Droit international de l'environnement et du développement durable

ECTS : 2

Description du contenu de l'enseignement :

The course explores the evolution of the notion of sustainability, from sustainable development to sustainability due diligence, in international, European and national legal frameworks. Beyond the concept of sustainability, it introduces alternative concepts such as the rights of nature and the legal personality of natural elements.

OUTLINE

I. DEFINING ENVIRONMENTAL SUSTAINABILITY : GOALS

- The UN's SDGs

This session introduces the United Nations Sustainable Development Goals (SDGs) as a global framework for sustainable development and examines their legal relevance at both the international and EU levels. Students will explore the soft law character of the SDGs, their integration into international treaties and EU policies, and the challenges of enforcement. The class will combine lecture input, case analysis, and a role-play negotiation exercise.

II. DEFINING ENVIRONMENTAL SUSTAINABILITY : MEANS

- Sustainable finance EU style

This session introduces the EU's sustainable finance framework as a key pillar of the European Green Deal. Students will examine how financial regulation, investment practices, and corporate disclosure requirements are being reshaped to channel capital towards sustainable economic activities. The class will also critically assess whether the EU's sustainable finance regime is effective in achieving the Sustainable Development Goals (SDGs) and the EU's 2050 climate neutrality target.

III. CORPORATIONS AND ENVIRONMENTAL DUE DILIGENCE

- From transparency requirements (Non financial reporting) to accountability for environmental risks

This class examines the concept of environmental due diligence and liability within international and EU legal frameworks. It explores how states and corporations are required to prevent, mitigate, and remedy environmental harm through international treaties, EU legislation, and soft law standards. Students will analyze landmark cases, emerging regulations (e.g., EU Corporate Sustainability Due Diligence Directive), and international principles (e.g., OECD Guidelines, UNGPs), and will apply them in interactive exercises simulating compliance and liability disputes.

IV. RIGHTS OF NATURE : THE EMERGENCE OF A NEW PARADIGM ?

This part of the course examines how contemporary environmental law is being reshaped by the convergence of three powerful movements: Earth jurisprudence, Rights of Nature, and Indigenous legal orders**.** Together they challenge the traditional anthropocentric foundations of Western law and propose new ecologically grounded and culturally diverse forms of legal reasoning.

Compétence à acquérir :

Overview of the main aspects of sustainability in law with a specific focus on corporate sustainability issues.

Mode de contrôle des connaissances :

ASSESSMENT : 100% CC

60% : ORAL PRESENTATION (IN GROUPS -INDIVIDUAL GRADE)

20% : PARTICIPATION (ROLE PLAYING EXERCISES etc..)

20% : INDIVIDUAL TESTS IN CLASS