


Youth Climate Case in Japan

Webinar: Climate Crisis and the Role of the Judiciary

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Japan's Previous Climate Lawsuits : Only 4 cases related to New Coal-Fired Power Plants

	Total capacity	Annual CO ₂ emission	EIA comleted	Year of operation	Case	Date of filing	Court	Result
Sendai PS	0.11GW	0.67Mt		2017	Civil	2019.9.27	Sendai	Dismissed
Kobe Steel (KOBELCO)	1.3GW	6.92Mt	2018.5	Unit3 2022	Civil	2018.9.14	Kobe	Concluded in April 2025. Dismissed
				Unit4 2023	Admn	2018.11.19	Osaka	Dismissed
Yokosuka	1.3GW	7.26Mt	2018.11	Unit1 2023 Unit2 2023	Admn	2019.5.27	Tokyo	Dismissed before Supreme court



YCCJ



Sendai Power Station



Kobe Steel (KOBELCO)
Expansion in large urban areas



Yokosuka (JERA)
Replaced oil-fired power with coal-fired power

There have been four climate litigations in Japan so far, regarding three new coal-fired power plants. Two are administrative cases and two are civil cases. The civil case against Kobe Steel concluded in April 2025. All cases have been dismissed.

Court ruling on preliminary cases to halt new coal-fired power plants assessment

Administrative litigation: Plaintiff's standing denied; case dismissed

- There are no provisions recognizing the legal interests of individuals unaffected by climate change.
- The legal interests of individuals are not recognized as general public interests that should be pursued through policy as a whole.

Civil Litigation: Dismissed

- Plaintiffs' rights: The harm is abstract and cannot be considered a personal interest.
- Causal relationship: The causal relationship between the defendant's emissions and the harm is complex and weak.
- Defendant's liability: The means of power procurement should be considered from a policy perspective.
- Political discretion through democratic processes.

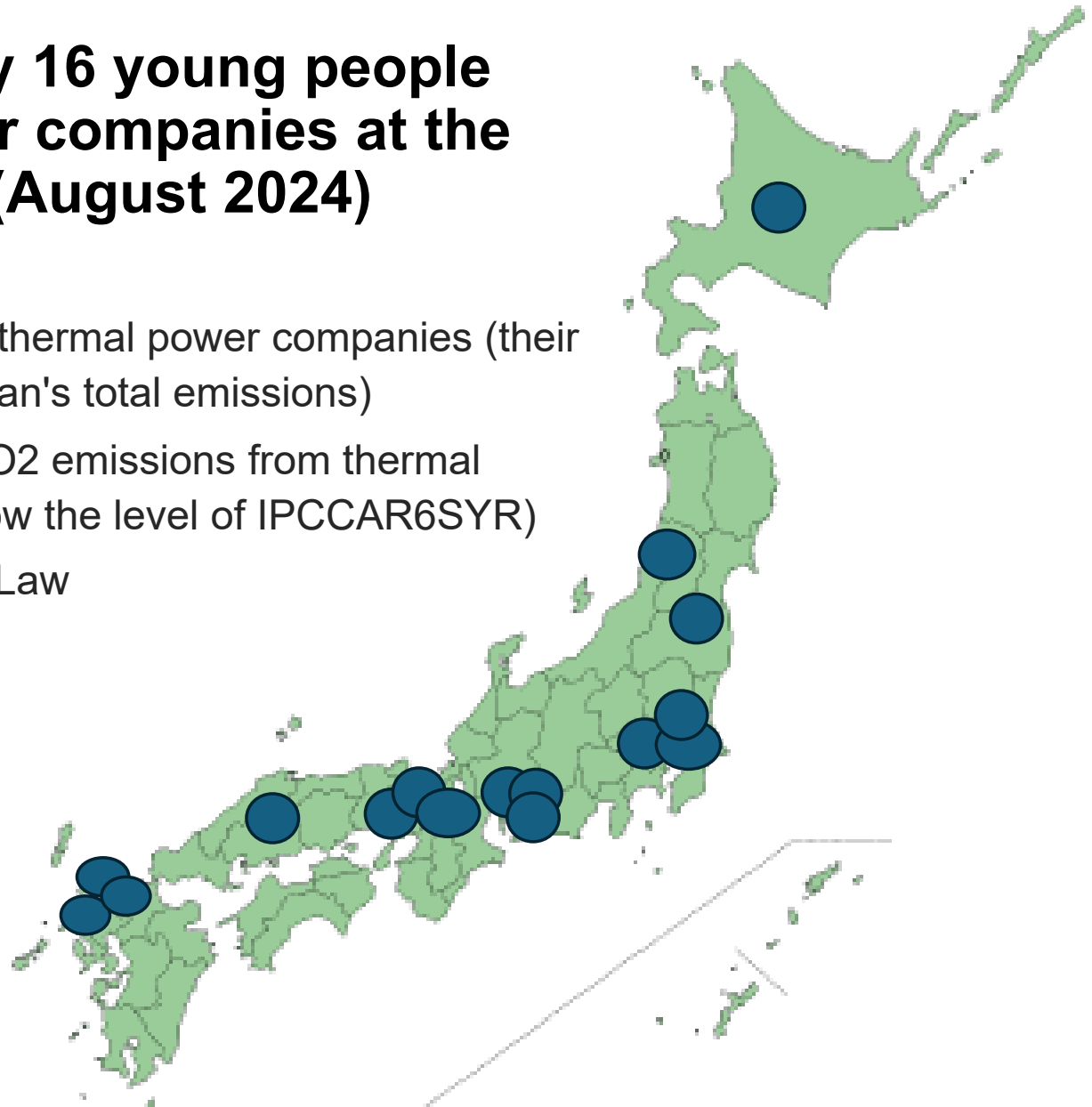
Laws and policies on climate change in Japan

