

## The Japanese LCES partially amended

As reported in various media in Japan since the early this year, the bills to partially amend “the Japanese Law for Conservation of Endangered Species of wild fauna and flora” or simply “Japanese LCES” was submitted at 183<sup>rd</sup> Diet.

Within set hours, Environment Committees from both Houses of the National Diet of Japan had discussed the bill as well as the partial amendment of “Invasive Alien Species Act”. The bill was adapted on May 23<sup>rd</sup> in the Upper House and on June 4<sup>th</sup> in the House of Representatives, and issued to the public on June 12<sup>th</sup>. Attended with other NGO (Non-Governmental Organizations) members, it was interesting to have observed how the Upper House environment committee interpreted and reflected NGO opinions to the amendment.

- The major affair with the amendment: strengthening penalties

International Endangered Species (listed in CITES Appendix I: no international trafficking), which are protected by the Japanese LCES and Enforcement Order in Japan, are often marketed at high prices. Various environmentally concerned organizations around the world, such as UNEP (UN Environment Programme), CITES, IUCN (International Union for Conservation of Nature), and TRAFFIC (the wildlife trade monitoring network), have pointed out that poaching of these International Endangered Species has something to do with crime syndicates.

- New report warns of uncertain future for African elephants:

[http://www.iucn.org/news\\_homepage/?12573/New-report-warns-of-uncertain-future-for-african-elephants](http://www.iucn.org/news_homepage/?12573/New-report-warns-of-uncertain-future-for-african-elephants)

In Japan, however, penalties for illegal trades of International Endangered Species are relatively mild: “maximum of one year in prison or a fine of up to one million yen” on an individual trader and owner or “fine of not more than one million yen” on corporation.

Fortunately, the species traded at the Tokyo Reptiles World were the legally brought ones. However, laws may look attractive enough to violators even if they have to pay the fine of up to one million yen. By selling more than a single Slow Loris, which was priced at 650,000 to 800,000 yen/ individual, the sellers would receive more money than the amount they spent.

- Reports on Tokyo reptiles world 2013:

<http://www.jwcs.org/data/Irresistible%20desire%20to%20live%20with%20animals.pdf>

Furthermore, falsification of registration forms is very hard to detect and only a few cases were recognized. Those factors are actually assisting the violation.

The amended Law increased the amounts of fine on individual traders, owner and violated corporation: “up to five million yen” and “up to one hundred million yen”, respectively.

- Aiming for more species designation

In the Upper House environment committee on May 23<sup>rd</sup>, they include their future goal in addition to the discussion about the bill contents. The goal was to aim to increase the numbers of Internal Endangered Species designation to 300 by the year of 2020.

The old Japanese Conservation Species Law included only 89 Internal Endangered Species while the fourth edition of Japanese Red List, which was published in August 2012 by Japan Ministry of the Environment, designated 3,430 species in total on nine taxonomic groups as endangered. Thus “designation to 300” is the significant advance compared to that of only 25 species in the National Strategy for the Conservation and Sustainable Use of Biological Diversity 2012-2020.

Specific approaches under tight budgets still have many challenges. The challenges can be:

- How to promote and conduct effective conservation and propagation programs,
- How to process species designation of another 200+ species, and
- How to deal with the possible overhunting that will be induced by the designation

Countermeasures to such things are up to the future decisions and actions.

Noticeably, some of the important issues dealing with future amendments were mentioned only temporally, only during the discussions of the topic and never discussed again. We need to carefully monitor how the government and representatives from each political party we voted for understand and seriously concern the problem.

- The 4th Version of the Japanese Red Lists(in Japanese):

<http://www.env.go.jp/press/press.php?serial=15619>

- The record of the Upper House environment committee held on May 23<sup>rd</sup> (in Japanese) :

<http://kokkai.ndl.go.jp/SENTAKU/sangiin/183/0065/18305230065007a.html>

- The remaining issues

Prior to the environment committee and amendment, several NGO members had conducted lobbying for political representatives in advance to make proposals about the amendment. Increasing the number of the Internal Endangered Species designation was one of the issues mentioned in the lobbying activities.

Although not in the Law itself, many of the NGOs’ proposals were attached as additional resolution in the Upper House environment committee.

In additional resolution it mentions, for example, they will be discussing about the rules to prevent misappropriating (cheating) registration forms. If approved, registrants would be required to provide information for individual discrimination on registration forms, by microchip or IC tag or leg band, so that anyone can identify the individual species from others.

Additional resolution like this one is helpful because it transfers issues discussed in previous meetings to future conferences on the amendment of the Japanese LCES. JWCS will continue to work hard for the Law to reflect important issues (such as the case mentioned above) in the resolution and become even more effective.

- Additional resolution in the Upper House environment committee on May 23<sup>rd</sup> (in Japanese) : [http://www.sangiin.go.jp/japanese/gianjoho/ketsugi/current/f073\\_052301.pdf](http://www.sangiin.go.jp/japanese/gianjoho/ketsugi/current/f073_052301.pdf)

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