UČNI NAČRT PREDMETA / COURSE SYLLABUS

Predmet:	**Okoljsko in urbano pravo**
Course title:	**Environmental and Urbanistic Law**

Študijski program in stopnja **Study programme and level**	**Študijska smer** **Study field**	**Letnik** **Academic year**	**Semester** **Semester**
Pravo in management nepremičnin – 2. stopnja		1/2	2
Law and Management of Real Estate 2nd Degree		1/2	2

Vrsta predmeta / Course type:	izbirni / elective
Koda predmeta /Course code:	

Predavanja **Lectures**	**Seminar** **Seminar**	**Vaje** **Tutorial**	**Druge oblike študija** **Other type study**	**Samost. delo** **Individual work**	**ECTS**
30	0	0	0	120	6

Nosilec predmeta / Lecturer:		Izr. prof. dr. Breda Mulec/Assoc. Prof. Breda Mulec, PhD
Jeziki/Languages:	Predavanja / Lectures:	slovenski jezik / Slovenian
	Seminar / Seminar:	slovenski jezik / Slovenian

Pogoji za vključitev v delo oz. za opravljanje študijskih obveznosti:	**Prerequisites:**
Zahteva se vsaj 80 % prisotnost na predavanjih.	At least 80% attendance at lectures is required.

Vsebina:	**Content (Syllabus outline):**
Nekateri izzivi na področju varstva okolja: - ekstremna vročina, mraz, suša, poplave; - top najbolj onesnaženih mest na svetu; - oaze onesnaženja in izvoz umazanih tehnologij; - zelene agende zunanjih politik in vloga gospodarskih diplomacij pri zasledovanju okoljskih standardov; - družbena odgovornost tujih podjetij in njihov vpliv na spreminjanje vrednot v državi gostiteljici. Zgodovina, cilji in okvir varstva okolja (Razvoj okoljskega prava; Trajnostni razvoj in Cilji Trajnostnega Razvoja; Preobrazbene spremembe; Vloga okoljskih načel; Okoljska vladavina prava); Slovenski pravni red in politike. Pravni viri. Ustava RS. Pravica do zdravega življenjskega okolja. Mednarodni dokumenti in pravica do zdravega življenjskega okolja. Neformalni varuh okolja!? Varuh človekovih pravic. Temeljna načela Zakona o varstvu okolja v zvezi s pravico do zdravega življenjskega okolja. Pravno varstvo in pravica do zdravega življenjskega okolja. Vrste okoljske škode. Odškodninska odgovornost povzročitelja. Sosedske imisije in pravica do zdravega življenjskega okolja. Industrijska onesnaženost in pravno varstvo. Opustitveni in odstranitveni	Some challenges in the field of environmental protection: - extreme heat, cold, drought, floods; - top most polluted cities in the world; - pollution heavens and export of dirty technologies; - green agendas of foreign policies and the role of economic diplomacy when enforcing environmental standards; - social responsibility of foreign companies and their influence on changing values in the host country. History, purposes and governance framework of environmetal protection. (Evolution of environmental law; Sustainable development and Sustainable Development Goals; Transformative change; Role of environmental principles; Environmental rule of law). Slovenian legal and policy framework. Legal sources. Constitution of RS. Right to a healthy environment. International documents and the right to a healthy environment. Informal Ombudsman!? Ombudsman. The basic principles of the Environmental Protection Law according to the right to a healthy environment. Legal protection and the right to a healthy environment. Environmental damages. Liability damages. Neighboring Emissions and the Right to a Healthy Living Environment.

