

DETAILED LL.M. PROGRAMME STRUCTURE

As approved by the Academic Committee on 8 September 2016

1 INTRODUCTORY COURSES

1.1 INTRODUCTION TO SHIPS AND SHIPPING

- 1.1.1 Major Categories of Ships
- 1.1.2 Shipping and International Trade
- 1.1.3 Types of Shipping
- 1.1.4 Operation and Management of Ships

1.2 TECHNICAL ASPECTS OF SHIPPING

- 1.2.1 Physical Attributes of a Ship
- 1.2.2 Basics of Navigation and Ship Handling
- 1.2.3 Types of Cargo and Cargo Handling

1.3 THE ECONOMIC ASPECTS OF SHIPPING

- 1.3.1 The Role of Shipping in International Trade
- 1.3.2 Liner and Tramp Trade
- 1.3.3 The Liner Conference System
- 1.3.4 The United Nations Convention on the Code of Conduct for Liner Conferences
- 1.3.5 The Economic Impact of Open Ship Registry Systems
- 1.3.6 Regional Approaches to Shipping Law

1.4 INTRODUCTION TO PUBLIC INTERNATIONAL LAW

- 1.4.1 Nature and Origin of Public International Law
- 1.4.2 Subjects of Public International Law and International Personality
- 1.4.3 Sources of Public International Law
 - 1.4.3.1 International Conventions
 - 1.4.3.2 Customary International Law
 - 1.4.3.3 General Principles of International Law
 - 1.4.3.4 Judicial Decisions and the Teachings of Publicists
 - 1.4.3.5 Codification of International Law through Conventions
 - 1.4.3.6 Relationship between International Conventions and Customary International Law, with special reference to the Law of the Sea
- 1.4.4 The Law of Treaties
 - 1.4.4.1 The Vienna Convention on the Law of Treaties, 1969
 - 1.4.4.2 The Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations, 1986
- 1.4.5 Role of "Soft Law" in International Law
- 1.4.6 International Law and Municipal Law
- 1.4.7 Jurisdiction
- 1.4.8 Extradition
- 1.4.9 Immunities
 - 1.4.9.1 State Immunity
 - 1.4.9.2 Diplomatic Immunity
- 1.4.10 State Responsibility

1.5 THE LAW OF INTERNATIONAL ORGANIZATIONS

- 1.5.1 Historical Development of International Organizations
- 1.5.2 International Organizations as Subjects of International Law
- 1.5.3 Institutional Law of International Organizations
 - 1.5.3.1 Classification of International Organizations
 - 1.5.3.2 Role and Functions of International Organizations
 - 1.5.3.3 Constituent Instruments of International Organizations
 - 1.5.3.4 The Applicable Law
 - 1.5.3.5 Privileges and Immunities of International Organizations
 - 1.5.3.6 Responsibility of International Organizations

- 1.5.3.7 Powers of International Organizations
- 1.5.3.8 Membership
- 1.5.3.9 Dissolution
- 1.5.4 The United Nations System
 - 1.5.4.1 The United Nations
 - 1.5.4.1.1 The United Nations General Assembly
 - 1.5.4.1.2 The United Nations Security Council
 - 1.5.4.1.3 United Nations Division for Ocean Affairs and the Law of the Sea (DOALOS)
 - 1.5.4.1.4 Commission on the Limits of the Continental Shelf (CLCS)
 - 1.5.4.1.5 International Law Commission (ILC)
 - 1.5.4.1.6 International Seabed Authority (ISA)
 - 1.5.4.1.7 UN-Oceans
 - 1.5.4.1.8 International Court of Justice (ICJ)
 - 1.5.4.1.9 International Tribunal for the Law of the Sea (ITLOS)
 - 1.5.4.2 Specialized Agencies
 - 1.5.4.2.1 The International Maritime Organization (IMO)
 - 1.5.4.2.1.1 History, Aims and Functions
 - 1.5.4.2.1.2 Structure of IMO
 - 1.5.4.2.1.3 Committees of IMO
 - 1.5.4.2.1.4 IMO as a Law-Making Body
 - 1.5.4.2.1.5 The Process of Development and Amendment of an IMO Convention
 - 1.5.4.2.2 Other Agencies and Bodies
 - 1.5.4.2.2.1 UNEP, UNESCO (IOC), UNCTAD, FAO, ILO, UNCITRAL
- 1.5.5 Role of Non-Governmental Organizations
 - 1.5.5.1 Comité Maritime International (CMI)

