NATIONAL UNIVERSITY OF ENGINEERING
COLLEGE OF ENVIRONMENTAL ENGINEERING

ENVIRONMENTAL ENGINEERING PROGRAM

AS152 – Environmental Rights

I. GENERAL INFORMATION

CODE	**:**	AS152 – Environmental Law
SEMESTER	**:**	8
CREDITS	**:**	03
HOURS PER WEEK	**:**	04 (Theory – Practices)
PREREQUISITES	**:**	Constitution and Human Rights
CONDITION	**:**	Mandatory

II. COURSE DESCRIPTION

The course will address general environmental principles and standards; the environmental institutional framework; environmental functional systems (SNGA, SINANPE, SEIA, SINEFA, SNGRRHH, SINAFOR, etc.); the main environmental permits and environmental management instruments; as well as the fundamental aspects of sectorial environmental regulations.

III. COURSE OUTCOMES

At the end of the course the student will:

- Know and apply the content and scope of general environmental principles and standards.
- Articulate the performance of environmental functional systems and public entities with environmental competence.
- Know and apply the main environmental obligations, permits and / or authorizations provided for in the special regulations (mining, hydrocarbons, electricity, etc.)
- Be interested in the criticism of environmental standards from a technical point of view.

IV. LEARNING UNITS

1. **ENVIRONMENTAL RIGHTS AND NATURAL RESOURCES**
   Notion of environmental law, legislative structure in Peru, principles of environmental law and articles on environmental matters in the 1993 Constitution. Natural resources: Organic Law for the Sustainable Use of Natural Resources.

2. **NATIONAL SYSTEM OF ENVIRONMENTAL MANAGEMENT AND INSTITUTIONAL FRAMEWORK**
   Framework Law of the National System of Environmental Management, public institutions with sectorial and cross-sectorial environmental competences (ministries, specialized public technical bodies and other entities of national, regional or local scope)

3. **SYSTEM OF EVALUATION OF ENVIRONMENTAL IMPACT AND SOCIAL IMPACT**
   Law on the Environmental Impact Assessment System, its regulations and complementary regulations. Law on Global Environmental Certification, ECAS and LMPs, etc. SENACE and

the competent ministries in evaluation and approval of the IADs, EIA-sd, EIA-d. Main rules applicable to the social management of socio-environmental conflicts: Citizen participation rules applicable to environmental, general and special certification (mining, hydrocarbons and electricity); Law of Prior Consultation; Canon Law; Law of Peasant Communities; etc.

4. **NATIONAL SYSTEM OF WATER RESOURCES MANAGEMENT**
   Law of Water Resources, its regulation and complementary norms. Structure and functions of the National Water Authority. Main permits. Framework Law on Climate Change

5. **GENERAL LAW OF THE ENVIRONMENT, NATIONAL SYSTEM OF PROTECTED NATURAL AREAS, NATIONAL SYSTEM OF FORESTRY MANAGEMENT AND OF WILD FAUNA**
   Rights, principles, environmental management instruments, subjects of environmental management, etc. Law of Protected Natural Areas, its regulations and complementary rules. Structure and functions of SERNANP. Forestry and Wildlife Law, its regulations and complementary regulations. Competences of SERFOR and OSINFOR. Main permits.

6. **NATIONAL SYSTEM OF EVALUATION AND ENVIRONMENTAL PROSECUTION AND ENVIRONMENTAL CRIMES**
   General Law of the Environment; Law of the National System of Evaluation and Environmental Inspection, norms approved by the OEFA. Competences of the OEFA and other EFAS. Penal Code.

7. **SECTOR ENVIRONMENTAL LEGISLATION: MINING, HYDROCARBONS, ELECTRICITY, HOUSING AND CONSTRUCTION, TRANSPORT, INDUSTRY AND AGRARIAN**
   Mining Environmental Regulation, New Mining Exploration Environmental Regulation, Mining Environmental Liabilities Law, Mine Closure Law, among others. Environmental Regulation in Hydrocarbons, Law of Environmental Liabilities in Hydrocarbons, etc. Environmental Regulation of Electricity, Environmental Regulation of Transports, Environmental Regulation of the Housing, Construction and Sanitation Sector, Regulation of Environmental Protection in Industry, etc. New General Law on Solid Waste and its regulations, among other regulations related to the environmental issue.

V. LABORATORIES AND PRACTICAL EXPERIENCES

- Preparation of 4 working documents: 2 technical reports and 2 research papers (including visit to MINAM, ANA, SENACE, among other entities, to exercise the right to access environmental information, interview officials, etc.)

VI. METHODOLOGY

Active method: prior to class, students will read material selected by the teacher (weekly qualified reading controls). Then, the professor will make an exhibition-synthesis of the topic discussed and debated.

VII. EVALUATION FORMULA

The learning will be evaluated through the "G" system.

- Partial Exam: Weight 1
- Final Exam: Weight 1
- Qualified Practices: Weight 1.

Calculation of the Final Average:

$$FA = \frac{PE + FE + PA}{3}$$

PE: Partial Exam; FE: Final Exam, PA: Practices Average

For the Practices Average the three practices with the highest grades:

$$PA = \frac{QP1 + QP2 + Q3}{3}$$

VIII. BIBLIOGRAPHY

- CONESA, Víctor. Guía Metodológica para la Evaluación del Impacto Ambiental. Edition Mundi-Prensa, 2010

- ANDALUZ, Carlos. MANUAL DE DERECHO AMBIENTAL. Editorial IUSTITIA. 4ta. Edition, 2013.