

Course title	International Environmental Law				
Responsible person to enter grades	ABE Kie		開講区分	単位数	
			1st semester	2.0	
Numbering Code		Day・Period, etc.	Wed2(対面)	Timetable Slot Code	1J367

Lesson topic

The theme of this course is international environmental law, a branch of public international law. International environmental law generally refers to a body of legal norms established to address environmental issues and achieve effective environmental protection. These issues are not necessarily global in scale and may also include national or regional concerns. One of the main legal sources of international environmental law is its principles. This semester, we will focus on one such principle: the principle of prevention.

The prevention principle has traditionally developed as a fundamental rule of international environmental law that governs the rights and obligations of neighboring states to prevent transboundary environmental pollution. However, in recent decades, in response to the emergence of severe global environmental issues such as climate change and biodiversity preservation, international environmental treaties have rapidly evolved. Influenced by this trend, the scope of the principle of prevention—what environmental issues it addresses, what obligations it imposes, and how responsibility is allocated—is now being revisited. In connection with this shift, the principle of prevention has increasingly engaged with broader matters of general international law, including its nature as an erga omnes obligation and its legal status.

Lesson target

In the last of this semester, students should be able to:

- Accurately describe international legal norms and institutions for environmental protection.
- Understand how the principle of prevention has evolved and how it relates to issues of general international law.
- Develop and articulate your own perspective on the expected role of the principle of prevention in the modern international society and effectively communicate it to others.

Syllabus and plan

This course will be conducted in a seminar-style class, consisting of two parts: lectures and student presentations.

In the first few weeks, the instructor will deliver lectures. During this period, all students will read the assigned materials, and discussions between the instructor and students will help deepen their understanding of the content. In the final week of lectures, students will be required to submit a reaction paper to review the course materials and practice legal research skills. For student presentations, each presenter will summarize their assigned readings, identify key questions, and lead discussions on the legal issues addressed by the author. In some weeks, students will also be required to provide a brief introduction and legal analysis of selected court decisions or advisory opinions.

Week 1

Introduction of this course and orientation

Week 2

Lecture: The basic structure of public international law and international environmental law

Week 3

Lecture: What are principles of international environmental law and their roles?

Week 4

Lecture: Development of Principle of prevention and its implications

Week 5-15

Students Presentations

Depending on the number of class registration, presentations may be conducted in groups instead of individually.

Evaluation method

The students will be evaluated based on: participation and contribution to discussions(40%); reaction paper (20%); individual or group presentations of the assigned materials(40%). There will be neither final examination nor term paper.

Evaluation baseline

Participation and contribution to discussions will be evaluated based on the quality of questions and comments in an academic manner. Students are expected to actively listen, accurately understand others' perspectives, and offer insights that stimulate further discussion.

The reaction paper will be assessed based on the student's understanding of the principles of international environmental law.

Individual or group presentations will be evaluated on the depth of additional research, as well as the logical and critical analysis of the assigned materials from multiple perspectives.

Notice (include info. on related class)

Students are expected to be familiar with the basic concepts of international law, such as sources of international law, concept of state sovereignty, and state responsibility. If you have never learned public international law so far, please read an introductory textbook before the semester starts.

This course is open not only to GSICS students, but also to students in KIMAP (Kobe LL.M.).

In addition, students are strongly encouraged to take other courses of international law, including "Introduction to International Cooperation Law" and "International Law for Sustainable Development (KIMAP)."

Review and preparation

Students are expected to read the assigned reading materials prior to attending each class and be prepared for discussions. If you have questions or find any points you cannot understand clearly in preparation, it will be beneficial to consider why and/or how you cannot grasp them. After each class, reviewing whole discussion in the class and revisiting the questions and uncertain points you have are helpful.

Kobe University requires 45 hours of study from students to award one credit, including both in-class instructions as well as study outside classes. Students are required to prepare for each class and complete the review after each class, depending on the respective class goals.

Office hour · Contact information

Please make an appointment via e-mail beforehand.

k_abe(at)port.kobe-u.ac.jp

Message for student

Contemporary society is filled with contentious issues, to which answers cannot be given easily. When it comes to such issues, no one can teach you or determine instead of you the "correct" answer for society as a whole—you must think critically and develop your own perspectives. Through the practice of engaging with difficult questions rather than avoiding them, I encourage you to experience both the necessity and the excitement of tackling these controversial topics.

Improvements in Teaching

Text

Reading materials will be provided through the course page which will be made available through BEEF+.

Reference Material

The Prevention Principle in International Environmental Law / Leslie-Anne Duvic-Paoli : Cambridge University Press ,2018 , ISBN: 9781108553728

The Oxford Handbook of International Environmental Law (2nd edition) / Lavanya Rajamani and Jacqueline Peel (eds.) : Oxford University Press ,2021 , ISBN:9780198849155

Routledge Handbook of International Environmental Law / Erika Techera, Jade Lindley, Karen N. Scott, Anastasia Telesetsky (eds.) : Routledge ,2021 , ISBN:9780367209247

Classroom Language

English

Keywords

International law, Principle of Prevention, International environmental law, International law of the sea, biodiversity, climate change