

## **Proposal for Restructuring the Post-graduate Course of Specialization on Natural Resources and Sustainable Development Law**

By:

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The purpose of the post-graduate course is to provide knowledge on the main legal notions involved in natural resources law in view of the advances and the “state-of-the-art” of international discussions dealing with the protection of such resources, framed within the emerging paradigm of sustainable development.

Based on the above and, in general terms, the restructuring of this Post-graduate course is aimed at incorporating the specific issues related to the different substantive areas of natural resources law, in its traditional sense, with a modern view based on economic, political and environmental sustainability.

Thus the programme proposed meets the modern professional training needs of young professionals when seeking to enter the labor market or a university career in a wide range of areas from the private, public and academic sectors. Furthermore, the new specialty aims to provide training based on sound legal foundations, supplemented by the technical and scientific knowledge currently required by professional practice.

In this sense, it is intended to address issues that enable the enhancement of the previous programme and attract the attention of foreign students, incorporating the thematic modules constituting the structural axis of the curricula, with a system of optional additional credits, including seminars proposed by the career professors themselves, supplemented by other seminars which are part of other similar programmes already existing at the University of Buenos Aires (UBA), such as the Post-graduate Course of Specialization on Environmental Law, the Updating Course on Oil and Gas, or the Post-graduate Course of Specialization on Energy Regulation of the CEARE, an initiative led by the Schools of Engineering, Economics and Law.

It is also intended, based on the “learning outcomes” and taking into account the potential attendees of this course of studies, to incorporate optional credits from other programs, such as the Agronomy School’s post-graduate courses on agribusiness and the FADU’s Urban Management post-graduate course, or even programs from other universities or foreign well-known educational institutions such as AIDIS, the Rocky Mountain Mineral Law Foundation or the University of Dundee's Centre for Energy, Petroleum and Mineral Law and Policy, in Scotland.

Thus the course is to include a compulsory curricula made up of three or four 90-minute modules to be delivered in three (3) four-month periods. In addition to

these compulsory modules, post-graduate students will have to accumulate further credits equivalent to another one hundred (100) hours, totaling three hundred and seventy (370) hours. Furthermore, the awarding of the degree shall be subject to the approval of a research work on a subject matter dealt with during the course of studies, which shall be inedit and contribute to enhancing scientific knowledge on the issues addressed throughout the post-graduate course.

Topics being dealt so far and which will continue being dealt include:

- a.- Agricultural Law and Sustainable Development
- b.- Regime for Biodiversity-Flora-Fauna and Protected Areas (REDD Programme)
- c.- Energy Regime
- d.- Renewable Energy Resources: Hidraulic, wind, solar, tidal and geothermal–  
Alternative Fuels
- e.- Hydrocarbons Regime
- f.- Sustainable Mining Regime-Mining Contracts
- g.- Nuclear Minerals Regime
- h.- Historical, Artistic and Cultural Heritage
- i.- Weather: Vulnerability and greenhouse effect-Mitigation. Ozone Hole
- j.- Contamination and Water Law-Glaciers
- k.- Fishery Resources
- l.- Waste. Hazardous and Special Waste.
- m.- Sustainable Tourism Regime.

**The Environmental Dimension of Sustainable Development**, which requires development, is compatible with the maintenance of the ecological processes and biological diversity, will be addressed through topics including, in general terms:

- a.- International Environmental Law and Politics
- b.- Constitutional Environmental Law and Procedural Environmental Law
- c.- Minimum Budget Laws
- d.- Mega-trends
- e.- Instruments for the Management and Jurisdictional Defense of Environmental Rights.
- f.- Environmental Insurance

As regards **Social and Political Sustainability of Natural Resources**, which requires, among other things, that development be aimed at strengthening the identity of the communities and achieving economic balance and poverty eradication, new issues to be addressed include:

- a.- Indigenous peoples and customary use of biological resources.
- b.-Biodiversity regulatory framework, including access to genetic resources and associated traditional knowledge.
- c.- Human Rights related to natural resource development.
- d.- Community engagement-Social License.

e.- New trends in SD:CSR, Global Enterprises and NGOs.

As regards **Economic Sustainability** in NR exploitation, topical matters are addressed evidencing the demand from the international community, which hopes for an economically sufficient and fair development within and throughout generations.

Among these issues, the following courses are proposed:

- a.- Foreign Investment in NR and Sustainable Development: International Law and new initiatives.
- b.- Dispute Settlement-NR Investment Arbitration.
- c.- Multilateral Agreements for environmental protection.
- d.- Public policies on NR development.
- e.- NR Projects funding.
- f.- Environmental services payment methods.

The following activities are deemed relevant in order to comply with the tasks:

- To prepare the contents and participate in the Management and Organization of an initial academic seminar intended to train the Professors who will be in charge of the Career's development.
- To propose the contents and teaching material (textbooks, handbooks, etc.)
- To prepare a schedule for the discussion of subject matters of interest and a plan of work activities for the Professors.
- To classify the subject matters identified in the schedule according to their level of complexity, to be included in each Module.
- To give advise on teaching methodology for the contents of each module.
- To provide support to the creation process of an Internet site intended to publish teaching documents and essays resulting from the different levels of the career.