

Rutgers University  
**International Environmental Law & Policy** (3 credits)  
11:374:462/ 34-970-651  
**Professor Cymie Payne**

**Course Book and Technology** Readings will be identified in the modules for each class. These will be available on Canvas, the web, or University Library e-reserves. There is no textbook to purchase.

See Canvas Syllabus, Announcements, and Modules for directions about how to prepare for class and class activities. The course Canvas site will be the location you should check regularly for updates to the syllabus, announcements (which include information about meeting times, assignments, tips and answers to student questions, and postings of internships, events of interest, and hot news relevant to the class), written assignments, reading assignments (in Modules), and other information.

**Course Description** Law is a central basis for governments to cooperate on climate change, protection of biodiversity, pollution prevention, and equity between developing and developed nations. It provides a means to link science to policy. It can be an expression of power or a control on power. We explore the role of law in international environmental governance. The course will begin with a brief introduction to public international law as it relates to the environment and a discussion of what “international environmental law” means. We discuss issues, legal sources, and institutions that include international environmental treaties, the role of international courts in identifying and establishing international environmental law, and international regulation of private conduct that affects the environment. Specific topics will include human rights and the environment, climate change, ocean biodiversity, the relationship between domestic and international law, and the use of science to inform law and policy.

**Learning outcomes and objectives** You will be able to:

- Apply law-based strategies, including both substantive and procedural law, to govern natural resources and pollution across international borders, including water allocation, use of marine resources, and management of greenhouse gas emissions.
- Know and understand the fundamental principles of sovereignty; international dispute settlement, treaties, and negotiation; and sources of international environmental law, including the formation of customary international law.
- Apply analytical approaches and governance tools learned in class to real-world environmental challenges.
- Conduct basic legal research using materials appropriate for U.S. and international jurisdictions.
- Effectively communicate orally and in writing.

**Basis for Evaluation**

- Participation 10 points - All semester
- Reading summaries of key concepts (6 total) 30 points - Due each week 2 hours before class (see explanation below)
- Written assignments 30 points - Explained in class
- Presentation 10 points
- Quizzes 20 points
- Indiana University Plagiarism Certificate – Zero points, required to get a grade in the course

## **Explanation of Course Activities**

This course emphasizes your reading skills, discussion skills, and writing skills. This is an upper-level seminar, so there will be a fairly intense amount of reading and writing spread throughout the semester.

Because we only meet once a week, each class session is equivalent to two regular period classes. The expected time for preparing for class and completing assignments is a total of 6 hours per week outside of class time. Please budget your time for homework that you can devote the necessary time to staying up to date with the readings and written assignments. You are expected to do all the required readings for the assigned dates and to be prepared to discuss them in class. Written assignments must be handed in before or on the deadline. I may “cold call” members of the class from time to time – your reading summaries will help you refresh your memory about the relevant reading and help you respond.

**Participation** - This is a seminar class, and real time participation in class discussion is one of the sources of learning. This class will usually meet in-person, but we can expect that we will have to be virtual via Zoom sometimes. The attendance and participation expectations are the same for both formats.

In class you will be expected to discuss the reading, identifying the problems, the legal and policy tools designed to address them, and the considerations that determine success or failure. Critical thinking and evidence-based arguments are encouraged. You may be asked to take and argue for a position that you disagree with to test the strength of different perspectives.

Be prepared by reading the assignments and take the opportunity to make thoughtful contributions to class discussion. This part of your grade reflects your interest in learning, your willingness to contribute your own ideas to the group learning process, at the same time that it provides an incentive for you to be present and acquire information and skills. You should attend every class. I realize that sometimes circumstances arise that make this difficult. I will excuse absences for reasons recognized by University policy and supported by appropriate documentation.

**Written Assignments** – will be explained in class

### **Reading Summaries**

Prepare 6 reading summaries, for classes 2-7. Each one should be a brief (no more than one page) summary that highlights the key concepts, definitions, and theories discussed in the assigned readings.

With the reading summary, include 2 questions based on the readings - they can be provocations for class discussion or seeking better understanding of the reading.

Submit your reading summary each week via Canvas **NO LATER THAN 2 HOURS BEFORE** the beginning of the class in which it is due. Reading summaries will **NOT** be accepted after the class they are due; there are no exceptions.

Have your summary available to refer to during class to prompt your recollection of the reading.

They are graded credit/no credit.

**Indiana University Plagiarism Certificate** - Complete the Indiana University Plagiarism Tutorials and Tests, to learn and understand what plagiarism is and how to ensure that you do not inadvertently commit plagiarism. Go to <https://plagiarism.iu.edu> and do the tutorials and practice tests, then take the certification test and send me the certificate. This should take you roughly two hours. If you have already received a certificate from this program you can simply send that to me.

**Presentation** – Short presentations of research prepared for the writing assignments, scheduled to correspond with our class coverage of related topics.

**Academic Integrity** I expect Rutgers students to behave with integrity. You can find a description of Rutgers academic integrity policy here: <http://academicintegrity.rutgers.edu/>. Please read it carefully. Plagiarism is, in fact, the theft of someone else’s ideas and words with the dishonest claim that they are yours. Infractions will be referred to the appropriate dean with the recommendation of the harshest sanction allowed, which may include expulsion. When in doubt, quote and drop a footnote reference to the source.

**Disability Services** If you are entitled to a disability accommodation, I encourage you to request it. If you are a student with a disability, contact the appropriate disability services office at the campus where you are officially

enrolled, participate in an intake interview, and provide documentation: <https://ods.rutgers.edu/students/documentation-guidelines>. If the documentation supports your request for reasonable accommodations, your campus's disability services office will provide you with a Letter of Accommodations to share with me. Discuss the accommodations as early in the course as possible. To begin this process, please complete the Registration form on the ODS web site at: <https://ods.rutgers.edu/students/registration-form>.

**Help with Canvas** <https://it.rutgers.edu/help-support>.

## Syllabus

*Detailed assignment sheets will be posted on Canvas in Module*

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| 1  | Planetary and National Boundaries: Actors, Instruments, and Institutions<br>Introduction to Treaty Analysis Project        |
| 2  | Public International Law and International Relations<br>Reading: Bodansky, chapter 1; 17.6 Oran Young<br>BBNJ reading      |
| 3  | Sovereignty, Cooperation, Disputes and Shared Watercourses<br>Empirical International Relations<br>Reading: Coding Manual  |
| 4  | Ocean Law – Zones/Enclosure/Protection of the Environment  |
| 5  | Biodiversity Within and Beyond National Jurisdiction   |
| 6  | UN field trip  |
| 7  | Science in International Law - Recorded Lecture and visit to COOL Room, Marine and Coastal Sciences Building, in the lobby |
| 8  | Ozone Depleting Substances and Climate Change  |
| 9  | BBNJ – Analyzing the Treaty  |
| 10 | Human Rights and Environment   |
| 11 | Protection of the Environment in Relation to Armed Conflict  |
| 12 | Plastic Pollution  |
| 13 | Fresh Water  |
| 14 | Review and discussion of global environmental governance<br>Presentation of argumentative assignment                       |