

Summary of the Status of Japanese Wetlands During the Past Triennium, and Outlook for the Next Triennium

(On the Occasion of the 9th Conference of the Parties to the Ramsar Convention, Kampala, Uganda)

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1 Introduction

The 9th Conference of the Parties to the Ramsar Convention (CoP9) will be held from the 8th to the 15th of November, 2005, in the capital city of Uganda, Kampala. During the triennium since CoP 8 was held in Valencia, Spain, major changes have occurred in the status of Japanese wetlands.

Japan Wetlands Action Network (JAWAN) was established in 1991 to pursue conservation of Japan's wetlands, primarily its major tidal flats at Isahaya, Wajiro, Fujimae, Sanbanze and elsewhere. Representatives of JAWAN first attended CoP5 in Kushiro, Japan, in 1993, and have taken part in all five CoPs in the intervening years. At an "NGO Environmental Policy Proposal Forum" held in 2001 at the United Nations University in Tokyo; with then-Environment Minister Kawaguchi present, JAWAN made a presentation on the theme of protecting and restoring wetlands, especially tidal flats and shallow coastal areas, and proposed to the national government that it should adopt a "Wetland and Public Waterway Protection Law" that would be principally concerned with protecting these areas as a legal instrument for carrying out the Ramsar Convention.

As part of JAWAN's participation in CoP9, we have summarized below the news of some of Japan's wetlands over the past three years since CoP8; we also hope to clarify what will be the issues for Japan in the coming three years leading up to CoP10.

2 Thirteen new Ramsar sites will bring Japan's total up to 33

In a resolution adopted in 1999 at CoP7, the Parties declared their intention to double the number of Ramsar sites from the approximately one thousand on the List at the time to 2000 during the six years between CoP7 and CoP9. The Japanese government also declared its intention to double its number of sites from 11 at the time of CoP7 to 22 or more, but by CoP8, the total number had only risen to 13. This meant that over the following 3 years, Japan would have to increase its number of sites by 10 or more or fall short of its goal. In fact, at CoP9 it will be adding 20 new sites to the List, bringing Japan's total number up to 33. We warmly applaud the efforts of the Ministry of the Environment and local governments in this regard.

To facilitate this increase in Listed wetlands, the Ministry of the Environment set up a Ramsar site review committee composed of experts that carried out inquiries aimed at selecting sites for the List. This was the first time a third-party organ had ever been set up for this purpose, when the process had not necessarily been transparent. It was valuable as a first step towards making the site selection process in Japan both scientific and democratic. In future, a standing or permanent third-party site selection is needed.

Also, a non-partisan group of National Dietmembers was set up to support the drive for doubling the number of Ramsar sites (the "Dietmembers' Group for Doubling the Number of Ramsar Sites"). This resulted in a great deal more attention being paid in the National Diet to wetland conservation policy, an area on which light had seldom shone formerly. This alone was cause for celebration, but it is also further hoped that, once the goal of doubling Ramsar sites is formally achieved, this group will take further steps and play a major role in establishing a legal system for wetland conservation.

3 The Battle for Restoring Isahaya Bay and the Ariake Sea

In contrast to the achievement of doubling the number of Japan's Ramsar sites, the outlook for protection and/or restoration of Isahaya tidal flat (Nagasaki) and of Awase tidal flat (Okinawa) remain poor. Both these wetlands have been internationally recognized as exceedingly important sites.

Isahaya tidal flat, formerly known as the "jewel of the sea" and "womb of the Ariake Sea," used to be the largest

stopover and wintering site for shorebirds in Japan. Its 3550 hectares of upper-bay tidal flats and shoals were cut off from the sea in April 1997 by a 7 kilometer-long tidal barrier, constructed as part of a national land reclamation project that started in 1988 and aims to create 816 hectares of arable land and serve as protection against tidal surges, at a total cost of 253.3 billion yen (w/ USD @ 110 yen = approx. USD 2.3 billion). It is not logical to create new arable land when the amount of Japan's arable land being taken out of production continues to increase. The efficacy of the project as a flood protection measure was called into question when heavy rains that occurred in July 1999, long after the barrier was completed, still caused Isahaya City to issue flood evacuation recommendations for 92,000 people and suffer 600 million yen (USD 5.5 million) in damage. The Isahaya Bay Land Reclamation Project is now a well-known symbol of Japan's wasteful public works.

