

Avdeling for utdanning

Søknad om opprettelse av toårig Joint Nordic Masterprogramme in Environmental Law

Leder for K.G. Jebsen-senter for havrett og professor ved Det juridiske fakultet, UiT Norges Arktiske Universitet Tore Henriksen, har i samarbeid med professor i Miljørett ved Det juridiske fakultet, Uppsala Universitet, Gabriel Michanek, og Senior Lecturer on International Environmental Law ved Law School, University of Eastern Finland, Seita Romppanen, tatt initiativ til å søke om finansiering fra Nordisk Ministerråd for å opprette en to-årig felles nordisk mastergrad i Miljørett. Søknaden om finansiering er innvilget i vedtak av 19.12.2017, se **vedlegg 1**.

Sak om oppretting av fellesgradsprogrammet er våren 2018 behandlet av Studieutvalget og Fakultetsstyret ved Det juridiske fakultet. Studieutvalget behandlet saken på sirkulasjon den 20. april 2018, se 2017/5194-2, hvor utvalget fattet følgende vedtak: «Studieutvalget foreslår at vedlagt studieplan vedtas og at det to-årige masterprogrammet «Joint Nordic Master Programme in Environmental Law» (fellesgrad) opprettes fra og med høsten 2019». Fakultetsstyret behandlet saken i møte den 8. mai 2018, se 2017/5149-3, hvor styret i sak FS 20/18 enstemmig vedtok følgende innstilling til vedtak: «Fakultetsstyret vedtar vedlagte studieplan og anbefaler det to-årige masterprogrammet «Joint Nordic Master Programme in Environmental Law» (fellesgrad) opprettet fra og med høsten 2019».

Det følger av Forskrift for kvalitetssikring i høyere utdanning og fagskoleutdanning (studiekvalitetsforskriften) kapittel 4 om fellesgrader § 4-1 (1) at universiteter kan gi grader «i samarbeid med andre norske eller utenlandske institusjoner (fellesgrader)».

På vegne av fagmiljøet i Miljørett ved UiT Norges Arktiske Universitet, Uppsala Universitet og University of Eastern Finland fremmer Det juridiske fakultet herved forslag om å opprette det to-årige felles mastergradsprogrammet «Joint Nordic Master Programme in Environmental Law», se vedlagt søknad om opprettelse av studieprogrammet med tilhørende vedlegg.

Med vennlig hilsen,

Lena Bendiksen

dekan

Kirsti Anderssen

fakultetsdirektør

Saksbehandler: rådgiver Lene Emilie Øye

Dokumentet er elektronisk godkjent og krever ikke signatur

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Uppsala University, Faculty of Law,
University of Eastern Finland, Law School &
UiT The Arctic University of Norway, Faculty of Law

Søknad om opprettelse av studieprogram

Joint Nordic Master Programme in Environmental Law

[Uppsala, Joensuu, Tromsø, 14.05.2018]

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Kapittel 1: Innledning

Generelt om studiet som søkes opprettet

Type studium (kryss av)	
<input type="checkbox"/>	Bachelorgradsstudium
<input type="checkbox"/>	Høyskolekandidatstudium
<input type="checkbox"/>	Kortere studium på lavere grad (nivå 6 i NKR) som ikke fører til en grad
<input type="checkbox"/>	Videreutdanning
<input checked="" type="checkbox"/>	Mastergradsstudium

Hvorvidt studiet skal tilbys som (kryss av)	
<input checked="" type="checkbox"/>	campus-/stedbasert studium
<input type="checkbox"/>	samlingsbasert studium
<input type="checkbox"/>	desentralisert studium ved annet studiested, oppgi studiested:
<input type="checkbox"/>	nettstudium
<input type="checkbox"/>	nettstudium med samlinger

Hvorvidt studiet skal tilbys som (kryss av)	
<input checked="" type="checkbox"/>	heltidsstudium
<input type="checkbox"/>	deltidsstudium

Det Juridiske fakultet ved Uppsala Universitet (UU), University of Eastern Finland Law School (UEF) og Det juridiske fakultet ved UiT Norges Arktiske Universitet (UiT) fremmer herved søknad om opprettelse av to-årig Joint Nordic Master Programme in Environmental Law.

Lov og forskrift

Det følger av Lov om universiteter og høyskoler (universitets- og høyskoleloven) § 3-1 om akkreditering av studietilbud og institusjoner, tredje ledd jf. første ledd, at akkreditering forstås som en «*faglig bedømming av om (...) et studietilbud fyller standarder og kriterier gitt av departementet og NOKUT*», og videre at «*akkrediterte studietilbud skal være i samsvar med Nasjonalt kvalifikasjonsrammeverk*».

