SUMA K4301 International Environmental Law for Sustainability Managers
Spring 2014
Wednesdays 4:10pm to 6:00pm
Room: TBD

Instructor Information:
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Course Description
Public policy decisions made on the international level shape how sovereign governments and multinational corporations manage the man-made and natural environments. Sustainability practitioners must be able to understand global environmental issues and their effects on what they are charged to do. This course will provide students with an understanding of international environmental policy design and the resulting body of law in order to strengthen their ability to understand, interpret, and react to future developments in the sustainability management arena.

This is not a comprehensive survey of international environmental law. After grounding in the history and foundational concepts of international environmental law and governance, students will explore competing policy shapers and the relevant law in the areas of stratospheric ozone protection, climate change, chemicals and waste management, biodiversity and forest conservation. The course will finish with a discussion of corporate standards and extraterritorial application of US environmental law. The course satisfies the public policy course requirement for the M.S. in Sustainability Management program.

Course Objective
Students are not expected to have any previous experience with international environmental law or policy. *International Environmental Law for Sustainability Managers* is designed to provide the student with an overview of the development and present status of international environmental law as it relates to sustainability management. By the end of the course, the student should understand the evolution of international environmental law as a complex body of treaties, protocols, and governing principles that address global environmental stresses arising from overpopulation, resource consumption, land use practices, and industrialization. Students should be able to demonstrate a working knowledge of the processes through which sustainability rules and regulations are created by governments and implemented by organizations

Further, the student should be familiar with the relevant international institutions and actors, and their respective roles. Finally, the student should knowledgeable about the substantive requirements of the legal regimes addressing stratospheric ozone protection, climate change, chemicals and waste management, biodiversity and forest conservation, and the evolving standards of behavior for corporations.
**Course Materials**

The required textbook for this course is:

We will also use a variety of materials in addition to the textbook mentioned above. These materials may be held on reserve in a designated library, made available directly in hard copy form, or made available on Courseworks through an Internet link or a posted item.

This syllabus may be revised during the course of the semester to reflect the inclusion of additional material or adjustments to the schedule. You are obliged to look for updates on Courseworks.

Recommended reading, while intended to give the student an opportunity to delve deeper into certain topics, is not required reading for class.

**Method of Instruction**

Pre-class reading and problem solving. Class time will combine lectures, student participation in class discussion of policy and relevant law, and possibly, presentations from guest speakers.

**Method of Evaluation**

Students are expected to be punctual, attend each class, prepare for classes conscientiously, and to contribute to the class discussion. This means providing thoughtful commentary, engaging analysis, and/or posing relevant questions. It also means summarizing and discussing legal principles and relevant law.

Students will write three individual memoranda of approximately 5 to 7 pages each and will have one group/team assignment where they will present a briefing to the class. The final grade for the course will be determined as follows:

- Individual Memos - 75%
- Class participation (including team/group presentation) - 25%

**Communications**

The best way to communicate with me is by email at the above email address. If you need to speak with me in person, we can set up an appointment either before class (office hours), after class, or at any other mutually convenient time.

**Course Outline**

**Week 1: January 22, 2014**

Topic: Global Environmental Challenges

Required reading:

Class plan:
• Introduce students and instructor; review of course approach and objectives; explain syllabus
• Introduce the scope and complexity of global environmental problems
• Highlight the complexity and uncertainty that makes international policy making difficult

**Week 2: January 29, 2014**
Topic: Root Causes and Legal Options
Required reading:
Class plan:
• Review of basic facts about consumption and population
• Understand the role of technology in mitigating or facilitating environmental stresses
• Introduce the role of economics in environmental protection
• High-level review of legal options to address global environmental problems

**Week 3: February 5, 2014**
Topic: A Brief History of International Environmental Law: From Stockholm to Johannesburg
Required reading:
Class plan:
• Review history of international environmental law including the relevant multinational conferences and bodies
• Understand the rise of sustainable development and the recurring tension between the interests of industrialized, developed countries and developing countries
• Identify and understand the role of the relevant international institutions and non-State actors

**Assigned:** Memo #1 [TBD]

**Week 4: February 12, 2014**
Topic: Foundational Principles and Concepts Shaping International Environmental Law
Required reading:
Class plan:
• Review of the treaty-making process
• Review of selected international environmental law principles (see above) and how they are used in treaties

**Due:** Memo #1

**Week 5: February 19, 2014**
Topic: Ozone Depletion
Required reading:
Recommended reading:
Class plan:
- Understand the importance of understanding science in connection with international environmental policy responses
- Understand the Montréal Protocol as a successful example of “framework-protocol” style of treaty-making
- Understand the substantive requirements of the regime
- Explore the nexus with climate change policy
- Review of Memo #1

**Week 6: February 26, 2014**

Topic: Climate Change: Climate Science Review and Update; Overview of the International Legal Regime

Required reading:
Cohen. Chapter 6: Have We Made the Planet Warmer, and If We Have, How Can We Stop? pp 103-124.

