UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Environmental Regulation

2526-1-F7603Q001-F7603Q00102

Aims

This course provides an in-depth analysis of international environmental regulation, focusing on legal principles, treaties, institutional frameworks, and compliance mechanisms. It explores key multilateral environmental agreements (MEAs), climate change law, and the intersection of international environmental law with economic and trade considerations. The course will also discuss contemporary challenges such as biodiversity loss, marine protection, and the role of corporations in environmental governance.

Students are invited to consult the syllabus of the entire course for details regarding learning- and skill-related objectives.

Contents

• General principles of international environmental law, including precautionary and polluter-pays principles.
• The legal framework governing environmental impact assessments (EIA) and public participation.
• Key multilateral environmental agreements (MEAs) on biodiversity, marine protection, and pollution control.
• Climate change law, focusing on the UNFCCC, Paris Agreement, and emissions trading mechanisms.
• The intersection of trade, investment, and environmental regulation, including WTO law and ISDS.
• Corporate environmental responsibility, human rights implications, and climate litigation.
• Emerging environmental challenges such as geoengineering, technology in governance, and environmental protection during armed conflicts.
• The future of international environmental governance and regulatory reform proposals.

Detailed program

The origins and evolution of international environmental law

Sources of international environmental law

Key case law concerning the identification of general principles and role of international courts and tribunals (ICJ, ITLOS, WTO Appellate Body, Investor-
State Dispute Settlement (ISDS))

The general principles of IEL
• precautionary principle;
• the Polluter-pays principle;
• the Prevention principle;
• sustainable development and intergenerational equity;
• common but differentiated responsibilities (CBDR).

Concept and legal framework of EIA, Strategic Environmental Assessment (SEA)

Role of stakeholders and indigenous rights

Overview of major MEAs
• CBD Convention;
• UNCLOS;
• CITIES;
• Ramsar Convention;
• Basel Convention;
• Montreal Protocol;
• United Nations Framework Convention on Climate Change (UNFCCC) and the Kyoto Protocol;
• The Paris Agreement and Nationally Determined Contributions (NDCs).

Carbon markets and the role of emissions trading schemes

Climate litigation and liability in international law

Relationship between WTO law and environmental protection

Green subsidies and trade-related environmental measures

Investor-State Dispute Settlement (ISDS) and environmental protection

Role of multinational corporations in environmental governance

Due diligence and environmental obligations in international business law

Climate change litigation against corporations

The role of new technologies (geoengineering, carbon capture, AI in environmental governance)

The impact of armed conflicts on environmental protection

The future of global environmental governance and reform proposals

Prerequisites

Basic knowledge of legal concepts.

Teaching form

4 CFU of theoretical lessons (32 hours):
• 8 two-hour lectures, in person, mostly frontal teaching and discussion in class, Delivered Didactics.
• 8 two-hour lectures, online, mostly frontal teaching and discussions, Delivered Didactics.

2 CFU, of mixed didactics in the classroom (16 hours):
• 8 two-hour lectures, in person, including group presentations, group debates, discussion of relevant caselaw and reading of relevant material in class, Interactive Teaching.

Attendance to lectures and interactive sessions is highly recommended

Textbook and teaching resource

• Slides and notes.
• Additional reading materials, including scientific articles and reports, caselaw, available on the e-learning platform.

Semester

II semester (March - June)

Assessment method

The final examination will take the form of an oral group presentation and an oral interview.
The exam is structured as the follows:
• a presentation in class: obligatory presentation of about 15 minutes on a subject selected from a list of topics that the lecturer will present at the middle of the semester. This presentation will count for 30% of the final grade.
• an oral interview about the topics of the lessons.

The final score will be between 18/30 and 30/30 *cum laude*, based on the overall assessment considering the following criteria:
(1) knowledge and understanding;
(2) ability to connect different concepts;
(3) autonomy of analysis and judgment;
(4) ability to correctly use scientific language.

Office hours

Always, after scheduling an appointment *via* phone or e-mail.

Sustainable Development Goals

QUALITY EDUCATION | SUSTAINABLE CITIES AND COMMUNITIES | RESPONSIBLE CONSUMPTION AND PRODUCTION | CLIMATE ACTION | LIFE BELOW WATER | LIFE ON LAND | PEACE, JUSTICE AND STRONG INSTITUTIONS