



FSC Controlled Wood risk assessment for JAPAN
FSC-CW-RA-017-JP V1-0

SPECIFIC REQUIREMENTS

INTERPRETATION OF ANNEX 2B OF THE STANDARD FOR COMPANY EVALUATION OF FSC
CONTROLLED WOOD FOR JAPAN
(FSC-STD-40-005-V-2.1)

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Contact Person: Takashi Shiomi

Email address: shiomi@forsta.or.jp

Summary of risk for Japan

This assessment is made for the five categories of FSC Controlled Wood, for Japan. The risk assessment was made for all types of forest masses (natural, semi-natural and plantations). The risks were assessed against all 47 prefectures of Japan and where applicable even smaller districts when the risk was found to be heterogeneous within a prefecture.

Controlled Wood categories		Risk level
1	Illegally harvested wood	Low risk
2	Wood harvested in violation of traditional and civil rights	Unspecified risk (Hokkaido prefecture) Low risk (other areas)
3	Wood harvested in forests where high conservation values are threatened by management activities	Unspecified risk (Nansei Islands: Islands south of Amami Islands) Low risk (other areas)
4	Wood harvested in forests being converted to plantations or non-forest use	Low risk
5	Wood from forests in which genetically modified trees are planted	Low risk



Background

The main objective for FSC Controlled Wood is to prevent FSC material (wood and/or wood fiber) from being mixed in FSC products with material from unacceptable sources. For this purpose, FSC has developed two Standards: FSC-STD-40-005-V-2.1, Standard for Company Evaluation of FSC Controlled Wood, and FSCSTD-30-010-V-2.0, FSC Standard for Wood Controlled by Forest Management Enterprises.

In this way, certified enterprises with FSC Chain of Custody that are mixing FSC certified material with noncertified material for the manufacture of FSC Mixed Source products must show that the non FSC certified material has been controlled to prevent sources from any of the following 5 categories:

1. Wood harvested illegally;
2. Wood harvested in violation of traditional and civil rights;
3. Wood harvested from areas where high conservation values are threatened by management activities;
4. Wood harvested from areas being converted to plantations or non-forest uses;
5. Wood harvested from areas in which genetically-modified trees (GMO) are planted.

The scope for application of this document is Japan.

The normative references for FSC Controlled Wood were defined to help the forest industry and commercial agents avoid the use of wood from unacceptable sources.

There are various ways for FSC to achieve this:

1. Purchase wood from managers of forest areas certified in accordance with FSC Standard for Wood Controlled by Forest Management Enterprises, FSC-STD-30-010;
2. Purchase the FSC Controlled Wood from suppliers who have a valid Chain of Custody certificate that includes FSC Controlled Wood in its scope; and/or
3. Verify sources of supply internally, in accordance with the requirements of FSC-STD-40-005, Standard for Company Evaluation of FSC Controlled Wood.

In the third case, the company shall perform a risk assessment of its supplies.

Accredited National Initiatives, as well as national or regional offices, may orient enterprises in identifying credible sources of information so that they can



make a correct decision about the risk assessment (see Annex 2, Standard 40-005 – General Requirements).

Procedure FSC-PRO-60-002 specifies the requirements to be met by relevant FSC Network Partners that wish to make a risk assessment of FSC Controlled Wood. This will be evaluated by FSC International and after being recognized, it will be compulsory for the district in the category concerned.

The advantage of this procedure is that it allows enterprises working in the same district to use the same risk assessment for FSC Controlled Wood, so as not to waste time or resources in repeating the risk assessment and verifying its consistency.
This document was prepared in accordance with the guidelines given in procedure FSC-PRO-60-002.



FSC CONTROLLED WOOD RISK ASSESSMENT

1. Illegally harvested wood

Low risk

Requirements	Sources of information	Evidence	Risk
Category 1. The district of origin may be considered low risk in relation to illegal harvesting when all the following indicators related to forest governance are present:			
1.1 Evidence of enforcement of logging related laws in the district.	<p>Forest Law (first established in 1951 most recent revision in 2011) http://law.e-gov.go.jp/htmldata/S26/S26HO249.html</p> <p>Natural Park Law (first established in 1957 most recent revision in 2013) http://law.e-gov.go.jp/htmldata/S32/S32HO161.html</p> <p>Prosecutorial statistics in 2010 > Suspected cases > sorted by crime names. http://www.e-stat.go.jp/SG1/estat/List.do?lid=000001078043</p>	<p>Any harvesting of forest is regulated by the Forest Law.</p> <p>Forest Law applies throughout Japan. Forest owners and standing tree buyers must submit application of harvest including information about harvesting area, harvesting method, harvesting species, harvesting tree ages and regeneration plans after the harvest 30 to 90 days prior to harvesting. The application is examined by municipality mayor to check if it complies with the Forest Law. When it complies with the Forest Law, harvest permit is given. In case of any suspect of harvest which is different from what it says in the application, the municipality investigates on the ground. If the harvest was found to be not following the application, municipality then instructs the forest</p>	Low risk



Requirements	Sources of information	Evidence	Risk
		<p>owner or standing tree buyer to correct the operation.</p> <p>After harvest, legal certificate is needed to trade the harvested logs.</p> <p>Harvesting in special protection zone of natural park needs permission from state minister for the environment or prefectural mayor.</p> <p>Breach of the Forest Law rarely happens. According to the Prosecutorial statistics in 2010, there were 40 suspected cases. Number of applications of harvest submitted per year is estimated to be approximately 20,000. Therefore only about 0.2% were suspected to be breaching the Forest Law and so the risk of breach is very low.</p>	
1.2 There is evidence in the district demonstrating the legality of harvests and wood purchases that includes robust and effective systems for granting licenses and harvest permits.	<p>Harvest permit system and legality of harvests.</p> <p>"Notification system of harvest and after harvesting regeneration"</p> <p>"Harvest permit system of conservation forest"</p> <p>: Obligation of harvest notification and gaining permit based on the Forest Law (harvest of no restriction forest based on clause 10-8 and harvest of forest under approved Forest Management Plan based on clause 15). Clause 34, 34-2 and 34-3 applies to Harvesting of conservation forest.</p> <p>http://law.e-gov.go.jp/htmlldata/S26/S26HO249.html</p>	<p>Notification system of harvest and after harvesting regeneration functions as a regulation which enables to show the legality. In the no restriction forest, submission of harvest and after harvesting regeneration is mandatory prior to harvesting (for those with approved Forest Management Plan, this submission can take place after harvest). In conservation forest, harvest permission is necessary prior to harvest and at the end of harvest, after harvesting document must be submitted.</p>	Low risk