1.6 INTRODUCTION TO SHIPPING LAW

- 1.6.1 Historical Development of Maritime Law
- 1.6.2 Characteristics of Maritime Law and Main Differences between the Major Legal Systems
- 1.6.3 Regional Maritime Law, including EU Shipping Law
- 1.6.4 Regulatory Maritime Law: International Conventions
- 1.6.5 Admiralty and Shipping Practice
- 1.6.6 Statutory Law on Shipping
- 1.6.7 Judicial Remedies in Maritime Law
- 1.6.8 Shipping Institutions
- 1.6.9 Law of Contracts
- 1.6.10 Law of Torts/Delict
- 1.6.11 Law of Property
- 1.6.12 International Trade Law
 - 1.6.12.1 International Sale of Goods
 - 1.6.12.2 Sale of Goods Legislation (Comparative Law)
 - 1.6.12.3 International Commercial Terms (INCOTERMS)
 - 1.6.12.4 The United Nations Convention on Contracts for the International Sale of Goods, 1980

1.7 SIGNIFICANCE OF ETHICS IN INTERNATIONAL MARITIME LAW

- 1.7.1 The Role of Ethics in the Law of the Sea
- 1.7.2 The Role of Ethics in Shipping Law

2 INTERNATIONAL LAW OF THE SEA

2.1 HISTORICAL BACKGROUND

2.2 GENERAL INTRODUCTION AND ELEMENTS OF THE LAW OF THE SEA

- 2.2.1 First United Nations Conference on the Law of the Sea (UNCLOS I)
- 2.2.2 Second United Nations Conference on the Law of the Sea (UNCLOS II)

- 2.2.3 Third United Nations Conference on the Law of the Sea (UNCLOS III)
- 2.2.4 1958 Geneva Conventions on the Law of the Sea
 - 2.2.4.1 Convention on the Territorial Sea and the Contiguous Zone, 1958
 - 2.2.4.2 Convention on the Continental Shelf, 1958
 - 2.2.4.3 Convention on the High Seas, 1958
 - 2.2.4.4 Convention on Fishing and Conservation of the Living Resources of the High Seas, 1958
- 2.2.5 United Nations Convention on the Law of the Sea, 1982 (UNCLOS)
- 2.2.6 Post-UNCLOS Developments
- 2.2.7 Customary Law

- 2.3 BASELINES**
- 2.3.1 Convention on the Territorial Sea and the Contiguous Zone, 1958
- 2.3.2 Part II of UNCLOS

- 2.4 INTERNAL WATERS AND TERRITORIAL SEA**
- 2.4.1 Convention on the Territorial Sea and the Contiguous Zone, 1958
- 2.4.2 Part II of UNCLOS
- 2.4.3 Customary Law

- 2.5 STRAITS USED FOR INTERNATIONAL NAVIGATION**
- 2.5.1 Convention on the Territorial Sea and the Contiguous Zone, 1958
- 2.5.2 Part III of UNCLOS
- 2.5.3 Customary Law

- 2.6 ARCHIPELAGIC STATES**
- 2.6.1 Pre-UNCLOS position
- 2.6.2 Part IV of UNCLOS
- 2.6.3 Customary Law

- 2.7 CONTIGUOUS ZONE**
- 2.7.1 Convention on the Territorial Sea and the Contiguous Zone, 1958
- 2.7.2 Part II of UNCLOS
- 2.7.3 Customary Law

- 2.8 CONTINENTAL SHELF**
- 2.8.1 Convention on the Continental Shelf, 1958
- 2.8.2 Part VI of UNCLOS
- 2.8.3 Customary Law

- 2.9 EXCLUSIVE ECONOMIC ZONE**
- 2.9.1 Pre-UNCLOS position
- 2.9.2 Part V of UNCLOS
- 2.9.3 Customary Law

- 2.10 FISHERIES**
- 2.10.1 1958 Geneva Convention on Fishing and the Conservation of the Living Resources of the High Seas
- 2.10.2 Parts V and VII of UNCLOS
- 2.10.3 1993 Food and Agriculture Organization (FAO) Compliance Agreement
- 2.10.4 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks
- 2.10.5 1995 Food and Agriculture Organization (FAO) Code of Conduct for Responsible Fisheries
- 2.10.6 Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, 2009

- 2.11 LAND-LOCKED STATES AND GEOGRAPHICALLY DISADVANTAGED STATES**
- 2.11.1 Pre-UNCLOS position

- 2.11.2 Part X of UNCLOS
- 2.11.3 Customary Law

- 2.12 THE HIGH SEAS**
- 2.12.1 Legal Status of the High Seas
- 2.12.2 High Seas Freedoms
- 2.12.3 Nationality of Ships
- 2.12.4 Status of Ships on the High Seas
- 2.12.5 Prohibition of Transport of Slaves
- 2.12.6 Piracy
- 2.12.7 Illicit Traffic in Narcotic Drugs or Psychotropic Substances
- 2.12.8 Unauthorized Broadcasting
- 2.12.9 Right of Visit
- 2.12.10 Right of Hot Pursuit
- 2.12.11 Submarine Cables and Pipelines

