

MRS/GIEEL - International and European Environmental Law

Course Syllabus

Winter Semester 2025

Date and time: Tuesdays 11:30 – 13:00

Venue: PUO Faculty of Science, classroom 2006

I. COURSE DESCRIPTION:

International and European Environmental Law (IEEL) is an introductory course, which aims to provide students with a broad introduction to evolution of international and European environmental law and its main topics (underlying principles and concepts, main actors, sources of law, law-making processes, implementation and enforcement mechanisms). All theoretical topics will be discussed in the context of current environmental problems. We will watch videos, discuss cases and talk about many interesting aspects of environmental law including its connection to human rights. The course includes both in-class and digital components (using Moodle). Each class session is supplemented by an e-learning chapter, which provides the opportunity to review the class content before and after the class. The course does not presume any previous knowledge of the law or environmental law therefore, students from other disciplines are welcome.

Environmental law through individual stories

Environmental law will be introduced through lenses of an individual person and his/her story and possibilities to influence the policy, participate in decision-making and make a change not only in their individual case but also for other individuals on local, regional, national or global level.

Developing a foundation

Although the course does not focus on national environmental law, the students will have numerous opportunities to reflect upon dynamic and interconnected relation between environmental rules on international, European and national level. By successfully completing the course, the students will develop a professional vocabulary and solid foundation of knowledge in the field of international and European environmental law to build upon in further studies.

II. COURSE GARANT

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COURSE LECTURER

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III. LEARNING OUTCOMES:

For the IEEL course two sets of learning outcomes apply. There is a set of knowledge-based learning outcomes and a set of competence-based learning outcomes.

The **knowledge-based learning outcomes** are as follows. By successfully completing the IEEL course the students will be able to:

- **understand and explain** based on historical context and underlying principles and concepts the importance of environmental law as a key instrument of protecting the environment on different interconnected levels of governance (international, European, national, regional, local),
- **identify** main actors involved in environmental governance on international and European, **identify and apply** information concerning opportunities for public participation in environmental protection,

- **list** sources of EU environmental law, **identify** a legal basis of an EU environmental directive and by applying relevant provisions of the EU Founding Treaties (TEU and TFEU),
- **identify** the challenges connected with proper implementation and effective enforcement of the environmental law on international and EU level,
- **apply** the knowledge from the course **in solving** a practical case study.

The **IEEL** course focuses on development of several **competences (competence-based learning outcomes)**:

1. creative thinking: problem solving,
2. civic engagement (public participation): analysing knowledge,
3. life long learning: taking initiative,
4. global learning: raising global self-awareness.

IV. COURSE REQUIREMENTS & GRADING:

I expect you to come and to be prepared for the class.

During the semester, you will work on the following activities and collect points. You can collect maximum 100 points from the following activities:

1. **E-learning Tests** – You will review the class content in one e-learning tests which will have available in the course Moodle. Maximum points for e-learning tests is 20. By passing the e-learning tests, you will have the opportunity to review the course content and demonstrate that you are meeting the knowledge-based learning outcomes of the course.
2. **Case Study** - At the end of the semester, you will present a case study you have worked on during the semester and the outcomes of your analysis in the class. In the case study, you will have the opportunity to demonstrate your progress on learning outcomes no. 1 and 2. Maximum points for case study is 30 points.
3. **Course Portfolio** – Course portfolio will consist of your work on whole range of activities during the course and it shall demonstrate that you are meeting the learning outcomes. You will complete your portfolio in the Moodle. Maximum points for your portfolio is 40 points.

GRADING:

For Erasmus students the following scale applies:

A: 90 – 86, B: 85 – 81, C: 80 – 76, D: 75 – 71, E: 70 – 66, F: 65 and less

The Czech students need to collect at least 66 points to pass the course.

V. DETAILED SYLLABUS:

Class 1 (23.9 2025)

In the first class, we will discuss the course structure and portfolio. We will then delve into the topic of the UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage.