zahtevek. EKO ali okoljski terorizem. Pravica do pitne vode. Mednarodni pravni viri in pravica do pitne vode. Dokumenti OZN. Pravica do sanitarij. Mednarodni pakt o ekonomskih, socialnih in kulturnih pravicah. Mednarodni pakt o državljanskih in političnih pravicah. Konvencija o otrokovih pravicah. Konvencijah o pravicah invalidov. Ženevske konvencije. Postopki pred OZN. Svet Evrope in pravica do pitne vode. Evropska konvencija o človekovih pravicah. Evropska socialna listina. Evropsko sodišče za človekove pravice. Evropsko pravo in pravica do pitne vode. Okvirna direktiva o vodah. Direktiva o pitni vodi. Oskrba s pitno vodo kot gospodarska javna služba lokalnega pomena. Zakon o vodah. Uredba Vlade RS o oskrbi s pitno vodo. Problematika dostopa do pitne vode v Republiki Sloveniji. Investicije v okoljsko vodno infrastrukturo. Pravica do čistega zraka. Viri onesnaževanja. Vpliv onesnaževanja zraka na zdravja. Primerjalne študije. Meritve ARSO. Pravno varstvo. Evropska direktiva o kakovosti zunanjega zraka in čistejšem zraku za Evropo. Varstvo zraka v Sloveniji. Primeri kršitev EU predpisov. Pravica EU državljana do čistega zraka. Ukrepi RS za zmanjšanje onesnaženosti. Načrti za kakovost zraka. Podrobnejši operativni program. Civilnopravno varstvo. Sodna praksa. Upravnopravno varstvo. Čist zrak in električni avtomobili. Prilagajanje podnebnih spremembam. Globalno segrevanje. Mednarodno pravo in podnebne spremembe. Okvirna konvencija Združenih narodov o spremembi podnebja. Kjotski protokol. Pariški sporazum. Ravnanje z odpadki. Problematika nelegalnih odlagališč. Okoljske nesreče. Inšpekcijski nadzor. Načelo onesnaževalec plača. Ravnanje z radioaktivnimi odpadki kot obvezna javna služba. Problematika odlagališč jedrskih odpadkov. Izdelava jedrskega orožja in vpliv bojevanja na okolje. Sanacija starih bremen. Kazniva dejanja na področju okolja. Okoljski kriminal.	Industrial pollution and legal protection. Waiver and removal request. EKO or environmental terrorism. Right to drinking Water. International legal sources and the right to drinking water. UN Documents. Right to sanitation. International Covenant on Economic, Social and Cultural Rights. International Covenant on Civil and Political Rights. Convention on the Rights of the Child. Convention on the Rights of Persons with Disabilities. Geneva Conventions. The procedures before the UN. Council of Europe and the right to drinking water. European Convention on Human Rights. European Social Charter. European Court of Human Rights. European law and the right to drinking water. Water Framework Directive. Drinking Water Directive. Drinking water supply as a public service. Waters Act. Decree of the Government of the Republic of Slovenia on drinking water supply. Some issues of the access to save drinking water in the Republic of Slovenia. The investments in environmental water infrastructure. Right to clean air. Sources of pollution. The Impacts of pollution on human health. Comparative studies. Measurements of the Slovenian Environment Agency. Legal protection. European directive on ambient air quality and cleaner air for Europe. Air protection in Slovenia. Infringements of EU law. The EU citizen's right to clean air. Pollution Mitigation Measures. Air quality plans. Operational program. Civil protection. Judicial practice. Administrative protection. Clean air and electric cars. Adapting to climate change. Global warming. International Law and Climate Change. United Nations Framework Convention on Climate Change. Kyoto Protocol. Paris Agreement. Waste management. Causes, Effect, and Solutions of illegal Dumping. Environmental accidents. Inspection. The polluter pays principle. Management of radioactive waste as a mandatory public service. Problems of nuclear waste dumping. The production of nuclear weapons and the impact of fighting on the environment. Rehabilitation of old burdens. Criminal acts in the field of the environment. Environmental crime.

Temeljna literatura in viri / Readings:

Literatura ter učni cilji sklopov bodo podani pred vsakokratnimi predavanji. / The literaure and learning outcomes will be communicated to students in writing ahead of individual lectures.

- Angelevska, B., Atanasova, V., Stojankovski, V. (2021) 'Urban Air Quality Guidance Based on Measures Categorization in Road Transport', Civil Engineering Journal, Vol. 7, No. 02, pp. 253-267.
- Avbelj, M. (2014) 'Editorial: Economic diplomacy and human rights protection – a void that still needs to be filled', International Journal of Diplomacy and Economy, Vol. 2, Nos. 1/2.
- Ahačič, Jakob et al, Odgovornost države zagotavljati pravico do čiste pitne vode ured. Sancin, et al; Ljubljana Pravna fakulteta 2015, http://www.pf.uni-lj.si/media/odgovornost.drzave.zagotavljati.pravico.do.ciste.pitne.vode.pdf.
- A European Strategy for Plastics in a Circular Economy, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the

