Wildlife Protection: An Assessment of Japan's Legal System in Meeting the Global Standards

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Abstract: In recognition of the importance of wildlife, Japan has made legislatives efforts aimed at the protection of wild species. Besides the provisions found in the Basic Environmental Law, the legal framework have resulted in the enactment of a number of laws especially designed toward wildlife protection. Although, no specific reference to the protection of wildlife, general provisions were set in the Basic Environmental Law which articulated general principles and responsibilities related to environment conservation. Legislations directly related to wildlife protection include the Wildlife Protection and Hunting Law, the Law for the Conservation of Endangered Species of Wild Fauna and Flora, the Nature Conservation Law and the Natural Parks Law. The study assesses the above legislative efforts against the international accords in the area of wildlife protection. Special reference in this respect is given to the Convention on Wetlands of Special Importance especially as Waterfowl Habitat (the Rasmar Convention) and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Bilateral agreements for the protection of the migratory birds and birds in danger of extinction as an important segment of wildlife that Japan signed with a number of countries are also referred to. These include agreements with the United States, Australia, China and the former Soviet Union. The study concluded that Japan's legislative efforts provide good protection to wildlife; however it is in need of some improvement.

Key words: Wildlife welfare, Japan, biodiversity, wildlife legislation, international standards

INTRODUCTION

Wildlife is important for biodiversity and nature reservation. It is needed for sustaining a healthy ecosystem. Efforts have been made at the collective, bilateral and national levels for the sake of the protection of wild species. This requires policy-making, strategies, management, legal system and execution and implementation bodies. Like any other nations around the world, Japan has designated policies and strategies toward the protection of wildlife. These have been translated in provisions set out in some laws as well as in laws enacted with a specific relevance to the conservation of wildlife. In the area of the provisions set in laws, the Basic Environmental Law could be mentioned. Laws with direct and specific relevance to the protection and conservation of wildlife include the Wildlife Protection and Hunting Law, the Law for the Conservation of Endangered Species of Wild Fauna and Flora, the Nature Conservation Law and the Natural Parks Law.

However, Japan's legislative efforts are criticized for not providing adequate and enough protection to wildlife. They are said to be short of meeting the global standards and norms of wildlife protection included in the international accords to which Japan is party. These include the international conventions that Japan acceded and the bilateral agreements it signed with some other nations. Major international instruments include the Convention on Wetlands of Special Importance especially as Waterfowl Habitat (the Rasmar Convention) 1972 and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) 1975. Bilateral agreements for the protection of the migratory birds and birds in danger of extinction include the ones that Japan concluded with the United States, Australia, China and the former Soviet Union. The study assesses Japan's legislative efforts with respect to meeting the international standards set out in international accords in the area of wildlife protection. Provisions in the Japanese legal system are to be reviewed, analyzed and compared with the rules and principles contained in the said international conventions and bilateral agreements.

METHODOLOGY

To assess Japan's legislative framework against the international established norms in the area of wildlife protection, the study at the outset highlights the

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principles and rules found in the international instruments on wildlife protection. Reference in this respect is given to the Convention on Wetlands of Special Importance (the Rasmar Convention), the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the International Convention for the Regulation of Whaling (ICRW), the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR) and the Convention on Biological Diversity (CBD). Rules contained in the bilateral agreements that Japan has signed with other countries which deal with the protection and conservation of migratory endangered birds are to be included in the analysis. Special reference is given to the agreements that Japan singed with the United States, Australia, China and the former Soviet Union. For the Japanese legislative efforts, the study covers the Wildlife Protection and Hunting Law, the Law for the Conservation of Endangered Species of Wild Fauna and Flora, the Nature Conservation Law and the Natural Parks Law. The principles and rules included in these laws are to be analyzed and discussed against the norms set forth by the above-specified international conventions and bilateral agreements. However, before exploring the international standards and the Japanese legislative efforts with regard to wildlife protection, conceptual definitions to the terms used in the study would be provided and literature available on the topic would be reviewed.

