Japanese Law on the Restoration of Nature

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Introduction

- Japanese environmental law
- Act on the promotion of nature restoration
- Nature positive
- COP15 and Kuming-Montreal Global Biodiversity Framework
- EU Nature Restoration Act as an implementation
- Japanese Act on the Promotion of Biodiversity Activities

Basic Act on the Environment

Circular economy Law

Environmental Impact Assessment Law

Water Pollution Control Law

Air Pollution Control Law

Soil Contamination Prevention Law

Waste Management Law

Containers and Packaging Recycling Law

Nature Protection Law

Law against Global Warming

Nature protection Law

- Nature park law
- Conservation of national landscapes law
- Biodiversity conservation law
- Species conservation law
- Nature restoration law

Nature restoration law

Act on the Promotion of Nature Restoration(2003)

Act on the Promotion of Biodiversity Activities (Nature Restoration Act)(2025)

ACT ON PROMOTION OF NATURE RESTORATION

Background

The long-standing wisdom and culture of producers living in harmony with nature

The period of rapid economic growth: mass production, mass consumption, mass waste

The decline of natural and secondary forests, as well as natural coastlines and mudflats

towards “Land of Environment and Circular Economy”「環の国」

2001:Junichiro Koizumi Prime minister (at that time):

public works projects incorporating **adaptive management techniques**—namely, ‘nature-restoration public works’

2002:New National Strategy on Biodiversity

3 key directions for the future: 1‘Strengthening Conservation’, 2‘Sustainable Use’ and 3 ‘Nature Restoration’.

Act on Promotion of Nature Restoration (2003)
18 articles

(https://www.env.go.jp/content/900493719.pdf)

- Article 1: Purpose
- Article 2: Definitions: Nature restoration
- Article 3: Basic Principles
- Article 4: Responsibilities of the National Government and Local Governments
- Article 5: Responsibilities of Implementing Entities
- Article 7: Basic Policy
- Article 8: Nature Restoration Council
- Article 9: Nature Restoration Project Implementation Plan
- Article 13: Publication of Progress Reports

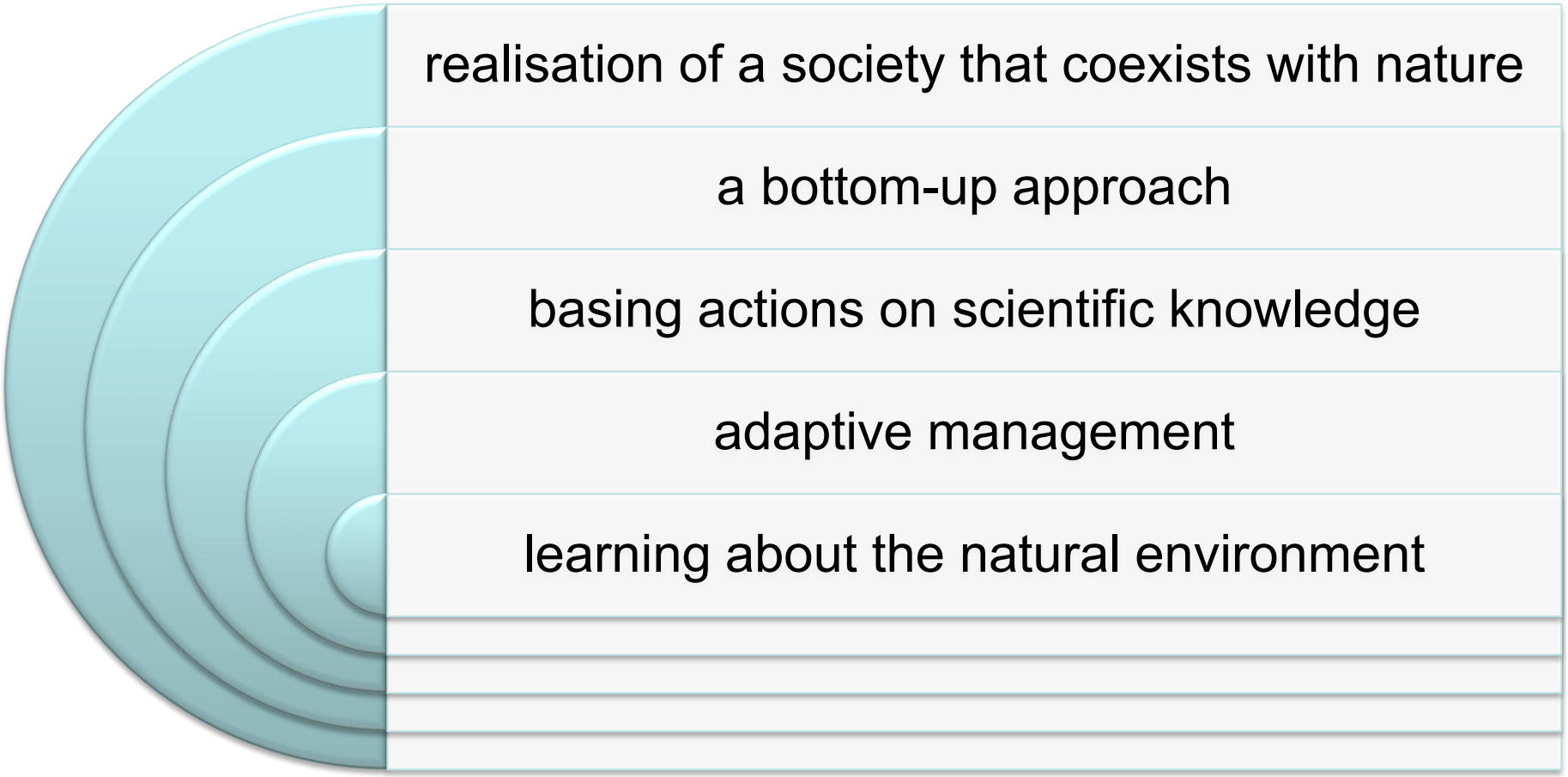
Act on Promotion of Nature Restoration (2003)

