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### 3. Legal Basis of the Integrated Coastal Zone Management by the USA, Germany, and Japan : A Comparative Study

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#### 1. Introduction

The exploitation of marine and coastal resources has been observed for decades. Devastating developments, such as reclamation and buildings on the seafront, have caused environmental damage to coastal areas. The idea of integrated coastal zone management (ICZM) has been advocated to pursue the protection and sustainable development of marine and coastal environments and their resources. In practice, it was introduced by regional governments at an early stage. It then spread worldwide due to the United Nations Conference.

The 1992 United Nations Conference on Environment and Development in Rio de Janeiro emphasized the ICZM approach. Its action plan, Agenda 21<sup>1</sup>, recognizes that (1) the coastal area contains diverse and productive habitats that are important for human settlements, development, and local subsistence, and (2) the coastal environment is rapidly degrading and eroding in many parts of the world. Consequently, Agenda 21 suggested coastal states to commit themselves to the integrated management and sustainable development of coastal areas and the marine environment under their national jurisdiction. Concrete states are required to implement certain measures to facilitate ICZM; these can be analyzed along three indices.

The first index is organization. Agenda 21 suggests that coastal states should consider establishing coordinating organizations, such as high level policy planning bodies, for the integrated management and sustainable development of coastal and marine areas at both local and national levels. It is believed that the consultation and participation of various sectors, such as non-governmental organizations, local communities, resource user groups, and indigenous people, in the organization is extremely significant. The second index is procedure. The spatial planning is a significant measure for ICZM. The rational procedure of planning contributes to ICZM. As it is important in procedure to know the impact of the spatial planning on marine and coastal environments in advance, Agenda 21 particularly emphasizes the importance of prior environmental impact assessments. The third index is knowledge (data and information). It requires the collection, analysis, assessment, and use of information for managing marine areas. Such knowledge includes databases for the assessment of coastal and marine resources, socio-economic and environmental indicators, and public environmental assessments of coastal and marine areas.

Agenda 21 provides the guidelines for ICZM. However, they neither involve environmental quality standards for coastal areas, nor are they legally binding, primarily because it is not a treaty. Under the United

Nations Convention on the Law of the Sea, states enjoy sovereignty in terms of developing and protecting coastal areas including exclusive economic zones. Therefore, coastal states have been developing their own ICZM programs, which vary in form and effectiveness owing to their backgrounds, and legal, economic, or social factors. To analyze and assess various programs of ICZM introduced by coastal states, we must understand, particularly, legal system of the states: elements of legislative, administrative, and judicial decisions. Because most of our social systems are reflected by laws under the “rule of law” principle.

In Japan, ICZM has been introduced into basic marine law. However, because of the characteristics of the basic law, the measures to implement ICZM are realized in various laws regulating development of coastal and marine areas. The divided and relatively independent laws do not correspond with the holistic approach of ICZM. In addition, each law has its own subject (certain persons or groups), which makes it difficult to arrange their interests totally. To make matters worse, according to legal theory and practices, the public does not have the right to participate in decision-making regarding coastal and marine development or have the legal right to use the coast (in contrast to the citizens’ right to access the sea and recreation in the California Coastal Act, see 2.1). These situations complicate and even harm the integrity of management in coastal areas.

Therefore, this paper, as a comparative study, discusses the legal systems of ICZM of three states. At first, it analyses the system of the USA and Germany. This is followed by a review of the Japanese legal system and legal theory (including practice) regarding ICZM. Finally, based on the comparison of the three systems, the paper proposes the need to improve existing laws and practices in Japan.

## **2. ICZM in the USA and Germany**

### **2.1 The USA**

The coastlines and their offshores are extremely beneficial for Americans. The fishery, transport, energy, and recreation industries make coastal areas attractive. This has resulted in a growing concentration of people living along the coast. By 2025, nearly 75% of Americans are expected to live in coastal areas.<sup>2</sup> These demographic trends have created an intense pressure on coastal communities, beaches, waves, and water quality. Regardless of these latest trends, this issue was recognized in the late 1960s. It is believed that the dramatic Santa Barbara oil spill in 1969 raised environmental awareness on the coast. Consequently, some ICZM legislations were passed at the federal and state levels. The following paragraphs discuss the federal Coastal Zone Management Act and the California Coastal Act.

According to the interpretation of the constitution of USA Section 7 of Title 18, the land and marginal sea (about 6 km from the coast) along the coastline are under the state’s authority. Thus, under the federal system, the legislative power for ICZM belongs to the states; meaning the federal law supports the states’ authority. The Federal Coastal Zone Management Act (CZMA) was enacted in 1972 (the act was amended several times in the following years) at the federal level. CZMA encourages states and local governments “to exercise effectively their responsibilities in the coastal zone through the development and implementation of the land and water resources of the coastal zone, giving full consideration to ecological, cultural, historic, and esthetic values as well and the needs for compatible economic development programs...” (16 USC 1452(2)).

