

The Scholars Programme



Would You Eat a Whale?

The Ocean and International Law
Key Stage 4 Programme

Pupil Name

Tutorial
Group

Coursebook
Designed by

Dr Becca Farnum



Timetable and Assignment Submission

Tutorials

Tutorial	Date	Time	Location
1			
2			
3			
4			
5			
6 (Draft assignment feedback)			
7 (Final assignment feedback)			

Homework Assignments

Session	Description	Due Date
Tutorial 1	Baseline Assignment: Ocean Protections & Referencing	
Tutorial 2	Assignment 2: Balancing Legal Principles	
Tutorial 3	Assignment 3: Researching Japan's Whaling Programme	
Tutorial 4	Assignment 4: Thesis Drafting	
Tutorial 5	Draft Assignment: Does international law protect whales?	
Tutorial 6	Final Assignment: Does international law protect whales?	

Keeping in touch with your tutor

You will be invited to join our online platform, the Hub, so you can keep in touch with your tutor throughout the programme. Here you will be able to message your tutor, submit and receive feedback on your homework and access tutorial resources. Your Lead Teacher will give you instructions for logging in for the first time. They'll also give you your login details which you can write down below. If you need any support on how to use the Hub, you can find helpful videos on The Brilliant Club's channel on YouTube.

Username	Password

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Course Rationale

Would You Eat a Whale? The Ocean and International Law introduces students to contemporary international law through a case study on debates over commercial whaling. Students will build their knowledge and skills in law, international relations, and environmental policy.

Through this course, students will gain an understanding of how international law is created, as well as the mechanisms for its regulation and enforcement. They will consider the complex dynamics between individual state sovereignty, the global community, and planetary health – and how law can help address this difficult balance.

Tutorial activities will include independent research, close readings of legal memos, group presentations, and a full-group debate. This variety of learning styles mimics pedagogical approaches at university while also giving students hands-on practice with the type of exercises that would be expected of professionals in the field of law.

Through the final assignment, students will use the analytical skills and specific knowledge developed in the course to critically evaluate the current status of whales in international law, determining whether and how the current protections adequately address the challenges faced in appropriately engaging with this charismatic (and valuable) species. Students will be expected to show an understanding of the international legal regime and its implications, and may choose to argue for or against a particular position. Emphasis will be placed less on whether students' chosen side is "right" and more on how they researched and articulated their position. In this way, students will be given a taste of the evaluation processes common at university.

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Mark Scheme Table

	Subject Knowledge	Critical Thinking	Written Communication
1 st	<p>The essay shows a breadth of knowledge and understanding of the key concepts and issues, through engaging with and interpreting a wide range of relevant sources.</p> <p>Knowledge is used to build and support highly effective arguments.</p>	<p>Analyses key ideas, information, and arguments. Interprets meaning and makes connections.</p> <p>Identifies and critically evaluates key arguments and statements, deciding on their credibility, strength and relative significance, drawing convincing conclusions.</p>	<p>The essay has a clear and engaging structure, taking the reader on a journey from the introduction to the conclusion.</p> <p>The writing style is appropriate; key terms are used with fluency.</p> <p>There are no, or very few, errors in spelling or grammar.</p> <p>Referencing is used consistently and matches the style taught in the course.</p>
2:1	<p>The essay shows an understanding of key concepts and issues, drawing on a range of relevant sources</p> <p>Knowledge is used to build and support effective arguments</p>	<p>Analyses key ideas, information and arguments.</p> <p>Identifies relevant arguments and statements, deciding on their credibility and strength, drawing reasonable conclusions.</p> <p>Shows some understanding of the relative importance of arguments.</p>	<p>The essay has a clear structure and the arguments are easy to follow. The introduction outlines the essay effectively and the conclusion summarises the arguments.</p> <p>The writing style is appropriate; key terms are used correctly.</p> <p>There are few errors in spelling or grammar.</p> <p>Referencing is mostly consistent and matches the style taught in the course.</p>
2:2	<p>The essay shows an understanding of key concepts and issues, with no major misconceptions.</p> <p>Beginning to apply this knowledge to build and support arguments.</p>	<p>Begins to analyse ideas, information and arguments.</p> <p>Identifies some arguments and statements and attempts to evaluate their quality.</p> <p>Not yet showing understanding of the relative strengths and weaknesses of arguments.</p>	<p>The essay structure could be made clearer to better guide the reader through the arguments.</p> <p>The writing style can sometimes be informal. Occasionally key terms are not used when it would be appropriate to do so.</p> <p>There are some errors in spelling or grammar, but they do not get in the way of communicating the content.</p> <p>There is some consistency to the referencing.</p>
3 rd	<p>Shows a developing understanding of key concepts and issues, with some misconceptions. Not yet applying this knowledge to build and support arguments.</p>	<p>Begins to analyse ideas and information.</p> <p>Describes statements and arguments while not yet evaluating them.</p>	<p>The grammar, spelling, style, and structure of the work need improving in order to communicate ideas to the reader.</p> <p>The essay has no or a limited introduction and conclusion.</p> <p>Key terms and references are not always used correctly.</p>
Overall mark for the written element (average of the 3 marks from the above criteria)			/100

Glossary of Keywords

You should complete this glossary during our tutorials as we discuss the course's core concept.

Word/Phrase	Definition	In a sentence
Aboriginal subsistence whaling		
commercial whaling		
conservation		
contiguous zone		
continental shelf		
customary international law		
EEZ (exclusive economic zone)		

fishery management organisation		
High Seas		
innocent passage		
internal waters		
international convention (treaty)		
International Court of Justice		
intervention		
maritime zones		

moratorium		
nautical mile		
polluter pays		
principle		
ratification		
scientific whaling		
sentience		
signatory		

sovereignty		
state		
stock		
territorial sea		
The Area		
UNCLOS		
United Nations		

Tutorial 1 – Introduction to International Law



What is the Purpose of Tutorial 1?

This introductory session will equip you with a basic understanding of how international law works in the 21st century. This core knowledge will enable you to take a deeper dive into the Law of the Sea as the course progresses. After our first class together, you will be able to:

- define key concepts in international law
- explain where international law comes from
- identify the strengths and limitations of international legal regimes

Key Concepts

- customary international law
- international convention (treaty)
- principle
- ratification
- signatory
- sovereignty
- state
- United Nations

Group Introductions

My tutor is: _____

My coursemates are:

- _____
- _____
- _____
- _____
- _____
- _____

Warm-Up: Quick Quiz

How much do you already know about international law? Try your hand at these questions – don't worry if you don't know; this is just for fun to test our prior knowledge and guesswork!

1. Only countries can write international law. True / False

2. How many Member States are in the United Nations?
 - a. 142
 - b. 175
 - c. 253
 - d. 193
 - e. 215
 - f. 138

3. Countries are allowed to “opt out” of international law. True / False

4. Which of the following is a real piece of international law?
 - a. Brexit
 - b. The Universal Declaration of Human Rights
 - c. WHO Framework Convention on Tobacco Control

5. Which of these countries has *not* ratified the Convention on the Elimination of All Forms of Discrimination Against Women?
 - a. Somalia
 - b. Iran
 - c. United States
 - d. China

Activity: Key Word Buzz

Can you define some of today's vocabulary terms using only seven words each?

1. principle: _____

2. sovereignty: _____

3. treaty: _____

4. signatory: _____

Reading: Sources of International Law

Read a conceptual overview about the sources of international law below.

As you read, underline parts of the text that (1) seem especially important or (2) make you confused.

After you read, write down three things you learned:

1. _____

2. _____

3. _____

excerpts from “A GUIDE TO THE BASICS OF INTERNATIONAL LAW”

Traditionally, public international law or international law has been defined as “the body of rules and principles of action which are binding upon civilized states in their relations with one another.”¹ International law can generally be categorized into two broad categories: subjects of international law and objects of international law. Also known as international legal persons, the “subjects of international law are the actors, or players, on the international stage.”² In contrast, the “objects of international law are the legitimate topics of international legal resolution”²—such as international human rights law, the law of the sea, international economic law—that continue to develop as states negotiate the boundaries of these legal regimes.³ The Charter of the United Nations (UN Charter) is the foundational document for the international legal system.³ [...]