This project is not only wasteful, but immensely destructive to the natural environment, and the situation has deteriorated badly. Aside from the 2900 hectares of muddy tidal flat obliterated by the closure of the barrier, the Ariake Sea of which Isahaya Bay is part has suffered major damage in the form of increased red tide algal blooms that contribute to disastrously poor harvests of cultivated seaweed, steep declines in harvests of ark shells, razor clams and other shellfish, and declines in catches of blue crab, bastard halibut and other commercially fished species. Taken together these impacts are known locally as "The Ariake Sea Disaster."

A committee set up in February 2001 by the Ministry of Agriculture, Forestry and Fisheries (promulgator of the Isahaya project) to examine the disastrous seaweed harvest issued an opinion in December 2001 that assumed the Isahaya Land Reclamation Project was one of the contributing factors to these problems, and recommended that surveys be undertaken involving opening gates in the Isahaya tidal barrier over short (2 months), medium (6 months) and long (several years) periods of time as a way of determining the impacts of the project on the Ariake Sea. The Ministry opened these gates in the spring of 2002 for a little less than a month, but on the grounds that opening the gates for mid- and long-term surveys could negatively impact the fishing and seaweed cultivation grounds, it postponed the surveys and instead carried on with the land reclamation project.

In November of 2002, local citizens and fishermen filed a lawsuit with the Saga District Court against the land reclamation project, calling for both a provisional court order to stop construction and a permanent injunction against the project. On 26 August 2004, the Saga District Court recognized a cause-and-effect relationship between the land reclamation project and the damage to fisheries, declaring that "a detriment proven to a high degree" had in fact resulted from the failure to implement mid- and long-term surveys and that it would be unfair to expect fishermen and the public to bear the consequences. The court issued a provisional stop order against the national government for further work on the project until a first ruling.

The national government appealed, and on 16 May 2005, the Fukuoka High Court repealed the Saga District Court's stop order ruling. Its statement declared that "Although we recognize for the time being that the connection between this project and the changes in fishing ground environments in the Ariake Sea, and in particular the relationship between the deterioration of fishing ground environments and the changes in tides, appearance of de-oxygenated water layers, accumulations of muddy sediment, etc., is undeniable in a qualitative sense, we must say that there is not enough information available to determine the quantitative extent and proportional influence of the project." It also noted that it would be difficult to judge the relationship of the project and the deterioration of fisheries, and declared that this relationship had not been established. The land reclamation project, which had been temporarily suspended after the ruling of the Saga District Court, was resumed after the 16 May 2005 decision of the Fukuoka High Court.

In response to the High Court decision, the fishermen lodged an appeal to the Supreme Court on the grounds that "strict scientific proof has shown the cause-and-effect relationship, so the decision violates High Court precedent." On 30 September 2005, the Third Petty Bench of the Supreme Court dismissed the fishermen's appeal on the grounds that "The tidal barrier has already cut the tidal flats off from the bay, and it is not clear that continuing the on-land construction will have a significant effect on the fishermen," supporting the High Court's decision that there is insufficient proof of the cause-and-effect link between the project and damage to fisheries. With this, the Saga District Court decision to stop construction was in effect overruled by the Fukuoka High Court.

