UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Ocean Affairs Law and Policy

2223-1-F7502Q045

Aims

Based on the knowledge built during the first semester, this course aims at providing students with a detailed overview of the technical aspects of the law of the sea concerning maritime delimitations; the rules for the peaceful settlement of maritime disputes; and issues related to ocean affairs and the law of the sea in selected regional contexts.

Contents

The law of maritime delimitations and relevant case law.
The peaceful settlement of inter-State maritime disputes.
Ocean affairs and the law of the sea in selected regional contexts, including the Mediterranean Sea and the Arctic Ocean.

Detailed program

The course will analyze the law of maritime delimitations and the relevant case law of international courts and tribunals, including by organizing moot court exercises in class. Such exercises will be conducted building upon a comprehensive overview of the rules related to the peaceful settlement of inter-State martitime disputes.
Further, the course will analyze the law and policy applicable in selected marine regions of the world, as well as the particular geographic conditions that have resulted in specific delimitation and environmental agreements. For each region, a legal overview will be provided of the relevant coastal States' status and the frameworks regulating the maritime domain. For example, with regards to the Arctic Ocean, title to territory is hardly a major issue (nevertheless, the course will address the legal status of the Svalbard archipelago, Greenland, Sverdrup Islands). The most difficult and pressing issues of international law in the Arctic concern the maritime domain. Accordingly,

the course will focus on: the relevant maritime boundaries, including the difficult question of the Beaufort Sea; the extended continental shelves claimed by the Arctic States; Arctic Straits, including a legal analysis of navigation through the “Northwest Passage” (through the Canadian Arctic Archipelago) and the “Northern Sea Route” (along the Russian coast); future shipping routes and coastal States navigational policies; submarine voyages; and marine environmental protection, with a focus on the impacts of climate change.

Prerequisites

Having attended the course in “International Law of the Sea” in the first semester, as the course of the second semester will take for granted the knowledge of all marine spaces and related legal regimes under the United Nations Convention on the Law of the Sea (Montego Bay, 1982) and international customary law. The situation of the marine spaces surrounding Antarctica below the Antarctic Convergence will be addressed through the study of the Antarctic Treaty (Washington, 1959), as well as the Convention on the Conservation of Antarctic Marine Living Resources (Canberra, 1980) and the work of the relevant Commission.

Teaching form

Lectures.

Textbook and teaching resource

Legal materials and maritime charts will be distributed through the e-learning page.

Semester

Second semester.

Assessment method

The exam consists of one question cast by ballot among a list of questions previously circulated through the students' e-mailing list. The list of questions covers the entire programme of the course and, therefore, students are expected to be able to expound all topics addressed in class.

The exam takes into account the following elements: knowledge of the substance; consistency and completeness in the exposition; correct use of legal terminology;
ability to express oneself in a clear and concise manner.

The grade is not subject to discussion or negotiation.

The student may decide to withdraw from the exam before or immediately after the grade has been stated.

Office hours

Students may contact directly the teacher via email at ilaria.tani@unimib.it

Sustainable Development Goals

AFFORDABLE AND CLEAN ENERGY | INDUSTRY, INNOVATION AND INFRASTRUCTURE | CLIMATE ACTION | LIFE BELOW WATER | PEACE, JUSTICE AND STRONG INSTITUTIONS | PARTNERSHIPS FOR THE GOALS