**

Students will be required to research answers to contemporary problems related to the law of the sea

On successful completion you will be able to:

- Explain and 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.
- Resolve factual problems to elucidate, apply and assess relevant legal principles in the law of the sea.
- Apply professional communication skills in the context of the law of the sea and its related institutions.

---

<sup>1</sup> 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.

<sup>2</sup> 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 2<sup>nd</sup> 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 2<sup>nd</sup> 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*

## Unit Schedule

Week	Topic
1	The History and Sources of the International Law of the Sea
2	Internal Waters, Territorial Sea and Contiguous Zone
3	Continental Shelf and Exclusive Economic Zone
4	Delimitation of Maritime Boundaries
5	High Seas and Deep Seabed
6	Navigational Rights
7	Marine Resources Management
8	Marine Scientific Research
9	Marine Environmental Protection
10	Maritime Regulation and Enforcement
11	Dispute Settlement
12	The Futures of the Law of the Sea
13	Revisions

## Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central](https://policycentral.mq.edu.au) (<https://policycentral.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](http://ask.mq.edu.au) or if you are a Global MBA student contact [globalmba.support@mq.edu.au](mailto: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](http://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](http://ask.mq.edu.au)

If you are a Global MBA student contact [globalmba.support@mq.edu.au](mailto: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/](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.