Pew Center on Global Climate Change, *Key Scientific Developments Since IPPC 4th Assessment*

[Copenhagen Accord (pp 4-9 of 2/CP.15)]
http://unfccc.int/home/items/5262.php

Recommended reading:
Intergovernmental Panel on Climate Change Fourth Assessment Report Climate Change 2007: Synthesis Report Summary for Policy Makers (skim)

Class plan:
- Review the basic mechanisms, causes, and impacts of climate change
- Understand the complexities and challenges for policymakers

**Week 7: March 5, 2014**

Topic: Climate Change: From Kyoto to Copenhagen and Beyond.

Required reading:

Class plan:
- Understand policy approaches for mitigation
- Review the international response to climate change from the United Nations Framework Convention on Climate Change up to and post-Kyoto

**Assigned:** Group/team project (depending upon the number of students in the class) where students will be assigned a specific thematic area (e.g., climate change, oceans management, etc.). Group presentation due in Week #14.

**Week 8: March 12, 2014**

Topic: Climate Change: Crosscutting and Current Issues

Required reading:

Class plan:
- Understand how the global carbon market functions
• Explore developments in climate litigation, liability, and compensation

**Assigned:** Memo #2 [TBD]

**No Class:** March 19, 2014

**Week 9: March 26, 2014**
Topic: Hazardous Chemicals, Waste and Materials

**Required reading:**

**Class plan:**
• Understand the general scientific background and concepts of risk assessment and management critical to regulation of chemicals and waste
• Understand substantive requirements of the Stockholm Convention on Persistent Organic Pollutants and the Rotterdam Convention on Prior Informed Consent

**Due:** Memo #2

**Week 10: April 2, 2014**
Topic: Hazardous Chemicals, Waste and Materials

**Required reading:**

Africa Digital Graveyard

A short documentary movie produced by the United Nations: Mobile phones and computers have transformed the lives of many – yet billions of discarded electronic devices are ending up in landfills in the world’s poorest countries, posing a potentially lethal toxic threat. But one African country is finding innovative ways to handle this so called “e-waste.”

**Class plan:**
• Introduce the scope of the hazardous waste trade and the capacity challenges of developing countries
• Understand the substantive requirements of the Basel Convention
• Discuss the economic and equity aspects of e-waste generation and disposal
• Review of Memo #2

**Week 11: April 9, 2014**
Topic: Biodiversity

**Required reading:**

**Class plan:**
• Explore the challenges of using international law to conserve biodiversity
• Understand the existing regime to protect biodiversity
• Understand the Biosafety Protocol and how it regulates trans-border shipments of genetically modified organisms

**Week 12: April 16, 2014**
Topic: International Protection of Forests

**Required reading:**
• Understand the state and ecological significance of the world’s forests
• Review the status of sustainable forest management
• Evaluate the progress of the United Nations collaborative initiative on Reducing Emissions from Deforestation and forest Degradation (REDD) in developing countries

Assigned: Memo #3 [TBD]

Week 13: April 23, 2014
Topic: International Corporate Standards and Corporate Social Responsibility
Required reading:
Class plan:
• Explore the limits of international law in regulating corporate behavior and the role in non-binding commitments to fill the gap
• Review corporate codes of conduct (e.g., CERES Principles, The UN Global Compact, etc.) and the role of NGOs
• Understand environmental management systems
• Understand the role of CSR standards in project finance
Due: Memo #3

Week 14: April 30, 2014
Topic: Due: Presentation of group/team reports

Extra Class (if time permits)
Topic: Extraterritorial Application of US Environmental Law
Required reading:
Class plan:
• Highlight the inherent limitations present international doctrines impose on the application of US environmental law
• Explore conflicting view points and misconceptions