In the meantime, the national Environmental Dispute Coordination Commission had been investigating the possible cause-and-effect relationship between the Isahaya Bay Land Reclamation project and fisheries damage in the Ariake Sea, and on 30 August, 2005, after the High Court ruling but before the Supreme Court ruling, it issued its decision, which acknowledged that seaweed aquaculture and other fisheries had sustained damage, but due to a lack of scientific data,

etc., a cause-and-effect relationship with the land reclamation project could not be established, rejecting the fishermen's request for a clear identification of the causes of the damage. After announcing this decision, the head of the Commission broke precedent by making pointed remarks to the effect that "The national government and all others involved should constantly apply themselves to the pursuit of further surveys and research and to restoring the Ariake Sea's former abundance," taken as a clear reprimand to the Ministry of Agriculture, Forestry and Fisheries for failing to undertake mid- and long-term opened-gate surveys.

At present, the national government aims to complete the project by the end of fiscal 2007, but local fishermen are planning to file another lawsuit for a court order to force implementation of the mid- and long-term surveys, with the intent of doing anything and everything they possibly can to the bitter end to stop the land reclamation project and promote restoration of Isahaya Bay and the Ariake Sea.

The Isahaya issue should not be construed as merely a domestic one. The most serious problem facing wetlands in Korea is the Saemangum Land Reclamation Project, which was designed with direct reference to the Isahaya project. Should Japan and Korea fail to halt these two reclamation projects and restore these wetlands, it will mean that two Contracting Parties to the Convention will not only have condoned, but actively pursued in the face of major domestic opposition the destruction of two of the most representative and internationally important wetlands in the East Asian region. This may invite further destruction of other internationally important wetlands in other countries of Asia, by setting an example that such contradictory behavior is condoned under the Convention. The issues Isahaya and Saemangum must be seen as throwing into question whether the Convention is being properly implemented or not.

4 Awase Tidal Flat Landfill Unstopped – Citizens File Suit

From 1972, when the many islands that make up Okinawa prefecture were returned to Japanese jurisdiction, until 1997, a total of 2,390 hectares of coastal shallows were landfilled: on Okinawa Island itself, over 1,000 hectares of tidal flats and other near-shore areas were landfilled, including several major tidal flat wetlands (Itoman, 300 ha., Itoman South 50 ha., Yone, 160 ha., Yonabaru, 140 ha. Kawata 390 ha.).

Three out of Japan's Ramsar sites in Japan are in Okinawa – Manko, Kerama and Nagura/Amparu, the latter two being new Ramsar sites. Okinawa Island is 1,205 square kilometers in area, accounting for over half of the prefecture's total area of 2,273 square kilometers: Manko, the only Ramsar site on Okinawa Island, is only 58 hectares (0.58 square kilometers) in area.

Manko was added to the List in 1999, but since then it has undergone various environmental changes such as a buildup of deoxygenated mud, and the number of shorebirds visiting the site has plummeted. At the same time, a plan is underway to landfill Awase tidal flat, the largest natural tidal flat wetland in Okinawa Is. and the largest wintering site in Japan for the Pacific Golden Plover, a shorebird. The project threatens to obliterate Awase wetland, which has Okinawa's largest seagrass bed (353 hectares) offshore of 265 hectares of tidal flats. To protect the integrity of the flyway, this landfill project should be stopped and Awase tidal flat added to the Ramsar List.

In March 2003, Birdlife International (BLI) sent a statement calling on the government of Japan to protect this tidal flat, freeze the project and consider this site for the List, but the landfill project continues to progress as planned.

Its aims are to provide a place to dump dredge spoil from ship channels being dug for new harbor facilities under construction near Awase in Nakagusuku Harbor, and to create land for "Marine City Awase," a coastal resort and marina. There is already a considerable amount of unused landfill in Okinawa, and it is exceedingly unlikely that a marine resort at Awase will be profitable even if it is built. The idea of using a high-quality natural wetland as a place to dump dredge spoil has attracted strong censure, and citizens in favor of protecting Awase tidal flat gathered the petition signatures required before the local Okinawa City legislature can consider adopting an ordinance needed to hold a referendum on the issue, but the legislature twice rejected proposals for the ordinance, once in July 2001 and again in February 2002. In April 2002, the pro-construction mayor of Okinawa City was re-elected, and the project commenced construction in October, 2002.

