



NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY, ASSAM

PROGRAMME: BA.LL.B. (HONS) FYIC

DETAILS OF COURSE OFFERED

ODD SEMESTER (VII) – ACADEMIC YEAR 2023-2024

SL.NO	COURSE CODE	COURSE TITLE	L	T/P	CR	CH
1	703	INTERNATIONAL ENVIRONMENTAL LAW -I	4	1	4	

A. CODE AND TITLE OF THE COURSE: 703 INTERNATIONAL ENVIRONMENTAL LAW -I

B. COURSE CREDIT: 4

C. MEDIUM OF INSTRUCTION: ENGLISH

D. COURSE COMPILED BY: Mr. DEBASIS PODDAR

E. COURSE INSTRUCTOR: Mr. DEBASIS PODDAR

1. COURSE OBJECTIVES

The main objectives of the course are as follows;

- Interpret important international environmental treaties and pertinent/landmark rulings.
- Determine the gaps in the application of international environmental standards.
- Describe the approaches you will take to address the issues that affect international environmental law and policy.
- Understand the evolution of international environmental law jurisprudence

2. TEACHING METHODOLOGY

- Collegial presentation;
- Interactive pedagogical techniques;
- Case study method;
- Articles based discussions;
- Debate oriented and negotiation rounds on critical environmental issues;
- Legislative and case analysis of landmark and latest legal instruments and case laws respectively;
- Documentary screening and open house discussions

3. COURSE OUTCOME.

At the completion of the course, it is expected that the students shall:

- Comprehend the subject matter of the course
- the learners will be in a position to understand and even further contribute to the theoretical pool of Climate Law
- Be able to articulate their ideas on the subject matter of the course and produce at least one research paper of publishable quality
- Desire to take up environmental law for further studies

4. COURSE EVALUATION METHOD

The Course shall be assessed for 200 marks. The Evaluation Scheme would be as follows: Internal Assessment: 70% (140 marks), Semester End Examination: 30% (60 marks)

Sl. No.	Marks Distribution	
1.	Project Work	40 marks
2.	Seminar	20 marks
3.	Mid Semester Examination	40 marks
4.	Assignment	30 marks
5.	Attendance in class	10 marks
6.	Semester End Examination	60 marks

5. DETAILED STRUCTURE OF THE COURSE (SPECIFYING COURSE MODULES AND SUB MODULES)

MODULE I

Pollution in the Atmosphere and Climate Change

1. Pollution in the Atmosphere

1.1. Trail Smelter Arbitration (1938, 1841)

1.2. The 1979 ECE Convention on Long Range Transboundary Air Pollution and its Protocols

1.3. Nuclear Test Cases (ICJ, 1974)

1.4. Chernobyl Incident, 1986

1.5. Responsibilities of 'Nuclear Weapon States' towards the Environment: With special

reference to Obligations concerning Negotiations relating to Cessation of the Nuclear

Arms Race and to Nuclear Disarmament (Marshall Islands v. India), (Marshall Islands v.

Pakistan), (Marshall Islands v. United Kingdom), I.C.J., 2016.