- Article 1　Purpose: To comprehensively promote ‘nature restoration’, to realise a society that coexists with nature by safeguarding biodiversity, and to contribute to the conservation of the global environment

Definition of “nature restoration” (Article 2)

- **Nature restoration** refers to the process of conserving, restoring or creating rivers, wetlands, tidal flats, satoyama, rural landscapes, forests and other natural environments, or maintaining and managing them, with the aim of recovering ecosystems and other natural environments that have been damaged in the past. This process involves the participation of a diverse range of local stakeholders, including relevant local authorities, local residents, NPOs and experts.

Basic principles (Article 3)



Basic Policy on Nature Restoration (Article 7)

1. Basic Matters Concerning Nature Restoration

2. Matters Concerning the Nature Restoration Council

3. Overall Concept and Implementation Plan for Nature Restoration

4. Matters Concerning Nature Education

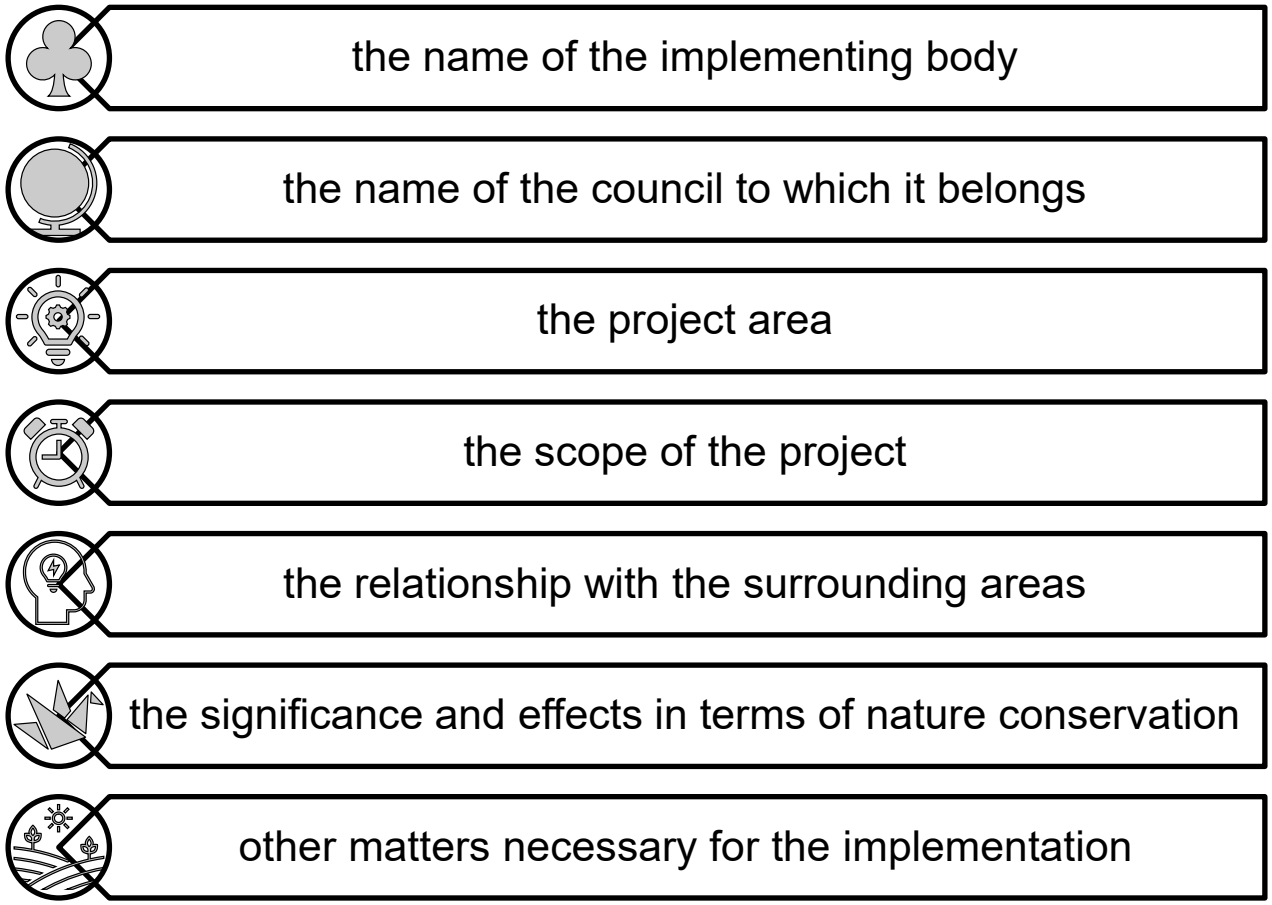
Nature Restoration Councils composed of (Article 8)

- Local residents
- NPO (Non-Profit Organization)
- Experts
- Landowners
- local authorities
- National government agencies

Nature restoration council Responsible for

- formulating an overall nature restoration strategy
- deliberating on draft implementation plans for nature restoration projects
- coordinating and liaising on matters relating to the implementation of nature restoration projects

Natural Restoration Implementation Plan shall specify (Article 9):



Mechanism of the Nature Restoration Promotion Act

A new framework for region-led projects—Nature Restoration Projects—
promoted through the participation and creativity of diverse stakeholders, including NPOs.

Diverse Stakeholders

- National Government Agencies
- Local Governments
- Local Residents
- NPOs
