



---

# JAPAN RESOURCES

---

*COMPILED NEWS FROM*  
**CONSUMERS UNION OF JAPAN**  
**No. 152**  
**October-December 2010**

---



*Japan Resources* is available on the CUJ web site in English.

You can join us from a link “English” on the front page of CUJ's official

**Japanese web site:** <http://www.nishoren.org>

You can read new articles and announcements on CUJ's

**English web site:** <http://www.nishoren.org/en>



**Consumers Union of Japan**

1-9-19-207 Nishi-Waseda Shinjuku-ku

Tokyo 169-0051 Japan

Phone: 03-5155-4765

FAX: 03-5155-4767

## **Special Report: Genetically Modified Canola Contamination in Japan A Call for Action in Nagoya 2010!**

The problem:

Wild-growing genetically modified canola plants have been found at many locations around Japan on numerous occasions. The first investigations by concerned citizens started in 2004. The spilling occurs mainly near harbours and by roads leading from the harbours to food oil companies. Japan's importing companies and food oil companies that make canola oil, as well as the transport companies involved, are all directly responsible for the contamination of native canola (including rape seed, natane).

Japan has many small/medium size companies that make food oil from domestically grown rape seed. Also, many plants of related species are eaten traditionally in Japan. These food oil manufacturers, farmers and consumers – who want to eat healthy and safe food – are the victims if genetically modified canola continues to spread and grow in Japan.

The solution:

We are concerned about this issue at the local level. The issue is getting serious, and we must call for an end to imports of genetically modified canola. Crops that can contaminate local plants should not be imported. Meanwhile, we need strict rules for liability and redress to deal with contamination issues that arise from trade with the genetically modified crops. Rules are needed and they should be legally binding with effective compliance at the local and national level.

We have met with representatives from both food oil companies and trucking companies. Requests have been made for improving the handling practices, including better designs for the trucks. We demand that spilling cases should be dealt with immediately, and that any genetically modified canola plants growing wild in Japan should be exterminated.

\* \* \*

### **Press Release: Declaration Regarding The Adoption Of The Nagoya-Kuala Lumpur Supplemental Protocol**

Declaration regarding the adoption of the Nagoya-Kuala Lumpur Supplemental Protocol by Japan Citizens' Network for Planet Diversity (MOP5 Network)

October 16, 2010

On October 15, 2010, the general meeting of the MOP5 adopted the Nagoya-Kuala Lumpur Supplemental Protocol to the Cartagena Protocol.

Our MOP5 network notes that this is the result of a long and difficult negotiation. We consider this legally binding protocol to be important as an international system of liability and restoration which the developing countries in particular have long anticipated.

Until now, developing countries and countries that import a large amount of their staple foods have not had such a supplemental protocol, and under the present condition we have had no defense against genetically modified crops (GMO). We expect that the liability and redress rules in the supplemental protocol will be a big support especially for developing countries.

We also note that for Japan, a country that imports a lot of GMO foods and thus is exposed to the risk of damage, the new treaty includes several clauses and concepts that we have previously requested.

This supplemental protocol was originally supposed to have been completed in 2008 in Bonn, during the MOP4 negotiations. However, at that time, the Japanese government – in spite of its position as a food importing country – took the standpoint of the food exporting countries. This became a large topic at the Nagoya meeting. There was also international concern that the finalized treaty would become a worthless piece of paper. We are confident that our intense lobby activities and efforts as citizens and consumers have been the main cause that restored the contents of the protocol.

We were able to shift the position held until now by Japan's government by influencing the bureaucratic thinking. We achieved this by approaching the Members of the House of Parliament and providing them with information again and again. There is no doubt that our meetings with the parliamentarians helped the new government led by the Democratic Party of Japan to show political leadership during the international negotiations. We could not even have wished for this to happen unless there had been a change in government.

Over the next two years, it is essential that the Japanese government shoulders the leadership role as the MOP5 chairman country, and we expect Japan to take the global initiative to sign and ratify this protocol.

During the MOP5 conference in Nagoya, the pollution cases of GM canola growing wild around Japan attracted the attention of delegates from countries around the world. This problem has exposed the fact that Japan's current legislation for the Cartagena Protocol has not been able to provide the legal protection to respond to the real situation, without exceptions. We expect the new Nagoya-Kuala Lumpur Supplemental Protocol to the Cartagena Protocol to be useful if it can quickly be introduced as part of Japan's domestic legislation to protect biological diversity. This is the major task for Japan right now. To achieve this, we resolve to continue to strengthen our activities at the grass root level, at the government level, and at the international level.

