

AL-FARABI KAZAKH NATIONAL UNIVERSITY

Law faculty

Department of customs, financial and environmental law

THE FINAL EXAM PROGRAM

**Discipline: OPNI 5301 Organization and planning of scientific research in
the field of maritime and energy law.**

Specialty - "7M042-Maritime and energy law»

Course-1

Semester-2

Number of credits – 5

Form of study: full-time, distance

Almaty, 2024

The compiler of the program of the final exam in the discipline: G.Teleuyev
 The educational program 7M04212 «Maritime and energy law» is developed on the basis of the curriculum

Considered and approved at a meeting of the Department of custom, financial and environmental law

"29" 08 2024, Protocol No. 1
 Head of the Department,
 Doctor of Law, Professor



G.A. Kuanalieva

"02" 09 2024, Protocol No. 1
 Chairman of the Academic Committee
 on the Quality of education and Training




A.A. Urisbayeva

"02" 09 2024, Protocol No. 1
 Presented at the Academic Council of the Faculty
 Academic Secretary



G.M. Atakhanova

Introduction

The goal of the final exam is to systematize and consolidate the knowledge obtained by students over the entire period of study in accordance with the requirements of the educational curriculum.

This program is designed to prepare students for the final exam in Kazakhstan law and includes a review of its main institutions and categories, the study of which will contribute to students acquire the necessary knowledge and practical skills to apply them.

Only students who have completed the educational process in the discipline in accordance with the curriculum and Bachelor's degree program and have scored the appropriate points in accordance with the working Bachelor's degree programs allowed to participate in the final control.

The exam conducted within the time limits specified in the academic calendar and the exam schedule on the University page.

Students who have received unsatisfactory grades will allowed to retake the final control for this period only after paying the monetary amount with the number of credits to the current account of NAO kaznu.Al-Farabi Kazakh National University. A student who has received an unsatisfactory grade based on the results of the exam issued an order for retraining in this discipline. If a student scores 20 points on the exam, they have the opportunity to retake FX by paying the amount to the account of NAO kaznu.Al-Farabi Kazakh National University. After receiving an unsatisfactory assessment, documents related to the submitted health status are not considered.

It isn't allowed to retake the exam to increase the grade.

Final Control Program (exam) instructions for passing the exam

The exam served on the corporate platform of kaznu Microsoft Teams or external ZOOM resources in case of technical problems. The process of passing an oral exam by a student involves the automatic creation of an exam ticket, to which the student must answer verbally by the Examination Board. When conducting an oral exam, video recording is mandatory.

2. Duration of the exam: the time of preparation will be decided by the examiner or the Examination Board. The Examiner or the Examination Board decides the answer time. To answer all the questions of the ticket, offered 15-20.

3. Univer IP exam tickets generated automatically.

4. 30 minutes before the start of the exam, all students of the group enter the conference hall of the video communication by following the link specified in the rules of the final exam organized by the teacher or members of the Commission (sent by the teacher/members of the commission in case of violation of the work of the video communication service).

5. Checks the ability to log in 30 minutes before the exam starts Univer.kaznu.kz through any browser, but through Google Chrome (in case of loss of username and/or password, the student must contact the curator-adviser before the start of the exam). After verification, they log out of the account, waiting for a call from the Commission.

6. At the beginning of the exam, the student invited by the commission shows his / her ID card (ID card or passport) to the camera. It is forbidden to take the ID card exam). Includes screen display. Univer logs in to its IP account, goes to the "exam schedule" page, and selects the current exam-by clicking on the «pass the oral exam» button. After passing the link "passing the oral exam", a window opens where the student will see the questions of the exam ticket. The student shows a screen with questions about the ticket, reads them aloud. The BBB translates the presentation of the service to the camera, prepares for the answer, and answers the ticket questions after preparing for the period set by the teacher or the commission.

7. If a student who has opened his ticket for technical reasons (power outage, internet shutdown, or low speed) does not stay online for more than 10 minutes during the exam, then his answer will be canceled. The exam will be postponed to another day in coordination with the Department of academic affairs.

8. The Examination Board and the teacher certify the exam participants. Univer puts points in the final statement in the IP. The time for putting points in the certification list for the oral exam is 48 hours.

Exam rules:

To pass the exam-test, students must first familiarize themselves with all the requirements for conducting the exam in oral form. All instructions are uploaded: https://drive.google.com/file/d/1u_TOKL2MZiJsE3EJjluDNNv_68WXb4rG/view?usp=sharing

Students should familiarize themselves with the date and time of the exam in advance in the "Univer" system, in the "exam schedule" section.