CZMA provides federal financial assistance to states.<sup>3</sup> First, states prepare their own voluntary coastal zone management programs. Then, they voluntarily apply for cost-sharing grants. Subsequent to the federal approval of their plans, grants are awarded for implementation. In addition, federal activities affecting the

coastal zone—typically federal energy policy—must correspond with the state-created and federally approved coastal management plan. Currently, most coastal states have federally approved programs.

In addition to CZMA, legislation regarding ICZM in California can be traced back to the 1970s. Covering 1,100 miles of the California coastline from Oregon to Mexico, the coastal zone extends into federal waters, including 287 miles of shoreline surrounding nine offshore islands. Since the population explosion in the 1960s, public concern regarding the coastal environment has been increasing. In 1972 (also when CZMA was enacted), California voters passed Proposition 20, “The Coastal Initiative.”<sup>4</sup> It established the California Coastal Zone Conservation Commission—the predecessor of today’s Coastal Commission—which was responsible for regulating development in the coastal zone. Furthermore, legislators passed the California Coastal Act in 1976, a fundamental law for ICZM.

The core of the California Coastal Act promotes and preserves public access to the coast (Chapter 3 “Coastal Resources Planning and Management Policies”). Articles 2 and 3 are about citizens’ right to access the sea and corresponding recreation. Articles 4 and 5 protect the marine environment. Subsequently, development on the coast must harmonize with citizens’ rights, recreation, environmental protection, and so on. This objective is achieved through local coastal programs (LCPs) that govern decisions regarding the short- and long-term conservation and use of coastal resources.

Articles 1 and 2 of Chapter 6 describe the procedure required to validate LCPs. First, each local government of California with the coastal zone shall prepare a local coastal program and local zoning ordinances, that is, local laws necessary to implement the land-use plan (see Figure 1). Second, a proposed local coastal program shall be submitted to the state sector—the California Coastal Commission. Third, the commission shall organize a public hearing and conduct research on the program. Finally, it shall determine whether the local coastal program is certified.

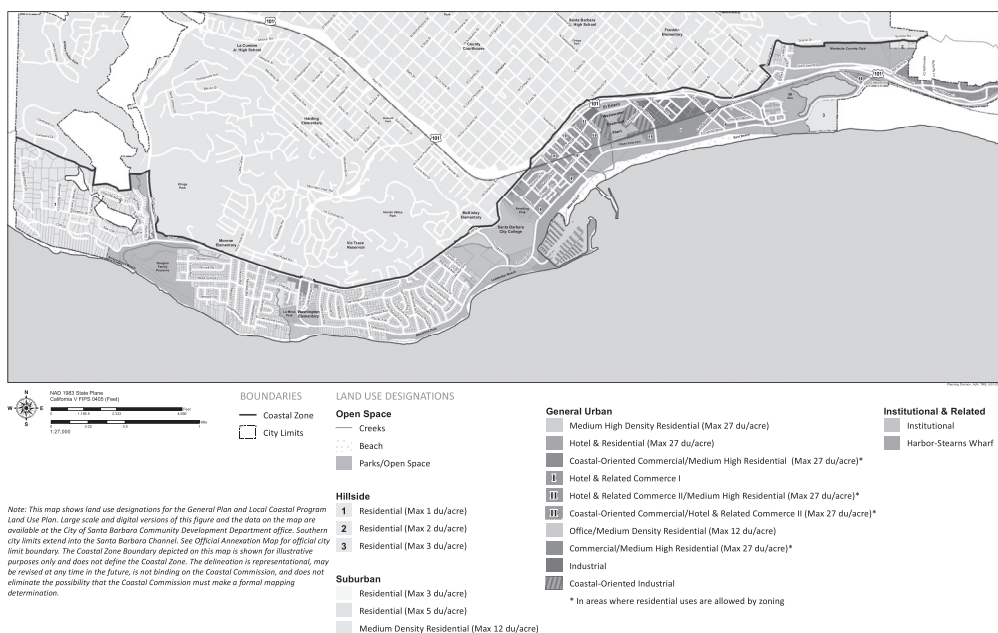


Figure 1 The Local Coast Program of the City of Santa Barbara

<http://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=240870> Last accessed on January 13, 2022

## 2.2 Germany

Germany adopted the concept of ICZM with the EU recommendation 2002/413/EC.<sup>5</sup> Europe has also suffered from damaged ecosystems and use-related competition in coastal areas. Marine and coastal environments have been under severe pressure from various anthropogenic activities. Consequently, the EU has enacted laws to protect the marine environment in relevant areas, such as the regulation of fisheries through the Common Fisheries Policy (CFP) and the control of input of nutrients and chemicals into the water through the Water Framework Directive (WFD).<sup>6</sup> However, the EU evaluated these measures as ineffective because laws protect the sea only from specific pressures, which is a fragmented and sectoral approach. To resolve this problem, the EU adopted the 2002 EU Recommendation for ICZM. Under the EU law, a recommendation is not legally binding. It only provides suggestions to member nations. Therefore, individual nations have adopted their own ICZM policies in response to this recommendation.

