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**THE PECULIARITIES OF TEACHING MARITIME LAW
TO THE FOREIGN STUDENTS OF KHERSON STATE MARITIME ACADEMY
(ON THE EXAMPLE OF THE ENGLISH LANGUAGE TEACHING GROUPS)**

Summary. The article deals with the peculiarities of teaching maritime law to foreign cadets of Kherson State Maritime Academy. The problem of their adaptation as well as the peculiarities related to teaching the maritime law is studied. The use of role-playing games, round tables, consideration of cases in the process of developing skills of foreign students to protect their personal and professional rights has been proved. Issues of ensuring the compatibility and compliance with standards of seaman competence on the basis of knowledge of the maritime law rules are described. The process of teaching foreign cadets should be carried out at the level of pedagogical and intercultural communication. An individual approach to each foreign cadet with his national and ethno-cultural characteristics should be taken into account.

Keywords: maritime law, teaching methodology, teaching method, standard, international cadets.

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**ОСОБЛИВОСТІ ВИКЛАДАННЯ МОРСЬКОГО ПРАВА ІНОЗЕМНИМ СТУДЕНТАМ
ХЕРСОНСЬКОЇ ДЕРЖАВНОЇ МОРСЬКОЇ АКАДЕМІЇ
(НА ПРИКЛАДІ ГРУП АНГЛОМОВНОЇ ФОРМИ НАВЧАННЯ)**

Анотація. У статті йдеться про особливості викладання морського права для іноземних здобувачів вищої освіти, які навчаються у Херсонській державній морській академії. Наголошено на необхідності викладання морського права у закладі вищої освіти як громадянам України, так і громадянам іноземних країн. Розкрито проблему адаптації слухачів з інших країн, а також особливостей, пов'язаних з методикою викладання морського права іноземним громадянам. Обґрунтовано необхідність використання таких класичних аудиторних методів як лекція та семінарське заняття. Доведено результативність використання рольових ігор, круглих столів, розгляду кейсів у процесі вироблення вмінь іноземними здобувачами вищої освіти захищати свої особисті та професійні права. Зазначено, що метою вивчення курсу «Морське право» є не лише отримання теоретичних знань, але й формуванні в іноземних здобувачів вищої освіти компетенцій, необхідних для їх подальшої роботи. Порушено питання відповідності забезпечення і дотримання стандарту компетентності особи моряка на підставі знання норм національного та міжнародного морського права. Наголошено на тому, що успішне залучення іноземних здобувачів вищої освіти до нового для них соціально-культурного життя відбувається за рахунок їх активного спілкування між собою та з українськими курсантами, особливо під час їх спільної участі у різноманітних виховних та просвітницьких заходах ХДМА. Підготовка іноземних здобувачів вищої освіти здійснюється відповідно до вимог Манільських поправок до Міжнародної конвенції з підготовки і дипломування моряків та несення вахти 1978 р. Іноземні громадяни вивчають блок питань, який включає опанування нормативних морських документів та міжнародних морських конвенцій. Особлива увага приділяється вивченню Конвенції з охорони людського життя на морі 1974 р. (SOLAS), Міжнародної конвенції щодо попередження забруднення моря з суден 1973 р. (MARPOL), Конвенції з обмірювання суден 1969 р. та Конвенції про вантажну марку 1966 р.

Ключові слова: морське право, методика викладання, метод навчання, стандарт, іноземні студенти.

Problem statement. In accordance with the Higher Education Standard of Ukraine, approved and enacted by order of the Ministry of Education and Science of Ukraine from November, 13 2018 № 1239, to obtain the first (bachelor) level of higher education in the field of knowledge – 27 Transport, studying maritime law is mandatory for students, who study in the specialty 271 «River and Sea Transport». Extensive and deep knowledge of the maritime legislation are needed by all maritime actors, specialists in all areas of the maritime industry. The International Convention on Standards of Training, Certification and Watch keeping for Seafarers (STCW) entered into force for Ukraine on April, 07 1997. A large number of foreign nationals have the desire to be educated at Ukrainian maritime higher education institutions.

