

Work package n°2 - Gap analysis of competencies and teaching materials

Focus Group 2 - Analysis and improvement of learning outcomes for maritime law course according to the STCW Convention

Report on the results of analysis and improvement of learning outcomes for maritime law course according to STCW Convention

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I. Introduction

This report contains results of the analysis and improvement of learning outcomes for maritime law course according to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers 1978 (STCW Convention) which is performed in accordance with the WP2 “Gap analysis of competencies and teaching materials” of the MareLaw project.

The targets of the analysis can be listed as follows:

- 1) Identifying the current state of learning outcomes for maritime courses on all three Universities
- 2) Identifying the common methodology for defining, writing and registering learning outcomes
- 3) Identifying and listing of common learning outcomes
- 4) Improving and harmonizing of learning outcomes for maritime law course
- 5) Listing of improved learning outcomes

II. Participants

In the work of Focus Group 2, held from 10 – 11 July 2023 in Split, Croatia, the teachers who teach Maritime law according to STCW Convention at partner universities and other teachers who teach maritime law, or are in any way connected with the same, participated the group. 11 representatives from UNIST, 2 from RTU and 2 from UPC were present at the meeting in the focus group 2 live. Two representatives from UPC joined the meeting online. Due to the unexpected obligations the stakeholders from the Ministry of Sea Transport and

Infrastructure were not able to come, and results from the focus group was communicated with them on separate meeting.

The list of participants is enclosed to the Annex.

III. Learning outcomes

General information

Learning outcomes can be defined in many different ways. Learning outcomes are everything that is acquired through learning, such as competences shown through knowledge and skills, and the associated independence and responsibility. Learning outcomes are valued and positively evaluated knowledge and skills. They belong to a specific person and show that proof of their possession has been made (for example, written and/or oral exams). A set of learning outcomes has the total volume of all associated learning outcomes harmonized with the volume of all other modules. A set of learning outcomes, as well as a module of learning outcomes, is displayed, for example, by teaching subjects. The minimum volume of an individual set of learning outcomes cannot be less than one.

Learning outcomes are competences (knowledge, skills, independence and responsibility) that person acquired through learning and proved after the learning process.

Outcomes can be obtained at multiple levels. The hierarchy of learning outcomes include general and specific learning outcomes:

1. general learning outcomes which describe the level of academic achievements within the framework of the Bologna Process for certain higher education degrees in Europe,
2. specific learning outcomes for an area or combination of areas that determine the achievement of the level of general writing through the study program
3. specific learning outcomes for a specific study program for a field or combination of fields, including specific requirements of target occupations,
4. specific learning outcomes of the course, which include criteria for monitoring achievements and assessing students' success.

Analysis of learning outcomes

All partners prepared the learning outcomes for maritime law courses at their institutions.

Learning outcomes from the **Faculty of Maritime Studies Split (FoMS)** are given for two courses Maritime law I and Maritime law II.

Learning outcomes for Maritime law I are:

- Analyse the fundamental institutions of international law of the sea, maritime administrative law and maritime employment law.
- Categorize types of vessels.
- Identify, differentiate and compare marine zones in accordance with the international law of the sea.
- Analyse the organization of navigation safety and inspection.
- Analyse structure, activities and functions of maritime administration in the Republic of Croatia and legal regulations on maritime domain and seaports in the Republic of Croatia.
- Distinguish legal aspects of responsibilities of crew and a ship's captain and explain their rights and obligations under international and national regulations.

Learning outcomes for Maritime law II are:

- Identify, categorize and compare the legal transactions related to ship exploitation.
- Analyse different phases of fulfilment of legal transactions for all types of maritime transport.
- Differentiate and distinguish maritime transport documents.
- Distinguish and compare maritime disasters.
- Categorize and analyse types of liabilities of ship owners and shipping companies.
- Analyse provisions related to maritime transport and maritime disasters.

Learning outcomes for the **Riga Technical University (RTU)** are given for courses Maritime law, Ship management, Environment Maritime Protection.



Learning outcomes for Maritime law are:

Knowledge:

- Able to demonstrate knowledge and understanding of marine engineering systems and technology, environmental management, management, maritime safety, areas etc., and are able to apply them correctly.

Skills:

- Being able to independently apply the acquired knowledge of the International Conventions of the Law of the Sea and the requirements of national law
- Able to independently analyse issues covered by international conventions

Competences:

- Monitor compliance with legislative requirements;
- Monitor and control compliance with legislative requirements and measures to ensure safety of life at sea, security and the protection of the marine environment.