WILDLIFE PROTECTION IN JAPAN: SOME LITERATURE

With regard to the importance of wildlife, available literature revealed that wildlife plays important economic, ecological and recreational roles. Kris Lim states that wildlife is needed for promoting biodiversity and helping the improvement of ecological health of the earth. It is beneficial to human health as chemicals produced by animals and plants are used for deriving medicine (Lim, 2013). According to Patrick Regoniel, wildlife is valuable for humans in many ways. It is a source of food and medicine for many communities. It also enriches food production, serves as model for innovation and inventions as well as having a banquet value (Regoniel, 2010). In the words, Alvin Blake, wildlife has six different kinds of values: commercial, recreational, environmental monitoring, scientific and esthetic as well as additional thoughts such as multiplier effect and replacement cost. The United Nations Environmental Program stated in a press release in Montreal, Canada in

October 2014 that "wildlife is an important renewable natural resource with economic, cultural, nutritional and recreational values to humans" (UNEP, 2014).

Wildlife protection means maintaining the existence of wild animals and plants as well as preserving and enhancing their natural habitats. Wild species require protection against disturbance, injury, intentional destruction and sale, against certain methods of taking or killing. Animal meat, scales and toenails are used in traditional medicine or perfumes. Protection of species means protection against poaching and extinction. Some wild animals are poached for commercial purpose. They may also be a target for sport or recreational hunting. Animal parts and derivatives are used for purposes including clothes, shoes and accessories. Parts such as the gall-bladder of the Asian Black bear are used as medicine in many Asian countries (Knight, 2007). In addition to environmental worries, trade in wild species poses security threats. According to Wyler and Sheikh (2008), it could be linked to organized crime, drug trafficking, terrorism and weak state and political instability. Studies pointed out that some terrestrial mammal species in Japan including Shika deer, wild boars, monkeys, raccoon dogs, Japanese serow, Asian black bears and brown bears are increasing their number and expanded their distribution due to the decrease in the number of hunters, changes in forest habitats and changes in social structure in rural communities and land use (Sano, 2012). In reference to the decrease of the number of certain wild species in the Okinawa Island including the Okinawa rail and the Okinawa woodpecker, Mitsuhiko A. Takahashi mentioned the threat posed by some wild pests or invaders as a reason why other species are endangered. He attributed this decrease to the introduction of mongooses, feral cats and dogs in Okinawa (Takahashi, 2004).

The reviewed literature showed that many wildlife species are perceived to be a serious threat to people's lives and their properties (Sprague and Iwasaki, 2006). Thus, one of the reasons why wild animals such as monkeys and boars are killed is because they cause damage to farmers' corps while some other animals like bears are culled due to causing injuries to people in close contact with them and sometimes even they threat their lives (Sano, 2012). According to Sprague and Iwasaki (2006), the relation between rural residents and wild animals such as monkeys and deer had been a topic for debate among the stakeholders in search of what they termed negotiating the human-wildlife interface, a higher form of an intimate and harmonious co-existence, locally called kyosei, between humans and these animals in which both humans and animals fulfill their destinies. That

is to say, rural residents and farmers are required to pursue kyosei with monkeys with regard to agricultural crops and foresters need to kyosei (co-exist) with deer in afforestation projects with some suggested practical techniques and measures.

Reasons cited for the decrease of hunters since the 1970s include the growing calls for wildlife protection among the general public especially in the urban areas as hunting is not considered a means for living. In addition, there is no awareness about refereeing to hunting or culling sometimes as a measure for nuisance controlling of certain species (Sano, 2012).

