

4th Sep. 2023

@ Sarawak Timber Association

# Update of Clean Wood Act of Japan (Amended in May 2023)

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SEMINAR ON FORESTRY GOVERNANCE FOR SUSTAINABLE FOREST  
MANAGEMENT & TIMBER INDUSTRY DEVELOPMENT  
in CONJUNCTION WITH INTERNATIONAL DAY OF FORESTS 2016  
NATIONAL LEVEL CELEBRATION  
March 26, 2016

## Opportunities for Sarawak Tropical Hardwood Products and Market Development in Japan

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## Previous presentations...

Seminar "PSP NETWORK FOR SUSTAINABLE FOREST MANAGEMENT IN SARAWAK"  
at Imperial Hotel Kuching  
12th Sep. 2019

## Japan's Clean Wood Act and Tokyo Olympic Sustainable Sourcing Code for Timber

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- Since the late 1990s, illegal logging (e.g. Indonesia) has gained global attention due to its impact on biodiversity conservation, social justice, fair market, climate change mitigation etc.
- Timber-consuming countries introduced acts/regulations to combat imports/procurements of illegally harvested timber

*2005 G8 Gleneagles plan of action*

*2008 Revision of Leacy Act (USA)*

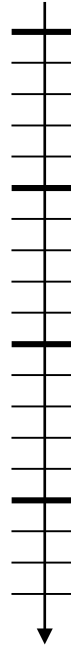
*2010 EU Timber Regulation*

*2012 Illegal Logging Prohibition Act  
(Australia)*

*2017 Act on the Sustainable Use of  
Timbers (Korea)*

*2019 Revision of Forest Act (China)*

*2023 EU Deforestation Regulation*



- JPN gov. also revised the Green Procurement Act and introduced “**Goho-wood system**” in 2006 for public procurement.
- JPN gov. introduced **Clean Wood Act (CWA)** in 2016 for all timber traded in Japan.

2005 *G8 Gleneagles plan of action*

2008 *Revision of Leacy Act (USA)*

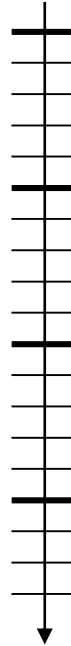
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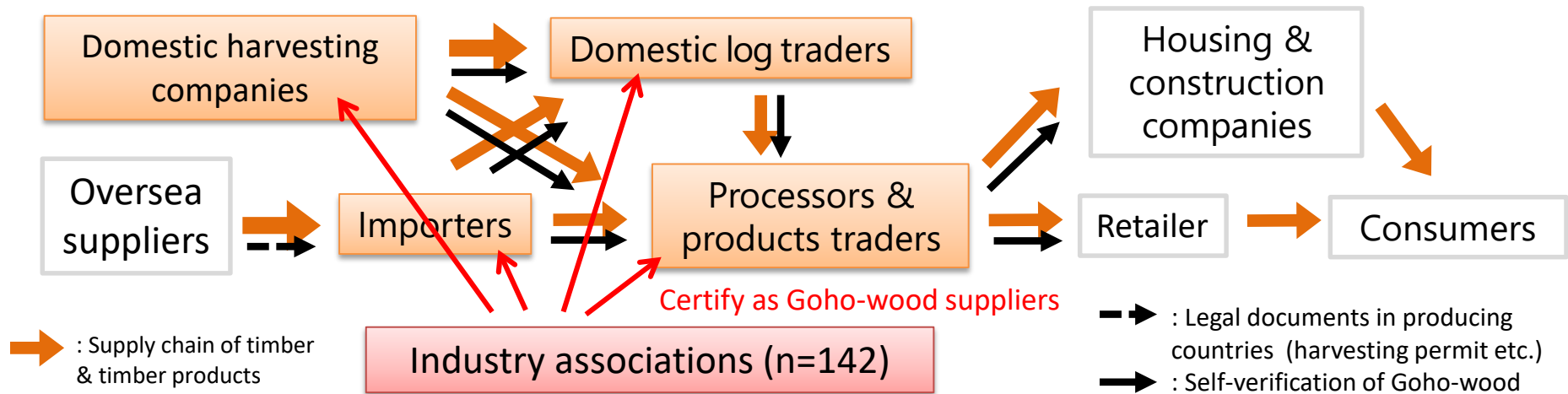
2006 *Revision of the Act on Promoting Green  
Procurement*

