

KATHMANDU UNIVERSITY
End Semester Examination
February, 2025

Marks Scored:

Level : B.Sc.

Year : II

Exam Roll No. :

Time: 30 mins.

Registration No.:

Course : ESEE 201

Semester : II

F. M. : 20

Date

: 07 FEB 2025

SECTION "A"

[10Q. × 1 = 10 marks]

Choose and encircle the most appropriate answers from the given choices.

- Which of the following best describes the nature of NDCs under the Paris Agreement?
 - NDCs are a universal set of targets for all countries that must be followed strictly.
 - NDCs are customized contributions based on the country's capabilities and circumstances.
 - NDCs are imposed by international bodies without input from countries.
 - NDCs are non-binding commitments with no review mechanism.
- According to the Environment Protection Act, 2019 who is responsible for managing hazardous substances produced within Nepal?
 - The Government of Nepal
 - The local community
 - The producer of the hazardous substance
 - International organizations
- Under the Environment Protection Act, 2019, the fine for failing to submit an Environmental Impact Assessment report before starting a project can reach up to:
 - NPR 5,000,000
 - NPR 500,000
 - NPR 1 million
 - NPR 100,000
- Which of the following reports is required to be approved by the local government under the Environment Protection Act, 2019 for small-scale projects with localized environmental impacts?
 - Environmental Impact Assessment (EIA) Report
 - Initial Environmental Examination (IEE) Report
 - Brief Environmental Study Report (BES) Report
 - Environmental Management Plan (EMP) Report
- Market-based environmental tools are primarily designed to:
 - Increase government control over industries
 - Provide financial incentives for businesses to reduce environmental harm
 - Ban the use of harmful products
 - Enforce strict penalties for environmental violations

6. A city has adopted a biodiversity offset program as part of its development approval process. A real estate developer plans to clear a large section of native forest for urban development but has been required to purchase biodiversity offsets equivalent to the environmental value lost. Which of the following is a criticism of this approach?
 - a. It directly prohibits the development of any land, regardless of its value.
 - b. It is a legally binding framework that guarantees environmental protection.
 - c. It entirely prevents harm to the environment by halting the development project.
 - d. It commodifies environmental goods, reducing their value to just a marketable quantity.
7. The principle of "*In dubio pro natura*" has been used by the judiciary to:
 - a. Prioritize economic interests over environmental protection
 - b. Resolve environmental disputes by favoring nature when there is doubt about harm
 - c. Allow development projects without environmental assessments
 - d. Promote human rights over environmental concerns
8. Which of the following best describes the legal nature of the Paris Agreement's emission reduction targets?
 - a. The targets are legally binding on all parties and subject to penalties.
 - b. The targets are binding only for developed countries.
 - c. The targets are set by the UN and imposed on all countries.
 - d. The targets are voluntary, with countries choosing their own level of ambition.
9. Which of the following is true about the Enhanced Transparency Framework of the Paris Agreement?
 - a. It imposes strict financial penalties on countries that fail to reduce emissions.
 - b. It requires countries to regularly report their progress, but does not enforce punitive actions for non-compliance.
 - c. It mandates each country to adopt the same carbon reduction methods.
 - d. It imposes legal sanctions on countries that do not meet their Nationally Determined Contributions (NDCs).
10. In the context of international environmental agreements, the free-rider problem can occur when:
 - a. Countries that do not sign the agreement benefit from the environmental improvements achieved by those who comply.
 - b. All countries equally share the costs and benefits of global environmental initiatives.
 - c. Rich countries pay for the full cost of environmental protection in poorer countries.
 - d. Countries that contribute to pollution are required to pay more for environmental damages.

SECTION "B"

[20Q. × 0.5 = 10 Marks]

Fill in the blanks.

11. The _____ principle requires states to act in cases of serious or irreversible environmental harm, even in the absence of full _____ certainty.
12. _____ regards humans as separate from and superior to nature, while _____ sees humans as an integral part of the natural world.

13. The Brundtland Report introduced the idea of _____ development, emphasizing the balance between development and _____ conservation.
14. The principle of internalizing externalities aligns with the _____ Pays Principle. It holds polluters accountable for the _____ they inflict on society and nature.
15. _____ measures include reducing carbon emissions through renewable energy, while _____ measures involve building infrastructure to protect against floods and droughts.
16. If Person A has the _____ to participate in environmental decision-making, then the government has the corresponding _____ to involve the public in policy development.
17. The right to _____ allows citizens to access environmental data from the government, while the _____ ensures that citizens can participate in environmental decision-making processes.
18. Under the concept of _____, developed countries are expected to take the lead in reducing emissions, while _____ countries are expected to contribute according to their respective capacities and stages of development.
19. The _____ and _____ system is a market-based tool that sets a limit on total emissions while allowing industries to trade permits for emissions.
20. The core idea of free-market environmentalism is that when private property owners are responsible for resources, they will use them in a way that maximizes both _____ and _____.

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F. M. : 55

SECTION "C"
[4Q. × 7 = 28 marks]

Attempt *ANY FOUR* questions.

1. Does environmental law embody an anthropocentric construct of nature? Explain. [2+5]
2. How does the Constitution of Nepal, 2015 A.D. balance the right to clean and healthy environment with the right to property? [5+2]
3. How does the Transformative model explain the theory of Environmental Impact Assessment in relation to social learning process? [7]
4. What do you mean by Intra-generational equity? How is this principle interpreted by the Supreme Court of Nepal in case laws? [2+5]
5. What are the roles of an Environmental inspector as provided in the Environmental Protection Act, 2019 A.D.?
6. What are the key sectoral areas mentioned in Climate Change Policy 2019? Choose one sector and mention at least four provisions under it. [3+4]
7. Why is climate change an issue of social injustice? Do you think the principle of Common but differentiated responsibilities is relevant to address this problem? [3+4]

SECTION "C"
[27 marks]

8. Differentiate between (*ANY FOUR*): [4Q. × 3 = 12 marks]
 - a. Differentiate between Law and Justice.
 - b. Differentiate Between Substantive law and Procedural Law.
 - c. Differentiate between Power and Liability.
 - d. Differentiate between Command-and-Control approach and Market based approach.
 - e. Differentiate between Principle of Prevention and Principle of Precaution.
 - f. Differentiate between Framework treaty and Protocols.
9. Elaborate (*ANY THREE*): [3Q. × 5 = 15 marks]
 - a. Lawyers often take a reactive approach to problem-solving while Scientists tend to be proactive. Support this statement with at least one example.
 - b. The development of International Environmental Law has transitioned from fragmented to integrated global governance. Explain.
 - c. Explain the role of the International Court of Justice (ICJ) in environmental law with case examples.
 - d. What are the criticisms of market-based approaches to environmental regulation?
 - e. What is Pollution tax? Explain with an example.
 - f. What is the legal status of the principles of environmental law? Are they binding in nature?

