


HBB390 - Legal Aspects

Présentation

Objectifs pédagogiques

Module Outline:

1. INTRODUCTION INTO THE LAW OF THE SEA
 1. Framing the law of the sea in its international context
 1. Subjects of international law
 1. State sovereignty
 2. Steering & facilitating role of International Organisations (IOs)
 2. Summary: ranking of legal standards
 2. Historical development of the law of the sea
 1. Defining the Law of the Sea
 2. Historical background Law of the Sea
 3. Main features of the "new" Law of the Sea 1982
 4. Future evolutions
2. LEGAL ASPECTS OF HYDROGRAPHY
 1. Definitions & Benefits
 2. From Washington to Monaco: historical development of legal aspects of hydrography
 3. Competent organisations under the Law of the Sea Convention
 4. Specific focus on the integration of the work of the International Hydrographic Organisation with other UN organisations and conventions
3. IN-DEPTH ANALYSIS OF THE 1982 LAW OF THE SEA CONVENTION
 1. Elementary delimitation of maritime zones
 1. Baselines as a starting point
 1. Normal baseline
 2. Strait baselines
 3. Specific cases (eg. Low tide elevations, ports, bays, ...)
 2. Looking at the surface...
 1. Internal waters
 2. Territorial sea/Straits used for international navigation NB Boundaries between States with opposite or adjacent coasts
 3. Functional maritime zones: contiguous zone & Exclusive Economic Zone (EEZ)
 4. High Seas
 3. Plunging below...
 1. Continental Shelf (including the role of the CLCS)
 2. The "Area" (Deep Seabed)
 2. Legal regime in the various maritime zones taking into account specificities of hydrographic work
 1. Internal waters
 2. Territorial sea
 3. Straits used for international navigation
 4. Contiguous zone
 5. EEZ
 6. Continental Shelf
 7. The "Area"
 8. High sea
4. LEGAL RESPONSABILITIES OF THE HYDROGRAPHER & SURVEYOR FOR THEIR PRODUCTS (Role and responsibilities of the hydrographic surveyor as required under professional ethics, industry standards and national/international legislation /conventions.
 1. Working within the orbit of a national hydrographic office or for private contractors
 1. State liability versus private liability
 2. Strict liability versus contractual liability
 2. Product liability

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**Code : HBB390**

Unité d'enseignement de type mixte

3 crédits

Volume horaire de référence (+/- 10%) : **30 heures****Responsabilité nationale :**

EPN08 - Institut national des sciences et techniques de la mer (INTECHMER) / Claire MARION

1. Nautical charts
 2. Notices to mariners
 3. Survey reports
 4. NB ECDIS
3. Specific case-study: the “m/s Rockness” incident

Compétences

Learning Outcomes:

Fundamentals of product liability and the law of the sea

- Have knowledge of the historical development of the Law of the Sea and of legal aspects of hydrography
- Be able to Identify normal and straight baselines (incl. Specific cases)
- Knowledge and understanding of the delimitation and legal regimes of internal waters, the territorial sea (incl. straits used for international navigation), the contiguous zone, the exclusive economic zone, the continental shelf and high seas
- Knowing the influence of the Law of the sea on hydrographic surveying, marine scientific investigations and environmental impact
- Legal responsibilities of the Hydrographer and Surveyor for their products (eg. Charts, notices to mariners, survey reports)
- Case studies throughout full course (eg. Rockness incident)

Programme

Contenu

Lecture 1 Product liability

Lecture 2 Law of the sea

Lecture 3 Case studies

Modalités de validation

- Contrôle continu
- Projet(s)
- Examen final

Description des modalités de validation

Evaluation

The oral examination is a sounding to the understanding of the students in importance of the Law of the Sea, its contents and relationship to other aspects of hydrography, sounding the understanding of hydrographer's liabilities and responsibilities.