➡ *Forest Agency's guideline “**Goho wood**”*

2016 **Clean Wood Act** (*The Act on Promotion of  
Use and Distribution of Legally-harvested  
Wood and Wood Products*)

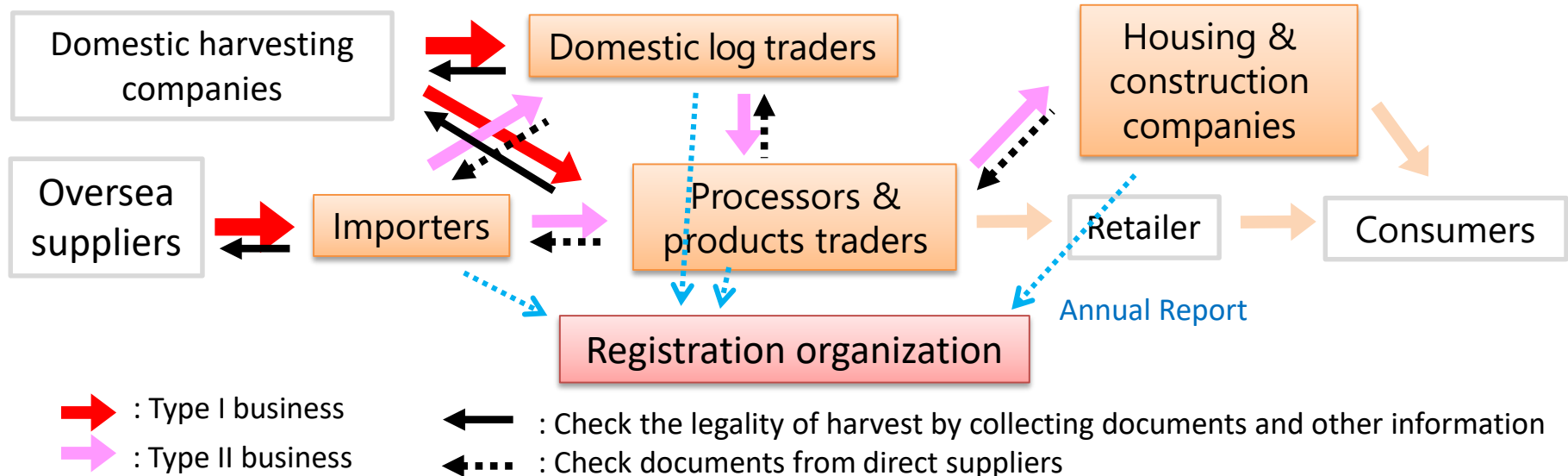
## Goho-wood system (2006-)

- A voluntary system operated by forestry and timber industry associations (not JPN gov.) under Forestry Agency's guideline in 2006
- A company can be certified as a **Goho-wood supplier** by their industry association (e.g. Japan Lumber Importers Association)
- Each **Goho-wood supplier** can verify some or all of their timber & timber products as legally harvested ("Goho-wood")
- The verification is based on verification by their direct suppliers (Chain of custody)