Requirements	Sources of information	Evidence	Risk
	<p>Legality of wood purchases Law Concerning the Promotion of Procurement of Eco-Friendly Goods and Services by the State and Other Entities (Green purchasing law)"in 2006. http://law.e-gov.go.jp/htmldata/H12/H12HO100.html</p> <p>Trend of confirmation of legality among private companies Paper mill industries (Japan Paper Association) Regarding illegally harvested wood http://www.jpa.gr.jp/env/proc/illegal-logging/index.html</p> <p>Log market (Japan Log Market Association) Self code of conduct http://www.zennichiren.com/ihoubassai.htm</p> <p>Housing industry Sumitomo Forestry Co., Ltd. http://sfc.jp/information/mokuzai/ Sekisui House, Ltd. http://www.sekisuihouse.co.jp/sustainable/2011/theme/bio01.html MITSUBISHI ESTATE HOME CO.,Ltd. http://www.mec.co.jp/j/csr/environment/green/pdf/guide_line.pdf</p>	<p>Legality of harvesting domestic wood can be proved by "notice letter to inform conformity of the harvest and regeneration plan" and "notice letter to inform permission of harvest in conservation forest" etc. which are issued based on this system.</p> <p>Green Purchase Law which applies to the state's procurement of wood and wood derived products specifying preference of legality and sustainability proven good was established in April 2006. For local municipal entities the law is asking best effort and for private company's procurement the law is a general responsibility. The law is affecting the private companies too and so elimination of illegal wood is happening in each stage of supply chain.</p> <p>Considering the situation stated above, it was concluded that sufficient evidence for proving legality of domestic wood harvest and purchase was confirmed.</p>	



Requirements	Sources of information	Evidence	Risk
1.3 There is little or no evidence or reporting of illegal harvesting in the district of origin.	<p>Global witness www.globalwitness.org</p> <p>Prosecutorial Statistics 2010 > Situation of cases received and treated > Sorted by violation name http://www.e-stat.go.jp/SG1/estat/List.do?lid=000001078043</p>	<p>According to the global witness information, there is no report on daily or organizational illegal harvesting in Japan.</p> <p>Breach of the Forest Law rarely happens. According to the Prosecutorial statistics in 2010, there were 40 suspected cases. Number of applications of harvest submitted per year is estimated to be approximately 20,000. Therefore only about 0.2% were suspected to be breaching the Forest Law and so the risk of breach is very low.</p>	Low risk
1.4 There is a low perception of corruption related to the granting or issuing of harvesting permits and other areas of law enforcement related to harvesting and wood trade.	<p>Risk assessment on CPI www.transparency.org</p>	<p>Risk level of Japan according to CPI is 7.8 (in 2012) which satisfies the FSC requirement level of above 5.</p> <p>As long as media such as newspapers are checked, any evidence of corruption by government regarding harvest permit and import permit could not be found.</p>	Low risk



2. Wood harvested in violation of traditional and civil rights

Unspecified risk (Hokkaido prefecture)

Low risk (other areas)

Requirements	Sources of information	Evidence	Risk
Category 2. The district of origin may be considered low risk in relation to the violation of traditional, civil and collective rights when all the following indicators are present:			
2.1 There is no UN Security Council ban on timber exports from the country concerned.	Global witness www.globalwitness.org	Japan is not included in UN Security Council Ban on timber.	Low risk
2.2 The country or district is not designated a source of conflict timber (e.g. USAID Type 1 conflict timber).	United States Agency for International Development (USAID) Conflict timber: Dimensions of the Problem in Asia and Africa Volume I Synthesis Report www.usaid.gov	Japan is not designated as supply region of conflict timber by USAID. In Japan, there is no civil conflict or military conflict therefore there is no evidence that domestic wood is supplying money to parties involved in those conflicts.	Low risk
2.3 There is no evidence of child labour or violation of ILO fundamental Principles and Rights at work taking place in forest areas in the district concerned.	ILO fundamental principle Freedom of Association and the Right to Organize Convention Clause 87 (Freedom of Association and Protection of the Right to Organize Convention) Clause 98 (Right to Organize and Collective Bargaining Convention) Prohibition of Forced Labor	About the infringement of the ILO fundamental principles for labors (except for Clause 105 and Clause 111 which are unratified by Japan), we did not find the fact through ILO online database that violations of the right in forest areas in Japan had occurred. Especially about the Child Labor, the child labor for "Business of cultivation of land,	Low risk



Requirements	Sources of information	Evidence	Risk
	<p>Clause 29 (Forced Labor Convention)</p> <p>Clause 105 (Abolition of Forced Labor Convention) : Non-ratification</p> <p>Business should uphold the effective abolition of child labor</p> <p>Clause 138 (Minimum Age Convention)</p> <p>Clause 182 (Worst Forms of Child Labor Convention)</p> <p>Exclusion of the Discrimination (Employment and occupation).</p> <p>Clause 100 (Equal Remuneration Convention)</p> <p>Clause 111 (Discrimination (Employment and Occupation) Convention) : Non-ratification</p> <p>ILO Online Database NORMLEX http://www.ilo.org/dyn/natlex/natlex_browse.home</p> <p>Labor Standards Act (Act No. 49 of April 7,1947. Revised in 2008) http://law.e-gov.go.jp/htmldata/S22/S22HO049.html</p> <p>Act on Securing, Etc. of Equal Opportunity and Treatment between Men and Women in Employment (Act No. 113 of 1974. Revised in 2012) http://law.e-gov.go.jp/htmldata/S47/S47HO113.html</p> <p>Act on Employment Promotion etc. of Persons with Disabilities (Act No. 123 of 1960. Revised in 2013) http://law.e-gov.go.jp/htmldata/S35/S35HO123.html</p>	<p>planting, growing, harvesting or cutting of plants, or other agro forestry business.” is prohibited by the Labor Standards Act.</p> <p>Clause 105 (Abolition of Forced Labor Convention) is not ratified because public workers are not allowed to have rights of dispute including strike by National Civil Service Law and Local Public Service Law. This is because any breach to these laws will end up imprisonment where they need to render a service which can be seen as forced labor. However, in the public forests, Forestry operation is outsourced to private contractors. These private contractors’ rights of dispute is ensured by Labor Standards Act. Hence there is practical no forced labor in forestry industry.</p> <p>Clause 111 (Discrimination (Employment and Occupation Convention) is another one which is not ratified. However, according to the Labor Standards Act, not discriminations of gender, nationality, faith and social status are allowed. Especially for gender equality, Act on Securing, Etc. of Equal Opportunity and Treatment between Men and Women in Employment is in place to strengthen the gender equality. For Persons with Disabilities, Act on Employment Promotion etc. of Persons with Disabilities is in place.</p>	

