

International and European Environmental Law (B001699)

Course size *(nominal values; actual values may depend on programme)*

Credits 6.0

Study time 180 h

Course offerings and teaching methods in academic year 2023-2024

A (semester 1)

English

Gent

lecture

independent work

Lecturers in academic year 2023-2024

Cliquet, An

RE22

lecturer-in-charge

Offered in the following programmes in 2023-2024

Master of Science in Teaching in Social Sciences(main subject Laws)

crdts

offering

6

A

Master of Laws in Laws

6

A

Master of Laws in International and European Law(main subject European Union Law)

6

A

Master of Laws in International and European Law(main subject International Business Law)

6

A

Master of Laws in International and European Law(main subject International and Human Rights Law)

6

A

Master of Laws in International and European Law(main subject International and National Legal Orders)

6

A

Master of Laws in European Union Law

6

A

Master of Laws in International and European Law

6

A

Master of Laws in International Business Law

6

A

Exchange Programme in Law

6

A

Teaching languages

English

Keywords

International environmental law, European environmental law, international environmental policy, pollution, climate change, sustainable development

Position of the course

To give students knowledge and insight in the complexity of international and European environmental law, more specifically towards global environmental and sustainability problems, the sources and evolution of international and European environmental law, the international organisations involved, the general principles of the international protection of the environment, the relationship with human rights law, the protection of the environment during armed conflicts, and the specific rules for air pollution, the protection of freshwater and oceans and seas, waste and climate change.

Contents

A first part is a general introduction to international and European environmental law. An overview is given of the development and evolution of international and EU environmental law; the institutional context; the sources of international and European environmental law (including treaties, decisions and resolutions of international governmental organisations, European Union environmental law, soft law, case law); the principles of international and European environmental law (e.g. the principles of prevention, the precautionary principle, the principle of sustainable development...); the different tools in international and EU environmental law. A second part concentrates on specific international and European rules in a thematic context: dangerous substances and waste; protection against pollution of rivers and of seas and oceans; protection of the atmosphere and air pollution; and climate change. There will be a

limited number of guest lectures on specific topics.

In a last part the relationship between environmental law and other fields of law will be examined (environmental law and human rights; environmental law and armed conflicts). Throughout the classes, discussion moments are organised, in which several sustainability and environmental problems are discussed.

Students have to write a paper on a specific issue of international or European environmental law, of their own choice. Master students can write their paper in Dutch.

Initial competences

- To have basic knowledge of public international law, EU law and institutions of the EU.
- To be able to analyse legal texts and sources.
- To have the attitude to be willing to develop a critical and scientific attitude.

Final competences

- 1 To have insight into international and European environmental law and its developments.
- 2 To be able to analyse and evaluate legal texts and sources in the field of international and European environmental law.
- 3 To be able to apply the involved rules and regulations to specific problems.
- 4 To give a critical reflection and a scientific attitude.
- 5 To be able to analyse environmental and sustainability problems and to develop an independent vision towards topics of international and European environmental law.
- 6 To be able to argue potential solutions for a given environmental and sustainability problem.
- 7 To analyse an international or European environmental topic or case law.
- 8 To be aware of the role of international and European environmental law in achieving sustainability goals.

Conditions for credit contract

Access to this course unit via a credit contract is unrestricted: the student takes into consideration the conditions mentioned in 'Starting Competences'

Conditions for exam contract

This course unit cannot be taken via an exam contract

Teaching methods

Lecture, Independent work

Extra information on the teaching methods

Lectures, combined with a number of guest speakers on specific topics. For a limited part of the course, pre-recorded presentations will be available.

Students have to write a paper about a specific topic.

Learning materials and price

- Cliquet, A., International and European environmental law. Handouts of the powerpoint presentations, 2023 (available on Ufora, free of charge).
- Cliquet, A., Introduction to international and European environmental law, Ghent University, 2022 (short course book, available on Ufora, free of charge).
- Handouts of the presentations of guest speakers (available on Ufora, free of charge).

References

- Koivurova T, Introduction to international environmental law, Routledge, 2013.
- Boyle A & Redgwell C, Birnie, Boyle, and Redgwell's International Law and the Environment, Fourth Edition, Oxford, Oxford University Press, 2021.
- Peeters M and Elantonio M (eds.), EU Environmental Law Research Handbook, Edward Elgar, 2020.

Course content-related study coaching

- Answering questions of the students through e-mail or otherwise

Assessment moments

end-of-term and continuous assessment

Examination methods in case of periodic assessment during the first examination period

Written assessment with open-ended questions

Examination methods in case of periodic assessment during the second examination period

Written assessment with open-ended questions

Examination methods in case of permanent assessment

Participation, Assignment

Possibilities of retake in case of permanent assessment

examination during the second examination period is possible

Extra information on the examination methods

Written exam. One or more questions on international environmental law and one or more questions on European environmental law. The questions are open and include questions on knowledge, insight and opinions.

There is an evaluation of the written paper. .

Calculation of the examination mark

Exam: 40%. Paper: 40%. Written opinions about discussion topics & participation: 20%

Retake assignment: reworking the paper (or submit a paper if this had not been done)

Students who do not participate in all evaluations will be declared as unsuccessful for this course. In concrete terms, this means that if the final score is nevertheless a figure of ten or more out of twenty, the final score will be reduced to a figure of 7/20.

Facilities for Working Students

Working students are not evaluated on participation. Evaluation is 40% for the exam and 60% for the paper.