

## LAW OF THE SEA

***Responsible Faculty Instructor:***

**Gudmundur Eriksson 91210**

Professor

Credits: 4

Credits Type: Elective

Cross-registration: No

Pre-requisites: None

### COURSE DESCRIPTION (COURSE VISION):

The law of the sea is a discipline within the field of public international law which regulates the activities of States and persons at sea. Its rules are to a large extent laid down in the 1982 United Nations Convention on the Law of the Sea (the “Convention”). The Convention, which has properly been called the “Constitution for the Oceans”, can be regarded as one of the major accomplishments of the United Nations, in that it deals in a comprehensive manner with all aspects of the uses of the seas which cover over 70% of the world’s surface. The course traces the provisions of the Convention and thus provides an overview of the prevailing legal regime.

### TEACHING METHODOLOGY:

The course commences with a brief introduction of public international law, with special attention to the nature of public international law, the law of treaties and the system of the peaceful settlement of disputes. Thereafter, through lectures and discussions, the provisions of the Convention will be thoroughly explored.

The main cases in international courts dealing with the law of the sea will also be studied by means of presentations by the students, including in-depth consideration of the cases on the delimitation of the maritime areas in the Bay of Bengal between Bangladesh, India and Myanmar.

### INTENDED LEARNING OUTCOMES:

Analyse and critically describe the main substantive rules of the law of the sea.

Demonstrate an ability to analyse international treaties, through a study of the main instruments dealing with the law of the sea.

Present orally results of legal research on the law of the sea.

READING LIST (upto 10 select readings):

1. United Nations Convention on the Law of the Sea, 10 December 1982.
2. Churchill, R. R., Lowe, Vaughan and Amy Sander, The Law of the Sea (Melland Schill Studies in International Law). 4th ed. Manchester University Press, 2022.
3. Akehurst’s Modern Introduction to International Law. By Peter Malanczuk and Michael Barton. 7th ed. Routledge, 1997.
4. Eiriksson, Gudmundur, The International Tribunal for the Law of the Sea. Kluwer Academic Publishers, 2000.
5. Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982, 28 July 1994.
6. The United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, 4 December 1995.
7. Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction (BBNJ Agreement), 19 June 2023.

WEEKLY READING PLAN (WEEKLY OUTLINE):

A weekly plan is provided below:

<b>MODULES</b>	<b>WEEK(S)</b>
<b>MODULE 1: TITLE</b>	-
<ul style="list-style-type: none"> <li>• Module Description</li> </ul>	
INTRODUCTION TO COURSE SELECTED ASPECTS OF PUBLIC INTERNATIONAL LAW THE NATURE OF PUBLIC INTERNATIONAL LAW THE LAW OF TREATIES THE PEACEFUL SETTLEMENT OF DISPUTES	Week 1
CONTD.	Week 2
Internal waters, Baselines, Navigation in the territorial sea, Contiguous zone, Straits, Archipelagic States.	Week 3
CONTD.	Week 4
SETTLEMENT OF DISPUTES, EXCLUSIVE ECONOMIC ZONE	Week 5
CONTD.	Week 6
Continental shelf, Islands, Delimitation	Week 7
High Seas Mid-Term	Week 8
Enclosed or semi-enclosed seas, Right of access of land-locked States to and from the sea, Navigation, Marine scientific research and the transfer of technology,	Week 9

Military uses of the sea.	
International Seabed Area, Common Heritage of Mankind International Seabed Authority; The Enterprise	Week 10
Settlement of disputes, ( <i>review readings</i> )	Week 11
Innocent passage in the territorial sea, Straits, ( <i>review readings</i> )	Week 12
Exclusive economic zone, ( <i>review readings</i> )	Week 13
Revision Week	Week 14