

CLASS SCHEDULES AND DEDICATED STUDENT HOURS* SPRING 2023 – OFFICE: KURZ 225

Monday	Tuesday	Wednesday	Thursday	Friday
	0800 – 0915 LEG COMP		0800 – 0915 LEG COMP	
	0930 – 1045 LEG COMP	STUDENT TIME	0930 – 1045 LEG COMP	
	1100 – 1215 WIND LAW	1100 - 1230	1100 – 1215 WIND LAW	
	1230 – 1330 LUNCH	1230 – 1330 LUNCH	1230 – 1330 LUNCH	
	1330 – 1400 STUDENT TIME	STUDENT TIME	1330 – 1400 STUDENT TIME	
	1400 – 1515 WIND LAW	1330 - 1515	1400 – 1515 WIND LAW	
	1530 – 1600 STUDENT TIME		1530 – 1600 STUDENT TIME	

* If you would like to meet with me outside these posted hours, not a problem – send me an email and we can schedule a meet in person or via Zoom

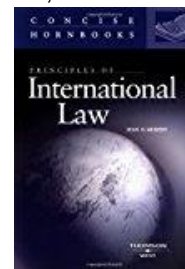
Course Description:

The first half of the semester will focus on International law, which will help us understand the framework necessary to establish and enforce the international maritime treaties we'll focus on in the second part of the semester. An essential element of international law and relationships among nations is the concept of state sovereignty and the fact that the sovereign has no higher authority to answer to. We see the consequences of this fact playing out globally every day: war and peace, trade and sanction, cooperation and conflict – and we'll look at some current events on the world stage to illustrate how international law comes into play.

The second half of the semester will focus on the major international maritime conventions and the corresponding U.S. regulations in the CFRs that make those treaties binding on U.S. ships and mariners. Some of the international conventions might have names already familiar to you: SOLAS, MARPOL, STCW, and as we will see these conventions cover a lot more than lifesaving equipment, oil spills and all the classes you are required to take as a license-track student. Some major international maritime conventions have not been ratified by the United States, such as the Maritime Labor Convention and the Annex IV of MARPOL – so does that mean US ships can simply ignore the standards set forth in those conventions? We shall see...

Course Materials:

- PRINCIPLES OF INTERNATIONAL LAW 3d ed., Sean D. Murphy



- “Handouts” posted to Blackboard or distributed in class

WHAT DO I EXPECT FROM YOU IN THIS CLASS?

1. **Engagement and curiosity:** I hope that you will complete the reading assignments in the textbook, online resources, and maritime newsletters to get a fuller appreciation of the many ways international law and maritime “leg comp” affect us as a nation and individually as US mariners. I hope that you will continue to regularly read the maritime newsletters after completing this class, there’s a lot of good, useful and interesting information directly relevant to you and your chosen occupation.
2. **Honesty:** The MMA Honor code states that cadets do not “lie, cheat, or steal” and applies as equally to academics as it does in the Regiment. If you cheat on an exam or quiz, copy someone else’s work and turn it in as your own, submit an assignment previously submitted in another course, or violate the Honor Code in any other way, you will receive a failing grade on the exam, quiz or assignment and the matter shall be submitted to the Honor Committee.
3. **Presence:** My expectation is for you to attend every class. I will allow 2 “skips” – unexcused absences. For all other “excused” absences – illness, family emergency, funerals, job/internship interviews, holiday travel etc., please provide adequate documentation to me so the absence does not adversely affect your final grade as an unexcused absence. I am required by STCW certification and audit standards to submit class attendance sheets at the conclusion of the semester.
4. **Respect:** Asking questions and participating in class discussion is a crucial component of this course. Everyone in this class, including the instructor, will listen respectfully to questions asked, and discussions will be conducted with maturity and civility. That isn’t to say we can’t be a little “salty” from time to time, or have a few laughs, but never in a manner that is cruel or discriminatory toward another.

WHAT CAN YOU EXPECT FROM ME IN THIS CLASS?

1. **On-time performance:** I am typically in the classroom before the start-time of class. It is unusual for me to be late. If I am not in the classroom at start time, please check your emails in the event an unforeseen circumstance has arisen, preventing me from being on time.
2. **Announcements:** I use BB "Announcements" feature when I need to communicate important information to you, so please check your emails regularly for updates, reminders and other important information related to this class.
3. **Availability:** I'm on campus all day Tuesdays, Wednesdays and Thursdays, especially Wednesdays I have student hours most of the day. Please refer to my class and "student hours" schedule at the top of the syllabus. I'm also happy to meet with you at other times. Stop by! I welcome the visits.
4. **Reliability:** I post subject lectures to Blackboard after the conclusion of the chapter material to aid you in preparing for quiz/test/exams etc. I post grades for quiz/test/exams as quickly as I can, often the same day for multiple-choice quizzes, tests. Assignment or project grades take a bit longer because I read and comment on your submissions (and I have a total of about 50 students in this class). Your grades will be posted in Blackboard, and the "Weighted Total" column is representative of your current grade point average in the class.
5. **Respectfulness:** I treat my students with respect. You are young adults and future fellow-alums – some of you might even be future colleagues! If I challenge your reasoning or opinion it is because I believe there are some other facts or issues you should take into consideration. No question is a bad question, so ask away. We are here to learn from each other.
6. **Responsiveness:** I check my maritime.edu emails frequently every day, even weekends! I typically respond pretty quickly if I receive your email during "regular business hours" (0800 – 1800ish).