Consumers Union of Japan  
Nishi-Waseda 1-9-19-207  
Shinjuku-ku, Tokyo, Japan

\* \* \*

## **Why Are Consumers Opposing TPP? The Problems of the Trans-Pacific Partnership (TPP) Agreement**

Yamaura Yasuaki  
Secretary General of Consumers Union of Japan

November 3, 2010

### 1) The Problems of FTA/EPA

Currently, the participation in TPP is a very large political issue for Japan. We regard TPP as simply a part of the Free Trade Agreements (FTA) that have come into effect since May, 2006. The ideal way forward for FTAs is what must be discussed prior to any decision about whether joining TPP is the right path for Japan or not.

Though the government notes that they regard the WTO rules as the basis of Japan's trading policies, in fact, they negotiated Free Trade Agreements and Economic Partnership Agreements (EPA) with 12 nations since the first agreement with Singapore in 2002. Moreover, they consider FTA/EPA to be important in the new growth strategy, which attempts structural reform, as well as economic restoration nationwide.

The problem of FTA/EPA is that it provides discriminative trading rules. This is fundamentally based on economism (the reduction of all social facts to economical dimensions) carried out by the powerful nations, reflecting the gaps of power of the countries concerned. We think this will create a world where the law of the jungle prevails. It is quite different from what WTO is promising in terms of rule-based trade, a multilateral trading system such as the most-favoured-nation (MFN) status and national treatment, with considerations for diversified global trade.

### 2) Direction of the New-growth Strategy

The current partner countries of FTA/EPA with Japan are as follows: Singapore, Vietnam, Thailand, the entire ASEAN block, Malaysia, Brunei, the Philippines, Indonesia, Switzerland, Mexico, and Chile. India was included in this queue as of October 25, 2010. So far, Japan has been avoiding deals with farm exporting nations. However, Japan is still negotiating with the GCC (Gulf Cooperation Council), South Korea, Peru and Australia. Australia is another huge farm exporting nation, and being partnered with Australia would mean having to deal with its TPP companion, especially the US, bringing hitherto unequaled effects upon Japanese agriculture.

Also, relying on the logics of export competition as a diplomatic policy means turning a blind eye to future troubles. The current FTA/EPA occurred so far in Japan only helped the strong, exporting-centered industries to survive, neglecting the small-medium sized enterprises. We are particularly concerned about the bad effect on Japan's agricultural sector.

The Japanese government tells the farm lobby that it is considering some policies concerning agricultural matters, such as structural reform of the agricultural system, and drawing up policies to protect domestic agriculture. But it is quite impossible for any Japanese system to compete with the mega-sized farming systems in America and Australia.

### 3) The problems of TPP

TPP is a regional FTA started by Singapore, New Zealand, Chile, and Brunei, the countries that signed the original FTA partnership. Its unique feature is the abolition of all tariffs without any exceptions. The aim is zero tariffs and deregulation not only for manufacturing industries or agriculture, forestry and fisheries, but also for postal insurance and the public service sectors.

After the November, 2009 APEC meeting in Singapore, it was declared that the US, Australia, Peru, Vietnam and Malaysia would start accession negotiations with the others and form the TPP. Clearly, the farm product exporting giants, the US and Australia, will have a large influence on the nine countries in the TPP block. Furthermore, Canada has also expressed interest in joining in the future. For Japan, this could result in a huge drop in the rate of food self-sufficiency from the current 40% to around 14%, according to government estimates, and an economic loss of 4.1 trillion yen for the entire country; specifically, estimates for Hokkaido indicates that the influence on local farm products could be losses up to 556.3 billion yen, which can be compared to the entire economy of Hokkaido, which is 2 trillion yen, if it has to compete with Australia and the US (Source: MAFF 2010).

### 4) Why are consumers opposing TPP?

Consumers Union of Japan is opposed to deregulation of trade, and we have persistently protested against the WTO negotiations, FTA-AP, the FTA between Japan and Australia, Japan and South Korea, as well as Japan and the United States. We also oppose the TPP for the following reasons:

First of all, we note the negative results that FTA has brought. Examples include environmental destruction and the effect on wildlife as tropical forests have been cut down for palm oil production, and the worsening conditions for factory workers as developing countries race to increase exports at the lowest possible price. From many regions, there are also worrying reports of how people's staple food production has been sacrificed as a result of export-oriented food production. Moreover, large investments and the expansion of financing has led to deprivation and increased debt problems in developing countries. Deregulation and free trade is also the main factor behind the collapse of the industrial order here in Japan, and we consider it directly responsible for deteriorating labour conditions.