Framework litigation by citizens against the state?

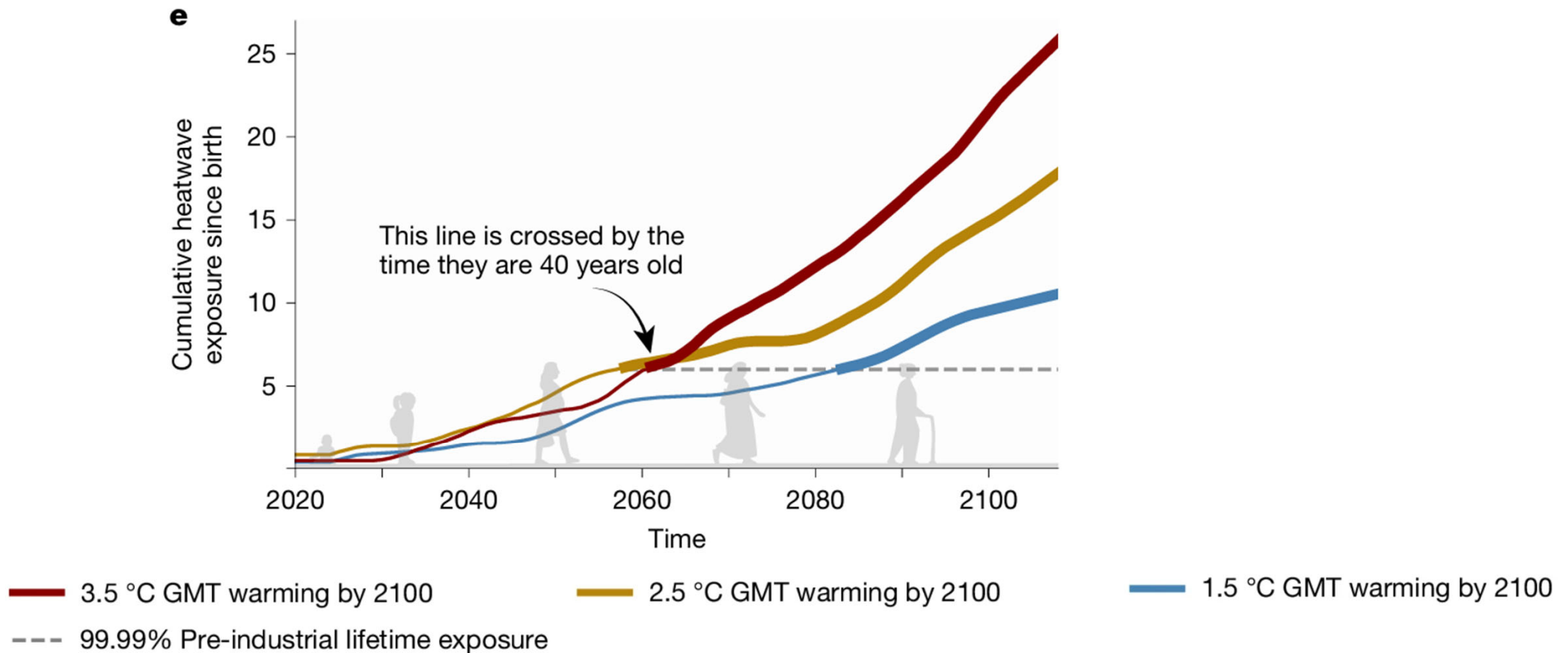
Constitution	No provisions on environmental rights
Basic Environment Law	Global environmental impact is remained to policy issues
Enactment of laws setting reduction targets	(Only promotion laws)
Basic Act on Energy Policy	Effective use of fossil fuels
Act on Promotion of Global Warming Countermeasures/NDC	Based on the Basic Energy Plan
Environmental Impact Assessment Law	Investigation, prediction, and assessment of CO2 impacts are not required
Emissions trading	Scheduled to begin in 2026 with no cap
Public participation	Only public comments in the final stage
NGO standing	None

Climate lawsuit filed by 16 young people against 10 major power companies at the Nagoya District Court (August 2024)

- **Plaintiff:** age between 14 and 29
- **Defendants:** 10 major Japanese thermal power companies (their emissions equivalent to 30% of Japan's total emissions)
- **Claim:** Mandatory reduction of CO2 emissions from thermal power (2030, 2035) (below the level of IPCCAR6SYR)
- **Basis for claim:** Civil Code, Tort Law

