

DETAILED CURRICULUM
LEVEL FOUR - SEMESTER SEVEN
ENVIRONMENTAL LAW

COURSE DETAILS			
Course Code	LW 7372		
Course Title	ENVIRONMENTAL LAW		
Course Type	Auxiliary		
Credits	02		
Hours Allotted	Theory	15	Total
	Practical		
	Assignments/Tutorials	30	45
AIM			
<p>This course unite is an attempt to assess the present state of Environmental Law. The aim is to expose the basic principles structure and effectiveness of the international and national legal system as it relates to the environment. Further the course will discuss various dimensions of national and international environmental problems and scope of judicial review of decisions of governments and judicial remedies.</p>			
INTENDED LEARNING OUTCOMES			
<p>After following the course, the learners should be able to,</p> <ol style="list-style-type: none"> 1. demonstrate comprehensive, current and integrated knowledge and understanding of key concepts in environmental Law and its development, the nature of the legal controls over environmental issues. 2. to have a clear and more coherent picture of the development of the interplay between politics, policy, science and values in Environmental Law 3. to analyze and apply such knowledge to identify and critically evaluate appropriate regulatory and enforcement strategies. 			
COURSE CONTENTS			
<ol style="list-style-type: none"> 1. Evolution of the concept of environmental protection Introduction to the study of the environment including a basic understanding of ecology and natural systems, environmental science, economics and sociology Environmental issues – local, national, regional, international and global responses to environmental issues including legal, economic and planning tools and the role of civil society Evolution of environmental law at the national and international levels Development, sustainable development and globalization and its impact on the environment. 2. public Law and the Environment Constitutional provisions relating to environmental protection Human rights aspects of environmental protection Judicial role in environmental protection and public interest litigating Protection of the environment at the sub national level 			

3. Statutory and Common Law Responses

Common Law responses to environmental protection including toxic torts

Public nuisance

National Environmental Act,

4. International environmental Law Concepts

Customary international law principles – territorial sovereignty and state responsibility

Special principles – polluter pays principle, precautionary principle etc.

Selected international conventions and their incorporation in Sri Lanka

Special areas of concern – indigenous people, international trade and international investment and the environment, and the environmental impact of armed conflict.

5. The Concept of Sustainable Development

Evolution of the concept of sustainable development under national law and international law and related principles

Environmental Protection License (EPL) process and the regulation of pollution

Provisions in the National environmental Act: Environmental protection License (EPL) and environmental quality

The relationship between EPL and public nuisance

Regulation on hazardous and toxic substances

Environmental Impact Assessment (EIA) process and the regulation of development activities –

Provisions in the National Environmental Act and related statutes

Strategic EIAs

The Public Trust Doctrine and exploitation of natural resources including the protection of forests, wildlife, wetlands and the coastal zone and related statutory provisions.

ASSESSMENT CRITERIA	% OF MARKS
Semester-end Examination:	70
Assignments:	20
Class Quizzes:	10

RECOMMENDED READINGS

1. Central Environmental Authority, Review of Environmental Legislation in Sri Lanka
2. S Hennayake et al (eds), Environmental Impact Assessment: The Sri Lanka experience
3. RH Wickramasinghe, Contemporary Environmental Challenges – A Sri Lanka Reader
4. South Asia Co – operative Environment Programme, Compendium of Summaries of Judicial Decisions in Environment Related Cases
5. South Asia Co – operative Environment Programme, Report of the Regional Symposium on the Role of the Judiciary in Promoting the Rule of Law in the Area of Sustainable Development
6. PW Birnie and AE Boyle, International Law and the Environment
7. RW Findley and DA Farber, Environmental Law
8. Organization for Economic Co-operation and Development, Globalization and environment: Preliminary Perspectives
9. A Rosencranz S Divan and ML Noble, Environmental Law and Policy in India
10. World Commission on Environment and Development, Our Common Future
11. M Munasinghe, Environmental Economics and Natural Resource Management in

Developing Countries

12. A Nanayakkara, Law and Procedure in Sri Lanka: Public Nuisance
13. KHJ Wijayadasa, Towards Sustainable Growth: The Sri Lanka Experience
14. KHJ Wijayadasa and WD Aliapperuma, Survey of Environmental Legislation and Institutions in The SACEP Countries: Sri Lanka
15. M Bothe, Trends in Environmental Policy and Law
16. A Boyle and M Anaderson (eds), Human Rights Approaches to Environmental Protection
17. R Carson, Silent Spring
18. LD Guruswamy et al (eds) International Environmental Law and World Order
19. D Hughes, Environmental Law
20. V Jha, G Hewison and M Underhill (eds) Trade, Environment and Sustainable Development : A South Asian Perspective
21. T Katyal, Environmental Pollution
22. Organization for Economic Co – operation and Development, Economic Globalization and the Environment
23. C Pearson, Multinational Corporations, Environment and the Third World: Business matters
24. G Plant, Environmental Protection and the Law of War
25. ZJB Plater, RH Abrams and W Goldfarb, Environmental Law and Policy: Nature, Law and Society
26. P Sands, Principles of International Environmental Law
27. BPS Sangal, Population Policy and the Law
28. V Shiva, Ecology and the Politics of Survival
29. CS Silver, One Earth, One Future: Our Changing Global Environment
30. PR Trivedi, Environmental Ecology