Besides being affected by the prevailing of business interests in the decision-making process and political structure, some species such as whales are negatively affected by the domestic culture of the Japanese people. Japan is considered one of the pro-whaling nations together with Norway, Peru, Iceland and the former Soviet Union (Caprari, 2010). Since the mid-1980s, it has emerged as the leader of a coalition against the moratorium of commercial whaling and the quota system set out by the International Whaling Commission (IWC). According to Keiko Hirata, Japan's whaling policy is defended on the grounds of culture relativism. The general public in Japan perceive whaling controversy with other nations as a cultural matter. This view is also supported by comments made by public officials who defend whaling as a culture asset (Papastavrou and Ramage, 2010). They think that eating whale meat is unique to their culture for thousand years. In addition, most of the Japanese people consider whales as a type of fish rather than a mammal. They think the anti-whaling campaign is interference by the West in their indigenous behavior as well as a way of imposing Western cultural values on them (Hirata, 2005). Hirata (2005) further added that in order not to be alienated from the public that perceive whale meat eating as a component or their local cultural vis a vis the Western culture of beef eating, many Japanese environmentalists have avoided the waling issue and focused instead on issues less controversial.

Japan's Scientific Whaling Program is criticized by governments, Non-Governmental Organizations (NGOs), journalists, academicians and scientists as inhumane and lacking the scientific justifications (Shoji, 2007). According to Hirata (2005) whales captured for scientific purposes are killed and their meat is sold in the open market. He argued that even the research program is aimed at data collection to justify the resumption of commercial whaling. This argument is supported by Papastavrou and Ramage (2010) while referring to comments made by a Japanese official. According to them, the taking of sei and humpback whales by Japan is unlawful as it violates the rules set in the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and some other conventions including the Convention on Biological Diversity and the Convention on the Conservation of Antarctic Marine Living Resources.

Japan's practices in international whaling resulted in the country's case been filed to a global justice mechanism for verdict. In March 2013, the International Court of Justice (ICJ) ruled that Japan's whaling industry is illegal, i.e., for commercial purposes not scientific research as claimed by Japan (Widlife Extra, 2014).

According to Sano (2012), populations of certain wildlife species in some areas in Japan are endangered. These include the Asian black bears in Shinkoku and Chugoku areas. In the words, Kanari (2010a), illegal activities in the area of endangered species such as shortfalls in the management for traders and venders dealing in rare animals or plants and the need to review the system of registering individual live animals are some of the problems that face endangered species. Other problems are the lack of building cooperative efforts between Japan and some of its trade partners such as China as had been made between some South-East Asian nations and China to combat illegal logging and illegal timber trade determination of the country of origin and end user through a tracking process.

One of the problems of Japan is its heavy dependence on imports of medicinal plants from other countries which has an impact on the status of the population of wild plants in the countries of origin. Other problems include trade in precious corals in international markets as Japan is a major producer of these precious corals from the Pacific waters whereby these corals are harvested and traded and the lack of measures for domestic conservation and sustainable use of corals. Beside the absence of making the information on these measures and practices available to the international community beside the researchers and stakeholders (Takahashi, 2010a-c).

Reference to wild plants in need of protection is given to rare timbers, medicinal plants including ginseng and Saussurea and the most revered piece of aromatic agar wood known as Ranjatai (Yagi *et al.*, 2010).

With regard to protection of habitats, literature suggests that habitats become smaller, fragmented, scarcer, destroyed or degraded as a result of land development and wetlands reclamation in favor of agriculture interests or other purposes such as construction of roads, bridges, dams, recreational resorts, golf courses or ski-fields, etc. (Takahashi, 2004). It reveals that natural changes in the plant community constantly create different habitats for different species of wildlife. In

the words by Yarrow (2009), conditions may not remain suitable for the continued existence of some wildlife species in that community, if the system changes over time. Human activities generally have an effect on wildlife in a certain area. Cutting forests for instance for growing corps or developing a land may result in wild species losing their habitat. Deforestation of a land may cause a decline of songbirds. These lead to endangerment or extinction of species. According to Knight (2007), some endangered species are led towards extinction not because of hunting but due to the destruction of their habitats. She believes that when the habitat of some animals such as the bear is destroyed they venture in human-populated areas thus they are killed. Literature also cited interrelationship between Japanese culture and wild species habitats. According to Takahashi (2004), Japanese are less familiar with animals, domestic or wild and their habitats. Thus, even they generally tend to avoid killing animals; they are unsophisticated with regard to animal welfare and the wellbeing of the ecosystem.