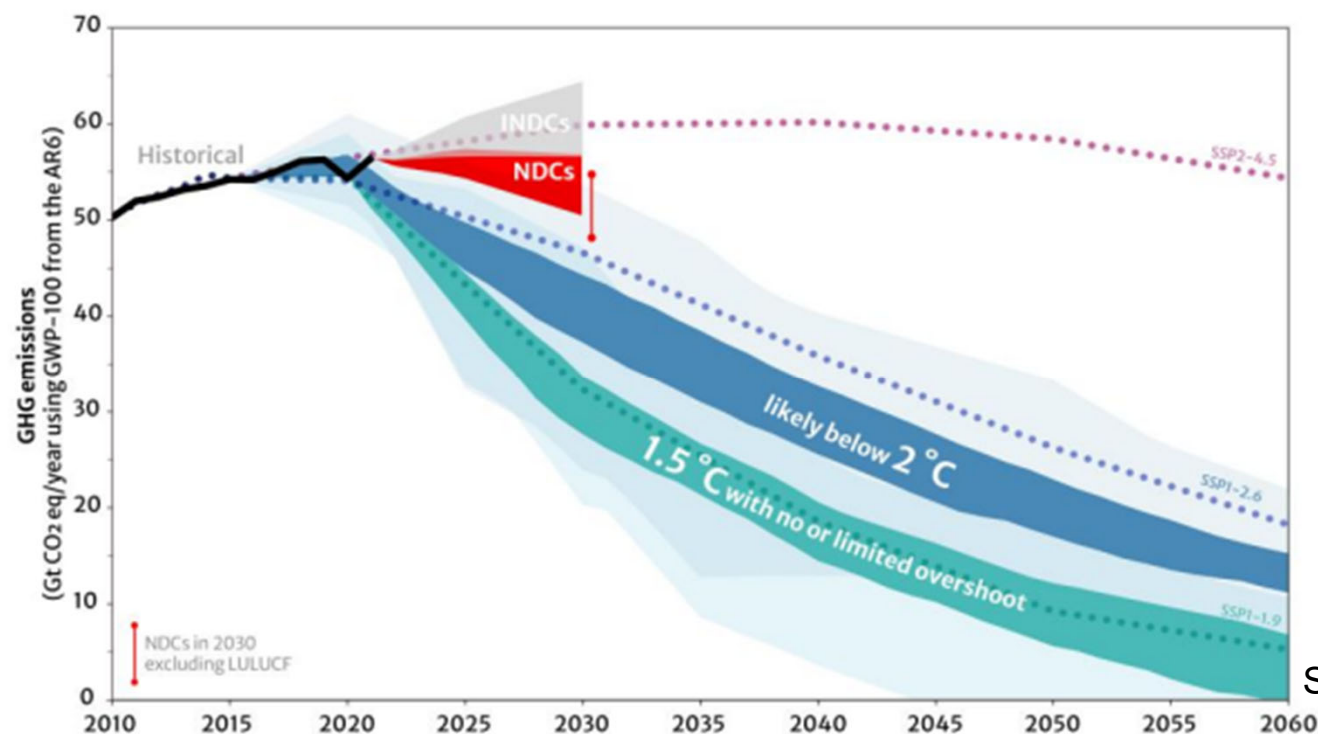


**The impact of climate change on the lives of the young plaintiffs.
They do not have the right to vote in the elections yet and are unable to participate in the current policy-making.**



Source : <https://doi.org/10.1038/s41586-025-08907-1>

Required level of emission reduction: Level consistent with the IPCC 1.5°C target



CO₂ emissions of
electricity sold
2030: 48% reduction
2035: 65% reduction
(Compared to 2019)

Source: 2022 NDC Synthesis Report

	Reductions from 2019 emission levels (%)				
		2030	2035	2040	2050
Limit warming to 1.5°C (>50%) with no or limited overshoot	GHG	43 [34-60]	60 [49-77]	69 [58-90]	84 [73-98]
	CO ₂	48 [36-69]	65 [50-96]	80 [61-109]	99 [79-119]

Source:
AR6 Synthesis Report SPM

Defendants' Reduction targets and Measures

JERA

No total reduction target for 2030, insufficient target for 2035. Reduction measures are inadequate and there is no basis for achieving self-imposed targets.

KOBELCO

No goals, no measures.

KEPCO+ other 7 companies

Insufficient 2030 target, no 2035 target, Ineffective measures



Target Company	2030 emissions 19年比<52% compare to 2019<52%	P&M × ammonia co-fore and CCS	2035 emissions compared to 2019<35%	P&M
JERA	×	×	52%	×
J-Power	Unclear 60%	△	×	×
Tohoku	55%	×	×	×
Kansai	Unclear 79%	×	×	×
Kobelco	×	×	×	×
Chugoku	60%	×	×	×
Kyushu	Unclear 81%	×	×	×
Hokuriku	55%	×	×	×
Hokkaido	69%	×	×	×
Shikoku	70%	×	×	×

