

Organisational Setup for the Settling of Environmental Disputes

The Environmental Dispute Coordination Commission is established at the national government level and Prefectural Pollution Examination Commissions in prefectures. When necessary, it is possible to temporarily create a joint prefectural commission in inter-prefectural cases. These national and local bodies are not in such relations as district courts and higher courts, but handle disputes independently according to the jurisdiction set forth in the Environmental Disputes Settlement Law.

a. The Environmental Dispute Coordination Commission

The Commission is an administrative commission established as an external agency of the Prime Minister's Office on 1 July 1972 by consolidating the Land Coordination Commission and the Central Environmental Dispute Council, and consists of a chairperson and 6 commissioners. They are nominated by the Prime Minister with the consent of the Diet. The Commission can nominate less than 30 experts for investigating technical problems, and also has the executive bureau with 38 staffs to handle the business of the Commission.

The Commission handles following environmental pollution dispute cases.

Grave cases

- i. Cases relating to harm to human health of a large number of people (e.g. *Minamata* disease)
- ii. Cases in which damages on animals, plants or their environment cost more than 500,000,000 JPY.

Cases with nation-wide implications

- i. Cases involving noises from airplanes
- ii. Cases involving noises from *Shinkansen* trains

Inter-prefectural cases

b. Prefectural Pollution Examination Commissions

Most prefectures have set up a prefectural pollution examination commission in accordance with the regulation. But the installation of a commission is discretionary and in prefectures having no commissions, the prefectural governor shall prepare a list of candidates and nominate conciliators or members of mediation or arbitration committees from the list when necessity arises.

The Prefectural Pollution Examination Commissions handle cases other than those within the jurisdiction of the Environmental Dispute Coordination Commission.