

Osaka Gakuin University 2019-20 Fall Semester

Japan's Environmental Issues: From an International Legal Perspective

Instructor :

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Lesson : Wednesday 12:50-14:20; Friday 14:30-16:00
Office: Main Bldg. Room 613
Office Hours : Wednesday after class & Friday before class
Subject code : 1037

Course Description:

After the *Fukushima* nuclear accident, Japanese people and world citizens have been forced to consider the pros and cons of nuclear energy. This and other issues such as whaling, IUU (Illegal, Unreported and Unregulated) fishing, seabed mining, world heritage and global warming are also those which Japan has had to urgently deal with and which have heavy impacts on other countries. This course looks at these typical Japanese environmental issues in order to help students understand Japanese and other peoples' views and make up their own minds on these issues.

The class consists of lecture, discussion, video viewing and students' presentation. Above-mentioned six topics, i.e. nuclear energy, whaling, IUU fishing, seabed mining, world heritage and global warming, are picked up and argued. Whaling, among others, will deeply be discussed, on the basis of the International Court of Justice (ICJ) Whaling judgment (Australia v. Japan, New Zealand intervening, 31 March 2014). Each student is expected to make two presentations and submit two reports, one related to their own countries' environmental issues, and the other related to those issues comparing with Japan. Although the fundamental perspective of this course is based on public international law (especially international environmental law), its detailed knowledge is not necessarily required. However, students are expected to learn the very basics of public international law for making legal arguments.

Resources

The instructor will provide hand-outs for each class. Please also refer to this instructor's book:
International Judicial Control of Environmental Protection: Standard Setting, Compliance Control and the Development of International Environmental Law by the International Judiciary (Kluwer Law International, 2010)

Evaluation

The grade will be given based on the participation to the lecture and discussion (40%), two 20-30 minutes presentations (30%) and two 1,000 (or more) words reports (30%). Evaluation methods may change at the instructor's discretion depending on the class size and other factors

Notes:

Past destinations of Kyoto field trip for world heritage include Tenryuji, Kinkakuji, Kozanji, Kiyomizudera, Ryoanji and Byodoin temples and Shimogamo shrine. This year's destination will be decided upon students' favour.

Course Schedule:

1. Introduction: about public international law
2. Whaling: introduction and video viewing
3. Whaling: video viewing
4. Whaling: ICJ Whaling judgment — an overview
5. Whaling: ICJ Whaling judgment — viewed from Australia and New Zealand

6. Whaling: ICJ Whaling judgment — viewed from Japan
7. Whaling: ICJ Whaling judgment — overall assessment
8. Nuclear energy: introduction and video viewing
9. Nuclear energy: Fukushima accident
10. Nuclear energy: nuclear weapons
11. IUU (Illegal, Unreported and Unregulated) fishing: introduction and video viewing
12. IUU Fishing: International Treaties and Case-Law
13. IUU Fishing: Future Agendas
14. Students' presentation: environmental issues in your country (1)
15. Students' presentation: environmental issues in your country (2)
16. Seabed mining: introduction and video viewing
17. Seabed mining: Japan's territorial issues – Takeshima, Senkaku, Okinotorishima and the Northern Territories
18. Seabed mining: continental shelf and deep seabed
19. World heritage: introduction and video viewing
20. World heritage: international treaties
21. World heritage: Kyoto field trip (1)
22. World heritage: Kyoto field trip (2)
23. Global warming: introduction and video viewing
24. Global warming: video viewing
25. Global warming: international treaties
26. Global warming: COP-25 (Santiago [Chile], 2-13 Dec. 2019)
27. Global warming: climate change litigation
28. Students' presentation: comparative analysis (1)
29. Students' presentation: comparative analysis (2)
30. Overall reflection