Alle studietilbud skal altså oppfylle kravene til akkreditering som er gitt i lov og forskrift, og til enhver tid opprettholde tilfredsstillende kvalitet i samsvar med bestemmelsene i lov og forskrift.

NOMPEL er utarbeidet på bakgrunn av de sentrale krav gitt i [Forskrift for kvalitetssikring og kvalitetsutvikling i høyere utdanning og fagskoleutdanning](#) (studiekvalitetsforskriften) og NOKUTs [Forskrift om tilsyn med utdanningskvaliteten i høyere utdanning](#) (studietilsynsforskriften). For det første stiller studiekvalitetsforskriften § 3-2 krav til fagmiljøet tilknyttet mastergradsstudier, hvor NOKUT har gitt utfyllende bestemmelser i studietilsynsforskriften § 2-3. Særskilte krav til mastergradsstudier fremgår videre av studiekvalitetsforskriften § 3-2 jf. NOKUTs utfyllende bestemmelser i studietilsynsforskriften §§ 2-2 og 2-3. Utfyllende bestemmelser om fellesgrader er gitt i studiekvalitetsforskriften kapittel 4 jf. studietilsynsforskriften § 2-5.

Programmets læringsutbyttebeskrivelse er utformet i tråd med The Swedish Higher Education Ordinance (1993:100) Annex 2 (**appendix 1**), hvilket refererer til nivå 7 i [Sveriges referensram för kvalifikationer](#) (SeQF), som bygger på det felles europeiske kvalifikasjonsrammeverket [European Qualification Framework](#) (EQF).

Overordnet om studieprogrammet

Strategi

UiT Norges Arktiske Universitet har i sin strategiplan «Drivkraft i nord: Strategi for UiT mot 2020» fremhevet *energi, klima, samfunn, miljø og bærekraftig bruk av ressurser* som kunnskapsområder hvor universitetet som sådan har ambisjon om å være internasjonalt ledende. I strategiplanen uttrykker UiT videre at universitetet skal tilby *forskningsbaserte utdanninger med kvalitet på høyt internasjonalt nivå, og å øke rekrutteringen av nye studenter både regionalt, nasjonalt og internasjonalt*. Det juridiske fakultet har i henhold til sin strategiplan som visjon å bidra til å oppfylle «Drivkraft i nord: Strategi for UiT mot 2020». Fakultetet trekker frem *Hav- og miljørett* som et av sine satsningsområder for perioden 2018-2022, og vektlegger som gjennomgående strategi *å ha undervisningstilbud som gjenspeiler satsningsområdene, og utdanningstilbud som ivaretar både den nasjonale og internasjonale dimensjonen av rettsvitenskapen*.

Studieprogrammet Joint Nordic Master Programme in Environmental Law, heretter kalt NOMPEL, har som formål å skape avansert kunnskap om miljørettslig metode og å gi innsikt i hvordan avgjørende miljørettslige problemstillinger håndteres internasjonalt, innenfor EU og i de Nordiske landene. Programmet skal tiltrekke og forberede studenter for videre PhD studier og dermed fremme bærekraftig akademisk forskning innenfor miljørett ved Nordiske og andre universiteter. Programmet skal også bidra til å møte et økt behov for miljørettslig ekspertise i ikke-akademisk arbeid, særlig hva gjelder arbeid med fornybar energi. Programmet må altså kunne sies å omhandle et kunnskapsområde som Det juridiske fakultet og UiT som sådan ønsker å prioritere, og som har relevans både hva angår arbeid innenfor forskning, utdanning og formidling.

Relevans

Nordiske universiteter har lenge tilbudt miljørettsstudier, og det finnes i dag flere masterprogram innenfor miljø- og energi rett, som i noen grad overlapper med NOMPEL. Likevel, programmets gjennomgående fokus på klima- og energirett sett i lys av klimaendringer, bærekraftig forvaltning av naturressurser og biologisk mangfold, er helt særegent for dette programmet. Unikt er også programmets Nordiske perspektiv med fokus på rettssystem og mekanismer som er sett på som ledende i den globale kontekst.

Internasjonalisering

Det følger av studiekvalitetsforskriften § 3-2 og studietilsynsforskriften § 2-3 at i kravene til fagmiljø ligger blant annet en forutsetning om dokumenterte resultater på samarbeid med fagmiljøer, både nasjonalt og internasjonalt. I Meld. St. 16 (2016-2017) [Kultur for kvalitet i høyere utdanning](#) (utdanningsmeldingen) kapittel 3 om utdanning som gir god læring, legges det til grunn at «*Internasjonalt samarbeid er en forutsetning for den globale kunnskapsutviklingen og for å sikre kvalitet i norsk høyere utdanning*». Her mener Kunnskapsdepartementet at *alle studieprogram skal tilbys av fagmiljøer som deltar aktivt i internasjonale samarbeid og relevante nettverk*, og det bemerkes at det *i samarbeid med de sterkeste fagmiljøene internasjonalt er et klart mål å utvikle flere fremragende utdanningstilbud*. Det påpekes at studieprogram skal ha internasjonaliseringstiltak, hvor samarbeid om hele gradsstudier fremheves som en av de viktige hovedformene for internasjonalisering, og som *det tiltaket med størst grad av kompleksitet*.