- Landowners
- Researchers and Environmental Experts

Participation

Process of Nature Restoration Projects

1 Establishment of a Nature Restoration Council
Relevant stakeholders form a council to discuss and coordinate restoration efforts.

2 Preparation of a Comprehensive Nature Restoration Plan
The council develops an overall vision, restoration goals, and the roles of each participant.

3 Formulation of an Implementation Plan
Project implementers prepare a detailed plan for the restoration project.

4 Implementation and Management
Restoration activities are carried out based on scientific knowledge and local environmental characteristics.

5 Monitoring and Review
Progress is continuously monitored and evaluated, and the results are reflected in future management and restoration measures.

Reflect results in future planning and management

Target Ecosystems (Examples)

Rivers

Wetlands

Tidal Flats

Seagrass Beds

Satoyama Woodlands

Forests

Coral Reefs

Toward a society in harmony with nature
through biodiversity conservation and environmental sustainability

Overview of the Nature Restoration Promotion Act

The Nature Restoration Promotion Act establishes the basic principles of nature restoration, the responsibilities of project implementers and other parties, and other matters necessary for promoting restoration efforts, and aims to comprehensively promote policies related to nature restoration, achieve a society that coexists with nature through the conservation of biodiversity, and thereby contribute to the protection of the global environment.

Initiative / Call for Action by the Implementing Body
* Anyone can propose or call for action.

Competent Ministers and Prefectural Governors

Consultation

Consultation

Nature Restoration Promotion Council
* Composed of relevant administrative agencies to implement coordination for promoting nature restoration.