In addition, we regard FTA as a cause of the further decrease in Japan's food security and already low rate of food self-sufficiency and the impetus to the decline of our country's agriculture. We also fear that food safety standards will be lowered as part of the mutual recognition system that will be put in place on the pretext of removing trade barriers as part of FTA/EPA.

Now, TPP has become a problem as well in the hegemony duel regarding the establishment of economic blocks in the Asia-Pacific region. Japan has had a focus on promoting good relations with APEC and the FTA-AP, while China has taken the initiative to a FTA with ASEAN+3. It seems obvious that the proposed TPP is an attempt by the US to counter the economic growth of China and gain influence in the region.

For consumers, it is crucial to strongly request an ideal way forward for fair trade between people around the world, rather than the narrow, hegemonistic free trade interests of large exporting countries.

## **Detailed Analysis Of The Results From Nagoya**

Bio Journal, the publication by Citizens' Biotechnology Information Center (CBIC) has made a detailed analysis of some of the most pressing issues that were discussed at the MOP5/COP10 meeting in Nagoya in October 2010.

The results of the negotiations regarding Access and Benefit Sharing (ABS) and the new Aichi Target (20 objectives for biodiversity protection through 2020, the expansion of protected areas to 17 percent of the world's land and 10 percent of its waters, and to halve the rate at which natural habitats are lost) were discussed in the press., but the important Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress did not get as much attention.

From Bio Journal - December 2010

*Trend: Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety adopted*

At the Convention on Biological Diversity, Fifth Meeting of the Parties to the Cartagena Protocol on Biosafety held at the Nagoya Conference Center, agreement was reached on 15 October 2010 on the Supplementary Protocol that stipulates the framework for liability and redress in the event of loss or damage caused by GM crops. Until now there has been no internationally agreed framework or treaty for assessing liability or claiming compensation for losses caused by cross-fertilization and so on with GM crops.

Two issues made formation of the agreement extremely difficult. The first was that the conclusion concerning financial guarantees was postponed and the second was that agreement was reached when the words “and the products thereof” were deleted from the text concerning “Living Modified Organism and the products thereof.”

The protocol, as with the Kyoto Protocol, takes the name of the city where it was established, but this time the role played by Malaysia was considered to have been significant and so the protocol was given the name “Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress” (NKL Supplementary Protocol). The protocol will enter into force when it has been ratified by 40 or more countries.

*Convention on Biological Diversity COP10 closes with adoption of the Nagoya Protocol*

The Tenth Conference of the Parties to the Convention on Biological Diversity (COP10) with adoption of the Nagoya Protocol and the Aichi Target – the Strategic Plan of the Convention on Biological Diversity. The two important issues at COP10 were firstly the issue of “access and benefit sharing” (ABS) concerning access to and the sharing of profits from genetic resources, and the setting of international targets for the protection of biodiversity. The discussions were difficult and even as the COP10 closing ceremony was beginning on evening of 29 October 2010 it was not at all certain that agreement would be reached. In the end, after prolonged discussion that lasted into the early hours of 30 October, success in reaching agreement on each of the main themes resulted in the ABS issue being settled with the adoption of the Nagoya Protocol, and the Aichi Target adopted as the targets for the protection of biodiversity. In the background to the agreements being reached was the large sum of money for assistance pledged by Japan and the advanced nations. It is probably not terribly unfair to say that the advanced nations won the agreement with the promise of cash.

*Closeup: How the Nagoya– Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety was agreed*

As mentioned in the article at the top of this page, agreement was reached on the Nagoya – Kuala Lumpur Supplementary Protocol on Liability and Redress (NKL Supplementary Protocol) at MOP5. The Cartagena Protocol was adopted in 2000 and entered into force in 2003. In the process of the adoption of the Cartagena Protocol, what remained was the issue of “liability and redress,” agreed upon during this MOP5, that had been postponed due to a conflict of interests between mainly GM crop exporting countries and importing countries over the relative weights of liability and redress. The majority of exporting countries who wish to avoid liability are advanced industrial countries and in contrast the majority of importing countries who are demanding strict liability are developing countries.

