

ABSTRACT

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ANALYZING THE INTERNATIONAL CONVENTION FOR THE REGULATION OF WHALING (ICRW): CASE STUDY ON JAPAN'S NON-COMPLIANCE (2006–2019)

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The issue of Japan's non-compliance to the International Convention for the Regulation of Whaling (ICRW) as the anti-whaling norms has caused turbulence and controversy in the international law regime. The purpose of this research is to explore the possible causes of non-compliance from Japan by looking at Japan's domestic political and bureaucratic system as well as to discover possible measures that could be taken to strengthen the ICRW. The theory being used in this research is International Norms with the concepts of International Law, State Level of Analysis, and Organizational Platforms. Moreover, this is qualitative research involving a literature review study by applying secondary data. Such data can be gathered from literature studies, online sources, and other necessary scholarly studies. Online secondary data will be obtained from relevant journals, articles and books, and websites. The outcome of this research has shown that Japan does not comply because of domestic factors like the head of government, bureaucracy, the people, and political culture. Furthermore, the level of influence of the anti-whaling norm also affects Japan's non-compliance towards it. All these factors influence and shape Japan's response in the form of non-compliance to the anti-whaling norm by the ICRW. With that in mind, in order to improve the ICRW as Convention, the ICRW needs to implement sanctions for norm-breaking behavior, like monetary sanctions. In addition, the ICRW needs to be implemented in one of the United Nation's bodies, like the IOC UNESCO. By having the ICRW a standard within the UN and its regulations, the ICRW can acquire a better legal enforcement system. On top of that, UNCLOS, specifically Article 65, needs to have an addendum. The ICRW is the subject of such an addendum, further strengthening the anti-whaling norm.

References: 5 books (1998–2013) + 40 journal articles + 2 reports + 2 government documents + 9 organizational publications + 20 internet sources