

Marine Affairs Program
Life Sciences Centre, Room 807
1355 Oxford Street
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MARA 5589/POLI 5589/POLI 4590

Dalhousie University
Marine Affairs Program

MARA 5589/POLI 5589/POLI 4590

Politics of the Sea:
An examination of Ocean and Coastal Governance in the 21st Century

Course Syllabus

Fall Term 2017 -18

Professor: Hugh Williamson
Ph: 902-423-7465
E-Mail:
HRWILLIA@DAL.CA

Class Location: LSC 5208
Thursday : 11:35-14:25
Office:
MAP Sessional Office
Floor 8 ½ Life Sciences Building

Course Description:

The utilization of the oceans is no longer simply a matter of mutual non-interference by the various users. Proper management of oceans demands a close coordination and cooperation between those governments and bodies responsible for the governance of the ocean space, and those responsible for the economically efficient and environmentally sustainable activities carried out by both public and private sectors.

Managers and decision makers in both the public and private sector need to be aware of the complex web of rights , duties and responsibilities which have accrued to states as a result of the extension of areas of national governance into the coastal zones , EEZ' and continental shelves. Likewise, the internationalization of ocean governance, in both global and regional fora, requires the active participation of stakeholders in the design and implementation of economically viable, environmentally sustainable, and politically acceptable management regimes.

The focus of this class will be on the historical evolution, and contemporary development of Ocean Governance, including a study of both sectoral (e.g. fisheries, transportation, defence), and geographical (e.g. coastal zone, regional seas) initiatives.

The approach of the course will, of necessity, be highly interdisciplinary. Studies and examples from the fields of business, information, public administration, political science, pure and applied science and law will all be included in the curriculum. The course will examine the issue from both a top-down (international treaties and programs) and bottom-up (sector and national priorities) perspective.

The course is structured around three component parts. Part One focuses on an overview of the development of the Law of the Sea, following the UNCLOS process, and subsequent international initiatives, to establish a fundamental appreciation of the generally accepted “rules of the game”. Part Two takes a sector-by-sector look at the objectives, priorities and operational requirements of the various diverse ocean user groups, including fisheries, energy, transportation, defence etc.. Special attention will be given to the problems and complexities of carrying out these activities in conjunction with other uses. The course will also examine how sectoral industries are structured, and operate within this environment. Part Three examines how national policies are developed and implemented by states in fulfilling their multi-jurisdictional obligations and at the same time, advancing national political and economic agendas

Course Objectives and Learning Outcomes

Objectives:

1. To familiarize the students with the contemporary political and economic issues in the ocean’s community, and the major factors affecting sectorial and intersectorial ocean governance.
2. To develop the students ability to identify, research, and analyse issues in ocean governance and management.
3. To develop and enhance the student’s skills to work effectively in both cooperative and adversarial situations, to achieve appropriate results in a variety of interdisciplinary situations.

Learning Outcomes – by the conclusion of the course, the students will:

1. Have a fundamental understanding of the geo-political ocean environment, including an appreciation of the historical antecedents of the contemporary governance structures, the major national and international functional organizations, the major commercial sector operations, and the rules governing public and private sector activities.
2. Be familiar with the way in which international agreements are implemented in national ocean policies.
3. Understand how the maritime objectives of the major political powers are reflected in ocean policy, and how the international community and individual countries respond.
4. Examine the way that global environmental initiatives are affecting ocean activities, and being reflected in ocean governance.
5. Develop practical skills in collaborative management, and the preparation and execution of negotiation strategies.
6. Develop analytical and communications skills for both written and verbal presentation.

Evaluation:

Evaluation is based on a major research paper, participation in a class exercise, a short briefing report, and class participation.

A. Major Paper and Presentation	-60%
Proposal, Research Strategy and Annotated Bibliography	-10%
Major Paper	-40%
Presentation	-10%
B. Simulation/Class exercise	-20%
C. Class Participation & short Briefing	-20%
	=====
	100%

Students are expected to turn in their work on time. If they expect to be delayed for any reason they should inform the instructor to request an extension. Otherwise, late assignments will be subject to a late penalty, or if sufficiently late, may not be graded at all.

Major Paper: (*Graduate level - 6000 words., Undergraduate level 4000 words*) The paper must conform to the university guidelines concerning research and attribution, bibliography and footnotes and length. In addition to a paper copy, students must submit a digital copy of their paper on floppy Disk or CD.