SOURCES OF INTERNATIONAL LAW

The principle [sic] sources of international law are enumerated in Article 38 of the Statute of the International Court of Justice, a treaty ratified by all 193 members of the United Nations. The four sources listed by Article 38 are: (a) international conventions or treaties establishing rules expressly recognized by the contesting states; (b) customary international law, as evidence of a general practice accepted as law; (c) the general principles of law recognized by civilized nations; (d) and judicial decisions and the teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law.⁴ [...]

A. International Conventions or Treaties

International conventions, commonly referred to as treaties, are legally binding instruments given various names (charter, protocol, pact, among others) and govern the rights, duties, and obligations of participating states. The Vienna Convention on The Law of Treaties (the authoritative source) defines a treaty as an international agreement between States in written form and governed by international law, whether embodied in a single instrument or in two or more related instruments.⁵ Articles 31 and 32 of the Convention are important provisions that supply the rules for the interpretation of treaties. Although the United States is not a party to the Vienna Convention, it consistently acts as though the Convention is binding international law.⁶

A treaty can come into force once a certain number of nations ratify the treaty, as specified in the treaty, or upon signature by the parties. However, a treaty cannot bind a nonparty or non-participating state. In addition, specific provisions in most treaties will identify when it becomes legally binding, how compliance will be monitored and measured, how other nations may accede to the treaty, how and whether the treaty may be amended or modified, and how and when the treaty will terminate. Treaties are only binding upon states that choose to ratify the treaty. Generally speaking, states may not invoke a conflicting domestic law to avoid an obligation under an international agreement. Bilateral treaties between two states are deposited with one of the parties to the treaty, while multilateral treaties between three or more states are registered with the United Nations and made available to the public.

B. Customary International Law

Customary international law is developed through “a general and consistent practice of states followed by them from a sense of legal obligation.”⁷ A rule or principle of customary international law must fulfill two separate elements: (a) be general and widespread among states and (b) be accepted as law or arise out of a sense of legal obligation to follow that practice (known as *opinio juris sive necessitatus*).⁸ Essentially, customary international law places binding obligations on states based on their consistent patterns of behavior if the practices arise from legal obligation rather than convenience or courtesy.⁹ Customary international law only binds the states that adhere to the pattern of behavior. If a state denounces or dissents from a norm (or becomes a “persistent objector”¹⁰), it is typically immunized from legal obligation.

There are some international norms so fundamental, however, that they permit no derogation.¹¹ This concept, known as *jus cogens*, or peremptory norms, encompasses a limited set of rights—such as the prohibitions on genocide, torture, piracy, and slavery—that most members of the international community have agreed to follow.¹²

C. General Principles of Law

General principles of law constitute common themes familiar to most of the global legal systems. These rules are essentially domestic laws found in nearly all legal systems (such as civil law, common law, or Islamic law), that have entered into international law because they are manifest in most states around the world.¹³ Below are some accepted principles that animate many areas of international law:

- *Pacta sunt servanda* (“agreements must be kept”) [...]
- *Lex specialist derogate generalis* (“the specific prevails over the general”) [...]; and
- *Sic utere tuo ut alienum non laedas* (“use your own so as not to injure another”) [...]¹⁴

D. Judicial Decisions & Qualified Publicists

In rare circumstances, when customary international law, treaties, and general principles prove inadequate, a tribunal might refer to state judicial decisions, decisions of international judicial bodies, or scholarly articles from the international community. [...]

References:

1. J.L. BRIERLY, *THE LAW OF NATIONS* (6th ed. 1963). A country is commonly referred to as a “state” under international law. Public international law concerns state-to-state relations and intergovernmental bodies, whereas private international law concerns relationships between private parties across international jurisdictions including commercial affairs and family law.
2. DAVID J. BEDERMAN & CHIMENE I. KEITNER, *INTERNATIONAL LAW FRAMEWORKS* 83 (4th ed. 2016). The traditional subjects of international law are states; overtime, other actors generally recognized as subjects include international organizations and even individuals. *Id.*
3. See LORI FISLER DAMROSCH ET AL., *INTERNATIONAL LAW: CASES AND MATERIALS* (5th ed. 2014).
4. Statute of the International Court of Justice art. 38, June 26, 1945, 59 Stat. 1055, 33 U.N.T.S. 993.
5. Vienna Convention on the Law of Treaties art. 2, May 23 1969, 1155 U.N.T.S. 331. This convention only covers treaties between states.
6. “U.S. officials have consistently stated that at least most of the [Vienna] Convention’s provisions represent customary international law, and U.S. courts have frequently relied on its terms.” BARRY E. CARTER, PHILLIP R. TRIMBLE & ALLEN S. WEINER, *INTERNATIONAL LAW* 95 (5th ed. 2007).
7. RESTATEMENT (THIRD) OF FOREIGN RELATIONS LAW OF THE UNITED STATES § 102(2) 1987.
8. See BEDERMAN & KEITNER, *supra* note 2 at 18. The first part tends to be a more objective inquiry that focuses on practice and conduct. The second part is a more subjective inquiry and asks “why an international actor has engaged in a particular practice.” *Id.*
9. To prove a principle of customary international law, an international lawyer might look to diplomatic correspondence, opinions of government legal advisors, international organization reports, and reports of State behavior, among other written evidence. *Id.* at 19. Assuming these patterns become reliable, and the principle is “rendered obligatory by the existence of a rule of law requiring it,” then the norm is crystallized into law. *North Sea Continental Shelf (Ger./Den.; Ger./Neth.)*, 1967 I.C.J. 3, ¶ 77 (Feb. 20).
10. See BEDERMAN & KEITNER, *supra* note 2, at 25.
11. Vienna Convention on the Law of Treaties art. 53, May 23 1969, 1155 U.N.T.S. 331.
12. ANTHONY AUST, *MODERN TREATY LAW AND PRACTICE*, 257 (2000).
13. BEDERMAN & KEITNER, *supra* note 2, at 16. These rules encompass implementations of procedural law and evidentiary law, among others. MALCOLM N. SHAW, *INTERNATIONAL LAW*, 92-99 (5th ed. 2003). More specifically, the ICJ refers to concepts of estoppel and *res judicata* as examples of this form of international law. *Id.* For an example of the ICJ applying general principles of law, see *The Corfu Channel Case (United Kingdom v. Albania)*, 1949 I.C.J. 4, 22.
14. DAMROSCH ET AL., *supra* note 4, at 114-229.

full text available at law.georgetown.edu/wp-content/uploads/2019/08/A-Guide-to-the-Basics-of-Intl-Law.pdf

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Group Research: International Legal Regimes

Your tutor will assign you a partner and an area of international law. As a pair, spend a bit of time researching your assigned field. You need to create a two-minute presentation for your other classmates introducing them to the key principles, primary agreements, and major concepts.

Plenary Discussion: International Legal Regimes

Take some notes below on your classmates' presentations and the corresponding group conversation facilitated by your tutor. Pay special attention to strengths, limitations, and gaps in international law.

	Intl Human Rights Law	International Trade Law	Intl Environmental Law
General Notes			
Strengths			
Limitations			
Gaps			

Tutorial 2 – The Law of the Sea



What is the Purpose of Tutorial 2?

In Tutorial 1, we learned about where international law comes from and began thinking about a few specific treaties that are especially significant. Tutorial 2 goes into detail about one of the oldest issues that countries have had to deal with together...the ocean. By the end of Tutorial 2, you will be able to:

- summarise the United Nations Convention on the Law of the Sea (UNCLOS)
- describe the different maritime zones delineated by international law
- explain three fundamental principles that guide state maritime actions and the Law of the Sea

Key Concepts

- contiguous zone
- continental shelf
- EEZ
- High Seas
- innocent passage
- internal waters
- maritime zones
- nautical mile
- polluter pays
- territorial sea
- The Area
- UNCLOS

Warm-Up: The History of the Law of the Sea

What does a cannonball have to do with the Law of the Sea? Together we will watch a brief video considering the history of ocean governance. (<https://youtu.be/qfFbBKfSJZQ>)

After the video ends, write down a question it made you curious about:

Legal Briefing Scavenger Hunt

Find answers to the questions below using the briefing on "General Principles of the Law of the Sea" published in *International Law Studies*, reprinted in the next pages of your coursebook.

international law establishes rights

and _____
for states when it comes to access
and use of the ocean

a straight baseline can help a state get a
larger territorial sea, but there are only

