

Master of Science in Sustainability Management

SUMA PS5301 International Environmental Law for Sustainability Managers

Date & Time: Refer to the Directory of Classes

Location: TBD

3 Credits

Satisfies Area 4 Requirement

Instructor: Richard A. Horsch rh2582@columbia.edu rhorsch@whitecase.com
Office Hours: Wednesdays from 5:00pm to 6:00pm, location TBD, or by appointment
Response Policy: Preferred means of communication is via email. Students can expect responses typically within 24 hours during the work week. Weekend communication may be limited with delayed response.

Course Reader (Teaching Assistant): Aanchal Mehrotra am5983@columbia.edu

Office Hours: TBD

Response Policy: Preferred means of communication is via email. Students can expect responses within 24 hours.

Course Overview

International Environmental Law is a fascinating field that allows students to consider some of the most important questions of the 21st century – questions that have profound ramifications for the quality of life for our generation as well as future generations. Global environmental problems are real and urgent. Their resolution requires creative and responsible thought and action from many different disciplines.

Sustainability practitioners must understand global environmental issues and their effects on what they are charged to do. At one level, this course will consider the massive challenge of the 21st century: how to alleviate poverty on a global scale and maintain a high quality of life while staying within the bounds of an ecologically limited and fragile biosphere -- the essence of sustainable development. From a more practical perspective, the 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.

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, and biodiversity. The course satisfies the public policy course requirement for the M.S. in Sustainability Management program.

The course is a full semester course to be held in person. The number of students is limited to twenty-five (25). Cross-registration is permitted for SIPA and other graduate students, space permitting.

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.

By the end of the course the student should have become familiar with the relevant international institutions and actors, and their respective roles. Finally, the student should have become knowledgeable about the substantive requirements of the international legal regimes addressing stratospheric ozone protection, climate change, chemicals and waste management and biodiversity.

Learning Objectives

L-1 Understand the history of the development of international environmental law, including the relevant multinational conferences (*e.g.*, Stockholm Conference; Rio Conference; Johannesburg Conference; Rio +20).

L-2 Examine the development and importance of “soft law” documents relevant to international environmental law, including the Sustainable Development Goals (“SDGs”) and other non-binding documents.

L-3 Analyze how international environmental agreements are designed, negotiated, and implemented, including how economic, environmental, social, and cultural values factor into their design, negotiation, and implementation.

L-4 Develop an understanding of and facility in the substantive body of international law that applies to stratospheric ozone protection, climate change, chemicals and waste management, and biodiversity protection.

L-5 Strengthen students’ ability to understand, interpret, and react to future developments in the international environmental legal arena.

Readings

The required textbook for this course is:

Hunter, D., Salzman, J., Zaelke, D. 2022. *International Environmental Law and Policy*. New York: Foundation Press 6th Ed. (ISBN: 978-1-64020-878-0)

A copy of the textbook will be kept on reserve at Columbia’s Science and Engineering Library and the Columbia Law School Library. However, it is strongly recommended that you purchase a copy of the textbook (used or new).

We will also use materials in addition to the textbook. These materials will be made available directly in electronic or hard copy form, or on *Canvas* through an Internet link or a posted item.

Assignments and Assessments

Method of Instruction

Pre-class reading and classroom discussion. Class time will combine lectures and student participation in class discussion of policy and relevant law.

Method of Evaluation

Students will prepare three Take-Home Assignments of approximately 5 to 6 pages each and will have one group/team assignment where they will present a briefing to the class during final exam week on a selected topic of International Environmental Law. The final grade for the course will be determined as follows:

- Individual Take-Home Assignments - 75%

- Team/group presentation - 25%

Meaningful class participation will also be a consideration in the final course grade.

Grading

The final grade will be calculated as described below:

FINAL GRADING SCALE

Grade	Percentage
A+	98–100 %
A	93–97.9 %
A-	90–92.9 %
B+	87–89.9 %
B	83–86.9 %
B-	80–82.9 %
C+	77–79.9 %
C	73–76.9 %
C-	70–72.9 %
D	60–69.9 %
F	59.9% and below

Assignment/Assessment	% Weight	Individual or Group/Team Grade
Take Home Assignment 1	25	Individual
Take Home Assignment 2	25	Individual
Take Home Assignment 3	25	Individual
Group Presentation	25	Individual (taking into account group performance as well as individual performance)

Course Schedule/Course Calendar

Day 1: Wednesday September 4, 2024

Topic: Global Environmental Challenges

Required reading:

Hunter. Chapter 1: The Wild Environmental Facts pp. 3-40.