Topic Outline: Students must submit an approved topic outline by **28 September 2017**

Annotated Bibliography and Research Strategy: Students must submit a preliminary annotated bibliography and their research strategy by **26 October , 2017**. The research strategy should outline how they are undertaking their research, including library, index and Internet sources consulted.

Presentation: Each student will make a 20-minute presentation of their major paper to the entire class. Presentations should be accompanied by a short handout explaining the major issues and listing the major bibliographic sources.

Plagiarism is considered an extremely serious offence, and students should familiarise themselves with the university policy. If you have any doubts, you should discuss it with the instructor .

Simulation Exercise: On **Saturday, 18 November 2017**, there will be a full day Oceans Governance Simulation. All students will be expected to participate.

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Short Briefing: During the course of the class, various topics of interest will come up either in discussions, or in response to current events. Each student will be expected to prepare several short briefings (5-10 minutes) which will seek to familiarise the class with the major issues and sources of information concerning the assigned topic. Several suggested formats are available as a guide.

ASSESSMENT

Graduate Students

Refer to the MARA Course Outline Requirements document for information on the graduate level grading, major paper guidelines and academic integrity.

Undergraduate Students

Refer to the following grading policy. For guidelines on academic integrity refer to MARA Course Outline Requirements document

Undergraduate Dept of Political Science Grading Policy

Letter Grade	Numerical (%) Equivalent
A+	90-100
A	85-89.9
A-	80-84.9
B+	77-79.9
B	73-76.9
B-	70-72.9
C+	65-69.9
C	59-64.9
C-	56-58.9
D	50-55.9
F	below 50

Undergraduate Course Grading Criteria

Grade	Grade Point Value	Definition	
A+	4.30	Excellent	Considerable evidence of original thinking; demonstrated outstanding capacity to analyze and synthesize; outstanding grasp of subject matter; evidence of extensive knowledge base.
A	4.00		
A-	3.70		
B+	3.30	Good	Evidence of grasp of subject matter, some evidence of critical capacity and analytical ability; reasonable understanding of relevant issues; evidence of familiarity with the literature.
B	3.00		
B-	2.70		
C+	2.30	Satisfactory	Evidence of some understanding of the subject matter; ability to develop solutions to simple problems; benefitting from his/her university experience.
C	2.00		
C-	1.70		
D	1.00	Marginal Pass	Evidence of minimally acceptable familiarity with subject matter, critical and analytical skills (except in programs where a minimum grade of 'C' is required).
FM	0.00	Marginal Failure	Available only for Engineering and Health Professions.
F	0.00	Inadequate	Insufficient evidence of understanding of the subject matter; weakness in critical and analytical skills; limited or irrelevant use of the literature.
INC	0.00	Incomplete	
W	Neutral and no credit obtained	Withdrew after deadline	
ILL	Neutral and no credit obtained	Compassionate reasons, illness	
P	Neutral	Pass	
TR	Neutral	Transfer credit on admission	
Pending	Neutral	Grade not reported	

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Accommodation Requests

Students may request accommodation as a result of barriers related to disability, religious obligation, or any characteristic under the human rights legislation.

Students who require academic accommodation for either classroom participation or the writing of tests and exams should make their request to the Advising and Access Services Center (AASC) prior to or at the outset of the regular academic year. Please visit www.dal.ca/access for more information and to obtain the Request for Accommodation form.

A note taker may be required as part of a student's accommodation. There is an honorarium of \$75/course/term (with some exceptions). If you are interested, please contact AASC at 494-2836 for more information or send an email to notetaking@dal.ca

Please note that your classroom may contain specialized accessible furniture and equipment. It is important that these items remain in the classroom, untouched, so that students who require their usage will be able to fully participate in the class

Course Materials:

There is no single recommended text. Readings will be assigned from several sources including handouts, and materials placed on reserve in the library and at the Marine Affairs library in the Rowe Building. Additional readings will be made available on-line .