Requirements	Sources of information	Evidence	Risk
	<p>Nikkei telecom service: Key words used to search breach against ILO non-ratified clauses in forest management and forestry:</p> <ol style="list-style-type: none"> 1. Forestry, public officer, illegal 2. Forestry, discrimination 	<p>Nikkei telecom service was used to search for any articles about breach against ILO non-ratified clauses in forest management and forestry. Articles were searched from 5 major national newspapers, 48 local newspapers and 5 industrial newspapers for the period of Jan 1, 2010 to Dec 31, 2012. No article about the breach was found.</p> <p>For these reasons, there is no fact that ILO fundamental conventions are entrenched in domestic forest practice. However we continue to keep an eye on the situations regarding non ratified conventions.</p>	
2.4 There are recognized and equitable processes in place to resolve conflicts of substantial magnitude pertaining to traditional rights including use rights, cultural interests or traditional cultural identity in the district concerned.	<p>The constitution (1946) http://www.ndl.go.jp/constitution/etc/j01.html The Civil Code (Clause 89, 1896. Revised 2011) http://law.e-gov.go.jp/htmldata/M29/M29HO089.html Real Property Registration Act (Clause 24, 1899. Revised 2011) http://law.e-gov.go.jp/htmldata/H16/H16HO123.html Civil procedure http://www.courts.go.jp/saiban/syurui_minzi/index.html Law for Conciliation of Civil Affairs http://www.courts.go.jp/saiban/syurui_minzi/minzi_04_02_10/index.html</p>	<p>About the right for people under the range of current proprietary right, its ownership right is protected by various laws such as the Constitution, the Civil law and the Real Property Registration Act. To solve disputes regarding the ownership right, the Constitution (Clause 32) guarantees the right for a trial. In addition, to improve the accessibility for conflict resolutions, Civil Conciliation Act would be used.</p> <p>On the other hand, in Japan, as an entity with use rights and traditional rights, Ainu people in Hokkaido are known to be</p>	<p>Unspecified risk (Hokkaido prefecture)</p> <p>Low risk (other areas)</p>

Requirements	Sources of information	Evidence	Risk
	<p>Alternative dispute resolution procedure http://www.moj.go.jp/KANBOU/ADR/index.html</p> <p>The present condition of Ainu problems Reference : Materials for investigation of FSC Japan 1</p>	<p>indigenous people. The rights of Ainu people is limited in Hokkaido.</p> <p>Dialogue and consultation with Ainu people by FSC Japan revealed that there are many different opinions about Ainu peoples' use rights and traditional rights as well as their tenure right of land and resources in Hokkaido. It was found to be difficult to judge if there is a concrete equitable processes in place to resolve conflicts regarding these rights. Therefore the risk in Hokkaido region is determined to unspecified.</p>	
<p>2.5 There is no evidence of violation of the ILO Convention 169 on Indigenous and Tribal Peoples taking place in the forest areas in the district concerned.</p>	<p>The present condition of Ainu problems Reference : Materials for investigation of FSC Japan 1</p> <p>The trial of Nibudani Dam The Judgment by Sapporo High Court http://www.geocities.co.jp/HeartLand-Suzuran/5596/</p> <p>Ainu race common property trial The Judgment by Sapporo High Court http://www.dogyousei.gr.jp/ainu/kousaihanketu.doc</p> <p>Consideration of reports submitted by states parties under article 40 of the covenant – concluding observation of the Human Rights Committee (October 30, 2008). (Paragraph 32) http://www2.ohchr.org/english/bodies/hrc/docs/co/CC</p>	<p>FSC Japan asked Hokkaido Regional Forest Office, Hokkaido Office, ILO office in Japan and Hokkaido timber industry about the current situation of the Ainu people, and we did not find the fact that the Ainu people are infringed on their right in the forest areas.</p> <p>Meanwhile, Association of Ainu and Ainu participant showed the examples of the issue of land use, which are not directly related to forest practices such as past case of Nibudani Dam and current situation of Biratori Dam as well as Monbetsu industrial waste dumping site. About the issues of the Ainu people, after the colonization of Hokkaido in 1869, land ownership was established without taking</p>	<p>Unspecified risk (Hokkaido prefecture)</p> <p>Low risk (other areas)</p>

Requirements	Sources of information	Evidence	Risk
	<p>PR-C-JPN-CO.5.doc</p> <p>The committee on the elimination of racial discrimination requesting the state party for information based on Article 9(1) of the International Convention on the Elimination of All Forms of Racial Discrimination and Rule 65 of the Rules of Procedure of the Committee on the Elimination of Racial Discrimination. (March 9. 2012)</p> <p>http://www.mofa.go.jp/policy/human/pdfs/req_info_120309.pdf</p> <p>Formal response from Japanese Government on the information request by the committee on the elimination of racial discrimination on March 9, 2012.</p> <p>http://www.mofa.go.jp/policy/human/pdfs/req_info_120731_en.pdf</p> <p>Opinions of Mr. Morita Tokina of Association of Indigenous Peoples in the Ryukyus on how people in Okinawa see themselves as indigenous.</p> <p>http://nisiyamatookinawa.web.fc2.com/back/okinawa1101_88.htm</p> <p>Okinawa's 21st century vision implementation plan.</p> <p>http://www.pref.okinawa.jp/site/kikaku/chosei/keikaku/jissikeikaku-zennki.html</p>	<p>care for potential ownership of land and resources of Ainu people.</p> <p>For these reasons, we could not prove there is no evidence for violation of ownership and tenure right of land and resources. We therefore conclude that the risk in Hokkaido is unspecified.</p> <p>Regarding other areas in Japan, there is a view of United Nations Human Rights Committee and the committee on the elimination of racial discrimination about indigenous people in Okinawa and there is also a concern about access rights in US Military bases. However, Japanese government announced its view that they understand that people in Okinawa could not be covered by "racial discrimination" as provided for in the Convention on the Elimination of All Forms of Racial Discrimination. Level of recognition by people in Okinawa about themselves being indigenous people is very low. The prefectural government does not mention anything about indigenous people in its future vision.</p> <p>Considering above situation, FSC Japan decided that Okinawa be not applicable for this indicator.</p>	



Requirements	Sources of information	Evidence	Risk
		<p>In the future revisions of the NRA, FSC Japan is to check any changes in the situation regarding indigenous issues in Okinawa.</p> <p>Regarding other regions of Japan, there is no evidence of violation of the ILO Convention 169 on Indigenous and Tribal Peoples taking place in the forest areas.</p>	



3. Wood harvested in forests in which high conservation values are threatened by management activities

Unspecified risk (Nansei Islands: Islands south of Amami Islands)