The pre-project environmental impact assessment was very inadequate; the draft completely missed the presence of an endangered seagrass ('kubiremidoro', *Pseudochiotromosiphon constri*). The governor had to issue direct guidance before on-site surveys for adding environmental protection measures to the assessment were performed; even these missed half of the live seagrass beds and failed to identify many species of birds, shellfish, etc. In addition, before construction started, a seagrass removal and replanting project was experimentally carried out to see if replanting could

be implemented as an environmental mitigation measure, but this experiment, which used heavy machinery to dig up and replant a large area of seagrass, failed when much of the replanted seagrass was washed away in a typhoon. It was concluded that heavy machinery techniques had not been established, but that hand planting would be possible, and construction commenced.

Since that time, two other endangered seagrass species (*Halophila decipiens*, *Sargassum pinnatifidum*) and a completely new seagrass species (*Halophila sp.*) have been found at Awase, and the presence of two rare shellfish species (*Pseudopythina macrophthalmensis*, *Leucotina sp.*) were confirmed. It is also clear that most of the seagrass transplanted by hand has failed to take root. Local citizens in favor of protecting the wetland have appealed unsuccessfully to the national and prefectural governments, which are undertaking the third phase of the project, to stop construction. Thus, in May, 2005, they filed a suit at Naha District court against the governor of Okinawa prefecture and the mayor of Okinawa City, calling for them to halt funding for the project. They are also suing Governor Inamine for damages resulting from his approval of the 2 billion yen that he already allocated.

The national and prefectural governments ought to be able to see for themselves the merits of canceling public works projects that are economically unsound and highly destructive of precious natural environments without citizens having to take them to court.

However, unfortunately, the governments of Japan and of Okinawa prefecture have attached very little importance to this extremely valuable wetland at Awase, which should be on the Ramsar List, and are at present continuing to destroy its tidal flats and seagrass beds.

5 The Roundtable Committee for Nominating Sanbanze to the List - Going Which Way?

Sanbanze is an approximately 1,800 hectare area of tidal flats and shoals at the head of Tokyo Bay, which has lost over 90 percent of its shoreline to landfill. It is one of Japan's most important stopover sites for Greater Scaup, Little Tern and shorebirds.

A plan to landfill 740 hectares at Sanbanze for construction of the No.2 Tokyo Bayline Expressway, a sewage treatment facility and other uses was revealed in 1993. A commission set up by Chiba prefecture was charged with investigating how this development would effect the environment, and scientific surveys carried out by a sub-committee of experts showed that the micro-organisms and other benthos living in Sanbanze functioned as the equivalent of a sewage treatment facility serving 130,000 people, as well as being a valuable habitat for juvenile fish. Over two years of surveys, 89 species of birds were confirmed, testifying to the richness of the natural ecosystem. As a result, the landfill project was reduced to 101 hectares in 1999, and in April 2001, the present governor, Akiko Domoto, was elected on a platform of canceling the project, which was duly cancelled officially in September of the same year.

Citizens groups that had campaigned against the project from the start hoped that cancellation of the project would naturally lead to Sanbanze's protection and designation to the Ramsar List.

In January 2002, Gov. Domoto set up the 24-member Sanbanze Restoration Planning Commission to devise a new plan for restoring Sanbanze that would base its deliberations on citizen participation; this commission was commonly referred to as the Sanbanze Roundtable Conference. After two years of deliberations, the Roundtable Conference delivered its draft plan for the restoration of Sanbanze wetland to Gov. Domoto in January, 2004. As a process founded on the cancellation of a public works project and carried out with thorough citizen participation and information disclosure, the Roundtable's approach was hailed nationally as the "Chiba method."

