HOKKAIDO UNIVERSITY

Title	国際海運の環境規制の特徴
Author(s)	村上, 裕一; Murakami, Yuichi
Citation	北大法学論集, 72(6), 1-28
Issue Date	2022-03-31
Doc URL	https://hdl.handle.net/2115/84629
Type	departmental bulletin paper
File Information	lawreview_72_6_01_Murakami_summary.pdf, SUMMARY OF CONTENTS

Hokkaido University Collection of Scholarly and Academic Papers : HUSCAP

THE HOKKAIDO LAW REVIEW
Vol. 72 No. 6 (2022)
SUMMARY OF CONTENTS

The Politics of Global Maritime Environmental Regulation

Yuichi MURAKAMI*

This study examines why maritime environmental regulations (MERs), such as those that limit sulfur oxides and particulate matter emission, are delayed more than those on land and air transports. Moreover, it explores why the International Maritime Organization (IMO), the United Nations specialized agency responsible for regulating shipping, has not functioned adequately. This study concludes that this is because of regulatory cost and benefit (or, more precisely, to whom cost incurs and who gains benefit), which are both *dispersed* (this, it is difficult to specify who) in the maritime environmental regulatory space. It is an outstanding exception of typical environmental regulation, where the cost is concentrated, whereas the benefit is dispersed, as explained in *The Politics of Regulation* by J.Q. Wilson. Consequently, the MERs can bypass regulatory capture by vested interests and advantageous industry. In addition, they can offer various regulatory alternative tools that have been experimented with in some regions to be used for future worldwide regulation. It is true that regionally fragmented environmental regulations that directly reflect local interests make the IMO difficult to work efficiently for global regulatory governance. However, the regulated shipowners require IMO to deal with global issues with its specialty and its wide

* Associate Professor, Hokkaido University School of Law, and Public Policy School

eyesight to represent various interests of both sides of cost and benefit and to lead them to better comprehensive regulations. IMO's effort to *orchestrate* multi-level regulations decreases uncertainty in current MERs. Furthermore, this enables ship-owners or one of the regulatory veto players to be perceived as worth of more cooperation.