

Spring 2020
WWS 586d / NYU LW.11614.001
Global Environmental Governance

Prof. Michael Oppenheimer (Princeton)
Prof. Richard Stewart (NYU Law)
Prof. Bryce Rudyk (NYU Law)
Friday 1:30-4:30

Course Information

Prof. Michael Oppenheimer

Green Hall 3C13

Phone: 609-258-2338

E-Mail: omichael@princeton.edu

Office Hours:

Friday 12-1 in Green Hall C311 or at NYU Law School, Vanderbilt 310E, depending on class location; or, by appointment made through Chuck Crosby

Assistant: Chuck Crosby

Green Hall

Phone: 609-258-0293

E-Mail: ccrosby@princeton.edu

Prof. Richard Stewart

Vanderbilt Hall 411F

Phone: 212-998-6170

Email: rbs1@nyu.edu

Office Hours: Wednesday 2-4pm

Assistant: David Peer

Vanderbilt Hall 411

Phone: 212-992-8165

E-Mail: peerd@mercury.law.nyu.edu

Prof. Bryce Rudyk

Wilf Hall 311

Phone: 212-992-8105

E-Mail: bryce.rudyk@nyu.edu

Office Hours:

Wednesday 10am-12pm, Friday 12-1pm in Wilf 311 or by appointment (sign up [here](#))

Assistant: David Peer

Vanderbilt Hall 411

Phone: 212-992-8165

E-Mail: peerd@mercury.law.nyu.edu

LOCATION

Meetings will alternate (irregularly) between WWS and NYU Law School, with approximately equal numbers at each location. Classes at NYU will be held in Vanderbilt Hall 208 (40 Washington Square South, New York), while those at WWS will be held in Robertson Hall (room 011). The location of classes given on the schedule below is subject to change so check the syllabus posted on Blackboard/Classes weekly well before class.

OVERVIEW

This seminar examines international law and governance as applied to a few specific environmental problems and the international agreements pertinent to them, in the broader context of 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 ozone depletion, climate change, marine resources, and exploitation and conservation of the Arctic. The course explores the efficacy of diverse regulatory approaches, mechanisms for scientific advice to policy makers and the influence of 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 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
- formal administrative elements
- informal nongovernmental networks
- the relation between domestic implementation and international procedures
- cross-state influence of domestic regimes
- public-private and voluntary standard setting
- multiple, overlapping regimes and regime complexes

These issues will be addressed on an interdisciplinary basis, drawing on insights from law, politics, economics, and the natural sciences.

The course will proceed in seminar form, with occasional guest lecturers. The seminar will have approximately equal numbers of students from NYU Law School and Princeton. Professors Stewart, Oppenheimer and Rudyk will collaborate, teaching each class as a team. However, administrative matters (e.g., grading) are handled separately for Princeton and NYU students by their respective professors as if the course consisted of two independent classes that meet together. Students from the two schools will meet together for 11 classes (see schedule below).

COURSE MATERIALS AND ASSIGNMENTS

The following books are required:

Barrett, S.: 2003, *Environment and Statecraft: the Strategy of Environmental Treaty-Making*, Oxford University Press, Oxford, UK. (available online: <http://www.oxfordscholarship.com/view/10.1093/0199286094.001.0001/acprof-9780199286096>)

Benedick, R.: 1998, *Ozone Diplomacy*, Harvard U., Cambridge. (available second-hand through online booksellers)

Intergovernmental Panel on Climate Change: 2014, *Climate Change 2014: Synthesis Report* (Summary for Policy Makers + Longer Report available online at <http://www.ipcc.ch/>).

Reference materials on reserve in Stokes and NYU Libraries:

Philippe Sands, *Principles of International Environmental Law* (3rd ed 2012)

Lakshman D. Guruswamy, *International Environmental Law in a Nutshell* (4d ed 2012)

David Hunter, Durwood Zaelke, James Salzman, *International Environmental Law and Policy* (5th ed.)

Class assignments and other reading materials will be posted on Blackboard (Princeton)/Classes (NYU) at least one week before class.

COURSE MEETINGS

Class 1	Feb 7	Course Introduction: Ozone Depletion - Coordinating science and policy	WWS
Class 2	Feb 14	Climate Change I: UNFCCC/Kyoto Protocol/Paris Agreement Regime <i>Guest: Janine Felson, Belize Mission to the UN</i>	NYU
Class 3	Feb 21	Climate Change II: After Paris - Action Outside the UNFCCC <i>Guest: Karen Florini, Climate Central & Durwood Zaelke, Institute for Governance & Sustainable Development</i>	WWS

Class 4	Feb 28	Whales: Hunting restrictions a matter of culture or a matter of science?	NYU
Class 5	Mar 6	Trade & Environment I: Shrimp, Turtles, Tuna & Dolphins <i>Guest: David Wilcove, Princeton</i>	WWS
Class 6	Mar 13	Resources beyond National Jurisdictions: Minerals and boundaries <i>Guest: Benedict Kingsbury, NYU Law</i>	NYU
	Mar 20	Spring Break	
Class 7	Mar 27	Sustainable Fisheries: An oxymoron? <i>Guest: Jennifer Jacquet, NYU Environmental Studies</i>	NYU
Class 8	Apr 3	New Regimes I: The Arctic <i>Guest: David Balton, Woodrow Wilson Center</i>	WWS
Class 9	Apr 10	New Regimes II: Brave New World - Geoengineering <i>Guest: Steve Hamburg, Environmental Defense Fund</i>	NYU
Class 10	April 17	New Regimes III: Global Ocean Plastics <i>Guest: TBD</i>	NYU
Class 11	April 24	New Regimes IV: Student Proposals	WWS
Class 12	May 1 WWS ONLY	Short presentations of term paper topics	WWS

COURSE REQUIREMENTS:

1. Class attendance and participation is an essential element in this course. Accordingly, all members of the class are required to attend class each week after having read and considered the readings and questions for class discussion, and also contribute to the class discussion.
2. For each class, two or three pairs or teams of students will be required to submit a short position paper (**max. 800 words**) on a hypothetical policy exercise that will be a focus of that class. Papers will be developed cooperatively by each team, and must be posted on Blackboard/Classes by 4pm on the Thursday before the relevant class. Students will email their papers to Chuck Crosby(ccrosby@princeton.edu) and David Peer (peerd@mercury.law.nyu.edu). All students must read each paper before class.
3. Each student will be required to participate in a team no more than three times during the course of the seminar. Among the students not on the teams-of-the-week, approximately four will be asked to be prepared with responses, e.g., three questions to ask the teams after the team presentations, while all other students are expected to be prepared with additional questions and criticisms of the teams' positions in order to broaden the discussion.
4. For Class 11, students will be placed into groups and prepare a presentation and short position paper proposing a new or reformed global regime for an environmental issue, which draws on the lessons of the class.
5. Submission of a final research paper on issues broadly relevant to the issues addressed in the course is required. **A brief outline of your paper should be submitted to the appropriate professor by the day after Spring Break. Final papers must be submitted no later Dean's Day (Princeton) or May 15 (NYU).**

GRADING:

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