

【Grant-in-Aid for Scientific Research (S)】

Humanities and Social Sciences (Social Sciences)



Project Symbol

Title of Project : Review of Legal Indicators for the Participation Principle in Environmental Matters: - Promotion of an International Cooperation towards Strengthening the Environmental Democracy

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Research Area : Administrative Law, Environmental Law and Policy

Keyword : Public Law, Environmental Law, Environmental Policy, Public Participation, Environmental Democracy

【Purpose and Background of the Research】

The Participation Principle in Environmental Law consists of three basic rights: (1) access to information, (2) participation in policy decision-making, and (3) access to justice. So far, there are not legal instruments to measure the effectiveness of a worldwide variety of participation systems.

Conventional comparative researches on participation law do not necessarily reflect to what extent the legislation contributes to protect citizen's rights or promote the environmental democracy. Legal indicators assessing the actual performance of the law are essential to enhance the Participation Principle effectiveness.

This research's objective is to elaborate international legal performance indicators on the Participation Principle in Environmental Law, and to promote the environmental democracy.

【Research Methods】

This research will count on the results and network of the Green Access Project and on international research collaborators. Due to lack of international legal indicators, firstly the aim will

【Expected Research Achievements and Scientific Significance】

Firstly, reveal the Japanese position in the world stage by the elaboration of international legal indicators on Participation Principle.



Figure 2 Awaji Symposium

Secondly, analyze the Japanese Environmental ADR and Covenants under international performance legal indicators and, later, diffuse them, contributing to design legislation in other countries. Finally, bring to light the possibility of having an Asian version of the Aarhus Convention and to establish a research center of Participation Law in Asia.

【Publications Relevant to the Project】

- Okubo, Noriko (2013) Development of Environmental Agreement in Japan. In: *Pour un droit économique de l'environnement : mélanges en l'honneur de Gilles J. Martin*, Frison-Roche: pp.435-444.
- Okubo, Noriko (2012) Environmental Democracy and Access to Justice. In: *Awaji et al.(ed.): New Development of Environmental Litigation*, Nippon Hyoron Sha: pp.91-104.

【Term of Project】 FY2014-2018

【Budget Allocation】 57,400 Thousand Yen

【Homepage Address and Other Contact Information】

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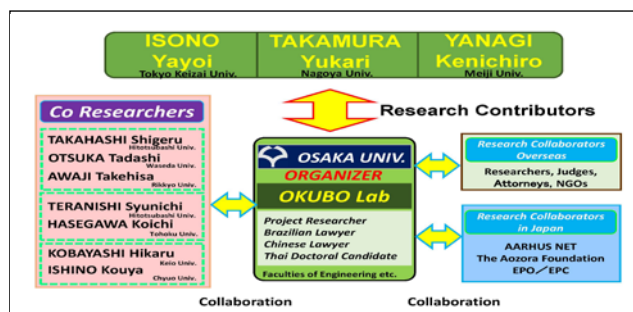


Figure 1 Project Scheme

be those reflecting issues especially in Asia and in developing countries in other continents on the environmental impact assessment, which standardization and research are advanced. Also, we will investigate how legal indicators may reflect the actual status of the Participation Principle, and conduct a continuous survey on the Japanese law and analyze suitable legal indicators.