

LAWS90042 Development, Environment and Int'l Law

Credit Points:	12.5
Level:	9 (Graduate/Postgraduate)
Dates & Locations:	2016, Parkville This subject commences in the following study period/s: August, Parkville - Taught on campus. This subject has a quota of 30 students. Please refer to the Melbourne Law Masters website for further information about the management of subject quotas and waitlists.
Time Commitment:	Contact Hours: 24-26 hours Total Time Commitment: 136-150 hours The pre-teaching period commences four weeks before the subject commencement date. From this time, students are expected to access and review the Reading Guide that will be available from the LMS subject page and the subject materials provided by the subject coordinator, which will be available from Melbourne Law School. Refer to the Reading Guide for confirmation of which resources need to be read and what other preparation is required before the teaching period commences.
Prerequisites:	Melbourne Law Masters Students: None JD Students: None
Corequisites:	None
Recommended Background Knowledge:	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.
Non Allowed Subjects:	None
Core Participation Requirements:	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis and critique of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and to critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact Student Equity and Disability Support.
Contact:	Lecturers Ms Alice Palmer (http://www.law.unimelb.edu.au/staff/Alice%20Palmer) (Coordinator) Assistant Professor Usha Natarajan (http://www.law.unimelb.edu.au/staff/Usha%20Natarajan) Email: law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) Phone: +61 3 8344 6190 Website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)
Subject Overview:	This subject will examine the nature and capacity of international law to accommodate both environment and development objectives. It will explore the meaning of 'development', the legal basis for promoting development, and the ways in which states balance environment and development considerations in international law. The nexus between development and the environment in international law is complex. International laws protecting the environment have evolved to take account of development considerations. Environmental treaties such as the United Nations Framework Convention on Climate Change provide for different commitments

	<p>from developing and developed countries. Meanwhile, international cooperation fostering development has been shaped by environmental protection. Economic instruments, such as those governing international trade, impact on environmental regulation and development lending is often linked to environmental performance. The catch-all concept of sustainable development is invoked by states to combine consideration for environmental, economic and social development imperatives leading to contested outcomes.</p> <p>Principal topics include:</p> <ul style="list-style-type: none"> # The historical evolution of the concept of 'sustainable development' in international law and the crafting of 'Sustainable Development Goals' # A critical appraisal of characterisations of 'rights' to a clean environment and to development in international law # Case studies demonstrating how international laws to protect the environment take account of development considerations # Case studies demonstrating how international economic instruments impact on or integrate environmental protection # A critical assessment of the role of international law in states' cooperative efforts to balance environment and development objectives.
Learning Outcomes:	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> # Have an advanced and integrated understanding of the international legal principles governing the environmental impacts of development, including recent developments in this field of law and practice # Be able to critically examine, analyse, interpret and assess the effects and implications of these legal rules # Be an engaged participant in debate regarding emerging and contemporary issues in the field, such as the place of 'sustainable development' in international environmental law and the relationship between international economic instruments and environmental protection # Have a sophisticated appreciation of the factors and processes driving the coordination of development and environment objectives in international decision-making # Have an advanced and detailed understanding of the international laws and processes that attempt to combine environment and development considerations # Have the cognitive and technical skills to generate critical and creative ideas relating the relationship between development and environmental protection in international law and to critically evaluate the outcomes from the different perspectives of the North and the South # Have the cognitive and technical skills to independently examine, research and analyse existing and emerging legal issues relating to the intersection between the development project and environmental impact # Have the communication skills to clearly articulate and convey complex information regarding international legal instruments and concepts that aim to balance development and environment objectives # Be able demonstrate autonomy, expert judgment and responsibility as a practitioner and learner in the field of international law at the intersection of development and environmental protection priorities.
Assessment:	<p>Class participation (10%) Class presentation group exercise in which each individual is expected to present for 3-5 minutes (10%) 8,000 word research paper (80%) (2 November) from a choice of topics or on a topic approved by the subject coordinator A minimum of 75% attendance is a hurdle requirement.</p>
Prescribed Texts:	<p>Specialist printed materials will be made available free of charge from the Melbourne Law School prior to the pre-teaching period.</p>
Breadth Options:	<p>This subject is not available as a breadth subject.</p>
Fees Information:	<p>Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees</p>
Links to further information:	<p>www.law.unimelb.edu.au/subject/LAWS90042/2016</p>
Related Course(s):	<p>Graduate Diploma in Environmental Law Graduate Diploma in International Economic Law Graduate Diploma in International Law Graduate Diploma in Legal Studies Juris Doctor</p>

Master of Environmental Law
Master of Law and Development
Master of Laws
Master of Public and International Law