



UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Principi di Diritto Ambientale

2627-3-E3201Q072

Aims

By the end of the course, students are expected to have achieved the following learning outcomes:

Knowledge and understanding

Students will acquire knowledge of the fundamental principles of environmental law, including: the notion of law and legal system; the relationship between the international, European and national legal orders; the main international instruments for environmental protection (the United Nations Framework Convention on Climate Change and the Paris Agreement; the ECHR; GATT); the sources, principles and rules governing environmental protection in European Union law; national constitutional and statutory provisions, with particular reference to the Environmental Code (Codice dell'ambiente); national, regional and local administrative organisation and its relationship with European institutions; the principles governing administrative action for the protection of the environment, in both its authoritative and private-law forms; the right of access to environmental information; environmental emergency management.

Applying knowledge and understanding

Students will be able to use basic legal tools to address simple environmental issues, identifying the relevant legal sources, reconstructing the rules applicable to specific cases, and distinguishing between the different instruments of administrative protection, including through the analysis of real case studies drawn from administrative practice and case law on environmental matters.

Making judgments

Students will develop the ability to autonomously use basic legal tools in environmental matters and to critically reflect on environmental issues and their interdisciplinary implications, including economic and sustainability-related aspects, formulating well-reasoned assessments on questions of straightforward complexity.

Communication skills

Students will acquire the ability to present and discuss, both orally and in writing, legal issues of straightforward complexity, correctly using the technical legal terminology specific to environmental law.

Learning skills

Students will develop the ability to learn autonomously, including through the consultation of legislative, doctrinal and case-law sources as well as the relevant scientific literature, also in English, so as to be able to independently further their understanding of environmental law topics in subsequent courses.

Contents

The course is addressed to students with no specific background in legal disciplines and aims to provide the main institutional notions of public law needed to address the general issues involved in environmental law, with continuous attention to the link between general principles and practical application through the analysis of real case studies.

Detailed program

- Concept of law and legal system.
- International, European, and national legal systems.
- Environmental protection in the international legal system: principles and examination of some relevant treaties (the United Nations Framework Convention on Climate Change and the Paris Agreements; the ECHR; the GATT).
- Environmental protection in the European legal system: sources, principles, regulations.
- Environmental protection in the national legal system: the environment in the Constitution; the Environmental Code; the national, regional, and local administrative organization, as well as the relationships between these organizational bodies and European institutions; the principles governing administrative activities for environmental protection, both authoritative and private; the right of access to environmental information; emergency management;
- Analysis and discussion of real case studies, drawn from administrative practice and case law on environmental matters, related to the topics above.

Prerequisites

None.

Teaching form

Language of Instruction: Italian.

The course consists of lectures conducted in Delivered Didactics format (DE), with opportunities for interactive

discussion. The course is structured as follows:

- 20 lessons of 2 hours each (40 hours in total) are held in person. Each session begins with the presentation of course content, followed by interactive discussion with students designed to foster critical judgment and communication skills;
- 4 lessons of 2 hours each (8 hours in total) may be delivered remotely in asynchronous format, with the corresponding video lectures made available to students.

Throughout the course, case studies drawn from administrative practice and environmental case law will be presented and discussed in class.

No virtual laboratories (e.g., the Libaas platform) are included in the course design, as these are not applicable to the legal nature of the subject matter.

Textbook and teaching resource

1. Teaching materials prepared by the instructor and uploaded to the platform.

2. A Public Law Manual, choosing from the following texts:

- R. BIN e G. PITRUZZELLA, *Diritto pubblico*, Giappichelli, Torino, 2022, limitatamente alle pp. 3-24, 84-89, 245-438.
- T. GROPPi e A. SIMONCINI, *Introduzione allo studio del diritto pubblico e delle sue fonti*, Giappichelli, Torino, 2023, limitatamente ai capitoli: I. Cos'è il diritto?; III. Oltre lo Stato: ordinamenti internazionali e sovranazionali; IV. Le fonti del diritto: considerazioni generali; V. Le singole fonti del diritto; X. La pubblica amministrazione.

3. Additionally, the following must always be known:

- G. ROSSI (a cura di), *Diritto dell'ambiente*, Torino, Giappichelli, 2021, la prima parte (indicata come «Parte Generale»).

Semester

First semester.

Assessment method

1. Oral exam (discussion on the topics covered in the lectures)

An oral interview on the topics covered in class and on the texts indicated in the learning materials. The interview is aimed at assessing: knowledge and understanding of the principles and institutions of environmental law; the ability to apply such knowledge to the analysis of simple cases, including by reference to the case studies discussed in class; independent critical judgement in discussing the topics; command of technical legal language.

2. Written exams in due course (instead of the oral examination)

Alternatively, only during the course, on dates to be indicated during the lectures, two written exams will be administered and will consist in: (a) multiple-choice questions, aimed at verifying preparation on the exam programme; (b) one open-ended question, aimed at verifying, respectively, the knowledge of the exam syllabus and the ability to independently reflect on critical points of the program.

Grades are on a scale of 18 to 30 out of 30.

The overall grade for each written exam is determined by the sum of the points obtained from the multiple-choice questions and the open-ended question, with the following specifications:

- each correct answer to the multiple-choice questions is worth 1 point;
- the open-ended question is worth 10 points.

Once both written exams have been taken and passed, a final overall grade will be assigned, calculated as the sum of the two intermediate grades, rounded up.

Grade gradation criteria, for both the exam modalities, are the following:

(i) 18-21: essential but sufficient knowledge of the programme content, presented with adequate language; limited ability to apply concepts and to reflect critically.

(ii) 22-25: adequate knowledge of the content, ability to correctly apply concepts to simple cases, predominantly correct use of technical legal language.

(iii) 26-28: thorough and well-organised knowledge of the content, good critical analysis skills and ability to connect different legal institutions, accurate language.

(iv) 29-30: complete and rigorous knowledge of the content, strong independent judgement, full command of technical legal language.

Office hours

For an appointment write an e-mail.

Sustainable Development Goals

QUALITY EDUCATION | DECENT WORK AND ECONOMIC GROWTH | RESPONSIBLE CONSUMPTION AND PRODUCTION
