

Course plan

Course textbooks (available at RU bookstore)::

- Donald R. Rothwell and Tim Stephens, *The International Law of the Sea* (Oxford and Portland, Oregon, 2010)
- Gudni Jóhannesson, *Troubled Waters. Cod War, Fishing Disputes, and Britain's Fight for the Freedom of the High Seas, 1948–1964*. Studia Atlantica 11 (Reykjavík, 2007).

29 August: Introduction (GJ)

- Pragmatic issues, details about the course. Teaching methods, assessment methods
- Introduction: The Law of the Sea
- Required reading:
 - o Rothwell and Stephens, ch. 1 (pp. 1–29)
 - o Jóhannesson, 'Introduction' (pp. 17–33)

31 August: Coastal Waters, Territorial Sea and the EEZ (GJ)

- Required reading:
 - o Rothwell and Stephens, chs. 2–4 (pp. 30–97)

1 Sept.: The Continental Shelf, the Deep Seabed and the High Seas (GJ)

- Required reading:
 - o Rothwell and Stephens, chs. 5–7 (pp. 98–169)

12 Sept.: Maritime piracy

- Required reading:
 - o UNCLOS, Articles 100-110
 - o Security Council Resolution 1816, 2 June 2008, S/RES/1816 (2008), available at: http://www.un.org/Docs/sc/unsc_resolutions08.htm
 - o Security Council Resolution 1851, 16 December 2008, S/RES/1851 (2008), available at: http://www.un.org/Docs/sc/unsc_resolutions08.htm
 - o Security Council Resolution 1950, 23 November 2010, S/RES/1950, available at: http://www.un.org/Docs/sc/unsc_resolutions10.htm
 - o D. Guilfoyle, "Piracy off Somalia: UN Security Council Resolution 1816 and IMO Regional Counter-Piracy Efforts" (2008) 57(3) *International and Comparative Law Quarterly*, 690-99
 - o Anderson, Brockman-Hawe and Goff, *Suppressing Maritime Piracy: Exploring the Options in International Law*, Workshop Report (2009), available at: <http://www.asil.org/files/suppressing-maritime-piracy.pdf>

13 Sept: Protection of the marine environment

- Required reading
 - o Rothwell and Stephens, ch. 15
 - o Part XII, 1982 United Nations Convention on the Law of the Sea, available at <http://www.un.org/Depts/los/index.htm>
 - o C. Redgwell, 'From Permission to Prohibition: the 1982 Convention on the Law of the Sea and Protection of the Marine Environment' in D. Freestone, R. Barnes and D. Ong, eds, *The Law of the Sea: Progress and Prospects* (OUP, 2006), pp. 180-191

14 Sept: Marine mammals

- Required reading
 - o Rothwell and Stephens, pp. 308-310
 - o 1946 International Convention for the Regulation of Whaling, available at: <http://iwcoffice.org/commission/convention.htm>

- M. Bowman, P. Davies and C. Redgwell, *International Wildlife Law* (2nd edition, 2010), Chapter 6 ('Cetaceans'), 150-198
- A. Gillespie, 'Iceland's Reservation at the International Whaling Commission', 14(5) *European Journal of International Law* (2003) 977
- *Whaling in the Antarctic* (Australia v Japan), Application instituting proceedings in the International Court of Justice (31 May 2010), available at: <http://www.icj-cij.org/docket/files/148/15951.pdf>

15 Sept: International Law of the Sea and the Arctic region

- Required reading:

- L. de la Fayette, 'Ocean Governance in the Arctic' (2008) 23(3) *International Journal of Marine and Coastal Law* 531-566
- D. Rothwell, 'International law and the Protection of the Arctic Environment' (1995) 44(2) *International and Comparative Law Quarterly* 280-312
- O. Young, 'The Arctic in Play: governance in a time of rapid change' (2009) 24(2) *International Journal of Marine and Coastal Law* 423-442
- 2008 Ilulissat Declaration, available at http://www.oceanlaw.org/downloads/arctic/Ilulissat_Declaration.pdf

16. Sept: Dispute Settlement in the Law of the Sea

- Required reading

- Rothwell and Stephens, ch. 18
- A. Boyle, 'Dispute Settlement and the Law of the Sea Convention: problems of fragmentation and jurisdiction', (1997) 46 *International and Comparative Law Quarterly* 37
- (For further reference) G. Eiriksson, *The International Tribunal for the Law of the Sea* (2000)

10. Oct: Making the Law of the Sea, 1262–1960

- Required reading:

- Jóhannesson, ch. 1.5 (pp. 68–76), ch. 2.9 (pp. 150–158), chs. 3.1.–3.2 (pp. 159–183), chs. 3.8–3.9 (pp. 230–249).
- Swarztrauber, Sayre, *The Three-Mile Limit of Territorial Seas* (scanned)
- Bishop, W.W., 'The 1958 Geneva Convention on Fishing and Conservation of the Living Resources of the High Seas', *Columbia Law Review*, Vol. 62, No. 7, 1962, 1206-1229 (scanned).
- Dean, Arthur H., 'The Second Geneva Conference on the Law of the Sea: The Fight for Freedom of the Seas', *AJIL*, Vol. 54, No. 4, 1960, 751-789 (scanned).

12 Oct: Iceland's Fishing Disputes, 1948–1971

- Required reading:

- Jóhannesson, ch. 1.3 (pp. 51–63), chs. 2.2–2.4 (pp. 85–119), chs. 3.4–3.6 (pp. 193–222), ch. 3.8 (pp. 230–238), chs. 4.2–4.3 (pp. 256–26
- Jónsson, *Friends in Conflict*, pp. 69-108?? (scanned).
- *Fishing in Distant Waters*. UK fishing industry report 1958 (scanned).
- *The Icelandic Fishery Question*. Icelandic memorandum 1958 (scanned).

13 Oct: Making the Law of the Sea, 1960–13 Oct 2011

- Required reading:

- Jóhannesson, ch. 4.4 (pp. 283–289)
- Rothwell and Stephens, ch. 19 (pp.461–485)
- Jónsson, *Friends in Conflict* (scanned).
- Sebenius, *Negotiating the Law of the Sea* (scanned).

7 Nov.: Iceland's Fishing Disputes, 1971–1976

- Required reading:

- Rothwell and Stephens, ch. 18 (pp. 439–460)
- 'Fishery protection off Iceland – use of military force'. UK draft paper 1972 (scanned).

- Despatch from US Embassy in Iceland to Washington, 1976 (scanned).
- Ingimundarson, Valur, "Fighting the Cod Wars in the Cold War: Iceland's Challenge to the Western Alliance in the 1970s". *RUSI Journal* 148:3 (2003), pp. 88-94 (scanned).
- Two UK documents on the International Court (scanned).
- ICJ judgment 1974 and related documents, <http://www.icj-cij.org/docket/index.php?p1=3&p2=3&k=9d&PHPSESSID=e54c4de0dcca832f1266803f80527978&case=55&code=ai&p3=5>

10 Nov.: Visit to coast guard vessel Ódin. Discussion about cod wars, might and law!

11 Nov.: Summary, essay discussion.