

Federal State Autonomous
educational institution of higher education
RUSSIAN PEOPLES FRIENDSHIP UNIVERSITY
Institute of Law
Department of International Law

Recommended by ISSC

**THE WORKING PROGRAM OF THE DISCIPLINE
INTERNATIONAL ENVIRONMENTAL LAW**

Direction of training 40.06 .01 "Jurisprudence"
, qualification " Researcher. Research teacher "
Profile " International Law . European law "

Full-time form of education

Goals and objectives of the discipline

The purpose of international environmental law is to serve as a legal instrument for regulating human behavior through the establishment of mutual rights and obligations of states and other subjects of international relations in the field of interaction between society and its natural environment.

The study of the discipline makes it possible to understand the meaning and significance of the regulation of international environmental relations in the field of interaction between society and nature in the interests of the present and future generations.

The objectives of the course include: to reveal the meaning and content of the concepts of "transboundary pollution", "transboundary watercourses", "international lakes", "air space", "outer space", "bottom of the World Ocean", "migratory species", "transzonal reserves", "Transboundary reserves", "biological diversity", "flexible mechanisms", "world cultural and natural heritage", "conservation status", etc. as objects of international legal protection and protection; consider the main factors that dictate the need for international environmental cooperation (natural-ecological and socio-economic); to acquaint students with various doctrines of international environmental law as a set of special international legal principles and norms governing international environmental relations between subjects of international law; to acquaint students with the history of the formation and evolution of the norms of international environmental law; consider the activities of universal and regional international organizations, judicial and arbitration bodies endowed with environmental competence; to formulate a system of knowledge for graduate students about the main directions of legal regulation of international environmental relations; to acquaint students with the current problems of modern international environmental law, as well as to analyze trends and prospects for the development of international law in the area under consideration.

Place of discipline in the structure of OOP

The course is aimed at developing the students' skills of an independent, legally competent, scientifically grounded approach to the analysis of theoretical and practical issues arising in connection with international legal regulation of environmental protection, to teach them to freely operate with the relevant legal concepts and categories, as well as applicable the norms of the current international law. The course is designed taking into account the latest achievements in science and practice in this area of knowledge.

The knowledge gained by the students within the framework of this course can be used by them in the study of the following disciplines: "International Economic Law", "International Space Law", "International Protection of Human Rights", "European Union Law", "Law of the Council of Europe", "International Humanitarian Law", "International Maritime Law", "Disarmament and International Security Law", "Law of International Organizations", "International Air Law".

As a result of studying the discipline, the student must have the following competencies:

- the ability to offer evidence-based solutions to practical problems of law enforcement in the field of international law (PC-3)

–readiness to bring fundamental scientific results to the level of applied scientific developments and scientifically grounded proposals for improving legislation and law enforcement practice in the field of international law (PC-4)

As a result of studying the discipline, a graduate student must:

Know:

- the meaning and content of the conceptual and terminological apparatus of international environmental law;
- the main provisions of international environmental law: international treaties in the field of environmental protection, the norms of the so-called. soft international environmental law and the essence of international environmental legal relations;
- participants and objects of international environmental law;
- types of international environmental offenses and responsibility for them;
- international legal mechanism for environmental protection and modern generally recognized environmental standards;
- the main provisions of the international legal regulation of the protection and protection of certain types of natural resources.

Be able to:

- freely operate with the appropriate conceptual apparatus;
- to analyze and apply the existing international environmental and legal norms, as well as the doctrines of the most qualified specialists on the issues of international legal environmental protection;
- to assess the degree of effectiveness of international legal regulation of the protection and preservation of the environment;
- develop proposals for improving national environmental legislation and law enforcement practice, taking into account the obligations of the Russian Federation under international treaties and international environmental standards;
- analyze the documents of the UN and other international organizations involved in the regulation of international environmental relations;
- analyze judicial and arbitration practice in cases related to the resolution of international environmental disputes;
- carry out analytical developments and prepare expert opinions on environmental protection problems, taking into account applicable international law;
- independently identify and study new legal issues arising in connection with the international legal regulation of international environmental relations;
- independently study and discuss both domestic and foreign special legal literature.