Regions, COM(2018) 28 final. https://ec.europa.eu/environment/circular-economy/pdf/plastics-strategy.pdf, 7. 8. 2024;
• Articles on Climate change scepticism, https://theconversation.com/us/topics/climate-change-scepticism-540, 7.8.2024;
• Brisman, A. & South, N., Routledge International Handbook of Green Criminology, Taylor&Francis, 2020;
• Bansal, P. and DesJardine, M. (2014) 'Business sustainability: It is about time', Strategic Organization, Vol. 12, No. 1, pp. 70-78.
• Chernysh, Y., Yakhnenko, O., Chubur, V. and Roubík, H. (2021) 'Phosphogypsum Recycling: A Review of Environmental Issues, Current Trends, and Prospects.' Appl. Sci., 11, 1575, pp. 1-20, Available online at https://www.mdpi.com/2076-3417/11/4/1575 (accessed on 13 November 2023).
• Clifton, D. and Amran, A. (2011) 'The stakeholder approach: a sustainability perspective', Journal of Business Ethics, Vol. 98, No 1, pp. 121-136.
• Climate Refugees (2022) Latest IPCC Report Projects Drought will Displace 700 Million in Afrika. Available online at: https://www.climate-refugees.org/spotlight/2022/3/3/ipcc-africa (accessed on 13 November 2023).
• Costa, C. M., Barbosa, J.C., Gonçalves, R., Castro, H., Del Campo, F.J. and S. Lanceros-Méndez (2021) 'Recycling and environmental issues of lithium-ion batteries: Advances, challenges and opportunities', Energy Storage Materials, Volume 37, pp. 433-465.
• Climate Resources at the National Academies. http://nas-sites.org/americasclimatechoices/videos-multimedia/climate-change-lines-of-evidence-videos/, 7. 8. 2024;
• Communication from the Commission to the European Parliament, the Council, the European economic and Social Committe and the Committeee and the Committee of the Regions. A new Circular Economy Action Plan. For a cleaner and more competitive Europe, COM(2020) 98 final.
• Damjan, Matija, Množični zahtevki zaradi posegov v zdravo življenjsko okolje, Pravni letopis 2011, str. 243-270, https://www.dlib.si/stream/URN:NBN:SI:doc-AMY59FMH/b1e7b552-c4eb-419a-945c-0d229c7d18c1/PDF;
• Domjanič, Mario& Dobovšek, Bojan, Sodobni ekološki terorizem, Varstvoslovje, let.16 št. 1, 2014, str. 16-36, https://www.fvv.um.si/rv/arhiv/2014-1/03_Domjanic_Dobovsek.htmlJuhart, Miha; Tratnik, Matjaž; Vrenčur, Renato 75. člen Stvarnopravnega zakonika (SPZ) s komentarjem, Ljubljana 2016, str. 476-489;
• Damjan, M. (2011). Množični zahtevki zaradi posegov v zdravo življenjsko okolje. Pravni letopis, številka 1, str. 243-270. https://www.dlib.si/stream/URN:NBN:SI:doc-AMY59FMH/b1e7b552-c4eb-419a-945c-0d229c7d18c1/PDF, 7. 8. 2024;
• Directive 2008/50/EC of the European Parliament and the Council of 21 May 2008 on ambient air quality and cleaner air for Europe, OJ L 152, 11. 6. 2008. https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02008L0050-20150918, 7. 8. 2024;
• Direktiva 2008/50/ES Evropskega parlamenta in Sveta z dne 21. maja 2008 o kakovosti zunanjega zraka in čistejšem zraku za Evropo;
• Direktiva 2000/60/ES Evropskega parlamenta in Sveta z dne 23. oktobra 2000 o določitvi okvira za ukrepe Skupnosti na področju vodne politike, UL L 327, 22.12.2000, str. 1–73;
• Direktiva (EU) 2015/720 Evropskega parlamenta in Sveta z dne 29. aprila 2015 o spremembi Direktive 94/62/ES glede zmanjšanja potrošnje lahkih plastičnih nosilnih vrečk, Ur. l. EU, L 115/11, 6. 5. 2015;
• Direktiva (EU) 2019/904 Evropskega parlamenta in Sveta z dne 5. junija 2019 o zmanjšanju vpliva nekaterih plastičnih proizvodov na okolje , OJ L 155, 12.6.2019. https://eur-lex.europa.eu/legal-content/SL/TXT/?uri=CELEX:32019L0904, 7. 8. 2024;
• Direktiva Sveta 2006/117/EURATOM z dne 20. novembra 2006 o nadzorovanju in kontroli pošiljk radioaktivnih odpadkov in izrabljenega jedrskega goriva, Ur. l. EU L 337/21;
• Direktiva Sveta 2011/70/EURATOM z dne 19. julija 2011 o vzpostavitvi okvira Skupnosti za odgovorno in varno ravnanje z izrabljenim gorivom in radioaktivnimi odpadki, Ur. l. EU, L 199/48;
• Direktiva EU trgovanja z emisijami toplogrednih plinov;
• Direktiva 2008 /98/ES Evropskega parlamenta in sveta z dne 19. novembra 2008 o odpadkih;
• Direktiva Sveta 1999/31/ES z dne 26. aprila 1999 o odlaganju odpadkov na odlagališčih;