Low risk (other areas)

Requirements	Sources of information	Evidence	Risk
<p>Category 3. The district of origin may be considered low risk in relation to threat to high conservation values if:</p> <p>a) indicator 3.1 is met; or</p> <p>b) indicator 3.2 eliminates (or greatly mitigates) the threat posed to the district of origin by non-compliance with 3.1.</p>			
<p>3.1 Forest management activities in the relevant level (eco-region, sub-eco-region, local) do not threaten eco-regionally significant high conservation values.</p>	<p>Natural Park Law (first established in 1957 most recent revision in 2013) http://law.e-gov.go.jp/htmldata/S32/S32HO161.html</p> <p>Nature Conservation Law (first established in 1972 most recent revision in 2011) http://law.e-gov.go.jp/htmldata/S47/S47HO085.html</p> <p>Wildlife Protection and Proper Hunting Act (first established in 1918 most recent revision in</p>	<p><u>General outline</u></p> <p>In Japan, during the age of Edo era through to Meiji era and Taisho era (1600- 1926), to supply the fuel wood to meet increasing population needs, and before the World War Two, to collect resources, a lot of pressure was put to harvest forest. As a result, forest deteriorated. Especially after the War, for the postwar rehabilitation, people lumbered tracts of natural forestlands resulting in more forest deterioration.</p> <p>In order to stop forest deterioration, harvesting prohibition system called “Tomeyama (meaning forest-deterioration preventive) during Edo era was established. Valuable forest resources in remote forest was conserved or only allowed with selective cutting. This policy remained even after the World War Two and these forests are protected as state forest.</p> <p>Under these conservation oriented situations of the postwar, Japanese Government rolled out “ Extended Plantation Policy”, and “Timber Increase Plan” which replace cutover areas with</p>	<p>Unspecified risk (Nansei Islands: Islands south of Amami Islands)</p> <p>Low risk (other areas)</p>

Requirements	Sources of information	Evidence	Risk
	<p>2011) http://law.e-gov.go.jp/htmldata/H14/H14HO088.html Act on Conservation of Endangered Species of Wild Fauna and Flora(first established in 1992 most recent revision in 2011) http://law.e-gov.go.jp/htmldata/H04/H04HO075.html Law for the Protection of Cultural Properties (first established in 1950 most recent revision in 2011) http://law.e-gov.go.jp/htmldata/S25/S25HO214.html Landscapes Act(first established in 2004 most recent revision in 2011) http://law.e-gov.go.jp/htmldata/H16/H16HO110.html Environmental Impact Assessment Act (first established in 1997 most recent revision in 2011) http://law.e-gov.go.jp/htmldata/H16/H16HO110.html</p>	<p>planted forests mainly with conifers to recover deteriorated land and deal with timber demands. These policy and plan increased the area of plantation.</p> <p>However, with all these policies, it was not enough for increasing demands about timbers as the demand of wood could not wait for trees to grow, resulting in the liberalization of timber import. Japan started to depend on imported lumbers. After this, Japanese forestry lost the competitiveness. Since domestic wood are not competitive as construction material, a lot of expanded plantation forest were left unthinned.</p> <p>At the same time as losing the competitiveness against imported wood, fossil fuels replaced domestic firewood and charcoal as a fuel for domestic use. After this, timbers of secondary broadleaf forest became no longer useful as a fuel wood.</p> <p>As a result, valuable remote forest remained protected up to now.</p> <p>As forestry policies are implemented, sign of recovery had been seen against the insufficient management of plantation Then review of forest eco-system especially in natural forest began. The idea of forest supporting the local village, our land and eco system spread throughout the nation.</p> <p>Under those historical situations, we could say that most of the HCVs (ex: KBA, Global 200, specific plant communities) are those which have managed to escape from the destruction of forests after the War in Japan. Some of these forests are protected by Natural Park Law, Natural Conservation Law, Wildlife Protection and Hunting Law, Protected forest System of the National Forest, Law for the Protection of Cultural</p>	

Requirements	Sources of information	Evidence	Risk
	<p>gov.go.jp/htmlldata/H09/H09HO081.html</p> <p>The Forest Act (Clause 249, 1951. Revised in 2011) http://law.e-gov.go.jp/htmlldata/S26/S26HO249.html</p> <p>Review of the forest plan based on the Revised Forest Act http://www.rinya.maff.go.jp/j/kikaku/saisei/pdf/siryou2.pdf</p> <p>Basic Plan for Forest and Forestry http://www.rinya.maff.go.jp/j/kikaku/plan/pdf/kihonkeikakuhontai.pdf</p> <p>Forest plan of the whole country http://www.rinya.maff.go.jp/j/press/keikaku/pdf/110726-01.pdf</p> <p>The Basic Plan about the Management of the National Forests and Fields http://www.rinya.maff.go.jp/j/press/keiki/pdf/081216-03.pdf</p> <p>Key Biodiversity Area : KBA (Conservation International Japan)</p>	<p>Properties. Some of these forests are not protected under these conservation laws. However, forest with HCVs which are not covered by these conservation laws are covered by Law for the Protection of Cultural Properties, Act on Conservation of Endangered Species of Wild Fauna and Flora, The Forest Act (against pressures of land development) and Landscapes Act. These laws together protects social cultural values, bio-diversity values, soil values, landscape values. For large scale development, environmental impact assessment is needed according to Environmental Impact Assessment Act.</p> <p>For these reasons, and with the situation that there are few specific conflicts related to conservation of HCVs in the areas except for South-West Islands to the south of Amami Islands, we conclude that at the present stage, Japanese forestry generally would not threaten HCVs.</p> <p>South-West Islands to the south of Amami Islands About forests in South-West Islands, judging from various survey results and claims that there exists high naturalness which is well preserved in these areas (KBA, Global 200) by several organizations, we make a judgment that these forests possess HCVs as rare species intensively exist and there also are high naturalness forests in that areas. On the other hand, about several woodchip companies in Amami Island, although they carry out their managements with certain consideration against the ecosystem and the rare species, there remain concerns from the point of the continuance of ecosystem and the protection of rare species in that area and the validity of their management methods. Besides, FSC Japan's survey shows that in South-West Islands to the south of Amami Islands, there were a few conflicts related a local forestry</p>	