Have skills:

- work with normative legal acts governing international environmental relations;
- analysis of various legal phenomena, legal facts, legal norms and legal relations that are objects of international environmental and legal regulation; analysis of law enforcement and law enforcement practice in this area;

- resolving legal problems and conflicts, implementing the norms of substantive and procedural law, taking the necessary measures to protect the environmental rights of a person and citizen.

The scope of the discipline and types of educational work (full-time education)

No.	Type of educational work	Total hours	Semesters	
			I	II
one.	Classroom lessons (total)	20	20	
	Including:			
1.1.	Lectures			
1.2.	Other occupations			
	Including			
1.2.1.	<i>Practical exercises (PE)</i>	20	20	
1.2.2.	<i>Seminars (S)</i>			
1.2.3.	<i>Laboratory work (LW)</i>			
	<i>Of these, in an interactive form (IF)</i>			
2.	Independent work (total)	88	88	
	Including:			
2.1.	Course project (work)			
2.2.	Settlement and graphic works			
2.3.	abstract	30	30	
2.4.	Preparation and passing of intermediate certification			
	<i>Other types of independent work</i>			
	Course Consulting			
	Total labor intensity (academic hours)	108	108	
	<i>Total labor intensity (credit units)</i>	3	3	

Discipline content

1. The problem of environmental protection as a global problem of our time

Global problems are a new category of international problems, a characteristic feature of modern international relations. The emergence of environmental crisis situations as a result of the negative consequences of the scientific and technological revolution, anthropogenic activities. Concepts of society's attitude to nature (the concept of consumer attitude to nature, the concept of non-interference in nature, the doctrine of the noosphere, the concept of limiting economic development, needs and population, the concept of "double eco", the concept of sustainable development, etc.). Basic concepts of environmental protection management (corrective, preventive, fragmented, systemic, polluter pays, sustainable crisis-free socio-economic development). Sustainable development concept. Environmental safety concept. The place of

environmental safety in the Comprehensive International Security System. The place of the ecological problem in the system of global problems of our time.

Factors dictating the need for international cooperation in the field of environmental conservation. Complementarity and consistency of various levels of international environmental cooperation.

The concept of international environmental law. The doctrine of international law on the criteria to be met by an independent branch of international law. Sectoral characteristics of international environmental law.

International conferences on environmental protection. Conference on the International Conservation of Nature (Bern, 1913). The role and significance of the 1949 UN New York Conference on the Conservation and Utilization of Resources to determine the environmental competence of the UN and the main directions of its activities in the field of environmental protection. The role and significance of the 1972 UN Stockholm conference on the problems of the human environment in the formation of sectoral (special) principles of international environmental law. International legal characteristics of the decisions of the Stockholm Conference: Declaration of Principles, Action Plan and organizational and financial decisions. International Legal Assessment of the Decisions of the UN Conference in Rio de Janeiro on Environment and Development 1992: Declaration of Principles, Convention on Biological Diversity, UN Framework Convention on Climate Change, Forest Principles and Agenda 21. Results of the World Earth Summit (Rio + 10) in Johannesburg (South Africa) 2002. Outcomes of the UN Conference on Sustainable Development (Rio de Janeiro, 2012) and the significance of the Declaration "The Future We Want" adopted there.

2. International environmental law: history of development, sources and principles

The history of the formation and development of international environmental law. Characterization of the features of the four historical stages. On the question of starting a new fifth ("climate / energy") stage.

Sources of international environmental law: treaties, customs, principles, the role of soft law acts, decisions of international judicial institutions.

The role and place of generally recognized principles of international law in the regulation of environmental conservation: the principle of sovereign equality of states and respect for the rights inherent in sovereignty; the principle of international cooperation; the principle of peaceful settlement of international disputes; the principle of international legal responsibility, etc. Peculiarities of adaptation of these principles to environmental issues. On the issue of the legal obligation of international cooperation in the field of environmental protection.

Sectoral principles of international environmental law: the principle of inadmissibility of causing transboundary damage to the environment; the principle of prohibition of military or any other hostile use of means of influencing the natural environment; the principle of ensuring the observance of environmental human rights; the principle of environmentally sound rational use of natural resources, the principle of inadmissibility of radioactive contamination of the environment; the principle of protecting the ecological systems of the World Ocean; the principle

of ensuring environmental safety; precautionary principle; the principle of responsibility of states for damage caused to the environment.

