Course Specifications
Valid in the academic year 2018-2019

International and European Biodiversity Law (B001579)

Course

Lecturers in academic year 2018-2019
Cliquet, An

RE22 lecturer-in-charge

Offered in the following programmes in 2018-2019

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Teaching languages

English

Keywords

Biodiversity, nature conservation, sustainable management of natural resources, international biodiversity law, European biodiversity law

Position of the course

Nature and biodiversity (variation of life on Earth) are of fundamental importance for humans. Biodiversity loss is, next to climate change, the most serious environmental problem humans are facing. This course aims at giving students knowledge and insight in international and European biodiversity law. Attention is given to the importance of biodiversity for humans, the problem of biodiversity loss, causes (the ‘ecological footprint’), the consequences for humans and possible solutions in international and European policy and law. Next to more conventional approaches (protection of threatened species and nature areas), new evolutions in policy and law will be introduced (e.g. restoration and financing of ‘ecosystem services’). Biodiversity policy and law is set in a broader context (relation between economy and nature, economic valuation of ecosystems, sustainable development, integration with other policy domains). Biodiversity law has an impact on various other aspects of law and policy and is crucial for our economic thinking and for building a more sustainable society, both local and global.

Contents

This course consists of three parts. A first part is an introduction and includes main international and regional actors and sources of biodiversity law; ethical and social background; ecological background (the role and loss of biodiversity, consequences of biodiversity loss); the legal regime of natural resources, measures for biodiversity conservation. A second part describes and evaluates the main international (global) instruments on biodiversity (including the Biodiversity convention, World Heritage Convention, conventions on the protection of specific ecosystems and specific species). A third part deals with EU policy and law on biodiversity (EU directives, relation with other policy domains). Specific attention is given to case law of the European Court of Justice relating to biodiversity and the impact thereof on economic activities.

(Approved)
Specific topics can be dealt with by guest speakers (e.g. exploitation of mineral resources and the impact on the environment and human rights). Students are asked to submit a short written contribution on a national court case on biodiversity law. The cases will be discussed in class. One or more field visits will be made to Flemish nature areas, in order to look at the application of European biodiversity law in practice.

Initial competences
- A general and basic knowledge on international law (sources of international law, treaty law, etc.) is recommended. No previous knowledge of international and European biodiversity law is required.
- The capacity to consult literature on international and European biodiversity law.
- To be willing to develop a critical, scientific and interdisciplinary attitude.

Final competences
1. To know general aspects of international and European biodiversity law (principles, main global and regional conventions, EU-Directives, international and European case law).
2. To have an insight in international and European biodiversity law.
3. The capacity to analyse legal and other sources of international and European biodiversity law.
4. To have attention for actualities relating to international and European biodiversity law.
5. The capacity for critical thinking on international and European biodiversity law.
6. To write a note about a legal case on biodiversity law.
7. To be open minded for concepts of other legal systems and other disciplines (ecology, environmental ethics and social sciences).

Conditions for credit contract
Access to this course unit via a credit contract is unrestricted: the student takes into consideration the conditions mentioned in 'Starting Competences'

Conditions for exam contract
This course unit cannot be taken via an exam contract

Teaching methods
Excursion, lecture, self-reliant study activities

Extra information on the teaching methods
Lectures: during the lectures an overview is given of international and European biodiversity law. Throughout the course questions are asked to the students in order to let students think along and increase their participation.
Self-reliant study activity: each student writes a short note on a national court case about biodiversity law. These cases are further discussed in class.
Excursion: visit to one or more protected areas, guided by an expert.
For the students of the MSc in maritime sciences the excursions are not part of their programme.

Learning materials and price
- Cliquet, A., International and European biodiversity law, 2019 (available on Minerva, free of charge).
- Cliquet, A., International and European biodiversity law, powerpoint presentations, 2019 (available on Minerva, free of charge).
Participation excursion: 10 euro.

References
- Gillespie, A., Conservation, Biodiversity and International Law, Edward Elgar, 2011.

Course content-related study coaching
- Minerva
- Individual guidance (by email or on appointment).

Evaluation methods
end-of-term evaluation and continuous assessment

Examination methods in case of periodic evaluation during the first examination period
Written examination with open questions

Examination methods in case of periodic evaluation during the second examination period

(Approved)
Written examination with open questions

Examination methods in case of permanent evaluation
Assignment
Possibilities of retake in case of permanent evaluation
   examination during the second examination period is possible
Extra information on the examination methods
   Exam: general knowledge-focused questions, application-focused questions.
   Evaluation of the note on case law.
Calculation of the examination mark
   • Periodic exam 70
   • Written paper 30%
   Retake assignment: reworking the case-note (or submit an assignment if this had not been done)
   Students who do not participate in all evaluations will be declared as unsuccessful for this course. In concrete terms, this means that if the final score is nevertheless a figure of ten or more out of twenty, the final score will be reduced to a figure of 7/20.

Facilities for Working Students
   Work students are not obliged to attend the group discussions.