

For the Protection of Wetland Biodiversity

An Examination of Wetland Policy in Japan

Introduction

In anticipation of the 10th Conference of the Contracting Parties to the Ramsar Convention (2008/10/28 ~ 11/4, Changwon, Korea) and the 1st World NGO Conference on Wetlands (2008/10/25 ~ 10/27, Changwon and Suncheon, Korea), the Japan NGO Network for Ramsar COP10 has prepared a report on the status of Japan's wetlands with an examination of Japan's wetland policy. This document presents summaries of the section of that report dealing with wetland policy. These results and the suggestions they led to will in future form the basis for an action plan for wetland NGOs in Japan.

Rivers and Dams

The basis for most policy concerning rivers and dams in Japan, the River Law, was established in 1896 for the purpose of "flood control." It underwent two major revisions that added further purposes to its purview – "water supply" in 1964 and "environment" in 1997. However, it would be difficult to say that the decision-making process for river management plans drawn up under this law has significantly changed. There are no clearly defined concrete mechanisms for reflecting citizen opinion beyond "holding public forums for expressing opinion," and in practice all decisions are made by the government in its Basic Policy for River Improvement. In most watersheds, river management follows project implementation plans based on the former, unrevised law, and citizen participation procedures amount to mere pretense. One group that managed to exercise the intent of the law's revisions to the maximum extent possible given these limitations was the "Yodogawa Drainage Basin Committee," set up in 2001. This committee's aim was to put into effect the River Law's Article 16.2 to achieve information disclosure and thorough-going citizen participation. However, at present, procedures are slipping back into the old groove. Population and tax revenues are both declining in Japan. An honest calculation of how much money will be needed in future for river and dam maintenance and to remove obsolete dams should promote agreement that there is no financial leeway for constructing any more new dams. Decisions also need to be made about flood control measures for areas

where citizen participation in accordance with the revised River Law results in higher priority being given to environmental values. Also, in conformity with Ramsar Resolution VIII.2 (2002) “The Report of the World Commission on Dams (WCD) and its relevance to the Ramsar Convention,” Japan should as far as possible restore its own rivers to a natural state, and should keep in mind the lessons learned (and mistakes made) both domestically and in other countries in order to avoid repeating these mistakes in the construction of dams in developing countries with official development assistance.

(Atsuko Masano, Journalist)

Freshwater Site Management

Of Japan’s 33 Ramsar sites 22 – two thirds of the total – have freshwater bodies such as lakes and ponds. Conservation management of these Ramsar sites is carried out under the Wildlife Protection and Hunting Law, the Natural Parks Law or the Law for the Conservation of Endangered Species, but because none of these laws originally had anything to do with wetland conservation, it is difficult to say they are in fact sufficiently functioning as wetland conservation laws. In 12 of Japan’s 22 freshwater Ramsar sites, the designated site is limited to the open water area only, making it difficult to address problems involving development plans on land immediately adjacent to the lakeshore. For example, at the Izunuma Ramsar site, when plans to drill at the lakeshore for hot spring water were revealed in 2005, no restrictions were posed by these laws and the prefectural government approved the plan. Public opinion on the national level just managed to halt the project. Management and conservation of lakes and other freshwater bodies must take into account the watershed and shoreline buffer zones as part of the package. In recent years, approaches that focus on wet rice paddies as buffer zones are increasingly being adopted. There are rice paddies (agricultural wetlands) in the vicinity of the freshwater bodies in 11 out of Japan’s 22 freshwater Ramsar sites. The attitudes of farm families regarding the Ramsar Convention have also been changing, allowing the designation in 2005 of the Ramsar Site “Kabukuri-numa and the surrounding rice paddies.” Legal measures are also needed, including: 1) enactment of new national laws such as a wetland conservation law and 2) adoption of local “Ramsar site ordinances” through local initiatives that correspond with the spirit of the Ramsar Convention. Continuing issues of great importance are the need to enhance wetland functions of existing Ramsar sites by expanding the sites to include adjacent wetlands, and to increase the number of new Ramsar sites.