However, because this plan was predicated on undertaking a "restoration" project in place of a "landfill" project, there was an undeniable bias towards making some kind of artificial intervention, as opposed to the more important goal of conserving the remaining natural areas. There was also the question of whether a large area of formerly landfilled shoreline would be restored, or whether the restoration project would be limited to a strictly confined area. The Roundtable Conference proceeded on the assumption that restoring a large area of former shoreline would not be realistic, dashing hopes for restoration that would address the basic factors that originally altered the environment and aim for a fundamental re-establishment of the natural environment.

Moreover, one of the original major issues menacing Sanbanze was the construction of the No. 2 Tokyo Bayline Expressway, but the Roundtable Conference held no discussion whatever of this project or its necessity. Surveys for this road are already under way, but no conclusions can be reached about protecting or restoring Sanbanze without conclusions having been reached about whether this road will in fact be cancelled or constructed, and if it is constructed,

whether it will detour around Sanbanze, and if not, what construction techniques will be used if it is built on, over or under the wetland. However, on the grounds that the Roundtable Conference was convened to discuss restoration of Sanbanze only, no discussion of the expressway project was held.

The prefecture was committed to creating a draft restoration plan for Sanbanze based on the plan drafted by the Roundtable Conference. After the Conference delivered its plan, the prefecture drew up an initial draft of the basic restoration plan, which was examined by the Sanbanze Restoration Commission, set up in the wake of the Roundtable Conference's dissolution, and in June 2005 it published the Draft Basic Plan for Restoration of Sanbanze. This plan contained no clear language dealing with the issue of the Nekozone river delta, which had been very hotly debated in the Roundtable Conference by members who asserted it was composed of deoxygenated mud and in no need of protection and members who asserted it deserved protection.

The Nekozone delta will inevitably need to be landfilled if the No.2 Tokyo Bayline Expressway is constructed aboveground, and the exclusion of clear language dealing with this area must be seen as a reflection of the prefecture's strong intention to route the road through this area. The fears raised by excluding discussion of the expressway from the Roundtable discussions appear to have been well founded.

Also, although the idea of nominating Sanbanze to the Ramsar List was given a high profile in the Roundtable Conference's draft plan, Chiba prefecture's position is that the agreement of local fishermen has still not been obtained so that nomination would at this time be premature.

Some fishermen feel strongly that the Nekozone delta should be landfilled and an artificial tidal flat constructed, and this accords well with the prefecture's desire to landfill the area for expressway construction. It seems clear that the prefecture intends to landfill the Nekozone delta and is using the opposition of fishermen as a pretext for postponing nomination.

However, citizens' groups have contended that the Nekozone delta is not as degraded as is being claimed, and in fact recently undertook surveys that identified the presence there of Tokyo Bay's largest living oyster reef, which must have required several decades to grow. This reef has escaped notice so far because it is difficult of access and only visible during a spring tide. It is not presently clear whether the Nekozone delta and its rich ecosystem functions will be landfilled or not, or whether Sanbanze will ever be nominated to the List. As the accomplishments of the Roundtable Conference begin to vanish like mist on the water, it is clear that the battle over protection and development of Sanbanze is not yet over.

6 Why has the internationally important Nakaikemi Mire not been nominated to the List?

Nakaikemi Mire is located to the southeast of Tsuruga City in Fukui prefecture; surrounded by hills 100 to 170 meters high, it is only 25 hectares in extent, but it represents a model example of a unique geological type. It has peat layers 40 meters deep that record 100,000 years of history, and is an unusually deep mire for Japan. So far, 132 species of birds including several endangered species, over 270 species of plants and 1,372 species of insects have been observed inhabiting the rich ecosystem of this unique wetland.

