

Course of Study *Science And Management Of Maritime Activities*
Academic Year 2024-2025
Environmental Civil Law

General information	
Year of the course	1st year
Academic calendar (starting and ending date)	1st semester (from October 9th to Genuary 17th, 2024))
Credits (CFU/ETCS):	6
SSD	IUS/01
Language	Italian language
Mode of attendance	Recommended attendance

Professor/ Lecturer	
Name and Surname	Laura Tafaro
E-mail	laura.tafaro@uniba.it
Telephone	
Department and address	Didactic venue (Scuola Sottufficiali Marina Militare, largo L. Bezzi, 1 San Vito- Taranto)
Virtual room	<i>Microsoft Teams</i> code: J6r187r
Office Hours (and modalities: e.g., by appointment, on line, etc.)	Reception by appointment in presence and online (<i>Microsoft Teams</i> code: prwcdrs)

Work schedule			
Hours			
Total	Lectures	Hands-on (laboratory, workshops, working groups, seminars, field trips)	Out-of-class study hours/ Self-study hours
150	48		102
CFU/ETCS			
6			

Learning Objectives	Acquisition of the knowledge, skills and competences inherent in the main institutes of civil law suitable for founding a model of sustainable development, attentive to the need to protect the individual - also in an intergenerational perspective - and the environment.
Course prerequisites	Preliminary knowledge corresponding to the learning outcomes envisaged for the teaching of Private Law or Fundamental Legal Notions provided for in the first year of the degree programme is required in order to address the content of the course.

Teaching strategies	The course is developed primarily through theoretical lessons, essential for the acquisition of knowledge (of the Environmental Civil Law) that constitute the specific training objectives of the course. These theoretical lectures include in-depth seminars and are supported, for
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	<p>the acquisition of the ability to apply knowledge, by a practical part through case law exercises , individual and group research, case analysis and discussion groups in the classroom or on an e-learning platform. Various tools are used for improving teaching effectiveness such as, e.g., powerpoint presentations, diagrams, bibliographic directions.</p>
Expected learning outcomes in terms of	
Knowledge and understanding on:	<p>Acquisition of the methodology necessary for the knowledge and understanding of Environmental Civil Law issues suitable for founding and supporting a model of sustainable development, attentive to the need to protect the individual - also in an intergenerational perspective - and the environment.</p>
Applying knowledge and understanding on:	<p>Acquisition of the methodology necessary for the application of the knowledge and understanding of the institutes of the Environmental Civil Law indicated in the programme through the analysis of the most significant literature and jurisprudence on the individual topics under study.</p>
Soft skills	<p><i>Making judgments</i> At the end of the course, the student shall have acquired and developed the ability to critically study the institutions of the Environmental Civil Law through the examination of the main doctrinal opinions and jurisprudential orientations on the individual topics under study.</p> <p><i>Communication skills</i> At the end of the course, the student should be able to argue doctrinal and jurisprudential theses to be able to communicate them well in moments of sharing, comparison and discussion - in the classroom or on an e-learning platform - both individually and in groups.</p> <p><i>Ability to learn autonomously</i> At the end of the course, the student shall have acquired the methodology necessary for the independent learning and critical study of the institutes of the Environmental Civil Law through the examination of the most significant literature and the most innovative jurisprudence on the individual topics under study.</p> <p>The skills acquired will be checked in itinere during the course, so as to intervene promptly, with the help of the lecturer, to fill any gaps.</p>
<i>Syllabus</i>	
Content knowledge	<p>Civil environmental law. Sustainable development and environmental sustainability. Sources and principles of civil environmental law. The normative principle of sustainable development. Sustainable development and future generations. Legal concept of the environment. The history of environmental law. International environmental law.</p>

	<p>European environmental law. Environment and the Constitution. The environment code. Environment and human rights. Goods theory and sustainable development: the commons and emission quotas. Circular economy and waste. Waste from ships and the environmentally sound dismantling of ships. Legal circularity and sustainable development. Contractual autonomy at the time of sustainable development. Environmental sustainability and civil liability. Environmental damage. Climate Change Litigation. The contribution of case law in environmental protection. Ecological, energy and digital transition and civil environmental law. Port energy communities. Sustainable management of the marine and maritime environment. Marine spatial planning. Green ports. Marine pollution. Blue Growth. The Sustainable Ship.</p>
<p>Texts and readings</p>	<p>SALVEMINI L., <i>Il nuovo diritto dell'ambiente tra recenti principi e giurisprudenza creativa</i>, Torino, 2022.</p> <p>The study of the following essays is also recommended:</p> <p>LIPARI N., <i>Premesse per un diritto civile dell'ambiente</i>, in <i>Riv. dir. civ.</i>, 2/2024, pp. 209-228;</p> <p>TAFARO L., <i>Sostenibilità ambientale, economia circolare e diritto dei cives: nuove prospettive</i>, in <i>Aa.Vv., Le nuove frontiere dell'ecodiritto</i>, edited by A. Bonomo, L. Tafaro, A. Uricchio, Bari, 2021, pp. 21-58;</p> <p>PENNASILICO M., <i>Ambiente e iniziativa economica: quale "bilanciamento"?</i>, in <i>Nuove leggi civili commentate</i>, 1/2024, pp. 48-90;</p> <p>PENNASILICO M., <i>Contratto ecologico e conformazione dell'autonomia negoziale</i>, in <i>Riv. quad. dir. amb.</i>, 2017, pp. 4-31;</p> <p>PATRONI GRIFFI U., <i>Le comunità energetiche portuali</i>, in <i>Dir. pubbl. europeo. Rass. online</i>, fasc. 1/2023.</p> <p>TORTA G., <i>Il delicato equilibrio tra la tutela dell'ambiente e la promozione delle attività economiche nella pianificazione dello spazio marino</i> in <i>Ambientediritto.it</i>, fasc. 1/2023;</p> <p>TORTA G., <i>La tutela dall'inquinamento delle acque marittime e costiere</i>, in <i>Lexambiente. Riv. trim. dir. pen. amb.</i>, n. 2/2019;</p>