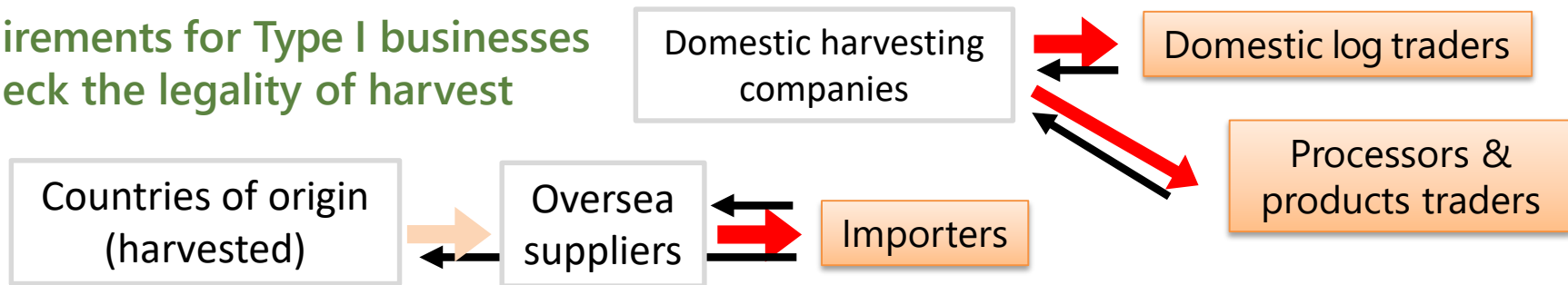


## Clean Wood Act (2016-)

- **All buyers of timber & timber products** are encouraged to verify all of their purchases to ensure they have been harvested legally.
- Wood-related businesses are classified into Type I and Type II.
- **Type I businesses** (e.g. importers) **should check the legality of harvest and judge it by themselves** (not just accept supplier's verification) following appropriate procedures.
- Introduction of voluntary registration system



## Requirements for Type I businesses to check the legality of harvest



### (1) Collecting documents stating,

- Type of timber & timber products
  - Names of tree species
  - Names of **harvested countries or regions** (not processed countries)
  - Volume
  - Names of tree owners or exporters
  - Documents proving the trees were **harvested in compliance with the laws and/or regulations** of the countries harvested
- e.g. Shipping/custom documents

### (2) If (1) is impossible,

- Collect additional information** provide evidence that the trees were legally harvested (e.g. supply chain information) or
- Not handle the timber & timber products

(3) Check the documents/information and **judge the legality by themselves** referring to information provided by JPN gov. etc.

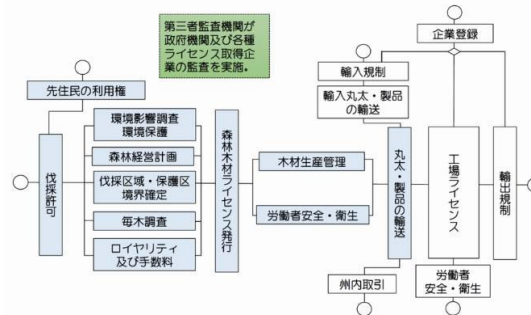
# Information provided by JPN gov.

- JPN gov. has gathered information about timber production & trading and legality systems of major timber-supply countries to publish it in the “**Clean Wood Navi**” for timber importers and other stakeholders
- The Clean Wood Navi does not provide a standard of the judgement



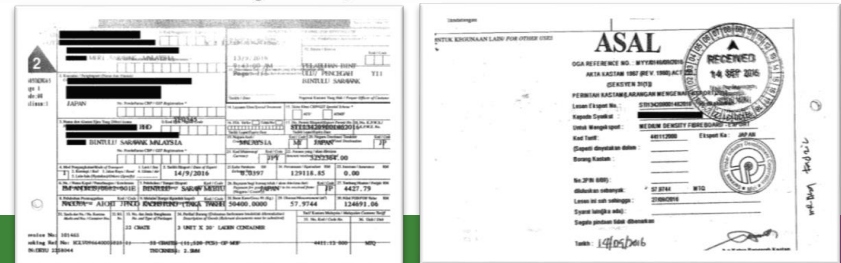
<https://www.rinya.maff.go.jp/j/riyou/goho/kunibetu/index.html>

Sarawak was studied in 2017 and 2021



*Thank you very much  
for your help!*

Example of legality  
verification (STLVS)





## Five-years review of the implementation of CWA

- Originally stated in the CWA to be conducted about 5 years after the enactment (=2022)

### Study Group on Distribution and Utilization of Legally Harvested Wood

<<https://www.rinya.maff.go.jp/j/riyou/ryuturiyou/210915.html>>

- by the Ministry of Agriculture, Forestry and Fisheries (MAFF), Ministry of Economy, Trade and Industry (METI) and Ministry of Land, Infrastructure and Transport (MLIT)
- held 9 times during Sep 2021-Jan 2023
- Invited business organizations (e.g. timber industry, forestry, house building, furniture, paper, etc.), research institute (e.g. IGES), and NGOs (WWF and FoE) as the reference persons.
- The summary, “**Five-Year Review of the Clean Wood Act**” was published.