"TECHSPECTATIONS" EXPECTATIONS ON USE OF TECH DURING CLASS:

1. **Phones:** On silent and in your backpack, put away.
2. **Computers:** In your backpack, put away. Take notes "old school" in a notebook or doodle if you must. From time to time I will ask you to bring computers to class for in-class assignments.
3. **Students using technology in a disruptive manner (ear buds, smart watches, phones, computer etc.) in violation of these "techspectsations" will be dismissed from class and marked "absent" for the session**
4. **Recording of lectures is prohibited by law unless permission has explicitly been granted by instructor**

GRADE COMPUTATION:

1. Grades will be based on quizzes, exams and projects as well as class participation and attendance. [SS 4123 "Leg Comp" is an STCW requirement for OICEW and OICNW certification. Minimum grade to earn credit in this class is C – \(C minus, 70%\).](#)
2. I typically give 4 – 5 "quizzes" (usually multiple-choice) and/or homework assignments during the course of the semester. These short exams or assignments are typically worth between 8 – 10% of your final grade.
3. There are 2 "big exams" during the semester, **the mid-term exam, mid-April and the Final Exam at the end of the semester. Mid-term and Final will each be worth 30%, together making up 60% of the final grade.**
4. Class participation: All students are expected to have completed reading and/or research assignments before class and to be prepared to answer and ask questions. Final grades may be adjusted up or down depending on the quality and frequency of class participation and preparedness.
5. I do not give "extra credit" assignments at the end of the semester, so keep an eye on your "Weighted Total" average in the BB Grades.

SYLLABUS AS A VOYAGE PLAN: This syllabus is intended as a guide to students in what may be covered during the semester, and will be followed as closely as possible. However, the syllabus may be modified, supplemented, or amended depending on pacing, your needs, my needs, current events, etc. I will give notice in class and via BB Announcement feature of syllabus modifications, if any, during the semester.

PART I – INTERNATIONAL LAW: PRINCIPLES OF INTERNATIONAL LAW – MURPHY 3d ed. 2018

<p>1. Bizarre at the Bazaar: Introduction to International Law</p> <p>a. Chapter 1 – Foundations of International Law</p> <p>i. 3 – 16: Foundation, Structure, Theories</p> <p>ii. 21 – 32: History – far and near – history of maritime law in the US</p>
<p>2. Who is in charge here? States, governments and alphabet soup (IOs, IGOs, NGOs, MNCs)</p> <p>a. Chapter 2 – Actors in International Law</p> <p>i. 35 – 52: States, governments, succession and boundaries</p> <p>1. The significance of the flag state / ship registries</p> <p>ii. 59 – 64: Structure of the UN – major organs</p> <p>iii. 73 – 79: NGOs, MNCs</p>
<p>3. Written, unwritten, mandatory, voluntary – Treaties, customary international law, transnational public regulation and codes of conduct</p> <p>a. Chapter 3 – International Law Creation</p> <p>i. 81 – 87: Treaties</p> <p>1. Research: Maritime Treaties -</p> <p>ii. 101 – 112: Customary Int'l law</p> <p>iii. 117 – 125: World Legislature? Lawmaking by International Organizations</p> <p>1. Research: the work of the IMO</p>
<p>4. You Dropped the Bomb on Me: Use of Force</p> <p>a. Chapter 14 – Use of Armed Force</p> <p>i. 573 – 602 <i>Jus ad Bellum</i> – state conduct prior to war; justifications for the use of force</p> <p>1. Research: Council on Foreign Relations</p>
<p>5. Human Rights (Documents posted to Blackboard)</p> <p>a. Excerpt Examples & Explanations: Chapter 8 International Human Rights</p> <p>b. Universal Declaration of Human Rights</p> <p>i. Research: Human Rights at Sea, Geneva Declaration of Human Rights at Sea</p>
<p>6. The Law of the Sea</p> <p>a. Chapter 11 – The Law of the Sea</p> <p>i. 449 – 472: Zones, Archipelagos, Straits and Boundaries</p>

MIDTERM / END OF MODULE EXAM INTERNATIONAL LAW WEEK OF APRIL 10TH or 17th

Part II – Legislative Compliance – The International Maritime Conventions & Domestic Regulations

Disaster #1: The sinking of the TITANIC and the resultant loss of life gave rise to the first international agreement for the safety of ships and those who sailed on them.



