

Militarization and Environment Rights in Okinawa

Hideki Yoshikawa

Introduction

Hello, my name is Hideki Yoshikawa. I am Co-director of the Citizens' Network for Biodiversity in Okinawa, an environmental NGO. First I would like to express my appreciation to the organizers of this event for giving me this important opportunity to talk. I would also like to express my appreciation to those who are attending this event.

There are two things I would like to talk about today. The first one is the history of the tragic relationship among militarization, environmental problems and Human rights violations in Okinawa. The Second one is the issue of the construction of a US military base in Henoko and Oura Bay, Nago city, Okinawa. Nago city is my home town.

Along the way, I would like to refer to the work of Mr. John Knox, an UN Independent Special Rapporteur on human rights and the environment. He articulates “procedural obligations” and “substantive obligations” to ensure our rights to a safe, clean, healthy and sustainable environment: Access to environmental information, public participation in environmental decision-making, and access to remedies for environmental harm are essential. Attention to these obligations helps us understand how and why militarization is causing environmental problems and human rights violations in Okinawa.

The Battle of Okinawa

Militarization takes various forms, and Okinawa has experienced many forms of militarization at different time periods.

The most devastating form of militarization is war. As our governor talked about, Okinawa experienced the “Battle of Okinawa” at the end of WWII in 1945, becoming the only ground battle field taking place in Japan.

The Battle of Okinawa took the lives of 200, 000 people including soldiers of both sides and 120,000 Okinawans (one in four people in Okinawa lost his/her lives).

The war also destroyed and contaminated the environment, people's homes, farm lands, forests, rivers, and the sea.¹ However, unlike information on human casualties, we do not have much information on the destruction of the environment by the war. In fact, the National Research Reports on the history of war damages (compiled from 1977 to 2009 by the Japanese government) do not have any information on Okinawa because the war destroyed many administrative documents. The war indeed erased important information on the environment before the war as well

¹ We still feels the effects of the war when unexploded munitions buried under the ground during the war are discovered at present time. (Since the reversion of Okinawa to Japan in 1972, the Japanese self defense force some 1,700 tons of unexploded munitions have been discovered.

Construction and Operations of US Military Bases

During and immediately after the end of WWII, another form of militarization took place in Okinawa. As Governor Onaga talked about, while Okinawan survivors of the war were put in interment camps, the US military confiscated their land and converted into US bases. The U.S. Marine Corps Futenma Air Station was built in such a manner.

In the 1950s, responding to the escalating Korean War, the US military government seized more land from Okinawan people, often with “bayonets and bulldozers,” and converted them into military bases.²

As US bases became a major part of Okinawa’s landscape or environment, they also became a major cause of many environmental problems. They include contamination of land with PCB, dioxins, and even depleted uranium, noise from military aircrafts flying over residential areas, forest fires from live ammunition excises, and aircraft crushing.

Because of the proximity between US bases and our life, in most cases just separated by a fence, these environmental problems are immediate threats to the people of Okinawa, and urgent and effective remedies are needed.

However, such environmental problems often occur within the boundaries of US bases, and these “procedural obligations” articulated by Mr. Knox are hardly put into practice.

The people of Okinawa including the prefectural government face a big problem of access to information on military base related environmental problems. Even when such information is provided, we are not sure if it is accurate (we have no way to check it). Public participation in dealing with military base related environmental problems is rare. Priority attaches to the US-Japan Security Alliance. The Status of Forces Agreement between Japan and the US effectively prevents the “procedural obligations.”³

As a result, the right of the people of Okinawa to live in a clean, safe, healthy, and sustainable environment is denied.

Construction of a new military base in Henoko and Oura Bay

Now, I would like to discuss the construction of a US military base in Henoko and Oura Bay, Nago City, which is my home town. This is another form of militarization in Okinawa.

² It is important to emphasize here that, in Okinawa, the confiscation of private land and conversion of them into military bases have been discussed in terms of violations of human rights to private property, but not in terms of violations of our rights to the environment. In either term, however, there have been little efforts to address and redress the confiscation of land and conversion of them into military bases.

³ According to the agreement between the US and Japanese government on access to such information articulated the governments 1972 agreement (5.15 agreement), for example), the USG guarantees access to the local representative of the Forest Agency or his designation “This access is permitted provided that such access does not interfere with U.S. Forces operations)

Since Governor Onaga has already explained the issue in some detail, I would like to focus on environmental aspects of the issue.

First of all, the area is one of the most biodiversity rich areas in Okinawa and Japan. It is habitat for more than 5,300 marine species including 260 endangered species. The endangered blue coral and the endangered and Japan's National Monument and Okinawa's cultural icon, Dugong, marine mammals inhabit there.

The proposed construction of a US base involves substantial reclamation of the sea. It would require 2.1 million cubic meters of soil and rock (That is, 3.5 million truckloads of soil and rocks dumped into the sea!). Of the amount, 1.7 million will be transported by ship from other areas of Japan, creating the possibility of introducing and spreading invasive alien species to Okinawa.

From a point of view of environment conservation, these facts alone are enough to say "No" to the construction of the base. The construction of the base spells an environmental disaster.