(Masayuki Kurechi, Japanese Association for Wild Geese Protection)

Rice Paddies

For more than 2000 years ago Japan’s agricultural villages ecosystems has been maintained for food production. . However, due to modern agriculture’s copious use of chemicals and artificial fertilizer has posed a variety of dangers to ecosystems in

agricultural villages. The human populations of such agricultural villages are also aging and dwindling, causing stagnation in productive farming, degradation of agricultural villages capacities and an overall alienation from agriculture. On the other hand, there is a steady increase in the number of farm households pursuing nature-restoration style agriculture that embraces “producted rich soils by using of fermentation” and “reduced levels of agrichemicals.” As long as agricultural wetlands that puts a local rich biological habitats to use continues, there will also remain the potential for healthy economic growth. Urgent issues for immediate consideration include promoting a refreshed awareness of the “wetland functions” and “wetland values” advocated by the Ramsar Convention and elaborated in COP 8 DOC 15 “Information paper – cultural aspects of wetlands,” etc., and the pursuit of sustainable use for rice paddies’ multiple functions. In the course of recent efforts to consider how to put a value on agriculture that co-exists with biological diversity, the following categories have emerged. (1) higher prices for organic products, (2) direct environmental subsidies from central and local governments, (3) environmental subsidies from the private sector and taxation systems supportive of such payments, (4) local agricultural product environmental branding. These approaches need to be combined variously in their application. At the same time, without a standard evaluation index, taxpayers are unlikely to accept direct payments to farming households. Thus, one index that aims at evaluation through noting the biodiversity of plants and animals inhabiting rice paddies (Index 1), and another that aims at evaluation based on factors of agricultural work conditions, farming techniques and location (Index 2) have been drafted. With these as a basis, a list of all creatures that inhabit Japan’s rice paddies is planned for publication.

(Shigeki Iwabuchi, NPO Tambo: Rice Paddy Japan)

Tidal flats and shallow coastal zones

Tidal flats and shallow coastal zones are important wetland environments; they are biologically diverse, function as water purifiers and serve as commercial fishing grounds. However, their importance was not recognized in modern Japan, and during the sixty-year period from 1945 to 2005, about 40% of the nation’s tidal flats were destroyed by landfill and land reclamation. Japan’s Comprehensive National Land Development Plans Nos. 1 through 5 and other government policies had a great deal to do with this, as they promoted development of chemical and other heavy industrial parks in coastal zones, garbage landfills such as the Phoenix Plan and other urban development. Also, in the earlier years, increased rice production was promoted through large-scale land reclamation projects. These landfill and land reclamation projects in tidal flats and shallow coastal zones were carried out under the national Public Water Body Reclamation Law (1922).

However, provisions for environmental protection are markedly absent in this 84 year old law; it should be immediately repealed and replaced with a Public Water Body Conservation Law. In addition, the Seacoast Law and other laws relating to the coastal zone need provisions for inter-agency and inter-ministry communication and cooperation that are capable of dissolving the barriers posed by the vertical organization of these bureaucracies.

The Environmental Impact Assessment Law also needs to be amended, for example to include a third-party supervisory body invested with enough functional authority to enable it to prevent the mere formalization of the assessment process, require consideration of alternatives, etc. The “Protect and Restore Principle” should be applied to the management of tidal flats and shallow coastal zones in Japan. Existing tidal flats should be protected, degraded tidal flats restored and destroyed tidal flats reconstructed. Also, resolutions, recommendations and other documents adopted by the Ramsar Conferences of the Parties should be incorporated into policies and applied, and the protection and wise use of tidal flats and shallow coastal zones earnestly sought.

(Shin-ichi Hanawa, WWF-Japan)

Sand beaches

Japan’s coastline is about 33,000km in length; sand beaches account for about 5,900km or 18% of this total (*1). However, on the shore and/or in the water at most of these beaches there is some kind of rigid, artificial structure such as concrete wave-dispersal blocks, vertical concrete seawalls, stepped or sloping concrete seawalls, roads, offshore breakwaters, jetties, artificial headlands, or artificial reefs. Natural sand/gravel beaches without any artificial structures account for less than 10% (*2). A diversity of wildlife such as sea turtles and Little Tern inhabit sand beaches and their plant communities, but viable habitat is being lost due to (1) seawall construction and landfill, (2) decreased habitat area due to planting of Japanese Black Pine groves as barriers against sand and salt damage, (3) fragmentation of beach habitat due to construction of roads, seawalls, etc., (4) introduced species invasion. Progressing erosion is also a serious problem at all sites. In order to protect Japan’s sand beaches, those with wide intact shoreline environments that remain in a natural state extending up from the sea through the beach foreshore and backshore to the area just landward of the beach must be secured. To achieve this, all such beaches now in a natural state should be conserved as protected areas, all relatively natural beaches should be restored, and construction of further artificial structures on beaches should be halted. Also, a policy that removes the fundamental causes of erosion should be implemented, citizens should be involved in coastal management, and monitoring should be carried out on the national level.