Requirements	Sources of information	Evidence	Risk
	http://kba.conservation.or.jp/ WWF Global 200 http://www.wwf.or.jp/activities/lib/g200.html Specific Plant Community (Natural Conservation Law) http://www.biodic.go.jp/kiso/12/12_toku.html About the Conflicts of HCVs in Amami/ Okinawa islands Reference : Annex 1	(Ex1.YANBARU; the suit by inhabitants about constructing forestry roads which against Okinawa Prefecture, and against the president of forest owner's cooperative who was responsible for local forestry which might damage rare species. Ex2.AMAMI ARCHIPELAGOES; the construction of the tip factory and against campaigns by local people in Kakeroma Island and Amami Island) and the case YANBARU is still not completely solved today. For these reasons, we cannot declare that threats caused by forestry in that areas are apparently excluded so that we conclude the situation about the case in South-West Islands to the south of Amami Islands is "unspecified risk".	
3.2 A strong system of protection (effective protected areas and legislation) is in place that ensures survival of the HCVs in the ecoregion.	Natural Park Law (Clause 161, 1956. Revised 2011) http://law.e-gov.go.jp/htmldata/S32/S32HO161.html Natural Conservation Law (Clause 85, 1972. Revised 2011) http://law.e-gov.go.jp/htmldata/S47/S47HO085.html Law about the protection of the birds and beasts, and the Adequacy of the Hunting (Clause 43, 1918. Revised 2011) http://law.e-gov.go.jp/htmldata/H14/H14HO08	The South-West Islands from Amami which is concluded as unspecified risk has no sufficient evidence for having an alternative strong protection system due to the fact there is a conflict about land development. Hence this area is specified as unspecified risk. However, we will reconsider the evaluation depends on the situation and the tendency as we estimate that we will find more national parks and the natural heritages in that areas.	Unspecified risk (Nansei Islands: Islands south of Amami Islands) Low risk (other areas, according to indicator 3.1)



Requirements	Sources of information	Evidence	Risk
	<p>8.html</p> <p>The Forest Act (Clause 249, 1951. Revised 2011)</p> <p>http://law.e-gov.go.jp/htmldata/S26/S26HO249.html</p> <p>Law about the Management of the National Forests and Fields (Clause 246, 1951. Revised 2011)</p> <p>http://law.e-gov.go.jp/htmldata/S26/S26HO246.html</p> <p>Act on Conservation of Endangered Species of Wild Fauna and Flora (Clause 75, 1992. Revised 2011)</p> <p>http://law.e-gov.go.jp/htmldata/H04/H04HO075.html</p> <p>Law for the Protection of Cultural Properties (Clause 214, 2011. Revised 2011)</p> <p>http://law.e-gov.go.jp/htmldata/S25/S25HO214.html</p> <p>Landscape Act (Clause 110, 2004. Revised 2011)</p> <p>http://law.e-gov.go.jp/htmldata/H16/H16HO110.html</p>		



Requirements	Sources of information	Evidence	Risk
	0.html Environmental Impact Assessment Law (Clause 81, 1997. Revised 2011) http://law.e-gov.go.jp/htmldata/H09/H09HO081.html Key Biodiversity Area : KBA (Conservation International Japan) http://kba.conservation.or.jp/ WWF Global 200 http://www.wwf.or.jp/activities/lib/g200.html Specific Plant Community (Natural Conservation Law) http://www.biodic.go.jp/kiso/12/12_toku.html http://www.biodic.go.jp/reports2/parts/5th/5_vgt_toku/5_vgt_toku_04.pdf About the conservation system of Amami/ Okinawa islands Reference : Materials for investigation of FSC Japan 2		



4. Wood harvested from areas being converted from forests and other wooded ecosystems to plantations or non-forest uses

Low risk

Requirements	Sources of information	Evidence	Risk
Category 4: The district of origin may be considered low risk in relation to conversion of forest to plantations or non-forest uses when the following indicator is present:			
4.1 There is no net loss AND no significant rate of loss (> 0.5% per year) of natural forests and other naturally wooded ecosystems such as savannahs taking place in the eco-region in question.	<p>The Forth and the Fifth Basic Survey on Natural Environment Conservation Reference : Materials for investigation of FSC Japan 3</p> <p>Food and Agriculture Organization (FAO) Global Forest Resource Assessment http://www.fao.org/docrep/013/al539E/al539E.pdf</p>	<p>The Fifth Basic Survey on Natural Environment Conservation (1994-1999) shows that about the vegetation of natural forests and second-growth forests which are at the rank of naturalness 8.9., a change of the area was 704 km² which is 0.82% of forests areas which were at the rank of naturalness 8.9. diminished from the Forth Basic Survey (1989-1993).</p> <p>Divided by five years of study interval between the Forth and the Fifth survey, this reduction amount was converted to an annual reduction of approximate, reduction rate is 0.16% per year.</p> <p>We did not confirm the big change in this trend for each area.</p> <p>Because of this, there is no approximate decrease of the amount in long-term (net decrease) which</p>	Low risk



Requirements	Sources of information	Evidence	Risk
		<p>FSC specifies; within 5% in the long-term, equally, as we do not find a serious loss (within 0.5% per year), it can be said that it is at the low risk relating to this index.</p> <p>As a numerical value of reasons, although it is based on the data more than 10 years, there was no case about large-scale natural forests development or timber felling on newspapers or other media reports in last decade which doubles the decreasing rate. That is, it is considered that it is also possible to use this rate of decrease as the approximate at the current stage.</p> <p>Presently, the Ministry of the Environment is carrying out the Sixth and the Seventh vegetation survey. As soon as the survey result is released, we will update this data.</p> <p>Reference: According to the data of Japanese forests in FAO, Japanese primary forests (primary forests; natural forests more than 81 years) are gradually increasing. (2005-2010)</p>	



5. Wood from forest management units in which genetically modified trees are planted

Low risk

Requirements	Sources of information	Evidence	Risk
Category 5: The district of origin may be considered low risk in relation to wood from genetically modified trees when <u>one</u> of the following indicators is complied with:			
a) There is no commercial use of genetically modified trees of the species concerned taking place in the country or district concerned.	<p>Act on the Conservation and Sustainable Use of Biological Diversity through Regulations on the Use of Living Modified Organisms (Clause 97, 2003. Revised 2007)</p> <p>http://law.e-gov.go.jp/htmldata/H15/H15HO097.html</p> <p>The Ministry of Agriculture, Forestry and Fisheries</p> <p>The list of approved and confirmed transgenic livings based on Cartagena Protocol on Biosafety</p> <p>http://www.maff.go.jp/j/syouan/nouan/carta/c_list/index.html</p>	<p>According to the Act on the Conservation and Sustainable Use of Biological Diversity through Regulations on the Use of Living Modified Organisms (June, 2003), although the prohibition of the commercial use of transgenic living things is not directly declared, the approval of the Competent Minister(Clause 4) and the confirmation of containment measures (Clause 12) are required for the use.</p> <p>According to the research data of the Ministry of Agriculture, Forestry and Fisheries, no approval and confirmation for commercial use of transgenic trees are conducted (until 2012). There are some approval cases which are at the testing level in isolated cultivated lands.</p> <p>After due consideration of above reasons, the situation in Japan with this index is “ b”: the permission is required for commercial uses of transgenic trees, but there exists no permission for</p>	Low risk
b) Licenses are required for commercial use of genetically modified trees and there are no licenses for commercial use.			
c) It is forbidden to use genetically modified trees commercially in the country concerned.			