Suggested Major Sources:

- United Nations Convention on the Law of The Sea
- Borgese, E.M. – The Oceanic Circle, UNU Press, 1998
- Sanger, Clyde – Ordering the Oceans – The Making of the Law of the Sea, Zed Boks, 1986
- Churchill R.R & Lowe, A.V, The Law of the Sea , Manchester U. Press (3rd ed)
- Vidas, Davor, Østreng, Willy- Order for the oceans at the turn of the century, Kluwer , 1999

Seminar Format: Room - LSC- Psychology 5208

Classes will be held on Thursday morning from 11:35 a.m. to 2:25 p.m. (1135-1425). Each class will normally be divided into two sessions. Some visiting lecturers have been invited to discuss specific marine sectors, government bodies and organisations involved marine governance and management. Presentation will be followed by questions and general discussion focusing on the policy issues and political motivation. Where possible several lecturers have been included to present alternative views.

Class Timetable:

1130-1215-Session 1-presentation
1215-1230-Session 1-discussion and questions
1230-1300 – Student Presentations
1300-1315-Break
1315-1415- Session 2-presentation
1415-1430-Session 2-discussion and questions

Class Syllabus

Part One: The Background:

September 7, 2017

Preliminary Discussion:

- a. Introduction to research and open source intelligence gathering
- b. Ocean politics – What makes the oceans a different political environment? Multiple stakeholders, multiple objectives

1. Introduction : A History of the Law of the Sea

The history of ocean governance, boundary making and flag-coastal state rights duties and obligations, Treaty making

Reading: after the fact

September 14, 2017

2. The UNCLOS Process

UNCLOS I, II, Seabed Committee , UNCLOS III, political and legal arrangements, G77, Negotiating Texts and the drafting committee.

Reading:: *The Law of the Sea: United Nations Convention on the Law of the Sea*. New York: United Nations, 1983, “Introduction by Bernardo Zuleta,” “Statement by the Secretary-General Javier Pérez de Cuéllar,” “Statement by Tommy Koh”, pp.XIX-XXXVII; “Final Act,” pp 158-169.

http://www.un.org/Depts/los/convention_agreements/convention_historical_perspective.htm

http://www.un.org/Depts/los/convention_agreements/convention_20years/oceanssourceoflife.pdf

September 21, 2017

3. Beyond UNCLOS

Post-UNCLOS developments. The Preparatory Commission for the International Sea-bed Authority and for the International Tribunal for the Law of the Sea. The Secretary-General’s Consultations. The new institutions created by the Convention.

http://www.maritimeawards.ca/pdfs/HUEBERT_LOS.pdf

<http://www.maritimeawards.ca/pdfs/rlos.pdf>

4. Dispute Resolution : Keeping things working

The role of the ICJ, LOS Tribunal, disputes chambers and other mechanisms. Alternative Dispute resolution

http://www.un.org/Depts/los/convention_agreements/convention_20years/ProfOxman.pdf

http://www.un.org/Depts/los/clcs_new/commission_purpose.htm#Purpose

http://www.itlos.org/start2_en.html

Part Two: The Sectors

September 28, 2017 (submission and approval of major paper topic)

5. Marine Scientific Research:

IOC, UNESCO, Access to scientific information, restriction on scientific research.

October 5, 2017

6. Marine Environmental Protection;

UNCED, its Conventions, Principles, Agenda 21, and Decisions. Coastal Management. Small Island Developing States; Straddling Stocks and Highly Migratory Stocks. The Global Programme of Action for the Protection of the Marine Environment from Land-based Activities. UNEP Regional Seas Program

7. Maritime Security and Defence

Role of navies, sea power and maritime security operations, sea based nuclear deterrence and WMD at sea, Maritime enforcement, maritime piracy

Something current to keep an eye on. <http://www.msconference.com/>

October 12, 2017 – Non-living resources and Sea Bed Issues

8. Marine Resources Management : Non-living & Deep Seabed Resources

Seabed minerals, bio-prospecting, energy sources – hydrocarbon and gas hydrates

<http://www.isa.org.jm/en/about>

9. Submarine Cables ; Communications, and the Tobin Tax

http://www.iscpc.org/information/Openly%20Published%20Members%20Area%20Items/05-0_History_of_ICPC_Iss5.PDF

October 19, 2017 (Submission of ANNOTATED BIBLIOGRAPHY by 1 November)

10. Marine Transportation:

IMO and the shipping industry, protection of shipping (piracy)/protection from shipping (ISPS), Open –registry and effective governance, liability and compensation regimes, Salvage

<http://www.imo.org/OurWork/Pages/Home.aspx>

October 26, 2017 (VISIT TO NAFO-Dartmouth) (tentative)

11. Marine Resources Management : Living Resources

FAO, Regional Fisheries Management Organizations (RFMOs), IUU fishing, Whaling & IWC.