*1 Fifth Basic Survey on Protection of the Natural Environment, Coastal Survey Comprehensive Report, Environment Agency, 1998

*2 White Paper-Japan’s Shorelines Seen through the Perspective of Plant Communities, Nature Conservation Society of Japan, 2008

(Noriko Kaihatsu, Nature Conservation Society of Japan)

Coral Reefs

Since Okinawa was returned to Japanese jurisdiction in 1972, its coral reefs have been affected by development, both by being directly landfilled and by red silt runoff arising

from on-land development. They have also suffered a variety of other threats such as abnormal outbreaks of their natural enemy, Crown-of-Thorns Starfish. The abnormal weather conditions in 1998 that caused large-scale coral bleaching around the world also affected coral reefs in Okinawa. Results of “reef checks,” one type of long-range monitoring survey, indicate that proportions of hard corals significantly declined in Okinawa in 1998. Coral recovery after 1998 was not uniform in all localities, but even coral reefs in the Yaeyama Island group, which did recover and remained in good condition, were affected by the recurrence of high water temperatures in the summer of 2007 and again suffered a significant decline in the proportion of hard corals. In 1995, Okinawa prefecture started enforcing its ordinance on red silt runoff prevention as one way of protecting coral reefs, but developments that do not sufficiently incorporate red silt runoff prevention measures continue even now. Marine parks have also been set up as another measure for coral reef protection, but compared to other nations, Japan’s protected areas are few and small in area. These measures have yet to produce real results. Okinawa’s coral reefs are being impacted by Crown-of-Thorns and other predators, while the frequency of high water temperature events is expected to increase in future due to global warming. Corals are also suffering from still not entirely understood threats such as illnesses and sea water acidification. The highest priority now is to protect existing coral reefs and coral communities.

(Mariko Abe, Okinawa Reefcheck and Research Group)

Mangroves in Iriomote Island

Of the 644 hectares (ha.) of mangroves in Okinawa prefecture, about 78% (503 ha.) are located on Iriomote Island. Iriomote Island’s resident human population numbers about 2,200, but nearly 400,000 tourists visit the island every year. This recent increase in visitors has given rise to voluntary restrictions on the operation of motor-driven tourism vessels and voluntary limits on the number of visitors allowed on guided tours. In reaction to the sudden and significant increase of tourist visits to the Nakama River, monitoring surveys of the impacts of human activity on the mangrove ecosystem have been initiated. However, rather than monitoring a single river, long-term, comprehensive monitoring of what impacts the increase in visitors is having on the entire island ecosystem is now needed. Increased tourism is causing increasing amounts of garbage, but it is also clear that a monitoring system and legal measures need to be created in order to keep household wastewater and wastewater from hotels, inns, etc. from degrading water quality and to prevent eutrophication in the rivers and along the seacoast. Also, a plan to construct a large-scale resort development on Iriomote Island has re-surfaced, giving urgency to the need to re-open the process of drawing up a grand plan for land use and development for the entire island and establishing a protection strategy for the island’s wildlife, including its coral reefs and mangrove ecosystems.

**(Shigeyuki Baba, Tropical Biosphere Research Center,
University of the Ryukyus)**

Wetland Policy in Japan

The Asian Wetland Symposium was held in Vietnam, followed by the UNITAR/KIWC MEA Workshop in Kushiro in June-July 2008. The relationships among climate change, biodiversity and wetland issues were discussed and the need to coordinate related international conventions was identified. However, it is not easy to coordinate such programs at the local level, or for people to understand such complicated issues. The Ramsar Convention has the rather limited target of wetlands, making it easier for people to come up with concrete project proposals. Japan's capability for implementing the Ramsar Convention is unfortunately limited and requires further enhancement. Inter-sectoral coordination within the Ministry of the Environment as well as inter-ministerial coordination among relevant government agencies and ministries are needed. In addition, a National Wetland Policy is urgently needed in Japan. Cooperation between Japan, the host country of Ramsar COP5, and Korea, host of COP10, is needed. The influence of a national wetland policy in Japan, or the lack of one, should not be underestimated by other Asian CPs. Furthermore, Japan will also host the CBD COP10 in 2010. The "Economics of Ecosystems and Biodiversity" (TEEB) report delivered at the CBD COP9 this year mentioned the concept of biodiversity offset and cited wetland mitigation banking as an example. Such approaches should be carefully discussed and introduced in Japan. An approach to bridge the Ramsar COP10 and the CBD COP10 should be discussed.

