

ECOL 4570/6570  
Comparative Biodiversity and Conservation Law:  
Costa Rica & the United States  
July 23-August 6, 2008

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Course Description

The breadth of Costa Rica's biodiversity and natural resources, plus the environmental protections instituted by the Costa Rican government in the past thirty years make the country particularly well-suited to conducting a comparative study of land conservation and environmental protection policies of Costa Rica and the United States.

Costa Rica houses an incredible variety of life. While it occupies only .001% of the globe, Costa Rica contains 4% of global diversity. The size of West Virginia, it contains more species than the United States and Canada combined. In addition, the country has come under tremendous development pressures in the past half century. By 1995, over 71% of Costa Rica's old growth forest lands had been cleared to make way for beef cattle production, timber harvesting, coffee plantations, and banana plantations. Until several years ago, the country had antiquated squatter's laws that encouraged landowners to make physical changes to their lands to protect their rights of possession. In order to protect its wealth of natural resources from such development pressure, in recent years Costa Rica has developed one of the most extensive systems of environmental protection in the world, and it has received a great deal of international attention for its accomplishments in this field. This system includes protection of 25% of the country's land area in public parks, conservation areas, national monuments, and other public lands; regulation of private lands through aggressive legislation; and incentive programs to encourage conservation or reforestation of private lands, including tax incentives, loan programs, tax certificate programs, conservation easements, and by providing payments for environmental services.<sup>1</sup>

In many instances, Costa Rica's natural resource laws are much more stringent than those of the United States. The norms reflect less concern for private property rights than that seen in U.S. laws and policies. Whether this has influenced the effective conservation of both public and private lands for the better will be an important theme of the course. Another theme that will be discussed and analyzed is the enforcement of Costa Rican and U.S. natural resource protection laws. While Costa Rica's laws are often more stringent than those of the U.S., there are severe gaps in implementation and enforcement. For example, while Costa Rica has protected 25% of its territory as public lands, the country lacks the funds and police needed to adequately monitor these lands and manage them for biodiversity protection. Complicating matters, many of the

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<sup>1</sup> Brian Steed, *Completing the Mosaic: The Conservation of Private Lands in Costa Rica*, 23 J. Land Use Resources & Envtl. L. 173, 173-180 (2003).

public lands have never been adequately surveyed, mapped, and marked so that logging often crosses over from private lands onto government lands where logging is prohibited by law. Further, many landowners whose properties were taken by eminent domain for inclusion in the public lands system were never compensated. One study estimates that over \$100 million is still owed to these landowners.<sup>2</sup>

The course will be held in Costa Rica during July 23 to August 6, 2008. Students will spend time in San Jose, at Manuel Antonio National Park, located on Costa Rica's Pacific Coast, and at UGA's campus at the Ecolodge San Luis & Research Station.

### Course Objectives

Students enrolled in the course will gain an understanding of the land conservation and selected environmental protection policies of the United States through a comparison to the conservation laws and policies of another nation and culture. In addition, students will closely interact with some of Costa Rica's top leaders in the fields of conservation policy, environmental and land use law, and land protection, providing them with a valuable cross-cultural experience. Students will return to UGA with new ideas for effective conservation and environmental protection policy in the United States and invaluable international contacts.

### Texts and Supplies

- Course Packet (distributed at the end of spring term) will include required readings
- Notebook portable and sturdy enough to serve as travel journal and daily assignment log

### Optional Supplies

- Laptop computer
- Any guidebook to Costa Rica (Frommer's and the Tico Times' Exploring Costa Rica are recommended)

### Recommended Readings

- Any materials or experiences which will help you acquire or improve your Spanish. (Spanish language skills are not a requirement of the course, but they will improve the quality of your experience. We intend to study a little before we depart; we recommend that you do, too!)

### Course Requirements

- Physical and mental participation in class meetings
- Assigned readings
- Participation in class discussions and group exercise
- Completion of final exam

Absences. We will deal with surprises on a case-by-case basis, but we expect students to be physically and mentally present for all scheduled meetings and events.

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<sup>2</sup> Id. at 180.

Grades. Grading will consist of class participation, a group exercise and an exam. The final grade will be broken down as follows:

Class participation: 30%

Group exercise: 20%

Final Exam: 50%

Other Requirements. Adherence to the University of Georgia's Honor Code and Academic Honesty Policy. All academic work must meet the standards contained in "A Culture of Honesty." Students are responsible for informing themselves about those standards before performing any academic work. The link to more detailed information about academic honesty can be found at: <<http://www.uga.edu/ovpi/honesty/acadhon.htm>>.

Credit Hours. Students will earn 4 credit hours for the course, based upon 70 contact hours with professors during the length of the program.

Faculty. Laurie Fowler is on the faculty of the Odum School of Ecology and the School of Law. She directs the Odum School's public service and outreach program and is Director for Policy of the River Basin Center (see [www.rivercenter.uga.edu](http://www.rivercenter.uga.edu)). She received her L.L.M. from the University of Washington School of Law and her J.D. from the University of Georgia School of Law. Her areas of expertise include protection of water quality and biodiversity and land preservation.

Justine Thompson serves as the Executive Director of GreenLaw, a nonprofit organization that provides free legal services to organizations and community groups working to protect Georgia's natural resources (see [www.green-law.org](http://www.green-law.org)). Justine previously worked as an attorney for the Southern Environmental Law Center and as an associate for the Atlanta law firm, Chorey, Taylor and Feil. Justine also served as law clerk for United States District Court Judge Robert L. Echols in Nashville, Tennessee. In May 1995, she received a Juris Doctor (J.D.) degree with honors from Duke University School of Law where she served on the editorial board of the Duke Law Journal. Prior to attending law school, Justine worked in Japan and worked in the non-profit sector in both Washington D.C. and California for such organizations as Sierra Club, National Wildlife Federation and the California Public Interest Research Group. She received an economics degree from the University of California, Berkeley in 1988.