Ukraine is on the list of participating countries of the International Convention on Standards of Training, Certification and Watch keeping for Seafarers (STCW), with the amendments, which are timely and in full provided information on national systems for maritime education, under the provisions of the Convention. Therefore, specialists who have received appropriate education, take the opportunity to find a job on ships of most countries of the world. The right to work under the flags of most countries of the world, in turn, get foreign citizens - graduates of maritime institutions of higher education of Ukraine.

Recent research and publications. Methods of teaching maritime law in high school became the subject of research of B. Babin, V. Denisov, T. Korotkiy, O. Shemyakin, G. Sandiyuk, O. Du-

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binsky etc. Taking into account that maritime law as a separate discipline is not taught at all legal institutions, the features of its teaching have not been studied enough. Regarding the methodology of teaching maritime law to foreign citizens, no attention was paid to this issue, that allows to consider this study relevant.

The purpose of the research is to study the peculiarities of teaching maritime law in English-speaking groups of foreign students of the Kherson State Maritime Academy.

Presentation of the main material. Kherson State Maritime Academy provides training for higher education applicants for foreign countries by specialty 271 «River and Sea Transport». In conditions of increased demand from individuals of foreign countries, who study at Kherson State Maritime Academy by specializations «Navigation and Ship Handling at Sea» and «Ship Technical Systems and Complexes Operation», content and learning technologies should be result oriented and develop the competent personality, knowledge and skills of foreign cadets.

Increasing requirements of social order to qualification of a graduate of a higher marine educational institution and the needs of the graduate, which enters the international market, cause the necessity of a competent approach implementation, including, while studying maritime law.

For future marine professionals maritime law is a crucial area of law. It represents a set of agreed principles and norms, which determine the legal status of maritime spaces and regulate the relations between the subjects of international law on the use of the oceans, their bottoms and subsoils for various purposes. Its rules regulate the relations in the field of navigation between individuals and legal entities.

The study of maritime law contributes to the formation of a specialist, who is able to understand the value of their actions and other maritime law entities, provide them with a legal assessment and anticipate the consequences of these actions.

Program of training foreign students of Kherson State Maritime Academy in the discipline of Maritime Law meets modern requirements of the STCW Convention. The coordination of training and methodological support is assigned to the Department of Economics and Maritime Law of Kherson State Maritime Academy, which is actively developing its scientific potential, based on international maritime law teaching standards. These standards include Model Courses, developed by the International Maritime Organization to perform the requirements of the STCW Convention. The teaching of maritime law at Kherson State Maritime Academy is also carried out in accordance with the recommendation of the International Labor Organization (ILO) on the professional training of seafarers № 137 dd .28.10.1970, and during the preparation of curriculum is carried out to meet international maritime transport requirements.

The maritime law course is conditionally divided into two content modules. The first module is devoted to the study of the rules of public international maritime law, and the second is a separate issue of private international maritime law. The first content module examines the importance of the oceans,

international legal regime of maritime spaces, international legal regulation of maritime safety, ensuring the legal protection of the marine environment and resolving international public maritime disputes. Within the second semantic module, general theoretical questions about a ship are studied, its owner, jurisdiction of the flag state, immunities of state vessels, identification and registration of ships. Separate blocks examine issues of basic types of ship documents, on the legal status of seafarers and their functions, requirements for crew members, on relations with consuls of Ukraine. Particular attention is paid to the issues of sea freight, freight chartering of ships, sea towing.

However, maritime law and relevant scientific concepts are subject to study, with which the graduates of Kherson State Maritime Academy will constantly meet in their practical activity. The purpose of teaching maritime law is not only the assimilation of legislation in the field of international maritime law and legal science by international students, but also skills development to interpret correctly and apply the rules of law to specific situations in life.

While preparing for classes with foreign students, it should be noted that, for example, in the 2019-2020 academic year the course «Maritime Law» is studied by citizens from more than 25 countries. Working in groups with international students, the teacher should create a favorable situation for the development of students' personalities, as well as to be ready for intercultural communication, to create conditions for faster adaptation of foreigners to the educational environment of the maritime school.

Maritime Law course for foreigners is taught in English. In order to provide quality training for foreign students, attention is paid to the peculiarities of the maritime law of the countries of origin of students, the intricacies of international maritime law, emphasis is placed on conflicts arising in maritime activities.

