

Module Layout DEE 211 / Environmental Law

Faculty	SOED	Faculty of Economics and Management	
Programme of Study	DEE	European Union Law	
Module	DEE 211	Environmental Law	
Level	Undergraduate	Graduate	
		Master	Doctoral
		√ (Joint programme)	
Language of Instruction	Greek		
Teaching Method	Distance Learning		
Module Type	Mandatory		Optional
	√		
Number of Cohort Tutorial Meetings	Total	Physical Presence	Web conferences
	4	2	2
Number of Assignments	2		
Final Grade Calculation	Assignments		Final Exams
	30 %		70 %
Number of European Credit Transfer System (ECTS)	15		

Module Description

The module DEE 211 «Environmental Law» is one of the core modules that students need to undertake in order to complete the master program of studies in “European Law”. The goal of this module is to provide students with the tools and concepts necessary to analyse and understand the legal foundations and functioning of environmental protection in the European Union.

Initially this module aims at familiarising students with the historical background of environmental protection in the European Union, the legal basis for environmental policy as well as its fundamental principles and objectives. At a later stage this module will introduce students to substantive environmental law topics such as environmental liability, environmental information, water and air protection and waste management. Lastly this module will focus on the relationship of European Union environmental law with the issues of energy and internal market as well as on the issue of correct implementation – application of European Union environmental law at national level.

Module Prerequisites

DEE111	European Institutional Law
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Final Grade Composition



Assessment Method	Percentage on Overall Grade	Workload	
		Hours	ECTS
Weekly Study (14 weeks*~18 hours) (2 weeks *~25 hours)	0 %	~275 - ~330	11
Assignment 1	15 %	~50 - ~60	2
Assignment 2	15 %	~50 - ~60	2
Final Exam	70 %	3	-
Total	100%	~375 - ~450	15

Grading Policies and Evaluation Methods

- Students are evaluated with 10, if they collect 100% of the possible grade.
- Students are evaluated with 9, if they collect 90% of the possible grade, meaning, $90\% \times 10 = 9$, etc.
- Passing rate
 - 50% of Assignments, Students are allowed to participate in the final exam of a Module, if they have overall collected the minimum grade ($\geq 50\%$) in their assignments.
 - 50% of the Final exam

If a student gains a grade with decimal points, then it is rounded to the nearest half unit.

Main Skills that shall be developed

The students who will successfully complete this Module, are expected to be able to:

- Understand the historical evolution of environmental policy in the European Union (EU).
- Acknowledge the main objectives of the EU's environmental policy.
- Approach critically the fundamental principles that constitute the legal basis for the EU environmental policy.
- Analyse specific environmental law issues such as water protection and waste management.
- Acknowledge the importance of coupling the issue of environmental protection with the issue of energy and internal market.
- Understand the importance of correct and timely implementation and application of EU environmental law at national level.

Intended Learning Outcomes

The students that will successfully complete this Module, are expected to be able to:

Knowledge

- Refer to the main provisions of the Treaty of Functioning of the European Union (TFEU) that concern the environmental policy of the Union.
- Enumerate the fundamental principles of environmental policy of the EU.
- Be aware of the Directives and Regulations that constitute the main body of substantive EU Environmental law.
- Specify the operational context of the Union's environmental policy *vis a vis* its energy policy and the internal market.
- Be aware of the functioning of Article 258 and 267 of the TFEU.

Comprehension

- Distinguish the main features of each historical period of the evolution of environmental policy in the EU.
- Compare the precautionary principle with the prevention principle.
- Comprehend the importance of the existence of environmental liability and of the provisions of the Aarhus Convention in the EU legal order.
- Elucidate the model on water management introduced by the Framework Directive 2000/60 /EC and the model on estimation and management of of air quality introduced by the Framework Directive 2008/50 /EC.
- Distinguish between "waste" and "by-products".

- Elucidate the fundamental importance of environmental protection and the instances it can be regarded as a legitimate restriction in the free movement of goods.

Application

- Apply the case law of the Court of Justice of the European Union (CJEU) regarding environmental protection.
- Solve problems regarding water and air protection and waste management.
- Use the text of the TFEU and of relevant Directives and Regulations in order to construct solutions to problem questions that concern water and air protection and waste management.
- Classify the fundamental principles of European environmental policy according to their importance in the various substantive environmental law areas.
- Identify the gaps that exist in the EU legislation that shall be covered taking into consideration current environmental risks.

Analysis

- Analyse the content of the main objectives of environmental policy of the EU.
- Analyse the decisions of the CJEU examining and interpreting the content of fundamental principles of environmental policy of the EU.
- Discuss the importance of the right of public access to environmental information.
- Demonstrate leading case law of the CJEU that interprets the provisions of Directives and Regulations that constitute the main body of substantive EU Environmental law.
- Summarise the obligations of EU Member States regarding the correct implementation of Directives, of both minimum and maximum harmonisation, concerning the EU environmental policy.

Synthesis

- Formulate proposals for further harmonisation in the area of environmental protection at EU level.
- Gather the control mechanisms regarding correct implementation of EU environmental law for both Cyprus and Greece.
- Determine the main role of the hierarchy principle in the context of waste management at EU level.
- Construct answers to practical questions regarding more than one area of substantive law such as environmental liability and water protection.

Evaluation

- Assess the importance of the existence of an autonomous legal basis aiming at the protection of the environment.
- Assess the critical role of the European legal order regarding the protection of the environment.

- Evaluate the decisions of the CJEU regarding the application of fundamental principles of environmental law in its reasoning.
- Evaluate the results of the actions undertaken based on the Environment Action Programs (EAP).
- Appraise the future progress of environmental protection in the EU legal order.

Bibliography

Essential Reading:

- E Koutoupa – Regkakou, Environmental Law (In Greek), (3rd enhanced edition, Sakkoulas Publications S.A., Athens 2008).
- I A Kyritsaki, The right to the environment - In light of the law of the European Union (Sakkoulas Publications S.A., Athens 2010).

Supplementary Reading:

- I Karakostas , Environment and Law - Law of management and protection of environmental goods (3rd Edition, Nomiki Vivliothiki, Athens, 2011).
- A Giotopoulou – Marangopoulou and others (eds), The protection of the environment in law and in practice (Nomiki Vivliothiki, Athens, 2008).
- J H Hans and H H.B. Vedder, European Environmental Law - After Lisbon, (4th edn, Europa Law Publishing, Groningen, 2012).
- L Kramer, EU Environmental Law, (7th edn, Sweet & Maxwell, London, 2011).
- M Lee, EU Environmental Law – Challenges, Change and Decision Making, (Hart Publishing, Oxford, 2005).
- S Wolf and N Stanley, Wolf and Stanley on Environmental Law, (6th edn, Routledge, 2014).
- Environment and Law (Quarterly academic journal, Nomiki Vivliothiki, Athens).
- Law and Nature, (Electronic journal, <http://www.nomosphysis.org.gr>).

Supplementary materials will be provided on a weekly basis.