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

Course Syllabus

Winter Term 2018 -19

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

Class Location: Mona Campbell 2107
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 student’s 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 the 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, in PDF format, of their paper on floppy Disk or CD. You may submit a digital copy by email attachment to *(HRWILLIA@DAL.CA)*, however it is your responsibility to ensure that the email is received and receipted for by the professor. It is also your responsibility to ensure that there are no viruses, malware or other such inconveniences attached to the communications/

**Topic Outline:** Students must submit an approved topic outline by **31 January 2019**

**Annotated Bibliography and Research Strategy:** Students must submit a preliminary annotated bibliography and their research strategy by **7 March 2019**. 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.

**Submission deadline** – **12 April 2019**
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, 30 March 2019, there will be a full day Oceans
Governance Simulation. All students will be expected to research and prepare their
position, participate in the negotiations, and submit a short written post simulation
analysis of how their negotiations strategy succeeded.

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
GRADE SCALE AND DEFINITIONS

Letter grades have a grade point assigned that is used to calculate your GPA (Grade Point Average). The following table explains and defines Dalhousie's grading system and shows the GPA value that corresponds with each letter grade.

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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:

- Vidas, Davor, Østreng, Willy- Order for the oceans at the turn of the century, Kluwer, 1999
Seminar Format: Room – Mona Campbell 2107

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:

January 10, 2019
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 and different 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: (For reference only)


https://it.ojp.gov/documents/analyst_toolbox.pdf


http://verificationhandbook.com/
January 17, 2019
January 24, 2019

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


Part Two: The Sectors

January 31, 2019 (submission and approval of major paper topic)

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/clcs_new/commission_purpose.htm#Purpose
http://www.itlos.org/start2_en.html

February 7, 2019

5. Marine Scientific Research:
IOC, UNESCO, Access to scientific information, restriction on scientific research.


6. 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.mscconference.com/

February 14, 2019 – Non-living resources and Sea Bed Issues

7. 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

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

February 28, 2019

9. 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

10. Submarine Cables: Communications, and the Tobin Tax
http://www.iscpc.org/information/Openly%20Published%20Members%20Area%20Items/05-0_History_of_ICPC_Iss5.PDF

March 7, 2019
(Submission of ANNOTATED BIBLIOGRAPHY by 7 March)

11. Non-National Participants: The work of NGO’s
NGO initiatives and the role of the “global conscience”, IOI, 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 – Dr Susanna Fuller – Oceans North -TBD)

Part Three: The Implementation
March 14, 2019

12. Aboriginal and Indigenous Rights In the Marine and Coastal Environment
Guest Lecturer: Chris Milley

13. 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
http://www.cbc.ca/canada/nova-scotia/story/2012/02/15/ns-fisheries-shea-atlantic.html
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
March 21, 2019

14. Coastal Zone Management


March 30 SATURDAY (Simulation Exercise)
(To Be determined)

April 4, 2019

16. Course Presentations and Conclusion

Friday April 12, 2019 (3pm) 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
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)
ANNEX B

Paper topic Description, *(due 31 January 2019)*

Paper Length: The major paper should be 15 to 20 pages of Content (independent of bibliography, annexes, index etc). That should work out to about 4500 to 6000 words (250 words per page: 25 lines per page 12 pt Courier font). Obviously there is room for flexibility, however if it’s less than 15 pages, your writing style and analysis should be extremely concise, and if more than 20 pages, the extra material should be extremely relevant…no points for filler)

What you should provide.

1. The title and subject (provisional) of your paper.

2. A description of the topic, including:
   a) The purpose of your paper
   b) The "political” aspect of your paper. Who are the major participants, what are their objectives. How are decisions or policies made? What relationships or issues exist with other ocean users or activities?
   c) What is the significance of your paper to understanding integrated oceans governance?
ANNEX C

Annotated Bibliography and Research Strategy Guidelines:

Students must submit a preliminary annotated bibliography and their research strategy by 7 March, 2019. The research strategy should outline how they are undertaking their research, including library, index and Internet sources consulted.

