

INTENSIVE COURSES	2022/2023
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<i>Code</i>	<i>Course</i>	<i>Hours:</i>
8157	Environmental law and policy of the European Union - objectives and effectiveness	10h.

Professor dr hab. Monika A. Krol

University of Lodz, Faculty of Law, Environmental Protection Law Division

OVERVIEW OF THE COURSE: The main objective of the course is to provide an understanding of environmental law and policy - objectives and effectiveness. The course will present issues of some international and European legal solutions in the field of environmental policy and law from a global perspective and implementing regulations of the European Union and individual selected countries. The programme covers the presentation of basic issues concerning the subject as a whole and its individual elements, in particular biodiversity, nature resource protection and climate change. In the entry requirements, the student has already met the:

-Environmental policies of the state. Regional and local environmental protection strategies and programmes.

-Principles and methods of forecasting in environmental protection. Administrative and market instruments of the axis. Public participation in the implementation of environmental policy objectives. Conditions for effective environmental protection, its barriers and limitations in different countries and parts of the world. The conflict between ecology and economics, the opposition between environmental protection and the needs of societies and economic activity.

-The transnational nature of environmental problems and environmental law.

-The concept and role of international law and international environmental negotiations, history of environmental law and policy.

-International agreements, their nature and role in environmental protection: United Nations Conference on Environment and Development (UNCED) in Rio de Janeiro (Earth Summit), other Earth Summit documents and agreements (in general), Rio Declaration on Environment and Development, Agenda 21.

-Principles of environmental law (detailed presentation of the principles of: prevention, precaution, polluter pays), concept of sustainable development (idea, history, different spheres of interest, different meanings, implementation in practice, problems, etc.).

-Atmosphere and climate protection: United Nations Framework Convention on Climate Change and Kyoto Protocol (negotiations, parties, principles, objectives, instruments, including economic instruments, mechanisms). Climate protection in the EU (emission allowance system, actors involved, main ideas and principles: allocation, auctioning, etc.) Climate protection in selected countries. Other aspects of air and

climate protection: Geneva Convention on long-range transboundary transport of air pollutants and related protocols.

-Biosphere protection: reasons for protecting biodiversity, specific problems in the field, development of biosphere protection policies, CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora), Rio Convention on Biological Diversity and Cartagena Protocol. Protection of the marine environment and watercourses.

-Other environmental policy issues: international environmental security, use of economic instruments for environmental protection, access to environmental information, etc.

MAIN TOPICS TO BE DISCUSSED:

Class 1: Introduction, Evolution of environmental protection, motives, System of legal acts

Objectives of global environmental law (Agenda 2030) and European environmental policy in 6th, 7th and 8th Environmental Action Programme

Class 2: Failure to comply with European environmental law in ECJ case law – study case from Poland

Class 3: New European Biodiversity Strategy for 2030 „Bringing nature back into our lives”. The crucial importance of biodiversity for EU and global food security

Effectives of European environmental regulations

Class 3: Case Study - Wetlands - Preservation and restoration of wetlands as an instrument to protect Europe's natural capital

Class 4: Case study - Right to environment and right to food - Climate impact on food security in context of food waste

Or Pesticides - About bees and other pollinators and what we poison them with - legal protection of the environment against excessive chemical use in agriculture

Or Prevention of wild games v. legal prevention instruments against African Swine Fever in European eastern countries

LITERATURE:

Marjan Peeters, Mariolina Eliantonio, Research Handbook on EU Environmental Law, Edvard Elgar 2020

Elizabeth Fisher, Bettina Lange, Eloise Scotford, Environmental Law: Text, Cases and Materials, II edition, Oxford 2019

Stuart Bell, Donald McGillivray, Ole Pedersen, Emma Lees, and Elen Stokes, Environmental Law, Ninth Edition, Oxford 2017

Ludwig Krämer, European Environmental Law. Taylor & Francis, 2017

Ludwig Krämer, EU Environmental Law. Eight Edition. London: Sweet & Maxwell, 2016

Paula M. Pevato, International environmental law, vol I and II, Routledge Revivals 2017

David Langlet, Said Mahmoudi, EU Environmental Law and Politics, Oxford 2016

Janina Ciechanowicz-McLean, Maciej Nyka, Environmental Law, Law: The Basic Concepts, Series editors, J. Zajadło, David Malcolm, Wolters Kluwer, Gdańsk-Warszawa 2016

ESSAY/EXAM REQUIREMENTS:

Essay/ Paper/Power point presentation

90% and above grade 5 very good, 81%-89% grade 4+ good plus, 72% - 80 % grade 4 good, 69% - 71% grade 3+ satisfactory plus, from 60% - 68% grade 3 satisfactory, less than 60% not satisfactory