In 1992, Osaka Gas Co., Ltd. revealed its plan to construct a storage facility for liquid natural gas (LNG) on the site of Nakaikemi mire, with operations scheduled to start in 2010. However, a slump in gas demand led the company in 1999 to extend the starting date by ten years, and in the spring of 2002 to cancel the plan altogether. In the spring of 2005, Osaka Gas donated the 82 hectares of land it had purchased for the storage facility, including the 25 hectares of Nakaikemi mire, to Tsuruga City.

When the gas storage facility plan was cancelled in 2002, citizens' groups that had been working to save Nakaikemi mire began exploring all avenues for promoting nomination of the site to the Ramsar List, and the mayor of Tsuruga City also commented favorably on the possibility. When Osaka Gas revealed its plans to donate the site to Tsuruga City in the summer of 2004, the city established a committee to consider how to best protect and utilize the site. This committee will issue its report sometime within fiscal 2005 (which in Japan ends 31 March 2006).

However, before the committee could even begin its deliberations on what sort of protected area would be appropriate for Nakaikemi, the city let it be known that it intended to designate it a "scenic park" under legislation governing city parks, as opposed to designating it under the Natural Parks Law as recommended by the citizens' groups working for Ramsar designation. The Ministry of the Environment suggested that it would be possible to nominate the site for Ramsar designation once it had been protected by adding it as a detached annex to either of two nearby natural

parks, Wakasa Bay Quasi-National Park or Echizen-Kaga Coast Quasi-National Park. Tsuruga City's deliberate choice to designate the area a city park unavoidably appears negative in relation to Ramsar List nomination.

In October 2004, JAWAN held its annual International Wetlands Symposium at Tsuruga City, and invited Richard Lindsay, a professor at East London University and a standing member of the International Mire Conservation Group. Professor Lindsay pointed out that Nakaikemi is a special site of international importance as a mire wetland, but local awareness of Nakaikemi's importance still remains insufficient.

Even though the development plan was cancelled and the main obstacles to designating site have been removed, the process of nominating this internationally important wetland is not progressing, partly because the national government, and also wetland conservation organizations including JAWAN, have not done a good enough job in educating people and raising the awareness of the general public regarding the importance of wetlands.

However, the Ministry of the Environment did not include Nakaikemi on its initial list of candidate sites because it did not meet two of the Ministry's tentative criteria for doubling the number of Japan's Ramsar sites before CoP9. One of these set a lower limit on area and the other stipulated that the site must already be a legally protected area (these criteria clearly disregard the Annex to Resolution VII.11, "Strategic Framework and guidelines for the future development of the List of Wetlands of International Importance"), and the ministry's passive approach to Nakaikemi has undeniably contributed to confusion on the local level. To promote designation of internationally important wetlands to the List, national governments must take an active leadership role in the appropriate contexts.

7 How to Protect Watarase Marsh? Largest wetland of its type in Japan for the Last 100 Years

Ibaraki prefecture is the only one of Japan's prefecture-level local government entities that has experienced an increase of wetland area over the last 100 years. This happened because of the existence of the Watarase Marsh, created about a hundred years ago to help clean up copper poisoning from the Asahio Copper Mine located upstream on the Watarase River. The site was formerly the village of Yanaka, evacuated by the Meiji government in this notorious mining pollution disaster. Watarase Marsh in Japanese is called Watarase "yusuichi," which means "artificial backwater."

At 3,300 hectares, Watarase is the largest example of this kind of wetland in Japan, and contains 1,500 hectares of reed marsh, the nation's second largest after Kushiro marsh. It has 700 species of plants including about 50 species of wetland plants on the Red Data List, about 1600 species of insects, and among its 240 species of birds are said to be the greatest abundance in the country of overwintering raptors such as Marsh Harrier and Northern Harrier. This wetland should be protected and designated to the List.

The area is divided into three flood-prevention zones, with the Watarase River running through the center. Flood prevention zone No. 1 has the 450 hectare No. 1 reservoir (Lake Yanaka) on its south border. The entire area is under the management of the national Ministry of Land, Infrastructure and Transport (MLIT), which intended to build another, 270 hectare reservoir after completing the first one in 1988. The planned site for this second reservoir was the area of reed marsh most untouched by development, and because of its importance to the overwintering Marsh Harrier, local citizens' groups mounted a campaign opposing reservoir construction, and in August 2002, MLIT decided officially to cancel the project.