Requirements for students:

1. the student must familiarize himself with all the instructions for passing the finalexam and the program of the final exam in the subject of control at the customs border »;
2. before the exam starts, the student must check:
 - * internet connection on the working device(computer, monoblock, laptop, tablet),the device must be provided with charging for the entire duration of the exam;
 - * web functionality of the camera and microphone.
- 3.the student must prepare a workplace for passing the exam: a separate room(office); the room must be illuminated.
4. when passing the test, the presence of unauthorized persons in the room/office isnot allowed
- 5.the student's clothing style is classic. It is not allowed to participate in the exam inhome clothes or in a sports suit.
6. checks the ability to log in 30 minutes before the exam starts Univer.kaznu.kzthrough any browser, but through Google Chrome (in case of loss of username and / or password, the student must contact the curator-adviser before the start of theexam)
7. according to the schedule, at the beginning of the exam, students will have accessto UNIVER IP tickets created in their accounts univer.kaznu.kz.
- 8.a student does not have the right to open a ticket until the commission personally invites him / her to pass the exam, only at the request of the commission, the studentlogs in to the Univer IP account and opens his / her ticket on video.

Main topics for exam preparation:

1. The formation of the legal status of the Caspian Sea in historical retrospect

Situation in the Caspian Sea Since the Collapse of the Soviet Union. New Phase of Caspian Negotiations Defines the Importance of Research. Present State of Research into the Status and Regime of the Caspian Sea. Present State of Research into the Status and Regime of the Caspian Sea

2 International treaty practice and problems of the international legal status of the Caspian Sea

Positions of the Caspian States on the legal status of the Caspian Sea after thecollapse of the USSR

3 The current state of the issue of the international legal status of the Caspian Sea.

The current state of the issue of the international legal status of the Caspian Sea. (Discussion scientific materials). International treaty practice and problems of the international legal status of the Caspian Sea

4. International legal regime for the use and protection of the natural resources of the Caspian Sea

The current state of the issue of the international legal status of the Caspian Sea. Formation and development of international legal legislation in the Caspian Searegion

5 Transport policy of coastal land States in the aspect of the International Legal status of the Caspian Sea

Transport policy of coastal land States in the aspect of the International Legalstatus of the Caspian Sea

6 Problems of ensuring environmental safety of the Caspian Sea environment

International legal mechanism for the protection of the Caspian Sea environment. Legal support for the prevention of pollution from ships of the Caspian Sea. Legal support for the prevention of oil pollution in the Caspian Sea

7 International legal regulation of the prevention of pollution of the Caspian Sea.

Legal support for the prevention of pollution from ships of the Caspian Sea.

Legal support for the prevention of oil pollution in the Caspian Sea

8 Legal support for the prevention of pollution from ships of the Caspian Sea.

Discussion scientific articles. Legal support for the prevention of pollution caused by invasive organisms that have settled in the Caspian Sea.

9 Legal support for the prevention of pollution caused by invasive organisms that have settled in the Caspian Sea.

Regime of the Living Resources in International Law

10 The Legal Regime of the Pipelines in the Caspian Sea

Pipelines in the Caspian Sea. International Law on Pipelines. International Law on Pipelines

11 The Legal Regime of Maritime Navigation on the Caspian Sea

Ship Navigation on the Caspian Sea. Existing Rules on Navigation in the Caspian Sea

12 Environmental Principles Applicable to the Caspian Sea Principle of Sustainable Development. "Future Generations" Principle. The Precautionary Principle. "The Polluter Pays" Principle

13 Using the Caspian Sea for peaceful purposes, making it a zone of peace, good-neighbourliness, friendship and cooperation, and solving all issues related to the Caspian Sea through peaceful means

Using the Caspian Sea for peaceful purposes, making it a zone of peace, good-neighbourliness, friendship and cooperation, and solving all issues related to the Caspian Sea through peaceful means

14 Freedom of navigation outside the territorial waters of each Party subject to the respect for sovereign and exclusive rights of the coastal States and to the compliance with relevant rules established by them with regard to the activities specified by the Parties

Freedom of navigation outside the territorial waters of each Party subject to the respect for sovereign and exclusive rights of the coastal States and to the compliance with relevant rules established by them with regard to the activities specified by the Parties

15 Freedom of overflight by civil aircraft in accordance with the rules of the International Civil Aviation Organization

Freedom of overflight by civil aircraft in accordance with the rules of the International Civil Aviation Organization

Literature:

- 1 Bosson, R., and M. Varon, *The Mining Industries and the Developing Countries*, Washington, D.C.: World Bank. - 1997.
- 2 Bouhs, A; «How a Domestic Oil Company Goes International: A Strategy for Success, Production Sharing Contracts Conference Proceedings, AIC Conference, Houston, March 1994.
- 3 Burke, F., and R. Dole, *Business Aspects of Petroleum Exploration in Non- Traditional Areas*, BMC, 1991.
- 4 Carnal Hosseini, *Law & Policy in Petroleum Development*, 1979.
- 5 Clawson M. *Uncle Sam's Acres*. Westport, 1970.
- 6 Darden, M., *Legal Research Checklist for International Petroleum Operations*, Section on Natural Resources, Energy and Environmental Law. Monograph Series Number 20, American Bar Association, 16 February 1994.
- 7 Derman, A., *International Oil and Gas Joint Ventures: A Discussion with Associated Form Agreement*, Section on Natural Resources, Energy and Environmental Law. Monograph Series Number 16, American Bar Association, 16 February 1992.
- 8 Dur, S., «Negotiating PSC Terms», *Production Sharing Contract Conference Proceedings*,

AIC Conferences, Houston, March 1994

- 9 Barannik V, Borysova O, Stolberg F (2004) The Caspian Sea region: environmental change Barboza J (1990) Sixth report, UN doc. A/CN.4/428
- 10 Beyerlin U (2000) Umweltvo"lkerrecht.
- 11 Beck Verlag Davidson JE (2003) Tomorrow's standing today: how the equitable jurisdiction clause of Article III, Section 2 confers standing upon future generations. Columbia J Environ Law 28:185
- 12 Farber DA (2003) From here to eternity: environmental law and future generations. Univ Illinois Law Rev 289 Fleury R (1995) Das Vorsorgeprinzipim Umweltrecht.
- 13 Heymann, Ko"ln, Berlin Golubev G (1997) Environmental problems of large central Asian lakes. In: Jorgenson E, Matsui S (eds) Worlds' lakes in crises. Brassey's, London, Washington

Internet sources

[1 https://chambers.com/articles/subsoil-and-subsoil-use-legislation-history-and-new-concept](https://chambers.com/articles/subsoil-and-subsoil-use-legislation-history-and-new-concept)

Online sources:

1. Learning material: lecture outlines, video-lectures, methodical recommendations on preparation for seminars, ISW, etc., accessible on www.univer.kaznu.kz, EMCD section;
2. Normative legal acts in accordance with topics of the course, accessible on legal database "Zakon".

CRITERIA-BASED ASSESSMENT RUBRICATOR
(for all forms except standard oral/written testing)

Discipline: Organization and planning of scientific research in the field of maritime and energy law
. Form: oral (online). Platform: ZOOM.

№	Score	Question 1. The maximum score is 33.				
		«Excellent»	«Good»	«Satisfactory»	«Unsatisfactory»	
		27-33 points	20-26 points	14-19 points	7-13 баллов	0-6 баллов
Criteria						
1	Understanding the general characteristics and types of the basis of Environmental safety in maritime and energy law	Deep understanding of the concept and Environmental safety in maritime and energy law consideration of the basics of international arbitration law.Relevant and relevant links (citations) to primary sources.	Understand the concept and types of the basis of Environmental safety in maritime and energy law Relevant and relevant links (citations) to primary sources.	The average of the concepts and types of Environmental safety in the maritime and energy law of law. Relevant and relevant links (citations) to primary sources.	Limited understanding of the concept and types of consideration of Environmental safety in the maritime and energy law of disputes. Relevant and relevant references (citations) to primary sources.	Superficial understanding/misunderstanding of the concept and types of the basis of Environmental safety in maritime and energy law. Relevant and relevant references (citations) to the primary sources are not provided.
	Understanding the main problems of environmental safety in maritime and energy law	The comparison of the legislation of the Republic of Kazakhstan regulating the consideration of the basis of Environmental safety in maritime and energy law is very well connected. The ideal justification of arguments by the facts of empirical research (for example, based on	Connects the comparison of the legislation of the Republic of Kazakhstan, the basics of Environmental safety in maritime and energy law. Supports the arguments with the	limited connection of the concepts of the basics of environmental safety in maritime and energy law and their limited use.	Communication in comparison of the legislation of the Republic of Kazakhstan regulating the basics of Environmental safety in maritime and energy law. Limited use of	In comparison with the legislation of the Republic of Kazakhstan regulating Environmental safety in the maritime and energy law disputes, the connection is insignificant or absent. Little or no empirical research is used.