- 2.13 REGIME OF ISLANDS**
- 2.13.1 Pre-UNCLOS position
- 2.13.2 Part VIII of UNCLOS
- 2.13.3 Customary Law

- 2.14 ENCLOSED AND SEMI-ENCLOSED SEAS**
- 2.14.1 Pre-UNCLOS position
- 2.14.2 Part IX of UNCLOS
- 2.14.3 Customary Law

- 2.15 INTERNATIONAL SEABED AREA**
- 2.15.1 Historical Background
- 2.15.2 Customary Law: Declaration of Principles Governing the Deep Seabed
- 2.15.3 The UNCLOS Regime
 - 2.16.3.1 The International Seabed Authority
- 2.15.4 1994 Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea, 1982
- 2.15.5 The System of Exploitation of Deep Seabed Resources

- 2.16 MARINE SCIENTIFIC RESEARCH**
- 2.16.1 Convention on the Territorial Sea and the Contiguous Zone, 1958
- 2.16.2 Convention on the Continental Shelf, 1958
- 2.16.3 Convention on the High Seas, 1958
- 2.16.4 Part XIII of UNCLOS
- 2.16.5 Customary Law

- 2.17 DEVELOPMENT AND TRANSFER OF MARINE TECHNOLOGY**
- 2.17.1 Part XIV of UNCLOS

- 2.18 GENETIC RESOURCES OF THE SEA**

- 2.19 PROTECTION OF UNDERWATER CULTURAL HERITAGE**
- 2.19.1 Articles 149 and 303(2) of UNCLOS
- 2.19.2 Convention on the Protection of Underwater Cultural Heritage, 2001

- 2.20 THE LEGAL REGIME OF THE ARCTIC**
- 2.20.1 Defining the Arctic Region
- 2.20.2 Implications of the Opening of the Northwest and Northeast Passages
- 2.20.3 Overview of the Application of UNCLOS and other International Treaties to the Arctic
- 2.20.4 Maritime Zones in the Arctic and their Delimitation
- 2.20.5 The Arctic Council
- 2.20.6 Development of National Policies regulating the Arctic Region

- 2.21 THE LEGAL REGIME OF THE ANTARCTIC**

- 2.21.1 Defining the Antarctic Region
- 2.21.2 The Antarctic Treaty System
- 2.21.3 Overview of the Application of UNCLOS to the Antarctic Ocean
- 2.21.4 Maritime Zones in the Antarctic Ocean and their Delimitation
- 2.21.5 Recent Trends and Challenges: Shipping in the Antarctic Ocean

2.22 HUMAN RIGHTS AND THE LAW OF THE SEA

- 2.22.1 Introduction to Human Rights
- 2.22.2 Sources of Human Rights
- 2.22.3 The Scope of Human Rights
- 2.22.4 The Content of Human Rights
- 2.22.5 The Relationship between Human Rights and the Law of the Sea

2.23 SETTLEMENT OF DISPUTES

- 2.23.1 The International Tribunal for the Law of the Sea (ITLOS)
- 2.23.2 The International Court of Justice (ICJ)
- 2.23.3 Arbitration and Other Forms of Alternative Dispute Resolutions (ADR)

2.24 THE INTERNATIONAL MARITIME ORGANIZATION AND THE LAW OF THE SEA

3 INTERNATIONAL MARINE ENVIRONMENTAL LAW

3.1 Introduction to Marine Environmental Law

- 3.1.1 Historical Background
- 3.1.2 Development of Principles for the Sustainable Development of the Environment under the United Nations Conferences
- 3.1.3 UNEP and its Regional Seas Programme
- 3.1.4 Basis of Liability for Marine Pollution
 - 3.1.4.1 Law of Negligence in Relation to Marine Pollution
 - 3.1.4.2 Doctrine of Strict Liability / Polluter Pays Principle
 - 3.1.4.3 Criminal Law Relating to Marine Pollution: Application of Mens Rea
- 3.1.5 State Responsibility
- 3.1.6 Inter-Relationship between Prevention of Pollution of the Marine Environment and Protection and Conservation of the Living Resources of the Sea