Class plan:

- 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 policymaking difficult

Day 2: Wednesday September 11, 2024

Topic: Root Causes and Legal Options

Required reading:

Hunter. Chapter 2: The Root Causes pp. 41-81. Chapter 3: Economics and Sustainable Development pp. 97-112.

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 environmental problems

Days 3 and 4: Wednesday September 18 & 25, 2024

Topic: A Brief History of International Environmental Law: From Stockholm to Rio+20

Required reading:

Hunter. Chapter 4: Brief History from Stockholm to Rio (Twice) pp. 131-180. Chapter 5: International Organizations and Non-State Actors pp. 181-212, 242-266.

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 developed countries and developing countries
- Identify and understand the role of the relevant international institutions and non-state actors

Assigned: Take Home Assignment #1 [Date TBD]

Day 5: Wednesday October 2, 2024

Topics: International Environmental Lawmaking

Foundational Principles and Concepts Shaping International Environmental Law

Required reading:

Hunter. Chapter 6: International Environmental Lawmaking pp. 267-270; 285-315.

Chapter 8: Principles and Concepts in International Environmental Law pp. 413-421; Common Heritage of Humankind pp. 433-439; Common Concern of Humankind pp. 439-441; Intergenerational Equity pp. 441-445; Common but Differentiated Responsibilities pp. 445-448; the Precautionary Principle pp. 459-465; The Polluter and User Pays Principle pp. 465-469.

Class plan:

- Review of the treaty-making process
- Review of selected international environmental law principles (see above) and how they are used in international environmental law

Days 6 & 7: Wednesday October 9 & 16, 2024

Topic: Ozone Depletion

Required reading:

Hunter. Chapter 10: Ozone Depletion pp. 521-590.

Recommended reading:

Speth, James G. 2004. *Red Sky at Morning*. New Haven: Yale University Press. Chapter 4. First Attempt at Global Environmental Governance. (To be posted on Canvas).

Class plan:

- Understand the importance of science in connection with international environmental policy responses
- Understand the Montreal Protocol as a successful example of “framework-protocol” style of treaty-making

- Understand the substantive requirements of the Montreal Protocol regime
- Explore the nexus with climate change policy, including the Kigali Amendment to the Montreal Protocol

Day 8: Wednesday October 23, 2024

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

Required reading:

Hunter. Chapter 11: The Law of Climate Change, pp. 591-639

Additional Climate Change Readings: Skim the following Document -- IPCC Sixth Assessment Report (Synthesis Report) Summary for Policymakers:

https://report.ipcc.ch/ar6syr/pdf/IPCC_AR6_SYR_SPM.pdf

Class plan:

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

Days 9 & 10: Wednesday October 30; November 6, 2024

Topic: Climate Change: From UNFCCC to Kyoto to Copenhagen to Paris.

Required reading:

Hunter. Chapter 11: The Law of Climate Change, pp. 639-723.

Paris Agreement, including COP Decision adopting the Agreement:

<http://unfccc.int/resource/docs/2015/cop21/eng/10a01.pdf>

Class plan:

- Understand policy approaches for mitigation
- Review the international response to climate change from the United Nations Framework Convention on Climate Change to the Kyoto Protocol to the Copenhagen Accord
- Review and understand the December 2015 Paris Climate Agreement and the accompanying COP Decision

Assigned: Take-Home Assignment #2 [Date TBD]

Assigned: Group/team project where students will select a specific thematic area (e.g., forests, oceans, polar regions). Group presentations will take place on selected days during Final Exam Week.

Day 11: Wednesday November 13, 2024

Topic: Hazardous Chemicals, Waste and Materials

Required reading:

Hunter. Chapter 14: Hazardous Chemicals pp. 899-932.

Class plan:

- Understand the general scientific background and concepts of risk assessment and management critical to regulation of chemicals and waste
- Understand the danger and concerns with toxins at the international level
- Understand substantive requirements of the Stockholm Convention on Persistent Organic Pollutants and the Rotterdam Convention on Prior Informed Consent
- Understand the Strategic Approach to International Chemicals Management (SAICM)
- Discuss the alternative approach to treaty making illustrated by the development of the chemical regimes

Day 12: Wednesday November 20, 2024

Topic: Hazardous Chemicals, Waste and Materials

Required reading:

Hunter. Chapter 14: The Transboundary Movement of Hazardous Wastes pp. 942-970.