On the issue of formalizing the conservation and sustainable use of biodiversity in a special principle of international environmental law.

Codification of international environmental law. Draft International Covenant on Environment and Development 1995: history of elaboration and adoption; evolution from first edition to fourth (22 September 2010); importance for the codification of international environmental law; international legal assessment of the principles enshrined in it.

International environmental agreements, "framework" agreements.

"Soft law" in the system of sources of international environmental law.

International and national environmental standards. Due Diligence Standards.

3. International environmental organizations

International organizations as an integral element of the system of international environmental cooperation, a new international environmental order. Classification of international organizations according to the criterion of the place of environmental issues in their statutory competence. Environmental competence of the main bodies of the United Nations and its specialized agencies (FAO, IMO, ICAO, WMO, ILO, WHO, UNESCO, etc.). United Nations Environment Program (UNEP): legal status; structure; subject areas of activity. United Nations Commission on Sustainable Development (CSD): legal status; structure. Environmental issues in the activities of the IAEA and WTO. Regional environmental cooperation (UNECE, EU, CIS, Council of Europe, African Union, ASEAN, etc.).

The role of international non-governmental organizations in environmental cooperation: International Union for Conservation of Nature and Natural Resources (IUCN), WWF, Greenpeace International, ICRC.

The role of international para-organizations in environmental cooperation: Arctic Council, G8.

Prospects for the creation of the International Environmental Organization.

4. International legal protection of the marine environment and biological resources of the World Ocean. International legal protection of freshwater bodies

The legal content of the concept of "pollution" in relation to the marine environment. The issues of marine environment protection in the 1982 UN Convention on the Law of the Sea. International agreements on the prevention of pollution of the oceans by oil and other hazardous and harmful substances. International regional cooperation of states in the field of marine environment protection. UNEP Regional Seas Program. Convention on the Protection of the Marine Environment of the Baltic Sea Area 1992 Convention on the Protection of the Black Sea against Pollution 1992 Framework Convention for the Protection of the Marine Environment of the Caspian Sea 2003 Agreement on Cooperation in the Field of Preparedness and Response to Marine Oil Pollution in the Arctic 2013

Use and management of biological resources: global level; regional level; bilateral cooperation. Protection of certain types of biological resources of the World Ocean in accordance

with the current international law. Legal status of marine plantations, reserves and zones of conservation of biological resources.

Protection of transboundary waters: 1997 Convention on the Law of the Non-Navigational Uses of International Watercourses, Helsinki Convention on the Protection and Use of Transboundary Watercourses and International Lakes 1992, Project "Law of Transboundary Aquifers" 2008

International legal protection of wetlands. Ramsar Convention for the Conservation of Wetlands of International Importance primarily as Habitat for Waterfowl 1971 Ramsar List. Montreux Protocol .

5. International legal protection of the atmosphere. Protecting the environment of the polar regions

The role of atmospheric air in ensuring human life. Factors leading to pollution and a decrease in the quality of atmospheric air. Transboundary air pollution, acid rain problem. International legal protection of the ozone layer of the Earth. International legal struggle against climate change, the problem of "greenhouse" gases. International law and space ecology.

Environmental protection in the Arctic: a sectoral approach; internationalization concept. The Arctic Council as a quasi- international organization. New developments in the activities of the Arctic Council: Agreement on Cooperation in Aviation and Maritime Search and Rescue in the Arctic 2011, Agreement on Cooperation in Preparedness and Response to Marine Oil Pollution in the Arctic 2013.

Differences in the legal regulation of the protection of the natural environment of Antarctica and the Arctic.

Environmental Protection in Antarctica: Regulatory and Institutional Foundations of the Antarctic Treaty System.