With the development project out of the way, MLIT adopted a new approach that recognized the importance of protecting wetlands and the ecosystem, and in the spring of 2002 it established a committee for considering wetland conservation and restoration, composed of scholars, representatives of local citizens' groups and local governments. The latter also evinced a positive attitude toward nominating Watarase for the Ramsar List, and it was thought that this could be achieved in time for CoP9.

However, in April 2003, the head of the MLIT's local River Bureau was replaced, and began to espouse the view that flood control was the highest priority, and that although construction of the second reservoir had been cancelled, there still remained issues of insufficient capacity for incoming flood waters. This cold wind from MLIT swiftly nipped the opportunity for Ramsar List designation in the bud. Because Watarase Marsh is managed by MLIT under the Rivers Law, unless the ministry takes a positive view towards Ramsar designation, its addition to the List will be impossible.

Past resolutions and recommendations adopted by Conferences of the Parties have pointed out that a national wetland policy setting a clear direction for wetland conservation is indispensable in implementing wise use of wetlands. Such a policy still does not exist in Japan. The Ministry of the Environment's view is that Japan's Biodiversity

Conservation Strategy, based on the Convention on Biological Diversity, functions as Japan's national wetland policy. However, there are no legally mandated procedures for choosing candidate sites for the List and no clear guidelines on the relation between protection for sites on the List and other wetlands. Japan can hardly boast of its national wetlands policy on the grounds that its national Biodiversity Conservation Strategy mentions wetlands.

The issue of protection and Ramsar Listing for Watarase Marsh is a pure example of the problems attending the lack of a systemic national wetland conservation policy. To ensure that it will be added to the List by CoP10, the Ministry of the Environment, the Ministry of Land, Infrastructure and Transport, the Ministry of Agriculture, Forestry and Fisheries and all other related ministries and agencies need to be playing from the same sheet of music in their dealings with wetland protection. Adoption of a national wetland policy will be an urgent priority prerequisite to inter-ministerial coordination.

8 From CoP9 to CoP10

We have presented updates on the situation at 5 wetlands – Isahaya, Awase, Sanbanze, Nakaikemi and Watarase. All of them are of great importance to Japan, and had the government of Japan demonstrated decisive leadership, they would most likely have been added the Ramsar List at CoP9. Unfortunately, however, some are still being destroyed by development, or, having been saved by the cancellation of development projects, are still waiting aimlessly for a path to be cleared so they can move forward towards protection and designation to the List.

The fourth tidal flat wetland that JAWAN has been trying to get on the List since CoP5 in Kushiro is Wajiro tidal flat, in Hakata Bay, Fukuoka. The artificial island construction project that was the object of protests by proponents of conservation of this tidal flat and Hakata Bay's natural environment is now under construction. This project has not only caused degradation in Hakata Bay; its post-construction land use plan has also turned out to be a failure. At the same time, however, the remaining tidal flat has been designated a national Wildlife Protection Area, but the Ministry of the Environment has not made any progress in designating it further as a Special Protection Area, the ministry's prerequisite for Ramsar site designation, giving as its reason difficulties in reaching agreement on the local level. This has prevented inclusion of this site in the present round of designations. Even the monitoring program being carried out by Fukuoka City (promulgator of the artificial island project) has confirmed the decrease in numbers of migratory birds; protection (and restoration) measures are urgently needed for the degrading environment of Wajiro tidal flat. Thus, in the 12 intervening years since CoP5, the only one of these four sites that has been included on the List has been Fujimae tidal flat, added in 2002 at CoP8.

