UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Environmental Law

2425-1-F7501Q037

Learning objectives

The aim of the course is to provide a basic knowledge of the principles, sources, tools, actors and procedures of Environmental Law in the light of international, European, and national regulation.

In synthesis, the 'expected objective' of the course is to provide students with a knowledge of the main principles and tools of Environmental Law that allows them to perceive and understand the role of legal regulation in the protection (present and future) of the environment. The further 'desired objective' is to arouse attention and interest in the issues of environmental protection, demonstrating the importance of legal instruments – including those available to civil society, of which students are components – for solving these issues, as well as stimulate students' critical thinking.

Contents

The Course will begin with a reconstruction of the 'historical path' made by the environment for the acquisition of its legal significance, starting from the international level, and then descending to European and Italian ones.
Thus, the actors of environmental law – public and private – will be introduced and then the main legal tools operating to protect the environment will be analysed.
The objective of the general part of the course, therefore, is to provide students with an answer to the 5 W's of environmental law: 1) What is meant by Environmental Law? 2) When was Environmental Law born and developed? 3) Where – i.e. in which legal systems – has Environmental Law developed? 4) Who are the main actors of Environmental Law; 5) Why Environmental Law – i.e. what is its purpose and, consequently, what are the instruments that allow its pursuit?
Once the general part of the course will be over, the specific themes along which this branch of law is articulated will be explored, verifying the methods of protection of the different environmental factors (water, air, soil, extra-atmospheric space, etc.) and deepening the instruments aimed at mitigating the impact of human activities on the environment.

Detailed program

Topics general part

1 Introduction to the Course and General Information; The Origins of Environmental Law
2 International Environmental Law
3 European Environmental Law
4 The environment in the Constitution and other national sources
5 The Subjects of Environmental Law and the Principle of Subsidiarity
6 'Enviromental activism' and the role of environmental associations
7 Administrative proceedings and administrative measures
8 EIA (Environmental Impact Assessment), SEA (Strategic Environmental Assessment) and AIA (Integrated Environmental Authorisation)
9 Environmental damage and reclamation of contaminated sites
10 Common goods and sustainable development
11 Tools for the economic evaluation of the environment
12 The protection of biodiversity
13 Environmental criminal law
14 Tests

Topics special part

1 Energy and the environment
2 Circular economy
3 Corporate Social Responsibility
4 Land Grabbing
5 Electromagnetic Pollution
6 Waste Management
7 Food and the Environment
8 Air and Climate

Prerequisites

Basic knowledge of law principles.

Specifically, a minimum knowledge of the following topics is suggested: 1) organization of the State and division of powers; 2) relations between national states and the European system; 3) role of the regions within the Italian legal system; 4) notion of public administration and its role in the Italian legal system; 5) sources of national, regional and European regulations; 6) administrative acts.

These topics can be reviewed by reading a public law textbook, e.g. one of the following:

- T. GROPPI e A. SIMONICINI, Introduzione allo studio del diritto pubblico e delle sue fonti, Giappichelli, Torino, 2023 or newer;
- R. BIN e G. PITRUZZELLA, Diritto pubblico, Giappichelli, Torino, 2023 or newer;
- A. BARBERA e C. FUSARO, Corso di diritto pubblico, il Mulino, Bologna, 2022 or newer.

Teaching methods

- The first part of the Course will be conducted through didactic delivery (11 lectures of 2 hours in presence and 4 lectures of 2 hours remotely in synchronous mode).

- The second part of the Course will be held through interactive teaching (9 lessons of 2 hours), namely by dividing the students into groups for the presentation (assisted by the teacher and based on the materials previously assigned) of the individual topics of the special part.

The Course will be held in Italian.

Assessment methods

Oral exam on the topics discussed throughout the lectures (or learned through the study of the manual).

There will be the possibility to do an intermediate written test and to receive a further evaluation on the basis of the exposition, in group, of one of the topics of the second part of the Course.
The intermediate test, consisting of closed questions (true and false and multiple-choice) and two open questions, will be aimed at verifying knowledge of the general part of the programme, covered prior to the test.
The assessment of the group work, separate for each student, will concern the ability to understand, deepen and present the chosen topic of the special part.

Passing the midterm test and exposure are considered sufficient for passing the final exam. The student may decide to take only the midterm test, which will be worth 1/2 of the final grade, and the oral exam will be required to answer one question.
The student may choose to do only the group work, and again, the exposure grade will be worth 1/2 and at the oral examination will be required to answer a question.
For the student who will have taken neither the midterm nor the group work, the final oral examination will cover the entire syllabus and at the examination asked two questions.

Textbooks and Reading Materials

G. ROSSI, Diritto dell’ambiente, Torino, Giappichelli, last available edition.

Sustainable Development Goals

NO POVERTY | ZERO HUNGER | GOOD HEALTH AND WELL-BEING | CLEAN WATER AND SANITATION | AFFORDABLE AND CLEAN ENERGY | INDUSTRY, INNOVATION AND INFRASTRUCTURE | REDUCED INEQUALITIES | SUSTAINABLE CITIES AND COMMUNITIES | RESPONSIBLE CONSUMPTION AND PRODUCTION | CLIMATE ACTION | LIFE BELOW WATER | LIFE ON LAND