Kherson State Maritime Academy is a leader in maritime education not only in Ukraine but in the world. And the pedagogical process in the advanced maritime institution of higher education should be long and systematic. For this purpose a teacher of basic legal discipline has an extremely important educational influence on the thinking and behavior of a foreign student, who must obtain theoretical and practical professional knowledge and apply it in his future employment, for example, during maritime practice. It is not enough for a teacher-lawyer to know his subject well in order to complete the tasks he has set successfully. He must have a pedagogical skill and a good understanding of the features of the pedagogical process. Also, to work in English-speaking groups, the teacher must be proficient in English, be familiar with the peculiarities of the legal culture and standards of behavior in foreign countries of origin, etc. On the example of the maritime legislation of Ukraine, which will be considered foreign for students from other countries, the teacher explains the new material, and additionally provides examples, comparing the Ukrainian maritime legislation with legal standards familiar to students of legal systems, analyze the features of national maritime legislation.

Working with foreign contingent there is a constant need for improving the quality of training. This is facilitated by the improvement of methodological approaches and innovative information technologies, which help to make the learning process interesting and varied, and this, in turn, has a positive effect on the cognitive activity and educational level of future marine professionals. Practice shows that the most popular process in studying the law of the Sea for foreign students is watching educational films and informative videos.

Considering some methods of teaching the law of the sea, we should note that usually during the lectures, the cognitive-theoretical method of teaching is used. Important in the educational process is the introductory lecture on maritime law, from which the course begins and which acquaints the student with the subject of the discipline and gives him a holistic view of it. During the introductory lecture, the purpose, objectives of the teaching of the law of the sea, its structure and content are determined, the scientific and legal bases of teaching are considered, and certain sources are recommended for studying. The lesson deals with the importance of the oceans in the context of economic development and globalization, the stages of codification and the development of maritime law.

During the first introductory lecture it is extremely important to interest foreign students, to explain them how necessary it is to know the provisions of the law in the field of national and international maritime public and private law, be able to apply them in daily practice as marine navigators and marine engineers.

In order to make lectures on maritime law more effective, the teacher pre-places the lecture material in an electronic educational-methodical complex on the distance learning platform of the site of Kherson State Maritime Academy - Moodle. Being able to get acquainted with the published lecture materials makes it is much easier for foreign students to learn the content of the new material. During the lecture, the teacher, together with the students, has the opportunity to discuss the most debatable issues, and the lecture stops to be a monologue, and it is held in the form of dialogue or polylogue that certainly contributes to the better mastering of maritime law knowledge. Directly during the lecture, the material is presented to foreign students in the form of a presentation with the using multimedia equipment.

Maritime Law Seminars are held with the aim of mastering the theoretical lectures course, deepening and expanding the knowledge of students who during the seminar learn to think independently, to argue theoretical propositions, to draw conclusions and to defend their own point of view.

In order to attract the attention of foreign students at a seminar on maritime law, the teacher conducts role-playing games and proposes to solve situational problems. Playing a role, the foreign cadet perceives and assimilates maritime law material much more effectively. Role-playing games should be started in groups after learning the topics «The ship's crew and the captain of the ship», «Theoretical provisions for a ship», «Ship documents», «Solution of international public maritime disputes». Foreign students enjoy the elements of

play forms in classes, during which they are interested in concluding different types of contracts, filling out official documentation, mastering complex material, learning from their mistakes.

As one of the methodological approaches that is actively used in the study of the discipline of Maritime Law, is a colloquium or a teacher interview with the students, the purpose of which is to identify the level and to deepen students' knowledge. After the first training, foreign students should clearly and concisely answer the questions about requirements for the crew members of the ship, characterize the peculiarities of the employment interrelation, explain the meaning and mechanism of repatriation of the crew members of the ship, name the features of the legal status of the master etc. During the colloquiums with the teacher, foreign cadets discuss the nature of chartering of seagoing vessels, leasing of a vessel, sea freight agreements, the documents underlying them, as well as the rights and obligations of the parties. During the interview with students the questions about the grounds for the release of the carrier from liability for non-safety of cargo are being worked out. Foreign students are required to take notes of regulations and international maritime agreements for the test.

