



scuola di studi superiori **giacomo leopardi** università di macerata

62100 Macerata  
Piazza Cesare Battisti, 1

T 0733 258 5803-5804  
F 0733 258 5808

scuolastudisuperiori@unimc.it  
www.scuolastudisuperiori.unimc.it

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**NATURA**

**Immagini del passato, prospettive al futuro**

Classe delle Scienze Sociali

**Seminario**

## **International Law of Sustainable Development**

**Prof. Piotr Szwedo**

**(Università di Cracovia)**

Macerata, 2, 3, 4 maggio 2018

The course "International Law of Sustainable development (SD)" covers concepts and theories related to balancing economic growth, environmental protection, social justice, individual rights, and collective interests in their normative aspect. The course therefore includes discussions of holistic approach to human beings in individual and social context. SD may be seen as a value or a goal. It also has a normative dimension influencing lawmaking and legal application. It is a rule of interpretation, which harmonizes the application of conflicting norms, and which is often based on the ethical and anthropological assumptions of the decision maker. The course will include discussions of different approaches to SD and how they affect law and may legitimately coexist in pluralistic and multicultural societies. The problem will be analyzed from overarching theoretical perspectives: SD's binding/non-binding legal character, relation to principles of: intergenerational equity, permanent sovereignty over natural resources, solidarity, and common heritage of mankind. More specifically study will also cover the integration and relevance of SD for different legal branches: environmental law, human rights, trade and investment law. Furthermore the course will focus on SD's procedural consequences: impact and risk assessment, obligation of transparency, consultation and the right of review.



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## Documents:

- 1987 „Our Common Future“ – Brundtland Report, available at: <http://www.un-documents.net/our-common-future.pdf>
- 1972 UN Stockholm Declaration on the Human Environment ('Stockholm Declaration'), available at: <http://www.un-documents.net/unchedec.htm>
- Resolution adopted by the General Assembly 35/56. International Development Strategy for the Third United Nations Development Decade, available at: <http://www.un-documents.net/a35r56.htm>
- 1992 Rio Declaration on Environment and Development, available at: [http://www.unesco.org/education/pdf/RIO\\_E.PDF](http://www.unesco.org/education/pdf/RIO_E.PDF)
- Agenda 21 Action Plan, available at: <https://sustainabledevelopment.un.org/content/documents/Agenda21.pdf>
- ILA New Delhi Declaration of Principles of International Law Relating to Sustainable Development, 2 April 2002, available at: <http://cisdl.org/tribunals/pdf/NewDelhiDeclaration.pdf>
- Gabčíkovo-Nagymaros Project (Hungary/Slovakia), judgement of the International Court of Justice, 25 September 1997, <http://www.icj-cij.org/en/case/92/judgments>
- Pulp Mills on the River Uruguay (Argentina v. Uruguay), judgement of the International Court of Justice, 20 April 2010, <http://www.icj-cij.org/en/case/135/judgments>
- Award in the Arbitration regarding the Iron Rhine ("Ijzeren Rijn") Railway between the Kingdom of Belgium and the Kingdom of the Netherlands, decision of 24 May 2005, [http://legal.un.org/riaa/cases/vol\\_XXVII/35-125.pdf](http://legal.un.org/riaa/cases/vol_XXVII/35-125.pdf)
- WT/DS58/AB/R, United States - Import Prohibition of Certain Shrimp and Shrimp Products - AB-1998-4 - Report of the Appellate Body, available at [https://www.wto.org/english/tratop\\_e/dispu\\_e/cases\\_e/ds58\\_e.htm](https://www.wto.org/english/tratop_e/dispu_e/cases_e/ds58_e.htm)
- General Assembly resolution 1803 (XVII) of 14 December 1962 (Permanent sovereignty over natural resources) [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/RES/1803%28XVII%29](http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/1803%28XVII%29)
- General Agreement on Tariffs and Trade, art. XX, [https://www.wto.org/english/docs\\_e/legal\\_e/gatt47\\_01\\_e.htm](https://www.wto.org/english/docs_e/legal_e/gatt47_01_e.htm)