■ The Nature Restoration Promotion Act is jointly administered by the Ministry of the Environment, Ministry of Agriculture, Forestry and Fisheries, and Ministry of Land, Infrastructure, Transport and Tourism.

Opportunities to express opinions and participate

- Landowners
- Private Organizations
- Relevant Administrative Agencies
- Experts
- Relevant Local Governments
- Nonprofit Organizations (NPOs)
- Local Residents

Reference Materials

Basic Policy for Nature Restoration

- Basic policy for comprehensively promoting measures related to nature restoration
- Drafted by the Minister of the Environment in consultation with the Minister of Agriculture, Forestry and Fisheries and the Minister of Land, Infrastructure, Transport and Tourism, and approved by the Cabinet
- Reviewed approximately every five years

Consistency

Nature Restoration Council

- Organization of the Nature Restoration Council
- Formulation of the Overall Nature Restoration Concept
- Consultation on the Draft Project Implementation Plan
- Formulation of the Nature Restoration Project Implementation Plan
- Implementation of the Nature Restoration Project
- Monitoring
- Adaptive Project Implementation
- Feedback of Evaluation Results into the Project
- Public Disclosure

Reporting → Nature Restoration Project Implementers

Coordination ←

Seek Opinions →

Opinions ←

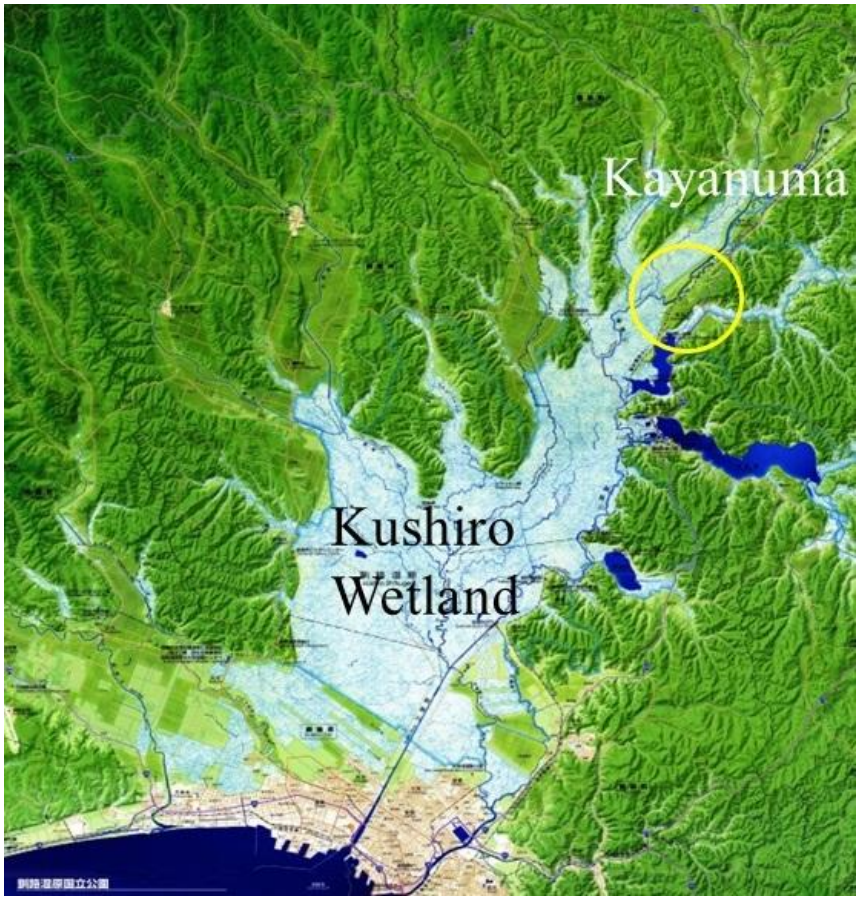
Send → Nature Restoration Expert Panel

Advice ←

Flow of Process

Flow of Communication (Example)