Based on the above, Sano concludes that there a need in Japan for balancing the calls of the rural communities and agricultural groups for the elimination of the threats posed by wildlife to their lives and agriculture on one hand and the demands of the environmentalists for nature conservation including the protection of wild animals and plants as plants are required for habitats.

According to Sano, Japan is one of the countries that people come into contact with wild animals such as deer, monkeys and boars. In this contact, some wild animals including shika deer, monkeys and wild boars cause damage to the property while animals such as the Asian black bears cause bodily injuries or deaths to people. This threats the coexistence between people and wild animals. Thus, people are favored and animals are jeopardized in terms of their being or their habitats. It also endangers populations of certain species in some areas while leads to increase in the number of other species in other areas in the country. This creates challenges to making a balance between the needs of the local communities and farmers in protecting themselves and their property from wild species and the demands of environmentalist for the conservation of nature and wildlife as a requirement for the ecosystem.

In the policymaking process, Tsioumani and Morgera (2010) concluded that there are a number of actors in wildlife management in Japan. These are the Ministry of Environment, the Ministry of Agriculture, Forestry and Fisheries, prefectures and municipalities, politicians and interest groups. This results in the domination of the policy process of some interests, namely agricultural ones, over other interests, i.e., environmental ones.

Budget allocated to agriculture is much more compared with that allocated to the environment. The dominance of the conservatives in politics also has clear bias to agriculture, farming and fisheries rather than the environment. Thus, environmentalists are weaker compared to agriculture and fisheries proponents.

Wildlife protection in Japan is said to have been influenced by the political structure in the country. This resulted from the policy pursued by the conservative Liberal Democratic Party (LDP) which as the majority party has dominated the policy-making process for decades. The LDP favors agricultural interests over nature conservation interests. To make it worse, the policies of the opposition party, the Democratic Party of Japan (DPJ) are also in line with the stance of the ruling LDP when it comes to prioritizing and advocating the interests of the farmers. Example cited in this respect is the size of the budget allocated to the ministry in charge of agriculture compared with the one earmarked to the ministry in charge of the environment. According to Sano, even within the budget given to the environment ministry, Japan has made less effort in the area of nature conservation as compared to the determination shown towards pollution mitigation being an industrialized nation. This view is supported by Hirata (2005) who concluded that Japan is a key player "green contributor" in global environmental efforts especially combating ozone depletion and global warming but it makes little when it comes to wildlife protection.

In addition, literature review revealed that some animals such as feral cats do not receive clear legal protection due to their problematic designation. These cats are not defined by the law as wild or ordinary stray and free-roaming animals. Thus, they do not enjoy the protection afforded to wild species when it comes to their hunting (Takahashi, 2004).

Literature deals with the major laws concerning wildlife highlighted some areas of the focus of the major law, the Wildlife Protection and Hunting Law. According to Sano, the law is directed towards the control of nuisance control of wildlife, i.e., species that cause property damage or human injuries or deaths. That is to say, the law mainly deals with the so-called game animals including mammals and birds.

While all the above reviewed literature mainly focus on the needs of wildlife in terms of species protection in general and from extinction for some ones their habitats, etc., the role of the legal system in relation to wildlife protection is given less importance. The main criticism for the works reviewed is the focus on other aspects and reasons related to wildlife. No special reference is given to the assessment of the legislative framework in Japan.

The law as a means for wildlife protection is given routine or less consideration together with other actors, management planning and policies. Wildlife laws are referred to from a historical perspective and the development they have witnessed in the course of their implementation.