_____ permissible uses for
that technique of coastal charting

all states can claim _____ nautical miles of territorial sea

submarines are allowed to travel peacefully
through the territorial sea...but only if they

navigate on the _____

and show their _____

the 24 nautical miles of the

_____ zone
allows states to help enforce
their own trade, immigration,
and pollution laws

thanks to the _____

_____ zone,
countries now have greater control over
the resources in their coastal areas

the least regulated part of the ocean is legally referred to

as the _____

coastal states have sovereignty over the

_____ Shelf, which
allows them to exploit seabed minerals

the International Seabed Authority is in charge of

mineral resources in The _____

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General Principles of the Law of the Sea

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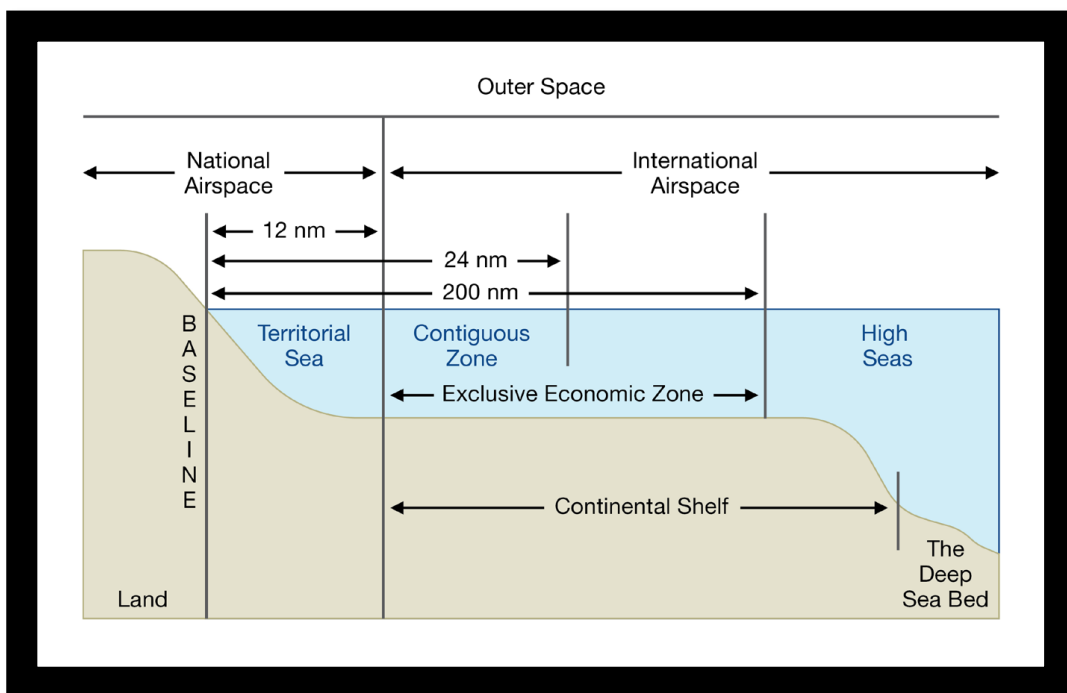
General Principles of the Law of the Sea

*Office of the Staff Judge Advocate, U.S. Indo-Pacific Command**

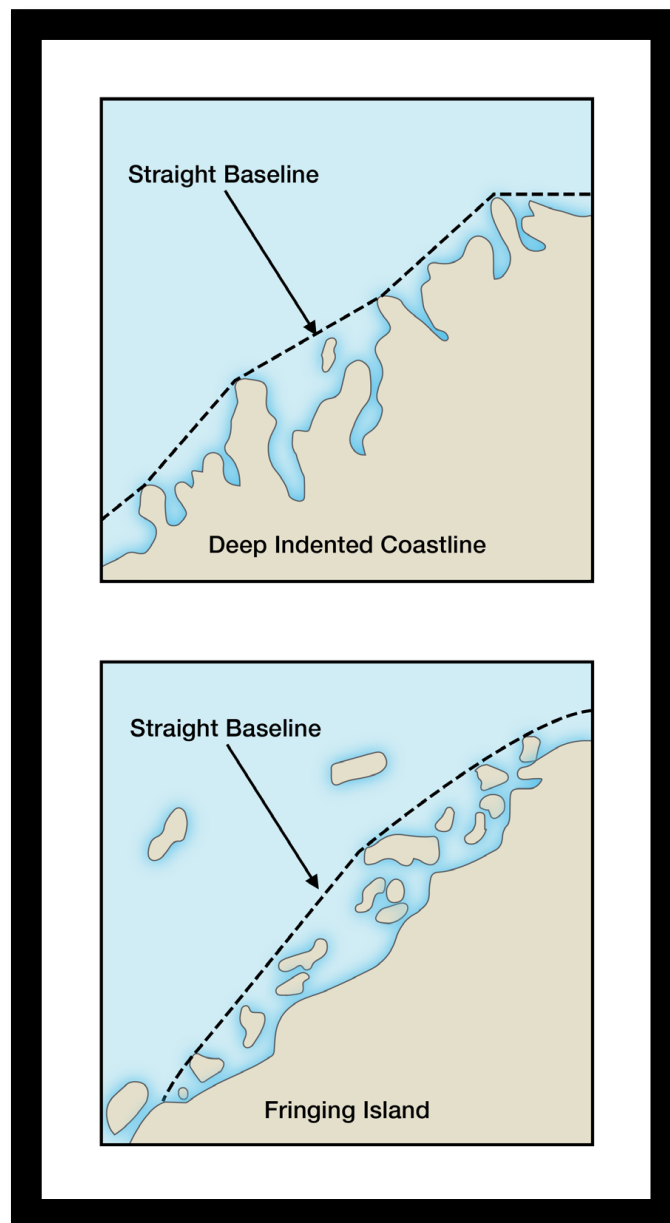
* Prepared by Captain Raul (Pete) Pedrozo, JAGC, U.S. Navy (Ret.); edited by Commander Matthew Wooten, JAGC, U.S. Navy and Lieutenant Commander Miles Young, U.S. Coast Guard; and approved by Colonel Thomas McCann, U.S. Marine Corps.

The thoughts and opinions expressed are not necessarily those of the U.S. government, the U.S. Department of the Navy, or the U.S. Naval War College.

The world's oceans are divided into maritime zones—internal waters, archipelagic waters, territorial seas, contiguous zones, exclusive economic zones (EEZs), continental shelves, high seas, and the Area (see the Maritime Zones figure below). International law, as reflected in the U.N. Convention on the Law of the Sea (UNCLOS),¹ establishes functional rights, obligations, and jurisdiction over each zone. These rights and obligations include navigation and overflight of the oceans; exploration, exploitation, and conservation of ocean-based living and non-living resources; protection of the marine environment; and marine scientific research. Coastal State rights and jurisdiction in offshore areas diminish as the distance from the shoreline increases. Conversely, the rights and freedoms of the international community increase farther from land.



Baselines. All maritime zones are measured from the baseline. Under international law, the normal baseline for measuring the breadth of these zones is the low-water line along the coast as marked on large-scale charts officially recognized by the coastal State.² Straight baselines may be used, but only in very limited circumstances, as detailed in the four permissible uses below.



