



KAPITAŁ LUDZKI
NARODOWA STRATEGIA SPÓJNOŚCI

Projekt współfinansowany przez
Unię Europejską w ramach
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Społecznego

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Course title		ECTS code	
PILSP401 International Maritime Law and EU Maritime Policy		10.0.3269	
Name of unit administrating study			
null			
Studies			
faculty	field of study	type	five-year Master's
Faculty of Law and Administration	Law	form	full-time
		specialty	all
		specialization	all
Teaching staff			
prof. UG, dr hab. Dorota Pyć; mgr Jakub Puszkarski; dr hab. Tomasz Wiślak			
Forms of classes, the realization and number of hours		ECTS credits	
Forms of classes		4	
Wykład (to translate)			
The realization of activities			
lectures in the classroom			
Number of hours			
Wykład (to translate): 30 hours			
2019/2020 summer semester			
Type of course		Language of instruction	
elective (to translate)		english	
Teaching methods		Form and method of assessment and basic criteria for eveluation or examination requirements	
<ul style="list-style-type: none">- Analiza tekstów z dyskusją (to translate)- Analiza zdarzeń krytycznych (przypadków) (to translate)- Dyskusja (to translate)- Praca w grupach (to translate)- Rozwiązywanie zadań (to translate)- Wykład konwersatoryjny (to translate)- Wykład problemowy (to translate)- Wykład z prezentacją multimedialną (to translate)		Final evaluation	
		Egzamin (to translate)	
		Assessment methods	
		<ul style="list-style-type: none">- egzamin pisemny (dłuższa wypowiedź pisemna / rozwiązanie problemu) (to translate)- egzamin pisemny testowy (to translate)- egzamin pisemny z pytaniami (zadaniami) otwartymi (to translate)- egzamin ustny (to translate)	
		The basic criteria for evaluation	
		Grading scale: (A) very good (5.0) - 91% and more, (B) good plus (4.5) - 81% - 90%, (C) good (4.0) - 71% - 80%, (D) satisfactory plus (3.5) - 61% - 70%, (E) satisfactory (3.0) - 51% - 60%, (F) insufficient (2.0) - 50% and less. The percentage determines the percentage of knowledge and skills required for a given assessment. Percentages are rounded up to whole numbers in accordance with the generally applicable rounding rules.	
Sposób weryfikacji założonych efektów kształcenia (DO TŁUMACZENIA)			
All assumed learning outcomes are verified during classes and through course completion.			
Required courses and introductory requirements			
A. Formal requirements			
Proven oral and written English at least on B2 level.			
B. Prerequisites			
Basic knowledge of the principles of law in staturtory and common law countries.			
Aims of education			

This course is designed to provide an overview of international maritime law and the EU maritime policy as well as to present the unique role that maritime law and policy play in the public international law and the European Union legal order with special focus on economic and social aspects of international shipping.

The course will cover several essential areas of international maritime law and EU maritime policy which consists of mainly international shipping issues and the EU maritime law and policy, but also some aspects of domestic maritime law.

The principal objective of the course will be to introduce the substantive elements and legal institutions of international maritime law and the role of international maritime organizations in developing maritime law as well as the EU maritime policy.

Course contents

I. International Maritime Law

1. Introduction

1.1 What is maritime law? (concept of the law of the sea, international maritime law, maritime law and shipping law)

1.2 The unique characteristics of international and domestic maritime law

1.3 The scope, principles and sources of international maritime law

2. International Maritime Organizations

2.1. Intergovernmental maritime organizations (IMO, ILO-JMC, IHO, IMSO, UNCTAD, UNCITRAL)

2.1 International non-governmental organizations (BIMCO, ICS, ISF, IACS, Baltic Exchange, CMI, Intertanko, Intercargo, InterManager, FIATA)

3. Ship, nationality and registration

3.1 Ship or vessel – definition and characteristic features

3.2 Seaworthiness

3.3 Nationality, flag and documentation

3.4 Conditions for registration

3.5 Flags of convenience

4. State jurisdiction and control over vessels in marine areas and ports

4.1 Coastal State jurisdiction

4.2 Flag State Control (FSC)

4.3 Port State Control (PSC)

5. Maritime safety law and practice

5.1 Lessons learned from marine casualties (Titanic, Herald of Free Enterprise, Costa Concordia)

5.2 Regulations governing maritime safety (SOLAS/ISM Code, MARPOL, COLREG, LL)

5.3 Management for the Safe Operation of Ships and for Pollution Prevention

5.4 Environmental performance. Shipping and climate change (strategy on reduction of GHG emissions from ships and combating air pollution from shipping)

6. Maritime security law and practice

6.1 Lessons learned from unlawful acts against ships

6.2 Regulations governing maritime security (UNCLOS, SOLAS/ISPS Code, SUA, SUA PROT)

6.3 International ship and port facility security

6.4 Piracy, armed robbery against ships, terrorism and maritime cyber risk management

7. Maritime labour law

7.1 Seafarers' rights to decent working and living conditions on board a ship

7.2 Regulations governing maritime labour (MLC)

7.3 Compliance and enforcement (Flag State responsibility, Port State responsibilities, Labour Supplying responsibilities, MLC documentation, authorization of recognized organizations, on board compliance procedures)