Germany adopted the ICZM strategy for coastal areas and Exclusive Economic Zones (EEZs) for territorial seas, such as the North Sea and Baltic Sea, whose coastlines extends across five German coastal states (Länder): Mecklenburg-Western Pomerania, Lower Saxony, Schleswig-Holstein, the Free Hanseatic City of Bremen, and the Free and Hanseatic City of Hamburg.<sup>7</sup> The legal basis of this strategy is complicated by two factors. First, there is no specific law for ICZM in Germany; instead, various laws reflect the idea of ICZM. Second, similar to the US, Germany has a federal system; meaning there is a division of competence between the Federation (Bund) and the States regarding spatial planning.

At the federal level, four laws are particularly significant for ICZM: the Federal Regional Planning Act,<sup>8</sup> the Federal Building Code,<sup>9</sup> the Federal Water Act,<sup>10</sup> and the Federal Nature Conservation Act.<sup>11</sup> Like spatial regulations in general, the Federal Regional Planning Act (section 2) empowers the States to spatially plan the region.<sup>12</sup> Further, the Federal Building Code empowers the municipalities to prepare its own land-use plans according to the framework of the spatial planning established by the States.

However, the laws regulating coastal areas and seas are somewhat complicated. As stated above, the land along the coastline is regulated by the Federal Regional Planning Act and Federal Building Code. Since 2001, the Federation has asked states to expand spatial planning to coastal waters (12-Seemeilen-Zone) to facilitate the ICZM. Additionally, the Federal Water Act manages coastal waters from the perspective of aquatic ecosystems. It regulates the development of coastlines or wastewater, which could affect water quality. Furthermore, the Federal Waterway Act controls the navigable waters at sea. Its aim is to maintain safe vessel traffic.

The sea beyond coastal waters, that is, the EEZ, is under the jurisdiction of the Federation. Section 17 of the Federal Regional Planning Act, revised in 2008, stipulates that the Federal Agency shall make a spatial plan for the EEZ. Plans for the German EEZ in the North Sea and Baltic Sea have been enacted as legal ordinances (Federal Law Gazette, Part I, No. 61, p. 3107; Federal Law Gazette, Part I, No. 78, p. 3861). These laws include clauses that protect the environment; these partly correspond with EU laws. However, the Federal Nature Conservation Act independently plays an important role in protecting the natural environment of land and sea. It prepares the following measures.

First, it mandates the States and local communities to plan a landscape, including green space conservation. This plan is legally binding; meaning, spatial planning must be consistent with it. Second, in addition to the conservation plan, the Act adopts the measure of designation to protect vulnerable areas. The designation lists include natural conservation areas, national parks, landscape areas, natural parks, and biotopes. Third, the Act includes the protection of endangered species, which corresponds with EU laws. Finally, it possesses special

capital (capital 5) for marine nature conservation, spreading designation-areas to the EEZ. For example, bird sanctuaries have been designated as natural conservation areas in the EEZ.<sup>13</sup>

Based on these federal laws and the Basic Law, the five German coastal states have a strategy for ICZM. This is an example of Lower Saxony. The state of Lower Saxony faces the North Sea and is currently encountering the challenge of balancing economic use and protection of nature and the environment, for example 1) developing the harbors, 2) introducing offshore windmills, 3) resource exploitation, such as of oil, gas, clay, and sand, 4) growing tourism and ecology, particularly in The East Frisian Islands that have the wadden sea and valuable bird breeding areas, 5) preserving cultural heritage, including dikes and lighthouses, and 6) coastal protection, particularly against the rising sea level.<sup>14</sup> Consequently, Lower Saxony has developed corresponding policy and practices for ICZM.

