



# LAWS8052

## Trade and Environment Law

Session 1, Online-scheduled-weekday 2024

*Macquarie Law School*

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#### **Disclaimer**

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## General Information

Unit convenor and teaching staff

Shawkat Alam

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

Room 214, 17 WW

Wednesday 12-1pm

Credit points

10

Prerequisites

Admission to LLM or MIntTrdeComLaw or (Admission to JD and LAWS600 or LAWS8001)

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

Please consult the unit iLearn page for detailed instructions for assessments in this unit.

### Class participation

This assessment is about active engagement in tutorials; not mere attendance. Contributing to tutorial discussions and tutorial exercises throughout the entire semester will be the primary activity marked for this assessment. Online contributions to the weekly discussion forums can add to the class participation, not replace it - except when absence from a tutorial is notified in advance and approved as justified.

### Late Assessment Submission Penalty

Unless a Special Consideration request has been submitted and approved, a 5% penalty (of the total possible mark) will be applied each day a written assessment is not submitted, up until the 7th day (including weekends). After the 7th day, a mark of '0' (zero) will be awarded even if the assessment is submitted. Submission time for all written assessments is set at 11.55pm. A 1-hour grace period is provided to students who experience a technical issue. This late penalty will apply to non-timed sensitive assessment (incl essays, reports, posters, portfolios, journals, recordings etc). Late submission of time sensitive tasks (such as tests/exams, performance assessments/presentations, scheduled practical assessments/labs etc) will only be addressed by the unit convenor in a Special consideration application. Special Consideration outcome may result in a new question or topic.

## Assessment Tasks

Name	Weighting	Hurdle	Due
<a href="#"><u>Class Participation</u></a>	10%	No	Ongoing
<a href="#"><u>Synopsis</u></a>	10%	No	24 March 2024 11:55pm
<a href="#"><u>Research Assignment</u></a>	30%	No	14 April 2024 11:55pm

Name	Weighting	Hurdle	Due
<a href="#">Research Paper</a>	50%	No	2 June 2024 11:55pm

## Class Participation

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

Indicative Time on Task <sup>2</sup>: 0 hours

Due: **Ongoing**

Weighting: **10%**

Students will be required to contribute to 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.

## Synopsis

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

Indicative Time on Task <sup>2</sup>: 5 hours

Due: **24 March 2024 11:55pm**

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 Assignment

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

Indicative Time on Task <sup>2</sup>: 10 hours

Due: **14 April 2024 11:55pm**

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.

## Research Paper

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

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

Due: **2 June 2024 11:55pm**

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.

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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

### Delivery

Teaching is by means of 12 lectures (pre-recorded) and 6 live tutorials (via zoom), which will run fortnightly commencing week 2. Please consult the official timetable. Students are expected to watch pre-recorded weekly lectures that will be made available for each week in Echo 360 via the iLearn page.

Students are expected to have **prepared for the tutorials** by watching the lecture and reading the prescribed materials for that week, and preparing any tutorial exercises assigned for that week on iLearn. Active participation in tutorials is assessed.

Recommended textbooks for this course are:

- *Environment & Trade: A Handbook* (International Institute for Sustainable Development 2005) Available here: <[https://www.iisd.org/system/files/publications/envirotrade\\_handbook\\_2005.pdf](https://www.iisd.org/system/files/publications/envirotrade_handbook_2005.pdf)>
- Shawkat Alam, *Sustainable Development and Free Trade Institutional Approaches* (Routledge 2008). Available through the library catalogue.

Additional readings will be prescribed through iLearn.

## 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](#)
- [Assessment Procedure](#)
- [Complaints Resolution 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)

## Academic Integrity

At Macquarie, we believe [academic integrity](#) – honesty, respect, trust, responsibility, fairness and courage – is at the core of learning, teaching and research. We recognise that meeting the expectations required to complete your assessments can be challenging. So, we offer you a range of resources and services to help you reach your potential, including free [online writing and maths support](#), [academic skills development](#) and [wellbeing consultations](#).

## Student Support

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

## The Writing Centre

The [Writing Centre](#) provides resources to develop your English language proficiency, academic writing, and communication skills.

- [Workshops](#)
- [Chat with a WriteWISE peer writing leader](#)
- [Access StudyWISE](#)
- [Upload an assignment to Studiosity](#)
- [Complete the 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

Macquarie University offers a range of [Student Support Services](#) including:

- [IT Support](#)
- [Accessibility and disability support](#) with study
- Mental health [support](#)
- [Safety support](#) to respond to bullying, harassment, sexual harassment and sexual assault
- [Social support including information about finances, tenancy and legal issues](#)
- [Student Advocacy](#) provides independent advice on MQ policies, procedures, and processes

## Student Enquiries

Got a question? Ask us via [AskMQ](#), or contact [Service Connect](#).

## 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.

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Unit information based on version 2024.01 of the [Handbook](#)