

JASN04, Marine Environmental Law, 15 credits

Marine Environmental Law, 15 högskolepoäng

Second Cycle / Avancerad nivå

Details of approval

The syllabus was approved by Educational Committee of the Law Faculty Board on 2008-03-18 to be valid from 2012-03-07, spring semester 2012.

General Information

The course Marine Environmental Law is a compulsory course within the Master's Programme in Maritime Law at the Faculty of Law. The course is open for students within the programme leading to a Swedish professional degree Master of Laws within the specialization in Maritime Law.

Lectures and course material are in English.

Main field of studies

Maritime Law

Depth of study relative to the degree requirements

A1F, Second cycle, has second-cycle course/s as entry requirements

Learning outcomes

To pass the examination, the student shall be able to demonstrate knowledge and competences as below:

Knowledge and understanding

The student shall be able to show in-depth knowledge and corresponding level of comprehension of the shipping industry in the sense of

- the concepts of the international conventions and international instruments related to combating various forms of maritime pollution
- the concepts relating to preventing pollution from ships; accidental and intentional
- concepts relating to both legal and technical developments of engines and wastewater and ballast water necessary in the operating of ships
- law on salvage and towage

- maritime liability and limitation of liability.

The student shall be able to show a level of proficiency, both orally and in writing, in reproducing the acquired information.

Skills and abilities

To pass examination the student shall show competences to

- critically comment and analyze the international documents used in international shipping activities
- apply the conceptual apparatus related to shipping in specific problems
- independently perform an investigation on a self-chosen subject; thereby integrating previously learned information; analyzing the materials and evaluating the solution of the posed problem; and Present the result in a written essay.

Judgement and approach

Maritime law has its roots way back in the ancient time long before the Roman Empire and the evolution has gradually developed with the industrial world. The students shall be able to show comprehension of both the development and the impact of legal discussions related to the transportation by sea and international environmental problems related to maritime activities and regulated through maritime law. Also, the student is expected to show an advanced level of proficiency, both orally and in writing, in restating, explaining and discussing the acquired information from different perspectives.

Course content

The course Marine Environmental Law covers the following main subjects: The different legal aspects related to the environmental impact by the operations of ships, questions related to environmental aspects after collisions and the towage and salvage of the ship and the liability regime in shipping and oil pollution.

The main object is to deepen the knowledge in different aspects of the activities related to shipping and the environment. The international regulations that will be discussed are the UNCLOS, Basel and London Conventions, the International Convention on Salvage, the CLC and Fund Convention.

Concentration will also be put on problems related to the design of Ships and the development of ships in general. The different types of cargo reflect different problems to the environment and demands different solutions to safe handling. A minor part of the course will be a repetition of the regulatory systems in shipping. The different organizations, both international and regional, that play an active role as regulatory bodies within the shipping context, e.g. IMO, ICC, UNCITRAL and CMI on the international arena and the EU among others on the regional arena will be touched upon.

Course design

Teaching is provided in the form of lectures, seminars and individual tuition. Attendance at seminars is obligatory.

Assessment

Examination is in the form of a essay written and presented at the end of the course in the size of 25 pp. Examination will be carried out as an opposition by a fellow member in the course (peer review).

Subcourses that are part of this course can be found in an appendix at the end of this document.

Grades

Marking scale: Fail, Pass, Pass with credit, Pass with distinction.

Entry requirements

Students within the Master's Programme in Maritime Law: passed examinations in JASN01 Introduction to International Law in the Maritime Context, 15 credits, and attendance in JASN02 for Introduction to International Law on Shipping and Maritime Affairs, 15 credits.

For students within the programme leading to a Swedish professional degree Master of Laws for the professional Degree Master of Laws: prerequisites for studies on the 7th or 8th semester stated in the Curriculum for the Law Study programme.

Prerequisites for international exchange students: relevant undergraduate studies corresponding to three years at a university level including basic knowledge of public international law.

Further information

The course is also open to international students participating in exchange programmes with the Faculty of Law.

The course is scheduled to require 10 weeks of full time studies.

The University views plagiarism as a very serious academic offence, and will take disciplinary actions against students for any kind of attempted malpractice in connection with examinations and assessments. The penalty that may be imposed for this, and other unfair practice in examinations or assessments, includes suspension from the University.

Subcourses in JASN04, Marine Environmental Law

Applies from V08

0801 Marine Environmental Law, 15,0 hp
Grading scale: Fail, Pass, Pass with credit, Pass with distinction