Søknaden om opprettelse av dette studieprogrammet er et resultat av langvarig samarbeid mellom fagpersoner som er internasjonalt ledende på sine felt. Dette har ført til at studieprogrammet har en sterk internasjonal dimensjon, og omhandler internasjonal rett, EU rett, nordisk og nasjonal rett satt i sammenheng. Samarbeidet om programmet innebærer også høy grad av studentmobilitet, da studentene skal studere ved hver av institusjonene i løpet av programmet. Dette innebærer at fagene som inngår i programmet tilbys ved institusjoner med forskningsmiljø og ekspertkompetanse på det aktuelle området. Videre er programmet tiltenkt både nordiske og internasjonale studenter, hvilket legger til rette for et internasjonalt læringsmiljø hvor studenter fra ulike deler av verden kan dele sine

perspektiver i studiehverdagen. Et større internasjonalt studiemiljø vil også kunne bidra til økt internasjonaliseringskultur ved hver av institusjonene.

Således mener vi programmet vil være et eksempel på et utdanningstilbud og godt internasjonalt samarbeid som er i tråd med Regjering og Kunnskapsdepartementets forventninger. En opprettelse av programmet vil med dette styrke UiTs arbeid med internasjonalisering.

Videre fremstilling

Formålet i den videre fremstilling er å redegjøre for at studieprogrammet oppfyller de sentrale krav gitt i lov og forskrift. Kapittel 2 omhandler fagmiljøet tilknyttet programmet og struktur hva angår selve fellesgradssamarbeidet. Kapittel 3 inneholder mer utfyllende informasjon om studieprogrammet, og Kapittel 4 om dets relevans.

Søknaden fremmes av institusjoner i tre ulike land, og er derfor i det videre skrevet på engelsk.

Chapter 2: Academic context and joint cooperation

A Programme based on excellence and high quality

Faculty of Law at University of Uppsala, Law School at University of Eastern Finland and Faculty of Law at UiT are all leading in the field of environmental law, specialising in, inter alia, climate change and energy law, law on management of water and other natural resources and conservation of biodiversity. All three institutions have made substantial contributions to research and development, both nationally and internationally. They represent a team with substantial experience and expertise in the different areas of environmental law and in different national and international contexts. Most lecturers in the Programme courses will be professors or other academics with a PhD degree in law and with profound knowledge in environmental law research and education. In addition, non-academic experts with important experience from application of environmental law in practice will occasionally be engaged. The courses will foremost include seminars based on problem solving; involving environmental legal theory and methodology on advanced level, see chapter 3 below and the attached Programme Educational Plan (**appendix 2**). The Programme is thus essentially research-based and offers good opportunities for graduates to careers in PhD research. The advanced level of education will also promote careers in non-academic working life.

Cooperation between higher education institutions in the Nordic Region

Nordic research training co-operation within the field of environmental law goes back to the beginning of 1990's, within the network Cesam. From 2003–2011, the cooperation continued under the auspices of first the Nordic Environmental Law Network (NELN) and subsequently the Nordic Environmental Law, Governance and Science Network (NELN+) funded by NordForsk. Another important cooperation was established in the Nordic Research Network for Sámi Law and Environmental Law (NORSEL, 2002 – 2007). These networks have facilitated the establishment of a unique research cooperation among environmental academics in the Nordic countries through a long series of joint activities (i.e. conferences, workshops and research visits), with a special objective to encourage PhD students in environmental law. Although funding of those networks has ceased, the Nordic cooperation in research remains very active, now in a more informal way. Nordic scholars meet continuously at conferences (e.g. those arranged by the European Environmental Law Forum) and PhD dissertations etc. and work together in research publications. There is e.g. a specific academic [Nordic Environmental Law Journal](#), with at least two issues each year. The journal publishes peer reviewed papers from both senior researchers and PhD students. Consequently, NOMPEL should be regarded an expansion of an already existing cooperation between higher education institutions (HEIs) in the Nordic Region. The Nordic community will be consolidated by NOMPEL, attracting new PhD students. The programme will also establish a closer educational cooperation between Nordic law institutions, entailing exchange of experiences in teaching methodology.