First, the “Spatial planning for Lower Saxony’s coastal area” is an official but non-legally binding initiative developed in 2005.<sup>15</sup> It outlines the intended uses of Lower Saxony’s coastal area and its spatial planning. More importantly, the Lower Saxon Regional Planning Act (Das Niedersächsische Raumordnungsgesetz) and Lower Saxon Regional Planning Program Ordinance are spatial planning laws that are significant for ICZM. Section 2, Part 4 of the Act, adopts the ICZM approach, “The Coastal sea, the islands, the coastal zone shall be developed based on an integrated coastal zone management, in which an intensive collaboration of public sectors, participation of stakeholders, a cross-border integrated planning and sustainable development in ecological, economic, social, cultural interests are ensured.”

On the other hand, the ordinance, comprising rules and maps, specifies certain requirements to the municipalities that make their own land-use plans. Among them, the following is important for ICZM: 1) sustainable spatial development for future generations; 2) collaboration between the State and municipalities, between the Lower Saxon and neighboring states, and between municipalities; 3) sustainable industrial growth and competitiveness; 4) a minimum impact on the ecological system; 5) reversible and flexible plan to integrate new knowledge; 6) securing the area where sand and clay are gathered to protect the coast against the rising sea level; 7) protecting Lower Saxony Tidelands National Park; 8) securing unspoiled views on the coastline; 9) securing fishing areas; 10) maintaining safe traffic of vessels; 11) securing facilities concerning harbor; and 12) securing areas for offshore windmills. Based on these demands, the ordinance prepares regional zoning maps (see Figure 2).



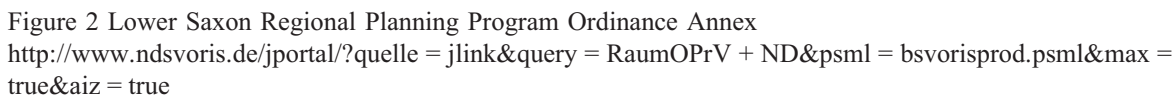


Figure 2 Lower Saxon Regional Planning Program Ordinance Annex

<http://www.ndsvoris.de/jportal/?quelle=jlink&query=RaumOPrV+ND&psml=bsvorisprod.psml&max=true&aiz=true>

### 3. ICZM in Japanese Law

#### 3.1 Background

Before Japan accepted the idea of ICZM in the Basic Act on Ocean Policy (2007), in fact even after the act's enactment, the laws concerning coastal areas were not sufficiently integrative to manage the issue. Various laws separated in the public sector are strongly oriented toward their own aims and interests. To explain this situation, we need to look back at the prewar period. Before 1945, Japan had few laws on coastal areas such as the Public Waters Reclamation Law (1921). This can be attributed to two reasons. First, the development of coastal areas was limited to agricultural reclamation or the construction of port facilities, and this required few regulations. Second, from a legal perspective, Japan adopted "the rule of law" only imperfectly.<sup>16</sup> Thus, the government was not mandated to act based on law. The extensive development in the coastal zone and an increasing number of laws regulating marine and coastal areas could be observed only after World War II.

After the end of the USA's occupation, the government prioritized a coastal fishery policy to resolve the problem of food shortage. The Japanese government has worked toward the development of coastal areas in fishing ports to expand fishing activities. This policy is based on the Act on the Development of Fishing Ports and Grounds (1950). This act, along with the Fishery Act (1949), has contributed to the fishing industry's modernization. Due to this policy, the whole catch of fish exceeded the pre-war level in 1955. Later, Japan experienced a change in the industrial structure and an increasing population.

During the high-growth period, particularly from the 1960s to the 1970s, the government established "heavy and chemical industrialization" as the core of its industrial policy, according to which coastal areas had been transformed into industrial zones. Since industries need imported materials, it is rational to extensively develop ports and locate factories near them. This was legally supported by the Port and Harbor Act (1950) and the Public Waters Reclamation Law. Based on these laws, the government provided for infrastructure development and gave private sectors a license for reclaimed land. This promoted the private ownership of some coastal areas.

Industrialization on the coast has necessarily caused damage to the marine environment, human health, and fisheries. Japan experienced several serious pollution events from the 1960s to the 1970s. Legislators often focused on environmental problems and enacted environmental laws during this period. Among these are the Basic Law for Environmental Pollution Control (1967), Water Pollution Control Law (1970), and Act for the Prevention of Marine Pollution and Maritime Disasters (1970).

In addition to the coastal policies of industry and the environment, coastal protection is also an important political goal. Japan has suffered natural disasters, including typhoon-induced storm surges and tsunamis caused by earthquakes. Coastal erosion was also perceived as a serious problem, particularly after the war. At first, the government focused on restoring works after suffering, but the Coast Act (1956) was enacted to take preventive measures against flooding, high waves, and coastal erosion. Finally, all of these policies were integrated into the Basic Act on Ocean Policy.