Grade value: 10%

Research Strategy:
- a) What sources of information are you going to use
- b) How are you organising your search for information: i.e., libraries, databases, indexes, internet searches, interviews, original research etc.
- c) what information will you need to obtain to complete your paper, where will you get it, and do you have a fall back position in case you are unable to obtain certain materials (this is especially important if you are relying on information which is not immediately available)

Annotated Bibliography
- For sources which you have already identified and looked at you should give a brief description including the :
  - a) bibliographic citation
  - b) brief description of the contents
  - c) its applicability to your study
- (If you locate something which originally looked appropriate but which on reading turned out to be irrelevant, you should still include it, with a brief explanation of why it was irrelevant)
The objective of the paper presentation is to INTRODUCE your topic, and speak ABOUT your paper. You should not be reading, or presenting the SUBSTANCE of your paper, for indeed, some (many) of you will not have finished your paper when you present.

What we are interested in the process of writing your paper, so you should consider the following:

- What is your topic? (explain in detail)
- What was the objective or goal of your study?
- What is the background to your study?
- Research – How did you go about researching your topic?
  - Research Strategy
  - Major sources and authorities
  - Problems encountered
- What have you learned?
- What are your preliminary observations about your topic? (preliminary to any conclusions you may have)
- You should have an Intro and conclusion to your presentation (not just to your paper)

**Rules**
1. Presentation will be 10 minutes (with up to 5 minutes for questions and comments)
2. You can use powerpoint or other media as appropriate.
ANNEX E
Class Briefing Guidelines

Objective: The purpose of your class briefing is to provide the class with a concise and informative overview of a particular issue. The intention is to give the recipient a “dangerous working knowledge” of the particular topic, so that in the allotted period of time, we have gone from being potentially uninformed about the topic, to possessing sufficient knowledge that we participate in a discussion, and if we don’t know any answers, we can at least ask intelligent questions.

Goal: To achieve SITUATION AWARENESS

Deliverables: you will provide the class with a short briefing, of no more than 10 minutes, and a 1 sheet (i.e. two 8½ x 11 sides) briefing note. You may use PowerPoint, OHPs or other aids as you require.

Suggested format and components: Your briefing note should cover the following

- Introduction to the Topic – The situation
- Any important terminology, acronyms or abbreviations, or concepts
- Major sources of information, including relevant treaties or statutes
- The major parties to the event – Who are they; What role or function do they play; any significant personalities
- Brief overview or chronology of events; (Who what when where)
- Major Considerations, including any significant political (small “p”) implications - ie objectives, motivations, ideologies
- Any relevant Observations
- Conclusions
- Questions:

Suggested presentation: follow the old guidelines

1. Tell ‘em what you are going to say. (Introduction)
2. Say it:
3. Tell ‘em what you said (Conclusion)

DON’T READ YOUR BRIEFING NOTE- What you should do is to brief the situation, covering the main points, using A FEW pictures or illustrations if appropriate.

I’ll be marking you based on the following marking scheme. Note where the majority of the points are earned.

Marking Scheme

Comments:
Introduction/Conclusion: /2
Research: /6
Analysis: /7
Presentation: /5
Here’s a guideline from the government on what they want in a Briefing note, It gives some guidance on what’s expected when you do this for a living..

How to Write a Briefing Note

What is a briefing?

Briefings, whether in the form of briefing notes, longer briefing papers, or oral briefings, are used to keep decision makers informed about the issues they are responsible for. In government, briefings are the principal means of communication between government managers and their ministers (or other senior officials).

The demands of government these days are such that senior officials must constantly learn and retain information about an enormous range of topics and issues, which change rapidly. The only way they can do this is to rely on concise, clear, reliable briefings.

What is a briefing note and when is it used?

Written briefings are usually done in the form of briefing notes. A briefing note is a short paper that quickly and effectively informs a decision-maker about an issue. A useful briefing note distills often complex information into a short, well-structured document.

