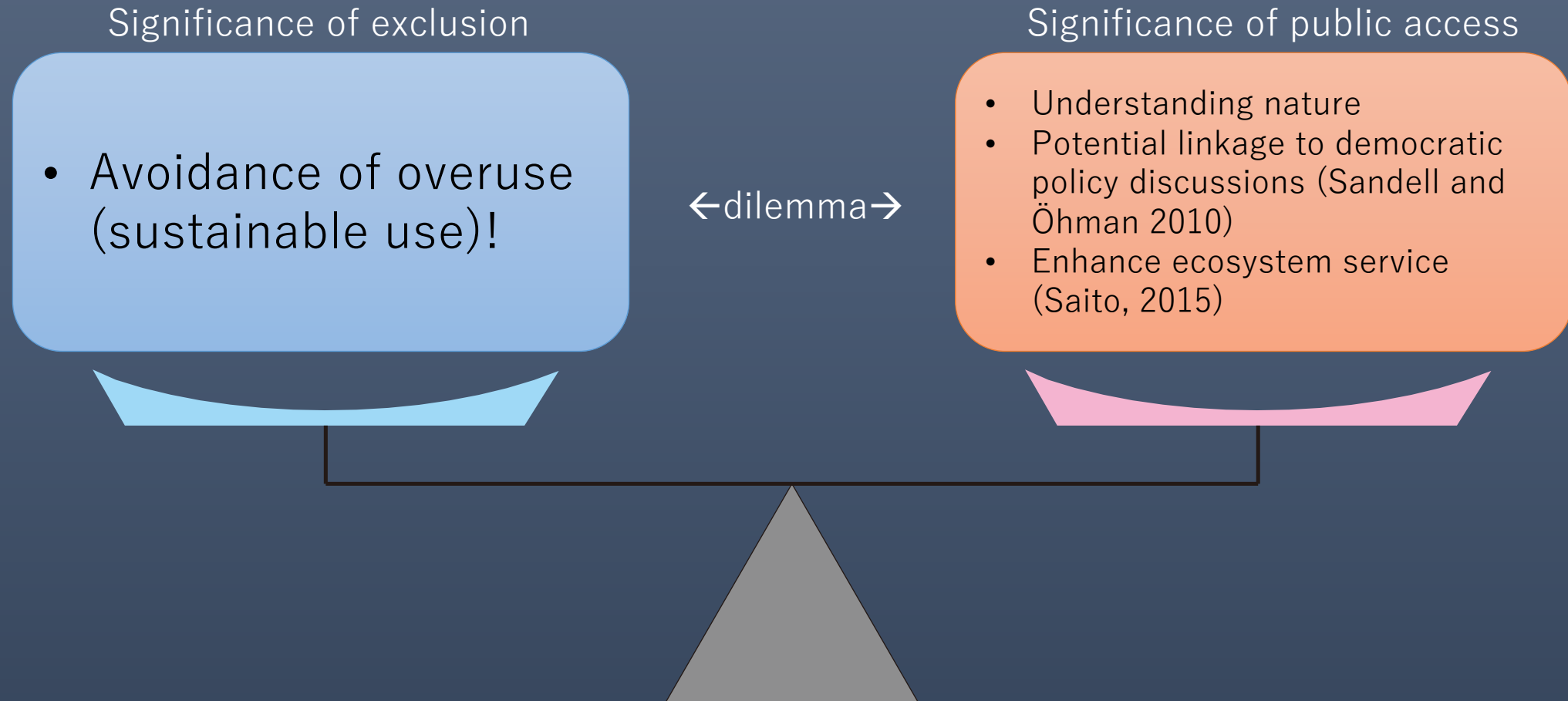


Variable status of access rights for Non-Timber Forest Products in Japan

Haruo Saito (University Forests, The University of Tokyo)

Background: overuse? or public access?



- Important to consider how public access should be arranged to keep human-nature relationship

Background: NTFPs in Japan

Wild vegetables (young shoots)



Pteridium aquilinum



Petasites japonicus



Aralia elata



Sasa kurilensis

edible mushrooms



Armillaria spp.