Permissible Use of Straight Baselines

- In localities where the coastline is deeply indented and cut into, or if there is a fringe of islands along the coast in its immediate vicinity.
- Where because of the presence of a delta and other natural conditions the coastline is highly unstable.
- Across the mouth of a river that flows directly into the sea.
- To close the natural entrance of a bay, not to exceed 24 nm.³

Internal Waters. Internal waters are all waters landward of the baseline along the coast. Lakes, rivers, some bays, roadsteads, harbors, canals, and lagoons are examples of internal waters. Coastal States exercise sovereignty over their internal waters and superjacent airspace, and foreign ships or aircraft may not enter internal waters without coastal State consent.⁴

Territorial Sea. All States may claim a 12 nm territorial sea. Within the territorial sea, the coastal State exercises complete sovereignty over the water column, the seabed and subsoil, and the airspace above the territorial sea, subject to the right of innocent passage.⁵

Innocent Passage. All ships, including warships, regardless of armament, cargo, or means of propulsion, enjoy the right of innocent passage through the territorial seas without coastal State notice or consent.⁶ Submarines and other underwater craft engaged in innocent passage are required to navigate on the surface and show their flag.⁷ Innocent passage must be continuous and expeditious, but may include stopping and anchoring (1) if incidental to ordinary navigation, (2) if rendered necessary by force majeure or distress, or (3) to render assistance to persons, ships or aircraft in danger or distress at sea.⁸ Passage is innocent so long as it is not prejudicial to the peace, good order or security of the coastal State. Innocent passage does not include a right of overflight through national airspace above the territorial sea or submerged transit by submarines.⁹

An inclusive list of activities considered to be non-innocent include:

- Any threat or use of force against the sovereignty, territorial integrity, or political independence of the coastal State, or in any other manner in violation of the principles of international law embodied in the U.N. Charter
- Any exercise or practice of weapons
- Any act aimed at collecting information to the prejudice of the defense or security of the coastal State.
- Any act of propaganda aimed at affecting the defense or security of the coastal State.
- The launching, landing, or taking on board of any aircraft or military device
- The loading or unloading of any commodity, currency, or person contrary to the customs, fiscal, immigration or sanitary laws and regulations of the coastal State
- Any act of willful and serious pollution
- Any fishing activities
- Research or survey activities
- Any act aimed at interfering with any systems of communication of the coastal State.
- Any other activity not having a direct bearing on passage

International Straits. There are seven types of international straits: (1) straits used for international navigation where transit passage applies (*e.g.*, Straits of Malacca and Singapore); (2) geographic straits through which a high-seas corridor exists (*e.g.*, Taiwan Strait); (3) straits governed by long-standing conventions (*e.g.*, Turkish Straits); (4) straits with routes through the high seas or exclusive economic zone (EEZ) that are of similar convenience (*e.g.*, Japanese Straits--Soya, Tsugaru, Osumi and Tsushima Straits); (5) straits formed by islands (*e.g.*, Messina Strait); (6) archipelagic straits, governed by archipelagic sea lanes passage (ASLP); and (7) dead end straits (*e.g.*, Strait of Tiran). Each type of strait has its unique characteristics and passage regimes. For example, high seas freedoms of navigation and overflight apply in geographic straits (Taiwan Strait) and in straits with an EEZ/high sea route of similar convenience (Japanese Straits).

Transit Passage. All military and commercial ships and aircraft enjoy a right of unimpeded transit passage through straits used for international navigation in the normal mode of operation without bordering States notice or consent.¹⁰ “Normal mode of operation” means that submarines may transit submerged, military aircraft may overfly in combat formation and with normal equipment operation, and surface ships may transit in a manner consistent with vessel security, to include formation steaming and launch and recovery of aircraft, if consistent with sound navigational practices.¹¹ The bordering States may not suspend transit passage for any purpose, including military exercises, and are prohibited from adopting laws or regulations that have the practical effect of denying, hampering or impairing the right of transit passage.¹²

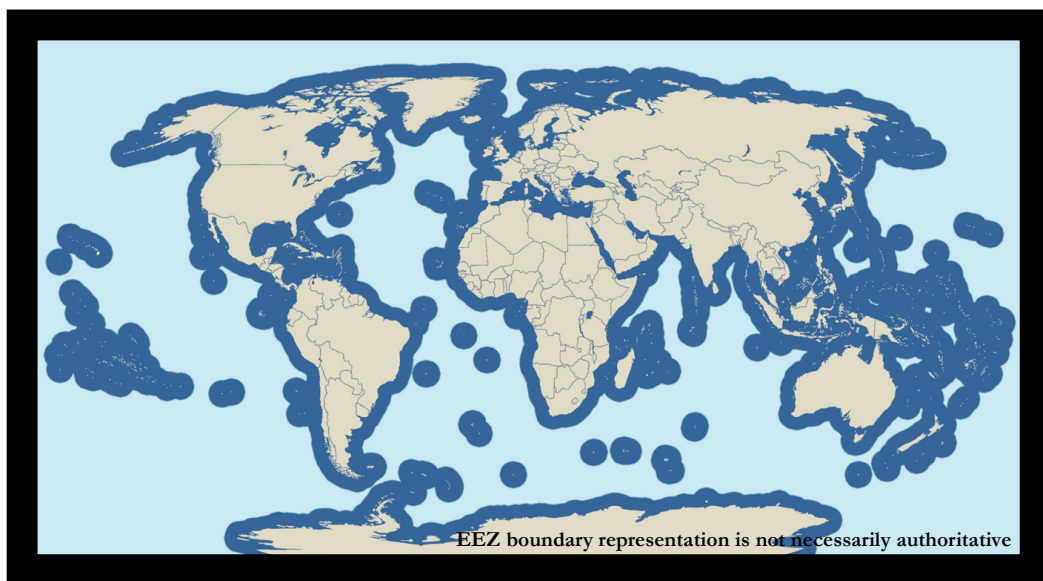
Archipelagic Waters. An archipelagic State is a nation constituted wholly of one or more groups of islands.¹³ The Philippines and Indonesia are considered archipelagic States. Such nations may draw straight archipelagic baselines joining the outermost points of their outermost islands, if the ratio of water to land within the baselines is between 1:1 and 9:1.¹⁴ The waters enclosed within the archipelagic baselines are archipelagic waters, which are subject to archipelagic State sovereignty.¹⁵ Archipelagic baselines are also used to measure the archipelagic State’s territorial sea, contiguous zone, and EEZ.¹⁶ Archipelagic States may (but are not required to) designate archipelagic sea lanes (ASL) through their archipelagic waters suitable for continuous and expeditious passage of ships and aircraft. All normal routes used for

international navigation and overflight are to be included in the designation, and must be adopted by the International Maritime Organization.¹⁷ If the archipelagic State does not designate or makes only a partial designation of ASLs, vessels and aircraft of all nations may continue to exercise the right of archipelagic sea lanes passage (ASLP) in all normal passage routes used for international navigation and overflight through the archipelago.¹⁸ The right of innocent passage applies in archipelagic waters not covered by the ASLP regime.¹⁹

Archipelagic Sea Lanes Passage. ASLP applies within archipelagic waters and the adjacent territorial sea whether or not the archipelagic State has designated ASLs, and is virtually identical to transit passage. ASLP is the exercise of the rights of navigation and overflight in the normal mode of operation solely for the purpose of continuous, expeditious, and unobstructed transit through archipelagic waters. All military and commercial ships and aircraft enjoy the right of ASLP while transiting through, under, or over archipelagic waters and adjacent territorial seas via all normal passage routes used as routes for international navigation or overflight.²⁰ The archipelagic State may not impede or suspend the right of ASLP for any reason.²¹

Contiguous Zone. Coastal States may claim a 24-nm contiguous zone measured from the baseline in which the coastal State may exercise limited control necessary to prevent or punish infringement of its customs, fiscal, immigration, or sanitary laws and regulations in its territory or territorial sea. The coastal State does not exercise sovereignty over its contiguous zone.²² Military and commercial ships and aircraft of all States enjoy the same high seas freedom of navigation and overflight, and other internationally lawful uses of the seas associated with those freedoms, in the contiguous zone that apply in the EEZ and on the high seas.²³

Exclusive Economic Zone. Coastal States may claim a 200-nm EEZ measured from the baseline.²⁴ The EEZ is not subject to coastal State sovereignty.²⁵ Within this zone, the coastal State enjoys sovereign rights for the purpose of exploring, exploiting, conserving and managing living and non-living natural resources, as well as jurisdiction over resource-related offshore installations and structures, marine scientific research (MSR), and the protection and preservation of the marine environment. The production of energy from the water, currents, and winds also falls under the jurisdiction of the coastal State. The concept of the EEZ is new in international law. The zone comprises 38 percent of the world's oceans that just three decades ago was entirely high seas. The EEZ was created for the sole purpose of granting coastal states greater control over the resources adjacent to their coasts out to 200 nm. Efforts by a handful of nations to expand coastal State jurisdiction in the EEZ to include security matters were not accepted by the majority of the delegations participating in the negotiations.²⁶



