FLORIDA A&M UNIVERSITY COLLEGE OF LAW
Fall 2015 Semester

Course Syllabus (Preliminary)

Law of the Sea
Fridays – 6:00 pm to 8:30 pm
3 credit hours

Professor Sam Mandelbaum*
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Required Coursebook –

Examinations & Grading –
This course will require a 3-hour final examination, which is fully open book. In addition, a “bonus” will be given for strong class participation and preparedness, comprised of a one-step grade increase to a student’s final course grade. For example, if a student’s final exam grade has a grade of “B,” the award of a bonus will enhance the final course grade to “B+.”

Class 1 – August 14, 2015
Administrative Matters
Chapter 1 (Coursebook) -
History & sources of the law of the sea
● Evolution of international law of the sea since Ancient Rome
● Development & sources of international agreements through 21st century
● Areas of regulation – sovereignty, fishing, seabed mining, piracy, environment & criminal enforcement
● Challenges to regulating the seas - marine environment, piracy, terrorism & economic exploitation

Class 2 – August 21, 2015
Chapter 2 (Coursebook) -
Coastal Waters
● Baselines
● Delimitation of coastal waters
● Internal Waters, port access & jurisdiction of foreign ships therein

* LL.M., International Business Law (Georgetown);
Florida Bar Board-Certified International Lawyer & Florida Bar Board-Certified Civil Trial Litigator;
Proctor-in-Admiralty (certified by United States Maritime Lawyers Association)
Class 3 – August 28, 2015

Chapters 3 & 4 (Coursebook) -

Territorial seas & contiguous zones
  ● Customary international law
  ● Codifications of territorial seas
  ● Contemporary state practices
  ● Contiguous Zones

Exclusive Economic Zones (EEZ)
  ● Nature of EEZs
  ● Coastal state rights in EEZs
  ● Rights & duties of other states in a nation’s EEZ

Class 4 – September 4, 2015

Chapters 5 & 6 (Coursebook) -
Continental Shelf
  ● Truman Proclamation
  ● UNCLOS I and III
  ● LOSC

Deep Seabed
  ● Environment & resources
  ● Conventions on Law of the Sea
  ● LOSC and the 1994 Agreement
  ● International Seabed Authority and deep seabed mining regime

Class 5 – September 11, 2015

Chapters 7 & 8 (Coursebook) -
High Seas as managed common area
  ● Historic backround of high seas regulations
  ● LOSC and regulation of high seas – Freedoms of navigation, use and shipping
  ● Prohibitions & enforcement – Piracy, slavery, drug trafficking
  ● Conservation & Management

Archipelagic Waters
  ● Codification and evolution of regulation
  ● LOSC & archipelagic states

Class 6 – September 18, 2015

Chapters 9 & 10 (Coursebook) -
Landlocked states & sea access
  ● Rights to navigation
  ● Rights to marine resources and economic use

Navigational rights & freedoms
  ● Customary rights to freedom of the seas
  ● UNCLOS I & III and LOSC
  ● Territorial Seas
  ● EEZs
Class 7 – September 25, 2015

Chapters 11 & 12 (Coursebook) -

Navigation through international straits & archipelagic waters
● Recognized rights of navigation
● LOSC
● Passage through international straits
● Passage through archipelagic waters

Military uses of oceans
● Provisions of international law for naval operations
● Codification
● Navigational rights by warships
● Naval operations on seas

Class 8 – October 2, 2015

Chapters 13 & 14 (Coursebook) -

Marine Resources - Regulation
● Non-living resources & deep seabed
● Living resources, fishing, fisheries
● LOSC, fishing rights on high seas

Marine Scientific Research
● Historic agreements
● LOSC on scientific research
● Coastal states regulation

Class 9 – October 9, 2015

Chapters 15 & 16 (Coursebook) -

Marine Environmental Protection
● LOSC
● Vessel source pollution
● Accidents from vessels
● Pollution emergencies
● Liability for Pollution
● Dumping at sea
● Atmospheric pollution

Delimitation of maritime boundaries
● Historic background & codification
● LOSC
● International agreements on boundaries

Class 10 – October 16, 2015

Chapters 17 (Coursebook & distributed material)

Marine Regulation & Enforcement
● National powers at sea – “Hot Pursuit” & use of force
● Enforcement with particular maritime zones
Class 11 – October 23, 2015

(Distributed material)

Piracy, terrorism & criminal activity on high seas
● Major international threat of piracy
● Special regimes regulating piracy, terrorism, illegal fishing & other criminal activities
● International efforts to combat piracy and

Class 12 – October 30, 2015

Chapter 18 (Coursebook & distributed material)

Dispute Resolution
● Under international law & historic agreements
● LOSC provisions

International Ocean Shipping & Risk Allocation for Cargo Loss, Damage & Delay
● Historic practices & agreements
● Harter Act, Hague Convention, Visby & Hamburg
● COGSA
● Proposed Rotterdam Convention

Class 13 – November 6, 2015

Chapter 19 (Coursebook) -

Oceans governance
● Legal framework
● Global legal framework
● Institutions for oceans governance
● Regional & national oceans governance

Class 14 – November 13, 2015

Final Review

FINAL EXAMINATION – Date to be Announced