参議院

House of Councillors,  
The National Diet of Japan

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拡大

最大

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国会休会・開会

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議案情報

令和5年5月8日現在

第211回国会（衆会）

[付託委員会等別一覧はこちら](#)

各国会回次ごとに提出された法案等をご覧いただけます。

議案書情報

件名	合法伐採木材等の流通及び利用の促進に関する法律の一部を改正する法律案		
種別	法律案（内閣提出）		
提出回次	211回	提出番号	31

提出日	令和5年2月28日
衆議院から受領／提出日	令和5年4月13日

衆議院本会議経過

議決日	令和5年4月13日
議決	可決
採決態様	全会一致
採決方法	異議の有無

その他

公布年月日	令和5年5月8日
法律番号	22

議案要旨

（農林水産委員会）

合法伐採木材等の流通及び利用の促進に関する法律の一部を改正する法律案（閣法第三一号）（衆議院）

## Revision of the Clean Wood Act in 2023

- Based on the Five-Year Review of the CWA, the government developed a bill to revise the CWA.
- The bill was submitted to the Diet and passed on 13 April and issued on 8 May 2023.
- The revised CWA will start to be in effect in two years (i.e. 2025)
- The government (Forestry Agency) is preparing the implementing regulations etc. now.
- The implementation of the revised CWA will be reviewed again in 2028.

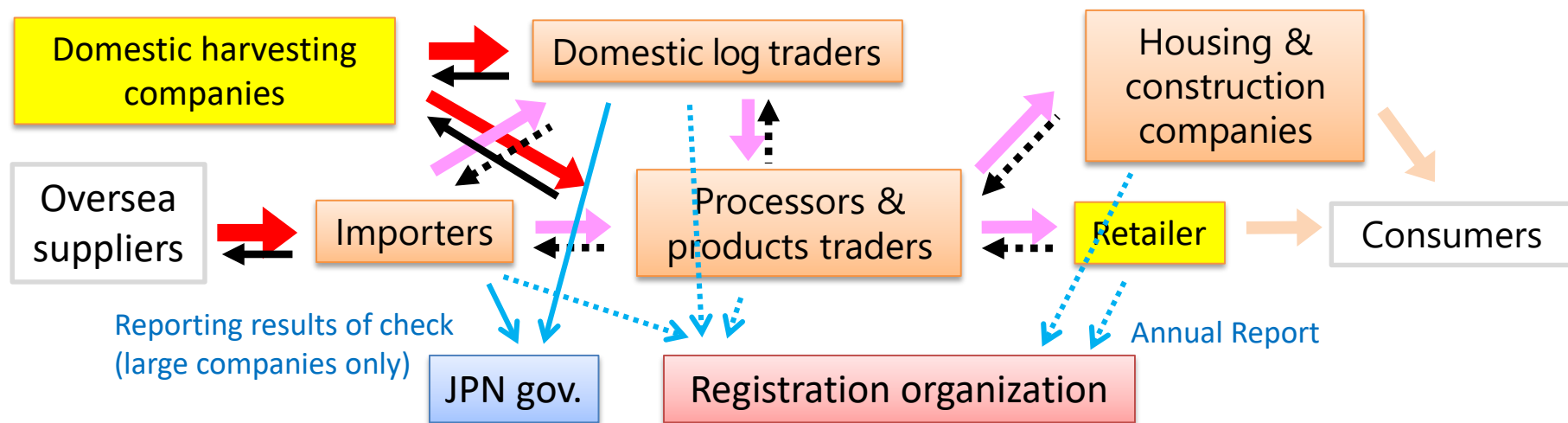
# Revised Clean Wood Act (2023-)

## ■ Obligation to Type I businesses

- Collect raw material information (document and/or information) to check the legality of harvest (probability of non-illegally harvest origin) and judge for all procurement
- Record the check and judgment and **report the check results to the JPN gov.**
- **Provide the check results to their buyers**

