

JUCN21, Environmental Law in an International Context, 15 credits

Environmental Law in an International Context, 15 högskolepoäng
Second Cycle / Avancerad nivå

Details of approval

The syllabus is an old version and was last revised on 2012-12-05 by Faculty of Law Board of education at undergraduate and postgraduate levels. The revised syllabus applied from 2013-01-18, spring semester 2013.

General Information

The course Environmental Law in an International Context is an optional course within the programme leading to a Swedish Law degree. The course is also open to international students participating in exchange programmes with the Faculty of Law.

Lectures and course material are in English. The course is scheduled to be requiring 10 weeks of full-time studies.

Main field of studies

-
-

Depth of study relative to the degree requirements

A1N, Second cycle, has only first-cycle course/s as entry requirements

A1N, Second cycle, has only first-cycle course/s as entry requirements

Learning outcomes

Knowledge and understanding

To pass the exam, the students shall show

- In-depth knowledge of the fundamentals in international and EU Environmental law.
- In-depth knowledge of International and EU Environmental law on atmospheric pollution and climate change, conservation of biodiversity, protection of fresh water and the marine environment, and waste and hazardous chemicals.
- Understanding of the interaction between International Environmental Law, EU Environmental Law and National Environmental Law,

- In-depth knowledge of the area's theoretical and methodological grounds
- Knowledge of contemporary research in the area

Skills and ability

To pass the exam, the students shall show ability to

- identify legal problems, apply the relevant international, EU and national body of legal materials, analyze the problems and systematize arguments to solve them, within the field of Environmental Law, in particular in an international and European perspective
- present the results both in an oral and written manner.

Judgement and assessment

To pass the exam, the students shall show ability to

- show an understanding of the interactions of states, international organizations and treaty bodies, and critically discuss their role and impact on development of Environmental Law
- show the ability to conduct independent investigation and take full responsibility for the development of their own knowledge in an objective, but critical manner

Course content

This course surveys environmental law in the perspective of interaction between different regulatory levels. With a starting point in the understanding of the fundamentals of International, EU and national (with the student's national law as the example) environmental law, internationally important environmental issues are considered in a thematic manner where the issues are studied from an International, EU and National Law perspective. This thematic approach is especially elaborated with regard to atmospheric pollution and climate change, conservation of biodiversity, protection of fresh water and the marine environment, and waste and hazardous chemicals. A range of other contemporary international environmental issues may also be explored during the course.

The course will explore a number of cross-cutting themes with regard to the chosen issues.

- The relationship between environmental law and general principles of law, within the international, EU and national level as well as between the levels;
- Dimensions of state jurisdiction and responsibility;
- The range of approaches to the regulation of activities both within and beyond areas under national jurisdiction;
- The manner in which regimes on different levels can be constructed and enforced, and the role and impact of competing State interests in the negotiation and enforcement of those regimes;
- The challenge of regulating in the face of scientific uncertainty;
- The role of both 'soft' and 'hard' law in addressing international environmental problems;

- The contribution of international tribunals to the developments of international environmental law.
- The enforcement on International, EU and Swedish environmental law.

Course design

Teaching is structured in lectures and seminars. The seminars are designed to ensure the students' active participation and student centred learning, as they consist of students' presentations on assigned topics.

The student obtains knowledge and competences as above by individual studies of course literature and other course material, and by taking active part in lectures and seminars.

Examination is in the form of presentations on the seminars and a research essay. All examination is part of the total grading.

In order to pass, students are required to meet 80% attendance on the course.

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 student's 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 of the fundamentals in International and EU Environmental Law as well as of International and EU Environmental law on atmospheric pollution and climate change, conservation of

biodiversity, protection of fresh water and the marine environment, and waste and hazardous chemicals.

- The student must show understanding of the interaction between International Environmental Law, EU Environmental Law and National Environmental Law.
- The student must demonstrate basic knowledge about current research and methodology within the area.
- The student must show ability to identify legal problems, apply the relevant international, EU and national body of legal materials, analyze the problems and systematize arguments to solve them, within the field of Environmental Law, in particular in an international and European perspective,
- The student must show the ability to conduct independent investigation in an objective but critical manner, and to present the results both in an oral and written manner.

BA – Advanced command

In order to achieve this grade the student must show comprehensive knowledge of the fundamentals in International and EU Environmental Law as well as of International and EU Environmental law on atmospheric pollution and climate change, conservation of biodiversity, protection of fresh water and the marine environment, and waste and hazardous chemicals.

- The student must show good understanding of the interaction between International Environmental Law, EU Environmental Law and National Environmental Law.
- The student must demonstrate good knowledge about current research and methodology within the area.
- The student must show good ability to identify legal problems, apply the relevant international, EU and national body of legal materials, analyze the problems and systematize arguments to solve them, within the field of Environmental Law, in particular in an international and European perspective,
- The student must show good ability to conduct independent investigation in an objective but critical manner, and to present the results both in an oral and written manner.

AB – Mastery

In order to pass the student must show in-depth knowledge of the fundamentals in International and EU Environmental Law as well as of International and EU Environmental law on atmospheric pollution and climate change, conservation of biodiversity, protection of fresh water and the marine environment, and waste and hazardous chemicals.

- The student must show in-depth understanding of the interaction between International Environmental Law, EU Environmental Law and National Environmental Law.
- The student must demonstrate comprehensive knowledge about current research and methodology within the area.
- The student must show excellent ability to identify legal problems, apply the relevant international, EU and national body of legal materials, analyze the problems and systematize arguments to solve them, within the field of Environmental Law, in particular in an international and European perspective,
- The student must show very good ability to conduct independent investigation in an objective but critical manner, and to present the results both in an oral and written manner.

Entry requirements

For students studying for the professional Degree Master of Laws: prerequisites for studies on the 7th or 8th semester stated in the Curriculum for the Law Study programme.

Prerequisites for international exchange students: relevant undergraduate studies corresponding to three years at a university level.

Subcourses in JUCN21, Environmental Law in an International Context

Applies from V16

- 1601 Written exam, 6,0 hp
Grading scale: Fail, Pass, Pass with credit, Pass with distinction
- 1602 Active participation in seminars, 1,0 hp
Grading scale: Fail, Pass

Applies from V12

- 1201 Essay, 15,0 hp
Grading scale: Fail, Pass, Pass with credit, Pass with distinction