Convention on the Conservation of Antarctic Seals, 1972; Convention on the Conservation of Antarctic Marine Living Resources, 1980; Convention on the Regulation of Mineral Resources Development in Antarctica; 1988; Protocol on Environmental Protection, 1991 to the Antarctic Treaty, 1959; Agreement on the Conservation of Albatrosses and Petrels. (storm petrel) 2001

6. Protecting the environment during armed conflicts

The problem of environmental damage during armed conflicts: from antiquity to the present. General characteristics of international legal norms governing the protection of the environment in conditions of armed conflict. The concept of geophysical warfare. War in Indochina. Comparative analysis of the 1977 Additional Protocol I to the 1949 Geneva Conventions for the Protection of Victims of War and the 1976 Convention on the Prohibition of Military or Any Other Hostile Use of Means of Influencing the Natural Environment Environmental Consequences of Iraq's Aggression against Kuwait, Creation of the Compensation Commission under the UN Security Council ... Environmental consequences of NATO bombing of Yugoslavia in 1999. Crimes against the environment. Ecocide.

Environmental protection and weapons of mass destruction (WMD): production, storage, transportation, deployment, use and destruction of WMD. The relationship between disarmament and the solution of the problem of environmental protection. The problem of banning nuclear weapons tests. Nuclear-free and nuclear-weapon-free zones

7. International legal framework for biodiversity conservation. Environmental protection and international legal regulation of peaceful nuclear activities. International legal regulation of waste management

1992 Convention on Biological Diversity: Legal Assessment of Form and Content. The problem of access to genetic resources. International legal regulation of trade in endangered species of fauna and flora. International legal protection of wild animals. Examples of solving the problem of preserving biological resources on a regional basis. International cooperation in the field of forest resources conservation. International cooperation in the field of combating desertification. International legal protection of plants.

Peaceful nuclear activities and environmental protection (international legal regulation). International legal regulation of the placement of nuclear facilities in border areas. Functions of the IAEA and Euratom in the field of environmental protection.

International legal regulation of waste management: Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal 1989, Bamako Convention 1991 on the Ban on the Import into Africa and Control of Transboundary Movements of Hazardous Wastes and Their Use within Africa, Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Substances and Pesticides in International Trade 1998, Stockholm Convention on Persistent Organic Pollutants 2001. International Legal Regulation of GMOs.

8. Environmental human rights. Problems of the interaction of international environmental and international trade law

Environmental rights in the human rights system: the right to a healthy environment; the right to access environmental information; the right to access justice in environmental matters; the right to public participation in environmental decision-making; additional (related) environmental rights; special environmental rights of indigenous peoples. Protecting Environmental Rights at the International Level: UN and Regional Human Rights Judicial Bodies.

Interaction of international environmental and international trade law. Norms on environmental protection in WTO multilateral agreements. WTO and the concept of sustainable development. Activities of the WTO Committee on Trade and Environment. Practice of resolving disputes related to environmental protection in the WTO SDO.

9. Peaceful means of settling international environmental disputes. International liability for damage to the environment

Peaceful resolution of international disputes as a principle of international law. The concept of an international environmental dispute. Conciliatory means of resolving international environmental disputes: negotiations, mediation, good offices, investigative and conciliation commissions. Judicial means of resolving international environmental disputes: international

arbitrations (permanent and ad hoc), international courts (International Court of Justice, International Tribunal for the Law of the Sea).

Quasi-judicial institutions: procedures for compliance with international environmental agreements, inspection commissions of international banks, UN human rights treaty bodies.

Prospects for the creation of an International Environmental Court.

Features of the institution of responsibility in international environmental law. Activities that damage the environment outside the territorial jurisdiction of the state where they are carried out. International liability for damage caused to the environment by wrongful acts. The ILC draft Articles on State Responsibility and the Draft Code of Crimes against Peace and Security of Humanity on International Responsibility for the Crime of Ecocide. Responsibility for causing transboundary damage to the environment as a result of activities not prohibited by international law. Operator's responsibility and states responsibility. The polluter pays principle. Principles of the UN ILC Draft Articles on Prevention of Transboundary Damage from Hazardous Activities 2001. Legal Means of Combating Transboundary Environmental Damage. Preventive measures. Codification of norms on transboundary pollution in the work of the UN ILC. International individual criminal environmental responsibility. Legal content of the principle of international liability for damage to the environment.