Originally, this should have been agreed on at MOP4 in Bonn, Germany, but it was held over and since that time moves towards forging an agreement at MOP5 began. Over the two-year period there have been four meetings of the working group known as the Meetings of the Friends of the Co-Chairs on Liability and Redress Under the Biosafety Protocol, and the final meeting continued on and on until the morning of the opening of MOP5.

It is an important achievement that the liability and redress system agreed upon is not a guideline, but has been finalized as a legally binding supplementary protocol. However, the legally binding nature of the supplementary protocol has been deeply reduced by the fact that the response measures to address damage can be decided by each country in their domestic law, and it is up to each country to decide how to apply civil liability rules and procedures.

The issues remaining just before the beginning of MOP5 concerned financial guarantees and the products of living modified organisms (LMOs). Financial guarantees presupposes cases when losses or damage caused by a GM crop are large and the perpetrator is a small- or medium-sized operator which does not have the ability to carry out restorations or pay compensations. This is a mechanism for a backup in terms of insurance or a fund to ensure that the victim does not end up suffering without any recourse to legal action for compensation and so on. However, advanced countries were strongly opposed to this on the grounds that it would lead, for example, to higher prices for GM crops.

In the end, at the Meetings of the Friends of the Co-Chairs, since there was little possibility that the confrontation over this issue could be resolved, it was considered that if the discussions remained on the same path the supplementary protocol would not be adopted. It was agreed that the discussions be shelved while clearly stating that parties shall have the right to bring claims.

The other issue remaining was whether or not to include not only LMOs but also products derived from LMOs such as tofu and so on. The GM crop exporting countries mainly put up a strong resistance against this notion since it would widen the scope of things that could cause losses or damage. In the end, in the Meetings of the Friends of the Co-Chairs, text suggesting that parties may apply the supplementary protocol to damage caused by such processed materials, provided that a causal link between the damage and the LMO can be established. Having agreed on that, the reference to “products thereof” was deleted from the text.

This is how, after long discussions, the NKL Supplementary Protocol was finally agreed upon, albeit with a number of issues still awaiting final resolution.

\* \* \*

### **“Add Organic Foods To The Eco Point System!”**

Japan has a long history of organic farming. One of the leaders, Ishizu Fumio from Shiga Prefecture has been active during 2010 together with the Japan Citizens’ Network for Planet Diversity (MOP5 Network) and the No! GMO Campaign.

As a farmer, he has successfully shown that traditional organic farming techniques that do not rely on pesticides or chemical fertilizers are a viable way to produce healthy food. He often invites groups to his farm to show the abundant biological diversity among his wet-land rice and veggie fields.

“ Add Organic foods to the Eco Point system,” Ishizu-san pleaded at a seminar in Nagoya in July, 2010. He noted that the big United Nations meeting in October would discuss liability and redress issues, in case farms are contaminated by genetically modified organisms (GMO). GMO-free zones, first introduced in Japan in 2005, are one way for farmers to communicate to consumers that they do not wish to use GMO crops.

To encourage farmers, better support is needed. This would also benefit consumers who are looking for ways to support local farmers and purchase produce and grains that are good for the environment. Ishizu-san’s farm has made a name for its rice under the “Harie Genki Rice” brand, with a group of organic farmers.

Some 500 people participated in the event in Nagoya on July 3, 2010  
Over the past years, Japan’s government has come to the aid of electric appliance makers and car manufacturers with the Eco Point system. Now is the time to include certified organic food making them available at an affordable price.

\* \* \*

### **Yokohama APEC People’s Declaration**

*Asia-Pacific Economic Cooperation (APEC) is an economic forum promoting the liberalization and facilitation of trade and investments, economic and technical cooperation, and related issues. Many NGOs from Japan and other countries participated in the No! APEC Yokohama People’s Forum.*

Yokohama People’ Declaration (Summary)

November 14,2010

The No! APEC Yokohama People’s Forum gathered on November 13-14, 2010 in Yokohama, Japan to protest against the APEC meeting held in the city. The executive committee consists of various individuals, citizens, workers, labour unions, civic groups, NGOs, and gender groups who oppose the Asia-Pacific Economic Cooperation (APEC), issuing the following joint declaration:

The official Yokohama Vision presented at the APEC meeting has three pillars: regional economic integration, growth strategies, and secure communities. It boasts of the high economic growth in the Asia-Pacific Ocean nations, clinging to the myth of future economic growth. The content related to secure communities appears to despise the real security of citizens, instead valuing security of capital. We oppose the APEC Yokohama Vision, because it does not at all reflect the voice of the general public.