(Satoshi Kobayashi, Kushiro Public University of Economics)

Ramsar Sites

Between the time Japan became a Contracting Party to the Ramsar Convention in 1980 until it hosted the 5th Conference of the Parties (COP5) in Kushiro in 1993, it designated 9 wetlands to the Ramsar List, and from 1995 until COP8 in 2002, it designated 4 more sites. However, prior to COP9 in 2005, it added 20 sites to the List, bringing Japan's total of Ramsar wetlands up to 33. One of the goals of its 3rd National Biodiversity Strategy adopted in November, 2007, is the addition of 10 more sites to the Ramsar List prior to the Biodiversity Convention's COP 10 in 2011. So far, however, the process of listing sites as applied in Japan has contravened important elements of Resolution IX.I "Revised Strategic Framework and guidelines for the future development of the List of Wetlands of International Importance" (initially adopted by COP7 and revised by COP9), such as the need to identify priority sites for designation, avoid overlooking smaller sites and recall that "Ramsar site designation does not require that the wetland in question must enjoy any type of previously conferred protected area status or must necessarily acquire this after designation." Not only are many important sites that ought to be designated still not on the List, important wetlands such as Isahaya Bay have been destroyed. In future, designation of the important wetlands that ought to be on the List should be pursued in conformity with the Ramsar guidelines, and to that end, a legal framework for wetland protection should be established.

(Masatomi Asano, Citizens' Association to Increase Ramsar Sites in Japan)

Flyway partnerships

The East Asia – Australasia Flyway Partnership is an international partnership project for protecting habitats important to migratory birds in this region on the international level. Its specific activities include: (1) setting up three networks of important habitat sites for the three major classes of migratory waterbirds (shorebirds, cranes and anatidae) under the “Waterbird Protection Strategy” (Phase I: 1996-2000, Phase II: 2001-2006): These networks served as a platform for the creation of international networks of important habitat sites for all the migratory waterbirds in the East Asia – Australasia region. (2) Promoting conservation and wise use of the habitats and migratory waterbirds at network sites through public awareness campaigns, surveys and research, capacity-building, training, information exchange and other activities. A prescribed set of procedures allows sites important for migratory waterbirds to be added to the migratory waterbird site networks. The 27 sites in Japan that have belonged to these networks of important habitat sites for the three categories of waterbirds based on the Waterbird Protection Strategy are now being transferred to the important habitat site networks based on the Flyway Partnership. Network sites in the East Asia – Australasia region are presently in transition, but it is expected that there will be about 90 sites in 14 countries.

(Nobuhiko Kishimoto, Wetlands International Japan)

CEPA

“CEPA” stands for “communication, education and public awareness.” CEPA activities play a vital role in promoting the conservation, restoration and wise use of wetlands. When we use wetlands not just for temporary gain but in a way that can be sustained in the future, this increases both daily-life benefits and overall wealth. To help bring this about, CEPA communicates various types of information about wetlands so that a wide range of people can understand their functions and benefits. COP10 will consider changing the “P” in CEPA to stand for “participation” to emphasize how important it is for people to get involved on their own initiative. CEPA is generally associated with activities such as nature observation outings, lectures, posters, pamphlets and the like. However, in Japan workshops are being held for local residents to talk with each other about their experiences, feelings and hopes regarding their local wetlands. In these workshops, people share an awareness of their local wetland as something belonging to them, and actively discuss experiences that transcend generations and directions for the future. We feel that these kinds of exchanges and self-motivated participation provide a good basis for programs that can activate effective nature observation outings, lectures, etc. The Ramsar Convention invites Contracting Parties to draw up national CEPA action plans, and Australia, Germany, Hungary and Spain have already submitted such plans. Our feeling is that NGOs, local governments and local people should work together on the local level to create local “wetland CEPA action plans” for each individual wetland, while also trying to influence the national government to set up a national plan.

(Miki Sasaki, Wetlands International Japan)

Restoration

In recent years, nature restoration projects that are NOT based on the national Law for the Promotion of Nature Restoration have been on the increase around Japan. Since this law came into effect 5 years ago in 2003, only 18 project councils have been set up in accordance with its provisions. Generally speaking, these projects have also run into problems and the actual restoration they have accomplished has been insignificant. This is thought to have been mainly because they are based not on citizen but on government initiative, and also because the councils' consensus-building format is not working. There remains enough leeway in the law for future improvements and innovations in its application. However, if this law is to be the only vehicle for restoration, at most only miniature-scale restoration can be expected; it appears to be incapable of initiating full-scale nature restoration such as ecosystem network restoration, one of the aims of Japan's 3rd National Biodiversity Strategy. Japan now especially needs a nature restoration policy that can faithfully fulfill principle No.8 of Ramsar Resolution VIII.16 "Principles and guidelines for wetland restoration," which calls for the establishment of a national programme and priorities for wetland restoration "based on a national inventory of wetlands with potential for restoration." Japan has neither an inventory of wetlands with potential for restoration nor a national restoration programme, and thus it continues to fail to restore the wetland in most pressing need of restoration, Isahaya Bay (Nagasaki). In order to establish wetland conservation policy, Japan needs to enact a wetland conservation law, and an urgent priority for properly implementing nature restoration policy in Japan would be including provisions requiring establishment of a national wetland restoration programme in such a law.

(Yozo Hanyu, Ariake Sea Network of Fishermen and Citizens)

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