Collaboration between industry and labour market in the Nordic Region

In order to link NOMPEL to the industry and the labour market, the programme will engage experienced practitioners as guest lecturers in the courses. The courses will also include study visits to companies, authorities, courts and other organisations where environmental law is applied in practise. During the visits, the students will have an opportunity to learn more about how environmental and energy law form part of the activities carried out by the company in question, or they may experience how a court or administrative appeal board work in practice. Company visits, such as visits to private consultancies offering legal services in the field of environmental law will inform students of employment possibilities within the private sector. Places to visit may be e.g. the [European Forest Institute \(EFI\)](#) in Joensuu, The Land and [Environmental Court of Appeal in Stockholm](#) and the secretariat of the Arctic Council and the regional office of the Fisheries Directorate in Tromsø.

Structure of the joint Programme cooperation

Faculty of Law at Uppsala University, the Law School at University of Eastern Finland and Faculty of Law at UiT The Arctic University of Norway have agreed on a Cooperation Agreement (**appendix 3**). The purpose of this Agreement is to record the decisions and

involvement of the Parties for running of this research based, jointly developed Programme, and to outline the principles and terms of their cooperation. The Agreement states the responsibilities of the Coordinating Institution, which is Uppsala University, the Steering Committee and Admission Committee.

The Coordinating Institution names an Academic Programme Coordinator and an Administrative Coordinator to fulfil its tasks. The Steering Committee consists of two members from each Party and one student participating in the Programme, elected by the Programme students. The Committee elects its own chair. The Admission Committee consists of one person from each Party.

The Coordinating Institution acts as the Secretariat of the Steering Committee, prepares issues for meetings of the Steering Committee and has the final responsibility for the oversight and implementation of all administrative matters, in accordance with that agreed upon in the Agreement and the Programme Educational Plan.

The Steering Committee steers the Programme and decides upon the academic and administrative issues. The Steering Committee cannot, however, decide upon matters involving the exercise of public authority. The Steering Committee shall meet at least once every year to discuss the Programme content and other issues related to the Programme. Major changes in the Programme are subject to final approval by the Parties.

The Programme Admission Committee shall be engaged in the admission process. Students will be admitted to the Programme at Uppsala University, which administers the admissions, in accordance with Swedish legislation and procedures adopted by Uppsala University and the qualification requirements specified in the Programme Educational Plan. The Programme Admission Committee shall be consulted in matters regarding selection of students in competition situations.

Quality assurance of the joint Programme

The Steering Committee is responsible for the annual systematic follow-ups of the programme components. The Coordinating Institution is responsible for educational evaluations, at least once every six years, according to the Guidelines in Uppsala University's Model for Review of Study Programmes (UFV 2015/475) (**appendix 4**). The first review will take place in the year 2024. The Coordinating Institution shall involve the other Parties in all quality assurance. All quality assurance shall include student evaluation and participation.

External evaluation of the joint Programme

The Programme will be externally evaluated in 2024 and after that, at least once each sixth year, in accordance with the Cooperation Agreement and the Coordinating Institution's

national legal requirements. The evaluation will be performed by two educational experts from universities other than the Parties. The Programme Steering Committee is responsible for initiating an external evaluation.

Marketing of the joint Programme and Student Recruitment

The Steering Committee will develop a marketing and student recruitment plan for the Programme and each Party will develop appropriate and adequate information material for the incoming students.

Chapter 3: About the study programme

Objectives of the joint Programme

The objective of the Programme is to provide advanced knowledge in environmental law methodology and insight in how crucial environmental issues are managed legally internationally, within EU and in the Nordic states. The Programme should attract and prepare students for future PhD studies, and thereby, promote sustainability in academic environmental law research at Nordic and other universities. The programme should also meet the increasing demand for environmental law expertise in non-academic work, particularly in the sustainable energy sector.

Structure of the joint Programme

NOMPEL is an advanced full-time study programme of 120 ECTS credits, with a nominal study length of two years. The Programme leads to a joint degree (120 credits), named: Master of Legal Science (Uppsala University), Master of Comparative and International Law (University of Eastern Finland), Master of Laws (UiT The Arctic University of Norway).

The Programme degree requires the completion of all Programme courses.

NOMPEL is structured as follows:

First semester: *Introduction - The Role of Law in Environmental Policies* (15 ECTS) and *Law on Management of Natural Resources and Protection of Biodiversity* (15 ECTS), Faculty of Law, Uppsala University. Students stay in Uppsala during the entire semester.

Second semester: *Climate Change Law and Policy* (5 ECTS), *WTO: Environment, Clean Energy and Natural Resources, Trade and Resources* (5 ECTS), *International Environmental Law II* (5 ECTS), *International Law and Forests* (5 ECTS), *Environmental and Social Impact Assessment*

(5 ECTS) and *International Water Law* (5 ECTS). Students stay in Joensuu during the entire semester.

Third semester: *Energy and Climate Change Law* (15 ECTS) and *Protection of the Marine Environment with Focus on Marine Living Resources Law* (15 ECTS). Students stay in Tromsø during the entire semester.