Kushiro Wetland Restoration Project

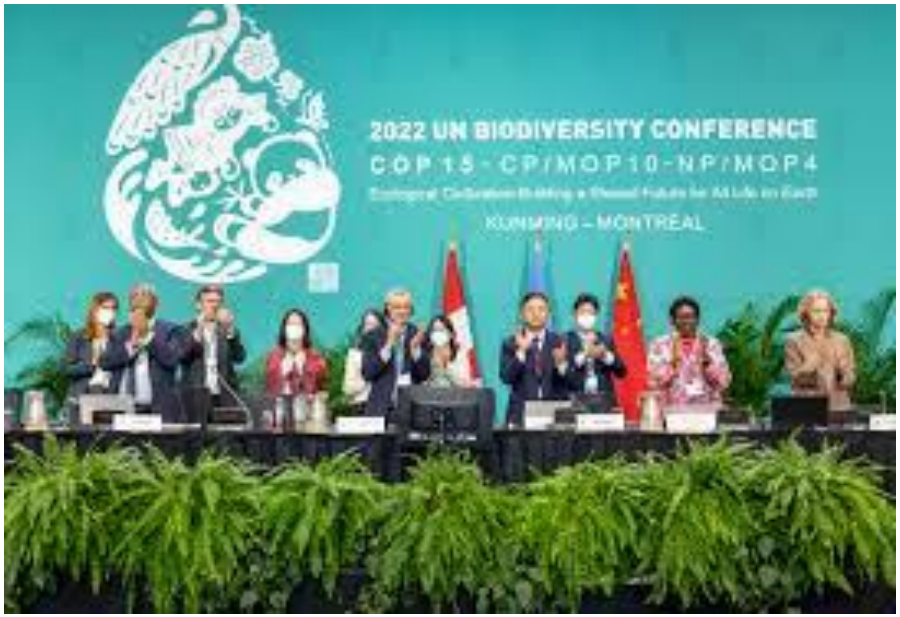


NATURE POSITIVE

What is Nature Positive?
(Photos, Mitake mountain, Tokyo)

COP15 AND KUNMING-MONTREAL GLOBAL BIODIVERSITY FRAMEWORK (GBF)

COP15



Convention on Biological Diversity

Kunming-Montreal Global Biodiversity Framework (GBF):

Adopted on 19 December 2022

Structure of the Kunming–Montreal Global Biodiversity Framework

2050 Vision
Living in Harmony with Nature

2030 Mission
Take urgent action to halt and reverse biodiversity loss in order to put nature on a path to recovery for the benefit of people and the planet by 2030.

2050 Goals

A
Maintain, enhance, or restore the integrity, connectivity, and resilience of all ecosystems, with nature's contributions to people valued.

B
Ensure that biodiversity is sustainably used and managed and that nature's contributions to people are enhanced.

C
Ensure the benefits from the use of genetic resources and DSI* are shared fairly and equitably.

D
Reduce the risks from biodiversity loss to levels that allow for the long-term maintenance and enhancement of nature.

* DSI: Digital Sequence Information

2030 Targets

(1) Address threats to biodiversity	(2) Meet people's needs through sustainable use	(3) Tools and solutions for implementation
1. Spatial planning and effective management for all areas	9. Sustainable management and use of wild species	14. Integrate biodiversity into policies and decision-making
2. Restore 30% of degraded ecosystems	10. Sustainable agriculture, aquaculture, fisheries, and forestry	15. Business to assess, disclose, and reduce impacts
3. Conserve 30% of land and waters	11. Restore nature's contributions to people	16. Sustainable consumption and production
4. Halve extinction risk of species	12. Increase green and blue spaces in urban areas	17. Biosafety and respect for indigenous peoples' and local communities' rights
5. Ensure sustainable use and harvest of wild species	13. Fair and equitable sharing of benefits from genetic resources and DSI	18. Eliminate or reform harmful incentives
6. Eliminate or minimize invasive alien species		19. Increase financial resources
7. Reduce pollution risks		20. Enhance capacity-building and technology transfer
8. Minimize impacts of climate change		21. Improve knowledge and data access
		22. Ensure participation and representation
		23. Promote gender equality

Enabling conditions and implementation support
Review mechanisms and accountability / Communication, education, and public awareness / Capacity-building and technical cooperation

EU NATURE RESTORATION ACT AS AN IMPLEMENTATION

The EU and its measures

- Wild Bird Conservation Directive 1979
- Directive on the Conservation of Natural Habitats and of Wild Animal and Plants (Habitats Directive) 1992
- The 7th Environmental Action Plan 2013
- The 8th Environmental Action Plan 2022
- "give back to the planet more than it takes"

Approach by the EU

- EU Biodiversity Strategy for 2030

COM(2020) 380, 20 May 2020

→EU nature restoration law:

