



# LAWS8052

## Trade and Environment Law

Session 1, Special circumstances 2021

*Macquarie Law School*

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#### **Disclaimer**

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#### **Notice**

As part of [Phase 3 of our return to campus plan](#), most units will now run tutorials, seminars and other small group activities on campus, and most will keep an online version available to those students unable to return or those who choose to continue their studies online.

To check the availability of face-to-face activities for your unit, please go to [timetable viewer](#). To check detailed information on unit assessments visit your unit's iLearn space or consult your unit convenor.

## General Information

Unit convenor and teaching staff

Shawkat Alam

[shawkat.alam@mq.edu.au](mailto:shawkat.alam@mq.edu.au)

Credit points

10

Prerequisites

(Admission to JD and 80cp in LAWS or LAW units at 6000 level or above) or (admission to LLM or MIntTrdeComLaw)

Corequisites

Co-badged status

Unit description

This unit examines the ways in which trade and environment issues are addressed in a variety of international legal instruments, ranging from, the United Nations through to global and regional free trade agreements. It provides an overview of international institutions, policies and instruments such as the UN, GATT, the WTO, NAFTA, the World Bank and the IMF as they relate to environmental issues. It also, where appropriate, compares the achievements of one legal instrument with those of others in the area of trade and the environment. It particularly focuses on the interests and concerns of developing countries on this pressing issue.

## Important Academic Dates

Information about important academic dates including deadlines for withdrawing from units are available at <https://www.mq.edu.au/study/calendar-of-dates>

## Learning Outcomes

On successful completion of this unit, you will be able to:

**ULO1:** Explain and critique linkages between international environmental law and international trade law through an enquiring, critical and creative approach to the existing debates and tensions surrounding the trade-environment nexus.

**ULO2:** Critique key institutions and actors through which international environmental law and international trade law interact.

**ULO3:** Explain and critically assess how law, politics and the self-interest of nation-

states play a critical role in the inter-relationship of trade, environment and sustainable development.

**ULO4:** Evaluate the relationship between trade-related economic growth and the environmental impacts in the pursuit for sustainable development, especially as related to the interests of developing countries.

**ULO5:** Assess where the relationship between international environmental law and international trade law can be expected to develop in the future, especially having regard to the objectives of sustainable development and making recommendations for policy development and institutional reform.

## General Assessment Information

### Late Submission Penalty

*Unless a Special Consideration request has been submitted and approved, (a) a penalty for lateness will apply – two (2) marks out of 100 will be deducted per day for assignments submitted after the due date – and (b) no assignment will be accepted more than seven (7) days (incl. weekends) after the original submission deadline.*

## Assessment Tasks

| Name                                       | Weighting | Hurdle | Due              |
|--|-----------|--------|------------------|
| <a href="#"><u>Research Assignment</u></a> | 30%       | No     | 22 March 11:30pm |
| <a href="#"><u>Synopsis</u></a>            | 10%       | No     | 22 April 11:30pm |
| <a href="#"><u>Research Paper</u></a>      | 50%       | No     | 16 June 11:30pm  |
| <a href="#"><u>Class Participation</u></a> | 10%       | No     | Ongoing          |

## Research Assignment

Assessment Type <sup>1</sup>: Case study/analysis

Indicative Time on Task <sup>2</sup>: 25 hours

Due: **22 March 11:30pm**

Weighting: **30%**

Students will provide a written response to a set question designed to stimulate inquiry into conceptual linkages underpinning the unit.

On successful completion you will be able to:

- Explain and critique linkages between international environmental law and international trade law through an enquiring, critical and creative approach to the existing debates and

tensions surrounding the trade-environment nexus.

- Critique key institutions and actors through which international environmental law and international trade law interact.

## Synopsis

Assessment Type <sup>1</sup>: Literature review

Indicative Time on Task <sup>2</sup>: 15 hours

Due: **22 April 11:30pm**

Weighting: **10%**

Students will outline their research topic, including literature review.

On successful completion you will be able to:

- Explain and critique linkages between international environmental law and international trade law through an enquiring, critical and creative approach to the existing debates and tensions surrounding the trade-environment nexus.

## Research Paper

Assessment Type <sup>1</sup>: Essay

Indicative Time on Task <sup>2</sup>: 50 hours

Due: **16 June 11:30pm**

Weighting: **50%**

Research paper on topic identified in the Synopsis.

On successful completion you will be able to:

- Explain and critique linkages between international environmental law and international trade law through an enquiring, critical and creative approach to the existing debates and tensions surrounding the trade-environment nexus.
- Critique key institutions and actors through which international environmental law and international trade law interact.
- Explain and critically assess how law, politics and the self-interest of nation-states play a critical role in the inter-relationship of trade, environment and sustainable development.
- Evaluate the relationship between trade-related economic growth and the environmental impacts in the pursuit for sustainable development, especially as related to the interests of developing countries.
- Assess where the relationship between international environmental law and international trade law can be expected to develop in the future, especially having regard to the objectives of sustainable development and making recommendations for policy

development and institutional reform.