Fourth semester: *Master thesis in Environmental Law* (30 ECTS). UiT The Arctic University of Norway is responsible for the course administration, including the formal examination. All three universities are equally responsible for the performance of the course, including supervision and approval of theses and arrangement of seminars. All three universities are equally responsible for the course costs.

Seminars at the start, middle and end of the semester. Supervisors are engaged from Tromsø, Joensuu and Uppsala. No obligation for students to stay in Uppsala, Tromsø or Joensuu. Participation in the seminars is mandatory; but, most of them may be attended on video links.

Content of the joint Programme

NOMPEL includes three main phases in accordance with a progression in learning outcomes.

First Phase: The first phase entails a broad introductory course, basically a discussion on the Role of Law in Environmental Policies (Uppsala). The students will learn the functions and potentials of different environmental legal instruments and principles, as well as how legislation and legal principles can counteract implementation of environmental objectives and green growth. The students will also learn how international and EU environmental law interact with national law and the basic structures and challenges in environmental law, in all Nordic states. In addition, the students will be introduced, early on, to the coming NOMPEL courses in Phase Two and to the challenges connected with the authoring of a master thesis, during Phase Three.

Second Phase: Building upon a general understanding of environmental law (i.e. the influence of international and EU law and the basic legal similarities and differences between the Nordic states), the second phase (end of the first and the entire second and third semesters) provides the student with a specialisation in two environmental legal areas, with both being of fundamental importance from an international, EU and Nordic perspective. One is the law on Effective Management of Natural Resources, Including the Protection of Biodiversity. In a first introductory course in Uppsala, the objective is to analyse the relation between the management of natural resources (forest, water, wind etc.) and the interest of conserving biodiversity, as stipulated in international law, EU law and the law of the Nordic states. In Joensuu, the students continue with the natural resource theme and take courses on international law and forests, international water law as well as on environmental impact

assessment and World Trade Organization (WTO) law, in the context of natural resources. The course held in Tromsø, on international law and sustainable use of living marine natural resources, includes studies on the protection of biodiversity in marine harvesting, in areas within and beyond national jurisdiction, and offers case studies on national implementation.

The second specialisation area is climate change and energy law. The first course in this specialisation takes place in Joensuu and provides students with a basic understanding of the climate change challenge and key legal mechanisms and policies related to climate change mitigation and adaptation. In Joensuu, students will also take a course on international trade regimes under the WTO, which introduces the key WTO rules relating to climate change. Aspects of trade in renewable energy technologies and the relationship between the WTO and emissions trading systems are also included. In Tromsø, the students continue with a course that provides them with advanced knowledge of the interdependence between climate and energy, including the implications of climate change law for the energy sector, renewable energy, emissions trading and carbon capture and storage. The course will also offer case studies from the Arctic.

During the second phase, NOMPEL has made use of the specific competencies of the respective law institutions. Still, in order to include the Nordic perspective, materials and lecturers from other Nordic states will also be involved in the courses, in order for the students to understand how environmental objectives, established in international and EU law, are implemented in different Nordic states. We have already contacted Danish and Icelandic environmental law professors and they are willing to give input into the courses.

Third Phase: With specific competencies in biodiversity law and climate and energy law, the student shall, during the third phase, produce a thesis in either of the two legal fields; but, with a specific thesis topic demanding their own empirical research and analysis, covering, inter alia, the Nordic perspective. The student is continuously supported by a supervisor from any of the three universities. Seminars, during the course, advise the student in legal methodology, structuring and writing skills (as a follow-up to the introductory course). Students receive feed-back on draft papers, presented in seminars, in the middle of the semester. The final thesis is subject to opposition, during seminars, at the end of the course and is evaluated and graded by a professor other than the student's supervisor. The final seminars also include a summing up of the entire Master's Programme.

Learning outcomes

The objective of NOMPEL is to educate and examine master students with competencies in three complementary domains, as stipulated in the Swedish Higher Education Ordinance (1993:100), annex 2:

(i) Knowledge and Understanding: Candidates who can:

- Identify and comprehend complex environmental legal issues concerning, inter alia, the role of law in connection with (a) implementation of climate policies and in particular the transformation to sustainable energy systems and (b) effective management of natural resources including halting the loss of biodiversity;

- Raise fundamental questions about the concepts of sustainable development, natural resources management, biodiversity conservation, climate change and sustainable energy systems;

- Identify and understand international, EU and Nordic environmental and energy specificities and interests and the interaction with national policies and interests in the Nordic countries;

- Identify and understand the economic and policy concerns in solving the legal problems and issues arising in this field;

(ii) Intellectual Competences/Competence and Skills: Candidates who have the:

- Ability to reflect on various environment law topics and to ask critical questions from a legal perspective;

- Ability to synthesize concisely the complexity of intricate energy and environmental regulation topics and to create an overview of these topics;

- Ability to work independently and to carry out an integrated and comprehensive legal analysis of national and transnational environmental and energy law issues;

- Ability to seek out and select relevant legislative documents and cases;

- Ability to comprehend national and transnational environmental and energy law problems and to set up a solution;

- Ability to successfully undertake written assignments, deliver oral presentations and conduct small-scale research in an area of sustainable environmental and energy law that will be of value in developing policy and professional practice, and applying regulatory frameworks and implementing instruments related to climate change, sustainable energy systems, effective management of natural resources and conservation of biodiversity.

(iii) Practical Competencies/Competence and Skills: Candidates who can:

- Communicate and draw up legal solutions both orally and in writing;

- Correctly and comprehensively advise and guide clients within the issues of environmental law, in particular, in relation to climate change, sustainable energy, resource management and biodiversity;

- Contribute to the design and development policies and regulations with the aim of managing climate change, sustainable energy systems, effective resource management and conservation of biodiversity;
- Develop the competencies required to professionally advise businesses, organizations and public authorities on the adoption, implementation, supervision, development and control of sustainable energy and environmental regulation mechanisms;
- Manage and develop the area of national and transnational environmental and energy regulation, including the identification of new solutions to support the transition to a sustainable, low carbon and resource efficient economy;
- Independently initiate and implement collaborations that embrace different legal disciplines; and
- Take part in the new developments and transitions taking place in the Nordic countries, Europe and globally, in accordance with internationally agreed upon aims on climate change, sustainable energy systems, effective resource management and conservation of biodiversity.

(iv) Judgement and Approach: Candidates who can:

- Demonstrate the ability to make assessments in environmental law with regard to disciplinary, social and ethical aspects and also to demonstrate awareness of ethical aspects of research and development work;
- Demonstrate insight into the possibilities and limitations of research, its role in society and the responsibility of the individual for how it is used, and
- Demonstrate the ability to identify the personal need for further knowledge and take responsibility for his or her ongoing learning.

Educational setting

The programme is dimensioned for 25 students of any nationality.

Problem solving and active student participation are the essential components in the NOMPEL education. Seminars include, inter alia, analyses of court cases and constructed hypothetical cases, discussions related to student presentations of legal solutions in Nordic states and made-up court cases with students actively role playing.

In each taught semester, the teaching staff, across the consortium, encourages critical thinking and independent study. Students are offered a wide range of teaching and learning activities as appropriate to the aims of the individual courses. These include (a) lectures followed by plenary discussion - sessions supported by written texts and PowerPoint

presentations; (b) seminars organised as participative lectures or with student presentations and (c) workshops and smaller seminar groups exploring the themes of the preceding presentations or addressing pre-given tasks, texts and questions. The writing of individual assignments represents an integrated part of the learning approach. Students are encouraged to use study groups as a resource for learning and debate. The use of learning approaches varies within individual modules and university traditions, but all participants are encouraged to develop a common course identity, through the creation of reading/interest groups, to consolidate shared interests and to pursue a more in-depth study of an issue.

Continuity and progression are assured by means of the design of the curriculum. The first phase lays the fundamentals and provides the basis for understanding approaches, perspectives and tools in national and transnational environmental and energy regulation. The second phase allows for specialisation in the context of (i) natural resources management and biodiversity law and (ii) climate change and energy law. The third phase allows students to unify and extend their understanding of the subject as developed in the taught part of the Programme, by pursuing an independent research project in one of the two legal areas in Phase Two.

The NOMPEL partners will use their established contacts with industry, businesses, decision makers, authorities, interest groups, NGOs, etc., in order to integrate them into the Programme, especially during Phase Two. The plan is to involve practitioners as teachers and arrange study visits to business entities, public institutions etc. Where possible, practitioners will be involved as advisers during the master thesis (Phase Three).

The grades for each course are determined by the institution responsible for the course.

International dimension

The joint Programme will internationalise higher education in the Nordic region. The courses include analyses of the close links between national, EU and international law. The programme also includes comparisons of how different Nordic countries and other countries have implemented international environmental conventions and EU environmental law. Furthermore, internationalisation is accomplished as students from different countries participate, by engaging lecturers from different countries and through student mobility; each student will study at the three universities in Uppsala, Tromsø and Joensuu. During the courses, students from different countries will be organised in work preparation groups, providing a platform for educational and intercultural exchange. Cultural exchange with the general student body at the university in question will be encouraged. First of all, law students from the existing and ongoing master law programmes at the three universities will be invited to take part in the courses offered under NOMPEL. Group work, joint student presentations and peer feedback as well as company visits will provide the basis for academic, social and cultural interaction between the student groups. The language of

instruction for NOMPEL is English. Students will also have the possibility to take basic language courses in Swedish, Finnish and Norwegian while studying in Uppsala, Joensuu and Tromsø.

