

Academic Year: (2023 / 2024)

Review date: 27-03-2023

Department assigned to the subject: Public State Law Department

Coordinating teacher: MORENO MOLINA, ANGEL MANUEL

Type: Electives ECTS Credits : 3.0

Year : 1 Semester : 2

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

- Basics of EU Law. Institutions of EU Law

OBJECTIVES

This seminar (taught in English) wants to provide a broad introduction into the policy and Law of the European Union in the domain of environmental protection. It is divided in two parts. In the first one, the seminar explores the basic or constitutional features of this field of EU Law: the historical evolution, the environmental principles; the decision-making process; the legal basis, actors and principles; the connection between the activity of the EU and the regional and global environmental problems, and finally, the implementation and enforcement of EU environmental Law.

In the second part, the seminar: (a) Focuses on the main "horizontal" techniques of environmental protection in EU Law,

such as the environmental impact assessment; environmental liability; IPPC; and access to information, participation in decision-making and access to justice in environmental matters (b) explores a couple of sectors of substantive environmental legislation, for example air pollution,

By participating in this seminar the Spanish-speaking students will also reinforce their English communication skills..

DESCRIPTION OF CONTENTS: PROGRAMME**I.- THE ENVIRONMENTAL POLICY AND LAW OF THE EUROPEAN UNION: KEY FEATURES.**

- 1) Basic cornerstones in the evolution of the EU environmental policy.
- 2) The principles of the EU environmental policy
- 3) The EU programs of action
- 4) General structure of EU environmental Law. Primary law and secondary law. Main legal instruments and techniques
- 5) The international activity of the EU and the regional and global environmental problems. International environmental treaties and EU Law: the case of climate change
- 6) The EU bodies in the field of Environmental policy and Law: the Commission and agencies
- 7) The rule-making process: legal basis, actors and results
- 8) The enforcement structure of EU environmental law: enforcement by Member States authorities and the use of administrative techniques.
- 9) Enforcement by EU Institutions.

II.- Horizontal and Sectoral instruments in Environmental protection.

Overview of the main horizontal techniques:

- a. Environmental Assessment: plans and projects
- b. Access to Information, participation in decision-making and access to justice in environmental matters: The Aarhus Convention and EU Law
- c. Environmental liability
- d. IPPC
- e. Overview of the different sectors of substantive EU environmental legislation.

LEARNING ACTIVITIES AND METHODOLOGY

- Regular lectures
- In-class discussion of legal materials and ECJ rulings in the field of environmental protection
- Paper writing.
- Individual work by the student (preparation of the materials and in-class discussions).

ASSESSMENT SYSTEM

Regular exams session:

In addition to attending and taking active part in the regular lectures, the students are required to write a short paper on the field of EU Environmental policy and law, following the formal requirements established by the professor. The subject matter should be precise and detailed, for the paper is thought to help the students deepening their understanding of this key domain of EU Law.

The grade obtained for this paper will amount to 80% of the final grade. The additional 20% will come from the oral interventions of the students when discussing the cases and rulings proposed in the course.

Extra-ordinary session:

End-of-term exam, consisting in a practical case to solve individually: 80% of total mark..

Rest of the mark: permanent evaluation of participation, attitude and oral interventions of the student during de classes (20% of the total grade).

The absence of more than 20% of the classes causes dismissal from the course.

% end-of-term-examination:	80
% of continuous assessment (assignments, laboratory, practicals...):	20

BASIC BIBLIOGRAPHY

- JANS, Jan & VEDDER, Jan European Environmental law, Europa Law Publishing, 2012
- Thieffry, Patrick Handbook of European Environmental Law, Bruylant, 2018
- VAN CALSTER, Geert & REINS, Leonie EU Environmental Law, Elgar, 2017

BASIC ELECTRONIC RESOURCES

- . DG Environment website: [//ec.europa.eu/dgs/environment/index_en.htm](https://ec.europa.eu/dgs/environment/index_en.htm)