Cilji in kompetence:		**Objectives and competences:**
Študentje bodo razvili **splošne kompetence**: /		Students will develop the following **general competences**: /
Študentje bodo razvili **predmetno-specifične kompetence**: študentje se bodo najprej seznanili s splošnimi izhodišči in cilji varstva okolja, z različnimi pravnimi instrumenti varstva okolja, vključno z ekonomskimi instrumenti, instrumenti zaščite pred pretiranim obremenjevanjem okolja in odgovornostjo za škodo s strani onesnaževalca in vključevanjem javnosti.		Students will develop the following **course-specific competences:** - understanding the meaning of private and public construction law - knowledge and understanding of the most commonly used contracts in private construction law, - knowledge and understanding of the most important provisions of the general part of the Civil Code applicable to construction law - knowledge and understanding of other civil law rules relating to construction, in particular in the field of property law - knowledge of the most relevant case-law in the field of construction law - ability to understand and solve problems in the field of construction law

Predvideni študijski rezultati: **Znanje in razumevanje:**	**Intended learning outcomes:** **Knowledge and understanding:**
Študent naj: - pozna in uporablja temeljne metodološke pristope pri raziskovanju vprašanj gradbenega prava, - se seznani s temeljnimi pojmi gradbenega prava in jih razume, - poglobljeno spozna najbolj pomembne dele gradbenega prava, - razvije zanimanje za gradbeno pravo, - se usposobi za pripravo preprostega osnutka gradbene pogodbe, - usposobi za ravnanje, če pride do kršitve obveznosti katere od pogodbenih stranke med samo gradnjo, - se usposobi za ravnanje, če pride do kršitve obveznosti katere od pogodbenih stranke po gradnji.	**Students shall:** - become familiar with and apply fundamental methodological approaches to the study of construction law issues, - become familiar with and understand the fundamental concepts of construction law, - have an in-depth knowledge of the most relevant parts of construction law, - develop an interest in construction law, - be trained to draft a simple construction contract, - be trained to deal with the breach of the obligations of one of the parties during the construction itself, - be trained to deal with the event of a breach of the obligations of a party after construction.

Metode poučevanja in učenja:	**Learning and teaching methods:**
Oblike dela: ☒ Frontalna oblika poučevanja ☒ Delo v manjših skupinah oz. individualno ☒ Samostojno delo študentov ☒ Študij s pomočjo IKT tehnologij ☐ drugo (vpišite) _____ **Metode (načini) dela:** ☒ Razlaga ☒ Razgovor/ diskusija/debata	**Types of learning/teaching:** ☒Frontal teaching ☒Work in smaller groups or individual work ☒ Independent students work ☒ Study with the help of ICT technologies ☐ other _____ **Teaching methods:** ☒ Explanation ☒ Conversation/discussion/debate