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

Thanksgiving Break -- Wednesday November 27, 2024

Day 13: Wednesday December 4, 2024

Topic: Biodiversity

Required reading:

Hunter. Chapter 15: Biodiversity and Wildlife Conservation pp. 975-1047.

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

GROUP/TEAM PRESENTATIONS: Day or days during study period or final exam period, to be determined.

The third (and final) take-home exam to be posted on Canvas immediately following completion of group presentations.

Course Policies

Participation and Attendance

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, summarizing and discussing legal principles and relevant law, and/or posing relevant questions. You are expected to complete all assigned readings. I will keep track of attendance and look forward to an interesting, lively and confidential discussion. If you miss an experience in class, you miss an important learning moment and the class misses your contribution. If you must miss a class for any reason, please discuss the absence with me in advance. Unexcused absences will affect your grade.

Late work

Work that is not submitted on the due date noted in the exam instructions without advance notice and permission from the instructor will be graded down 1/3 of a grade for every day it is late (e.g., from a B+ to a B).

School and University Policies and Resources

Copyright Policy

Please note—Due to copyright restrictions, online access to this material is limited to instructors and students currently registered for this course. Please be advised that by clicking the link to the electronic materials in this course, you have read and accept the following:

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted materials. Under certain conditions specified in the law, libraries and archives are authorized to furnish a photocopy or other reproduction. One of these specified conditions is that the photocopy or reproduction is not to be "used for any purpose other than private study, scholarship, or research." If a user makes a request for, or later uses, a photocopy or reproduction for purposes in excess of "fair use," that user may be liable for copyright infringement.

Academic Integrity

Columbia University expects its students to act with honesty and propriety at all times and to respect the rights of others. It is fundamental University policy that academic dishonesty in any guise or personal conduct of any sort that disrupts the life of the University or denigrates or endangers members of the University community is unacceptable and will be dealt with severely. It is essential to the academic integrity and vitality of this community that individuals do their own work and properly acknowledge the circumstances, ideas, sources, and assistance upon which that work is based. Academic honesty in class assignments and exams is expected of all students at all times.

SPS holds each member of its community responsible for understanding and abiding by the SPS Academic Integrity and Community Standards posted at <https://sps.columbia.edu/students/student-support/academic-integrity-community-standards>. You are required to read these standards within the first few days of class. Ignorance of the School's policy concerning academic dishonesty shall not be a defense in any disciplinary proceedings.

Diversity Statement

It is our intent that students from all diverse backgrounds and perspectives be well-served by this course, that students' learning needs be addressed both in and out of class, and that the diversity that the students bring to this class be viewed as a resource, strength and benefit. It is our intent to present materials and activities that are respectful of diversity: gender identity, sexuality, disability, age, socioeconomic status, ethnicity, race, nationality, religion, and culture.

Accessibility

Columbia is committed to providing equal access to qualified students with documented disabilities. A student's disability status and reasonable accommodations are individually determined based upon disability documentation and related information gathered through the intake process. For more information regarding this service, please visit the University's Health Services website: <https://health.columbia.edu/content/disability-services>.

Class Recordings

All or portions of the class may be recorded at the discretion of the Instructor to support your learning. At any point, the Instructor has the right to discontinue the recording if it is deemed to be obstructive to the learning process.

If the recording is posted, it is confidential and it is prohibited to share the recording outside of the class.

SPS Academic Resources

The Division of Student Affairs provides students with academic counseling and support services such as online tutoring and career coaching: <https://sps.columbia.edu/students/student-support/student-support-resources>.

Columbia University Information Technology

[Columbia University Information Technology](#) (CUIT) provides Columbia University students, faculty and staff with central computing and communications services. Students, faculty and staff may access [University-provided and discounted software downloads](#).

Columbia University Library

[Columbia's extensive library system](#) ranks in the top five academic libraries in the nation, with many of its services and resources available online.

The Writing Center

The Writing Center provides writing support to undergraduate and graduate students through one-on-one consultations and workshops. They provide support at every stage of your writing, from brainstorming to final drafts. If you would like writing support, please visit the following site to learn about services offered and steps for scheduling an appointment. This resource is open to Columbia graduate students at no additional charge. Visit <http://www.college.columbia.edu/core/uwp/writing-center>.

Career Design Lab

The Career Design Lab supports current students and alumni with individualized career coaching including career assessment, resume & cover letter writing, agile internship job search strategy, personal branding, interview skills, career transitions, salary negotiations, and much more. Wherever you are in your career journey, the Career Design Lab team is here to support you. Link to <https://careerdesignlab.sps.columbia.edu/>