The increase from 13 to 33 Ramsar sites at this CoP will no doubt win high praise for Japan's commitment to wetland conservation. However, it should also be clearly recognized that, although the number of Ramsar sites has increased, there are many important wetlands that well deserve to be on the List but are not.

In the meantime, nature restoration is undergoing a boom in Japan, and some major projects are under way, such as one being undertaken at Japan's first Ramsar site at Kushiro Marsh in which meanders are being restored to a channelized river. An examination of these projects is needed to see if they are actually giving priority to wetland protection and wise use in accordance with the resolutions and recommendations on restoration adopted by the Parties. Up until now, Japan's number of Ramsar sites has been very small compared to other industrialized countries with more advanced wetland conservation policies, indicating that Japan needs to first catch up on protecting its wetlands before it gets carried away with restoration. Thus, rather than simply be satisfied with the increased number of Japan's Ramsar sites, we need to establish numerical goals for Ramsar site designation based on a thorough consideration of which wetlands in Japan should be designated, and then move to increase the number of sites and enhance conservation measures.

As Japan does not have a legal system that deals directly with wetland conservation, there are no categories of protected area specifically for wetlands other than Ramsar site designation, and this is one reason why increasing the number of Ramsar sites is indispensable for protecting Japan's wetlands. Also, in relation to Fujimae tidal flat, the "Ise-Mikawa Bay Forum" has been organized and has started working on protection of wetlands in the entire river basin of rivers that flow from the mountains into Mikawa and Ise Bay, where Fujimae tidal flat is located. This network is centered on non-Listed wetlands in the river basin, is actively aware of the relationship between the Listed and non-Listed wetlands, and is starting to achieve protection for some wetlands. This method could be applied by referring to "500 Important Wetlands of Japan," which was compiled in 2001 and functions as an informal national wetlands

inventory, including 100 of its most important wetlands (20%) on the Ramsar List, and pursuing the conservation of the other wetlands in their river basins in river basin-based networks. With this possibility in mind, JAWAN has called for the designation of 100 Japanese wetlands to the Ramsar List by CoP16 in 2026.

Among the wetlands to be added to the List at CoP9 is Kabukuri-numa; this site includes rice paddies surrounding a restored marsh that are used by geese as feeding and resting grounds. The high value thus accorded under the Ramsar Convention to the diverse ecosystems of rice paddies managed for agriculture over long periods of time by humans marks a conceptual milestone particularly significant for Japan and the other wet rice agriculture-based countries of East Asia. Although not involving a Ramsar site, the role of rice paddies as habitat was highlighted on 24 September 2005 in Toyo-oka City, Hyogo prefecture, when 5 White Storks were released in a bid to return this species to the wild. The last White Stork living in the wild was captured in 1965 and the birds have been successfully bred in captivity since then. The released birds were later seen resting in a nearby rice paddy. The need to maintain healthy rice paddy environments in order to sustain Japan's biological diversity is beginning to be more widely recognized.

CoP9 will be considering a resolution on "Additional scientific and technical guidelines for implementing the wise use concept." There appears to be a significant possibility that CoP10 in 2008 will be held in Asia, where some further consideration might be given to the particular value of rice paddies and other wetlands particular to East Asia, with implementation of the wise use concept in the 21st century viewed from a fresh angle. We hope that this will help Japan, Korea and China identify a path that will lead them to abandon their large-scale landfill of tidal flat wetlands and begin tidal flat restoration, to increase further their number of Ramsar sites, and to build an international network of internationally important wetlands.

To this end, JAWAN has made clear its intention to work persistently in favor of wetland conservation with wetland citizens' groups, NGOs and experts in and outside Japan, with the Ministry of the Environment and other relevant government agencies, with national Dietmembers including those belonging to the group that worked to increase Japan's number of Ramsar sites, with local governments at the locations of important wetlands, and with groups and individuals concerned with Japan's 33 Ramsar sites, which we hereby reiterate on the occasion of our participation in CoP9, starting on 8th November, 2005.