Pholiota microspora



Pleurotus ostreatus



Tricholoma matsutake

nuts



Castanea crenata



Juglans mandshurica

berries



Vitis coignetiae

roots



Dioscorea japonica

Popular even today; for subsistence and recreation

Background: Economic characteristics of wild vegetables and mushrooms

- Almost free goods (non-scarce goods)
 - Low in energy
 - Difficult to distribute broadly
 - Self-sufficient, gift
- Exception
 - Zenmai fern, Shiitake mushroom: dried & sold
 - Matsutake mushrooms: gourmet food

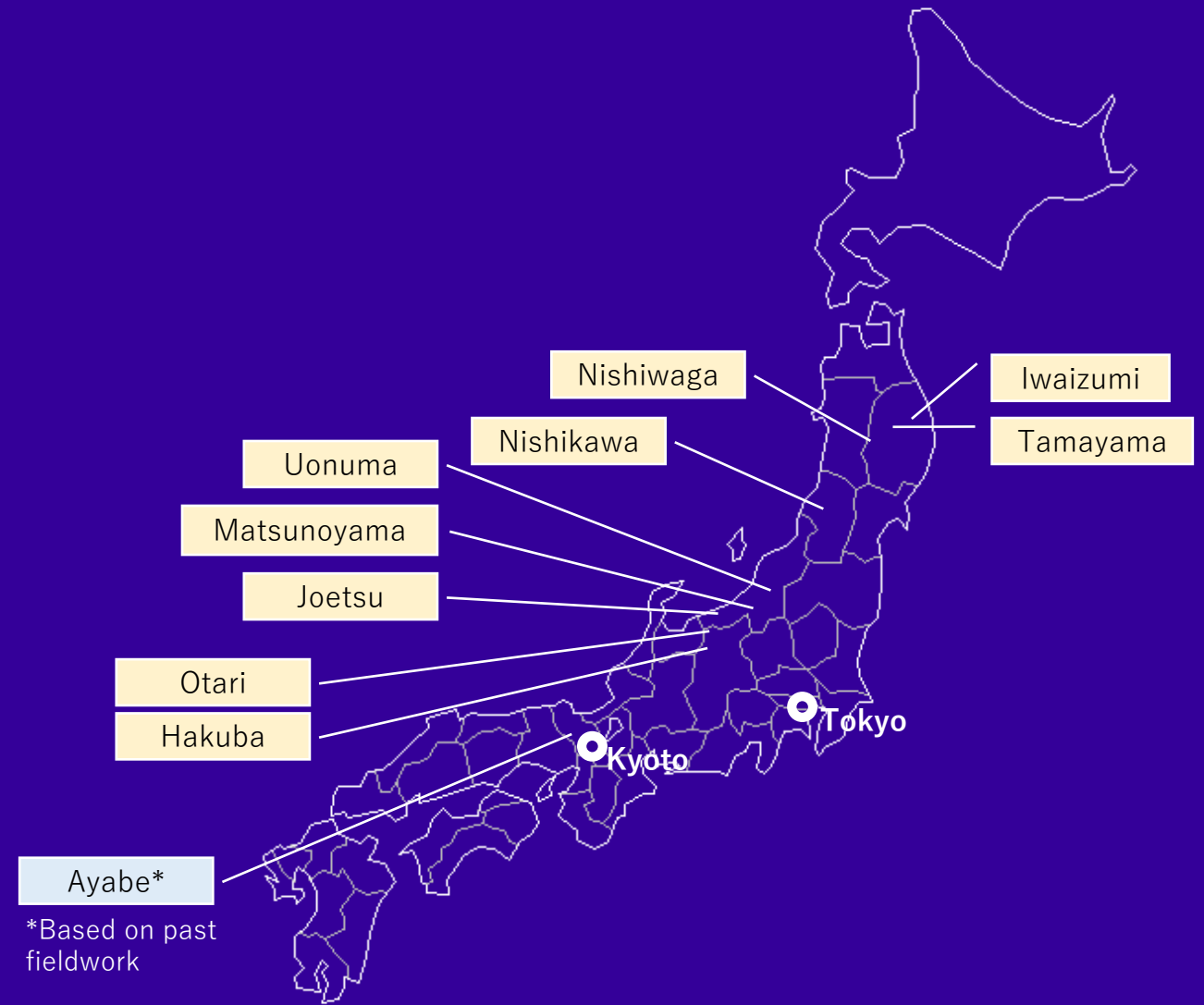


Objective

- Investigate how right of access to NTFPs have been enclosed or opened from various cases in Japan, in order to consider how public access should be established
- Identify factors which influence exclusion of public access to NTFPs

Field survey

- 2012-2014
- Visit 9 villages with diverse forms of access from open to strict exclusion
- Ayabe (Kyoto) data from 2008 is also added (Saito & Mitsumata 2008)