#### 3.2 ICZM in the Basic Act on Ocean Policy and Basic Plan on Ocean Policy

The Basic Act on Ocean Policy was enacted in 2007 to take responsibility for the coastal state after the Japanese ratification of the Convention on the Law of the Sea. The Act mandates the government to formulate a Basic Plan on Ocean Policy. Japan now has the Third Basic Plan for Ocean Policy (2018). As the Basic Plan observed, the Basic Act aims to establish various goals for the coast and sea and implement them

comprehensively and systematically. Specifically, the Basic Plan refers to ICZM. It includes the following: 1) an integrated coastal and river basin management approach to prevent coastal erosion and protect coastal ecosystems; 2) building shore protection structures with attention to coastal ecosystems; 3) expanding the list of national parks; 4) sea quality protection in enclosed coastal seas; and 5) resolving resource-use conflicts in coastal areas.

### **3.3 Non-Integrated Legal Network on Coastal Zone in Japan**

Having conducted a short survey on Japanese laws on coastal zone, I observed that Japan has various corresponding complicated laws. Interestingly, only some researchers have determined the problems with these laws. The following sections discuss two problems associated with ICZM.

#### **3.3.1 Poor Spatial Planning Laws on Coastal Zone**

Japan does not have laws aimed at ICZM that are found in the USA or laws on the systematic network of planning that we see in Germany. The ideals of the Basic Act on Ocean Policy and the Basic Plan on Ocean Policy can be realized only when individual laws are revised and conjoined. So far, Japan does not have an integrated legal network for coastal management.

Land-use planning is generally regulated by the City Planning Act (1968). The Act empowers local governments to prepare a plan for the management of the land in the country. However, in the context of coastal areas, the Act only acknowledges a sporadic plan that is not enough to manage those areas. This is due to the following reasons. First, several parts of coastal areas, whose ownership is the nation, tend to be excluded from planning because the Act mainly regulates the private use of land. Second, there are sporadic administrative sector-oriented plans concerning the coast that are not based on the City Planning Act but on individual coastal laws. We can pick up as an example the Basic Plan on Coast Protection which is based on the Coast Act. This plan was prepared separately from the one based on the City Planning Act; however, some areas overlap with both plans (see Figures 3 and 4). Legally, this means that development activities in some areas can be permitted by the City Planning Act but prohibited by the Coast Act. Third, port areas are also regulated comprehensively by the City Planning Act, but are substantially independent from this Act because they are controlled by the Port and Harbor Act and local ordinances that aim at the development of port areas.