High Seas Freedoms. Within the EEZ, all States enjoy high seas freedoms of navigation and overflight, laying of submarine cables and pipelines, and other internationally lawful uses of the seas related to those freedoms, such as those associated with the operation of ships, aircraft and submarine cables and pipelines, which are compatible with the coastal State's resource rights and jurisdiction.²⁷ Lawful military activities that can be conducted in the EEZ without coastal State notice or consent include, *inter alia*: intelligence, surveillance and reconnaissance (ISR) operations; oceanographic surveys and marine data collection; military exercises, use of weapons and flight operations; freedom of navigation and presence operations; maritime security operations to counter the slave trade, repress piracy, suppress unauthorized broadcasting, and suppress narcotics trafficking; and the exercise of belligerent right of visit and search during wartime and the peacetime right of approach and visit, rendering assistance, and hot pursuit.²⁸

Continental Shelf. Coastal States also exercise sovereign rights over their continental shelf for the purpose of exploring and exploiting its natural resources, including mineral and other non-living resources of the seabed and subsoil together with living organisms belonging to sedentary species.²⁹ The continental shelf includes the seabed and subsoil of the submarine areas that extend beyond the territorial sea throughout the natural prolongation of its land territory to the outer edge of the continental margin, or to a distance of 200 nm from the baselines where the outer edge of the continental margin does not extend up to that distance.³⁰ Continental shelf claims that extend beyond 200 nm must be submitted to the Commission on the Limits of the Continental Shelf, an independent technical international organization, to consider and make recommendations to coastal States on matters related to such claims.³¹ The continental shelf regime preserves high seas freedoms of navigation and overflight in the zone by providing that coastal State rights over the seabed do not affect the status of the superjacent waters or airspace above those waters.³²

High Seas. Beyond the 200 nm EEZ lies the high seas, which remain open to all States.³³ No State may validly purport to subject any part of the high seas to its sovereignty.³⁴ Freedom of the high seas includes: freedom of navigation and overflight; freedom to lay submarine cables and pipelines; freedom to construct artificial islands and other installations; freedom of fishing; freedom of scientific research; and other internationally lawful uses of the sea.³⁵ Warships and military aircraft enjoy freedom of movement and

operation on and over the high seas, including, *inter alia*, task force maneuvering, flight operations, military exercises, submarine operations, ISR activities, military marine data collection, and ordnance testing and firing.

The Area. The deep seabed and its mineral resources located beyond the EEZ and continental shelf comprises the Area. Mineral resources of the Area are administered by the International Seabed Authority.³⁶ Navigational freedoms and other high seas freedoms (such as scientific research and telecommunications) in the Area are preserved to the international community by UNCLOS, which provides that neither Part XI nor any rights granted or exercised pursuant thereto shall affect the legal status of the waters superjacent to the Area or that of the air space above those waters.³⁷

1. The United States did not sign the Convention when it was opened for signature on December 10, 1982 because of its objections to Part XI on deep seabed mining. However, on March 10, 1983, President Ronald Reagan issued an Ocean Policy Statement that recognized that the convention contains provisions that generally confirm existing maritime law with respect to traditional uses of the oceans and fairly balance the interests of all States. Accordingly, President Reagan announced that the United States would accept and act in accordance with the balance of interests relating to traditional uses of the oceans, such as navigation and overflight, and would recognize the rights of other States in the waters off their coasts so long as the rights and freedoms of the United States are recognized by such coastal States. *See* President Ronald Reagan, Statement on United States Oceans Policy (Mar. 10, 1983).

2. United Nations Convention on the Law of the Sea art. 5, Dec. 10, 1982, 1833 U.N.T.S. 397 [hereinafter UNCLOS].

3. *Id.* arts. 7, 9, 10.

4. *Id.* art. 8.

5. *Id.* arts. 2, 3; Convention on International Civil Aviation (Chicago Convention), art. 1, Dec. 7, 1944, U.N.T.S. 295 [hereinafter Chicago Convention].

6. UNCLOS, *supra* note 2, art. 17.

7. *Id.* art. 20.

8. *Id.* art. 18.

9. Chicago Convention, *supra* note 5, arts. 1–3*bis*; UNCLOS, *supra* note 2, arts. 18, 20.

10. UNCLOS, *supra* note 2, art. 38.

11. *Id.* art. 39.

12. *Id.* art. 42.

13. *Id.* art. 46.

14. *Id.* art. 47.

15. *Id.* art. 49.

16. *Id.* art. 48.

17. *Id.* art. 53.

18. *Id.* art. 53(12); IMO Doc. SN/Circ.206/Corr.1, Guidance for Ships Transiting Archipelagic Waters, Mar. 1, 1999; IMO Doc. A.571(14), General Provisions on Ships' Routing, Nov. 20, 1985, Part I; IMO Doc. SN/Circ. 206, Guidance for Ships Transiting Archipelagic Waters, Mar. 1, 1999, ¶ 2.1.1.

19. UNCLOS, *supra* note 2, art. 52.

20. *Id.* art. 53.

21. *Id.* art. 54.

22. *Id.* art. 33.

23. *Id.* art. 58.

24. *Id.* art. 57.

25. *Id.* arts. 56, 58.

26. 2 UNITED NATIONS CONVENTION ON THE LAW OF THE SEA 1982: A COMMENTARY 529–44 (Satya N. Nandan & Shabtai Rosenne eds., 1993) [hereinafter 2 VIRGINIA COMMENTARY].

27. UNCLOS, *supra* note 2, art. 58.

28. UNCLOS, *supra* note 2, arts. 56, 58, 86–87, 89–92, 94–96, 98–112; 2 VIRGINIA COMMENTARY, *supra* note 26, at 60–71; *see generally id.* at 491–821.

29. UNCLOS, *supra* note 2, art. 77.

30. *Id.* art. 76.

31. *Id.*

32. *Id.* art. 78.

33. *Id.* art. 87.

34. *Id.* art. 89.

35. *Id.* art. 87.

36. *Id.* Part IX; Agreement Relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982, July 28, 1994, 1836 U.N.T.S. 3 (entered into force July 28, 1996).

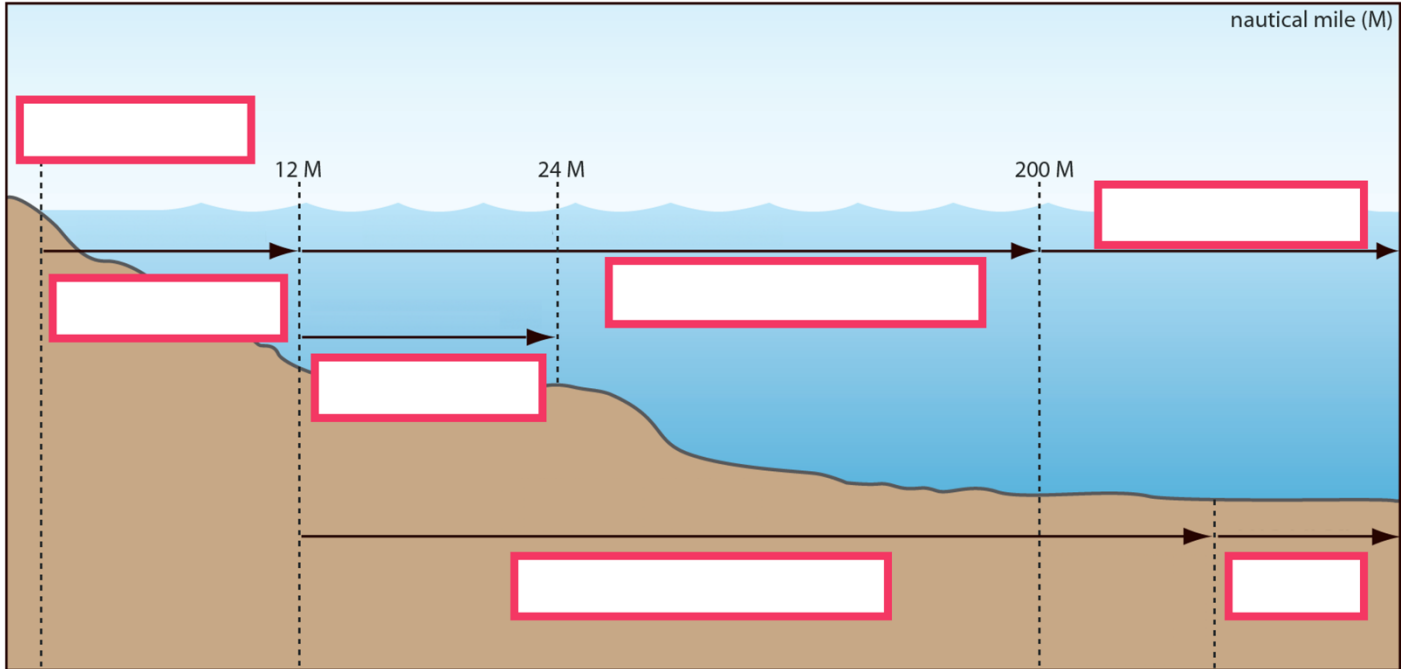
37. UNCLOS, *supra* note 2, art. 135.

