Legislative role games in environmental law & governance related courses: teaching examples from different universities

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Outline

1. Background on courses in Austria & Japan
2. Structure of the courses, topics covered and overall classroom conditions
3. Concrete examples of legislative role plays & their integration into the courses incl. logic of the order
4. Marking & results
5. Organizational issues & evaluation
1a. Background: Austria

1. 2007-11: Obligatory course “Conservation Law”
   – held at University of Vienna/Austria, Faculty of Natural Sciences, Dep. Of Botany & Biodiversity Research
   – in Masters Program “Biodiversity and Conservation Management” (taught in German language)
   – mainly for non-lawyers
     • Bachelor discipline unlimited, but all with natural science background, no obligation to be present for students
     • German speaking students, age of students 20-30

2. ~ 10-30 students/course enrolled

3. Only a 1-2 students in total with legal background (e.g. parallel enrolled at law school)
1b. Background: Japan

1. 2011-12/2012-13: eligible case-based course on “International Environmental Law”
   – held at United Nations University – Institute of Advanced Studies (UNU-IAS), Yokohama/Japan
   – in Masters Program “International Environmental Governance with Specialization on Biodiversity”
   – mainly for non-lawyers
     • Bachelor discipline unlimited
     • Origin of students globally unrestricted, age of students 22-53

2. Selection by point system; 8&5 students/course

3. Prior: 3h+ general introduction into law in earlier compulsory course “Biodiversity Governance”
2. Structure, geographical focus and overall classroom conditions - Austria

- Taught in winter semester
- 15 parts over about 5 days/6 hrs/day)
  - Introduction/basics
  - International law (incl. legislation role games)
  - European law National (Austrian) law
  - Austrian Legislation
  - Implementation
    - Administration/jurisdiction

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2. Structure, topics covered and overall classroom conditions - Japan

- 6 classes/quarter
  - Introduction (incl. legislation role games)
  - Horizontal issues
    - public participation in environmental matters
    - human rights and the environment
  - Emerging issues
    - Nanotechnology
    - Bioenergy
    - Synthetic biology
3. Concrete examples of legislative role plays & integration into courses I

CITES role play emphasizing the technical dimension of MEA-text

The following points were consecutively displayed.

1. You and your partner agree on a wild animal or wild plant species which you are both have more knowledge about (time 5 min.)

2. The partners depart and the person who surname starts with the letter(s) earlier in the alphabet thinks about arguments which are in favour of the inclusion of that species into the CITES Annex I. The other partner thinks about counter arguments. (time available 5 min.; recommended to make structured list)

3. Try to convince the opposite negotiator with your arguments (10 min. time).
CBC role game emphasizing the political/legal dimension on the international level of a MEA-text.

A. CBD objectives (Art. 2) distributed:

“The objectives of this Convention, to be pursued in accordance with its relevant provisions, are the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources, including by appropriate access to genetic resources and by appropriate transfer of relevant technologies, taking into account all rights over those resources and to technologies, and by appropriate funding.”
3. Concrete examples of legislative role plays & integration into courses II b

B. Then the following questions were consecutively displayed:

1. Which parts have been during the negotiations to
   a) an average representative of a “developed country”
   b) an average representative of a “developing country”
   of specific importance? (highlight please respectively in a different manner in your text) (5 min. time)

2. You are
   a) an average representative of a “developed country”
   b) an average representative of a “developing country”
   and now think about three modification proposals reflecting the interests of your country. (5 min. time)

3. Try to convince the opposite negotiator regarding at least one of your proposals (10 min. time).
3. Concrete examples of legislative role plays & integration into courses III

CBD role game emphasizing the political dimension of national legislation implementation of MEA-text.

- Interactivity: role game „The minister sends his/her cabinet“
- Federal minister‘s cabinet vs. office of competent province head
- pro/contra CBD competence distribution (ministry wants it)
- Formation of teams
  - Phase 1: internal clarification of arguments + agreeing on 3 main arguments(pro/contra)
  - Phase 2: 10 min. discussion
  - Phase 3 : analysis of arguments
4. Marking & results of course – Austria & Japan

AT: Written examination (four terms per year)

- 30 short questions in 90 minutes (max. of 100 points available)

- Grades:
  - 50+ points: sufficient
  - 60+ points: convenient
  - 75+ points: good
  - 90+ points: very good

JP: 1 case PPT counting f. 80% of grade (20% diary)

Results (1st//2ndyear): 7A+, 1A//3A+, 1A-, 1B

Figure 1: AT-Results of 94 exams (2007-2011)
5. Evaluation
Japan & Austria

• JP: Organizational issue:
  – 1st course: 17 of 20 criteria between „very good“ and „excellent“
  – 2nd course: 11/21 „excellent“, others „very good“

• AT: done always at the end of the course

From AT evaluation 2011:

In general I consider this lecture as

<table>
<thead>
<tr>
<th>Option</th>
<th>Very good</th>
<th>Very bad</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st course</td>
<td>31.6%</td>
<td>63.2%</td>
</tr>
<tr>
<td>2nd course</td>
<td>5.3%</td>
<td>0%</td>
</tr>
</tbody>
</table>

Compared with other courses of this MSc programme I consider this course

<table>
<thead>
<tr>
<th>Option</th>
<th>Much better</th>
<th>Much worse</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st course</td>
<td>25%</td>
<td>0%</td>
</tr>
<tr>
<td>2nd course</td>
<td>45%</td>
<td>0%</td>
</tr>
</tbody>
</table>

n=19, mw=1.7, s=0.6
n=20, mw=2.1, s=0.8
Thank you for your attention!

Any questions?