

Spring 2007: WWS 586d Global Environmental Governance

Professors Michael Oppenheimer and Richard Stewart
Fridays 1:00-4:10

Course Information

INSTRUCTORS

Professor Michael Oppenheimer, Princeton

Robertson Hall 448, Princeton University

Phone: 609-258-2338

E-Mail: omichael@princeton.edu

Office Hours: TBA

Assistant: Geraldine Rhodes Robertson Hall 447a

Phone: 609-258-2863

E-Mail: grhodes@princeton.edu

Professor Richard Stewart, NYU School of Law

Vanderbilt Hall Room 411-f

40 Washington Square South (corner of West 4th and Mac Dougal)

New York, NY 10012-1099

Telephone: (212) 998-6170

E-Mail: stewartr@juris.law.nyu.edu

Assistant: Chandra Gibbs, Suite 411 Vanderbilt Hall, (212) 998-6239

E-Mail: gibbsc@juris.law.nyu.edu

Office Hours: Thursdays 4-6 TBA

LOCATION

The seminar will include students from NYU Law School and Princeton. Seminar sessions will meet either at NYU Law School or the Woodrow Wilson School (locations to be announced). The precise schedule for session locations will be announced later, but the current plan is to hold approximately half the classes at NYU (before spring break) and about half at Princeton (after spring break). NYU and Princeton will reimburse travel expenses for students that need to travel to the other school for sessions.

OVERVIEW

This seminar examines international law and governance in the context of environmental problems, given the great variety of domestic approaches among nations, and the resulting challenge to global trade and regulatory regimes. We shall consider the need for regulation under conditions of scientific uncertainty with respect to a number of issues of current interest, including climate change, GMOs, fisheries management, biodiversity and forest conservation, and ozone depletion. The course explores the efficacy of diverse regulatory approaches, mechanisms for scientific advice to policy makers and participation by business firms and NGOs. Intersections of environmental regulation (both domestic and international) with trade, investment, and multilateral development and aid programs are examined.

Elements of international environmental regimes that are of interest include

- formal administrative elements
- informal governmental networks
- the relation between domestic implementation and international procedures
- cross-state influence of domestic regimes
- public-private standard setting
- formal and informal scientific advisory mechanisms
- the interaction of international regimes with domestic politics and domestic interest groups
- means to rationalize diverse national approaches to risk

These issues will be addressed on an interdisciplinary basis, drawing on law, political science, and the natural sciences.

The course will proceed in seminar form, with occasional guest lecturers.

COURSE MATERIALS AND ASSIGNMENTS

The following books are required:

Barrett, S.: 2006, *Environment and Statecraft: the Strategy of Environmental Treaty-Making*, Oxford University Press, Oxford, UK.

Benedick, R.: 1998, *Ozone Diplomacy*, Harvard U., Cambridge.

Intergovernmental Panel on Climate Change: 2001, *Climate Change 2001: Synthesis Report*, Cambridge University Press, Cambridge, UK and New York . (This is also available online at <http://www.ipcc.ch/>).

Reference materials on reserve in Stokes or NYU Law Library:

Philippe Sands, *Principles of International Environmental Law* (2d ed 2003)

Lakshman D. Guruswamy, International Environmental Law in a Nutshell (2d ed 2003)

Other materials will be posted on Blackboard. Some additional readings may be distributed in hard copy. Class assignments will be posted on Blackboard.

Class Meetings:

- February 9** Ozone Depletion and the Montreal Protocol
- February 16** Climate Change: How Warm is Too Warm? The UNFCCC, the Kyoto Protocol, Domestic Litigation and Domestic Policy
- February 23** Climate Change: Economic Incentives for Forest Preservation and Climate Protection
- March 2** Private Regulation and Global Environmental Problems: Ecolabeling and Sustainable Forests
- March 9** Sustainable Fisheries
- March 16** Topic TBA (NYU spring break, Princeton students meet)
- March 23** Princeton spring break
- March 30** Trade and Environment: Shrimps, Turtles, and Asbestos
- April 6** Trade and Environment: Border Tariffs on Carbon
- April 13** GMOs – Labeling and Traceability and International Regulatory Impacts on Developing Countries
- April 20** Liability for Transboundary Hazardous Waste: the Basel Convention
- April 27** Topic TBA

May 4 Reflections on the Course

COURSE REQUIREMENTS AND GRADING

Course requirements are as follows:

1. Class attendance and participation is an essential element in this course. Accordingly, all members of the class are required to attend class regularly after having read and considered the readings and questions for class discussion, and contribute to the class discussion.
2. For each class, two or more pairs of students will be required to submit a short position paper (750-1000 words) on a hypothetical exercise, or a problem that will be the focus of that class. Papers must be posted on Blackboard by 6pm on the Thursday before the relevant class. Insofar as possible, each team will consist of an NYU law student and a Princeton student. Each student will be required to submit two such papers during the course of the seminar.
3. Submission of a final research paper on issues broadly relevant to the issues addressed in the course. An outline of your paper should be submitted to Prof. Oppenheimer by March 26. Final papers must be submitted no later than Dean's Day. The instructors will develop a list of potential topics and meet with students to discuss their paper topics. .

Grading:

Short position papers	30%
Seminar participation	30%
Final paper	40%