Sections of disciplines and types of classes (full-time education)

Discipline section number in order	Lectures	Seminars	Independent work	Total hour.
1		4	16	20
2		2	8	10
3		2	8	10
4		2	8	10
5		2	8	10
6		2	8	10
7		2	8	10
8		2	8	10
9		2	16	18

Logistics of the discipline

Computer, projector, audio system, internet access, magnetic whiteboard / whiteboard, markers / crayons. Optional: flipchart, interactive whiteboard, auditorium with round / oval table, copier.

Information support of the discipline

Software: System Garant, System Consultant +

Databases, information reference and search systems: UN Audiovisual Library (<http://legal.un.org/avl/>), UN Digital Library (<http://digitallibrary.un.org/>), Eurasian Economic Commission Library (<http://eec.eaeunion.org/ru/Pages/library.aspx>).

Databases, reference and search systems

1. Electronic library system RUDN - EBS RUDN <http://lib.rudn.ru/MegaPro/Web>
2. University library online <http://www.biblioclub.ru>
3. EBS Yurayt <http://www.biblio-online.ru>
4. NEB Elibrary <http://elibrary.ru>
5. Student advisor www.studentlibrary.ru
6. EBS "Doe" <http://e.lanbook.com/>
7. EBS Yurayt <http://www.biblio-online.ru>

Educational and methodological support of the discipline

Main literature

1. Kopylov M.N. Introduction to International Environmental Law. - M., 2009. -- 267 p.
2. International environmental law: Textbook / otv. ed. R.M. Valeev. - M.: Statut, 2012. -- 639 p.
3. A.M. Solntsev Workshop on International Environmental Law. - M: RUDN, 2011. -- 159 p.
4. A.M. Solntsev Contemporary international law on environmental protection and environmental human rights. Monograph - M: Book House "LIBROKOM", 2013. - 336 p.

additional literature

1. Abashidze A.Kh., Vasiliev Yu.G., Solntsev A.M. International Environmental Law: Documents and Comments. - M.: RUDN, 2009. - Issue II. Protecting the environment during armed conflicts.
2. Kiss A., Shelton D. International Environmental Law. Part 1: Structure and basic concepts. 2nd ed. / per. from English - Izhevsk: Jus est, 2010.
3. Kopylov M.N., Kopylov S.M., Mohammad S.A. A brief outline of the history of international environmental law. - M., 2012.
4. Sokolova N.A. International legal problems of environmental management. - M.: Prospect, 2010.
5. Abashidze A.Kh., Solntsev A.M. Anniversary of the African Charter on Human and Peoples' Rights // Eurasian Law Journal, 2012. - No. 2 (45). - S. 22-25.
6. Abashidze A.Kh., Solntsev A.M. Groundwater - a new object of international legal regulation // International Law - International Law, 2009. - №1 (37). - S. 180-201.
7. Abashidze A.Kh., Solntsev A.M. Ecocide as an international crime: problems and prospects. - In the book: International criminal justice: Modern problems / Ed. G.I. Bogusha, E.N. Trikoz. - M.: Institute of Law and Public Policy, 2009. - S. 258-272.
8. Avkhadeev V.R. Consultative meetings as a governing body in the Antarctic Treaty System // Eurasian Law Journal, 2011. - No. 12 (43). - S. 42-44.
9. Adilkhodzhaeva S.M. International legal problems of the joint use of transboundary rivers in Central Asia // Environmental law, 2010. - №3. - S. 31-35.
10. Alisievich E.S. 60 years of the European Convention for the Protection of Human Rights and Fundamental Freedoms // International Law - International Law, 2010. - No. 1 (41). - S. 151-171.
11. Artamonov G.E. Modern ecological and legal problems of the Baltic Sea //
12. Bogolyubov S.A. Environmental law. - M., 2010.
13. Boklan D.S. Interaction of international economic and international environmental law. - M.: VAVT, 2009.

