



Faculty of Law

## **JAMR39, Human Rights Law, the Environment and Climate Change, 7.5 credits**

*Human Rights Law, the Environment and Climate Change, 7,5 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 2020-02-05 (Dnr U 2020/103) and was last revised on 2023-11-08. The revised syllabus comes into effect 2023-11-08 and is valid from the spring semester 2024.

### **General information**

The course is an elective course within the Master's Programme in International Human Rights Law at the Faculty of Law. The course is open to students on the programme leading to a Swedish Professional Law degree and to international students participating in exchange programmes with the Faculty of Law..

*Language of instruction:* English

*Main field of study*      *Specialisation*

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

### **Learning outcomes**

#### **Knowledge and understanding**

To pass the examination the student shall be able to explain core principles concerning human rights in the context of environmental degradation, disasters and climate change, as reflected in international human rights law instruments and other authoritative documents, as well as academic and more practically-oriented texts.

#### **Competence and skills**

To pass the examination the student shall be able to

- critically analyse claims regarding the application of international human rights law in the context of environmental degradation, disasters and climate change
- apply core principles concerning human rights in the context of environmental degradation, disasters and climate change to specific scenarios
- communicate in scholarly writing
- collaborate with other students in classroom discussions and seminar exercises.

## Judgement and approach

To pass the examination the student shall be able to

- distinguish between established legal principles and statements of legal opinion in relation to human rights in the context of environmental degradation, disasters and climate change
- independently reflect upon the role of human rights law in addressing challenges presented by environmental degradation, disasters and climate change.

## Course content

This course considers the role of the international system for the protection of human rights in addressing the interconnected issues of environmental degradation and climate change. Following an introductory session that provides a conceptual framework based on concepts of planetary boundaries and sustainable development, the course is structured in three modules.

The first module of the course focuses on biodiversity and healthy ecosystems. In these sessions, the recently recognised right to a healthy environment is introduced, alongside literature and jurisprudence that articulates a broader, and less anthropocentric 'rights of nature' approach.

The second module focuses on the role of human rights law in protecting people from adverse impacts relating to climate change. It focuses on the responsibility of the state to take steps to prevent adverse human rights impacts associated with climate change, and to protect people during and in the aftermath of disasters. What steps must states take to address foreseeable hazards that can trigger disasters, and in what kind of circumstances might a state be considered to be in breach of its human rights obligations when disasters unfold? Together with a critical exploration of the legal limits of international human rights law to address the challenges presented by (climate-related) disasters, this part will also consider the role of human rights as part of a set of practical tools that frontline actors as well as national authorities can draw upon in devising responses to concrete challenges. It draws on jurisprudence from the European Court of Human Rights and the UN Human Rights Committee, and includes a session focusing on climate-related displacement.

Finally, the third module focuses on accountability mechanisms. It surveys jurisprudence from regional human rights systems that have been instrumental in articulating the relationship between human rights and the environment, and also examines mechanisms for holding non-state actors, particularly the private sector, accountable for the impact their activities have on people and the environment. This module also explores the burgeoning of human rights-based litigation relating to the failure of states to adequately reduce greenhouse gas emissions.

## Course design

Students will obtain the knowledge and competences discussed above through active engagement with the material and participation in the various components of the course. The course consists of a mix of interactive lectures, classroom discussion, and problem-based simulations drawn from contemporary examples. The interactive lectures will use Power Points, short video or audio clips, and focused group discussions.

## Assessment

Assessment takes two forms. At the end of each of the three modules, students must pass a quiz, helping to ensure attainment of the knowledge and understanding dimension of the learning outcomes. These quizzes account for 15% of the overall grade for the course.

The remaining 85% of the course grade is assessed in the form of a take home final exam. The take home exam assesses attainment of all categories of learning outcomes.

To pass the course, the student must pass all examination parts separately.

Submission of assignments by set deadlines is required.

Late submission will result in a progressive reduction of points. All work must be independently produced by the student.

The examiner, in consultation with Disability Support Services, may deviate from the regular form of examination in order to provide a permanently disabled student with a form of examination equivalent to that of a student without a disability.

## Grades

Grading scale includes the grades: Fail, Pass, Pass with Credit, Pass with Distinction

### **B – Pass**

In order to pass, the student must demonstrate basic achievement of the intended learning outcomes. By way of example, 'basic achievement' means that, in general, the student can point to relevant legal materials and take steps towards explaining core concepts. The student will attempt to apply these core concepts in relevant contexts, even if certain elements may be missing. Students who pass with a B will attempt to express critical, independent thought, even if the result is not compelling or persuasive. Their command of the material may be limited in certain points. The student will endeavour to answer the question(s) set for the take home exam, but the submission may reflect weaknesses in structure, logic, command of reading material and/or argumentation.

### **BA – Pass with credit**

In order to achieve BA, the student must, in addition to what is required to achieve the grade of B, demonstrate good or very good achievement of the intended learning outcomes. Submissions in fulfilment of the take home examination will reflect a good or very good command of core legal principles together with a good or very good ability to apply that knowledge in specific contexts. There will be good or very good evidence of critical and independent thinking, combined with strong research and written communication skills, including as regards structure, logic, command of reading material and argumentation.

### **AB – Pass with distinction**

To achieve the highest grade, the student must, in addition to the general knowledge and skill in the overall subject of human rights, the environment and climate change required for the grade of B and BA, be able to demonstrate in-depth knowledge of and critical engagement with the subject matter of the course. The student's command of the topic should demonstrate an excellent ability to explain core concepts and apply them in specific contexts, whilst also discerning the current limits of the law in this context. Students who achieve the mark of AB will demonstrate a strongly independent and critical engagement with the course material, drawing on assigned material but also engaging in self-directed research. Written communication will be clear and well-argued and will demonstrate excellent achievement of the intended learning outcomes.

### **Entry requirements**

Passed examination in courses corresponding to the first term of the Master's programme equivalent to 30 credits.

For students on the Professional Law Degree Programme the entry requirements for semesters 7 and 8 are outlined in the Programme syllabus (utbildningsplanen).

Exchange students must have passed at least two and a half years of law studies at university level including basic knowledge of public international law.

### **Further information**

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.