GLOBAL STANDARDS

As indicated earlier, major wildlife protection standards at the global level are set out in the Convention on Wetlands of Special Importance (the Rasmar Convention) and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Other collective treaties include the International Convention for the Regulation of Whaling (ICRW), the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR) and the Convention on Biological Diversity (CBD).

The Convention on Wetlands of Special Importance also known as the Rasmar Convention after the Iranian city in which it was signed in 1972. The main objective of the convention is the conservation and sustainable use of wetlands. Under certain criteria, the Rasmar Convention lists wetlands that qualify as a having "international importance" in order to encourage the national protection of wetlands as well as and the international cooperation to protect wetlands that cross national boundaries which provide habitat and protection for migratory waterfowl. Parties to the convention agreed to list at least one wetland, assess the environmental impact, establish nature reserves, train wetlands managers, inventory wetlands, consult with other parties and assist with the convention's operations (Cochran, 2006). Japan became a contracting party to the Rasmar Convention on 17 October, 1980. In observance of the convention, Japan has listed 37 sites. It has also identified nine more sites in 2012 (WI, 2014).

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) was signed in Washington, USA in 1975. It has become known as the Washington Treaty after the American capital. It serves as the primary framework for regulating wildlife trade (Wyler and Sheikh, 2008). As appears from its name, application of CITES is limited to endangered animals and plants. The provisions and principles of CITES should be observed in areas including hunting, fishing and trade of species including Bluefin tuna sharks (Holloway, 2010) sturgeon. They should also be observed in importing the African elephants ivory and in the wide use of online trade in wildlife to mention a few (Kanari, 2010a, b). Japan is among the member states of the convention.

The International Convention for the Regulation of Whaling (ICRW) was signed in Washington in 1946. By signing the ICRW, the contracting whaling parties have acknowledged the need for more effective measures against over-exploiting whale stocks. They have set the quota system as a mechanism for realizing this objective. Based on the terms of the convention, the International Whaling Commission (IWC) was established with a task of regulating the whaling industry. In 1984, the IWC adopted whaling moratorium that bans commercial whaling among member nations, starting from 1986 (Caprari, 2010).

In addition, Japan is a member of the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR) 1980. The convention is said to be incorporating the ecosystem approach to manage and protect marine living resources against over-fishing, destructive fishing, pollution and anthropogenic impacts. In the words, Fabra and Gascon (2008), it was concluded with the purpose of balancing marine habitat protection and conservation with the need of commercial fisheries. That is to say, the goal of the Convention is the conservation of marine living resources while allowing the rational use of these resources. CCAMLR allows the harvesting which is conducted in a way that minimizes the risk of changes to the marine ecosystem which are not potentially reversible over 20-30 years.

The other international wildlife regime is the Convention on Biological Diversity (CBD) 1992. The objectives of the CBD as set in Article 1 include "the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources including by appropriate access to genetic resources and by appropriate transfer of relevant technologies, taking into account all rights over those resources and to technologies and by appropriate funding". Japan signed the CBD on 11 June 1992 and ratified it on 12 November 1993.

In addition to the collective conventions, provisions also found in the bilateral agreements that Japan has signed with other countries, namely the United States, Australia, China and the former Soviet Union which deal with the protection and conservation of migratory endangered birds. These agreements protect species of migratory birds in danger of extinction. They require monitoring of habitat condition and promoting research projects for this purpose. Through these agreements, Japan and its partners acknowledged the need to cooperate in taking measures for the management, protection and preservation of the said birds.

DISCUSSION OF JAPANESE LAWS

It should be said at the outset that the Japanese Constitution gives no reference to wildlife protection; however legislation related to wildlife are made in accordance with the spirit of the constitution. As showed in Fig. 1, legislative efforts in Japan include the Basic Environmental Law, the Wildlife Protection and Hunting Law, the Law for the Conservation of Endangered Species of Wild Fauna and Flora, the Nature Conservation Law and the Natural Parks Law (Takahashi, 2009).