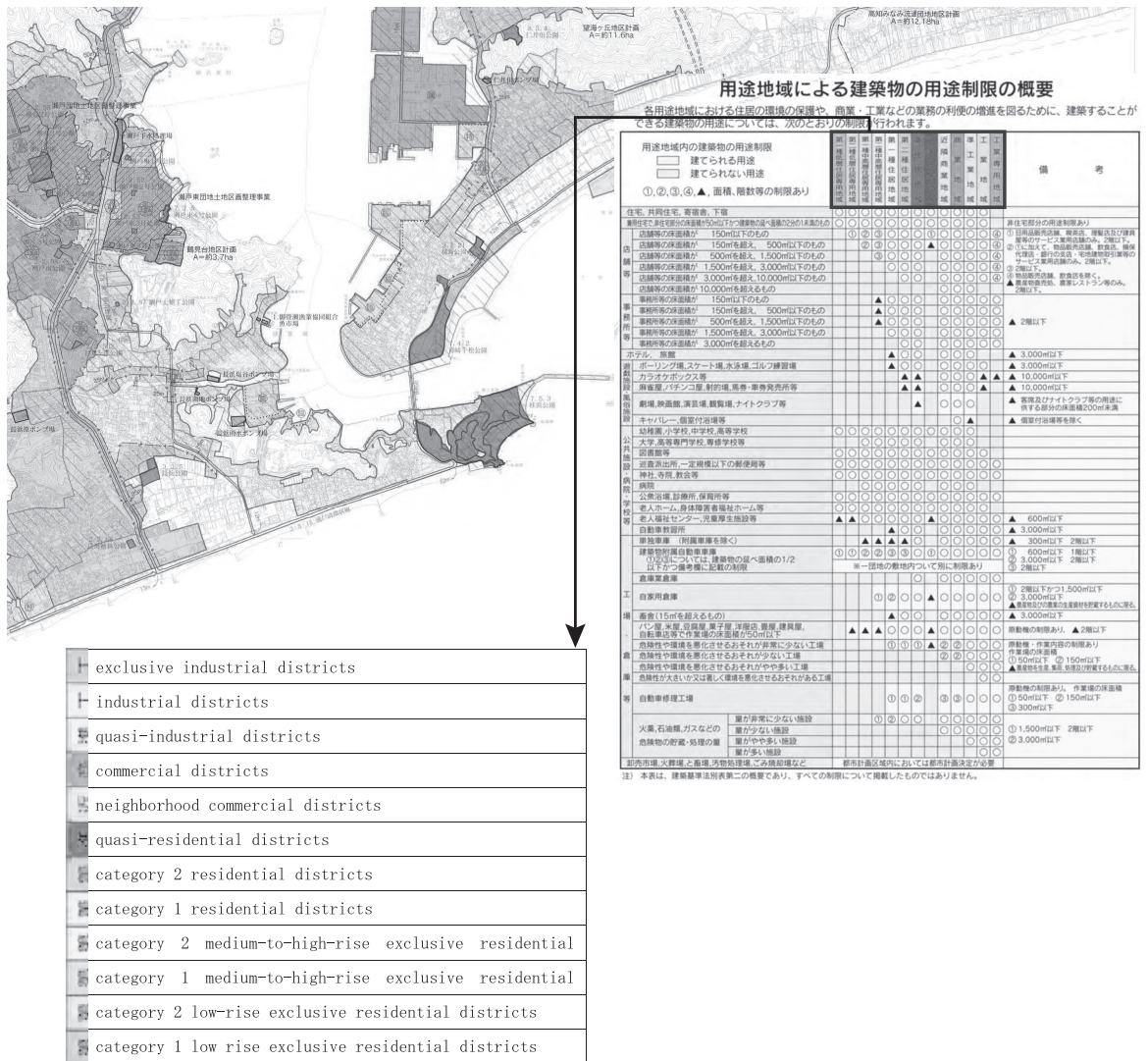
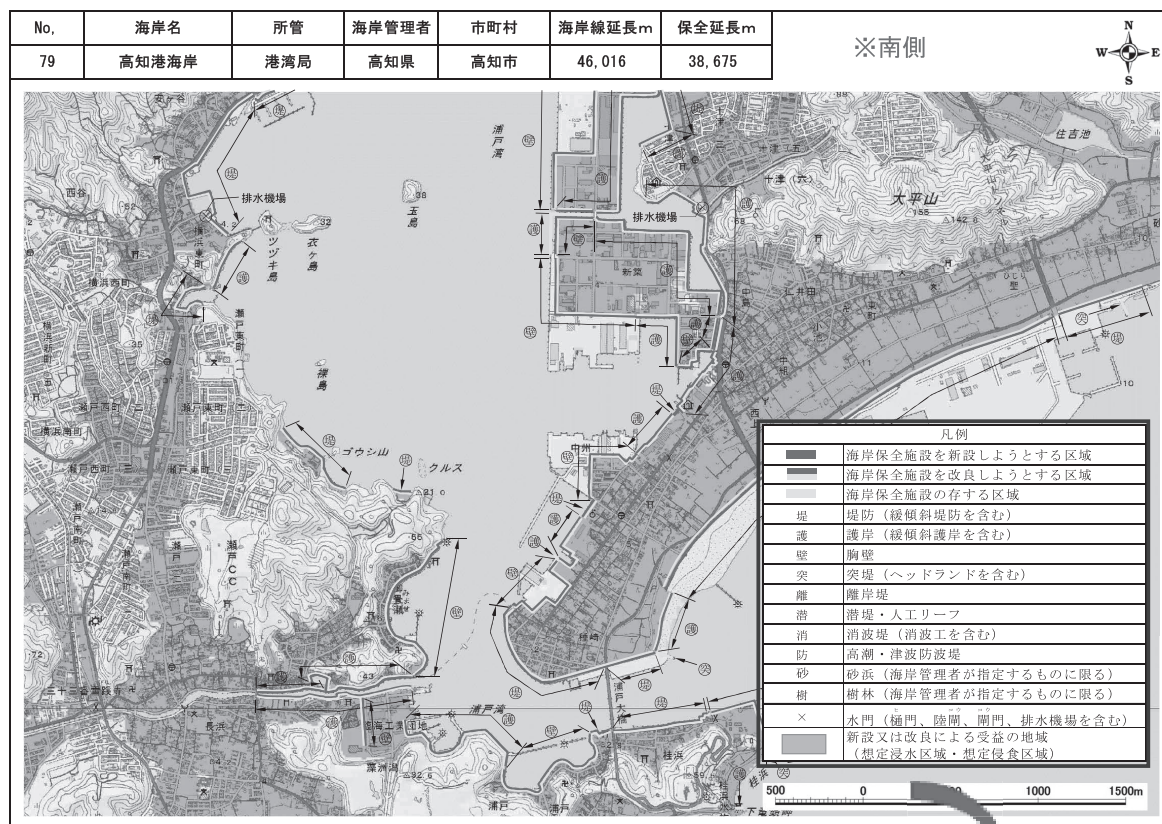