☒ Delo z besedilom	☒ Work with texts
☒ Proučevanje primerov raziskav	☒ Research case studies
☒ Igra vlog	☒ Role-play
☐ Druge vrste nastopov študentov	☐ Different presentation
☒ Reševanje nalog/vaje	☒ Solving exercises/study exercises
☐ Študijski obiski podjetij ipd.)	☐ Field work (e.g. company visits)
☐ Vključevanje gostov iz prakse	☐ Inviting guests from companies
☐ Udeležba na okrogli mizi, na konferenci	☐ Attending round table and conference

Načini ocenjevanja: Način (pisni izpit, ustno izpraševanje, naloge, projekt)	**Teža (v %) / Weight (in %)**	**Assessment: Type (examination, oral, coursework, project)**
Sprotno ustno (aktivno sodelovanje pri kontaktnih urah in pri raziskavah)		Oral verification and assessment of knowledge
Sprotno pisno preverjanje znanja (krajši pisni izdelki)		Written verification and assessment of knowledge (short written casework)
Daljši pisni izdelki (seminarska naloga, projektna naloga, raziskovalna poročila)	**20**	Longer written casework
Javni nastop in predstavitev lastnega raziskovalnega dela		Public presentation of one's research
Končni ustni izpit		Final examination (oral)
Končni pisni izpit	**80**	Final examination (written)
Drugo:		Other:

Reference nosilca / Lecture's references:

Izr. prof. dr. Breda Mulec se je rodila 29. maja 1975 v Mariboru. Diplomirala je na Pravni fakulteti Univerze v Mariboru. Magistrirala je na Fakulteti za politične znanosti, pravo in javno administracijo Univerze v Atenah (2001) in na Pravni fakulteti Univerze v Mariboru (2002). V letih 2001 in 2002 je sodelovala z Inštitutom za etnične, regionalne in sociološke študije (ECERS) v Mariboru ter ISCOMET mednarodno organizacijo, kjer se je ukvarjala z manjšinsko problematiko v Sloveniji in širom po Evropi. Njena raziskovalna področja so bila etnična in verska vprašanja, človekove pravice, čezmejno sodelovanje, politični, jezikovni, kulturni in etničnimi vidiki evropske integracije ter dileme učinkovitega delovanja institucij EU. Leta 2002 se je za nekaj let zaposlila v Državnem zboru RS, kjer je bila sekretarka Komisije za odnose s Slovenci v zamejstvu in po svetu. Sodelovala je tudi pri izvajanju mednarodne dejavnosti v Državnem zboru in pri prvem predsedovanju Slovenije EU na področju kulture.
Osrednji poudarek obeh magistrskih študijev je bil na varstvu manjšin in evropskih integracijah. Tako je npr. magistrski študij na Pravni fakulteti v Mariboru sklenila z magistrsko nalogo na temo Political, Ethnic, Cultural and Linguistic Aspects of the EU Integration.
Doktorirala je na Pravni fakulteti Univerze v Ljubljani iz ekonomske analize prava in evropskih integracij na temo Kohezijska politika EU in problemi njene implementacije s posebnim poudarkom za Republiko Slovenijo ter države Jugovzhodne Evrope. Od novembra 2007 se je kot vodja sektorja za pravne zadeve in vodenje javnih naročil na Ministrstvu za okolje in prostor tudi v praksi ukvarjala s področjem evropske kohezijske politike ter izvajanjem večjih investicijskih okoljskih projektov ter javnih služb varstva okolja. Od 2009-2011 je bila zaposlena v kabinetu ministra, pristojnega za Slovence v zamejstvu in po svetu akad. dr. Boštjana Žekša, kjer se je ukvarjala s strateškimi projekti, s poudarkom na kroženju možganov, gospodarskim sodelovanjem in kulturno dediščino. Od 18. februarja 2013 do novembra 2018 je vodila Sektor za investicije in ekonomsko upravljanje na Ministrstvu za okolje in prostor. Odgovorna je bila za pravna, finančna in ekonomska vprašanja ter kontrole na področjih izvajanja večjih okoljskih investicijskih projektov, sofinanciranih s sredstvi EU.
Od novembra 2018 do marca 2019 je vodila Službo za mednarodno sodelovanje na Ministrstvu za javno upravo. V času službovanja na MJU je za skoraj leto dni prevzela tudi vodenje službe za stike z javnostmi.
Od 16. 3. 2020 do 31. 5. 2022 je bila vodja kabineta ministra zaposlena na Ministrstvu za kulturo.
V času predsedovanja Slovenije Svetu EU je bila uradna govorka ministrstva za kulturo.
Trenutno je zaposlena na Uradu za razvoj in kakovost izobraževanja na Ministrstvu za šolstvo.
Dr. Mulec sodeluje pri pedagoškem delu v okviru predmetov Pravo javnih služb, Okoljsko in urbano pravo, Uslužbensko pravo in Upravno poslovanje na Fakulteti državnih in evropskih študij Nove Univerze v Ljubljani ter pri predmetu Socialni dialog in reševanje konfliktov ter Okoljsko in urbano pravo na Evropski pravni fakulteti.
Kot gostujoča predavateljica je predavala večkrat tudi v tujini (Španija, Latvija, Češka, Severna Makedonija, Madžarska, Francija) in sicer v angleškem, španskem jeziku in srbskem jeziku.

