

## **International Environmental Law – Spring**

**SEBS-Human Ecology 11:374:462**

**Bloustein 34-970-652**

**Wednesday 2:15-5:15pm**

**3 credits**

### **Professor Cymie R. Payne**

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**Office Hours** may be arranged by appointment. Please schedule by email.

**Required Course Book:** Brown Weiss, Magraw, McCaffrey, Tai, Tarlock, INTERNATIONAL LAW FOR THE ENVIRONMENT (2016).

Additional readings will be posted on Sakai or will be available on the internet.

Recommended but not required:

- Bodansky, Brunnée and Hey, Oxford Encyclopedia of International Environmental Law
- Bodansky, The Art and Craft of International Environmental Law

Students who have not taken a class in international law should refer to one of the following books for questions about fundamental concepts:

- Mark W. Janis, An Introduction to International Law
- Peter Malanczuk, Akehurst's Modern Introduction to International Law

**Description** - We explore the role of policy and law in international environmental governance. The course will begin with a brief introduction to public international law as it relates to the environment and a discussion of what "international environmental law" means. We discuss issues, legal sources, and institutions that include international environmental treaties, the role of international courts in identifying and establishing international environmental law, and international regulation of private conduct that affects the environment. Specific topics may include human rights and the environment, climate change, trade and the environment, the relationship between domestic and international law, and the use of science to inform law and policy.

### **Learning objectives**

- Identify different approaches to the governance and management of human activities that affect the environment, both in the US and abroad, including institutions, property relations, management regimes, politics, and policies
- Identify appropriate governance tools to manage human-environment impacts and be capable of engaging with regulatory, legislative and other democratic processes.
- Assess the relevant contexts for addressing a problem, at the appropriate spatial, temporal, and organizational scale(s).
- Ability to apply analytical approaches and governance tools learned in class to real-world environmental challenges.
- Presentation and writing skills.

**Basis for Evaluation** – In the first session we will decide the basis of evaluation. Options include a final exam, three short papers or a research paper. All students will make a class presentation. Grades may be revised upward for exceptional class participation and downward for failure to attend class on a regular basis.

**Field Trip** – A field trip to a negotiating session at the United Nations in New York may be scheduled. Note that the field trip will be a full day event. It will replace one class.

**Disability Services:** Rutgers University welcomes students with disabilities into all of the University's educational programs. In order to receive consideration for reasonable accommodations, a student with a disability must contact the appropriate

disability services office at the campus where you are officially enrolled, participate in an intake interview, and provide documentation: <https://ods.rutgers.edu/students/documentation-guidelines>. If the documentation supports your request for reasonable accommodations, your campus's disability services office will provide you with a Letter of Accommodations. Please share this letter with your instructors and discuss the accommodations with them as early in your courses as possible. To begin this process, please complete the Registration form on the ODS web site at: <https://ods.rutgers.edu/students/registration-form>.

**Academic Integrity:** I expect Rutgers students to behave with integrity. You can find a description of Rutgers academic integrity policy here: <http://academicintegrity.rutgers.edu/>. Please read it carefully. I do not give second chances to students who actually commit plagiarism. Plagiarism is, in fact, the theft of someone else's ideas and words with the dishonest claim that they are yours. Infractions will be referred to the appropriate dean with the recommendation of the harshest sanction allowed, which may include expulsion.

## Syllabus

Subject to change based on class preferences, availability of guest speakers, and current policy developments

**Assignments will be posted on Sakai; if no assignment is posted, read the relevant chapter in the casebook**

|    |         |  |
|----|---------|--|
| 1  | 1/18    | Class Introduction<br>The Scope of International Environmental Law   |
| 2  | 1/25    | Dispute Settlement<br><i>Submit treaty to be studied for treaty analysis; you must obtain my approval</i>  |
| 3  | 2/1     | Soft Law: Precaution, Sustainable Development, Future Generations  |
| 4  | 2/8     | Protection of the Marine Environment   |
| 5  | 2/15    | FIELD TRIP – Preparatory meeting for SDG 14 at UN HQ-NYC<br><i>First paper (treaty analysis) due</i>   |
| 6  | 2/22    | Ozone Depletion: Montreal Protocol   |
| 7  | 3/1     | Climate Change: Mitigation   |
| 8  | 3/8     | Climate Change: Adaptation   |
|    | 3/11-19 | <b>SPRING BREAK</b>  |
| 9  | 3/22    | Human Rights and Environment<br><i>Second paper (reaction paper) due</i><br><i>Directions for the third writing assignment (Memo) handed out</i> |
| 10 | 3/29    | Trade and Environment  |
| 11 | 4/5     | Transboundary Watercourses and Groundwater   |
| 12 | 4/12    | Law of Armed Conflict & the Environment  |
| 13 | 4/19    | Disasters and Emergencies  |
| 14 | 4/26    | Biodiversity<br><i>Final writing assignment due</i>  |