## Class Participation

Assessment Type <sup>1</sup>: Participatory task

Indicative Time on Task <sup>2</sup>: 12 hours

Due: **Ongoing**

Weighting: **10%**

Students will be required to contribute to in class and/or online discussions, debates and other class activities

On successful completion you will be able to:

- Explain and critique linkages between international environmental law and international trade law through an enquiring, critical and creative approach to the existing debates and tensions surrounding the trade-environment nexus.
- Critique key institutions and actors through which international environmental law and international trade law interact.
- Explain and critically assess how law, politics and the self-interest of nation-states play a critical role in the inter-relationship of trade, environment and sustainable development.
- Evaluate the relationship between trade-related economic growth and the environmental impacts in the pursuit for sustainable development, especially as related to the interests of developing countries.
- Assess where the relationship between international environmental law and international trade law can be expected to develop in the future, especially having regard to the objectives of sustainable development and making recommendations for policy development and institutional reform.

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<sup>1</sup> If you need help with your assignment, please contact:

- the academic teaching staff in your unit for guidance in understanding or completing this type of assessment
- the [Writing Centre](#) for academic skills support.

<sup>2</sup> Indicative time-on-task is an estimate of the time required for completion of the assessment task and is subject to individual variation

## Delivery and Resources

This unit is delivered as a block mode. There will be a pre-recorded lecture for each weekly topic and face to face instructions during intensive sessions online via zoom for two days in April 2021.

Further information about the course will be available on the unit iLearn page from the start of the semester.

All assessments are to be submitted online using the Turnitin links provided on the unit iLearn page.

## **REQUIRED TEXT**

The required text for this course is the IISD and UNEP, *Environment and Trade: A Handbook - Second Edition*. It is available online at <http://www.iisd.org/publications/pub.aspx?pno=754>

**Lectures** will be pre-recorded rather than live and uploaded on Echo360.

## **Policies and Procedures**

Macquarie University policies and procedures are accessible from [Policy Central \(https://policies.mq.edu.au\)](https://policies.mq.edu.au). Students should be aware of the following policies in particular with regard to Learning and Teaching:

- [Academic Appeals Policy](#)
- [Academic Integrity Policy](#)
- [Academic Progression Policy](#)
- [Assessment Policy](#)
- [Fitness to Practice Procedure](#)
- [Grade Appeal Policy](#)
- [Complaint Management Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#)

Students seeking more policy resources can visit [Student Policies \(https://students.mq.edu.au/support/study/policies\)](https://students.mq.edu.au/support/study/policies). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

To find other policies relating to Teaching and Learning, visit [Policy Central \(https://policies.mq.edu.au\)](https://policies.mq.edu.au) and use the [search tool](#).

## **Student Code of Conduct**

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: <https://students.mq.edu.au/admin/other-resources/student-conduct>

## **Results**

Results published on platform other than [eStudent](#), (eg. iLearn, Coursera etc.) or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in [eStudent](#). For more information visit [ask.mq.edu.au](http://ask.mq.edu.au) or if you are a Global MBA

student contact [globalmba.support@mq.edu.au](mailto:globalmba.support@mq.edu.au)

## Student Support

Macquarie University provides a range of support services for students. For details, visit <http://students.mq.edu.au/support/>

## Learning Skills

Learning Skills ([mq.edu.au/learningskills](http://mq.edu.au/learningskills)) provides academic writing resources and study strategies to help you improve your marks and take control of your study.

- [Getting help with your assignment](#)
- [Workshops](#)
- [StudyWise](#)
- [Academic Integrity Module](#)

The Library provides online and face to face support to help you find and use relevant information resources.

- [Subject and Research Guides](#)
- [Ask a Librarian](#)

## Student Services and Support

Students with a disability are encouraged to contact the [Disability Service](#) who can provide appropriate help with any issues that arise during their studies.

## Student Enquiries

For all student enquiries, visit Student Connect at [ask.mq.edu.au](http://ask.mq.edu.au)

If you are a Global MBA student contact [globalmba.support@mq.edu.au](mailto:globalmba.support@mq.edu.au)

## IT Help

For help with University computer systems and technology, visit [http://www.mq.edu.au/about\\_us/offices\\_and\\_units/information\\_technology/help/](http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/).

When using the University's IT, you must adhere to the [Acceptable Use of IT Resources Policy](#). The policy applies to all who connect to the MQ network including students.