To improve the quality of teaching of the discipline of Maritime Law, not only the use of methodological instructions for homework, but also the previous work of the teacher with foreign students, especially the distribution of role-assignments, has a significant effect. During the seminars oral and written assignments, work in pairs, didactic games are used. For example, students enjoy playing a script during a class, when the ship owner leaves the crew without assistance in the territory of another state. Such tasks develop the individual thinking of the foreign listeners, the ability to defend their own point of view, increase personal responsibility for the result in learning and generate motivation for learning and self-improvement, in which they are able to find the information they need independently. Another type of problem is to provide specific actions of crew members during the danger of a pirate attack, etc.

Before the seminar, some foreign students receive individual assignments and prepare special reports. The most common topics of the report include the following topics: «Piracy and terrorism at sea», «Safety system at sea», «Navigation, technical and operational rules for the safety of navigation», «Ship traffic control system» etc. Maritime law classes have been successful in using case-based methods to address the recommendations of how marine crew members behave in the various circumstances that may arise during a voyage.

An important problematic issue in teaching foreign nationals the discipline of Maritime Law is the problem of literacy, especially the correct pronunciation and writing of maritime legal terminology. Due to the peculiarities of the pronunciation characteristic of representatives of different national cultures, a large number of didactic materials are used in lectures and practical maritime law lessons, as well as the practice of writing short terminological and thematic dictations on each topic of the discipline. And, of course, it is impossible to disagree with G. Sandyuk and O. Dubinsky that the

students of technical specialties have a much better knowledge of technical terminology, knowledge of the ship construction, so they are more consciously and deeply aware of the applied meaning of many conventions [4, c. 229].

In the context of the implementation of the competence approach, the compulsory assessment of the subject of the Law of the Sea by foreign citizens takes place in a mixed form, which includes both written tasks and oral answers to questions. The maritime law credit model consists of three levels: a minimum that meets the mark of «satisfactory» and which is conducted in the form of testing; a basic one that requires knowledge of the categorical apparatus and the ability to solve tasks that corresponds to the grade of «good»; and a high level, which is achieved by giving an oral answer to the posed question, and which is rated «excellent».

The purpose of studying the Law of the Sea course is not only to acquire theoretical knowledge by foreign students, but to forming in them the competencies necessary for the further work. Thus, in the Annex to Regulation II/2 to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) of 1978, among other important issues, minimum knowledge required to obtain diplomas of captain or senior assistant captain of ships with a gross capacity of 200 register tons or more is listed. In paragraph 14, entitled «Maritime law», of the above Rules it is stated that «A knowledge of international maritime law as embodied in the international agreements and conventions as they affect the specific obligations and responsibilities of the skipper, particularly those concerning safety and the protection of the marine» [2].

Conclusions. Methods of teaching maritime law to foreign students at a maritime institution of higher education, except that it is different from the classical teaching of law students, since it must meet the needs of technical specialties, but also the specific perceptual abilities of foreign students. Un-

like law students who are able to process extraordinarily large volumes of text, that is not characteristic of marine engineering, regardless of the language of study.

In accordance with the requirements of the Manila Amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, foreign nationals are studying a block of issues that includes the mastery of the International Maritime Conventions, in particular, special attention is given to such regulatory maritime instruments as the 1974 Convention for the Safety of Life at Sea (SOLAS), the International Convention for the Prevention of Pollution from Ships, 1973 (MARPOL), the Measurement of Ships Convention, 1969, and the Freight Marking Convention, 1966. Particularly, special attention is given to such regulatory maritime instruments as the International Convention for the Safety of Life at Sea (SOLAS), 1974, The International Convention for the Prevention of Pollution from Ships (MARPOL), 1973, International Convention on Tonnage Measurement of Ships, 1969, and International Convention on Load Lines, 1966.

The problem of ensuring the safety of navigation is one of the most important in maritime transport, because of its successful decision depends the protection of life and health of crew and passengers, saving most vehicles and goods transported by them. The process of foreign students training will be more successful, if it is done not only at the level of educational communication during training sessions, but also at the level of intercultural communication, which requires an individual approach to each foreign student and consideration of his national and ethno-cultural characteristics. Successful involvement of foreign listeners in new socio-cultural life is due to their active communication with each other and with the Ukrainian cadets, especially during their joint participation in various activities of Kherson State Maritime Academy.

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