

Spring 2011

WWS 586d

Global Environmental Governance

Prof. Michael Oppenheimer (Princeton)
Professor Richard B. Stewart (NYU Law School)
Friday 1:00-4:00

Course Information

INSTRUCTOR

Professor Michael Oppenheimer

Robertson Hall 448

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E-Mail: omichael@princeton.edu

Office Hours:

Thursday 2-3, Robertson 448; Friday 12-1 in Robertson 448 or at NYU Law School, Vanderbilt 310E, depending on class location; or, by appointment made through Geraldine Rhodes

Assistant: Geraldine Rhodes

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LOCATION

Meetings will alternate between WWS and NYU Law School, with six at each location. Most classes before Spring Break will be held at NYU while most afterward will be held at WWS. The schedule below is subject to change so check the syllabus posted on Blackboard 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, GMOs, marine resources, and forest conservation. The course explores the efficacy of diverse regulatory approaches, mechanisms for scientific advice to policy makers and participation by 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 governmental 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, and the natural sciences.

The course will proceed in seminar form, with occasional guest lecturers. The seminar is a joint effort co-taught with an NYU Law School professor, Richard Stewart, and will have approximately equal numbers of students from NYU Law School and Princeton. Professors Oppenheimer and Stewart 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 professor as if the course consisted of two independent classes that meet together.

COURSE MATERIALS AND ASSIGNMENTS

The following books are required:

Barrett, S.: 2006, *Environment and Statecraft: the Strategy of Environmental Treaty-Making*, Oxford University Press, Oxford, UK. (paperback edition)

Benedick, R.: 1998, *Ozone Diplomacy*, Harvard U., Cambridge. (paperback edition)

Intergovernmental Panel on Climate Change: 2007, *Climate Change 2007: Synthesis Report* (available online at <http://www.ipcc.ch/>).

Reference materials on reserve in Stokes Library:

Philippe Sands, *Principles of International Environmental Law* (2d ed 2003)

Lakshman D. Guruswamy, *International Environmental Law in a Nutshell* (2d ed 2003)

David Hunter, Durwood Zaelke, James Salzman, *International Environmental Law and Policy* (3d ed 2007)

Other materials will be posted on Blackboard. Some additional readings may be distributed in hard copy. Class assignments will be posted on Blackboard.

Class Meetings:

- February 4** Course Introduction:
Ozone Depletion: Coordinating science and policy
Location: NYU
- February 11** Climate Change I: The Global Climate Regime Complex
Location: NYU
Guest: Bob Keohane, Princeton
- February 18** Climate Change II: Climate Science, Policy, and Law
(How warm is too warm and will we avoid it?)
Location: WWS
- February 25** Climate Change III: Climate Finance
Location: NYU
Guest: Nat Keohane, EDF, NYU
- March 4** Private Regulation and Global Environmental Problems: Eco-labeling
And sustainable forestry
Location: NYU
Guest: Annie Peterson, EDF
- March 11** Sustainable Fisheries
Location: WWS
Guest: Becky Goldberg, Pew Charitable Trusts
- March 18** *Spring break*

- March 25** Implications of the Arctic Thaw
Location: WWS
- April 1** Trade and Environment: Shrimp, Turtles, Whales
Location: WWS
- April 8** GMOs – Labeling, Traceability and International Regulatory Impacts
On Developing Countries
Location: WWS
- April 15** Border Tariffs on Carbon: engaging China and the US
Guest: Rob Howse, NYU
Location: NYU
- April 22** Brave New World: Geoengineering
Location: WWS
Guest: Ian Lloyd, Princeton
- April 29** **Environmental Migrants**
Location: NYU
Guest: Katrina Wyman, NYU

COURSE REQUIREMENTS AND GRADING

Course requirements are as follows:

1. Class attendance and participation is an essential element in this course. Accordingly, all members of the class are required to attend class regularly after having read and considered the readings and questions for class discussion, and also contribute to the class discussion.
2. For each class, two pairs or teams of students will be required to submit a short position paper (about 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 by 4pm on the Thursday before the relevant class. Princeton students will email their papers to Professor Stewart's assistant (Basilio Valdehuesa, valdehuesa@exchange.law.nyu.edu) for distribution to NYU students. 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.

3. Submission of a final research paper on issues broadly relevant to the issues addressed in the course is required. An outline of your paper should be submitted to me by March 21. Final papers must be submitted no later than Dean's Day. I will develop a list of sample topics and meet with students to discuss their paper topics individually.

Grading:

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