Chapter 4: Relevance

Relevance of the joint Programme

As a basis for prohibitions and restrictions, and mostly for economic incentives, law plays an essential role in the implementation of environmental policy objectives, such as counteracting and adapting to climate change, converting to sustainable energy systems, halting the loss of biodiversity, ensuring good air and water quality and achieving sustainable management of forests, fish, minerals and other natural resources. These issues are all part of "environmental law", which we define very broadly; not only specific protection legislation is included, but also e.g. legislation on physical planning, recycling of materials, sustainable energies and exploitation of water, minerals and other natural resources.

The legal implementation is part of environmental law in a multilevel governance framework – nationally, within the EU and internationally. Within each state, environmental issues are regulated on central, regional and local level. It is overall an extensive complex of rules with complicated relations within and between regulatory levels, regulating conflicts between different public and private interests.

Environmental law is therefore a growing field for advanced legal research, and not least in the Nordic countries. There is also an increasing demand for educated specialists in the day to day application of environmental legislation, in e.g. courts, central and local authorities, industries, law firms and other consultancies, interest groups and organisations on national level, but also within EU and internationally.

The Nordic countries have long traditions in cooperating in the field of law. They are collaborating in developing legislation (the 1974 Nordic Environmental Protection Convention is one example). Academic cooperation has also been frequent, e.g. within different environmental law networks. The Uppsala, Tromsø and Joensuu universities intend to continue and expand the Nordic academic cooperation by developing this joint Programme.

As mentioned above in chapter 3, the two main objectives of NOMPEL are to attract and prepare students for future PhD studies and to meet the increasing demand for environmental law expertise in non-academic work. There is a need for Nordic co-operation on a joint Master Programme since the capacity – as regards number of students and research-based teaching – in each country is limited and it would be even more difficult to establish comprehensive and full environmental law programmes on a more permanent

basis at single universities. Despite the fact that there are differences in regulatory and governance traditions between Nordic countries, they are fairly close to each other in comparison to traditions in other countries. Future regulatory and governance challenges are to large extent common in a globalized world for all Nordic countries. NOMPEL provides a fruitful basis for shared educational efforts, which the students may also benefit from.

Relevance in relation to other master programmes in Environmental law

All in all, there are several master programs in the fields of environment and energy. These postgraduate programmes are here and there overlapping NOMPEL. However, the combined focus on climate change law and energy, and on natural resources management and biodiversity, is specific for NOMPEL (the programme's three phases are described above in chapter 3 and in the attached Programme Educational Plan). Furthermore, the NOMPEL has a unique Nordic perspective. It focuses on legal systems and mechanisms that in many cases are seen as frontrunners in a global context. An additional added value of NOMPEL is the long-standing experience of its partners in offering research and full programs or multiple courses within the scope of environmental law, which facilitates the creation of a comprehensive and well-coordinated joint degree programme.

NOMPEL gives the students the opportunity to complete their studies through mobility, research, training, intellectual and intercultural interaction amongst researchers, practitioners and specialists in three different Nordic contexts. For this reason, NOMPEL represents enhanced knowledge, deepening knowhow and a broadening scope compared to other existing postgraduate programme, in spite of their excellence and relevance. NOMPEL is a working-life oriented programme that is built to reflect the recruitment needs of the public, private and academic sector. NOMPEL will contribute to facilitating and strengthening the connections between research, businesses and lawmakers. Well-connected with the relevant public authorities, the green industry and the legal sector, the programme serves as a platform for the professional orientation of the students and ultimately, their recruitment. The consortium's natural and long-standing connection between academics and practice will greatly facilitate the students' future transition into the labour market. The teaching methodologies and language and the mandatory mobility will meet the increased need for staff with international skills and international insights and language competencies as well as staff that are willing and able to work across countries and cultures.

Relevance in relation to academic research

The need for future academic research is obvious, both for deeper, theoretical analyses of applicable environmental law and for developing new legal tools and approaches to promote a sustainable development. Several universities in the Nordic countries include research

departments or groups in environmental law that need additional educated experts for both research and research-based teaching. An important objective of the programme is to attract new PhD students in environmental law. As the programme is based on problem solving and active student participation and will encourage the ability to reflect and to ask critical questions in combination with training in academic writing and appreciation of high academic standards, the students will be well prepared for future academic research in environmental law. Furthermore, the knowledge acquired during the master programme will form an important basis for the future environmental law PhD students both in their research and in their teaching in environmental law, before and after their PhD exam.

