INTERNATIONAL ENVIRONMENTAL LAW

(ELECTIVE COURSE)

INTRODUCTION

When attempting to determine the boundaries of international environmental law, one finds that no clear definition can be applied. Like many other branches of international law, international environmental law is interdisciplinary, intersecting and overlapping with numerous other areas of research, including economics, political science, ecology, human rights and navigation/admiralty.

Until the late 1960s, most international agreements aimed at protecting the environment served narrowly defined utilitarian purposes.

In 1974 international environmental law was a fledgling field with less than three dozen multilateral agreements. Today international environmental law is arguably setting the pace for cooperation in the international community in the development of international law. There are nearly nine hundred international legal instruments that are either primarily directed to international environmental issues or contain important provisions on them. This proliferation of legal instruments is likely to continue. Therefore, it is important to assess what we have done and explore where we are headed.

OBJECTIVES

i.) To understand the General Principles of International Environmental Law,

ii.) To examine the Emerging International Environmental Regimes and India’s National Policy,

iii). To study the link between Environment and Sustainable Development,


MODULE-I INTRODUCTION TO INTERNATIONAL ENVIRONMENTAL LAW WEEK 1-2 4 CLASSES

Historical Evolution

1 Dr.TVGNS Sudhakar, Associate Professor (Law)
MODULE-II SOURCES AND PRINCIPLES OF INTERNATIONAL ENVIRONMENTAL LAW
WEEK 3-7 CLASSES: 10

Sources:
Treaties
Custom
General Principles of Law
Other Sources
Principles:
Sovereignty over Natural Resources
Obligation Not to Cause Damage
Principles of Preventive Action and Precaution
Polluter Pays Principle and Equitable Sharing of Cost
Sustainable Development
Equitable Utilization
Common but Differentiated Responsibilities
The Link Between Environment and Development

MODULE-III TRANSBOUNDARY/TRANSNATIONAL POLLUTION: STATE LIABILITY AND STATE RESPONSIBILITY WEEK 8-12 CLASSES: 10

Desertification as a Transnational Problem; Tropical Deforestation; The 1994 Desertification Convention
Transboundary River Pollution; Transboundary Groundwater Pollution
Transboundary Shipments of Hazardous Wastes; The Basel Convention Regime
Transfrontier Air Pollution and Convention on Transboundary Air Pollution
Environmental Warfare
State Liability: Theoretical Issues
Victim State Sovereignty Threshold Of Cognizable Injury
The Legacy of the Trail Smelter Arbitration

Standard of Liability

Strict Liability and Ultra-Hazardous Activities

Viability of a Liability Regime

**MODULE-IV GLOBAL COMMONS WEEK 13-15 CLASSES: 6**

OCEANS: Oceans as a Commons; Marine Pollution; Fishery Conservation.

Atmosphere: Ozone Layer Depletion; The Ozone Protection Regime; The Climate Change Convention. Antarctic Treaty Regime

**MODULE-V PROTECTION OF SPECIES AND ECOSYSTEMS WEEK 16-17 CLASSES: 4**

Protection: Species; Migratory Species; Whales and Seals

Protection of Genetic Variety; Causes of Biodiversity Loss; Ecosystem Protection

**MODULE-VI COMPLIANCE AND GOVERNANCE MECHANISMS WEEK 18-20 CLASSES: 6**

State Obligations and the role of judiciary; policy and legislative measures in India for environmental protection

International Environmental Institutions including UNEP and other specialized agencies and their Reforms

Expanding The Role of Non-governmental Organizations

**READING LIST**


S Bhatt, International Environmental Law, APH Publishing, 2007 -


LIST OF INTERNATIONAL LEGAL INSTRUMENTS

1. Convention on Long Range Transboundary Air Pollution

2. Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on the Reduction of Sulphur Emissions or their Transboundary Fluxes by at least 30 per cent

3. SOFIA Protocol to the 1979 Convention on Long Range Transboundary Air Pollution Concerning the Control of Emissions of Nitrogen Oxides or their Transboundary Fluxes


5. Second Meeting of Conference Parties to Basel Treaty on Control of Hazardous Wastes and their Disposal


7. Convention on the Prohibition of Military or any other Hostile use of Environmental Modification Techniques (ENMOD)


9. World Charter for Nature

10. Convention on Biological Diversity

11. United Nations Convention to Combat Desertification in those Countries Experiencing
Serious Drought and/or Desertification, Particularly in Africa

12. Convention on Fishing and Conservation of the Living Resources of the High Seas


15. Vienna Convention for the Protection of the Ozone Layer

16. Montreal Protocol on Substances that Deplete the Ozone Layer

17. Montreal Protocol Parties: Adjustments and Amendments to the Montreal Protocol on Substances that Deplete the Ozone Layer

18. United Nations: Montreal Protocol on Substances that Deplete the Ozone Layer - Adjustments and Amendment

19. United Nations Framework Convention on Climate Change

20. The Antarctic Treaty