Figure 3 Kochi City's Plan of Land-Use Based on the City Planning Act (The Urado Bay Area)<sup>17</sup>



Legend	
	districts of planning new shore protection
	districts of improving shore protection
	districts of existing shore protection
堤	dike (including gently slope type)
護	seawall (including gently slope type)
壁	inner wall
突	Jetty (including artificial headland)
離	offshore breakwater
潜	submerged breakwater, artificial reef
消	breakwater(including wave dissipating works)
防	dike against storm surge or tsunami
砂	beach (one designated by coast administrator)
樹	forest (one designated by coast administrator)
×	floodgate (including sluiceway, land lock, navigation lock and drainage pump
	area benefited by new or improved shore protection (flood-assumed or erosion-assumed area)

Figure 4 Kochi Prefecture's Plan of Coast Protection Based on the Coast Act (The Urado Bay Area)<sup>18</sup>

### 3.3.2 Judicial Protection of Rights Concerning the Coast and Legal Standing in Environmental Litigation

Most coastal and marine laws belong to administrative law—a type of legal norm that primarily provides standards of behavior for executive branches. Administrative law often guides the relationship between authorities and regulatees, typically businesses. However, certain administrative decisions based on the law not only influence the regulatee but also the general public. However, it is generally believed that only the regulatee can make a legal claim. Thus, even though the residents there may have interests, but not always have legal status to sue. This defines the problem of standing. The Administrative Case Litigation Act confers standing to those who must have suffered or will suffer injury—an invasion of “a legally protected interest.” As a matter of fact, the court cannot correct or enforce injunctions against the illegal action of administration in cases where there is no party to initiate a lawsuit. This is crucial, particularly in environmental litigation. First, the citizen or environmental groups must prove to the court that their legally protected interests or rights are or will be violated. This legal logic applies to coastal and marine laws.

For the ICZM, it is important to balance the various interests of stakeholders. However, not all interests are regarded as legally protected. In particular, public access to the coast and its use as a place for leisure, which is essential for protecting marine ecology, are not respected as legally protected interests or rights. The court adopts a much-restrained stance toward the general public’s rights concerning the coast. The following two cases are significant: 1) the right to access the sea and recreation and 2) the right to a good view (landscape) along the coastline. In the context of the former the residents, who enjoyed bathing in the sea, claimed injunctions against the development and improvement of fishing ports because they hindered bathing. The Matsuyama District Court dismissed this case by ruling that the residents had no right to access the sea and recreation.<sup>19</sup> In the context of the latter the residents, who enjoyed a good view of the coast, claimed injunctions against the reclamation of the coast and construction of a bridge planned by the governor based on the Public Waters Reclamation Law. The Hiroshima District Court upheld the claim of residents, who feared the loss of the traditional and beautiful landscape along the coast.<sup>20</sup> However, the court conferred standing only to those who had a special interest in the coastal landscape, that is, only the residents of a limited area; partly because they possess a procedural right approved by the Public Waters Reclamation Law. Under these legal circumstances, the court does not fully check or guarantee the implementation of a good coastal policy.

## 4. Proposal and Conclusion

Based on the review of laws facilitating ICZM in the USA and Germany, Japan must modify its policies to achieve its ICZM goals.

First, Japan requires integrated spatial planning laws, like those found in Germany. In Japan, sporadic and relatively independent plans exist for coastal areas. However, these plans should be coordinated and organized hierarchically under a network of laws. Finally, as seen in the Lower Saxon Regional Planning Act, Japan should have a comprehensive regional plan that expands to coastal waters and corresponds with city planning. Further, coastal conservation acts, such as the California Coastal Act, are also effective for ICZM. While Japan has laws that target certain coastal areas, such as the Law Concerning Special Measures for Conservation of the Environment of the Seto Inland Sea, they cover only a small portion of the coastal zones.

Second, citizens’ rights concerning the coast must be legally protected. In environmental litigation, courts should confer standing to citizens. To achieve this, Japan must formulate legislation that not only protects the

marine environment but also citizen's right to access the sea and recreation in the Coast Act or elsewhere, as seen in the California Coastal Act. Further, Japan should enact the law that allows environmental group class action. This could encourage various experts to participate in the judicial process.<sup>21</sup>

The idea of ICZM in the Basic Act on Ocean Policy will be realized when material laws regarding the coast are integrated, and when procedural law allows various stakeholders to participate in both administrative decision-making and litigation.