Overview of outcome

weak

Exclusion of outsiders' access

strong



recreational gatherers from town

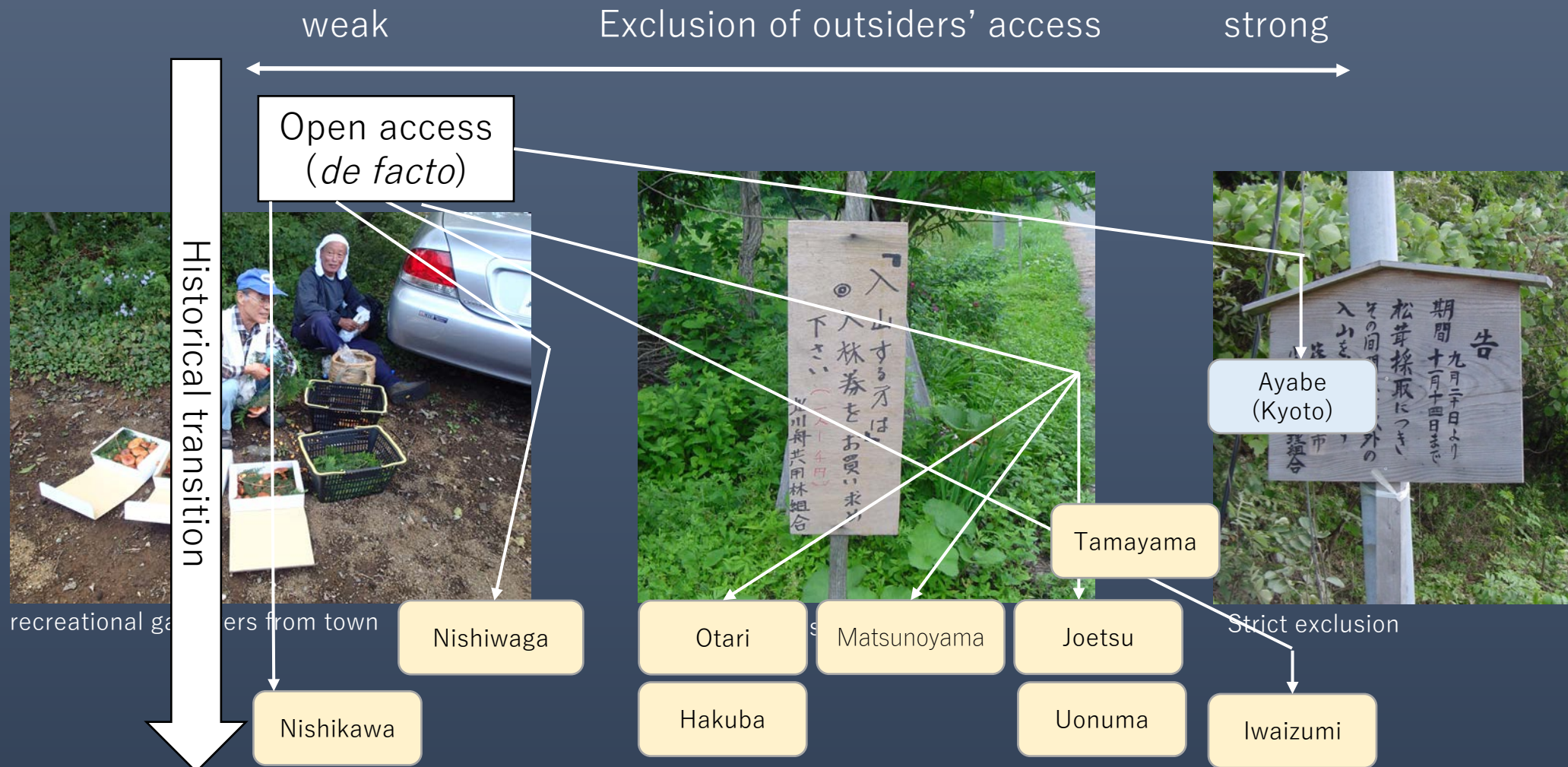


Entrance fee system



Strict exclusion

Overview of outcome



Two major findings

1. Open → Exclusion

Originally, there was open access in all cases. Eventually, most of cases have introduced measures to exclude outsiders' access

2. Exclusion → Open

Some cases in which outsiders were excluded have recently loosened their degree of exclusion

From open to exclusion

case	Period of change	circumstances	Measures to control outsiders' access
Ayabe (Kyoto)	1900's-1920's	commercialization of Matsutake mushroom	Establish bidding system of access rights to mushroom. Access is strictly limited to winners.
Uonuma Matsunoyama	1950's-	commercialization of Zenmai fern	Access is limited to hamlet territory
Otari Uonuma Joetsu Hakuba Matsunoyama	1970's-1980's	Many city residents come to village to collect NTFPs Sometimes even cultivated varieties are stolen	Exclude outsider's access to NTFPs by displaying signboard

Signboard displayed by local community



Alert!!

