

BA.LLB (HONS) – VII-SEMESTER

CLIMATE CHANGE & ANIMAL PROTECTION LAWS

COURSE CODE:

Course Objectives: The earth is warming at an alarming pace due to anthropogenic climate change. The main objective of this Course is to take the students through variety of activities that are contributing to climate change and the efforts of world nations in mitigating its adverse impacts through various laws and policies. Protection of Animals and their rights is rapidly developing as society is becoming aware of its importance. The main objective of this Course is to sensitise and understand the socio-legal aspects of animal laws and recognise that animals should also have rights protected by laws.

Course Outcomes:

1. To understand the basics of climate change and factors contributing to climate change
2. To analyse international development of laws on combating climate change
3. To critically analyse the mitigation and adaptation policies and laws adopted by various nations
4. To understand the importance of animals and social and ethico-legal approach towards protecting animals
5. To have Knowledge and understanding of substantive and procedural law pertaining to animals
6. To be able to analyse critically how the law protects, or fails to protect animals

UNIT-I: Introduction to Climate Change, science of climate change, factors contributing to climate change- social factors (excessive population, poverty, and unchecked urbanization), economic factors (market failures, transport, industries, port and harbour activities, etc.), institutional factors (lack of awareness, poor infrastructure, improper implementation of environmental laws,) Pre-industrial revolution and post-industrial revolution stages of climate change, Climate Change Conventions, UN Conference on the Human Environment (Stockholm, 1972), Intergovernmental Panel on Climate Change (IPCC), United Nations Framework Convention on Climate Change (UNFCCC), Kyoto Protocol, Copenhagen Accord, Cancun Agreement, Doha Amendment to Kyoto Protocol, The Paris Agreement on Climate Change

UNIT-II: Climate Change Law and policy in United States of America, Europe, China; Role of developing and least developed nations in mitigation of climate change; Issues in Transfer of Climate change mitigation technologies from developed to least developed nations, Role of Non-governmental organisations, corporate responsibility, Approaches to climate change mitigation and adaptation, Climate change and its interrelation with human rights, refugee crisis, Intellectual Property Rights, Sports sector, Energy sector, Tax implications, India's role in UNFCCC, Kyoto Protocol, Paris Agreement on Climate Change, National Mission for a Green India; Indian investment in green technologies

UNIT-III: Introduction to Animal Law, What is An Animal? Judicial and administrative definitions, domestic vs. companion vs. wild, statutory interpretations, Theoretical Frameworks for Thinking about Animals and the Law, moral and ethical issues, Jurisprudential approaches for protection and ascribing personality rights to animals, Intellectual property to animals- monkey copyright case; Property Comparing the path from property to protection for humans, vs. animals

UNIT-IV: Criminal law perspective- historical perspectives and animal cruelty and failure to act, hoarding, animals in entertainment, other issues; Torts (Causes of Action) – identifying the

claims, Constitutional Torts, Veterinary Malpractice and Damages, Injuries Caused by Animals – tort theories and damages

UNIT-V: Wildlife Law, Experimenting on Animal, use of animals in research-regulatory framework, Commercial Uses of Animals; Farm Animals, Slaughter, Animal Protection in India, Constitutional Morality: Application to Animal Rights, Role of Supreme Court, Prevention of Cruelty to Animals Act, 1960, Liability for cattle trespass, Dogs Act, 1906, Liability under the Scierter Rule, Compensation under Motor Vehicles Act

Text Books:

1. Nawneet Vibhaw, Environment, Energy and Climate Change, 1st Edition, LexisNexis, 2020
2. Usha Tandon (Ed.), Climate Change- Law, Policy and Governance, EBC, 2016
3. Daniel Bodansky, Jutta Brunnée, Lavanya Rajamani, International Climate Change Law, 1st Edition, Oxford University Press, 2017
4. Maneka Gandhi , Ozair Hussain & Raj Panjwani, Animal Laws of India, 6th Edition, Universal Law Publishing, 2016
5. Partha Pratim Mitra, Wild Animal Protection Laws in India, 1st Edition, LexisNexis, 2016

Reference Books:

1. Bruce A. Wagman, Matthew Liebman, A Worldview of Animal Law, Carolina Academic Press, 2011