



**Code: IUS/10**

**Credits: 8**

**Matter: Public Environmental Law**

**Main language of instruction: Italian**

**Other language of instruction: English**

## **Teaching Staff**

### **Head instructor**

**Prof. Luigi Conti – luigi.conti@unicusano.it**

### **Introduction**

#### *1. Objective of the course:*

At the end of the course, the student will be able to know the sources and principles of environmental law, also acquiring the ability to interpret its function for the purposes of drafting legislative and regulatory provisions.

Furthermore, the student will be able to know the organization of the administrative apparatus aimed at protecting the environment and the related competences.

The student, therefore, will be able to know the typical institutions aimed at protecting the environment and to understand its aims, structure and peculiarities.

Finally, the student will also know and understand the penal sanctions prepared by the law in order to protect the environment.

### **Objectives**

#### *2. Course Structure:*

The course is developed through the audio-video prerecorded lectures that make up, along with slides and handouts, the study materials available on the platform. Self-assessment tests, asynchronous in nature, are then offered to accompany the prerecorded lectures and allow students to ascertain both their understanding and the degree of knowledge acquired of the content of each of the lectures.

Interactive teaching is conducted in the “virtual classroom” forum and includes 2 Activities that apply the knowledge acquired in the lectures.

Specifically, the teaching provides 8 Training Credits.

The total study load for this teaching is about 200 hours as follows:

about 136 hours for viewing and studying the videotaped material

about 40 hours of Interactive Teaching for the development and delivery of 2 Activities

about 24 hours of Interactive Didactics for taking the self-assessment tests. It is recommended to distribute the study of the subject evenly over a period of 8 weeks by devoting about 25 hours of study per week

### **Competencies:**

At the end of the course, the student will be able to know the sources and principles of environmental law, also acquiring the ability to interpret their function for the purpose of drafting legislative and regulatory measures.

In addition, the student will be able to know the organization of the administrative apparatus aimed at the protection of the environment and its competencies.

The student will, therefore, be able to know the typical institutions aimed at environmental protection and understand their purposes, structure and peculiarities.

Finally, the student will also know and understand the role that the environment plays in the proper management of business activity, in the economic system and in the regulation of public contracts.

### **Syllabus**

#### *3. Program of the course:*

Module 1 - Notion of Environment in which the following topics are covered: The legal notion of environment: doctrinal orientations and jurisprudential arrests, historical evolution of the notion of environment, legal situations, environment as a unitary system.

Module 2 - Sources and Principles of Environmental Law in which the following topics are covered: International, EU and national sources; national and regional legislative power; principles of environmental law of international and EU derivation

Module 3 - Organizational Structure and Skills: in which the following topics are covered: international, EU and national administrative organization in its complexity; the Ministry of Environment: organization and functions; sub-state administrative levels; technical bodies; non-institutional figures: associations, NGOs and citizens.

Module 4 - Administrative Proceedings: in which the following topics are covered: general proceedings: planning and programs; authorizations, standard-setting and ordinance powers; outline of typical proceedings.

Module 5 - Derogations to the administrative system, in which the following topics are covered: derogations in participation, information, access and simplification and Hints of environmental criminal law, in which the following topics are covered:

General principles and hints of individual offenses

Module 6 - Typical Environmental Proceedings in which the following topics are covered: EIA, SEA, AIA, PAUR and interaction between public administration and economic operators, Public Debate and Public Inquiry

Module 7 - Green Public Procurement: Green Procurement, CAM, Private Contractor Selection, Rewarding Criteria in Public Evidence Selections; Hints of Environmental Economics, Development Economics and Sustainable Enterprise

Module 8 - Economic Tools to Protect the Environment: Environmental Certifications, Social Accountability 231, ESG, Sustainable Investment, Role of Information and Certifications.

### **Evaluation system and criteria**

The exam consists in a multiple-choice questions test and a series of activities (Eivity) carried out during the course in virtual classes.

The carrying out of the Eivity during the duration of the course is functional to a better performance of the final test of the course.

The exam can be done in writing either at the Rome office or at the educational centers by prior booking by the student.

The multiple-choice questions are designed to understand the level of knowledge and understanding of the concepts studied and their application in the presence of different hypotheses. Multiple choice questions are assigned a score from 0 to 30.

The expected learning outcomes regarding the knowledge of the subject and the ability to apply them are assessed by the written test, while the communication skills, the ability to draw conclusions and the capacity for self-learning can be evaluated *in itinere* through the development of Eivity.

### **Bibliography and resources**

#### *4. Materials to consult:*

The educational material on the platform is divided into 8 modules.

They completely cover the program and each of them contains lecture notes, slides and video lessons in which the teacher comments on the slides.

This material contains all the elements necessary to deal with the study of the subject.

#### *5. Recommended bibliography:*

Students can choose one of the following textbooks, all available in the university library

- Dupuy, P.-M., & Viñuales, J. E. (2018). *International Environmental Law* (2nd ed.). Cambridge: Cambridge University Press.
- F. Fracchia, *Environmental law: principles, definitions and protection models*, Ed.Scientifica, Napoli, 2015 ISBN. 978-88-6342-774-5
- S. Kingston, V. Heyvaert, A. Čavoški, *European Environmental Law*, Cambridge, CUP, 2017 ISBN 978-1107014701

I suggest sharing the program of study in preparation for the exam by sending an email to [luigi.conti@unicusano.it](mailto:luigi.conti@unicusano.it)