The following is a summary of the issues we discussed in great detail in subcommittee meetings. Consequently, the views were confirmed by all of the participants in the No! APEC Yokohama People's Forum.

From the perspective of labour, the main issues include securing labour rights such as the rights to migrate, to live, to work and to organize. Free Trade Area of Asia-Pacific (FTAAP) and Trans-Pacific Partnership (TPP) should be discontinued as they destroy employment and livelihoods. Also, the activities of transnational corporations should be restricted, and corporate tax should be raised. All ILO agreements should be accepted and implemented. Discrimination of female workers in particular must be abolished, while equal wages should be paid.

From the perspective of guaranteeing security, the main issues include ending the focus on "efforts to create security from terrorism" and "security of capital" which are not consistent with the focus on "people's security." We oppose the military bases in Okinawa, and support the right to peace, which we consider as the true guarantee for "people's security."

From the perspective of food and agriculture, we oppose Free Trade Agreements, including the TPP, that destroys the food and farming in Japan and Asia. We oppose agricultural investments that take away water and land from farmers, and demand that the original rights of farmers should be returned. We also oppose the globalization that threatens biological diversity, including through genetically modified organisms.

From the perspective of development, we oppose the type of overseas investment that disrupt local budget planning for increasing local welfare and leads to environmental destruction. In many cases, such money only supports military governments, hostile to democracy. It also leads to debt problems. Farm land grab by foreign firms directly affects the livelihoods of local farmers in a negative way. IMF loans in particular should be discontinued and in the case of natural disasters, such as floods, debt relief should be immediate. We note that ODA has changed to become a way to support corporate interests in the donor countries. Thus we oppose ODA that does not resolve issues including poverty alleviation, human rights and environmental protection. A case in point is the attempt to make unreasonable profit by privatizing municipal water services. We strongly oppose Japanese efforts to profit from the water business in Asia and support efforts to help impoverished people get access to water. We also oppose the export of nuclear power plants, that we regard as the symbol of the reckless growth strategy.

From the perspective of gender issues, we demand proper pay and an end to the exploitation of women. Due to G20, APEC and other neoliberal policies, the burden for women have increased both at home and at work. We also demand reproductive rights and the right to health, including the legal right to safe abortions. Policies for population control as a way to deal with climate change should not be permitted. We also strongly oppose militarism because, with its inherent machismo, it leads to violence against women, including trafficking, prostitution and poverty, as well as many other problems, including environmental pollution.

We request governments to spend more on social services, that are suffering from export oriented economic policies, that also threaten food sovereignty. Social movements should all support the efforts to end discrimination and violence against women. To achieve this goal, let us unite internationally and fight for all aspects of social life, including domestic life.

Finally, we protest against Japan's Foreign Affairs Ministry regarding the participation in the Forum by certain overseas participants, and the intentional delay in issuing visas by the Ministry of Justice and the Immigration Bureau, and in particular their relentless and obstinate information gathering process, that treated participants as criminals.

Contact: Executive Committee Secretariat  
Yamaura Yasuaki, Consumers Union of Japan

---

**Japan Resources** is published by Consumers Union of Japan (CUJ). CUJ was founded in April 1969 and was officially certified as a non-profit organization on May 1, 2006 by the new Japanese NPO legislation. We continue to be a non-political and financially independent organization (NGO). CUJ is funded by membership fees and donations. The main concern of CUJ and its members is to realize a world of liberty and equality, a world free of economic, social and legal discrimination, and to preserve a safe and healthy environment for our children's future.

CUJ pursues the following goals on behalf of consumers: (1) To secure for ourselves and our families safe and healthy lives, (2) to establish systems/laws to protect the rights of consumers, (3) to promote peace, social justice and economic fairness, (4) to support and empower consumers who care about the environment, and (5) to cooperate with foreign consumer groups/organizations.

**Consumers Union of Japan**  
**Nishi-Waseda 1-9-19-207, Shinjuku-ku, Tokyo 169-0051, Japan**  
**Tel: (81)-3-5155-4765 Fax: (81)-3-5155-4767 E-mail: [nishoren@jca.apc.org](mailto:nishoren@jca.apc.org)**