

INTERNATIONAL ENVIRONMENTAL LAW AND POLICY

3.30-4.45

Professor James Salzman

Office hours by appointment

This course examines the legal and institutional frameworks created to address the most challenging global environmental issues we and our children will face in the years ahead. International environmental law is still a young field, one that in many respects is still finding its feet. We will examine how the law has developed over the last four decades, its current status, and how it must evolve to be effective.

The course will consider four themes that shape the contours of the field:

1. *Ecological Limitations vs. Economic Development*. North/South conflicts; the relationship between the rich and the developing nations, and the trade-offs between environmental protection, poverty, economic growth, consumption and population.
2. *State Actors vs. Pluralistic International Environmental Politics*. The traditional consensual nature of international law and basic notions of state sovereignty, contrasted with the global impacts of resource use within countries and the global commons resources.
3. *Changing Science vs. Certainty*. The challenge of incorporating new, evolving, and often uncertain scientific information into international environmental standards.
4. *Status Quo vs. Reform*. The future of international environmental governance and institutions, as well as the increased role of NGO's, industry, and multi-lateral blocs.

The course will begin with an examination of the drivers of international environmental harms, then moving to an introduction to international law and institutions. We will then turn to specific treaty regimes. I intend to address ozone depletion, climate change, biodiversity loss, fisheries, trade and environment conflicts, whaling, and hazardous waste, among other topics.

By the end of our time together, I want you to be able to understand and assess the prospects for the future of international environmental law and governance – who is likely to fashion evolving legal standards through what institutions, which strategies are most likely to be successful, and how environmental rules may develop in the context of international trade and investment policy.

While this is a broad field, we will meet only ten times. This means both that you need to attend all the classes and that we will be moving quickly. I guarantee that the better prepared you are for class, the more you will get out of it. There is a good amount of reading but few cases so you will find most of it is less densely-packed than the usual legal reading. If you need to miss a class, I ask that you inform me *beforehand*. Excessive absences will prevent you from taking the exam.

Readings are posted on Gauchospace. They are reprinted with permission from Hunter, Salzman, Zaelke,
INTERNATIONAL ENVIRONMENTAL LAW AND POLICY, (6th ed., 2021)

May 4

How to Think About Global-Scale Environmental Challenges
International Lawmaking and Governance

Readings I

<http://www.flixxy.com/200-countries-200-years-4-minutes.htm>

May 6

Fisheries

Readings II

May 11

Marine Pollution

Whaling

Readings III

May 13

Conservation of Biodiversity

Readings IV

May 18

Transboundary Air and Ozone Depletion

Readings V

May 20

Climate Change I

Readings VI

May 25

Climate Change II

Readings VII

May 27

Border Controls – Hazardous Wastes

Readings VIII

June 1

International Trade

Readings IX

Bring laptops for in-class exercise

June 3

Habitat Protection

Readings X