



**Maastricht University**  
Center for European Studies



**CISAustralia**  
Study | Intern | Volunteer Abroad

# **LGL3001**

## **International Environmental Law**

**Course Manual**

January term



# Chapter 1 Introduction

## Opening

The environment knows no boundaries, while national legal systems do. It is therefore of the utmost importance to develop international law approaches in order to deal with transboundary and global environmental problems. While environmental law originally focused on local problems like local air and noise pollution, today we are confronted with transboundary and global environmental problems like the continuing loss of biodiversity, long-distance air-pollution, and the threat of climate change. The conservation of important nature, the sound condition of air, water and soil, and the environmental safety of products and economic activities are core concerns.

Law - both private and public law - serves as an important instrument to improve and protect the environment. The course International Environmental Law (in short IEL) discusses the role of international law in order to protect the environment. It takes a fundamental approach, which means that we will examine environmental law from the perspective of principles, environmental rights, and the choice and design of regulatory instruments. Both strengths and, unfortunately, weaknesses will be discussed. As far as international law is falling short, the importance of national approaches will be addressed. In this context, the emergence of Global Environmental Law will be introduced, which touches upon the fact that national environmental legal norms have increasingly become internationalized. Some specific attention will go to the European Union as a regional international organisation addressing environmental problems.

The worldwide problem of climate change serves as the leading case of this course.

## Course structure

The course will be structured around the following themes:

- State liability and the role of the International Court of Justice
- International environmental rulemaking, including compliance and enforcement
- International environmental principles and the concept of sustainable development
- Human rights and environmental protection
- International Trade Law and the environment
- International and EU climate law, focusing on regulatory instruments to reduce greenhouse gas emissions

## Prerequisites

Students should have a background in law. The program is designed for students with an interest in becoming future policy and decision makers in government and businesses, working in NGOs in the field of environmental law and sustainable development, consultants, researchers and academics, corporate lawyers, barristers and practitioners.

## Class hours and credits

The course consists of 36 class hours divided over two weeks. Students earn 7.5 ECTS credits when they obtain a passing grade.

## Chapter 2 Objectives

The overall objective of this course is to provide basic knowledge of the main characteristics and developments of environmental law from an international perspective. A related goal is to provide an in-depth understanding of the interrelationship between international and European greenhouse gas emissions reduction regulations.

### Learning & skills objectives

By the end of the course, students should have basic **knowledge** of:

- The (limited) role of the International Court of Justice with regard to environmental problems
- The (important) role of international rulemaking through multilateral environmental agreements, including compliance and enforcement. In connection to this, students should have a basic understanding of the relevance of the WTO for national environmental rulemaking
- The complexities surrounding environmental legal principles and the concept of sustainable development
- The value and shortcomings of current human rights arrangements for environmental protection, with a focus on procedural rights with regard to governmental decision-making in environmental matters
- The regulation of greenhouse gas emission reduction at the international and EU level

With regard to **skills**, students will be trained by doing the following activities:

- preparing and conducting a focused presentation
- engaging in group discussions using the problem-based learning method
- developing positions from a legal perspective on a current environmental problem

## Chapter 4 Assessment

The examination rules for this course are specified in the CES Academic Guide 2023-2024. It is the responsibility of the student to carefully read this document and comply with all rules and regulations.

### Course specific assessment overview

In order to pass this course, the student has to:

- Fulfill the minimum attendance requirements in plenary meetings and classes (see chapter 5);
- obtain a minimum final grade of 5.5 (see below).

### Course specific assessment overview

The assessment, and hence the final grade will be composed of:

- A. Paper of 3000 words (including footnotes, excluding literature list) (45%)
- B. Individual presentation (10% - with a pass/fail assessment)
- C. Multiple choice exam (a quiz) (45 %)

#### A. Paper (45%)

The paper should be a focused, well written and well-reasoned analysis regarding one of the topics provided by the teachers. The paper should consist of a specific title, a concise introduction explaining the core focus and approach of the analysis, a well-structured body, and a conclusion. The student is required to use and refer to relevant legal and other sources which have to be listed in a bibliography at the end of the paper (the bibliography is excluded from the word count).

It is not possible to deliver a joint paper: each student has to deliver an individual paper.

**\* Fulfilled attendance is a condition for your final grade to be valid. For more information about the attendance, see chapter 5 "attendance rules".**

**Please note: Pass/fail elements related to assessments indicate that a "pass" for this part of the assessment is necessary in order for the grade to be valid. A "fail" indicates that that part of the assessment is incomplete.**

When assessment is incomplete and no grade can be assigned (for example when students fail the attendance, practical assignment or the course exam), 'No grade (NG)' will be awarded which automatically constitutes a "fail".

#### B. Presentation (10%)

Each student is expected to give a presentation on an assigned task, after which a group discussion will follow. The sharp-focused presentation needs to conclude with a statement or question provoking such discussion.

The list of topics can be found in this course manual. Students need to register for the topic which they want to present (first come first serve). Please follow the announcements

on the Student Portal (Canvas). The first tutorial meeting will be used to complete the distribution of topics.

Each presentation needs to be accompanied by a written document summarizing the presentation (maximum of 3 pages with 1.5 line spacing) or a PowerPoint presentation (maximum of 7 slides). Duration of the student presentation: 8 minutes (maximum).

After the presentation, and after correction in light of the comments given during the tutorial by the class and the tutor, the PowerPoint document or note needs to be submitted to the Student Portal (Canvas) within two working days after the class.

### **C. Multiple choice exam (a quiz) (45%)**

At the end of the third week, a multiple-choice exam will be held. The exam will take 60 minutes maximum. The results will be disclosed as soon as possible, within three working days.

### **D. Participation**

For the attendance regulations see chapter 5 "attendance rules".

## **Chapter 5 Attendance rules**

The attendance rules for this course are specified in the CES Student Handbook 2023-2024.

### **Course specific attendance rules**

At CES, students are expected to attend all meetings. If circumstances prevent students from complying with this rule, **they are permitted to miss 2 meetings per course except the last 2 meetings of the course (maximum of 4 hours). Students who miss more than 4 hours of class automatically fail the course.**

CES courses may include field trips. Field trips may contribute to the overall grade of a course and are always mandatory. Please note that often field trips count as two meetings (4 hours).

The professor/tutor notes attendance at the start of each meeting. In order to be registered as "present" students need to be on time and participate in an active manner. Students who are more than 15 minutes late or who leave before the meeting has officially ended will be registered as absent.

In case of absence due to illness or other personal circumstances, students are required to email the course coordinator and the education office **before the start of the meeting**. The written notification should include the students name and a brief description of the reason or cause and the expected duration of the absence.

In case of longer absence, the programme coordinator may require additional proof of the cause of the absence, for example a doctor's note. When the student returns, they must report to the programme coordinator on the first day of their return. CES cannot be held responsible if a student fails a course due to long-term absence, even if this absence is due to illness or other exceptional personal circumstances.

## Field trip

The field trip is an intrinsic part of the course and attendance is therefore mandatory.

***Please note that individual travel plans that might clash with the excursion are not a valid reason for missing it!***

## Electronic devices

Laptops, iPads, smartphones, and other electronic devices are **not allowed in class** as they distract from the group discussion. Students will be asked to leave the class in case they don't follow this guideline.