

INTERNATIONAL ENVIRONMENTAL LAW 2019

Winter Term 2019

International Environmental Law 2051
Wednesday 2:30 - 4:20 pm
Classroom 308 / Weldon Law Building

Professor David VanderZwaag

Office: 415
Telephone: 494-1045
Email: david.vanderzwaag@dal.ca

Course Outline

January 9, 2019	Introduction to the Course and International Environmental Law Research and Context
January 16, 2019	Introduction to International Environmental Law: Sources, Pitfalls and Promises
January 23, 2019	“Classical” International Environmental Law: Co-existence and State Responsibility and Liability
January 30, 2019	The “Modern Era”: Towards Cooperation, Sustainable Development and the Role of “Soft Law”
February 6, 2019	The Legal Waterfronts of Marine Environmental Protection and International Watercourses
February 13, 2019	The International Law of Biodiversity, Species and Habitat Protection
February 20, 2019	Study Break (no class)
February 27, 2019	The Ecosystem Approach: Navigating the Conceptual Tangles and Gauging Law and Policy Implications [Cecilia Engler]
March 6, 2019	The International Control of Transboundary Movements of Hazardous Wastes and Toxic Chemicals
March 13, 2019	The International Law of the Atmosphere: Climate Change and Ocean Acidification
March 20, 2019	Polar Regions and International Environmental Law
March 27, 2019	Class Presentations
April 3, 2019	Class Presentations

Course Evaluation

- Major Paper 85%
- Research Paper Summary
Presentation 15%

Course Deadlines

- Topic Approval – January 30
- Paper Outline – February 27
- Draft Paper (optional) – March 27
- Final Paper – April 22 before 4:00pm

Student Requests for Accommodation

Requests for special accommodation for reasons such as illness, injury or family emergency will require an application to the Law School Studies Committee. Such requests (for example, for assignment extensions) must be made to Associate Dean, Academic Michael Deturbide or the Director of Student Services and Engagement Dana-Lyn Mackenzie as soon as possible, before a scheduled exam or a deadline for an assignment, and will generally require documentation. Retroactive accommodation will not be provided. Please note that individual professors cannot entertain accommodation requests.

Students may request accommodation for either classroom participation or the writing of tests and exams due to barriers related to disability, religious obligation, or any characteristic under the Nova Scotia *Human Rights Act*. Students who require such accommodation must make their request to the Advising and Access Services Center (AASC) at the outset of the regular academic year. Please visit www.dal.ca/access for more information and to obtain the Request for Accommodation – Form A. Students may also contact the Advising and Access Services Centre directly at (902) 494-2836.

Submission of Major Papers and Assignments

Major papers and assignments must be submitted in hard copy. Students should hand papers in to the place stipulated by the instructor and ensure they are date and time stamped. Please read the law school policy on late penalties: <https://www.dal.ca/faculty/law/current-students/jd-students/academic-regulations.html>

Please note students may also be required to provide an identical electronic copy of their paper to the instructor by the due date. Papers may be submitted by the instructor to a text-matching software service to check for originality. Students wishing to choose an alternative method of checking the authenticity of their work must indicate to the instructor, by no later than the add/drop date of the course, which one of the following alternative methods they choose:

- a) submit copies of multiple drafts demonstrating development of their work
- b) submit copies of sources
- c) submit an annotated bibliography

Plagiarism

All students must read the University policies on plagiarism and academic honesty <http://academicintegrity.dal.ca/> and the Law School policy on plagiarism <http://www.dal.ca/faculty/law/current-students/jd-students/academic-regulations.html>. Any paper or assignment submitted by a student at the Schulich School of Law may be checked for originality to confirm that the student has not plagiarized from other sources. Plagiarism is considered a serious academic offence which may lead to loss of credit, suspension or expulsion from the law school, or even revocation of a degree. It is essential that there be correct attribution of authorities from which facts and opinions have been derived. Prior to submitting any paper or other assignment, students should read and familiarize themselves with the policies referred to above and should consult with the instructor if they have any questions. Ignorance of the policies on plagiarism will not excuse any violation of those policies.

Course Text

Readings in International Environmental Law 2019 will be available on the International Environmental Law Brightspace and can be accessed by logging into <http://dal.brightspace.com>.

Other Texts

International Environmental Law, Pierre-Marie Dupuy & Jorge E. Viñuales (Cambridge University Press, 2015)
Introduction to International Environmental Law, Timo Koivurova (Routledge, 2014)
International Environmental Law & Policy for the 21st Century, 2nd ed, VP Nanda & G Pring (Transnational Publishers, 2013)
Principles of International Environmental Law, 3rd ed, Phillippe Sands et al (Cambridge University Press, 2012)
International Environment Law, Ulrich Beyerlin & Thilo Marauhn (Hart Publishing, 2010)
International Law and the Environment, 3rd ed, PW Birnie, AE Boyle & C Redgwell (eds) (Oxford University Press, 2009)
Contemporary Issues in International Environmental Law, Malgosia Fitzmaurice (Edward Elgar Publishing, 2009)
The Oxford Handbook of International Environmental Law, Daniel Bodansky, Jutta Brunnée, Ellen Hey (eds) (Oxford University Press, 2007)
International Environmental Law: Fairness, Effectiveness and World Order, Elli Louka (Cambridge University Press, 2006)
Emerging Principles of International Environmental Law, Sumudu A Atapattu (Transnational Publishers, 2006)
International Environmental Law, 3rd ed, A Kiss & D Shelton (Transnational Publishers, 2004)
Environmental Principles: From Political Slogans to Legal Rules, Nicolas de Sadeleer (Oxford University Press, 2002)
Sustainable Development and International Law, Winfried Lang (ed) (Graham & Trotman/Martinus Nijhoff, 1995)