Regulation 2024/1991 of the European Parliament and of the Council of 24 June 2024 on nature restoration

Date of effect: 18 August 2024

European Commission

Nature Restoration Law

For people, climate, and planet

22 June 2022
#EUGreenDeal

Over **half of global GDP depends on nature** and the services it provides. **Construction, agriculture, food and health** sectors all highly depend on it

More than **75% of global food crops depend on pollinators**

40% of the world's land is degraded. Costs associated with soil degradation in the EU already exceed EUR 50 billion a year

Our global food systems are responsible for **80% of deforestation, 70% of freshwater use** and are **the single greatest cause of terrestrial biodiversity loss**

JAPANESE ACT ON THE PROMOTION OF BIODIVERSITY ACTIVITIES AS AN IMPLEMENTATION

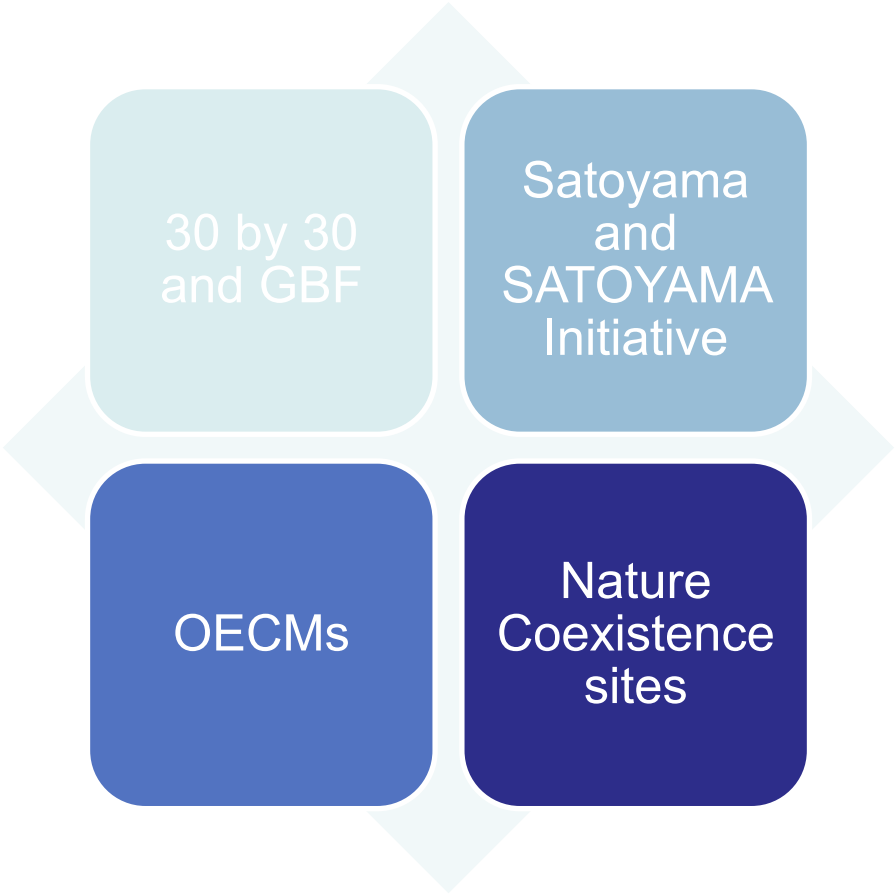
Development 1

- March 2023: the Japanese government took the lead globally in formulating a new National Biodiversity Strategy (the Sixth Strategy) based on the content of the GBF
- September 2023:the final version of the TNFD (Task Force on Nature-related Financial Disclosures) was published under private-sector leadership, launching a framework requiring companies to disclose risks and opportunities related to the natural environment within their core business operations as part of their financial reporting

Development 2

- March 2024: four ministries formulated jointly “Strategy for Transition to a Nature-Positive Economy.”
- April 2024:the “Act on the Promotion of Activities for the Enhancement of Biodiversity in Local Communities” was enacted to promote voluntary initiatives by companies and other entities toward achieving nature-positive outcomes
- May 2024: the Sixth Basic Environment Plan approved by the Cabinet

Explanations of three related key words



30 by 30

- 30 by 30” is an international target established under the 2030 Nature Pact and the Global Biodiversity Framework (GBF), aiming to designate 30% of terrestrial and marine areas as protected areas by 2030.
- Cf. The “Aichi Targets,” adopted at COP10 of the Convention on Biological Diversity held in Nagoya, Aichi Prefecture, in 2010, set a target in Target 11 to designate 17% of terrestrial areas and 13% of marine areas as protected areas.