Relevance in relation to non-academic working life

Today, the Nordic countries are facing profound structural transformations, in particular the transition towards a green, low carbon and resource efficient economy. Transforming the economy along this path will provide important sources of jobs. This is not least relevant in connection with mitigating climate change and promoting renewable energy and also in a sustainable management of natural resources and conservation of biodiversity. As stated above in chapter 3 and in the Programme Educational Plan, NOMPEL focuses on these areas. Vinnova, the Swedish Governmental Agency for Innovation Systems has in the report "Measuring Green Jobs?: An Evaluation of Definitions and Statistics for Green" (TemaNord 2012:534, p. 89) pointed to the fact that *"environmental knowledge is becoming increasingly important in areas and fields where it previously has not been necessary, like in pharmaceuticals, health, financial, and law"*. It is assumed that the transition will benefit mainly high-skilled workers, thus emphasizing the need for education however not only in engineering and natural science, but also in law. Available evidence shows that in particular the renewable energy sector is experiencing very strong employment dynamics, with wind, solar and biomass technologies progressing most rapidly. On the international level, the International Renewable Energy Agency (IRENA) has estimated that globally, 6.5 million people are working directly or indirectly in the renewable energy sector (Renewable Energy and Jobs: Annual Review 2014). In the EU, it is estimated that the renewable energy sectors support employment for 1.2 million workers in the EU 28. Looking ahead, the European Renewable Energy Council predicts that by 2020 renewable energy could provide employment for two million citizens in Europe (EU Skills Panorama 2014). Consequently, the sustainable energy sector plays a major role in the global economy as an important and growing source of employment and human welfare. The transformation experienced as climate change, security concerns and scarcity of resources are forcing countries to move towards a more sustainable consumption model will undoubtedly lead to further job creation in the new energy related sectors, an increased security of supply, and hopefully also tools to combat climate change and environmental degradation. However, the transformation has impacted a wide variety of legal frameworks and economic and policy instruments nationally, in the EU and around the globe, the design and effectiveness of

which is equally diverse. Herein lays a challenge: it is increasingly difficult for professionals to get a full understanding of the environmental and energy sectors and the legal mechanisms and forces that shape it.

NOMPEL thus aims at fulfilling a major gap in higher education in the ever-growing field of energy, climate, natural resources management, biodiversity and other environmental related issues.

Sustainability of the joint Programme

The intention of the three universities is to develop a long term master program in environmental law. All Nordic Countries as well as the majority of EU countries are committed to sustainable development, creating an increasing need for qualified professionals able to bring under close and critical scrutiny legal environmental issues at municipal, county, national and international levels. Therefore, the NOMPEL consortium plans to broaden its institutional scope, and engage in close cooperation with universities from the two other Nordic countries. Such an enlargement of NOMPEL is facilitated by the established, well-functioning cooperation between the Nordic researchers in environmental law. There are also other options. There is an increasing need in Asia for enhanced sustainability in response to their present industrial development, causing both global and regional environmental degradation. Both a political and an economic analysis demonstrate ample need in the future for environmental law graduates. It is in this context relevant that the Law Faculty in Uppsala has close cooperation with several prominent environmental law professors in China, at universities in Beijing, Wuhan, Guangzhou and Kunming, in the fields of research (conferences etc.) and education. UEF Law School cooperates with the Fudan University, as well as with the Nordic Centre in Shanghai in the field of environmental law. For example, in 2015 the UEF Law School organised a two-week seminar on international environmental law and diplomacy at the Fudan University in cooperation with Fudan Law School and the Nordic Centre. UiT and its K.G. Jørgensen Research Centre for the Law of the Sea (JCLoS) is developing cooperation with universities in Asia on law of the sea. In 2015, JCLoS organised an international conference on shipping in the Arctic in collaboration with Centre for International Law at the National University of Singapore. The conference involved researchers from Japan, Korea, China, USA and Canada. The NOMPEL cooperation indicates three institutions (Uppsala, Tromsø and Joensuu) with strong capacity in research and education within different fields of environmental law. This high level of competence is expected to last, and develop stronger in the near future. NOMPEL would clearly contribute to strengthen the level of competence in all three institutions. At institutional level all participating universities have systems of financing that is centrally based on student output. Hence, successful marketing of the programme is vital to attract sufficient number of good students. This will guarantee the continuity of the programme, as well as financing of the planned curriculum. Since all students will be registered at Nordic universities, they will all

be eligible for grants from NordPlus and from EU programmes such as ERASMUS. Possibly, other loan schemes or scholarship programmes are available in Sweden, Finland or Norway, but this needs to be further investigated. If NOMPEL in the future will provide education of environmental law for developing states, foreign aid funds may be available, e.g. in the Swedish International Development Cooperation Agency (SIDA) and the Norwegian Agency for Development Cooperation (Norad).

Appendix overview

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