Zone Map

Without looking at the legal briefing or other resources, try to fill in the maritime zones on the map.

Word Bank:

- | | |
|----------------------------|--------------------|
| 1. Coast | 5. High Seas |
| 2. Contiguous Zone | 6. Territorial Sea |
| 3. Continental Shelf | 7. The Area |
| 4. Exclusive Economic Zone | |



Plenary Discussion: Three Principles

During our full-group summary conversation, make sure you understand the three core principles that guide the international law of the sea and maritime governance:

- Freedom: _____

- Sovereignty: _____

- Common Heritage of Mankind: _____

Homework Assignment 2: Balancing Legal Principles

Imagine that you are a Member of Parliament, and you have been asked to consider the UK's position on the international law of the sea. Is **freedom** or **sovereignty** a more important principle for you, during any legal negotiations with other countries about how we should engage with the ocean?

Does your answer change if you are a fisherman, instead of an MP?

You can answer this question in bulletpoints, via a mindmap, through a few paragraphs, or even by drawing pictures...but you need to be prepared to share your thoughts at the start of our next tutorial.

page intentionally left blank for your homework notes

Tutorial 3 – The International Whaling Commission



What is the Purpose of Tutorial 3?

The United Nations Convention on the Law of the Sea (UNCLOS) was signed in 1982, but it wasn't the first major international agreement about our ocean. In 1946, several countries came together to sign the International Convention for the Regulation of Whaling. Tutorial 3 considers why they did – and what the subsequent legal regime has and has not done for some of our planet's most charismatic species. By the end of Tutorial 3, you will be able to:

- describe the history and purpose of the International Whaling Commission
- explain the unique status of whales under international law
- understand the contentious nature of Japan's whaling program

Key Concepts

- Aboriginal subsistence whaling
- commercial whaling
- conservation
- fishery management organisation
- International Court of Justice
- intervention
- moratorium
- scientific whaling
- sentience
- stock

Warm-Up: Threats to Whales

List as many threats to whales as you can. Be specific, but think broadly...the student with the greatest number of legitimate threats brainstormed at the end of the activity will win a prize!

The Tragic History of Whaling

David Attenborough is joining us in class today, but on a sombre note. As a group, we'll watch an excerpt from BBC Earth showcasing humanity's commercial history with whales – and why there is now a legal regime dedicated to regulating the industry.

After the video finishes, take a few minutes to free write your response. You might consider the following questions as prompts: *How did the movie segment make you feel? What did it make you think about? Do you personally care whether whales are killed for human use and economic profit?*

Mini-Lecture: The Legal Status of Whales

Make sure to take notes during the brief lecture from your tutor about the unique legal status of whales in today's world. You can take notes in any way that makes sense for your own style of thinking and learning (think about mind mapping, for example). The Key Concepts list for today's tutorial could also be a helpful guide: Your notes should help you remember how to correctly define and use those terms.

page intentionally left blank for your continued lecture notes

Japan's Whaling Programme at The Hague

Our final video of the day takes us to the Netherlands, home of the International Court of Justice. A decade ago, Australia asked the ICJ to pass judgment on Japan's activities connected to whaling in the Antarctic. New Zealand intervened, which means that it formally presented its interpretation of the relevant treaty provisions to the Court (essentially, it backed up Australia's complaint by emphasising that it agreed with how Australia understood the law).

Let's take a look inside the Peace Palace: youtube.com/watch?v=PAkl6AV4wgA

After the video, we will discuss the following questions as a group – feel free to jot down your ideas (especially because they might come in handy for next tutorial's debate!).

- Do you think the ICJ made the correct legal decision?

- Did the outcome of this case change the law in any way?

- Was this a victory for animal rights activists? Why or why not?

Homework Assignment 3: Researching Japan's Whaling Programme

This homework will (1) give you more practice with finding and referencing academic sources, and (2) help you learn more about the current reality of commercial whaling. For each of the questions below, you need to answer the question *and* correctly referencing where you found the information.

1. Did Japan end its whaling programme after the ICJ ruling? Yes / No

Reference (be sure to include full bibliographic details, and use a recognised citation format):

2. Is commercial whaling in Japan currently legal? Yes / No

Reference (be sure to include full bibliographic details, and use a recognised citation format):

3. When was the newest whaling vessel launched by Japan? _____

Reference (be sure to include full bibliographic details, and use a recognised citation format):

4. Does Japan report its whaling activity to the IWC? Yes / No

Reference (be sure to include full bibliographic details, and use a recognised citation format):

5. How many minke whales did Japan kill in 2021? _____

Reference (be sure to include full bibliographic details, and use a recognised citation format):

Tutorial 4 – Save the Whales?



What is the Purpose of Tutorial 4?

In Tutorial 3, we learned about the scope – and limitations – of the International Whaling Commission's work. Tutorial 4 gives you the chance to expand your learning on this topic through a structured debate with classmates about maritime policy. By the end of this session, you will be able to:

- identify issues involved in the legal and political 'tug of war' over the protection of whales
- consider personal and scholarly perspectives on moral dilemmas related to the Law of the Sea
- showcase debate and presentational speaking skills

Warm-Up: Our Feelings on Whale Protection

Indicate your feelings on a scale of 1 to 10 (where 10 means 'strongly agree'), about these statements.

It's appropriate that humans use whales for economic profit.

Disagree 1 2 3 4 5 6 7 8 9 10 Agree

I would be comfortable trying a burger made from whale meat.

Disagree 1 2 3 4 5 6 7 8 9 10 Agree

Whales are different (and more special) than other non-human animals.

Disagree 1 2 3 4 5 6 7 8 9 10 Agree

Whales deserve the same kinds of rights as human beings.

Disagree 1 2 3 4 5 6 7 8 9 10 Agree

Whales are suitably protected under international law.

Disagree 1 2 3 4 5 6 7 8 9 10 Agree

Debate: Whale, whale, whale...

Your tutor will assign you a debate position. In pairs, you will be responsible for researching arguments and preparing remarks that support your position. After each team has presented their opening statements, you will briefly confer with your partner and then respond with a rebuttal.

Your debate presentation should:

- Be framed in a legal setting: showcase course vocabulary and make use of existing legal principles and agreements.
- Appeal to precedent and customary international law, but also potentially remarks from world leaders or other key indicators of public opinion and the global community's take on the issue.
- Consider the use of rhetoric and audience engagement to help drive your point home – there's a reason that many lawyers take acting classes! How persuasive can you be?

The three debate positions are:

1. The current moratorium on commercial whaling should be lifted.
2. The current moratorium on commercial whaling should be continued.
3. The current moratorium on commercial whaling should be replaced by a complete and permanent ban on commercial whaling.

Your opening statement should be roughly 3 minutes; each rebuttal will have up to 1 minute to refute another team's arguments. We will allow rebuttals until there has been no new information or alternative ways of understanding the law in the recent statements. (Or until we run out of class time!)

Your tutor will act as the judge: Following the debate, she will declare a winner, and then we will have a group debrief about which group won and why. **Remember: Your job is to use existing law and legal principles to win the debate, whether or not you personally agree with your assigned position...** 😊

Use the space below and on the next pages for debate prep notes. It's a good idea to take notes during the debate as well – they will help with your final assignment!

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Homework Assignment 4: Thesis Drafting

Part 1: Thesis Statement Brainstorming. Complete the following sentences using just a few short phrases:

Existing laws about marine resources and ocean conservation adequately protect whales because...

*Existing laws about marine resources and ocean conservation **do not** adequately protect whales because...*

Part 2: Persuasive Paragraph Writing. Now, choose the statement from your work in Part 1 above that you most agree with. Conduct a bit of additional research to confirm your claims, adding further legal detail and rewriting your general ideas into a polished, persuasive paragraph.

The sentence starters on the next page might help give you ideas about where to focus your research, but you can and should rephrase and reorder them to make a paragraph that is uniquely yours.