14. Boklan D.S. Interaction of sectoral principles of international environmental law and international economic law // International law -
15. criminal law, 2009. - No. 4. - S. 13-16.
16. Dubovik O.L. Environmental law. Textbook, 3rd ed. - M.: Prospect, 2009.
17. Emelyanova N.N. Organizational and legal mechanism for ensuring international energy security // Eurasian Law Journal, 2011. - No. 7 (38). - S. 21-27.
18. Zhukov G.P. Global system for preventing the asteroid threat to life on Earth. International legal aspects // International Law - International Law, 2010. - No. 4 (44). - S. 50-52.
19. Zhukov G.P., Solntsev A.M. Problems of environmentally sustainable use of rocket and space technology // Eurasian legal journal, 2010. - №11 (30).
20. Kopylov M.N., Solntsev A.M. International environmental law facing the challenges of our time (international environmental organization) // Eurasian legal journal. - 2013. - No. 1 (56). - S. 56-58.
21. Kopylov M.N., Solntsev A.M. International environmental law facing the challenges of our time (Environmental Constitution of the Earth) // Eurasian Law Journal. - 2012. - No. 12 (55). - S. 53-56.
22. Kopylov M.N., Solntsev A.M. International legal response to fish poachers // International Law - International Law, 2010. - No. 2 (42). - S. 22 - 27.
23. Kopylov M.N., Solntsev A.M. EU environmental law. - In the tutorial: Legal foundations of economic and social regulation of the EU / ed. A.O. Inshakova. - Volgograd: Publishing house of the Volgograd state. University, 2010. -- S. 448-476.
24. Kopylov M.N., Solntsev A.M. Utilization of sea vessels - a threat to international environmental safety // Eurasian Law Journal, 2010. - №10 (29). - S. 106 - 114.
25. Kopylov M.N., Solntsev A.M. Environmental rights in the system of internationally recognized human rights // State and Law, 2010. - No. 3. - P. 23 - 32.
26. Kopylov M.N., Solntsev A.M. Environmental human rights. - In the textbook: International humanitarian law / Ed. AND I. Kapustina. - M.: Yurayt; ID Yurayt, 2011. -- S. 117-133.
27. legal journal, 2011. - №4 (35). - S. 20-23.
28. Kopylov S.M. On the issue of the mandatory Environmental Ship Code for navigation and management in Antarctic waters // International Law - International Law, 2011. - № 1-2 (45-46). - S. 84-86.
29. Kopylov S.M. International law on the conservation of seals // Eurasian Law Journal, 2010. - No. 7 (26). - S. 120 - 124.
30. conference "State and Law: Challenges of the XXI Century (Kutafin Readings)". - M., 2009. -- S. 410-413.
31. Sokolova N.A. The natural environment as an object of protection of international humanitarian law // International Law - International Law, 2010. - No. 3 (43). - S. 60-67.
32. Sokolova N.A. The role of the International Tribunal for the Law of the Sea in resolving disputes over the protection of the marine environment // Actual problems of modern international law: Proceedings of the annual interuniversity scientific and practical conference. Moscow, April 9-10, 2010 / Ed. A.Kh. Abashidze, M.N. Kopylova, E.V. Kiseleva. - M.: RUDN, 2011. - Part II.

Methodical instructions for students on mastering the discipline

Lectures. Oral systematic and sequential presentation of the material in the discipline sections. Lectures are provided with multimedia support and presentation. Seminars. A form of practical training, in which students, with the participation of a teacher, discuss messages, reports,

abstracts and other types of independent work. Seminars are held in the following forms: 1) discussion of lecture material and questions for practical training; 2) analysis and discussion of scientific articles, the list of which is contained in this program, and presentation of an analytical report on them. Methodical models of the learning process. The following techniques and methods are used in the seminars: survey, discussion, brainstorming, business / role play, problem solving. Independent work. In a broad sense, independent work of a student should be understood as the totality of all independent activities of students both in the absence of a teacher and in contact with him, in the classroom, and outside it (including during training sessions). This also includes work with primary sources: note-taking, oral presentations with analysis of the primary source.

Fund of assessment tools for intermediate certification of students in the discipline

Forms of control. The forms of control mean two attestations in the form of testing, writing abstracts.

Materials for assessing the level of mastering the educational material of the discipline " International Environmental Law " (assessment materials), including BRS, sample topics of essays, sample test questions and sample questions for retakes, are fully developed and available for students on the discipline page in TUIS RUDN.

The program has been drawn up in accordance with the requirements of the OS of VO RUDN.


Developers

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