3.2 Prevention of Pollution

- 3.2.1 UNCLOS and the Protection and Preservation of the Marine Environment (Part XII)
- 3.2.2 International Convention for the Prevention of Pollution from Ships, 1973; the 1978 and 1997 Protocols thereto (MARPOL), as amended
- 3.2.3 International Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 and the 1996 Protocol thereto, as amended
- 3.2.4 Helsinki Convention on the Protection of the Marine Environment of the Baltic Sea Area, 1992
- 3.2.5 Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposals, 1989 as amended
- 3.2.6 International Convention on the Control of Harmful Anti-fouling Systems on Ships, 2001
- 3.2.7 International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004
- 3.2.8 Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009
- 3.2.9 Prevention of Pollution in Polar Regions
 - 3.2.9.1 International Code of Safety for Ships Operating in Polar Waters (Polar Code)

3.3 Preparedness, Response and Co-operation

- 3.3.1 International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969
- 3.3.2 Protocol Relating to Intervention on the High Seas in Cases of Pollution by Substances other than Oil, 1973 as amended

- 3.3.3 International Convention on Oil Pollution, Preparedness, Response and Co-operation, 1990
- 3.3.4 Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances, 2000 (OPRC-HNS Protocol)

3.4 Liability and Compensation

- 3.4.1 International Convention on Civil Liability for Oil Pollution Damage, 1969 (CLC) and the 1992 Protocol thereto (1992 CLC), as amended
- 3.4.2 International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992 (1992 Fund Convention) as amended
- 3.4.3 Protocol of 2003 to the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992 (Supplementary Fund Protocol)
- 3.4.4 International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, 2010 (HNS Convention 2010)
- 3.4.5 Basel Protocol on Liability and Compensation for Damage resulting from Transboundary Movements of Hazardous Wastes and their Disposal, 1999
- 3.4.6 International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001 (Bunkers Convention)
- 3.4.7 United States Oil Pollution Act, 1990

4 INTERNATIONAL MARITIME SECURITY LAW

4.1 INTRODUCTION TO INTERNATIONAL MARITIME SECURITY LAW

4.2 PIRACY, HIJACKING AND ARMED ROBBERY AGAINST SHIPS

- 4.2.1 UNCLOS
- 4.2.2 United Nations Measures to Combat Piracy
- 4.2.3 IMO Measures to Combat Piracy
 - 4.2.3.1 Djibouti Code of Conduct
 - 4.2.3.2 Code of Conduct Concerning the Repression of Piracy, Armed Robbery against Ships, and Illicit Maritime Activity in West and Central Africa, 2013
 - 4.2.3.3 Recommendations to Governments for Preventing and Suppressing Piracy and Armed Robbery against Ships
 - 4.2.3.4 Code of Practice for the Investigation of Crimes of Piracy and Armed Robbery against Ships
 - 4.2.3.5 Maritime Criminal Acts – Draft Guidelines for National Legislation
- 4.2.4 Regional Cooperation among States to Combat Piracy and Armed Robbery against Ships
 - 4.2.4.1 Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP)

4.3 THE HUMAN DIMENSION

- 4.3.1 Stowaways
 - 4.3.1.1 International Convention Relating to Stowaways, 1957
 - 4.3.1.2 Convention on Facilitation of International Maritime Traffic, 1965, as amended (The FAL Convention)
 - 4.3.1.3 IMO Resolution FAL.11(37) in “Revised guidelines on the prevention of access by stowaways and the allocation of responsibilities to seek the successful resolution of stowaway cases”
- 4.3.2 Human Smuggling and Human Trafficking
 - 4.3.2.1 United Nations Convention against Transnational Organized Crime, 2000
 - 4.3.2.2 Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime
 - 4.3.2.3 Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime

4.4 THE TRAFFICKING OF ILLICIT DRUGS

4.4.1 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988

4.5 THE TRAFFICKING OF ILLICIT ARMS

4.5.1 Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, 2001

4.6 MARITIME TERRORISM AND UNLAWFUL ACTS AGAINST THE SAFETY OF MARITIME NAVIGATION

4.6.1 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, 1988 (SUA Convention) and the 2005 Protocol thereto

4.6.2 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, 1988 (SUA Protocol 1988) and the 2005 Protocol thereto