Briefing notes usually deal with "issues"—subjects of debate. But briefing notes are also prepared for any topic someone needs to be informed about. It might be a policy matter, a situation, a report, action by another government—in fact, anything that government deals with.

Briefing notes are typically written for those senior-level decision-makers who

- have to keep track of many, often unrelated, issues
- may not be familiar with the issues and may not have any related background
- for whatever reason, cannot spend time doing their own research
- need a capsule version of the key points and considerations about an issue

What are the characteristics of a good BN?

A well-prepared briefing note quickly and efficiently fills a person in on an issue. The most valuable BN is clear, concise and easy to read. To succeed, a briefing note should be:

- **short**: one to two pages, and always as short as possible
- **concise**: a short document isn't necessarily concise; concise means every word is used as efficiently as possible
- **clear**: keep it simple and to the point; always keep your reader firmly in mind and include only what matters to that reader
- **reliable**: the information in a briefing note must be accurate, sound and dependable; any missing
How is a BN structured?

Briefing notes often follow a standard format, but **THERE ARE MANY VARIATIONS** on that format. We will look at a variety of sample briefing notes and briefing note templates in class. The most important point to remember about the structure of briefing notes is that they have three main parts:

- **the purpose** (usually stated as the issue, topic or purpose)
- **a summary of the facts** (what this section contains and the headings used will be determined by the purpose of the briefing note)
- **the conclusion** (this may be a conclusion, a recommendation or other advice, or both)

These three main parts are presented under some or all of the following section headings. Remember, any briefing note you write will only have the sections that are relevant to your purpose and audience.

**Issue** (also Topic, Purpose): A concise statement of the issue, proposal or problem. This section should explain in one or two lines why the BN matters to the reader. It sets out in the form of a question or a statement what the rest of the note is about.

**Background**: The details the reader needs in order to understand what follows (how a situation arose, previous decisions/problems, actions leading up to the current situation). Typically this section gives a brief summary of the history of the topic and other background information. What led up to this problem or issue? How has it evolved? Do not repeat information that you're including in the Current Status section.

**Current Status**: Describes only the current situation, who is involved, what is happening now, the current state of the matter, issue, situation, etc.

**Key Considerations**: A summary of important facts, considerations, developments—everything that needs to be considered now. While you will have to decide what to include and what to leave out, this section should be as unbiased as possible. Your aim is to present all the details required for the reader to be informed or to make an informed decision. Keep the reader's needs uppermost in your mind when selecting and presenting the facts. Remember to substantiate any statements with evidence and to double check your facts. Additional details may be attached as appendices.

**Options** (also Next Steps, Comments): Basically, observations about the key considerations and what they mean; a concise description either of the options and sometimes their pros and cons or of what will happen next.

**Conclusion and/or Recommendations**: Conclusions summarize what you want your reader to infer from the BN. Many readers jump immediately to this section, so be sure it covers the points you most want your reader to be clear about. Do not introduce anything new in the Conclusion. If you are including a recommendations section, it should offer the best and most sound advice you can offer. Make sure the recommendation is clear,
direct and substantiated by the facts you have put forward.

**Before you start writing, be sure you are clear about**

- why you're writing the BN (your purpose)
- who you're writing the BN for (your reader)
- what that person most needs to know
- the points you will cover
- how you will structure your information

**After you have drafted your BN, use the following questions as an editing guide:**

- Is the purpose of the briefing note clear?
- Is the language simple, economical and clear?
- Is everything there that needs to be there?
- Is anything there that isn't essential to the purpose?
- Is the BN easy to read, understand and remember?
- Do the sections lead logically from one to another?
- Is the BN designed so that it is inviting to the reader?
- Is there a good balance between white spaces and text?
- Has the briefing note been carefully edited and proofread?
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:___________

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Class Presentation: Grade:_____/10
Comments:

Paper Grade:_____/60

B: Class Briefings: Topic: __________________
Date Assigned:____________________
Date of Presentation:____________________

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Comments:

Grade:____/20

C: Simulation Exercise: Preparation, Participation, PostAnalysis

Grade:____/20

FINAL GRADE_______/100_______