Class 2 (30.9 2025)

In the second class, we will start with a hypothetical case called the Logging Dilemma. In one fictive EU Member State there is a primeval forest, a precious natural area with rich biodiversity protected as an UNESCO site but it is currently under the threat of extensive logging. We will discuss a role and relations of different actors and stakeholders and competing interests of economic activity (logging) and nature protection. Based on class discussion the students will engage in follow-up research concerning case C-441/17 and UNESCO sites in their countries.

Class 3 (7.10. 2025)

The third class, we will first come back to the Logging Dilemma and share results of your homework research concerning the UNESCO sites in your country and add some details about the role of UNESCO in environmental protection. Together we will also summarize the case of Bialowieza primeval forest (**C-441/17**) which inspired the Logging Dilemma activity. After that, we will talk about the evolution of the international environmental law and the notion of IEL as a "toothless mouth". We will explore the **story of Silent Spring** by Rachel Carson: how a courageous woman took on the chemical industry and raised important questions about humankind's impact on nature. For the next class you will prepare an overview of the most important human rights documents and international courts & tribunals.

Class 4 (14.10. 2025)

In the fourth class, will start with the **Case of Farmer Rajter** – a story of an old farmer who desperately fights for preserving his lifestyle and his village. Based on this case we will discuss main actors of international environmental law. We will also focus on **human rights** as means for protecting the environment. Can we protect environment via human rights violations? What human rights may be violated by environmental pollution?

Class 5 (21.10. 2025)

In class 5, we will discuss the **Trail Smelter Case** and *no-harm rule* – a widely recognized principle of customary international law whereby a State is duty-bound to prevent, reduce and control the risk of environmental harm to other states. We will also cover the sources and fundamental principles and concepts of international environmental law and talk about the environmental justice in relation to the **rights of indigenous peoples**.

Class 6 (4.11. 2025)

In the sixth class, we will touch on water management, floods protection and the concept of environmental impact assessment in the case of International Court of Justice (ICJ) called **Gabčíkovo-Nagymáros Case**. We will also discuss the concept of **rights of future generations**.

Class 7 (11.11. 2025)

In the class 7, we will deal with the access to justice before national courts for environmental organizations challenging approval of cars fitted with defeat devices based on the **C-873/19 Deutsche Umwelthilfe**. You will be introduced to the **Aarhus Convention** and its three pillars of environmental procedural rights: access to information, public participation in decision-making and access to justice in environmental matters.

Class 8 (18. 11. 2025)

In the class 8, we will start to talk about the EU environmental policy and law. We will watch the video “50 years of protecting Europe’s environment”. We will summarize the evolution of EU environmental law and discuss case **C-240/83**. You will be familiarized with Environmental Action Programmes, we will mention also the **European Green Deal**.

Class 9 (25.11. 2025)

We will continue to explore the EU environmental law, namely its sources, decision-making procedure and choice of legal basis for EU secondary law. We will talk about the concept of more stringent measures and illustrate it on the joint cases **C-439/05 P** and **C-454/05 P** in which we will also touch upon relation between agriculture and environmental protection as well as genetically modified organisms (GMOs).

Class 10 (2.12. 2025)

In class ten, we will deal with the enforcement of EU environmental law and explain the infringement procedure, including the EU Pilot. We will discuss possible financial sanctions under the Art. 260 TFEU. Cases discussed in the class will be: **C-237/07** (Dieter Janecek Case: air pollution and individual legal action) and **C-304/02** (France v. Commission: fisheries, long-lasting infringements).

Class 11 (9.12. 2025)

In Class 11, we will begin a group exercise in which students will present their portfolios to each other and debate the most important takeaways from this course in relation to the implementation and enforcement of environmental law both at the international and EU levels. Each group will prepare a 10-minute presentation for the rest of the class.

Class 12 (16.12. 2025)

Presentation of the group portfolios, a final debate and an evaluation.