



Faculty of Law

## JAEN36, EU Environmental Law, 15 credits

*EU Environmental Law, 15 högskolepoäng*

Second Cycle / Avancerad nivå

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### Details of approval

The syllabus was approved by Faculty of Law Board of education at undergraduate and postgraduate levels on 2012-10-13 to be valid from 2012-10-13, autumn semester 2012.

### General Information

The course EU Environmental Law is an elective course in the Master's Programme in European Business Law at the Faculty of Law.

#### *Main field of studies*

European Business Law

#### *Depth of study relative to the degree requirements*

A1F, Second cycle, has second-cycle course/s as entry requirements

### Learning outcomes

The aim of the course is to enable students to critically reflect upon EU Environmental law and the legal and regulatory complexity of this regime.

#### *Knowledge and understanding*

To pass examination the student must show a basic understanding of EU environmental law and legal complexities relating in particular to the regulation of environmental problems in air, waste, water and chemicals.

#### *Skills and abilities*

To pass examination the student must assess critically and analyse the relevant legislation, case law and commentaries noted for each seminar and to communicate conclusions during seminars and in writing for the final writing assignment. The skills for which the student will be trained consist of presenting analyses of the set material and engaging in a discourse on the complexities of EU environmental law as a legal discipline.

### *Judgement and approach*

To pass examination the student shall undertake independent research and take full responsibility for the development of their knowledge in EU environmental law in a critical manner. The student shall be able to discuss the various techniques available for regulating the environment, their preferences and advantages and the framing of these conclusions, as well as the challenges that these debates pose to environmental law scholars and lawyers.

## **Course content**

EU Environment Law forms an important part of a bigger EU law jigsaw and is mapped on an EU-specific administrative framework. This course is a study of this regime in relation to a range of environmental problems, examining not only how the EU responds to environmental challenges but also how these are understood in the EU legal context and what type of intellectual challenges they create for environmental law scholars and lawyers.

This course aims to examine a broad range of topics that fall under the umbrella of EU Environmental law. These include analysing 1) definitions, functions, principles and objectives of EU Environmental Law 2) the development of the competences in this area of law and environmental-decision making at EU level 3) the crucial role of the Courts in safeguarding environmental protection 4) regulatory strategy in dealing with environmental problems and issues concerning enforcement 5) legal responses to a wide range of environmental problems such as water and air pollution, waste management and chemicals regulations, and 6) the important interrelationship between trade and the internal market and environmental protection.

## **Course design**

The course is structured through a series of seminars, where students participation is required.

Method of evaluation:

- Through oral presentations (in group) of cases studied during the seminars.
- Written paper submitted at the end of the course.

In assessing the final grades weight will be placed on the active participation and oral presentations during the seminars (25%) and the written paper (75%).

## **Assessment**

*Subcourses that are part of this course can be found in an appendix at the end of this document.*

## Grades

Marking scale: Fail, Pass, Pass with credit, Pass with distinction.

One of the following grades is given: Pass with Distinction (AB), Pass with Credit (BA), Pass (B) or Fail (U).

All grading criteria rest on the baseline set up for the grade B. Criteria for the grade BA are additional to those for the grade B. Criteria for the grade AB are additional to those for the grade BA. Each grade criterion consists of a qualitative and a quantitative dimension. To be awarded a specific grade, the grade criterion must be satisfied in its qualitative as well as its quantitative dimension.

Grading criteria are applied to all dimensions listed as Learning outcomes in this syllabus. By way of example, an AB would presuppose that the students examination reflect her or his mastery with regard to knowledge and understanding, skills and abilities and values and attitudes as laid down in the syllabus as learning outcomes. Grading is done primarily using Qualitative and Quantitative criteria. The Quantitative criterion reflects how well read the student is whereas the Qualitative criterion reflects how well the student can use his/her knowledge to make a well structured critical and analytical argument and put it in a proper context.

### B Basic command

In order to pass the student must show sound knowledge about the procedures at the Court of Justice of the European Union (CJEU), about how EU Environmental Law is created and applied and about its legal development in the EU legal context.

The student must be able to demonstrate basic knowledge about current EU Environmental Law research and methodology, as well as about the role of states in EU Environmental Law (in particular with regard to implementation).

The student has to show ability to put EU Environmental Law in its proper legal framework, regionally as well as internationally, show an ability to identify legal problems independently, critically, creatively and be able to systematize arguments, as well as analyze, compare and assess theoretical and practical problems within the context of EU Environmental Law.

The student must show a fair ability to analyze case law concerning EU Environmental Law, both in an oral and a written form and an ability to work both individually and in groups.

### BA Advanced command

In order to achieve this grade the student must show an in-depth knowledge above average about the procedures at the CJEU, about how EU Environmental Law is created and applied and about its legal development in the EU legal context

The student must be able to demonstrate good knowledge about current EU environmental law research and methodology as well as about the role of states in EU environmental law (in particular with regard to implementation).

The student has to show good ability to put EU Environmental law in its proper legal framework, regionally as well as internationally, show an ability to identify legal problems independently, critically, creatively and be able to systematize arguments, as well as analyze, compare and assess theoretical and practical problems within the context of European environmental law.

The student must show a good ability to analyze case law concerning European environmental law, both in an oral and a written form and an ability to work both individually and in groups.

### Mastery AB

In order to achieve this grade the student must show outstanding in-depth knowledge above average about the procedures at the CJEU, about how EU Environmental Law is created and applied and about its legal development in the EU legal context

The student must be able to demonstrate an excellent knowledge about current EU Environmental law research and methodology as well as about the role of states (especially with regard to implementation).

The student has to show excellent command of ability to put EU environmental law in its proper legal framework, regionally as well as internationally, show an ability to identify legal problems independently, critically, creatively and be able to systematize arguments, as well as analyze, compare and assess theoretical and practical problems within the context of EU environmental law.

The student must show a very good ability to analyze case law concerning European environmental law, both in an oral and a written form and an ability to work both individually and in groups.

## Entry requirements

Passed examination in courses corresponding to the first year of the Master's programme in European Business Law equivalent to 45 credits.

## Further information

The course is scheduled to require 10 weeks of full-time studies.

The University views plagiarism as a very serious academic offence, and will take disciplinary actions against students for any kind of attempted malpractice in connection with examinations and assessments. The penalty that may be imposed for this, and other unfair practice in examinations or assessments, includes suspension from the University.

## Subcourses in JAEN36, EU Environmental Law

Applies from H11

1101 EU Environmental Law, 15,0 hp  
Grading scale: Fail, Pass, Pass with credit, Pass with distinction