1.6. Depletion of the Ozone Layer

1.6.1. Vienna Convention on the Protection of the Ozone Layer, 1985

1.6.2. Montreal Protocol, 1987

2. Climate Change

2.1 UN Framework Convention on Climate Change

2.2 Kyoto Protocol, 2005 and Doha Amendment, 2012

2.3 Copenhagen Accord, 2009

2.4 Cancun Agreements, 2010

2.5 Durban Outcomes, 2011

2.6 Warsaw Outcomes, 2013

2.7 Poznan Strategic Programme, 2013

2.8 Paris Agreement, 2015

MODULE II

Entering the regime of Global Commons

1. Marine Environment and IEL & Integrated Coastal Zone Management

1.1. Evolution and development of International legal framework on Marine Environment

1.1.1. Law of Sea Convention

1.1.2. Pollution from Dumping

1.1.3. Pollution from Ships

1.1.4. Safety measures and Law

1.1.5. Regional framework on marine environment- the lessons

2. Water Resources and IEL

2.1. Problems relating Water Management

2.2. Procedural Equity and Institutional Development

2.3. Substantive Equity

2.4. Principled Equitable Utilization/Ad-Hoc Regionalism

2.5. International Integrated Water Resources Management

3. Fisheries and IEL

3.1. International Management of Fisheries Resources

3.2. Law of Sea Convention

3.3. Agreement on Fisheries Management

3.4. FAO Code of Conduct for responsible fisheries

3.5. Case Studies on Fisheries Management and Law

4. Antarctic Treaty Regime

MODULE III

Trade and Biodiversity Conservation

1. Trade and Environment

1.1. World Trade Institutions

1.2. The Treaties governing trade and environment

1.3. Dispute Settlement mechanism under WTO

1.4. Intellectual Property Rights and Trade under TRIPs

2. Biodiversity Management under IEL

2.1. Transnational Protected Areas

2.2. Gene Banks and state of biodiversity resources

2.3. Convention on Biodiversity

2.3.1. Resource allocation

2.3.1.1. Transnational Redistribution

2.3.1.2. Bilateral Redistribution

2.3.1.3. Institutionalized Redistribution

2.3.2. Trade and Biodiversity

2.4. Habitats Protection under IEL regime

2.4.1. World Heritage sites and international legal instruments governing the same

2.4.2. Wetlands and Forests

2.5. Protection of species under IEL framework

2.5.1. Protection of seals and whales

2.5.2. Protection of Migratory Species

MODULE IV

International Dimension of Agriculture Laws

1. Agriculture laws under International legal framework

1.1. Food Security Learning Framework

1.2. Nutrition at World Food Program (Updated July, 2013)

1.3. International Treaty on Plant Genetic Resources for Food and Agriculture

1.4. Commission on Genetic Resources for Food and Agriculture

1.5. International Plant Protection Convention (Reformatted)

1.6. International Rice Commission

1.7. International Undertaking on Plant Genetic Resources
(Resolution 8/83)

1.8. Global Plan of Action for the Conservation and Sustainable
Utilization of Plant Genetic

Resources

1.9. Gene-bank Standards

1.10. International Code of Conduct for Plant Germplasm
collecting and Transfer

1.11. The State of World's Animal Genetic Resources for Food and
Agriculture

1.12. ILO Convention on Safety and Health of Agriculture

1.13. FAO Commission on Desert Locust Control

1.14. WTO Agreement on Agriculture

1.15. FAO-CODEX standard on Food Derived from Biotechnology

1.16. CODEX Code of Practice on Prevention and Reduction of
Food and Feed

Contamination

- 1.17. WHO General Principles Governing the Use of Food Additives
- 1.18. WHO Procedure for the testing of intentional food additives to establish their safety for use
- 1.19. Evaluation of the carcinogenic hazards of food additives
- 1.20. Evaluation of Toxicity of a number of antimicrobials and antioxidants
- 1.21. Food Hygiene (WHO Basic Text)
- 1.22. International Institutions and International Environmental Law- Proposals for World Environmental Organization
- 1.23. Non-governmental Participation in International Environmental law and cooperation

BOOKS

- Sands, Philippe, Principles of international Environmental law Delhi (Cambridge University Press, 1995. xvi, 926p)
- Boyle, Alan, Human Rights Approaches to Environmental Protection (New York: Oxford University Press, 1996 313p)
- Mitchell, Ronald B., International Politics and The Environment (Los Angeles: Sage, 2010. xiii, 234p.)
- Condon, Bradley J, The Role of Climate Change in Global Economic Governance (UK:Oxford, 2013 . xxvi, 258p.)
- Gillespie, Alexander., Conservation, Biodiversity and International Law (UK: Edgar Elgar,2011 xxi, 600p)
- Kotze. Louis J. (Ed.), Global Environmental Governance and Regulation for the 21st Century(UK: Edward Elgar, 2012 xiii, 344p)
- Percival, Robert (Ed.), Global Environmental Law at a Crossroads (UK: Edward Elgar, 2014 .ix, 326p.)
- Fitzmaurice, Malgosia (Ed.), Research Handbook on International Environmental Law (UK:Edward Elgar, 2010 . xxv, 703p.)

- Koivurova Timo, Introduction to International Environmental Law (New York: Routledge, 2012 xxi, 213p)
- Gillespie, Alexander, International Environmental Law Policy and Ethics (UK: Oxford, 2014. xxii, 196p.