## ■ Gov. authority and penalties were strengthened

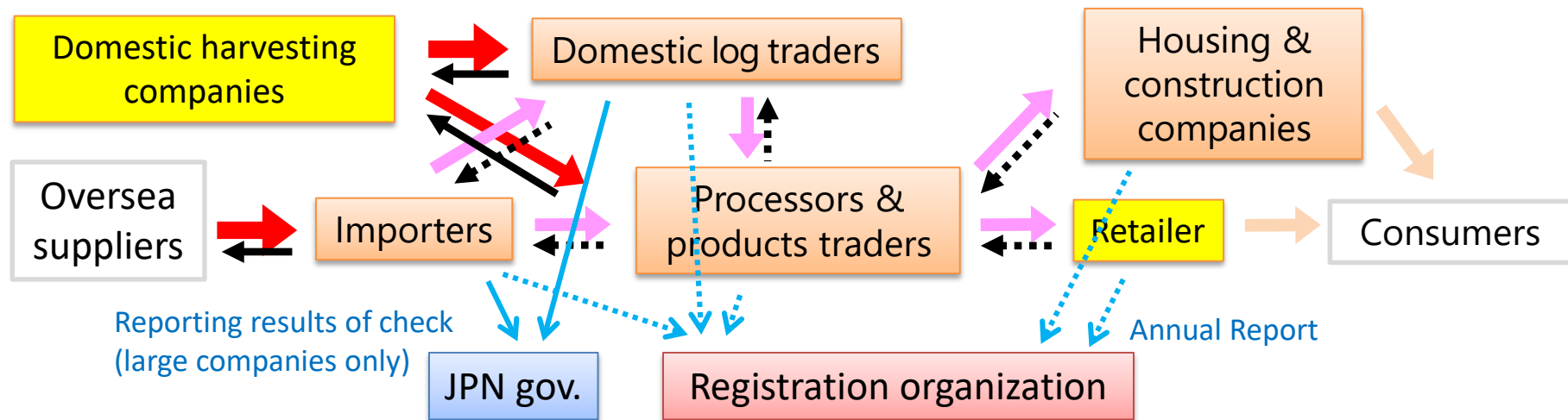
- Gov. check whether the judgment is made appropriately, but not the correctness of the judgment



# Revised Clean Wood Act (2023-)

(continue..)

- Obligation to domestic harvesting companies to provide information on legal harvest to their buyers
- The Act also covers retailer





## Information to collect requested in the FA's DD guidelines to check legality of harvest (excerpt)

1. General information
  - The date of issues are appropriate?
  - Volume of timber & timber products on the documents is appropriate?
2. Documents or information verify the legality of the harvest
  - Harvesting permits from local governments, legality verification, forest certification, self-declaration etc. to the timber procured
3. Suppliers
  - Agreement about legality
  - Forest certification, verification to the suppliers
4. Harvested countries and/or area
  - Presence of legality verification system of the harvested country
  - News/reports about illegal logging
5. Tree species
  - Identification of tree species

- There are no minimum requirement standards for the legality judgment in the guidelines. The business should judge at their own risk.
- Businesses are still allowed to procure un-confirmable timber after the check and judgment.
- However, the revised CWA requests the businesses to report to the gov. (check results, documentary evidences, and volume) and buyer (results)

## Notes for Sarawakian exporters

- Clean Wood Act of Japan was revised in May 2023 and will be in effect since 2025
- The revised CWA obligates all timber importers to collect **raw material information** and judge the **probability of non-illegally harvest origin** by themselves (= Due Diligence)
  - The documents/Information of all raw materials is necessary to collect to judge the legality
  - Information about the harvested country and evidence of legal harvest is requested (e.g. plywood produced in Sarawak with veneer imported from other countries)
  - Situations in the harvested countries (e.g. existence of illegal logging) and tree species is requested to be taken into account for the judgment
- It is still allowed to import un-confirmable timber, but can be under pressure
- Sustainability (i.e. exclusion of conversion timber) is not required, but under discussion