Requirements	Sources of information	Evidence	Risk
		commercial uses. It may be said that the risk is low.	



Annex 1 Risk analysis for Controlled Wood Category 3 (informative)

Requirements:

<i>The district of origin may be considered low risk in relation to threat to high conservation</i>	
3.1	Forest management activities in the relevant level (eco-region, sub-eco-region, local) do not threaten eco-regionally significant high conservation values.
3.2	A strong system of protection (effective protected areas and legislation) is in place that ensures survival of the HCVs in the ecoregion.

Nansei Islands: Islands south of Amami Islands

Nansei islands are designated by WWF as global 200. Conservation International Japan designates the same area as Key Biodiversity Area. Even though this area has such high conservation value, there has been series of cases in the court in Amami Island for making a new woodchip factory and related forest harvest and protest campaign (2000), Yanbaru Forest Road Case in Yanbaru forest (2007) and a case against the president of Forestry Association (2012).

Judging from such situation, FSC Japan decided to study closely in more detail in order to assess the risk of sourcing controlled wood in this area especially according to category 3.1 and 3.2. To do this study, stakeholder groups were consulted.

Forest and Forestry in Amami Islands

FSC Japan, Iwase

In 2010, total forest area of Amami Islands is 82,454ha. 10% of which is state owned and 90% of which is privately owned. Main forest product is woodchip (30,276m³ / year). There are only two woodchip makers (Iwasaki Industry and Uken Forestry). Only 1,066m³ of logs are extracted. (Source: Overview of Amami Islands by Kagoshima Prefectural Office)

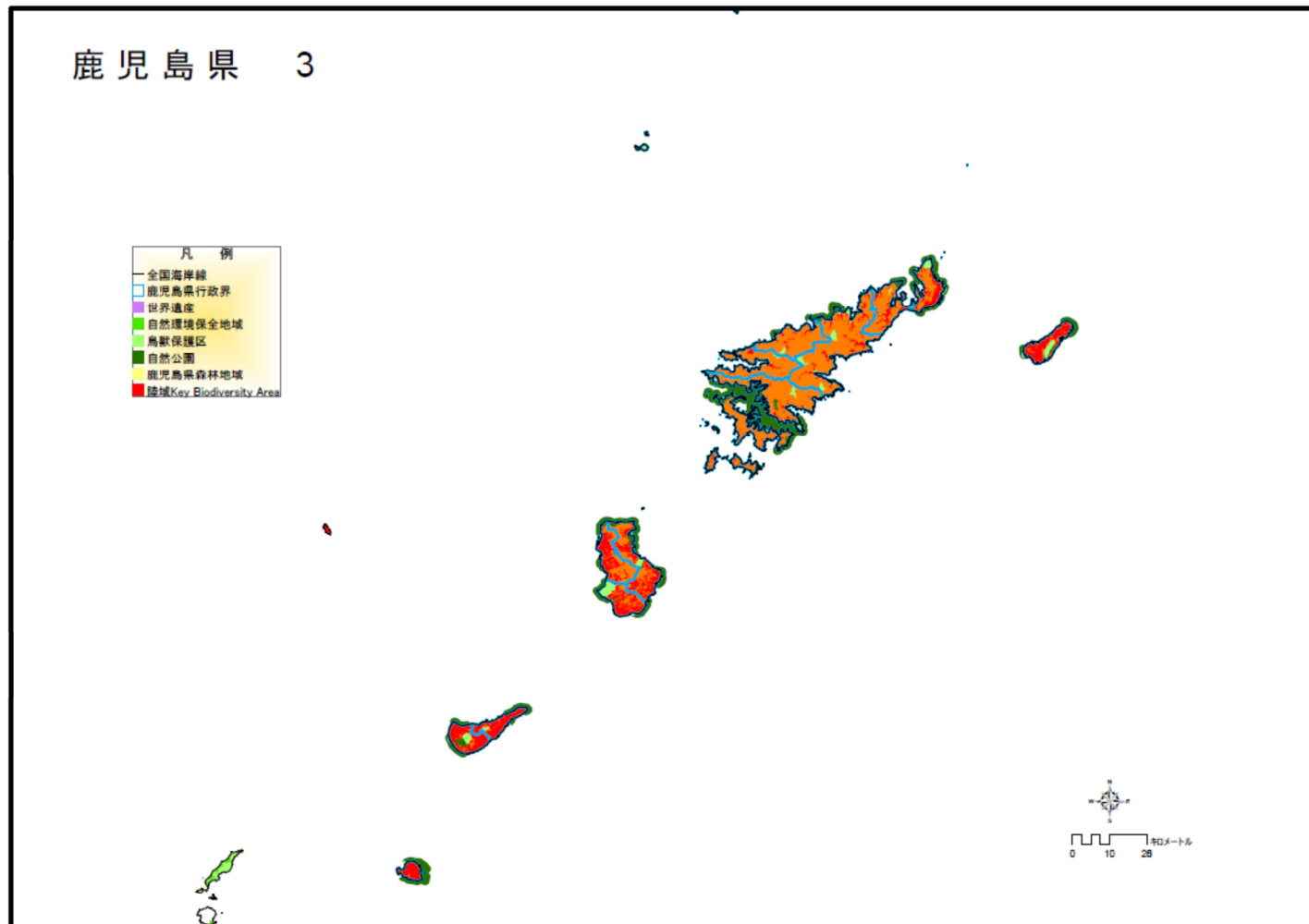


Fig. 1. A map of Amami Islands (Red areas showing Key Biodiversity Areas).
FSC-CW-RA-017-JP V1-0

