



IMEL
INSTITUTE OF MARINE
& ENVIRONMENTAL LAW



Marine & Environmental Law Programme

"It was the Law of the Sea, they said.
Civilization ends at the waterline. Beyond that,
we all enter the food chain, and not always
right at the top."

Hunter S Thompson, *Generation of Swine:
Tales of Shame and Degradation in the 80's.*

ABOUT the Institute

The Institute of Marine and Environmental Law is based at the Faculty of Law, University of Cape Town, rated one of the top two hundred universities in the world and the highest ranked in Africa. The Institute is the oldest and largest of its kind in Africa. It undertakes teaching, research and consultancy work in the fields of marine and environmental law at the national and international level. The academic staff of the Institute are Emeritus Professor Derry Devine, Professor Loretta Feris, Professor Jan Glazewski, Associate Professor Alexander Paterson (Director) and Ms Micha Young (lecturer).

ABOUT the Marine & Environmental Law Programme

The Institute currently offers a specialist LLM/MPhil and Postgraduate Diploma Programme in Marine and Environmental Law. The programme is open to postgraduate law and non-law students. Students registering for a LLM/MPhil degree are required to take 4 courses and complete a minor dissertation of 25 000 words. Students registering for a Postgraduate Diploma are required to take 2 courses and complete a minor dissertation of 12 500 words. The core compulsory courses of the Marine and Environmental Law Programme are International Environmental Law and International Law of the Sea. Students can choose two further optional courses from the following: Principles of Environmental Law; Land Use Planning Law; Natural Resources Law; and Pollution Law. Each course runs for a semester and comprises of approximately 50 hours of contact lectures – structured either on the basis of weekly lectures throughout the term; or two week-long teaching blocks. Throughout each course, reading materials, learning resources and assignments are accessible through an internet enabled platform (VULA) accessible from the student's place of residence. Students are able to access

UCT Library's extensive array of online databases and journals throughout the duration of the programme.

International Environmental Law (PBL5619F)
Compulsory - First Semester (Weekly Lectures)

The course canvasses the major sources of international environmental law, with particular emphasis on their actual or possible application to South Africa, the SADC and the African continent as a whole. The course content covers the terrestrial component of international environmental law and includes: principles of international customary law relevant to the environment; terrestrial conventions relating to transboundary movement of hazardous waste; conventions on hazardous noxious substances and nuclear matters; conventions relating to atmospheric pollution and climate change; conventions relating to biodiversity conservation; conventions relating to freshwater resources and conventions relating to cultural heritage.

International Law of the Sea (PBL5602S)
Compulsory - Second Semester (Weekly Lectures)

The course examines the concepts and legal principles governing international law of the sea, including the following specific areas of international law: the law governing jurisdictional zones; marine pollution law; and marine resources law. The course is accordingly presented in three parts, namely: (1) international law of the sea: the law governing jurisdictional zones of the sea; determination of baselines; and the settlement of dispute regarding jurisdictional zones; (2) the law governing protection and exploitation of marine resources: protection of marine living resources; offshore oil and gas regulation; and miscellaneous resources; and (3) marine pollution law: sources of marine pollution and overview of the

Faculty of Law
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Closing date for the Marine & Environmental Law Programme: 30 September (in the year preceding the student's anticipated commencement)

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Website: <http://www.sals.uct.ac.za/about/law/>

international legal framework; pollution from ships; dumping; pollution from seabed activities; pollution from land-based sources and atmospheric pollution. The course will also cover climate change related aspects in the context of the international ocean governance regime.

Principles of Environmental Law (PBL5640F)

Optional - First Semester (Block Teaching)

This course provides a comprehensive introduction to environmental law. It covers the following main content: historical overview of the development of environmental law; ethical basis for environmental law; the nature, scope and sources of environmental law; the relationship between constitutional rights (environmental rights, administrative justice, access to information, locus standi) and environmental law; environmental governance; the role of common law; and the main legal tools prevalent in environmental laws such as planning measures, institutional arrangements, permitting measures, EIA, civil measures, administrative measures, criminal measures, voluntary measures and incentive-based measures.

Land Use Planning Law (PBL5641F)

Optional - First Semester (Block Teaching)

This course examines (from a theoretical and practical sense) the key land use planning tools inherent in domestic land use planning legislation such as integrated development planning; spatial development frameworks; structure plans; zoning schemes; subdivision; title deed restrictions; environmental impact assessment; protected areas; and integrated coastal management. It furthermore canvasses the growing case law of relevance to the application of these land use-planning tools and laws.

Natural Resources Law (PBL5642S)

Optional - Second Semester (Block Teaching)

This course examines the domestic legal framework that regulates the use and conservation of natural resources such as fresh water, marine living resources, biological resources, agricultural resources and mineral resources. The legal framework prescribes an array of tools including: institutional arrangements; planning schemes; permitting regimes; duties of care; incentive-based measures; civil liability measures; and criminal measures.

Pollution Law (PBL5643S)

Optional - Second Semester (Block Teaching)

This course examines the domestic legal framework that regulates land, air, marine and water pollution. The legal framework prescribes an array of tools including: institutional arrangements; planning schemes; pollution standards; permitting regimes; trading schemes; duties of care; emergency incident provisions; strict liability; statutory nuisances; rehabilitation orders; incentive-based measures; civil liability measures; and criminal measures.

WHO would benefit from the programme?

Given the all pervasive nature of marine and environmental law, the issues covered in this programme are of relevance to all legal practitioners, environmental consultants, government officials, scientists and those working in the corporate and NGO sectors. Furthermore, given the contemporary nature of South Africa's environmental regime, which will be used as a case study throughout several of the courses on the programme, the programme is of key relevance to foreign students wishing to understand, critique and become involved in reforming their own domestic marine and environmental regimes.

For further information on the programme visit the Institute's website (<http://www.imel.uct.ac.za>).

The SALS specialist areas are as follows:

LLM/MPhil

- Commercial Law
- Comparative Law in Africa
- Constitutional and Administrative Law
- Criminal Justice
- Environmental law
- Human Rights Law
- Intellectual Property Law
- International Law
- International Trade Law
- Labour Law
- Marine and Environmental Law
- Public Law
- Shipping Law
- Tax Law

Postgraduate Diploma

- Commercial Law
- Comparative Law in Africa
- Constitutional Law
- Criminal Justice
- Environmental Law
- Human Rights Law
- Intellectual Property Law
- International Law
- Labour Law
- Private Law
- Public Law
- Shipping Law
- Tax Law