

LAW FOR THE LIVING ENVIRONMENT

CHAIR PLAN – LAW GROUP

2021-2025

March 2021

This document sets out the chair plan of the WUR LAW Group “Law for the Living Environment” for the period 2021-25.

We welcome thoughts regarding this document, and look forward to sharing the results of our strategic plan with you in the future.

Sincerely,

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### **People of the LAW group**

The LAW group is made up of a multidisciplinary and international team of researchers, united around the study and teaching of law. As an academic discipline and regulated profession, law still remains firmly tied to geography and the national context is important. However, the problems that are the focus of the LAW group's research and teaching take place across jurisdictional boundaries, making our international character an additional strength.

Our team is composed of faculty members at different stages of the WUR tenure track (assistant and associate professors), as well as lecturers, post-doctoral researchers, and PhD researchers. Our faculty members are supported by a dedicated team of support staff.

### **The LAW group within WUR**

The LAW group is part of the department of Social Sciences (SSG). Together with the chair groups Environmental Policy (ENP) and Public Administration and Policy (PAP), it forms the section Sustainability Governance. The section Sustainability Governance and the Forest and Nature Conservation Policy group (FNP) form the Wageningen Centre of Sustainability Governance (WCSG). This collaboration combines chair groups from the social and environmental science departments and is aimed at contributing to the design, functioning and implications of sustainable governance arrangements in the domain of food, nature and the environment. Within both the section and the Centre, the LAW group takes the lead on the analysis of formal rules and institutions.

### **Mission of the LAW group**

The mission of the LAW Group at WUR is threefold:

- (1) to conduct excellent research and teaching with a view to advance knowledge and influencing academic and social debates;
- (2) to provide legal answers to the global challenges related to a sustainable living environment, particularly those mentioned within WUR's strategic plan;
- (3) to carve out a clear space for legal scholarship in transdisciplinary debates, methods and collaborations, both internationally and within WUR.

### **Chair plan 2021-2025: Law for the Living Environment**

The Group's chair plan for the period 2021-2025 is called **Law for the Living Environment**. As part of the chair plan, the group's research, teaching and social impact focus on three thematic research lines: **Environment & Energy, Food Systems, and Business & Human Rights**. These research lines interact in important ways and our researchers collaborate across these lines, as is reflected in our **three connecting themes ('connectors')**: **systemic change; transnational law and transdisciplinary methodology**.

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## LAW Research Lines

### *(1) Environment & Energy*

One of the most important regulatory challenges of our time is how to manage the wide range of the public and private actors and actions that shape our social and natural environments. Doing so successfully requires an in-depth understanding of multiple connected, but at times contradictory, legal frameworks which have to balance a number of public and private interests of current, and future, generations across the globe.

Key research areas under this research line include:

- Climate change
- Energy law
- Pollution, pesticides and plastics
- Comparative environmental law
- *Biodiversity\**
- Environmental and climate justice (also part of 'Business')
- *Agricultural law (also part of 'Food')*
- *Human health (also part of 'Food')*
- *Animal law (also part of 'Food')*

### *(2) Food Systems*

Our food system has to accommodate a wide range of policy goals: to be sustainable and just; to ensure food and nutrition security; to deliver safe and healthy food; to safeguard the wellbeing of non-human animals that are part of our diet and/or affected by our agricultural system more broadly; to become increasingly circular; to incorporate technological and digital innovation; to remain, and/or become, economically viable; and to respect the limits of our living environment. Law plays a crucial role in achieving these goals and in managing the trade-offs and synergies between them.

Key research areas under this research line include:

- (EU) Food law
- Comparative food law
- E-Food
- Food Justice/ Food System Solidarity
- Intellectual property rights
- Public procurement law (also part of 'Business')
- Trade law (also part of 'Business')
- *Agricultural law (also part of 'Environment')*
- *Consumer law (also part of 'Business')*
- *Human health (also part of 'Environment')*
- *Animal law (also part of 'Environment')*

### *(3) Business & Human Rights*

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\* Research areas in italics are those in which the Group is expanding.

Corporations have significant power and influence over our living environment. They can both contribute to and prevent the realization of human rights, the Sustainable Development Goals, and a circular and climate-neutral economy. National, EU and international legal frameworks seek to maintain economic growth while regulating corporate activities in the face of global political contestation and technological innovations.

Key research areas under this research line include:

- Business and human rights
- Labour law (safety and health of workers)
- Competition law
- Public procurement law (also part of 'Food')
- Trade and investment law (also part of 'Food')
- Environmental and climate justice (also part of 'Environment')
- *Privacy and data rights*
- *Consumer law (also part of 'Food')*

As is immediately clear from the above, these themes interrelate in important ways. Many of the legal areas in which we have expertise can be approached from different perspectives: for example, agricultural law can be studied with an environmental perspective, focussing primarily on the environmental impacts of different forms of agriculture, and from an agri-food perspective, focussing on aspects such as food quality and safety. The fact that these areas of expertise are present within one Group greatly strengthens our ability to provide holistic solutions.

In addition to these substantive overlaps and interactions, there are also important overarching developments that affect each of these areas. These are captured by our 'connectors'. The connectors reflect concerns for the future societal role of the law ('Where do we believe future challenges will emerge and how can we best future-proof the law to deal with these?') as well as ongoing changes to legal scholarship itself and its methodologies.

## **Connectors**

### *(1) Systemic change*

The vision of the LAW Group and its research/education agenda builds on the assumption that 'business as usual' is no longer desirable nor sustainable in light of the pressures this has placed on our societal and environmental processes. Systemic change is needed but how to achieve such transformative change is not self-evident. Regardless of which method is chosen, law plays an important role in regulating systemic change. This includes regulating the risks that accompany systemic change, such as those linked to the (disruptive) innovations and technologies that many expect necessary.

