



University of Pretoria Yearbook 2018

International law aspects of extractive industries 804 (EIL 804)

Qualification Postgraduate

Faculty Faculty of Law

Module credits 30.00

Programmes [LLM Extractive Industry Law in Africa \(Coursework\)](#)

[MPhil Extractive Industry Policy, Management and Regulation \(Coursework\)](#)

Prerequisites No prerequisites.

Language of tuition Module is presented in English

Department Public Law

Period of presentation Semester 1 or Semester 2

Module content

The objective of this module is to equip students with a thorough understanding of the international law aspects of extractive industries. Topics include: (a) Sovereignty in respect of legal regimes and laws governing extractive industries including the act of state doctrine, the doctrine of sovereign immunity and waivers of immunity and compensation for expropriation; (b) An overview of the most relevant treaties and conventions of relevance to extractive industries including the Convention on the Continental Shelf, the OILPOL convention, the UN Convention on Contracts for the International Sale of Goods, the UN Conventions of the Law of the Sea, the New York Convention, the Convention on the Settlement of Investment Disputes between States and Nationals of Other States, the Energy Charter Treaty to protect international energy investment and trade; international environmental law treaties and conventions and the Guiding Principles on Business and Human Rights. (c) Relevant aspects pertaining to the World Trade Organisation including extractive industry subsidies, environmental labelling and confiscatory taxation; (d) Direct and indirect forms of resource nationalisation and investment treaties to protect natural resource investors; (e) The legal status of offshore petroleum and mining installations and vessels including production platforms, floating production, storage and offloading (FPSOs) vessels and subsea pipelines as well as state jurisdiction in respect of such installations. (f) International dispute resolution mechanisms including enforcement of arbitration awards.

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