Satoyama and SATOYAMA Initiative

OECMs(Other Effective Area-based Conservation Measures):

Unlike protected areas such as national parks, which are subject to legal development restrictions, OECM refers to areas where biodiversity is conserved through the activities (management practices) of private and other managers—such as corporate forests, sacred groves, community-maintained rural landscapes, and biodiversity-rich urban green spaces—rather than through legal regulations.

New approach

SATOYAMA Initiative

OECMs(Other Effective Area-Based Conservation Measures): A method for conserving areas outside of protected areas

30 by 30 and OECMs

- A key feature of the OECM measures aimed at achieving the 30 by 30 target in Japan is the introduction of a system that certifies areas conserved through private-sector and other initiatives—regardless of whether they are located within or outside protected areas—as “Nature Coexistence Sites.”

Nature Coexistence Sites

- Starting in fiscal year 2023, the Ministry of the Environment will launch a program to designate areas where biodiversity conservation is being promoted through private-sector initiatives and other activities (such as forests, rural landscapes, urban green spaces, and coastal areas) as “Nature Coexistence Sites.”

Nature Coexistence Sites

- A total of 184 sites were certified for the first and second halves of fiscal year 2023. Of the certified areas, those that do not overlap with protected areas will be registered in the international database as OECMs. As incentives to promote activities, the government is considering a system to issue “Certificates of Support” to those who support Nature-Harmonious Sites (designed to facilitate compliance with initiatives such as the TNFD), as well as the dispatch of experts.

The Act on the Promotion of Activities for the Enhancement of Biological Diversity in Local Communities

- is a law that will come into effect on April 1, 2025.
- It establishes a system whereby the national government certifies and promotes activities by companies and local governments aimed at the “maintenance, restoration, and creation” of biodiversity.
- Aimed at achieving the “30 by 30” target (conserving 30% of land and marine areas) by 2030,
- the law codifies the existing “Nature Coexistence Site” certification system,
- streamlines procedures, and
- provides tax incentives to promote “nature positive” (the restoration of nature).

Establishment of a Certification System for Promotion Activity Implementation Plans, etc.

・Companies and other entities will develop “Promotion Activity Plans” that contribute to the maintenance, restoration, and creation of biodiversity—such as the conservation of rural landscapes and satoyama areas, the control of invasive species, and the protection of rare species—which will then be certified by the competent minister.

- Activities carried out by municipalities in collaboration with diverse local stakeholders, with the municipality serving as the coordinating body, will be certified by the competent minister as “Collaborative Promotion Activity Implementation Plans.”

Certification of Implementation plans

- Certification of Implementation Plans for Biodiversity Promotion Activities and Collaborative Biodiversity Promotion Activities, etc. The new law incorporates a system whereby the competent minister certifies plans for biodiversity promotion activities conducted by the private sector and other entities, as well as those conducted by municipalities in collaboration with diverse local stakeholders.
- Obtaining this certification makes the activities eligible for special exemptions under the law, such as waiving the need for permits and other procedures required by relevant laws and regulations of three ministries, including the Natural Parks Act. This allows for the streamlining and simplification of procedures necessary for the activities through a one-stop process.

Biodiversity Conservation agreement

- When a municipality receives certification for its plan to promote collaborative activities, a system is in place allowing the municipality to enter into a “Biodiversity Conservation Agreement” with landowners and other stakeholders within the plan’s designated area, as well as with the parties implementing the activities, in order to ensure long-term and stable operations.

Act on the Promotion of Biodiversity Activities (Nature Restoration Act)(2024): 37 articles

Basic principles (articles 1-7):

To achieve Nature Positive, the following basic principles are established. The promotion of biological diversity is based on the recognition that ensuring rich biological diversity is the foundation for the survival of humankind. It aims to realize a society that coexists with nature, where the conservation of biological diversity and other natural environments is reconciled with sustainable economic and social development, enabling both current and future generations to enjoy the benefits of rich biological diversity. This must be achieved through close collaboration between the national government, local governments, businesses, the public, and private organizations formed by these parties. The promotion of biological diversity refers to the maintenance, restoration, or creation of biological diversity. Provisions regarding the responsibilities and efforts of the national government, local governments, businesses, and the public are established.