8. Marine casualties investigation and safety recommendations

8.1 Fundamental principles governing the investigation of marine casualty or marine incident

8.2 International Standards and Recommended Practices for a Safety Investigation into a Marine Casualty or Marine Incident (Casualty Investigation Code)

8.3 European Marine Casualty Information Platform

9. Ship management

9.1 Definition of ship management

9.2 Technical management, crew management, commercial management and lay-up management

9.3 Standard Ship Management Agreements (SHIPMAN 2009)

10. Carriage of goods by sea

10.1 Contract of carriage (nature of carriage, types and parties to the contract of carriage)

10.2 Regulations governing carriage of goods by sea (HR, HVR, RR)

10.3 Due diligence in making a ship seaworthy

11. Carriage of passengers and their luggage by sea

11.1 Liability for damage suffered by passengers carried on a seagoing vessel

11.2 Regulations governing carriage of passengers and their luggage by sea (PAL, PAL PROT)

11.3 Rights of passengers in carriage by sea in the EU law

12. Salvage

- 12.1. Definition and general principles of salvage ("no cure no pay", right to salvage, protection of the environment)
- 12.2. Regulations governing salvage (SALVAGE)
- 12.3. Salvage agreements
- 13. Marine Insurance
- 13.1 Insurance contract
- 13.2 Types of insurance
- 13.3 P&I insurance
- II. Concept of the European Maritime Law and Policy
- 14. Introduction
- 14.1 The European Union vision for the oceans and the seas
- 14.2 The European Union commitment to ensuring compliance and enforcement of international maritime law by its Member States (e.g. safety standards: Maritime Safety Packages - Erica III)
- 14.3 Concept of integrated maritime policy for the European Union
- 15. The EU Integrated Maritime Policy (IMP)
- 15.1 IMP legal framework
- 15.2 IMP institutional framework
- 15.3 IMP cross-cutting policies (blue growth, marine data and knowledge, maritime spatial planning – MSP, integrated maritime surveillance, sea-basin strategies)

Bibliography of literature

Literature:

1. IMLI Manual on International Maritime Law, Vol. I, The Law of the Sea, general editor: D. J. Attard, eds.: M. Fitzmaurice, N. A Martínez Gutiérrez, I. Arroyo, E. Belja, Oxford University Press 2014.
2. IMLI Manual on International Maritime Law, Vol. II, Shipping Law, general editor: D. J. Attard, eds.: M. Fitzmaurice, N. A Martínez Gutiérrez, I. Arroyo, E. Belja, Oxford University Press 2016.
3. IMLI Manual on International Maritime Law, Vol. III, Marine Environmental Law and Maritime Security Law, general editor: D. J. Attard, eds.: M. Fitzmaurice, N. A Martínez Gutiérrez, I. Arroyo, E. Belja, Oxford University Press 2016.
4. Olteidal, H.A., Lützhöft, M., Managing Maritime Safety, Routledge 2018.
5. Pyć, D., The Role of the Law of the Sea in Marine Spatial Planning [in:] J. Zaucha and K. Gee (eds), Maritime Spatial Planning: past, present, future, Palgrave Macmillan 2019.
6. Tanaka, Y., Regulation of Greenhouse Gas Emissions from International shipping and Jurisdiction of States, (2016) 25(3) RECIEL 337-343.

Complementary sources:

1. UNCLOS 1982. The United Nations Convention on the Law of the Sea, http://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf
2. SOLAS 1974. International Convention for the Safety of Life at Sea, http://www.idgca.org/doc/app7_290115.pdf
3. Report of Court (1987) MV HERALD OF FREE ENTERPRISE, Report of Court No. 8074 Formal Investigation, pp.14-15, [Online] Available from: https://assets.publishing.service.gov.uk/media/54c1704ce5274a15b6000025/FormalInvestigation_HeraldofFreeEnterprise-MSA1894.pdf
4. UNCTAD (2018) Review of Maritime Transport [Online] Available from: https://unctad.org/en/PublicationsLibrary/rmt2018_en.pdf
5. An Integrated Maritime Policy for the European Union, COM(2007) 574 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52007DC0575>
6. Guidelines for an integrated approach to maritime policy: towards best practice in integrated maritime governance and stakeholder consultation, COM/2008/0395 final, <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:52008DC0395>
7. IMP work programme: https://ec.europa.eu/fisheries/cfp/emff/annual-work-programme-grants-and-procurement_en
8. Progress of the EU's Integrated Maritime Policy, COM/2012/0491 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1396421918103&uri=CELEX:52012DC0491>

Websites:

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www.ics-shipping.org
www.ilo.org/global/docs/WCMS_162320/lang--en/index.htm
www.intermanager.org
www.emsa.europa.eu
https://ec.europa.eu/maritimeaffairs/policy_en

KNOWLEDGE

K_WG01

has in-depth and ordered knowledge of the nature of legal sciences, their place in the system of sciences and relations to other sciences

Knowledge

Students gain detailed knowledge of the international maritime law and EU maritime policy, and their principles, procedures, recommended practices as well as international maritime organizations.