	<p>N. CARNIMEO DELLE FOGLIE, <i>La gestione dei rifiuti prodotti dalle navi in ambito portuale. Attività di prevenzione e misure di contrasto all'inquinamento da plastica in mare</i>, in <i>Riv. dir. navigazione</i>, 2022, pp. 615-634;</p> <p>CASTRONUOVO D., <i>Relitti o rifiuti? la complessa qualificazione giuridico-penale delle navi abbandonate</i>, in <i>Sistema penale</i>, n. 6, 2020, pp. 327-340.</p>
Notes, additional materials	Regulatory sources; Jurisprudence of the Constitutional Court, of legitimacy and merit, of the European Court of Human Rights and of the Court of Justice of the European Union, as well as further teaching material useful for the study of the discipline.
Repository	The teaching material useful for the study of the discipline will be made available to students in electronic format on the e-learning platform of the University of Bari.

Assessment	
Assessment methods	<p>The examinations will focus on the individual learning outcomes envisaged for the teaching of the Environmental Civil Law (specified above according to the Dublin descriptors).</p> <p>Learning outcomes will be assessed by means of:</p> <ul style="list-style-type: none"> - written open-ended tests lasting at least one hour and/or intermediate oral tests, which will contribute to the final assessment only in the event of a favourable outcome; - presentation of interim individual and group research and/or exercises (halfway through and two-thirds of the course), which will only count towards the final assessment if successful. - a final written open-ended examination lasting at least one hour and/or an oral examination in which consultation of regulatory sources and case law is permitted. <p>The assessment is expressed by a mark in thirtieths. The final examination is deemed passed when the mark is greater than or equal to 18.</p> <p>To achieve a high mark, the student must have developed autonomy of judgement and adequate argumentation and exposition skills.</p>
Assessment criteria	<p><i>Knowledge and understanding</i></p> <p>The assessment criteria used aim at verifying the student's effective acquisition of the methodology necessary for the knowledge and understanding of the issues of civil law - indicated in the program - suitable for founding and supporting a sustainable development model, attentive to needs to protect the person - also from an intergenerational perspective - and the environment.</p> <p><i>Applying knowledge and understanding</i></p>

	<p>The assessment criteria used aim to verify the student's effective acquisition of the methodology necessary for the application of the knowledge and understanding of the issues of civil law - indicated in the program - suitable for founding and supporting a sustainable development model, attentive to needs to protect the person - also from an intergenerational perspective - and the environment through in-depth seminars, case law exercises, individual and group research, case analysis and discussion groups.</p> <p><i>Autonomy of judgment</i> The assessment criteria used aim at verifying the student's effective acquisition and development of the ability to critically study of the institutions of Environmental Civil Law indicated in the programme through the study of the most significant literature on the individual topics to be examined by means of seminar-type teaching activities.</p> <p><i>Communication skills</i> The assessment criteria used aim at verifying the effective acquisition by the student of the ability to argue doctrinal and jurisprudential theses, so as to be able to communicate them well in moments of sharing, comparison and discussion - in the classroom or on an e-learning platform - both individually and in groups.</p> <p><i>Capacities to continue learning</i> The assessment criteria used aim to verify the student's effective acquisition of the methodology necessary for the learning and critical study of the main relevant institutes, the most significant existing literature on the topics under study and the most innovative jurisprudence.</p> <p>The skills acquired will be checked in itinere during the course, so as to intervene promptly, with the help of the lecturer, to fill any gaps in one's basic preparation.</p>
Final exam and grading criteria	<p>The final grade is awarded in thirtieths. The examination is deemed passed when the mark is greater than or equal to 18. Intercourse tests only contribute to the final assessment in the event of a favourable outcome. In order to achieve a high mark, the student must have developed autonomy of judgement and adequate argumentation and exposition skills.</p>
Further information	