



Course
Business and Natural Resources Rights
2020

PERSONS RESPONSIBLE FOR THE PREPARATION OF THE COURSE

Name and surname	Institution	Academic degree
Dr. Pietro Sullo	Riga Graduate School of Law	Rector
Anastasija Kaplane, LL.M	Riga Graduate School of Law	Visiting Lecturer
Dr. Ilze Dubava	Riga Graduate School of Law	Visiting Lecturer

COURSE PLAN

Course	Business and Natural Resources Rights
Credit points	3 ECTS
Total session hours	20
Prerequisites	Knowledge of Public International Law Knowledge of Environmental Law

COURSE ABSTRACT

The course examines how the protection and promotion of indigenous peoples' rights are linked to environmental law and economic, business and investment law.

It begins with the conceptualisation of land rights and rights to natural resources (such as the right to water, food, etc.). An introductory lecture is thus entirely devoted to the establishment of the foundational knowledge on the core of the course – natural resources rights.

Further, these rights are discussed in the context of the rights of indigenous peoples. Students are introduced with the notion of indigenous peoples, both from historic and legal perspectives. The international regulation of indigenous peoples' rights is examined.

The course proceeds, adding another 'layer' to it, by linking the mentioned rights to environmental law. More specifically, the focus should be made at the effect of climate change on indigenous rights.

As a final element of the theoretical part of the course, the connection to business law is established. The United Nations Global Compact and other international legal instruments that are relevant for this course are discussed.

The practical part of the course consists of seminars and lectures on real-life decision-making (i.e. decisions of international and regional bodies). The purpose of the seminars is to involve students in a direct discussion of complex legal questions relating to the abovementioned topics. The format of the seminar may change depending on the group dynamics: students may work individually or in groups, be required to make a presentation of a judicial case, etc.

COURSE OBJECTIVES

The course aims to introduce the students to three areas of law: indigenous peoples law, investment (business) law and environment law. The course aims not to just make students familiar with relevant legislation and soft law, but also to examine the role of multinational companies (such as mining, oil and infrastructure companies) and see what are the prerequisites for an effective dialogue between the indigenous peoples, multinational companies and governments.

LEARNING OUTCOMES

	Upon successful completion of the course students:
Knowledge	<ul style="list-style-type: none">– will acquire knowledge on the areas where indigenous peoples' law, economic (investment) law and environmental law overlap;– will understand the complexities of the legal framework governing the three mentioned areas of law and related jurisprudence;– will understand terminology, systems, actors and institutions relevant for natural resources rights;– will be able to take a critical approach to different disciplines and debates involving indigenous peoples' law, economic (investment) law and environmental law.
Skills	<ul style="list-style-type: none">– will develop legal research skills allowing them to engage in independent research in the fields covered by the course;– will acquire presentation skills to develop a legal argument;– will acquire analytical skills necessary to apply the knowledge accrued to case studies and in real-life settings.
Competencies	<ul style="list-style-type: none">– will be able to use knowledge, skills and personal, social and/or methodological abilities they have developed during the course in work or study situations and professional and personal development.

COURSE EXAM

Criteria	Weighting
Exam	40%
Course paper	40%
Participation in seminars	20%

COURSE MATERIALS

The reading materials for each session (lectures and seminars) are available in the individual course session plans. Each course has a separate file, which describes each session of the course individually.

The students are required to read the mandatory materials before each session. Recommended literature is optional for reading but strongly advised to students who wish to obtain more advanced knowledge.

COURSE PLAN: LECTURES AND SEMINARS

No.	Title of the session
1	A starting point: conceptualising rights to land, natural resources, food, water, housing, health and clean environment and international regulation of these rights
2	Rights to land and natural resources as indigenous rights? The notion of indigenous peoples Regulation of indigenous peoples' rights in international legal instruments The link between discussed rights and indigenous peoples
3	Building a link to environmental law Indigenous peoples' right to the conservation and protection of the environment Impact of climate change on indigenous peoples
4	Building a link to business: a look at the UN Global Compact, United Nations Guiding Principles on Business and Human Rights and the ILO Indigenous and Tribal Peoples Convention
5	International investment protection law and its interaction with indigenous people rights
6	SEMINAR: case studies for in-class discussion
7	From theory to practice: decisions of the international and regional decision-making bodies
8	An Inter-American perspective: the case of Mayagna (Sumo) Awas Tingni Community v. Nicaragua
9	SEMINAR: Evaluating current and future challenges
10	SEMINAR: simulation of the proceedings of the Inter-American Court of Human Rights involving indigenous communities