



Code: IUS/10

Credits: 5

Matter: 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 pre-recorded audio-video lessons that compose, together with slides and lecture notes, the study materials available on the platform.

Self-assessment tests are then proposed, of an asynchronous type, which accompany the pre-recorded lessons and allow students to ascertain both the understanding and the degree of knowledge acquired of the contents of each of the lessons.

Interactive teaching is carried out in the "virtual classroom" forum and includes 2 Etivity which apply the knowledge acquired in the lessons.

In particular, the course provides 5 educational credits.

The total study load for this teaching module is approximately 125 hours, divided as follows:

about 85 hours for the visualization and study of the videotaped material (10 hours of videotaped Theory and 10 hours of exercises).

About 25 hours of Interactive Teaching for the preparation and delivery of 2 Ectivity

About 15 hours of Interactive Teaching for the execution of self-assessment tests.

It is advisable to distribute the subject study uniformly over a period of 5 weeks, devoting between 20 and 25 hours of study per week

Competencies:

- The student will be able to use the knowledge of the sources and principles of environmental law, being able to distinguish their hierarchical rank, their effects on the discipline and the consequences of their application for the purpose of creating typical institutions for the protection of environment.
- The student will be able to analyze the system of sources of environmental law and to evaluate the effects of individual regulatory measures in the internal system. The student will be able to analyze the institutions set up to protect the environment, assessing their effectiveness in terms of costs / benefits and to identify the most suitable for each hypothesis among the various options. The student will be able to assess the exceptions to the simplification recognized by the environmental legislation.
- The student will be able to describe and support conversations on issues related to the sources and organization of the administration, typical and non-administrative procedures, and using appropriate terminology. The student will also be able to summarize the various economic or command and control tools identified for environmental protection.
- At the end of the course, the student will have knowledge of the notion of the environment, its identification as a constitutional value, and the ways in which the system has prepared its protection. He will therefore be able to apply the concepts and to analyze and summarize what the main institutions subject to analysis and in particular the typical procedures and economic instruments for protecting the environment, assessing their effects and limits.

Syllabus

3. Program of the course:

Subject 1. Concept of environment in which the following topics are addressed: The legal notion of the environment: doctrinal examination and jurisprudential arrests, I historical evolution of the notion of environment, juridical choices, the environment as a unitary system.

Subject 2 - Sources and principles of law in which the following topics are addressed: International, community and national sources; national and regional legislative power; the principles of international and community law

Subject 3 - Organizational structure and competences: in which the following topics are addressed: the international, community and national public organization in its Complexity; the Ministry of the Environment: organization and functions; sub-state administrative levels; technical technicians; non-institutional figures: associations, NGOs and citizens.

Subject 4 - Administrative proceedings: schedules and programs; the words, the setting of standards and the powers of ordinance; economic measures: subsidies, taxes and green tenders; Typical procedures: VIA, VAS, AIA-IPCC

Subject 5 - Derogations to the administrative system, in which topics are treated: the exceptions regarding participation, information, access

Subject 6 - Criminal Law: General principles and references to individual crimes

Evaluation system and criteria

The exam consists in carrying out a written test aimed at ascertaining the abilities to analyze and re-elaborate the concepts acquired 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 written test involves the elaboration of 1 topic (to be chosen from 2 tracks, generally subject to training during the course) with an open answer and the solution of 20 multiple choice questions.

The open-ended paper will be aimed at understanding the student's ability to understand the concepts studied and to know how to analyze and summarize them within a logical context that is the result of a juridical and at the same time personal evaluation, as proposed during the teaching course. A score from 0 to 10 is assigned to this paper.

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 20.

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 Etivity.

Bibliography and resources

4. Materials to consult:

The educational material on the platform is divided into 7 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