[Take this seriously: This paragraph will likely become the basis of your final essay!]

Existing laws about marine resources and ocean conservation **do** / **do not** adequately protect whales because... _____

One example of a treaty that demonstrates my argument is _____
_____. This treaty [describe its main goals and provisions] _____

_____. As of today, _____ countries have ratified the treaty.

An example of a general principle in international law that is relevant to my position is _____
_____. This principle comes from [customary international law, a treaty, a judicial ruling, etc.] _____.

This principle means that states **must** / **are allowed to** _____

One reputable source that I have used to come up with this argument is (cite it fully below):

page intentionally left blank for your polished paragraph and/or research notes

Tutorial 5 – Revision and Final Assignment Preparation



What is the Purpose of Tutorial 5?

Believe it or not, our time together is nearly at an end. 😭 Our final tutorial will set you up for success in your final assignment, an essay about the Law of the Sea. By the end of this session, you will be able to:

- articulate legal arguments in a persuasive manner
- provide meaningful feedback on classmates' work
- edit your own work in response to constructive criticism from peers and instructors

Warm-Up: Presentation Preparation

Review the thesis statement and persuasive paragraph you wrote for the most recent homework. In class today, you will have around 5 minutes to share your ideas with your classmates. They will then share feedback and give you ideas for your final essay.

How would you like to use your 5 minutes? You can read your persuasive paragraph aloud, but you can also tell a story, roleplay being a lawyer in front of the International Court of Justice, pretend they are countries you are trying to convince to sign a new treaty, etc. Take this time to prepare a meaningful presentation that will convince your classmates that your position is correct, and/or will help you get useful feedback for your assignment.

Assignment Preparation: Peer Feedback

Each of your classmates will share their draft paragraphs, summarising their argument and supporting legal evidence. As your peers are presenting their ideas, please make notes with feedback and suggestions you have for them. Are you persuaded by what they're saying? Can you think of another treaty or legal principle that is relevant to their argument? Is there another way for them to phrase one of their sentences to make it "pop"? You'll have a chance to share your ideas with each other.

Peer 1: _____

A strength of their argument: _____

Something I think they could do better: _____

Something they should consider including or exploring in their final essay: _____

Peer 2: _____

A strength of their argument: _____

Something I think they could do better: _____

Something they should consider including or exploring in their final essay: _____

Peer 3: _____

A strength of their argument: _____

Something I think they could do better: _____

Something they should consider including or exploring in their final essay: _____

Peer 4: _____

A strength of their argument: _____

Something I think they could do better: _____

Something they should consider including or exploring in their final essay: _____

Peer 5: _____

A strength of their argument: _____

Something I think they could do better: _____

Something they should consider including or exploring in their final essay: _____

Peer 6: _____

A strength of their argument: _____

Something I think they could do better: _____

Something they should consider including or exploring in their final essay: _____

Notes from my classmates about my own assignment:

Final Assignment

Your final assignment for this course asks you to demonstrate your understanding of international law and your knowledge of maritime legal regimes by writing an essay exploring whether and how whales are protected under existing international law. You will need to write an essay of roughly 2000 words addressing the prompt below. The essay should be typed in 12-point font and double-spaced. You will need to fully reference external research, legal treaties, and any other sources, and include a bibliography at the end of your essay. The essay must be submitted online via The Brilliant Club portal.

Your primary prompt: “Existing international law does / does not [choose one] adequately protect whales because...”

Your response to this question must:

- describe the significance of whales for ocean ecosystems and the broader planet
- analyse the current status of whales under international law
- reference to at least three (3) existing international treaties
- address the history, ratification status, and regulation mechanisms involved with those treaties

If you choose to argue that existing law *does* adequately protect whales, you must also:

- justify your decision by refuting at least three of the most commonly cited concerns about the importance and/or significance of whales
- consider whether you think the current moratorium on commercial whaling should be lifted, and defend your rationale

If you choose to argue that existing law *does not* adequately protect whales, you must also:

- propose a new legal treaty, principle, provision, and/or process that would improve how whales are protected
- suggest a mechanism for how that new protection could become international law (who needs to do what in order for your proposed solution to enter effect?)
- explain why your proposed protection will help
- advise readers on what might happen if your proposed protection is *not* enacted

Your tutor will discuss this topic more fully during your tutorials, and the final tutorial will focus on research skills, knowledge-building, and peer feedback to help you succeed with this assignment. You will also be given the opportunity to submit a draft of the assignment and receive feedback from your tutor before your final submission is due.

Top Tips:

- This course has been preparing you to write this essay. Look through this workbook for ideas, and return to the legal instruments, videos, and readings we reviewed in class.
- Your essay should be critical, comparative, and use the vocabulary and tools we have used on this course. Look through the glossary in the beginning of your coursebook for ideas about which concepts to include (sovereignty, sentience, moratorium, principle, signatory, fisheries management, etc.).
- Refer to the Course Mark Scheme to learn how you will be graded. Be sure your essay fits the criteria and reflects your learning throughout the course.
- Use the Appendices in this coursebook to help you find quality sources, reference correctly, and plan your time effectively. These tools are here to help you build study skills that will be helpful – not only for this assignment, but also in the future!
- Make sure you submit your essay on time. At university, marks are deducted for late submission. It's a good idea to submit a day ahead of time to be sure the online system works and there are no technical issues.
- Let your tutor know if you have any questions about the assignment – and be sure to ask well in advance of the deadline. 😊

Homework Assignment 5: Draft Assignment

Before your final submission, you will have the opportunity to meet with your tutor 1-1 to review a draft. In order to make the most of your time together, you should prepare *at minimum* an outline of your essay and its argument. You are further encouraged to draft some of the actual text – writing an introductory and concluding paragraph would be a good place to start!

Be sure to refer to Appendix 2 for notes on referencing, plagiarism, and the use of AI tools.

While you are free to structure your assignment any way you choose, a possible format is:

each of the sections below should be ~250 words	if you're arguing that	
	existing international law does NOT adequately protect whales	existing international law DOES adequately protect whales
	then your essay should include:	
Introduction	<ul style="list-style-type: none"> Give a 'hook' sentence to draw readers in Forefront your thesis statement: this isn't a surprise party! Tell readers what you're going to be discussing Include a 'road map' of the essay, so readers know what is coming 	<ul style="list-style-type: none"> Give a 'hook' sentence to draw readers in Forefront your thesis statement: this isn't a surprise party! Tell readers what you're going to be discussing Include a 'road map' of the essay, so readers know what is coming
Significance of the Problem	<ul style="list-style-type: none"> Describe the significance of whales for ocean ecosystems and the broader planet 	<ul style="list-style-type: none"> Describe the significance of whales for ocean ecosystems and the broader planet
Overview of Existing Legal Status	<ul style="list-style-type: none"> Analyse the current status of whales under international law 	<ul style="list-style-type: none"> Analyse the current status of whales under international law
Section 4	<ul style="list-style-type: none"> Propose a new legal treaty, principle, provision, and/or process that would improve how whales are protected 	<ul style="list-style-type: none"> Identify and refute a commonly cited concern about the importance and/or significance of whales: you need to acknowledge what the concern is, and explain why the current legal regime adequately addresses that concern
Section 5	<ul style="list-style-type: none"> Suggest a mechanism for how that new protection could become international law (who needs to do what in order for your proposed solution to enter effect?) 	<ul style="list-style-type: none"> Identify and refute another commonly cited concern about the importance and/or significance of whales: you need to acknowledge what the concern is, and explain why the current legal regime adequately addresses that concern
Section 6	<ul style="list-style-type: none"> Explain why your proposed protection will help 	<ul style="list-style-type: none"> Identify and refute a third commonly cited concern about the importance and/or significance of whales: you need to acknowledge what the concern is, and explain why the current legal regime adequately addresses that concern
Section 7	<ul style="list-style-type: none"> Advise readers on what might happen if your proposed protection is <i>not</i> enacted 	<ul style="list-style-type: none"> Consider whether you think the current moratorium on commercial whaling should be lifted, and defend your rationale
Conclusion	<ul style="list-style-type: none"> Summarise your argument 	<ul style="list-style-type: none"> Summarise your argument
Bibliography	<ul style="list-style-type: none"> Fully cite all of your sources, including the international treaties 	<ul style="list-style-type: none"> Fully cite all of your sources, including the international treaties

Essay writing reflection

Use the checklist below to reflect on your essay writing ability at the moment. Read the statements for each skill and then tick the box that most closely fits how you currently feel about your ability to do that skill.