The Basic Environmental Law is enacted in 1993. The law gives no specific reference to wildlife. The law set out general provisions that promote policies and articulate basic principles with responsibilities on the state, local authorities, corporations and individuals for environmental conservation. These include highlighting the importance of the environment for the living of present and succeeding generations in Japan and its contribution to the welfare of humankind (Tsioumani and Morgera, 2010). As has been stated earlier, this might be partly due to the reality that as an industrialized nation Japan has focused more in this law on mitigating pollution rather than paying attention to wildlife protection.

The Wildlife Protection and Hunting Law originated in the hunting control regulations enacted in 1873 with the purpose of controlling the use of guns (Knight, 2007). In 1918, the Hunting Law was passed whereby specific species were designated as game species for the first time as compared to the previous regulations that consider all species in principle are game species (Knight, 2007). The Law was amended in 1963 to emphasize wildlife protection. It is renamed the Wildlife Protection Law. In 1999, again the law was revised to alleviate some of its problems. In the revised law, emphasis had been given to the protection through the concepts of conservation and management based on scientific methods as well as the introduction of specified hunting method prohibited zone system with the purpose of controlling wildlife populations, delegating the role of wildlife management to local prefectural and municipal governments and the

Fig. 1: Japanese laws related to wildlife

weakening of restrictions on hunting in order to allow reducing the populations of animals causing human injuries or deaths and damage to agriculture or forestry (Knight, 2007). In 2002, the law was renamed to take its current name in reflection of Japan's accession to the Convention on Biological Diversity in 1993. The conservation of biodiversity through wildlife protection was added to the objectives of the law. It was further revised in 2006 for reinforcing the spread of wildlife species in the wildlife protection areas.

However, the law is criticized for specifying the hunting permit system as the mechanism for controlling nuisance animals. It does not set out overall goal to protect wildlife. In addition, it does not require wildlife control effects assessment. No transparent process for decision-making in nuisance control. It does not provide large scale management of damage but individual cases. Advocates of animal control criticized the hunting regulations. They proposed reviewing the law in order to relax or mitigate hunting regulations and to allow culling to control animal population.

The second major law is the Law for the Conservation of Endangered Species of Wild Fauna and Flora. It was legislated in 1992 with the ultimate objective of providing a holistic management of rare species from the angle of biodiversity conservation. Other objectives include the regulation of trade in wildlife in observance of the rules and principles set in CITES and to conserve the endangered animal and plant species through the preservation of their habitats. The law was passed just prior to the hosting of the Earth Summit in Kyoto. It requires designation of natural habitat conservation areas. It also set out guidelines for the rehabilitation of endangered natural habitats (Knight, 2007).

The law is criticized for not providing protection to all animal and plant species designated by the relevant authorities as endangered (only 62 out of 1567). In addition, it is criticized for including only two mammals (the Tsushima cat and the Irimote cat) in the whole list while providing these two mammals with no additional protection beyond the one provided under the WPHL which classifies them as non-game animals. Another criticism for the law is that it provides no protection for species of isolated populations such as bear in Western Japan that face the possibility of extinction. According to Knight (2007), it protects individual species rather than the whole ecosystem. In the words of Kanari (2010a), one of the shortcomings of the LCES is that it does not include severe penalties for illegal trading in the species listed in the law as pets. In addition, the protection provided by the law is limited to the endangered animal and plant species. It does not extend to habitats or species that are not endangered.