**We strictly prohibit gathering
wild vegetable in this hamlet**

If you violate, we'll report to police and
confiscate all your harvest

The leader of the hamlet

From open to exclusion (Cont.)

case	Period of change	circumstances	Measures to control outsiders' access
Nishiwaga	1980's-	Unclear, but outsiders came to collect NTFPs	collect fee for gathering NTFPs
Iwaizumi	1990's-	'cultivation' of Matsutake mushroom started	Strictly limited to land owners or Matsutake production corporative



To those who enter forest,
Please buy entrance fee.
¥1000 /person

Triggers of exclusion

- Value of resources (Commercialization)
non-scarce goods → scarce goods
- Investigation: efforts to ensure harvest (cultivation)
- Gathering pressure: commercialization and outsiders' access
- Sense of territoriality



From exclusion to open

case	Type	Context	Change
Matsunoyama	Passive change	Difficulty covering the cost to maintain sign boards	Some hamlets gave up setting up sign boards
Nishiwaga	Passive change	Visitors complained about fee. difficult to pay wage to warden.	Became difficult to run toll correcting system
Otari Hakuba	Positive change	Sign boards distract from image of resort site. Concern for the decline of interest in wild food culture	Launch gathering tours for town residents

Gathering tour guided by villagers



Hurdles for exclusion

- Cost:
 - setting up sign boards
 - monitoring cost
 - transaction cost
- Social or Cultural concerns
 - Does not align with image of tourism
 - Decline of culture surrounding nature

Preliminary conclusion and discussion

- Open access as original state

Studied resources (wild vegetables and mushrooms) are fundamentally non-scarce and people tend to refrain from setting limitation of access

- From open to exclusion

As socio-economical situation changed, 1) rising scarcity of the resource and also 2) triggers change in people's investment in resource (cultivation). Further, 3) rising gathering pressure and 4) territoriality stimulated by outsiders' access.

- From exclusion to open

1) When the cost exceeds the benefits of exclusion, exclusion may be loosened. Also 2) Protection of social and cultural values can be a driver to loosen degree of exclusion

Preliminary conclusion and discussion

- As shown in previous study, public access should not be ignored when seeking inclusive sustainable human-nature relationship
- We may have to distinguish **public access** from **open access**
- What is the condition for public access of natural resources ?
 1. Limited to areas of relatively low gathering pressure
 2. Fostering appropriate manner for access
- Social unfairness should be concerned

Subsistence VS. recreation; Recreational activities may not only take away resources for rural residents but also influence their QOL.

Recreational access often lead to structures where local residents are baring the cost.

Thank you for your attention !

Full public access

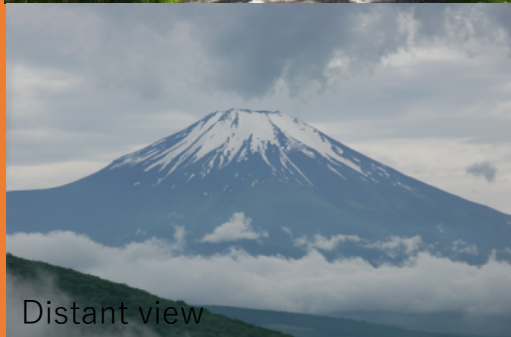
Limited public access

NO PUBLIC ACCESS

Provisioning services (benefits from extractable use)



Cultural services (benefits from non-extractable use)



Constitution and Civil Code

The Constitution of Japan (1946)

[Article 29]

The right to own or to hold property is inviolable.

Property rights shall be defined by law, in conformity with the public welfare.

Civil Code (1986)

[Article 207]

Ownership in land shall extend to above and below the surface of the land, subject to the restrictions prescribed by laws and regulations.

[Article 210]

An owner of land that is surrounded by other land and has no access to public roads may pass through the other land that surrounds his/her land to reach the public roads

Acts concerning forest

Legal system on forest

- Forest and Forestry Basic Act
 - Forest Act
 - Act on Special measures concerning promoting recreational function of forest
 - Forestry Cooperative Act
 - ...other 28 acts

Forest Act (1951)

- Someone's forest land can be accessed by the others who will conduct forest survey for forest management (Article 49)
- Forest larceny (Article 197) 'forest products' cover everything produced or grown in forest (Supreme Court 1975)