

## **Public International Law II**

### **Prof. Fernando Loureiro Bastos**

#### **Syllabus:**

PART I. INTRODUCTION CHAPTER I. GENERAL ASPECTS 1. Short presentation of the matters included in the International Law of the Sea course 2. International Law of the Sea and International Maritime Law 3. The importance of Public International Law for a proper understanding of the International Law of the Sea 4. Maritime spaces subjected to sovereignty or jurisdiction of coastal States, international maritime spaces and internationalized maritime spaces 5. Coastal States and other types of States 6. Oceans' governance 7. Reference to the materials available for the study of the International Law of the Sea CHAPTER II. HISTORY OF THE INTERNATIONAL LAW OF THE SEA 8. Reference to the period before 1945 9. The Conferences of the United Nations on the Law of the Sea 10. The United Nations Convention on the Law of the Sea CHAPTER III. SOURCES OF INTERNATIONAL LAW OF THE SEA 11. Customary international law 12. Treaty law 13. Decisions of international courts and tribunals 14. Other sources of International Law of the Sea

PART II. MARITIME SPACES CHAPTER I. MARITIME SPACES SUBJECTED TO THE SOVEREIGNTY OR JURISDICTION OF THE COASTAL STATES 15. Internal waters 16. Territorial sea and the contiguous zone 17. Exclusive economic zone 18. Continental shelf 19. Archipelagic waters CHAPTER II. INTERNATIONAL MARITIME SPACES AND INTERNATIONALIZED MARITIME SPACES 20. High seas 21. The Area CHAPTER III. DELIMITATION OF MARITIME SPACES 22. Delimitation of traditional maritime spaces 23. Delimitation of exclusive economic zones and continental shelves up to 200 nautical miles 24. Delimitation of continental shelves beyond 200 nautical miles

PART III. ACTIVITIES UNDERTAKEN IN THE MARITIME SPACES 25. Navigation 26. Management of living resources 27. Exploration and exploitation of non-living resources 28. Marine environmental protection

PART IV. DISPUTE SETTLEMENT IN THE LAW OF THE SEA 29. Dispute settlement under Part XV of the United Nations Convention on the Law of the Sea 30. International Tribunal for the Law of the Sea

#### **Main Bibliography:**

David ATTARD, Malgosia FITZMAURICE e Norman A. MARTINEZ GUTIERREZ (editores), The IMLI Manual on International Maritime Law – Volume I. The Law of the Sea, Oxford University Press, 2014

David ATTARD, Malgosia FITZMAURICE, Norman A. MARTINEZ GUTIERREZ e RIYAZ HAMZA (editores), The IMLI Manual on International Maritime Law – Volume III. Marine Environmental Law and Marine Security Law, Oxford University Press, 2016

Robin CHURCHILL, Vaughan LOWE e Amy SANDER, The Law of the Sea, 4<sup>a</sup> ed., Manchester University Press, 2022

Mathias FORTEAU e Jean-Marc THOUVENIN (editores), Traité de droit international de la mer, Editions Pedone, 2017

Fernando LOUREIRO BASTOS, A internacionalização dos recursos naturais marinhos, AAFDL, Lisboa, 2005

Fernando LOUREIRO BASTOS, Direito Internacional do Mar. Guia de Estudo, AAFDL, 2017

Donald ROTHWELL e Tim STEPHENS, The International Law of the Sea, 2ª ed., Hart, 2016

Donald ROTHWELL, Alex G. Oude ELFERINK, Karen N. SCOTT e Tim STEPHENS (editores), The Oxford Handbook of the Law of the Sea, Oxford University Press, 2015

Yoshifumi TANAKA, The International Law of the Sea, 4th edition, Cambridge University Press, 2023

### **Evaluation Method:**

According to article 23 of the Faculty of Law of the University of Lisbon Evaluation Rules:

- i) All the classes of the course are simultaneously theoretical and practical and mandatory under the Faculty of Law of the University of Lisbon Evaluation Rules;
- ii) The evaluation will be done through the oral presentation of one or two research papers (lasting between 20 and 30 minutes each, accompanied by a written paper of 10 pages for each of the oral presentations);
- iii) Students who achieve a positive assessment equal to or greater than ten marks taking in consideration the one or two oral presentations (and also the written papers) are approved;
- iv) Students who have a negative evaluation of eight or nine marks shall present themselves to a written final exam, and those who obtain a grade equal to or greater than ten marks will be approved;
- v) Students who want to improve their grades will submit a research paper of no fewer than 15 pages, which will be submitted to oral discussion.