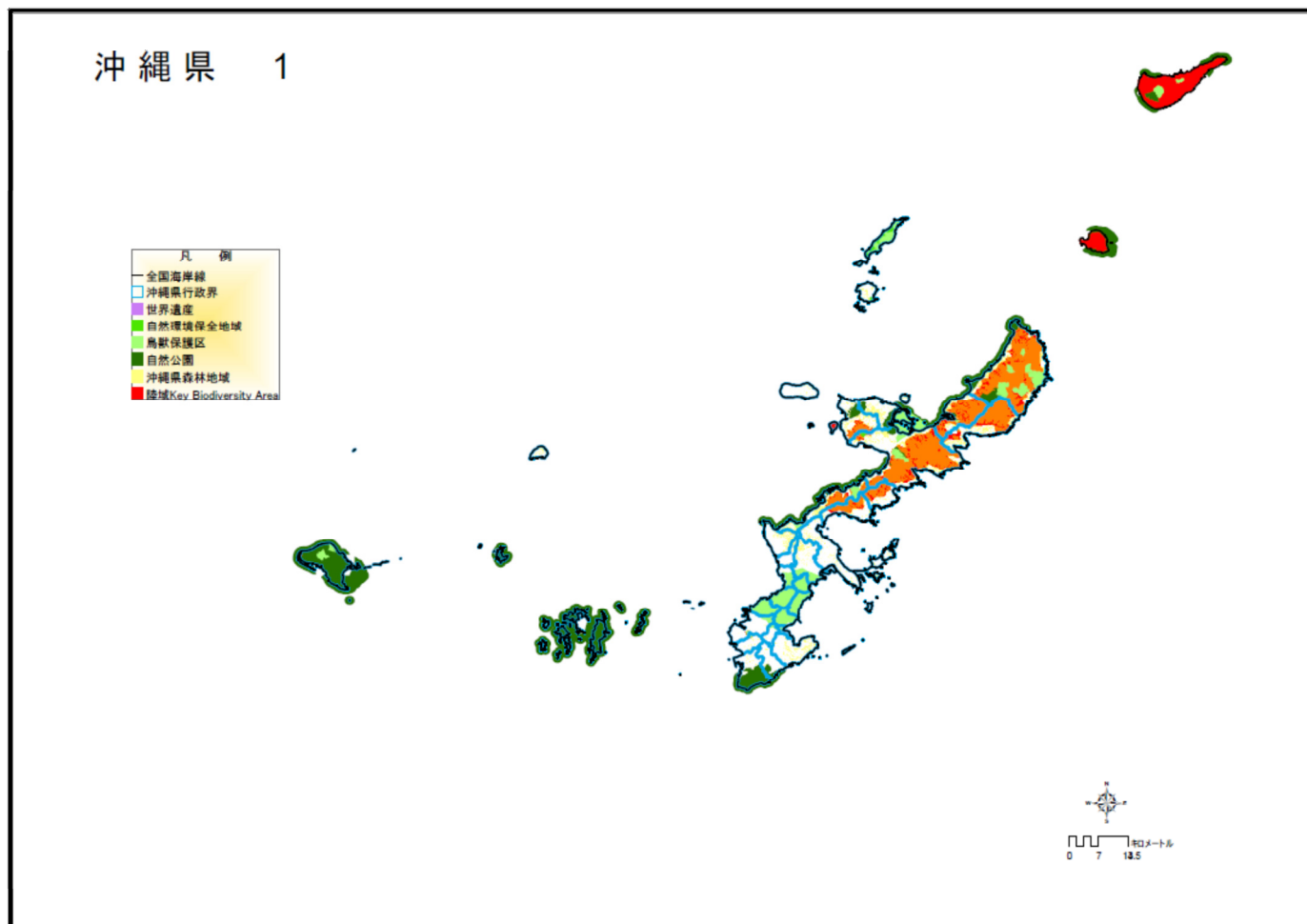


Fig. 2. A map of Okinawa Island where Yanbaru region is included (Red areas showing Key Biodiversity Areas).



Consultee : Ministry of Environment, Naha Environmental Office

June 25, 2012 FSC Japan, Iwase

1. Naha Environmental Office manages Nansei Islands (Islands south of Amami Islands).
2. Currently, within the managed area, Amami Islands and Nansei Islands are trying to apply to become a world heritage-listed site. In order to achieve this, these areas are under consideration of establishment of National Park.
3. In Yanbaru forest, Kunigami Village (local village) is holding meetings with local community to create a Kunigami Village Forest Area Zoning Plan. In this plan, protected areas are to be clarified and plantation trees are to be decided.
4. There was a case about making forest road in Yanbaru forest. There is no more new roads built in this area.

Consultee : Okinawa Godo Law Office: Yanbaru Forest Road Case legal team

June 25, 2012 FSC Japan, Iwase

1. Yanbaru Forest Road Case (went to court on Aug 15, 2007) was about the discontented use of tax by citizens. One reason for the dissatisfaction raised was about damage to the ecosystem which has many rare species such as *Gallirallus okinawae*, *Sapheopipo noguchii*, *Odorrana ishikawae* and *Geoemyda japonica*.
2. In 2008, Forest road in Okinawa Prefecture extends to 302.5km and of 249.3km is in the Yanbaru area. 91 % of the forest road is metalled (on national average 42% of the forest road is metalled). 38.5km of forest road was planned to be built but it has been ceased as the case when to court.
3. Since the forest road is highly metalled, its impact on environment is significant. It splits up the habitats of rare species especially those who move slowly are highly affected. Soils around the road gets dried which in turn kills trees and plants on it.
4. Main forest product from Yanbaru area is woodchip. However, its production volume and price are going down every year. It is about 1/3 of what it used to be. Forestry in this region is declining.
5. The natural tree species in the Yanbaru regions are *Castanopsis sieboldii* and *Quercus salicina* etc. However, after harvest, plantation companies are planting *Cryptomeria japonica*, *Cinnamomum camphora*, *Distylium racemosum* and *Pinus luchuensis*. Large *Quercus salicina* trees provides nesting site for *Sapheopipo noguchii*. Converting the natural forest to other trees have a big impact on the eco-system.
6. To sum up, the current forestry and plantation activities are only done because they are public work. They are not done in harmony with environment. In the future, we are considering the forest management must be more environmental friendly one.

7. We are aware of the Kunigami Village Forest Area Zoning Plan. However, we feel that the plan was made without sufficient scientific research and data collection. For example, the forest zone which is to be intact seems to be too small, most protected forests are in the US army training yard and regeneration forest will convert the native species to other plantation species. On the whole, due to lack of enough scientific data, the whole plan seems to be not environmental friendly. The plan making process only involved local community and environmental organisations were not consulted. There was not enough transparency in the making process.