4.7 CYBER TERRORISM

4.7.1 Introduction to Cyber Terrorism

4.7.2 The Anti-Terrorism Treaties and Cyber Terrorism

4.7.2.1 International Convention for the Suppression of Terrorist Bombings, 1997

4.7.2.2 International Convention for the Suppression of the Financing of Terrorism, 1999

4.7.2.3 International Convention for the Suppression of Acts of Nuclear Terrorism, 2005

4.7.3 Counter-Terrorism Activities Mandated by the UN Security Council

4.7 SHIP AND PORT FACILITY SECURITY

4.7.1 International Ship and Port Facility Security Code (ISPS Code)

4.8 OTHER MARITIME SECURITY ISSUES

4.8.1 Prohibition of the Transport of Slaves

4.8.2 Unauthorized Broadcasting from the High Seas

4.8.3 The Right of Visit

4.8.4 The Right of Hot Pursuit

5 SHIPPING LAW

5.1 NATIONALITY, REGISTRATION AND OWNERSHIP OF SHIPS

5.1.1 Nationality of Ships

5.1.2 Ship Registration

5.1.2.1 Registration and Ownership of Ships

5.1.2.1.1 The Concept of 'Genuine Link'

5.1.2.2 Types of Ship Registries

5.1.2.2.1 Closed Registries

5.1.2.2.2 Open Registries

5.1.2.2.3 International Registries

5.1.2.3 Types of Ship Registration

5.1.2.3.1 Regular Registration

5.1.2.3.2 Bareboat Registration

5.1.2.4 Provisions on Ship Registration in the Convention on the High Seas, 1958

5.1.2.5 Provisions on Ship Registration in UNCLOS

5.1.2.6 United Nations Convention on Conditions for Registration of Ships, 1986

5.2 PROPRIETARY INTERESTS IN SHIPS

5.2.1 Acquisition and Transfer of Title and Ownership in Ships

5.2.2 Shipbuilding Contracts

5.2.2.1 The Shipbuilding Contract (Formation of the Contract, Rights and Obligations of the Parties Involved)

5.2.2.2 Agreements Ancillary to Shipbuilding Contracts

5.2.2.3 Standard Forms of Contracts

5.2.2.4 Ship Conversion Contracts

- 5.2.2.5 Commercial Practices
- 5.2.3 Sale and Purchase of Second-hand Tonnage
 - 5.2.3.1 Sale and Purchase of Second-hand Tonnage Contracts (Formation of the Contract, Rights and Obligations of the Parties Involved)
 - 5.2.3.2 Standard Forms of Contracts
 - 5.2.3.3 Alternative Security Arrangements
 - 5.2.3.4 Commercial Practices
- 5.2.4 Security Rights in Ships
 - 5.2.4.1 Ships Mortgages and Hypothecs
 - 5.2.4.1.1 Nature and Characteristics of Ship Mortgages and Hypothecs
 - 5.2.4.1.2 Mortgages and Hypothecs Distinguished
 - 5.2.4.1.3 Formation of Ship Mortgages and Hypothecs
 - 5.2.4.1.4 Registration of Ship Mortgages and Hypothecs
 - 5.2.4.1.5 Rights and Duties of the Parties Involved
 - 5.2.4.1.6 Priority and Ranking of Ship Mortgages and Hypothecs
 - 5.2.4.1.7 Extinction of Ship Mortgages and Hypothecs
 - 5.2.4.1.8 Conflict of Laws in Relation to Ship Mortgages and Hypothecs
 - 5.2.4.2 Maritime Liens and Privileges
 - 5.2.4.2.1 Historical Development of Maritime Liens and Privileges
 - 5.2.4.2.2 Sources of Maritime Liens and Privileges
 - 5.2.4.2.3 Nature and Characteristics of Maritime Liens and Privileges
 - 5.2.4.2.4 Distinction between Liens / Privileges and Mortgages / Hypothecs
 - 5.2.4.2.5 Types of Maritime Liens and Privileges
 - 5.2.4.2.6 Priority and Ranking of Maritime Liens and Privileges
 - 5.2.4.2.7 Enforcement of Maritime Liens and Privileges
 - 5.2.4.2.8 Extinction of Maritime Liens and Privileges
 - 5.2.4.2.9 Conflict of Laws in Relation to Maritime Liens and Privileges
 - 5.2.4.3 International Conventions on Maritime Liens and Mortgages: 1926, 1967 and 1993

5.3 ENFORCEMENT OF MARITIME CLAIMS

- 5.3.1 *In Rem* and *In Personam* Proceedings
- 5.3.2 Arrest of Ships
 - 5.3.2.1 Historical Development of International Regulations
 - 5.3.2.2 International Convention Relating to the Arrest of Sea-Going Ships, 1952
 - 5.3.2.3 International Convention on the Arrest of Ships, 1999
 - 5.3.2.4 Arrest of Ships (Comparative Law)
- 5.3.3 Mareva Injunction and Attachment
- 5.3.4 Establishing Jurisdiction for the Enforcement of Maritime Claims