Dr. Mulec je avtorica številnih strokovnih člankov in dveh znanstvenih monografij. V prostem času piše tudi literaturo, med drugim tudi otroške pravljice.
Poznavanje tujih jezikov: angleški, španski, italijanski, francoski, srbski, hrvaški in nemški jezik.
Njena bibliografija je dostopna na: http://www.sicris.si/public/jqm/search_basic.aspx?lang=slv&opdescr=search&opt=2&subopt=1&code1=cmn&code2=auto&search_term=breda mulec.

CURICULUM VITAE (ASSOCIATE PROFESSOR MULEC BREDA, PH. D)

Associate proffesor Breda Mulec, PH.D was born on 29 May 1975 in Maribor. She graduated from the Faculty of Law at the University of Maribor. She received her Masters Degree from the Faculty of Political Science, Law and Public Administration at the University of Athens (2001) and the Faculty of Law at the University of Maribor (2002). Breda Mulec earned a PhD in law from Ljubljana University. Her thesis is titled, »Economic Analysis of law with Emphasis on EU Cohesion policy and its Implementation Problems, with particular Emphasis on the Republic of Slovenia and the Countries of South Eastern Europe.« The main focus of the postgraduated studies was the protection of minorities and European integration.
In 2001 and 2002 she worked at the Institute for Ethnic, Regional and Sociological Studies (ECERS) in Maribor and ISCOMET organization, where she was involved in minority issues and projects regarding interregional cooperation in Slovenia and throughout Europe.
Her research areas were ethnic and religious issues, cross-border cooperation, political, linguistic, cultural and ethnic aspects of European integration and the dilemmas of the effective functioning of the EU institutions. Afterwards, she was working a few years for the National Assembly.

Since November 2007, as a Head of the department for Legal Affairs and the public procurement at the Ministry of Environment and Spatial Planning she was dealing in practice with the EU Cohesion Policy. From 2009-2013 she worked in the Minister Office responsible for Slovenians Abroad akad. dr. Boštjan Žekš, where she worked on strategic projects, with an emphasis on the brain talent circulation and economic cooperation. From 18 February 2013 – november 2018, she was employed at Ministry of Environment and Spatial planning as a Head of the Department of the environmental investments. She was dealing with legal, financial and economic issues and control over the major environmental investment projects co-financed by EU funds.
From November 2018 to March 2019, she headed the International Cooperation Service at the Ministry of Public Administration. During her service at the MPA, she was for almost a year also responsible for the public relations of the Ministry. She was the Head of the Minister's Cabinet at the Ministry of Culture (15. 3. 2020-31. 5. 2022). During Slovenian Presidency of the EU Council (1. 7. 2021-31. 12. 2021) she was also spokesperson for the ministry. Curently, she is employed at the Ministry of Education.

Dr . Mulec also teaches at the Graduate School of Government and European Studies in Kranj and European law school in Ljubljana. She is author of several articles and the books on the topics of public administration. However, her bibliography can be found at http://www.sicris.si/public/jqm/search_basic.aspx?lang=slv&opdescr=search&opt=2&subopt=1&code1=cmn&code2=auto&search_term=breda mulec.

She also writes children's literature, historical fiction novels and comedies. She speaks fluently several languages, English, Spanish, Italian, French, German, Serbian, Croatian.