Ryukyu Shinpo (local newspaper) Article on March 14, 2012

FSC Japan, Iwase

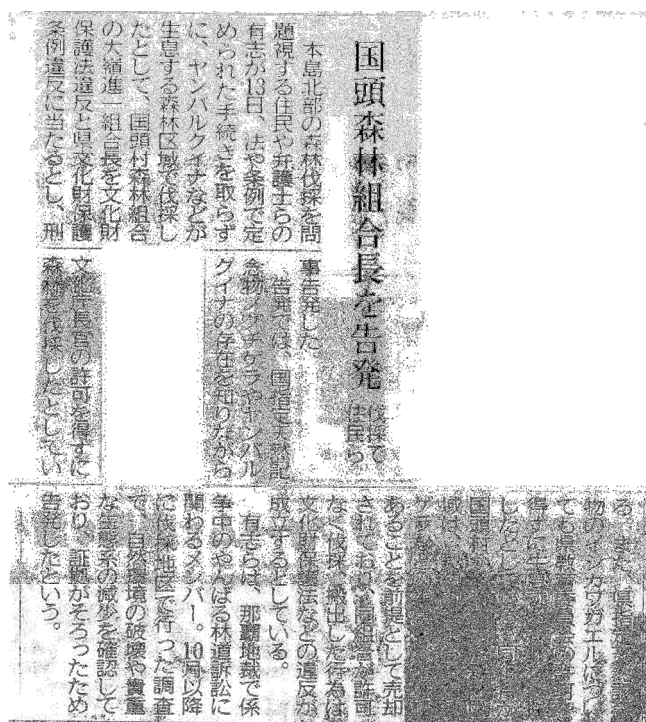
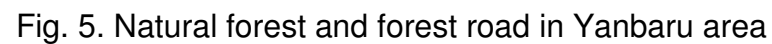


Fig. 3. A newspaper article showing Yanbaru forest road case.



Consultee : Woodchip maker in Amami Island: Mr. Tabuchi, President of Amami Iwasaki Industry and Mr. Yamashita, President of Uken Forestry

June 26, 2012 FSC Japan, Iwase

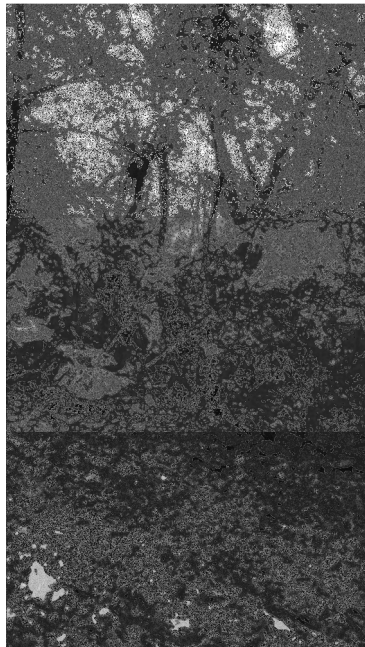
1. Iwasaki industry is harvesting 11,000m³ of logs for woodchip every year. Harvesting sites are in the 7,000ha of its own corporate forest. Harvesting area is kept small such as 8 to 10 ha and there are 8 to 10 harvesting sites every year. Uken forestry is harvesting 19,000m³ of logs for woodchip every year. About half of the harvesting sites are in the private forest owners area where contractors negotiate to buy the trees.
2. Main harvesting species is *Castanopsis sieboldii*. They are all re-growth secondary forest which resulted from massive clear felling happened during 1965 to 1975. 40 years old trees are harvested. Older trees are too costly to harvest.
3. Maximum area of harvesting site is set at 10ha. Along ridges and streams, we establish 20m-wide buffer zone. Buffer zones are needed for successful coppice regeneration as it prevents strong wind coming in. But it acts as a corridor for wildlife too. Along streams, we try to leave as much residues on the forest floor as possible to prevent soil runoff.



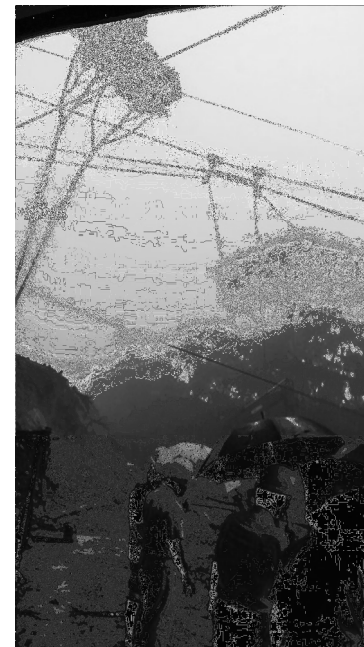
Fot. 1. The buffer zones after harvest in Iwasaki Industry's corporate forest.

4. When harvesting we do not make any new forest roads. Only small working roads are made. Cable yarding is used as much as possible. Iwasaki Industry is still using the forest road which was made in 1954. When erosion of the forest road is observed, we plant *Schima liukiuensis* Nakai to prevent further erosion.

5. In Iwasaki industry's corporate forest, old *Castanopsis sieboldii* forest (more than 80 years) is designated as protective area where harvesting is prohibited. There are 10 sites designated as protective area counting up to 200ha in total.



Fot. 2. Protective are of Iwasaki Industry



Fot. 3. Cable yarding

6. Iwasaki industry with cooperation with Ministry of Environment is carrying out a survey on wild life to know what rare species are in the forest and where their habitats are. (However, the result is not published)



7. Ministry of Environment is now trying to designate Amami Islands as a world heritage site and in order to do this, they are ying to make the Amami Island a national park. A lot of high conservation value forest will be in Iwasaki industry's corporate forest. Iwasaki industry is not harvesting these areas which are likely to be high conservation value forest.
8. Other than Iwasaki industry and Uken Forestry, forestry in Amami Island is very limited.

Consultee : Mr. Tabata of Society to consider Amami's nature

June 26, 2012 FSC Japan, Iwase

1. Eco-system in Amami varies from natural forest to secondary forest through to coast area. There are many wildlife in this area. Natural forest is not the only important eco-system but also having many eco-system in continuous way is important. Any development which splits this connection of eco-system should be consulted with local environmental organisation and experts prior to happening.
2. Regarding this communication matter, there was one important event in 2010 where making a new woodchip factory and related forest harvesting (100 to 120ha per 35 years) was opposed by local community. Local community was not informed enough and company outside the area came in to develop the area. As the local community and environmental organisation opposed, the plan was withdrawn.
3. We have not heard of any negative impact on environment from the harvesting operation of two woodchip makers in the area so far.
4. However, we are not informed of any harvesting plan or operational method from these two companies, so we are always feeling fear of precious forest being cut. We have not observed the actual harvesting operation so we cannot say if it is reduced impact logging or not.
5. Having a buffer zone may have a certain good effect but its effect has not been scientifically proven. We have actually observed some protective forest being damaged by wind. We need more research to find a operational method that suits this area.
6. Harvesting sites of the two companies cover 20% of all privately owned forest in Amami Islands. So we always have a fear that some companies outside the area may come in to harvest the rest of the forest.
7. We want to have a platform to communicate with forestry organisations from time to time.
8. Maybe the movement towards world heritage site will trigger such communication opportunity to happen.