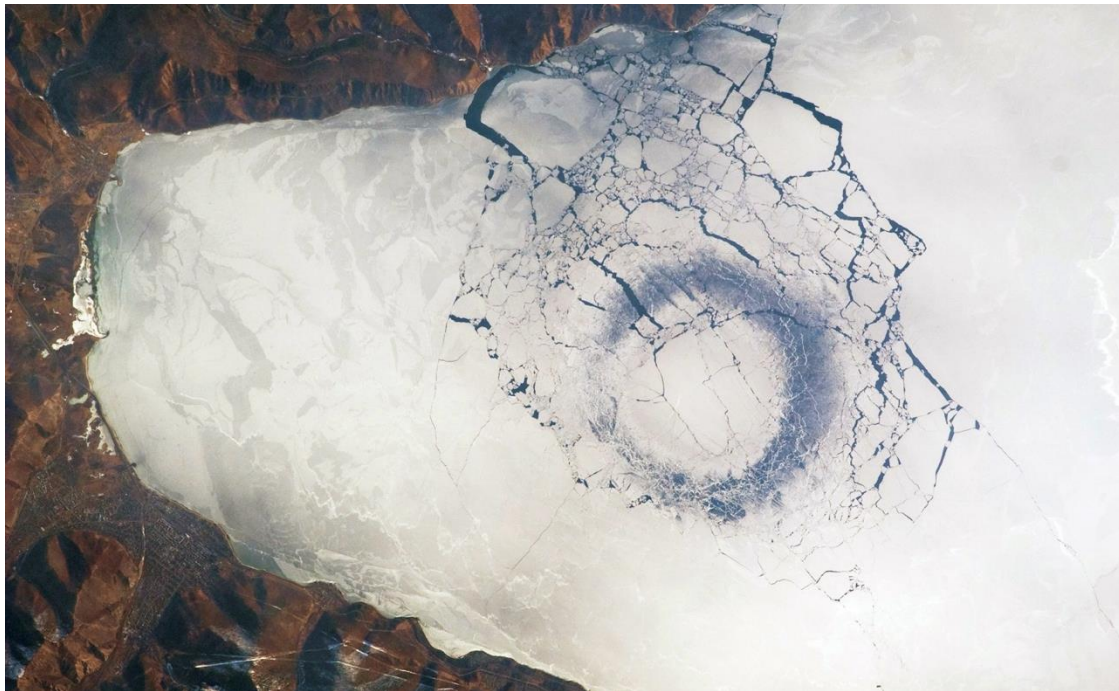


Jean Monnet Module in European and International Environmental Law

Syllabus for course participants

Activities 2020-2023



Teaching Staff

Prof. Riccardo Pavoni; Dr. Dario Piselli; Prof. Elisa Morgera;
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Cluster 1

Sustainable development in the context of European and international environmental law

Recommended Readings:

- Jeffrey D Sachs, 'Capitolo 6 - I limiti del Pianeta' in Jeffrey D Sachs, *L'Era dello Sviluppo Sostenibile* (Università Bocconi Editore 2015)
- 'Trasformare il nostro mondo: l'Agenda 2030 per lo Sviluppo Sostenibile' Risoluzione dell'Assemblea Generale delle Nazioni Unite, A/RES/70/1
- 'Dichiarazione sui Principi Guida dello Sviluppo Sostenibile' - Conclusioni del Consiglio (15 Luglio 2005) pp.28-32
- 'L'Azione Europea a Favore della Sostenibilità' Comunicazione della Commissione Europea del 22.11.2016, COM(2016) 739 final
- Risoluzione del Parlamento europeo del 6 luglio 2017 sull'azione dell'UE a favore della sostenibilità (2017/2009(INI))
- Il futuro sostenibile dell'Europa: la risposta dell'UE all'Agenda 2030 per lo sviluppo sostenibile - Conclusioni del Consiglio (20 Giugno 2017) 10370/17

Optional Readings:

- Jeffrey D Sachs, 'Capitolo 1 - Introduzione' in Jeffrey D Sachs, *L'Era dello Sviluppo Sostenibile* (Università Bocconi Editore 2015)
- Karl Falkenberg, *Sustainability Now! A European Vision for Sustainability* (EPSC Strategic Notes, Issue 18, European Political Strategy Centre 2016)
- Ingeborg Niestroy, *How Are We Getting Ready? The 2030 Agenda for Sustainable Development in the EU and its member States* (Discussion Paper 9/2016, German Development Institute 2016)

Cluster 2

Fundamental notions of international environmental law

Recommended readings:

- UN General Assembly, United Nations Conference on the Human Environment, 15 December 1972, A/RES/2994
- Rio Declaration on Environment and Development (adopted 13 June 1992) 31 ILM 874
- Pierre-Marie Dupuy and Jorge E. Vinuales, International Environmental Law, 2nd edition (Cambridge University Press 2018) Chapters 1-3

