

NATURAL RESOURCES LAW COURSE SYLLABUS

Course Name: Natural Resources Law, Spring 2019
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General Course Description

The aim of the course ***Natural Resources Law*** is to review legal aspects of natural resources ownership and use in the Kyrgyz Republic. The course will cover regulation of the following natural resources: subsoil, land, forest, water, flora and fauna. The course addresses such issues as title to different natural resources, principles of use of resources, state regulators in natural resources sector, framework laws concerning different natural resources. Taking into account the social and economic importance for the Kyrgyz Republic of land, mining and environmental protection issues, special attention will be given to the practical aspects of regulation of land, mining industries and environmental protection legislation of the Kyrgyz Republic. The course is divided into 4 sections each addressing specific natural resource.

Students are expected to read class materials (mainly legal acts, court decisions) before the class and participate in class discussions. There will be individual and/or group assignments/presentations. Guest speakers and site trips will be organized when possible. Reading materials will consist of legal acts of the Kyrgyz Republic, court decisions available at the legal database “Toktom”, expert articles (provided by the course instructor). Additional section specific materials will be announced and/or provided by the course instructor at the beginning of each section of the course.

The course is taught in English language, section tests, final exam, individual and group presentations shall be prepared and presented in English language.

Grading

Students may earn up to 100 points and will be graded as follows:

100-95	A	79-75	B-	59-55	D+
94-90	A -	74-70	C+	54-50	D
89-85	B+	69-65	C	49-45	D-
84-80	B	64-60	C-	44 ≥	F

Final grade of the student will compose of the following:

1. 20 points - class participation (attendance, active and constructive participation during the class discussions, individual and group presentations)
2. 40 points - 4 section-based tests (10 points per each section test)
3. 40 points - final exam

Failure to take final exam and/or 2 or more section based tests will lead to grade “F”. Failure to attend the class 3 or more times will lead to automatic deduction of 10 points. Up to 5 point extra-credit can be earned for individual presentations and/or written paper.

Plagiarism, cheating in any form, unauthorized group work and attempt of such during the section and final tests, in written papers will lead to automatic grade *F* for the course.

Use of electronic devices

Use of electronic devices including but not limited to use of mobile phones, notebooks, netbooks, tablets, book readers and similar shall be turned off or put on mute mode in order not to interfere with the class discussion. Use of any electronic device, including phones and notebooks/netbooks during the section tests, final test is strictly prohibited and will automatically lead to grade *F* for the course.

Office hours

Any working day from 6 pm to 7 pm agreed in advance with the student and instructors. And any time immediately after any regular class.

NATURAL RESOURCES LAW COURSE SYLLABUS	
Section 1	Introduction to Natural Resources Law, Introduction to Subsoil Law of the Kyrgyz Republic
Class 1 January 15	Intro into NRL. Discussion of the Syllabus, course structure and requirements. Intro into Subsoil Law. Sources of Subsoil Law.
Class 2 January 17	State regulators: State Committee for Industry, Energy and Subsoil, local state authorities, local self-governments.
Class 3 January 22	Issuance of subsoil use rights. Regulation of subsoil use licensing. Types of subsoil use licenses.
Class 4 January 24	Types of subsoil use licenses. Issuance of a license and execution of the license agreement. Auction and competition procedures. The main terms of the license and license agreements. Rights and obligations of the state regulator and the subsoil user. Land, forest and other ancillary rights. Geological information. Registration of subsoil use rights.
Class 5 January 29	Subsoil use rights granted under the Concession terms (individual presentation).
Class 6 January 31	Subsoil use rights granted under the PSA terms. Regulation of individual placer miners.
Class 7 February 5	Review of the court rulings on violation of subsoil use legislation. Exploration and mining contracts (case studies).
Class 8 February 7	Group Summary Presentation. Section Test.
Section 2	Introduction into land law of the Kyrgyz Republic
Class 1 February 12	Land law of the Kyrgyz Republic. Land reform of the Kyrgyz Republic. Legal sources regulating land relationships in the Kyrgyz Republic.
Class 2 February 14	State regulators.
Class 3 February 19	Land ownership and use restrictions, restrictions applicable to foreign nationals. Interconnection of rights to buildings (fixtures) and land.
Class 4 February 21	Transactions with land. Sale and purchase of land plots, lease, pledge, servitude. Registration of transactions with land. Forms of title granting and title certifying documents to land.
Class 5 February 26	Rights and obligations of land owners and land users. Termination of rights to land. Land disputes. Land cadaster, protection and rational use of land. Liability for breach of land laws.
Class 6 February 28	Regulation of agricultural lands. Individual presentation on pastures (individual presentation).
Class 7 March 5	Regulation of lands of settlement.
Class 8 March 7	Regulation of lands of industry, transport, communication, and defense.
Class 9 March 12	Regulation of lands of special protected territories, forest, water reserve and deposit lands.
Class 10 March 19	Change of category of land, transformation of categories of land.
Class 11 March 21	Group Summary Presentation. Section Test.
Section 3	Introduction into environmental protection law of the Kyrgyz Republic
Class 1 March 26	Introduction into Environmental Protection Law. Framework legal acts on environmental protection.
Class 2 March 28 / April 2	Framework legal acts on environmental protection. State Regulators. Structure of the Government, SEPA and SIETS (individual presentation).
Class 3 April 4	State Environmental Expertise.
Class 4 April 9	Special Protected Territories. Government Resolutions on establishments of parks, reserves. Court Cases (SEPA v Vertex Gold, Sulaiman Too 2010, other).
Class 5 April 11	Liability for breach of environmental protection legislation: administrative, material and criminal.
Class 6 April 16	Group Summary Presentation. Section Test.
Section 4	Introduction into flora, fauna, forest and water use regulations of the Kyrgyz Republic

Class 1 <i>April 18</i>	Regulation of use of flora in the Kyrgyz Republic.
Class 2 <i>April 23</i>	Regulation of use of fauna in the Kyrgyz Republic.
Class 3 <i>April 25</i>	Regulation of use of water resources in the Kyrgyz Republic.
Class 4 <i>April 30</i>	Regulation of use of forest resources in the Kyrgyz Republic.
Class 5 <i>May 2</i>	Group Summary Presentation. Section Test.
Section 5	Final review and Final exam
Class 1	Course Summary, Final review, Q&A discussion - date to be determined
Class 2	Final exam - date to be determined