The Natural Parks Law 1957 divided the country's parks for the purpose of the implementation of the law
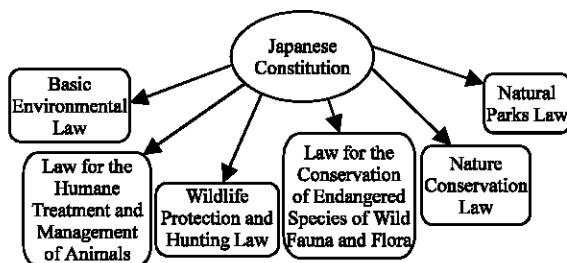
into three categories: National Parks, Quasi-National Parks and Prefectural National Parks. The total protected land under this law is 15.4%. While this law provides protection to wildlife within its protection to parks, it is criticized for giving priority to other factors as compared with the wild species.

Likewise, the Nature Conservation Law 1972 deals with the stability and welfare of the farmers, foresters and fishermen in environment conservation areas (Art. 35 and Art. 46). Accordingly, Japan's land area is divided into three types of sites based on the condition of the area: Wilderness Areas, Nature Conservation Aras and Prefectural Nature Conservation Aras. The law protects the nature of the specified conservation area that consists of animal and plant species and their habitats. This indirectly provides protection of wildlife in the said areas. However, it provides less protection to wildlife as this protection is not the main objective of the law. In addition, the protected area is small in size compared to the country's land area (only around 4%). It is criticized for been absorbed by the Natural Parks Law. The scope of the law has become limited after the enactment of the Basic Environmental Law.

The Law for the Humane Treatment and Management of Animals also addresses issues of wildlife and animal welfare protection. It was amended in June 2005 and enforced in June 2006. The law however dealt mostly with the protection of animals for scientific experimental purposes. With amendment of the law, detailed guidelines have been formulated and administered by the Ministry of the Environment and the Science Council for guidance of scientists in Japan. The guidelines require the scientists to control and monitor the experiment procedures themselves. Any person who maltreat or abandon laboratory animals without any scientific or socially adequate needs can be subject to punishment under the Law. The law protects all kinds of animal cruelty regardless of its usage and covers all domestic animals that are kept either in household, laboratory, zoo or ranch (Shoji, 2007).

CONCLUSION

This has been the situation of wildlife protection in the experience of Japan. For the protection of wild species, Japan addresses the protection of wildlife through several external and domestic venues. Externally, it has become party to major collective regimes pertaining to wildlife including the Convention on Wetlands of Special Importance especially as Waterfowl Habitat (the Rasmar Convention), the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the International Convention for the Regulation of Whaling (ICRW), the Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR) and the

Convention on Biological Diversity (CBD). It has also signed bilateral agreements with four nations, namely the United States, Australia, China and the former Soviet Union. The international standards contained in the said instruments create the basis for Japan in its commitment to wildlife protection. In doing so, it has directly adopted some of the rules and principles introduced in these conventions and bilateral agreements. This is shown in Japan's designation of wetland sites as required by the Rasmar convention. By designing these sites, Japan is able to meet the international standards. Internally, the country also enacted several laws aimed directly or indirectly at wildlife protection as part of its long-term policies for nature conservation. These include and Wildlife Protection and Hunting Law, the Law for the Conservation of Endangered Species of Wild Fauna and Flora, the Nature Conservation Law and the Natural Parks Law. The Law for the Conservation of Endangered Species of Wild Fauna and Flora is not more than a localized version of CITES. It legislates all the provisions found in this Convention. The area that is problematic in Japan's meeting of the international requirements is the protection of the whale species. It has proved that the provisions contained in Japan's Wildlife protection and Hunting Law provides no enough protection to whales. As seen in the discussion, there are many factors to be taken into consideration to understand Japan's insistence to what the international community considers as commercial whaling. In addition, the law uses the hunting mechanism as a tool for wildlife protection. Hunting is referred to for sport and for other purposes such as pest control. It is not possible with other small species of animal and plant. However, despite the shortcomings said about these laws and the criticism directed at them, the laws remain a thankful effort from Japan towards the protection of wildlife. For this legislative system to be effective in protecting wild species, amendments should be made to alleviate the shortcomings and loopholes shown in the discussion.

ACKNOWLEDGEMENTS

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