5.4 CARRIAGE OF GOODS BY SEA

- 5.4.1 Carriage of Goods by Sea under Bill of Lading Terms
 - 5.4.1.1 Bills of Lading and Other Transport Documents (Negotiable Bills of Lading, Straight Bills of Lading, Sea Waybills, Delivery Orders, Through Bills of Lading)
 - 5.4.1.2 Conventions Relating to International Carriage of Goods by Sea
 - 5.4.1.2.1 International Convention for the Unification of Certain Rules of Law relating to Bills of Lading, 1924 (Hague Rules)
 - 5.4.1.2.2 Protocol to Amend the International Convention for the Unification of Certain Rules of Law Relating to Bills of Lading, 1968 (Hague-Visby Rules)
 - 5.4.1.2.3 United Nations Convention on the Carriage of Goods by Sea, 1978 (Hamburg Rules)
 - 5.4.1.2.4 United Nations Convention on Carriage of Goods (Wholly or Partly) by Sea, 2008 (Rotterdam Rules)
 - 5.4.1.3 Electronic Commerce and Electronic Transport Documents for the Carriage of Goods by Sea
- 5.4.2 Charterparties
 - 5.4.2.1 Different Types of Charterparties

- 5.4.2.2 Rights and Obligations of the Parties Involved
- 5.4.2.3 Bills of Lading Issued under Charterparties
- 5.4.3 Multimodal Transport
 - 5.4.3.1 Multimodal Transport Documents
 - 5.4.3.2 United Nations Convention on International Multimodal Transport of Goods, 1980
 - 5.4.3.3 Impact of the Rotterdam Rules on Multimodal Transport

5.5 CARRIAGE OF PASSENGERS AND THEIR LUGGAGE

- 5.5.1 Historical Development of International Regulation (1961 Convention and 1967 Convention)
- 5.5.2 Athens Convention Relating to the Carriage of Passengers and their Luggage by Sea, 1974 (Athens Convention)
- 5.5.3 Athens Convention Relating to the Carriage of Passengers and their Luggage by Sea, 2002 (Athens Convention 2002)
- 5.5.4 Guidelines for the Implementation of the Athens Convention Relating to the Carriage of Passengers and their Luggage by Sea, 2002 (IMO Reservation and Guidelines 2006)
- 5.5.5 Relationship between the Athens Conventions and Other Conventions on Limitation of Liability
- 5.5.6 Regulation (EC) No. 392/2009 on the Liability of Carriers of Passengers by Sea in the Event of Accidents of 23 April 2009

5.6 MARITIME LABOUR LAW

- 5.6.1 Status of the Captain and the Crew
- 5.6.2 International Labour Organization (ILO) and Maritime Labour Conventions
- 5.6.3 International Maritime Organization (IMO) and the Maritime Labour Convention, 2006 (MLC 2006)
- 5.6.4 Seafarers' Rights: The MLC 2006 and Amendments thereto
 - 5.6.4.1 MLC 2006: Preamble and Articles
 - 5.6.4.2 Explanatory note to the Regulations and Code of the MLC 2006
 - 5.6.4.3 Minimum requirements for seafarers to work on a ship
 - 5.6.4.4 Conditions of employment
 - 5.6.4.5 Accommodation, recreational facilities, food and catering
 - 5.6.4.6 Health protection, medical care, welfare and social security protection
 - 5.6.4.7 Compliance and enforcement
 - 5.6.4.8 Duties of consuls to protect seafarers including obligations of flag States to care for their crews
 - 5.6.4.9 Immigration/shore leave/maritime security

5.7 LAW OF MARITIME SAFETY

- 5.7.1 Ship Safety
 - 5.7.1.1 International Convention for the Safety of Life at Sea, 1974 (SOLAS) and the 1978 and 1988 Protocols thereto as amended
 - 5.7.1.2 Torremolinos Protocol of 1993 Relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977 (SFV PROT)
 - 5.7.1.3 International Convention on Load Lines, 1966 and the 1988 Protocol thereto
 - 5.7.1.4 International Convention on Tonnage Measurement of Ships, 1969 (TONNAGE 1969)
 - 5.7.1.5 Classification Societies
- 5.7.2 Cargo Safety
 - 5.7.2.1 SOLAS Chapters VI and VII
 - 5.7.2.2 Code of Safe Practice for Cargo Stowage and Securing (CSS Code)
 - 5.7.2.3 International Maritime Solid Bulk Cargoes Code (IMSBC Code)
 - 5.7.2.4 International Code for the Safe Carriage of Grain in Bulk (International Grain Code)
 - 5.7.2.5 Code of Safe Practice for Ships Carrying Timber Deck Cargoes (TDC Code)
 - 5.7.2.6 International Convention for Safe Containers, 1972 (CSC Convention) as amended
 - 5.7.2.7 International Maritime Dangerous Goods Code (IMDG Code)