Learning outcomes for Ship management:

Knowledge:

- Knowledge to link the fulfilment of technical and regulatory requirements with economic justification and optimal efficiency
- Knowledge of effective forms of ship management, technologies and future challenges
- Knowledge of ships' energy resources and technologies

Skills:

- Plan maintenance incl. conventional and class certifications, plan remodel activities
- To plan the ship's human resources for the safe and efficient operation of ships

Competences:

Developing STCW competencies:

- Monitor and control compliance with legal requirements and measures to ensure the protection of human life at sea and the marine environment

Learning outcomes for Environment Maritime Protection:

Knowledge:

- The student shall acquire knowledge on the impact of environmental pollution on the marine environment, acquires tools with the help of which the pollution may be reduced and becomes acquainted in theory and practice with the requirements present in the respective field.

Skills:

- The student is able to work practically with regulatory enactments and understands the requirements set out in the International Convention for the Prevention of Pollution from Ships, 1973 (hereinafter - MARPOL 73/78).

Competences:

- Ensure compliance with pollution prevention requirements
- Monitor and control compliance with legislative requirements and measures to ensure safety of life at sea and the protection of the marine environment

Learning outcomes for the **Universitat Politècnica de Catalunya (UPC)** are given for courses Maritime law, Ship's regulations and shipping business, Maritime Law and Maritime Economy, Management of Maritime Safety and Pollution Prevention

Learning outcomes for Maritime law:

Knowledge:

- Introduction to the law. General Theory of Law. Law of the Sea (UNCLOS) and Maritime Administrative Law. Spanish Law. Basic knowledge of the relevant IMO safety conventions.

Skills:

- Knowledge, use and application to navigation the principles of the laws and marine regulations. Able to independently analyse issues covered by international conventions.

Competences:

- The specific the chart A-II/1 of the STCW convention: "Monitor compliance with legislative requirements", KUP : "A-II/1 - 17.1 Basic working knowledge of the relevant IMO conventions concerning safety of life at sea, security and protection of the marine environment".

Learning outcomes for Ship's regulations and shipping business:

Knowledge:

- Understand the legal status of all actors in the maritime business (Shipping) and their rights and obligations: Shipowner; Master and Crew. Manning Agents. Servants of shipowner: ship agent; stevedores' company, etc. The main contracts of shipping business.
- Understand the legal status of the ship: public and private certificates. FSC and PSC inspections. Especially the obligation of seaworthiness.
- The student is expected to have an overview of the legal status of the ship and of all persons who have a relationship with the ship, from a public and private legal perspective.

Skills:

- Understand very well the relationship between legal obligations and technical standards.
- Knowledge to link the fulfilment of technical and regulatory requirements.

Competences:

- Knowledge, use and application to ship the principles of the laws and marine regulations.

- Ability to demonstrate the knowledge and understanding of the environment and environmental issues required to participate in decision-making on individual or collective action.
- Able to show the understanding of the most important concepts and regularities of the maritime transport industry

Learning outcomes for Maritime Law and Maritime economy:

Knowledge:

- The student knows and understands main contracts from shipping. Meet their legal and economic key.
- Knowing the most important legal aspects of the maritime casualties (Collision, Salvage, General Average, etc.) and the impact against shipping business.
- The student knows the most common practical problems with customs in relation with the ship and the goods and resolved.
- The student knows and understands how the shipping market works.
- Being able to evaluate the shipping market segments and choice the target market
- Knowing how to use the tools of the shipping market mix
- Being able to analyse the threats and opportunities in shipping economy

Skills:

- Adequate knowledge of the concept of business, institutional and legal framework of the company. Organization and management of corporate finance firms and turtles.
- Knowledge of technical English shipping.
- Knowledge, use and application to ship the principles of the laws and marine regulations.
- Knowledge, use and application of the ship from the principles of safety and security of the ship, firefighting and survival, preventing and combating pollution.

Competences:



- Use of leadership and managerial skill. Knowledge and ability to apply effective resource management.

Learning outcomes for Management of maritime safety and pollution prevention:

Knowledge:

- The student will acquire training that will cover all aspects of maritime risks, management of safety and prevention management and pollution control, from the perspective of engineering and operational, and the regulations and requirements for safety and health. The same applies to emergency and crisis situations (art. 8 ISM Code). Respond to navigational emergencies.
- Provide knowledge, understanding and proficiency of skills "coordination of operations SAR", "respond to navigational emergencies", "monitoring and enforcement of legal requirements and measures to ensure the life at sea, maritime security and pollution prevention ", " keep the terms of safety and protection of passengers and crew and operating conditions of rescue systems, firefighting and other security systems ", " emergency management and damages control including ("Technology of materials Naval architecture and ship construction, including damage control") competences required and defined in Section A-II / 2 and A-III / 2 of STCW 78/95/2010.

Skills:

- The student has to be able to work practically with regulatory enactments and to understand the requirements set out in the International Conventions for the Prevention of Pollution from Ships, 1973 (hereinafter - MARPOL 73/78) and SOLAS 74/78, among others.