Government policy

**Low emission
reduction target**

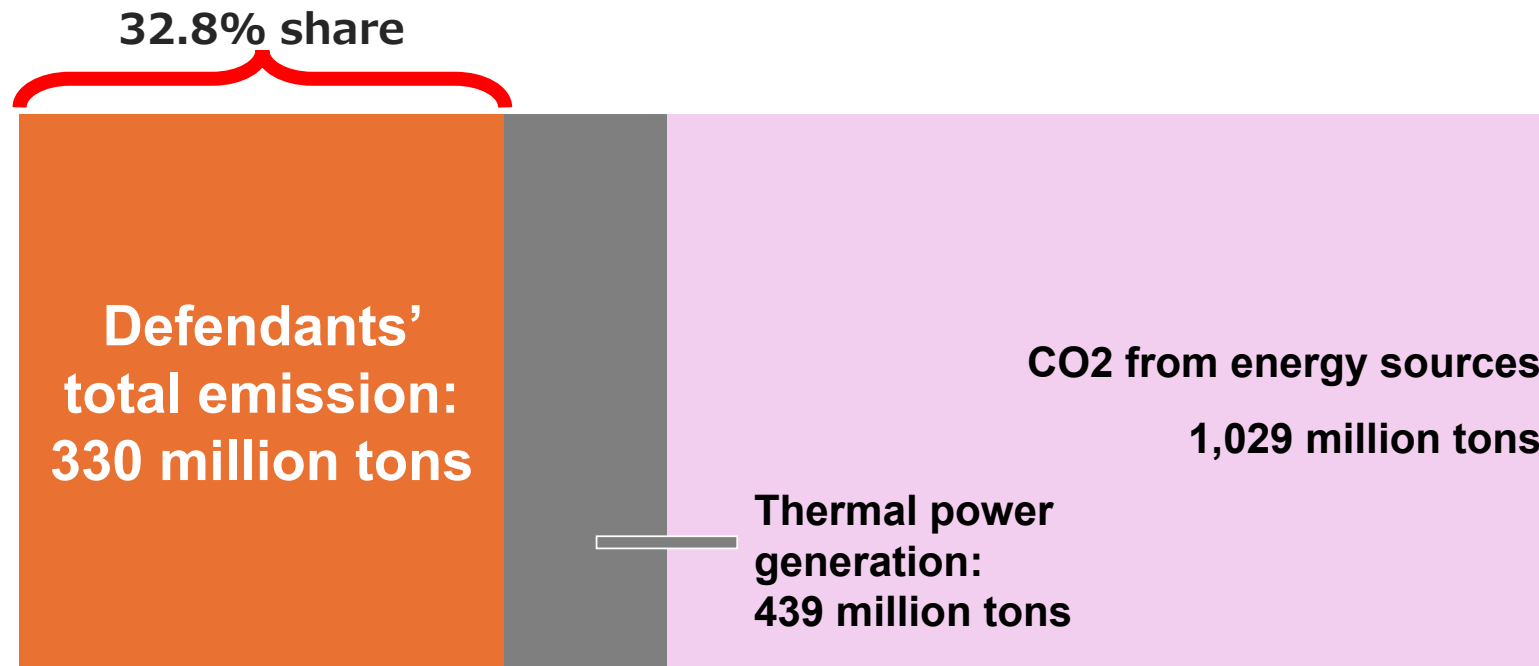
**Enhance support
for thermal
power/nuclear
power generation**

No carbon pricing

**Less support for
renewables**

**The 10 defendants account for approximately one-third
of Japan's energy-derived CO2 emissions.**

CO2 emission (FY2019, unit: 10,000 tons)



0.8% of global energy-related CO2

Arguments of the defendants, the electric power companies up to the third oral argument date

- An injunction requires the reality and urgency of harm.
The plaintiffs do not suffer actual imminent harm.
- Science and international agreements may change in the future and remain uncertain.
- There is no law imposing a legal obligation on the defendants to reduce emissions.
- The defendants' emissions are negligible, and there is no legal causal relationship between them and the plaintiff's damages (they are merely a drop in the ocean).
- Climate change measures should be left to democratic processes through elections.