Basic Policy (article 8)

- The competent ministers (the Minister of the Environment, the Minister of Agriculture, Forestry and Fisheries, and the Minister of Land, Infrastructure, Transport and Tourism) shall establish basic policies regarding the promotion of activities to enhance regional biodiversity. • The basic policies shall include the significance of promoting activities to enhance regional biodiversity, basic matters concerning the formulation of plans, harmonization with production activities related to agriculture, forestry, and fisheries, and other matters requiring consideration. • The basic policy shall be consistent with the National Biodiversity Strategy under the Framework Act on Biodiversity, as well as with plans under the Forest Act, the Green Food System Act, and the Urban Green Space Act.
-

- Two plan certification systems—one for “promotion” and one for “collaboration”—will be established, tailored to the specific characteristics of the private sector and municipalities.
-

<Certification of Implementation Plans for Promotion Activities> (Articles 9 and 10)

- Entities (such as companies and NPOs) intending to carry out regional biodiversity promotion activities may, either individually or jointly, prepare an “Implementation Plan for Promotion Activities” and apply to the competent minister for certification.

Certification of Implementation Plans for Collaborative Biodiversity Promotion Activities (Articles 11–13)

- Municipalities intending to carry out collaborative regional biodiversity promotion activities may, either individually or jointly, prepare an “Implementation Plan for Collaborative Biodiversity Promotion Activities” and apply to the competent minister for certification.

<Special Legal Provisions> (Articles 15–22)

- This certification streamlines and simplifies procedures under the Natural Parks Act and other relevant laws through a one-stop service

Biodiversity Conservation agreement (Articles 22-26)

- When a certified partner municipality deems it necessary for the implementation of a certified partnership promotion activity implementation plan, it may conclude an agreement with the certified partnership activity implementer and the owners of land within the area covered by said plan (excluding marine areas and limited to areas where biological diversity is maintained) to carry out partnership regional biodiversity promotion activities within that land area. Agreements for the maintenance of biodiversity must be approved by all landowners and other relevant parties within the agreement area. Agreements publicly announced by certified collaborating municipalities shall remain effective even for those who become landowners or other relevant parties within the agreement area after the announcement (such as heirs). Recognizing that the cooperation of landowners and other relevant parties is essential for the continuation of activities, an agreement system shall be established to ensure the long-term and stable implementation of activities based on the “Collaboration Plan” prepared by the municipality.

Coordination with related initiatives, etc. (Articles 28-32)

- Establishment of a “Regional Biodiversity Promotion Activity Support Center” to facilitate coordination and cooperation among relevant parties.
- The national government and local governments shall endeavor to coordinate with measures related to the prevention of global warming, climate change adaptation, the creation of a circular economy, disaster prevention, the water cycle, and other relevant policies.
- The national government shall take measures to enhance scientific knowledge regarding the promotion of biodiversity.
- The national government shall endeavor to promote international cooperation regarding the promotion of biodiversity.
- The national government shall take measures to promote understanding among businesses and the public regarding regional biodiversity promotion activities through educational and public relations activities.

Features of Japanese environmental law

- 1 Symbiosis with nature
- 2 Consideration for future generations
- 3 Involvement of businesses and individuals

Keidanren Declaration for Biodiversity and Guideline

- Keidanren (Japan Business Federation)
- Keidanren Committee on Nature Conservation
- Introduced March 17, 2009
- Revised October 16, 2018
- Revised December 12, 2023
- “at the 15th Meeting of the Conference of the Parties to the Convention on Biological Diversity (CBD COP15) held in December 2022, the Kunming-Montreal Global Biodiversity Framework (GBF) was adopted as a new set of worldwide targets in place of the Aichi Biodiversity Targets. This formed the basis for Japan to determine its own policy in the form of the National Biodiversity Strategy and Action Plan (2023–2030). Both the GBF and Japan's national strategy include content focused on companies, requiring the business community to play a greater role in achieving the GBF vision for 2050 of a world living in harmony with nature, as well as establishing a "nature-positive" world that has halted and reversed biodiversity loss by 2030 to set nature on the course toward recovery (i.e., nature conservation and restoration).”

Concluding remarks

- Film

“Princess Mononoke” by Hayao Miyazaki

- Book

“Reparons le monde” by Corine Pelluchon

Thank you for your attention!

Reference

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