## References

- 1 United Nations Conference on Environment & Development Rio de Janeiro, Brazil, 3 to 14 June, 1992. AGENDA 21  
<https://sustainabledevelopment.un.org/content/documents/Agenda21.pdf>. Last accessed on January 13, 2022
- 2 Hinrichsen D., 1999. The Coastal Population Explosion. In: Trends and Future Challenges for U.S. National Ocean and Coastal Policy. Proceedings of a workshop January 22, Washington.
- 3 Joseph J., Donna R., 2002. Coastal and Ocean Law: Cases and Materials American case-book series (2nd ed.). West Group, Minnesota, pp. 192-197.
- 4 The report from the panels and conversations from California's Coastal Act (2016). The Past, Present, and Future of California's Coastal Act OVERCOMING DIVISION TO COMPREHENSIVELY MANAGE THE COAST.  
<https://www.law.berkeley.edu/wp-content/uploads/2017/08/Coastal-Act-Issue-Brief.pdf>. Last accessed on January 13, 2022
- 5 <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32002H0413>. Last accessed on January 13, 2022
- 6 [https://ec.europa.eu/environment/marine/eu-coast-and-marine-policy/index\\_en.htm](https://ec.europa.eu/environment/marine/eu-coast-and-marine-policy/index_en.htm). Last accessed on January 13, 2022
- 7 Federal Environment Agency (Umweltbundesamt), Report on the Implementation of Integrated Coastal Zone Management in Germany. <https://ikzm-strategie.de/>. Last accessed on January 13, 2022
- 8 Raumordnungsgesetz (ROG) new version 22. 12. 2008, last modification 20. 07. 2017
- 9 Baugesetzbuch(BauGB) new version 08. 12. 1986, last modification 28. 03. 2020
- 10 Wasserhaushaltsgesetz(WHG) new version 31. 7. 2009, last modification 04. 12. 2018
- 11 Bundesnaturschutzgesetz(BNatSchG), new version 25.03.2002, last modification 04. 03. 2020
- 12 The plan must be consistent with the aim and the principles of the law (section 1 and 2). In addition, the reform of the Federal system in 2006 (Art. 74 para.1 nr. 31 Basic Law) gives the Federation more power to regulate the regional plan.
- 13 About the protection of marine environment in EEZ of Germany,  
[https://www.lung.mv-regierung.de/dateien/04\\_vonnordheim\\_lung\\_23\\_gewaessersymposium.pdf](https://www.lung.mv-regierung.de/dateien/04_vonnordheim_lung_23_gewaessersymposium.pdf). Last accessed on January 13, 2022
- 14 Summary, Spatial planning for Lower Saxony's coastal area (ROKK),  
[https://www.arl-we.niedersachsen.de/startseite/wir\\_ueber\\_uns/strategie\\_und\\_planung/raumordnung/raumordnerisches\\_konzept\\_niedersaechsische\\_kuestenmeer\\_rokk/rokk-125847.html](https://www.arl-we.niedersachsen.de/startseite/wir_ueber_uns/strategie_und_planung/raumordnung/raumordnerisches_konzept_niedersaechsische_kuestenmeer_rokk/rokk-125847.html). Last accessed on January 13, 2022
- 15 Raumordnungskonzept für das niedersächsische Küstenmeer (ROKK),



[https://www.arl-we.niedersachsen.de/startseite/wir\\_ueber\\_uns/strategie\\_und\\_planung/raumordnung/raumordnerisches\\_konzept\\_niedersaechsische\\_kuestenmeer\\_rokk/rokk-125847.html](https://www.arl-we.niedersachsen.de/startseite/wir_ueber_uns/strategie_und_planung/raumordnung/raumordnerisches_konzept_niedersaechsische_kuestenmeer_rokk/rokk-125847.html). Last accessed on January 13, 2022

- 16 Under former Japanese constitution, the Diet hold a limited legislative power (Article 5, 8, and 9).
- 17 <https://www.city.kochi.kochi.jp/uploaded/attachment/101425.pdf>. Last accessed on January 13, 2022
- 18 [https://www.pref.kochi.lg.jp/soshiki/175001/files/2017032400072/file\\_20187124175555\\_1.pdf](https://www.pref.kochi.lg.jp/soshiki/175001/files/2017032400072/file_20187124175555_1.pdf). Last accessed on January 13, 2022
- 19 Matsuyama District Court, Judgement, May 29, 1978; 29 Gyosei Reishu 1081 [1978].
- 20 Hiroshima District Court, Judgement, October 1, 2009; H.J. (2060) 3 [2009].
- 21 For example, a procedural law such as the Environmental Legal Assistance Act (Umwelt-Rechtsbehelfsgesetz 2003) in Germany.