



Environmental law

Presentation

Environmental protection is by no means a new issue but it would be an understatement to say that it has, in recent years, grown in topicality and relevance, particularly in light of climate change concerns. In this respect, environmental matters have become objects of law and vice versa. Thus, the environment, therefore, is a veritable laboratory for market regulation. The complex, if not dangerous, relations between the market and the environment are the object of particular attention. Classically, the environment, perceived as an obstacle to economic development, has been subjected to conciliation conducted ex-post by judges (exemptions from market laws) and ex-ante by legislators (administrative policies relating to pollution and biodiversity). Since the fall of the Berlin Wall, using the market has been advocated in response to the shortcomings of the traditional approach. A new approach has been added. Inspired by the market, these instruments mimic its mechanisms (carbon market) or aims to influence it (eco-labels, eco-fiscality).

Recommended Prerequisite(s)

Administrative law (administrative police); European law (internal market law, state aid law); environmental economics (Pigou's and Coase's theories).

In brief

ECTS credits : 3.0

Number of hours : 18.0

Year : Fifth year

Validation : Final oral examination

Contacts

Responsible(s)

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Bibliography

- Ost F., *La nature hors la loi, l'écologie à l'épreuve du droit*, La Découverte, Paris, 2003.
- Maljean-Dubois S., *Quel droit pour l'environnement ?*, Hachette supérieur, Les fondamentaux Droit, Paris, 2008.
- Serres M., *Le droit peut sauver la Nature*, Pouvoirs, vol. 127, n° 4, p. 5-12, 2008.
- Billet P. & Naim-Gesbert E., *Les grands arrêts du droit de l'environnement*, Dalloz, Paris, 2017.
- Prieur M., *Droit de l'environnement*, Dalloz, Paris, 8e éd., 2019.

Formule pédagogique

Flipped classroom approach (documents are transmitted prior to class), role-playing (mock trial). Emphasis is placed on oral exchanges.