<http://www.dfo-mpo.gc.ca/media/statement-declarations/2012/20120214-eng.htm>

Then look at the DFO pages on International Fisheries

<http://www.dfo-mpo.gc.ca/overfishing-surpeche/index-eng.htm>

<ftp://ftp.fao.org/docrep/fao/011/i0250e/i0250e.pdf> (Overview and capture fisheries)

<http://www.cbc.ca/canada/nova-scotia/story/2012/02/15/ns-fisheries-shea-atlantic.html>

<http://siteresources.worldbank.org/EXTARD/Resources/336681-1224775570533/SunkenBillionsFinal.pdf>

AND most important –Familiarize yourself with NAFO –Who is it, how does it work, What are it's politics?

<http://www.nafo.int/about/frames/about.html>

Part Three: The Implementation

November 2, 2017

12 Aboriginal and Indigenous Rights In the Marine and Coastal Environment

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Guest Lecturer: Chris Milley

13 Non- National Participants; The work of NGO's
NGO initiatives and the role of the “global conscience”, Greenpeace, WWF, Fund for Animal Welfare et al.
Lee Kimble – Challenges of Ocean Governance ; The Role of NGO's
Heard, Richards – European Environmental NGO's : Issues Resources and Strategies in Marine Campaigns
Guest Lecturer – Ecology Action Centre (tentative)

November 18 SATURDAY (Simulation Exercise)

November 23, 2017

14 Coastal Zone Management

15

Integrated coastal zone management: A critical overview, Forrest, Craig, WMU Journal of Maritime Affairs, 2006, Vol.5(2), pp.207-222 [Peer Reviewed Journal]

16 National Ocean Policy: Coastal State Initiatives

Implementing the new agenda. National infrastructure. Case study: Canada's Oceans Act; Canada's Ocean Strategy. Canadian Ocean Assessment; Integrated Coastal Management and Co-management. United States, EU and Australian Ocean policy initiatives.

November 30 , 2017

17 Course Presentations and Conclusion

Friday December 10 2017 Last date for submission of paper

ANNEX A

Possible Research Topics
indicative only; other subjects can be proposed

1. The world fisheries crisis: social, economic, political implications
2. Piracy : causes and political solution
3. The future of the US in UNCLOS
4. The freedom of the High Seas: Historic and future perspectives
5. The Common Heritage of Mankind
6. The Arctic as a Regional Sea
7. Marine Environmental politics
8. Fisheries – The Politics of RFMO’s, IUU fishing, CITES issues
9. Marine Scientific Research
10. Technology Cooperation
11. Surveillance and Enforcement, MCS
12. The Circumpolar Conference, Arctic Ocean Politics
13. The Biodiversity and Climate Conventions: Interactions and synergisms with the Law of the Sea
14. Intellectual property and marine technology transfer in the 21st century
15. Globalization and Ocean Governance
16. The Institutional Framework for the Implementation of the UNCLOS/UNCED Process
17. Boundary Delimitations and Joint Development Zones
18. Zones of Peace and Nuclear-free Zones.
19. The future role of the sea –bed authority
20. Politics of marine disaster management
21. CITES as a Marine Conservation Tool
22. Role of non-flag states in Marine transportation
23. Submarine Communications Cables and (or as a) sea bed resource(s)

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Student Information and Grading Sheet

Last Name: _____ Student #: _____
 First Name: _____ Degree Programme: _____
 E-Mail: _____
 Occupation & Maritime Background: _____
 Nationality: _____

A: Paper Topic: _____ Approval date: _____
 Annotated Bibliography: _____ **Grade:** _____/10 Received: _____
 Major Paper: _____ **Grade:** _____/40 Received: _____

	out of .	Mark	Comments:
Introduction/Conclusion	5		
Style & Presentation	5		
Analysis	20		
Research/Bibliography	10		
TOTAL	40		

Class Presentation: **Grade:** _____/10

Comments:

Paper Grade: _____/60

B: Class Briefings: Topic: _____

Date Assigned: _____ Date of Presentation: _____

	out of .	Mark	Comments:
Introduction/Conclusion	2		
Research	6		
Analysis	7		
Presentation	5		
TOTAL	20		

Comments:

Grade: _____/20

C: Simulation Exercise

Grade: _____/20

FINAL GRADE _____/100_____