

Procedural rights and environmental protection : Access to Information, Public Participation and Impact Assessment

3.00 credits

12.0 h

Q1



This learning unit is not open to incoming exchange students!

Teacher(s)	Sambon Jacques ;
Language :	French
Place of the course	Bruxelles Saint-Louis
Learning outcomes	At the end of this learning unit, the student is able to : Environmental protection takes the form not only of material obligations with regard to preserving natural environments and the fight against harmful effects but also of procedural laws. The course aims to apprehend these procedural laws in order to be able to grasp their concrete implementation in the existing legal regimes.
Evaluation methods	Written examination. The evaluation aims to assess both the student's mastery of the subject matter and their ability to apply it to a particular factual context. The resolution of case studies or a commentary on case law may be included.
Teaching methods	The course is delivered in person. It is taught in the form of a lecture, involving active student participation (analysis of case law and case studies).
Content	The course is dedicated to the first two procedural rights in environmental protection (Principle 10 of the Rio Declaration on Environment and Development; Aarhus Convention on Access to Information, Public Participation in Decision-Making, and Access to Justice in Environmental Matters): the right of access to environmental information and public participation in decision-making (regarding specific authorizations, plans and programs, normative provisions, and policies). Next, the course addresses the impact assessment procedures inherent in decision-making processes (specific authorizations, plans, and programs). The right of access to environmental information and public participation in decision-making is first examined in light of conventional law and EU law, as well as the judicial applications that have emerged from these frameworks. Particular attention is given to the impact of these regimes on the existing legal systems of the federal state and the three regions. In a second phase, the course discusses the environmental impact assessment procedures, starting from the requirements of EU law (Directive 2011/92/EU of the European Parliament and Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment; Directive 2001/42/EC of the European Parliament and Council of 27 June 2001 on the assessment of the effects of certain plans and programs on the environment; Directive 92/43/EEC of the Council of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora) as interpreted by the case law of the Court of Justice of the European Union. The implications of these regimes are examined with regard to their transposition into domestic law.
Inline resources	The course supports are available on the Moodle platform.
Bibliography	Les références communiquées aux étudiants lors de l'enseignement.
Other infos	Supports: • Compilation of applicable normative texts • Detailed course outline • References to relevant case law • Syllabus
Faculty or entity in charge	DRTB

Programmes containing this learning unit (UE)				
Program title	Acronym	Credits	Prerequisite	Learning outcomes
Advanced Master in Environmental Law and Public Real Estate Law (shift schedule)	DPIB2MC	3		