Optional readings

- United Nations Framework Convention on Climate Change (adopted 9 May 1992, entered into force 21 March 1994) 1771 UNTS 107
- Convention on Biological Diversity (adopted 5 June 1992, entered into force 29 December 1993) 1760 UNTS 79
- Paris Agreement (adopted 12 December 2015, entered into force 4 November 2016) UN Doc FCCC/CP/2015/10/Add.1

Cluster 3

EU environmental law: historical evolution, legal bases, objectives and principles

Recommended readings:

- Nicolas de Sadeleer, EU Environmental Law and the Internal Market (Oxford University Press 2014) Chapter 1: Environmental Objectives, Principles and Criteria of the Environmental Policy in the TEU and TFEU
- Nicolas de Sadeleer, EU Environmental Law and the Internal Market (Oxford University Press 2014) Chapter 2: The Right to Environmental Protection in Treaty Law, in the ECHR and in the EUCFR
- Commissione Europea, 'Il Green Deal Europeo' COM (2019) 640 final

Optional readings:

- David Langlet and Said Mahmoudi, EU Environmental Law and Policy (Oxford University Press 2016) Chapter 4: Division and Exercise of Competence

Cluster 4

EU environmental law and the internal market

Recommended readings:

- Luigi Daniele, Diritto del mercato unico europeo e dello spazio di libertà, sicurezza e giustizia (3rd edition, Giuffrè) Capitolo 1: Nozioni Generali
- Carolyn Abbot and Maria Lee, 'Economic Actors in EU Environmental Law' (2015) 34 *Yearbook of European Law* 26
- Luigi Daniele, Diritto del mercato unico europeo e dello spazio di libertà, sicurezza e giustizia (3rd edition, Giuffrè) Capitolo 2: Libera Circolazione delle Merci
- David Langlet and Said Mahmoudi, EU Environmental Law and Policy (Oxford University Press 2016) Chapter 3: Free Movement of Goods and the Room for Member State Action

Cluster 5

The environmental jurisprudence of the European Court of Justice

Recommended readings:

- David Langlet and Said Mahmoudi, EU Environmental Law and Policy (Oxford University Press 2016) Chapter 5: Monitoring the Application of Union Environmental Law and Sanctions
- EU CJ Case 240/83 Procureur de la République v Association de défense des brûleurs d'huiles usagées (ADBHU) [1985] ECR 531
- EU CJ Case 240/83 Procureur de la République v Association de défense des brûleurs d'huiles usagées (ADBHU) [1985] ECR 531, Opinion of AG Lenz
- EU CJ Case 302/86 Commission of the European Communities v Kingdom of Denmark [1988] ECR 4607
- EU CJ Case 302/86 Commission of the European Communities v Kingdom of Denmark [1988] ECR 4607, Opinion of AG Slynn
- EU CJ Case C-2/90 Commission of the European Communities v Kingdom of Belgium [1992] ECR I-4431
- EU CJ Case C-67/97 Bluhme [1998] ECR I-8033
- EU CJ Case C-242/17 LEGO SpA v Gestore dei Servizi Energetici SpA e.a. [2018]

Cluster 6

EU biodiversity law

Recommended readings:

- Jeffrey D Sachs, 'Capitolo 13 - Salvare la Biodiversità e Proteggere I Servizi Ecosistemici' in Jeffrey D Sachs, *L'Era dello Sviluppo Sostenibile* (Università Bocconi Editore 2015)
- Commissione Europea, 'Strategia dell'UE Sulla Biodiversità Fino al 2020' COM(2011) 244 final
- Commissione Europea, 'Un piano d'azione per la natura, i cittadini e l'economia' COM(2017) 198 final
- Commissione Europea, 'Strategia dell'UE sulla biodiversità per il 2030' COM (2020) 380 final
- EUCJ Case 441/17 European Commission v Republic of Poland [2018]
- EUCJ Case 441/17 European Commission v Republic of Poland [2018] Opinion of AG Bot

Optional readings:

- Nicolas de Sadeleer, 'European Union' in Elisa Morgera and Jona Razzaque (eds) *Biodiversity and Nature Protection Law*. Elgar Encyclopedia of Environmental Law Volume III (Edward Elgar 2017)
- Hendrik Schoukens and An Cliquet, 'Biodiversity offsetting and restoration under the European Union Habitats Directive: balancing between no net loss and deathbed conservation?' (2016) 21(4) *Ecology and Society* 10

Cluster 7

EU law, climate change and energy

Recommended readings:

- 'Accordo di Parigi' (Traduzione non Ufficiale del Ministero dell'Ambiente Italiano del testo ufficiale del Paris Agreement)
- Commissione Europea, 'Quadro per le politiche dell'energia e del clima per il periodo dal 2020 al 2030' COM(2014) 15 final
- Commissione Europea, ' "Pronti per il 55 %": realizzare l'obiettivo climatico dell'UE per il 2030 lungo il cammino verso la neutralità climatica' COM (2021) 550 final
- Intended Nationally Determined Contribution of the European Union and its Member States (2015)
- Update of the NDC of the European Union and its Member States (2020)
- Commissione Europea, 'Strategia dell'UE di Adattamento ai Cambiamenti Climatici' COM(2013) 216 final
- Sentenza del 4 Ottobre 2018, L.E.G.O., C-242/17, ECLI:EU:C:2018:804
- Sentenza del 1 Luglio 2014, Ålands Vindkraft, C-573-12, ECLI:EU:C:2014:2037

Optional readings:

- Jeffrey D Sachs, 'Capitolo 12 - Il Cambiamento Climatico' in Jeffrey D Sachs, L'Era dello Sviluppo Sostenibile (Università Bocconi Editore 2015) 867
- David Langlet and Said Mahmoudi, EU Environmental Law and Policy (Oxford University Press 2016) Chapter 11: Climate and Energy
- Caterina Mariotti, 'Theory and Practice of Emissions Trading in the European Union: Some Reflections on Allowance Allocation in Light of the DK Recycling Case' (2016) 1(3) *European Papers* 1153

Cluster 8

EU law on waste and chemicals

Recommended readings:

- David Langlet and Said Mahmoudi, EU Environmental Law and Policy (Oxford University Press 2016) Chapter 12: Waste, and Chapter 13: Chemicals
- Commissione Europea, 'Strategia in materia di sostanze chimiche sostenibili. Verso un ambiente privo di sostanze tossiche' COM(2020) 667 final
- Commissione Europea, 'Un percorso verso un pianeta più sano per tutti . Piano d'azione dell'UE: "Verso l'inquinamento zero per l'aria, l'acqua e il suolo"' COM(2021) 400 final
- Commissione Europea, 'Un nuovo piano d'azione per l'economia circolare. Per un'Europa più pulita e più competitiva' COM(2020) 98 final

Cluster 9

Environmental dimensions of the Common Agricultural Policy

Recommended readings:

- Commissione Europea, 'Una strategia "Dal produttore al consumatore" per un sistema alimentare equo, sano e rispettoso dell'ambiente' COM (2020) 381 final
- Alberto Germanò, Manuale di Diritto Agrario (Giappichelli 2016) Capitolo 10: Agricoltura, Ambiente, Territorio
- Rubino Masini, La Sostenibilità in Agricoltura e la Riforma della PAC, (Cacucci 2021)

Optional readings:

- Gerry Alons, 'Environmental policy integration in the EU's common agricultural policy: greening or greenwashing?' (2017) 24(11) European Journal of European Public Policy 1064

Cluster 10

Environmental aspects of EU food law

Recommended readings:

- Silvia Manservigi, Nuovi profili del diritto ambientale UE. Tra evoluzione scientifica e sviluppo sostenibile (Aracne 2018)
- Ferdinando Albisinni, Strumentario di Diritto Alimentare Europeo (UTET 2018) Capitolo 7: Alimenti, Politica Agricola Comune e Concorrenza; Capitolo 13: Nuove Tecnologie, Materia Vivente e Mercato, Brevetti, Novel Foods, OGM; Capitolo 16: Le Politiche della Sicurezza Non Solo Alimentare

Cluster 11

EU fisheries law and the protection of the marine environment

Recommended readings:

- Robin Churchill and Daniel Owen, The EC Common Fisheries Policy (Oxford University Press 2010) Chapters 1-3
- David Langlet and Said Mahmoudi, EU Environmental Law and Policy (Oxford University Press 2016) Chapter 10: Water
- Martin Aranda and others, 'EU Fisheries Policy – Latest Developments and Future Challenges' (European Parliament, Policy Department for Structural and Cohesion Policies, 2019)



About the EIEL Module

The Jean Monnet Module on European and International Environmental Law (EIEL) aims to provide students, practitioners and civil society with in-depth knowledge about the state of the art of European and international environmental law and policy, its achievements and challenges, and its interaction with emerging environmental issues and landmark intergovernmental processes. It is hosted by the Department of Law of the University of Siena (Italy) and co-funded by the Erasmus+ programme of the European Commission until August 2023.

Two overarching themes run through the Module:

- (a) the emphasis on the most pressing and emerging issues in European and international environmental law, including the interconnected planetary crises of climate change and biodiversity loss;
- (b) (b) the particular focus on implementation and enforcement at the level of the EU and its Member States.

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