

RETHINKING
THE CURRENT LEGAL STRUCTURE
OF
JAPAN'S RECYCLING-BASED SOCIETY

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By

Satsuki Nishimi Nagatsuka

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Abstract

The purpose of this thesis is to evaluate the current transition of Japan's waste management policy from a regulatory approach toward an approach more reliant on market-oriented measures, such as the internalization of clean-up costs by producers. This thesis first looks into the evolution of waste problems in Japan from the post-war period to the year 2000. It emphasizes that the main challenge facing Japan is adopting its waste management policies—which were formed to respond to the problem of toxic waste—to appropriately address the issue of consumer waste. This change in emphasis opens the door for making newly targeted groups responsible for waste, namely manufacturers and consumers.

The initial step in designing a better structure for the prevention of waste generation is to decide upon the scope of responsibility to assign to producers. In this regard, Expanded Producers' Responsibility (EPR) is a key to solving the cost allocation scheme. Building on an analysis of different enforcement models of EPR in the Netherlands and Germany, this thesis will suggest how current regulation should be modified so that market measures can work most effectively in promoting waste management in Japan.

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