		comparative legal or statistical analysis).	facts of empirical research.		empirical research evidence.	
	Political proposal or practical recommendations /suggestions	Preparation of competent scientific and/or practical recommendations and recommendations related to the prevention of environmental safety in the maritime and energy legal disputes in Kazakhstan.	Offers some considerations and/or practical recommendations and suggestions for the prevention of Environmental safety in marine and energy legal disputes in Kazakhstan	Limited practical recommendations. The recommendations are superficial, not based on a thorough analysis, and not critical.	There are few or no practical recommendations, or recommendations of very poor quality.	There are few or no considerations and practical recommendations related to the prevention of environmental safety in the maritime and energy law disputes in Kazakhstan, or recommendations of very poor quality

Question 2. Maximum score-33

2	Criteria	«Excellent»	«Good»	«Satisfactory»	«Unsatisfactory»	
	Score	27-33 points	20-26 points	14-19 points	7-13 баллов	0-6 баллов
	understand concepts through theory	The general concept of the basic concepts is given	The theoretical concepts of environmental safety in the marine and energy sector are disclosed	The recommendations are superficial, not based on a thorough analysis	recommendations of a very low quality concept	there are very few practical recommendations related to the theoretical concepts of arbitration disputes in Kazakhstan
	understand the basic questions	Offers some considerations, recommendations, consideration of environmental safety in marine and energy legal disputes	The general concept of the terminology Environmental safety in marine and energy legal disputes is given	Discloses the content of the rights to develop rules of personal behavior to prevent unjustified initiation of cases	the main theoretical issues are moderately disclosed	The main issues of environmental safety in marine and energy legal disputes are poorly disclosed
	suggestion or practical suggestions/recommendations	The comparison of the legislation of the Republic of Kazakhstan regulating the consideration of environmental safety in marine and energy legal disputes is very well connected	Supports arguments with empirical research facts	Well demonstrates the clarity, accuracy and correctness of Environmental safety in marine and energy legal law	Limited use of empirical research evidence	Little or no empirical research is used.

Question 3. The maximum score is 34

	Criteria	«Excellent»	«Good»	«Satisfactory»	«Unsatisfactory»	
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Score	27-33 points	20-26 points	14-19 points	7-13 баллов	0-6 баллов
oral, style, speech literacy	Verbally demonstrates clarity, accuracy and correctness. Strictly adheres to APA style.	Verbally demonstrates clarity, accuracy and correctness. Basically adheres to APA style.	Verbally there are some basic errors and clarity needs to be improved. There are errors in following APA style.	It is unclear what is written, the questions do not correspond to the answer	It is unclear what is written, it is difficult to keep up with the content. There are many mistakes in following APA style.
suggestion or practical suggestions/recommendations	The comparison of the legislation of the Republic of Kazakhstan regulating the consideration of environmental safety in marine and energy legal disputes is very well connected	Supports arguments with empirical research facts	Well demonstrates the clarity, accuracy and correctness of Environmental safety in marine and energy legal law	Limited use of empirical research evidence	Little or no empirical research is used.

Assessment policy

Criteria-based assessment: assessment of learning outcomes in accordance with descriptors, checking the formation of competencies (learning outcomes) at intermediate control and exams.

Examination answers are evaluated on a 100-point scale, taking into account the degree of completeness of the undergraduate's answer:

Grade	Criteria
Excellent	1. Correct and complete answers to all theoretical questions are given; 2. Completely solved practical task; 3. The material is presented correctly in a logical sequence; 4. Demonstrated creativity.
good	1. Correct but incomplete answers to all theoretical questions are given, minor errors or inaccuracies are made; 2. The practical task was completed, but a minor mistake was made; 3. The material is presented correctly in a logical sequence.
Satisfactory	1. Answers to theoretical questions are in principle correct, but incomplete, there are inaccuracies in the wording and logical errors; 2. The practical task has not been fully completed; 3. The material is presented correctly, no logical sequence
Unsatisfactory	1. Answers to theoretical questions contain gross errors; 2. The practical task has not been completed; 3. In the presentation of the answer, grammatical and terminological errors were made, no logical sequence

Letter grade	Digital equivalent	Scores in percentage (%)	Grade under traditional system
A	4	95-100	Excellent
A-	3,67	94-90	
B+	3,33	85-89	good
B	3,0	80-84	

B-	2,67	75-79	satisfactory
C+	2,33	70-74	
C	2,0	65-69	
C-	1,67	60-64	
D+	1,33	55-59	
D-	1,0	50-54	
FX	0,5	25-49	unsatisfactory
F	0	0-24	