Skills

<p>K_WG02 knows the terminology and concepts of law and related fields to an extended degree</p> <p>K_WG03 has in-depth knowledge about the system of powers in Poland, with particular emphasis on legislative and judicial power</p> <p>K_WG04 knows the system of Polish law, interrelationships within this system and connections between Polish law and European Union law and international law</p> <p>K_WG05 has structured knowledge of the types of legal relations and regularities that govern them</p> <p>K_WG06 has structured knowledge about person as an entity constituting social structures and the principles of their functioning, as well as about person as an entity functioning in these structures</p> <p>K_WG07 knows methods and tools, including techniques for obtaining data and information, and research methods appropriate for legal sciences and related fields</p> <p>K_WG08 has in-depth knowledge of the sources of Polish law, its changes and the process of its creation</p> <p>K_WG09 has in-depth and ordered knowledge of the processes of change in power systems and its individual organs as well as the consequences of these changes</p> <p>K_WK10 knows and understands the basic concepts and principles in the field of protection of industrial property and copyright and understands the need for proper protection of intellectual property and management of its resources</p> <p>K_WK11 has in-depth knowledge of the principles of creating and developing basic forms of individual entrepreneurship</p> <p>K_WK12 has knowledge of health and safety at work in public administration institutions</p> <p>K_WK13 has in-depth knowledge of the functioning of self-governments of legal professions, knows the rules of exercising the profession of judge and prosecutor, has knowledge about the organization of justice in Poland</p> <p>SKILLS</p> <p>K_UW01 has deepened skills in observing and interpreting social phenomena, analyzes their connections with various areas, branches of law and related sciences</p> <p>K_UW02 is able to use and integrate theoretical knowledge of law and related scientific disciplines to analyze and interpret complex legal problems</p> <p>K_UW03 is able to use complex theoretical approaches to analyze, interpret and design legal strategies; can generate solutions to specific problems related to the law and forecast the course of their solutions and predict the effects of planned</p>	<p>Students develop their critical thinking skills and solve the international maritime law and EU maritime policy–related issues more effectively, as they progress in their studies.</p>
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<p>activities</p> <p>K_UW04 efficiently uses legal and professional principles and norms in undertaken professional activity</p> <p>K_UW05 can analyze and has the ability to diagnose moral and legal dilemmas in professional work</p> <p>K_UW06 is able to assess the usefulness of typical procedures and good practices for the implementation of complex tasks related to various areas related to law and related fields</p> <p>K_UK07 has developed the ability to understand and analyze social phenomena and to use this analysis in professional work</p> <p>K_UK08 has an in-depth ability to prepare various essays in Polish and in a foreign language related to his work</p> <p>K_UK09 has deepened ability to prepare oral presentations, in Polish and in a foreign language, in the field of law and related sciences</p> <p>K_UK10 has language skills in the fields of science and scientific disciplines relevant to the field of study being studied, in accordance with the requirements set for level B2 + of the European Language Description System</p> <p>K_UO11 is able to cooperate in a team and is able to coordinate the work of the team in solving legal problems, interpreting legal acts, preparing a written or oral position on</p> <p>K_UU12 is able to efficiently acquire knowledge and develop his professional skills using a variety of sources (in native and foreign languages) and modern technologies</p> <p>COMPETENCES</p> <p>K_KK01 has deepened awareness of the level of their knowledge and skills, and also understands the need for lifelong learning</p> <p>K_KK02 is aware of the need to expand professional competences and qualifications as well as improves skills, is able to independently determine the directions of their own development and education in an extended and in-depth degree</p> <p>K_KO03 is ready to actively participate in groups, organizations and institutions carrying out professional activities related to law, at the same time is able to communicate with people who are not specialists in the field of law</p> <p>K_KO04 is ready to undertake the preparation of own social projects, taking into account legal, economic and political aspects, including the preparation and implementation of projects co-financed by the European Union</p> <p>K_KR05 prepares responsibly for his work, is able to set priorities at work which is properly laid out</p> <p>K_KR06 is convinced of the importance of behaving in an ethical and</p>	<p>Social competence</p> <p>Students become more aware of the complexity of contemporary international maritime law and EU maritime policy as well as international maritime organizations. As an effect, they are more willing and responsible in their statements in the international maritime law and European maritime policy debates.</p>
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<p>professional manner, acting in accordance with the principles of ethics</p> <p>K_KR07</p> <p>is ready to take on professional challenges, undertakes efforts and is characterized by perseverance in the implementation of individual and team activities in the field of law and related sciences</p>	
Contact	
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