Also, the area of Henoko and Oura Bay is home to over 4,500 people. They include fishermen, farmers, eco tourism operators, whose livelihoods depend upon a healthy marine environment.

Also, Henoko and Oura Bay are just 20 kms away from the Yambaru forest, which the Okinawa prefectural government is pressing to have recognized as a UNESCO World Natural Heritage site.

These are critical environmental reasons that make people like me oppose the construction of the base for almost 20 years.

New Form of Violations of Environmental Rights

Then, how and why is the Japanese government (and to an lesser extent the US government) able to say "let's reclaim the sea and build a military base in this area?" How and Why is the Japanese government, with democracy and environment conservation laws and regulations (or "substantive obligations"), using the Coastal Guard and the Policy to attack protesters on the sea and on the ground with such violence?

Well, according to the Japanese government, they can push forward the construction because the former governor of Okinawa approved the land reclamation for the construction of the base. And the former governor approved the land reclamation because the Japanese government's Environment Impact Assessment (EIA) for the Construction of the base concluded that there will be no adverse impacts on the environment from the construction and operations of the base.

No environmental problems, No human right violations.

According to the Japanese government, it is the protesters and the people of Okinawa who are making unjustifiable claim that the base should not be constructed.

Problem with the EIA

The Japanese government EIA has been severely criticized by experts, NGOs, the Okinawa prefectural government. We argue that the government's EIA did not assess accurately the value and vulnerability of the environment; it grossly underestimated the effects of the construction and operations of the base on the environment; it overestimated effectiveness of the mitigation measures it proposed.

Dr. Yasuo Shimazu, a leading expert on EIA and former chairperson of the Japan Society for Impact Assessment, denounced the government EIA as the worst EIA in the history of Japanese EIA.

However, the Japanese government insists their conclusion is valid. And all the administrative procedures and decisions based upon the conclusion are thus valid and legitimate, thus keep pushing the construction forward.

What is extremely troubling is the Japanese government has never revealed certain crucial information: who was it that concluded there would be "no impacts on the environment?" Despite constant requests from NGOs and concerned citizens, no names of the "experts" it relied on have been provided to the public. Basically, the Japanese government tells the people of Okinawa to accept the "no impact on the environment" conclusion blindly.

According to the "procedural obligations" articulated by Mr. John Knox, to secure the rights of people to a safe, clean, healthy and sustainable environment, we need (a) access to environmental information, (b) public participation in environmental decision-making; and (c) access to effective remedies for environmental harm.

These obligations require that environmental information be accurate and valid, or at least that the accuracy or validity of environmental information be examined in a transparent manner.

If this requirement is not being met, these same "procedural obligations" could turn into an instrument to induce environmental problems and to violate people's rights to a safe, clean, healthy and sustainable environment. In my view this is what is happening to the Japanese EIA in Henoko and Oura Bay.

As Governor Onaga said, we are reliving the aftermath of WWII. Our land and sea are being seized and converted into a US military base with the physical violence of the our own government and the Japanese EIA as new "Bayonets (béianit) and bulldozers."

US Responsibility

Apparently, the Japanese government's practice of withholding critical information had spill over effects on the US Department of Defense.

In 2008, in a lawsuit held in a US federal court, the judge ruled that the US Department of Defense violated the US National Historical Preservation Act by not taking into account the effects of the base on the Dugong in the construction plan. The judge ordered the DoD to conduct its own analysis on the effects of the base on the dugong.

Apparently, the DoD examined and incorporated the results of the Japanese EIA into its “take into account” process. It reached the same conclusion as the Japanese EIA: that the construction and operation of the military base would have no adverse impact on the dugong.

Despite requests from the plaintiffs, the DoD refused to provide its analysis on the Japanese government EIA and other related documents. It also did not allow public participation of the people of Okinawa in its process.

Governor Onaga Takes Action

Despite constant political pressure from the Japanese government to conform to the government policies, Governor Onaga established an independent committee to review the land reclamation approval process as well as the EIA. The committee concluded that the land reclamation approval was legally flawed and the EIA was problematic. Governor Onaga has begun the process of rescinding the land reclamation approval, thereby defending the rights of the people of Okinawa to the environment.

Along with many of my NGO colleagues, I feel vindicated. But we know that we face a rough road ahead. We expect the Japanese government to use all the means at its disposal to push forward the construction of the base, and that lawsuits will be filed against the Governor and people of Okinawa.

My hope today is that the International Community will pay attention to what is happening to the people of Okinawa and to the environment. Also my hope is that scientists and experts, Japanese and international, will join in further examination of the impact of the construction of the base on the people and on the environment and make recommendations accordingly.

Concluding Remarks

Finally, let me direct your attention to a little-appreciated fact. Futenma Air Station is not only a US base but also (since the Korean war) has been a “United Nations Air Distribution Hub Facility.” Constructed on land confiscated from people of Okinawa, situated dangerously in the middle of a crowded city, infamously referred as the most dangerous of all bases, the Futenma is a *UN* facility. If the base to be constructed in Henoko and Oura Bay is a replacement of the Futenma air station, it would also be a *UN* facility. The UN should address its own responsibility in the Futenma/Henoko matter.