- 5.7.2.8 International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (IBC Code)
- 5.7.2.9 International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (IGC Code)
- 5.7.2.10 International Code for the Safe Carriage of Packaged Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Wastes on Board Ships (INF Code)
- 5.7.3 Occupational Safety
 - 5.7.3.1 The Human Element and Safety Management
 - 5.7.3.1.1 SOLAS Chapter VIII
 - 5.7.3.1.2 International Safety Management Code (ISM Code)
 - 5.7.3.2 Ship Operation, Manning Standards and Certification of Seafarers
 - 5.7.3.2.1 Principles of Safe Manning
 - 5.7.3.2.2 International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1995 (STCW Convention), as amended
 - 5.7.3.2.3 International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995 (STCW-F 1995)
 - 5.7.3.2.4 International Labour Organization (ILO) Conventions
- 5.7.4 Navigational Safety
 - 5.7.4.1 SOLAS Chapter V
 - 5.7.4.2 Aids to Navigation
 - 5.7.4.2.1 Maritime Signals and Beacons
 - 5.7.4.2.2 Radio Aids
 - 5.7.4.2.3 Meteorological Aids
 - 5.7.4.2.4 Hydrographic Aids
 - 5.7.4.3 Navigational Aids
 - 5.7.4.4 International Convention on Maritime Search and Rescue, 1979 (SAR) as amended
 - 5.7.4.5 Convention on the International Maritime Satellite Organization, 1976 (INMARSAT), as amended
 - 5.7.4.6 International Aeronautical and Maritime Search and Rescue (IAMSAR) Manual, 2004
- 5.7.5 The Control of Ship Safety
 - 5.7.5.1 Flag State Control
 - 5.7.5.2 Substandard Ships and Actions against Substandard Shipping
 - 5.7.5.3 Port State Control
- 5.7.6 Maritime Safety in Polar Regions
 - 5.7.6.1 International Code of Safety for Ships Operating in Polar Waters (Polar Code)

5.8 LAW OF MARINE COLLISIONS

- 5.8.1 Basis of Liability in Collision Cases
 - 5.8.1.1 International Convention for the Unification of Certain Rules of Law Relating to Collision between Vessels, 1910
- 5.8.2 Jurisdiction in Collision Cases
 - 5.8.2.1 International Convention on Certain Rules Concerning Civil Jurisdiction in Matters of Collision, 1952
 - 5.8.2.2 The Draft International Convention for the Unification of Certain Rules Concerning Civil Jurisdiction, Choice of Law, and Recognition and Enforcement of Judgments in Matters of Collision, 1977 (Rio Rules 1977)
 - 5.8.2.3 International Convention for the Unification of Certain Rules of Law Relating to Penal Jurisdiction in Matters of Collisions or Other Incidents of Navigation, 1952
- 5.8.3 Convention on the International Regulations for Preventing Collisions at Sea, 1972 (COLREGs) as amended
- 5.8.4 Casualty Investigation Code
- 5.8.5 Case Law on Collisions
- 5.8.6 Apportionment of Fault in Collision Cases

5.9 LAW OF SALVAGE AND WRECK

- 5.9.1 Principles of the Law of Salvage
- 5.9.2 International Convention on Salvage, 1989
- 5.9.3 Draft (Brice) Protocol to the International Convention on Salvage, 1989
- 5.9.4 Salvage under Standard Contract Terms - Lloyds Open Form of Salvage Agreement
- 5.9.5 Salvage and the Environment
- 5.9.6 Nairobi International Convention on the Removal of Wrecks, 2007 (Nairobi Convention)

5.10 LAW OF GENERAL AVERAGE

- 5.10.1 Historical Background
- 5.10.2 York-Antwerp Rules
- 5.10.3 CMI Guidelines Relating to General Average
- 5.10.4 Cases on General Average
- 5.10.5 Inter-Relationship between General Average, Marine Insurance and Salvage

5.11 LAW OF TOWAGE

- 5.11.1 Historical Background
- 5.11.2 Relationship between Towage and Salvage
- 5.11.3 Towage Contracts
- 5.11.4 Implied Obligations of Tug and Tow
- 5.11.5 Collisions Occurring During a Towage Service

5.12 LAW OF PILOTAGE

- 5.12.1 Legal Status of a Pilot
- 5.12.2 Compulsory Pilotage
- 5.12.3 Duties of the Master and Pilot during the Pilotage Service
- 5.12.4 Illegal Interference during the Pilotage Service
- 5.12.5 Liability
 - 5.12.5.1 Liability of a Pilot
 - 5.12.5.2 Liability of the Master
 - 5.12.5.3 Liability of Harbour Authorities
- 5.12.6 Pilot's Right to Limit Liability
- 5.12.7 International Pilotage Associations