You will use this to help your PhD tutor give you feedback in your next tutorial. They will give you specific advice on how to improve these areas in relation to your draft assignment so be completely honest.

Addressing the Question			Using evidence		
I can... <ul style="list-style-type: none"> identify what the title or question is asking me to do select relevant information from the course to answer the title or question explain why the information I have used is relevant 			I can... <ul style="list-style-type: none"> select evidence that supports my points link evidence to my points and ideas clearly and convincingly explain how my evidence supports my points use references 		
I feel...			I feel...		
Confident	Partially confident	Not confident	Confident	Partially confident	Not confident
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Analysis			Evaluation		
I can... <ul style="list-style-type: none"> include a point of view or position in response to the title or question develop and explain my point of view analyse key ideas, arguments or information rather than just describe them 			I can... <ul style="list-style-type: none"> evaluate key ideas, information, arguments and evidence decide on the credibility of key arguments and statements draw convincing conclusions 		
I feel...			I feel...		
Confident	Partially confident	Not confident	Confident	Partially confident	Not confident
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Written Communication					
I can... <ul style="list-style-type: none"> arrange my points in to a logical order write paragraphs that focus on one idea or point each write an introduction that explains how I will deal with the issues of the essay write a conclusion that sums up my main points 			I can... <ul style="list-style-type: none"> minimise spelling, punctuation and grammar errors ensure my writing makes the meaning clear and easy to follow write using and appropriate tone and level of formality 		
I feel...			I feel...		
Confident	Partially confident	Not confident	Confident	Partially confident	Not confident
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Tutorial 6 – Draft Assignment Feedback and Reflection

What is the Purpose of Tutorial 6?

In this session, you will meet one-on-one with your tutor to discuss your draft assignment and review any tutorial content you feel unsure about. By the end of the session, you will be able to:

- feel more at ease speaking about academic content in a focused discussion
- reflect on your essay writing skills
- understand changes you need to make on your draft before submitting your final assignment

Notes: What three things can you now do to improve your assignment and your essay writing ability?

1

2

3

Tutorial 7 – Final Assignment Feedback and Reflection

What is the Purpose of Tutorial 7?

In this session, you will receive your grade for the final assignment in this course. You will also have the opportunity to speak one-on-one with your tutor about the submission and their feedback on your written work. By the end of the session, you will be able to:

- professionally receive and respond to feedback on your work
- identify actionable goals for improving your academic performance in other classes
- reflect on academic projects, including what was enjoyed and what was challenging

Final assignment feedback

What I did well...	What I could have improved on...
<ul style="list-style-type: none">•••	<ul style="list-style-type: none">•••

My target for future work is...

Reflecting on The Scholars Programme

What did you most enjoy about The Scholars Programme?

-
-
-

What did you find challenging about the programme?

-
-
-

How did you overcome these challenges?

-
-
-

Appendix 2 – Finding, Evaluating and Using Sources

There are so many places to get information that it is important to:

- ✓ decide if something will be a good **academic** source for your homework or final assignment.
- ✓ choose **how** and **where** you will use the source in your own writing
- ✓ **reference** appropriately that you have used the source

1

Should I use this source?

When assessing a source, you don't have to read the whole thing to decide if you may want to use it. Instead, read the first paragraph or so and use the **ARROW** checklist to help you decide.

ARROW Questions					
Authority	<input type="checkbox"/>	Who is the author? What knowledge or skills do they have that lets you confirm they know what they're talking about?	Objectivity	<input type="checkbox"/>	Does the author explore or acknowledge multiple points of view?
	<input type="checkbox"/>	Does the author tell you where they got their information from? Does the information appear correct?		<input type="checkbox"/>	Are they stating mostly facts? Evidence? Opinion? – Remember opinion is fine, as long as it is supported by reliable evidence.
Reliability	<input type="checkbox"/>	Has the information been reviewed or checked by others?	Writing Style	<input type="checkbox"/>	Does the headline or text try to make you scared or angry about the topic? If so, it might not be the best academic source.
	<input type="checkbox"/>	Does the source talk about the topic clearly and effectively?		<input type="checkbox"/>	Is the source well organised? (Or is it difficult to follow the author's point?)
Relevance	<input type="checkbox"/>	It is up-to-date? If not, is there a good reason to use an older source?		<input type="checkbox"/>	Does the text sound academic? (Or is it informal or chatty?)
	<input type="checkbox"/>	Does it provide new and useful information for you?		<input type="checkbox"/>	Are the author's points backed up by evidence and do they let you know where that evidence came from?

2

Close Reading the Text

Once you have decided to use the source, it's important to consider the ideas and messages that the source is presenting. Use this text analysis wheel to help.



3

Referencing Sources and Avoiding Plagiarism

When using other people's ideas, it is important that you state clearly where those ideas came from. This is called **referencing**. The opposite of referencing is **plagiarism**. This is where you use other people's ideas as your own and do not give them credit. Plagiarism is a form of cheating and is taken very seriously at university, sometimes leading to mark deductions or even being removed from a course or programme.

You can avoid plagiarism by ensuring that you:

- ✓ understand what needs to be referenced
- ✓ reference your sources clearly and consistently
- ✓ check with your tutor via The Hub if you're unsure

Using AI

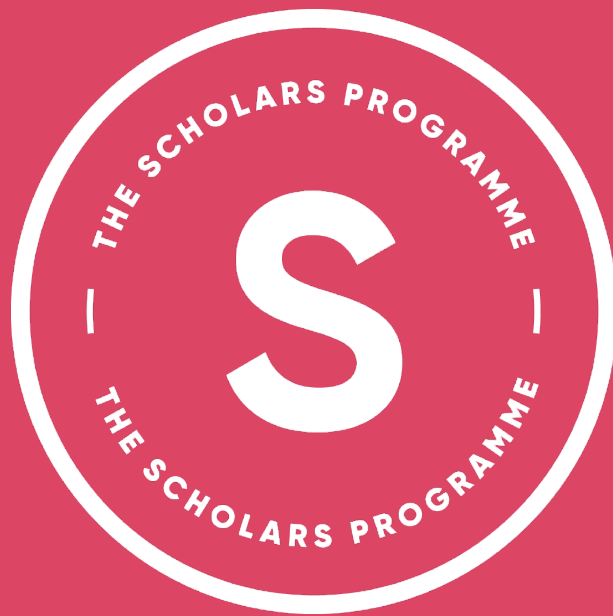
It's important to remember that using Artificial Intelligence sources to help you in your work is just like using any other source. They should be evaluated, used and referenced in the same way as any other academic source.

If you've used ChatGPT, credit it like this: 'OpenAI. (2023). ChatGPT (Mar 14 version)'. Keep in mind that some online sources, including AI tools and Wikipedia, may not be accurate or reliable, so double-check the information with other sources. Your tutors will evaluate your understanding of the assignment, and your grade will be based on the quality of your work. If the content isn't clear, you may be asked to revise your assignment.

What is a reference?

A reference is just a note in your assignment which says if you have referred to or been influenced by another source such as book, website or article.

What needs to be referenced?	What does a good reference look like?
<ul style="list-style-type: none"> • Direct quotations e.g. 'A diet low in fruit and vegetables is 'among the top mortality risk factors all over the world' • Paraphrased material e.g. For both men and women, adopting a vegetarian diet can significantly reduce the risk of premature death. • Facts, figures or statistics e.g. Healthy diet, exercise and being a non-smoker can increase life expectancy by 9 – 15 years. 	<p>A good reference includes:</p> <ul style="list-style-type: none"> ✓ The author's name, ✓ The name of the source, ✓ The journal or website that the source appeared in, ✓ The year that the sources was written, ✓ The page number of the source. <p>Example:</p> <p>Text: The proponents of vegetarian, vegan or largely plant-based diets argue that, coupled with regular exercise and being a non-smoker, these diets can increase life expectancy – some studies suggest by up to 15 years [1].</p> <p>Endnote: [1] Salonen, Arto O. & Helne, Tuula, T., 'Vegetarian Diets: A Way towards a Sustainable Society', <i>Journal of Sustainable Development</i> 5:6 (2012), pp. 10-24, (p. 11).</p>



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