Course Title: ADC6444 The International Law of the Sea
Graduate School of International Relations
International University of Japan
Term: Spring 2014
Lecturer: Dr. Chie Kojima
(Associate Professor, Musashino University, Tokyo, Japan)

Course Introduction:
This course critically analyses the 1982 United Nations Convention on the Law of the Sea and examines the developments of the law of the sea in the light of new challenges such as the depletion of marine resources, global warming, and the emergence of non-traditional maritime security threats. The developments include multilateral, regional, bilateral and unilateral strategies, both formal and informal, that are used by members of the international community for supplementing the Convention. This course also focuses on cross cutting issues in the law of the sea that touch upon principles of international environmental law, international trade law, international human rights law, international law of armed conflicts, and international criminal law.

Learning outcomes include that students acquire a comprehensive understanding of the contemporary law of the sea regimes, analyse both factual and legal issues related to the law of the sea cases, critically examine the past decisions, and predict future decisions by inventing new legal policies.

Contents:

Week 1: Introduction to the International Law of the Sea
- Historical development of the international law of the sea
- Sources of the international law of the sea
- The present legal regime and international institutions
- New challenges in the law of the sea

Recommended reading:


- Baselines
- Internal waters
- Territorial sea
- Contiguous zone
- Archipelagic waters
- Exclusive economic zone
- Continental shelf
- Deep seabed
- High Seas
- International straits

Recommended reading:

Week 3: Marine Resource Management
- Marine resources within areas of national jurisdiction
- The continental shelf regime
- The deep seabed regime
- Highly migratory species
- High seas fisheries

Recommended reading:
Seabed Dispute Chamber of the International Tribunal for the Law of the Sea, Responsibilities and Obligations of States Sponsoring Persons and Entities with respect to Activities in the Area, Advisory Opinion, 1 Feb. 2011.


Week 4: The Protection of the Marine Environment from Pollution
- Operational/accidental vessel-source marine pollution
- Land-based and atmospheric marine pollution
- Marine pollution from installations
- Dumping

Recommended reading:


Week 5: Maritime Security and the Law of the Sea (Part I)
- Piracy and armed robbery at sea
- Drug trafficking by sea
- Illicit trafficking of weapons of mass destruction at sea

Recommended reading:


**Week 6: Maritime Security and the Law of the Sea (Part II)**
- Illegal, unreported and unregulated fishing
- Migrant smuggling and human trafficking by sea

**Recommended reading:**

**Week 7: Human Rights and the Law of the Sea**
- Detention of the master and crew (fishing, pollution)
- Irregular migrants at sea
- Persons in distress at sea
- Transfer and prosecution of piracy suspects

**Recommended reading:**

Week 8: Delimitation of Maritime Boundaries
- Principles of maritime boundary delimitation
- Joint development zones

Recommended reading:

Week 9: Dispute Settlement in the Law of the Sea
- International Court of Justice (ICJ)
- International Tribunal for the Law of the Sea (ITLOS)
- Arbitral tribunals
- Alternative means

Recommended reading:

Week 10: Law and Policy in the Law of the Sea (Discussion)
- Climate change and the Arctic
- Science and the law of the sea
- Human security at sea
- Privatization of maritime security
- Unilateral, bilateral, regional, multilateral, or multi-stakeholder approach?
  Etc.

Assessment:
Regular attendance and active participation in the class: 30%
Term-paper: 70%