5.13 LIMITATION OF LIABILITY FOR MARITIME CLAIMS

- 5.13.1 Concept of Global Limitation of Liability in Maritime Law
- 5.13.2 Historical Development of International Regulation (1924 Convention and 1957 Convention)
- 5.13.3 Convention on Limitation of Liability for Maritime Claims, 1976 (LLMC Convention)
- 5.13.4 Protocol of 1996 to Amend the Convention on Limitation of Liability for Maritime Claims of 19 November 1976 (1996 LLMC Protocol), as amended by the 2012 limits of liability
- 5.13.5 Relationship between Global Limitation of Liability Conventions and Particular Liability Regimes

5.14 LAW OF MARINE INSURANCE

- 5.14.1 Historical Background
- 5.14.2 The Nature and Extent of Marine Insurance
 - 5.14.2.1 Subject Matter Insured
 - 5.14.2.2 Insurable Interest
- 5.14.3 Formation and Form of the Marine Insurance Contract
 - 5.14.3.1 Preliminaries to the Issue of a Policy
 - 5.14.3.2 When is the Contract Deemed to be Concluded?
- 5.14.4 The Doctrine of Utmost Good Faith
- 5.14.5 The Role of Marine Insurance Brokers
- 5.14.6 Payment of Premium and Duration of Cover
- 5.14.7 Classification of Marine Policies
 - 5.14.7.1 Voyage Policies
 - 5.14.7.2 Time Policies
- 5.14.8 Conditions and Warranties in Marine Insurance
- 5.14.9 Change of Voyage, Deviation and Delay

- 5.14.10 Marine Perils
 - 5.14.10.1 Insured Perils
 - 5.14.10.2 Excluded Perils
- 5.14.11 Types of Losses
 - 5.14.11.1 Actual Total Loss
 - 5.14.11.2 Constructive Total Loss
 - 5.14.11.3 Loss of Freight
 - 5.14.11.4 Partial Losses
- 5.14.12 Measure of Indemnity
- 5.14.13 Standard Insurance Clauses
 - 5.14.13.1 Hull and Machinery Insurance
 - 5.14.13.2 Cargo Insurance
- 5.14.14 Liability Insurance (P&I Insurance)

5.15 PRIVATE INTERNATIONAL LAW

- 5.15.1 General Conflict of Laws Theory
 - 5.15.1.1 Competent Jurisdiction
 - 5.15.1.2 Applicable Law (Choice of Law)
 - 5.15.1.3 Recognition and Enforcement of Foreign Judgments
- 5.15.2 Conflict of Laws Conventions
 - 5.15.2.1 Convention of 27 September 1968 on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters (Brussels Convention)
 - 5.15.2.2 Convention on Jurisdiction and the Recognition and Enforcement of Judgments in Civil and Commercial Matters, 2007 (Lugano Convention 2007)
 - 5.15.2.3 Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on Jurisdiction and the Recognition and Enforcement of Judgments in Civil and Commercial Matters (RECAST), as amended
 - 5.15.2.4 Convention on the Law Applicable to Contractual Obligations, 1980 (Rome Convention)
 - 5.15.2.5 Council Regulation (EC) No 593/2008 of the European Parliament and of the Council of 17 June 2008 on the Law Applicable to Contractual Obligations (Rome I Regulation)
 - 5.15.2.6 Council Regulation (EC) No 864/2007 of the European Parliament and of the Council of 11 July 2007 on the Law Applicable to Non-contractual Obligations (Rome II Regulation)

6 MARITIME LEGISLATION

6.1 GENERAL

- 6.1.1 Forms of Legislation
- 6.1.2 Types of Statutes
- 6.1.3 Anatomy of a Statute
- 6.1.4 Use of Language in Legislation Drafting
- 6.1.5 The Drafting Process
- 6.1.6 The Legislative Process
- 6.1.7 Relationship between International Law and Municipal Law
- 6.1.8 Rules of Statutory Interpretation

6.2 MARITIME

- 6.2.1 Types of Maritime Legislation
- 6.2.2 Subject Matter of Maritime Legislation
- 6.2.3 Options for Developing Maritime Legislation
- 6.2.4 The Role of Governments in the Negotiation, Development and Drafting of International Maritime Conventions
- 6.2.5 Incorporation of Maritime Conventions into Municipal Law
- 6.2.6 Drafting Techniques for the Adequate Implementation of International Maritime Conventions in Municipal Law

6.2.7 Drafting Exercises