Competence:

This subject will evaluate the following STCW competences:

- Monitor and control compliance with legislative requirements and measures to ensure safety of life at sea, security and protection of the marine environment.

- Maintain safety and security of the vessel, crew and passengers and the operational condition of life saving, firefighting and other safety systems.
- Knowledge of international maritime law embodied in international agreements and conventions.

Regard shall be paid especially to the following subjects:

- responsibilities under the relevant requirements of the International Convention on Load Lines, 1966, as amended.
- responsibilities under the relevant requirements of the International Convention for the Safety of Life at Sea, 1974, as amended.
- responsibilities under the International Convention for the Prevention of Pollution from Ships, as amended.
- Maritime declarations of health and the requirements of the International Health Regulations.
- Responsibilities under international instruments affecting the safety of the ship, passengers, crew, and cargo.
- Methods and aids to prevent pollution of the marine environment by ships.
- National legislation for implementing international agreements and conventions.

Summary of the analysis of Learning outcomes

While doing the analysis of the learning outcomes the group noticed that most of the learning outcomes are similar at all universities. The main difference was in additional division of learning outcomes in UPC and RTU in three categories: mandatory knowledge, skills and competences. The common learning outcomes were defined in those three categories.

The group has discussed about skills needed for students to pass the exams. Professors from University of Split have stated out that in Croatia there are mandatory verbs that must be used according to the level of study. According to these verbs the group has made a list of

skills expected at the level of the course. These learning outcomes are the starting point for creating and harmonisation of maritime law course curriculum and teaching materials.

Harmonization of mandatory knowledge

In the part of mandatory knowledge, they have stated out that law is divided in Public law and Private law. Group has separated mandatory Conventions and mandatory number of teaching hours that is in accordance with the International Maritime Organization (IMO):

	TEACHING HOURS ACCORDING TO IMO	RECCOMENDED NUMBER OF TEACHING HOURS
SOLAS	2	3
ISM	/	2
MARPOL	3	3
STCW	-	1
MLC	6	6
LOAD LINE	1	1
COLREG	1	1
Hague-Visby rules, Hamburg rules and Rotterdam rules	5	10
Maritime average and insurance	8	10
Stowaways	1	1
Athena Conventions and contract of the passengers	3	3

Ship agent	2	2
Port of refuge procedures and Law of salvage	2	3
Pilotage	2	2
PSC	2	2
Assistance and salvage	3	3
Classification society	1	1
LLMC	1	1
National law	1	10 (flexible)
Other relevant Conventions:		
BWC		2
London Convention and interventions; CLC		2

Harmonization of the skills

After the discussion the group decided that the common learning outcomes are as follow:

1. Analyse the fundamental institutions of international law of the sea, admiralty law, maritime administrative law, maritime labour law, and carriage of goods by sea, maritime averages and marine insurance.
2. Identify the role of EU maritime legislation and implementation.
3. Identify and differentiate marine zones and compare responsibilities into each zone, rights and responsibilities of the flag state and coastal state, freedom of navigation and exceptions in accordance with the international law of the sea.

4. Distinguish the organization of navigation safety and inspections regimes.
5. Present the structure, activities and functions of national maritime administration and national legal regulations on maritime domain and seaports.
6. Distinguish legal aspects of responsibilities of ship owners, ship's master and crew and explain their rights and obligations under international and national labour regulations.
7. Analyse different phases of fulfilment of legal transactions for all types of maritime transport and differentiate maritime transport documents.
8. Categorize and compare maritime casualties and liabilities of ship owners.
9. Identify and analyse types and cover of marine insurance.
10. Identify other maritime regulations taking in to account national specificity.

Creating a section related to the competences

At the very end, the group has agreed that competences of the students after finishing the courses, have to be in accordance to the STCW Convention: "Monitor Compliance with Legislative Requirements" KUP: "A-II/1 - 17.1 Basic working knowledge of the relevant IMO conventions concerning safety of life at sea, security and protection of the marine environment".

IV. Conclusion

The results of this analysis are directly connected to outputs created in the Focus Group 1. The aim of the Focus Group 1 was: "Analysis of approach to teaching and teaching materials". Furthermore, the results of focus group 2 are important for the development of teaching materials and preparation of the guidelines for harmonisation of maritime law course curriculum (Key activity in the Work package 4).

Harmonised learning outcomes for the subject Maritime Law according to the STCW Convention are significant in themselves, regardless of the project. The results of the analysis are useful for all higher maritime education institutions which educate seafarers for obtaining title in accordance with STCW Convention. Therefore, they can be applied on all institutions that teach maritime law as a special subject or within other subjects. The presented



harmonized learning outcomes can be used to improve the syllabus and programs of the maritime law course and the study as a whole.