Key research areas under this connector include:

- Circular economy (transitions towards, and implementation)
- Risk regulation
- Anticipatory and responsive law-making
- *Big data and data sharing*

- *Technological and digital innovation*

### *(2) Transnational law*

Law, and legal scholarship, are traditionally highly nationalized with national law and national legal systems being the starting point for most legal analysis. Developments in EU and international law have challenged the monopoly of the nation-state, particularly due to the important role that private actors increasingly play in (transboundary) regulation. With respect to the themes of the LAW Group, 'transnational law' is particularly prominent. Transnational law refers to law and legal regimes that span more than one jurisdiction and involves both public and private actors as law-makers and enforcers.

Key research areas under this connector include:

- Private standards as complements and replacements of public law
- Measures of legitimacy and effectiveness in transnational law
- The role of (international) courts in shaping transnational law

### *(3) Transdisciplinary methodology*

Legal research is becoming increasingly interdisciplinary as a result of the changing demands that are being put upon the legal system. Law and economics, law and political theory, law and behavioural sciences, law and management, are all examples of approaches and methodologies applied within the LAW Group. WUR provides the perfect setting for further transdisciplinary work that extends these collaborations to the life sciences and includes the creation of a shared methodological language and intellectual frameworks, beyond the interdisciplinary practices of integrating methodologies and knowledge from different disciplines into law.

Key research areas under this connector include:

- Transdisciplinary work within and beyond the social sciences
- Innovative legal methodologies, such as content analysis supported by software, behavioral approaches

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## **LAW Education**

Our teaching focusses on areas of law that have particular relevance for our living environment. It does so around three main themes that are crucial to legal education in a university focused on "healthy food and living environment": food safety, environment, and business. Depending on the Bachelor of Master's program that students are enrolled in, they will have several options for integrating law into their curricula. For all students at WUR, the course "Introduction to Law for the Life Sciences" provides an essential overview of the interaction between law and their fields of study.

Within our 'food' theme, the key programmes in which the LAW Group is active are the Food Science Master programmes, 'Food Technology', 'Food Quality Management' and 'Food Safety'. Of particular importance is the legal specialization within the Food Safety MSc, called

‘Food Law and Regulatory Affairs’, which equips students with the skills to solve legal questions regarding the introduction and development of novel foods, food labelling, health and nutritional claims and food safety more generally. In this specialization, the international scope of our teaching and staff is brought to the fore through courses in international economic and trade law, intellectual property rights, comparative courses on food law in the United States, China and the EU, and more generally, the role of the European Union in regulating food.

Our courses on environment are spread out across several programs, including the Bachelor and Master on Environmental Sciences. Students can follow courses on international and EU environmental law, as well as courses on agri-environmental law – giving an overview of law related to agricultural activities – maritime law – covering crucial topics related to maritime governance and aquaculture – and courses combining legal provisions related to business, human rights and the environment.

Around the business theme, we focus on developing students’ skills regarding commercial, consumer, trade, responsible business, and intellectual property rights law, i.e. areas of law that affect the way in which businesses operate within society. These courses aim to ensure that students are aware of the formal legal requirements imposed on business, and the rights of consumers, that are active in the market place *and* introducing students to the developing responsibilities of business in the areas of human rights and environmental protection. The latter serves to show students the kind of positive changes they may be able to make through their knowledge of the law.

#### *Educational approach*

Our education program has been designed to allow students with a range of backgrounds and ambitions to leave WUR equipped with sufficient understanding of, and skills to operate in, the legal realities related to their fields to act as proficient users of the law and knowledgeable partners for legal actors and institutions.

Much of the law revolves around questions of interpretation and argumentation, which makes it vital to ensure a safe learning environment where students with different backgrounds and views learn to engage constructively with difficult societal questions. For example, the balancing of risk regarding new technologies, appropriate levels of environmental protection, and allocating regulatory burdens in ensure safe food and labour standards.

In order to successfully prepare our students for professional life and make the most of their time at WUR, our teaching incorporates substantive legal material, legal theory, legal skills training, and the application of legal information and skills to cases. In mastering these skills, every opportunity is provided to students to shape their education experience to their own needs.

A key responsibility of law faculties across the world is to train students to become solicitors and barristers. The entry to these professions is regulated through the prescription of a number of core courses that each student-lawyer should have passed. Graduates from the LAW group at WUR do not typically enter conventional legal professions, unless their MSc is complemented by additional legal degrees from other institutions. As a result, our group can engage in teaching, and research, unencumbered by national bar requirements, which conventional law faculties need to follow to allow their students to qualify as solicitors, barristers or advocates.

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### **Societal Relevance and Impact**

The ways in which we regulate our living environment – in terms of environmental quality, private and public relationships, safe and healthy food systems, responsible business practices, public and private health – is central to our quality of life and the sustainability of our society and environment.

Law both facilitates and complicates the answers that scientists, social scientists and regulators propose for these issues. Moreover, law can provide answers of its own. In both cases, the way in which the law is created, implemented and enforced raises crucial issues regarding participating, ethics, and societal priorities. The LAW group at WUR combines in-depth knowledge of the law itself with interdisciplinary approaches that allow us to also analyse the law from an external perspective.

Our primary impact is achieved through research, teaching, and collaboration with stakeholders. Raising awareness among other disciplines regarding the role of law in their field and/or societal solutions, and training students in being aware of the legal framework of their future professional activities are the main methods through which this impact takes place.

This impact is amplified through collaborations with public actors, such as local, national and European governments and international regulators and our social media strategy. In our engagement with these parties, the impartiality of our research is paramount and external funding and projects are pursued on that basis.