SOLAS – Safety of Life at Sea Convention:

1. Chapter I – General: application, definitions, surveys / 46 CFR Parts 90 – 106

- a. The SOLAS convention is not applicable to all ships – who is in, who is out
- b. Definitions help us understand the aim of the regulations
- c. Surveys, aka inspections, ensure a vessel maintains structural and operational compliance with the regulations

2. Chapters II-1, II-2 – Construction / Construction Fire Protection / 46 CFR Parts 90 – 106

- a. Vessel construction generally
- b. Vessel construction to withstand damage from fire

3. Chapter III – Lifesaving Appliances / 46 CFR Part 199

- a. Boats, rafts, rings ... a lot of orange things
- b. Training, training, training

4. Chapter V – Safety of Navigation / 33 CFR Part 164

- a. Government obligations for the safety of mariners



Disaster #2: The RO/PAC ferry HERALD OF FREE ENTERPRISE capsized in less than 5 five minutes shortly after getting underway. The “disease of sloppiness” infected every level of operation ashore and on the vessel.

SOLAS – Safety of Life at Sea Convention

1. Chapter IX – Management for the Safe Operation of Ships

- a. ISM Code
- b. Safety Management Systems
 - i. 33 CFR Part 96, NTSB Reports



Disaster #3: The terrorist attacks of September 11, 2001 shook the world to the core. The maritime community worldwide realized it had no protocols in place to protect and harden ports, ships and related infrastructure against terrorist activity where a means of transportation could be used as a “vector” for terrorism. This changed everything in our industry.

SOLAS – Safety of Life at Sea Convention:

1. Chapter XI-2: Maritime Security

- a. ISPS Code
- b. MTSA 2002, 33 CFR Parts 100, 104

Disaster #4: In 1967 the TORREY CANYON ran aground off the coast of England, spilling its entire cargo of more than one million barrels of crude oil. The scope of the environmental disaster shocked the world.

MARPOL – The International Convention for the Prevention of Pollution from Ships

1. Annex I – Oil Pollution / 33 CFR Parts 151 – 159

- a. US regs – Act to Prevent Pollution from Ships (APPS)
- b. OPA '90 – the responsible party, removal costs, damages



Part II – Legislative Compliance – The International Maritime Conventions & Domestic Regulations



MARPOL - The International Convention for the Prevention of Pollution from Ships

1. **Annex IV – Sewage / 33 CFR Part 159**
 - a. US regs – MSDs
2. **Annex V – Garbage / 33 CFR Part 151**
 - a. US regs – management, plans and recordkeeping
3. **Annex VI – Air pollution / 40 CFR Part 1043**
 - a. US regs – MARPOL-compliant engines and fuel



MLC (2006) – The Maritime Labor Convention

1. The International Labor Organization – background
2. Occupational Safety and Health / Risk management
 - a. US Compliance - SOVC

STCW – Standards of Training Certification and Watchkeeping

1. STCW Code
 - a. Categories
 - b. Proficiencies

Course Learning Objectives and Outcomes:

After completing this course, Cadets should have:

1. An understanding of the history, development and scope of International Law; knowledge of how International Law is created, interpreted and enforced; and a clear understanding of how international disputes are resolved;
2. Students should have a thorough understanding of international agreements and theories and practices of states within the international community.
3. A basic working knowledge of the major international maritime conventions concerning safety of life at sea, security and protection of the marine environment; and an understanding of related international maritime conventions and recommendations, as well as related, applicable U.S. domestic regulations.

Social Science Learning Outcomes:

1. Higher order thinking: Students should be able to perform higher order thinking skills to include both critical and insightful thinking. They should be able to apply the elements of reasoning and be able to use criteria and content in order to make decisions, analyze arguments, imagine solutions to problems and create original and unique scholarship.
2. Communication Competence: Students should be able to write, read, speak and listen effectively and be able to express and process ideas clearly and succinctly. They should be able to create essays and complex answers to problems using these skills. They should demonstrate constant adherence to the highest ideals of academic honesty.
3. Contextual Awareness: Students should be able to demonstrate an understanding of various social, historical and cultural contexts in order to operate within a dynamic world and workplace. These skills should help the students navigate a workplace which is increasingly complex, socially and professionally.
4. Scholastic self-confidence: Students should be able to arrive at a position using academically valid skills and criteria they then should be able to confidently defend and support their position through knowledge and communication skills.
5. Broadened world perspective: Students should be able to understand their own and America's place in the wider world and appreciate the social, economic, political, historical and legal issues which define global realities.