Overcoming American Military Base Pollution in Asia: Japan, Okinawa, Philippines

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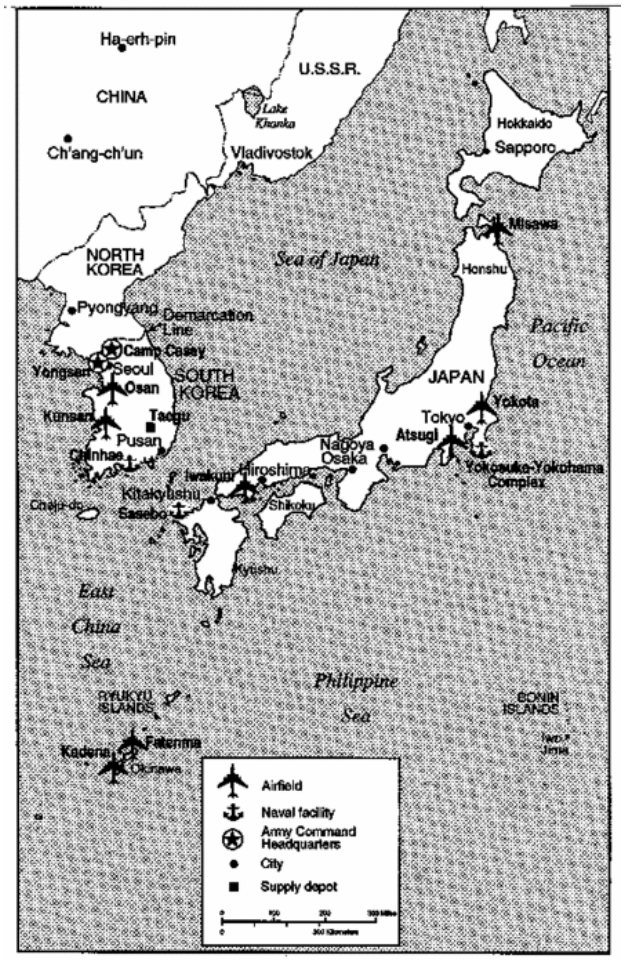
Translated by Christopher Nelson

I Military Activity and Environmental Problems

War is said to be the ultimate cause of environmental destruction. The absolute devastation of the environment in combat has been proven by examples such as World War II, the Vietnam War, the Gulf War, and the Iraq War. However, even in peacetime, military activity causes environmental destruction through the construction of facilities, everyday activities on base, and the preparation for war such as military training and maneuvers. Particularly in the case of the United States, the enormous military power that accounts for half of the world's military expenditures, the destruction of the environment is appalling. For example, in Japan, the damage to nature that would accompany the construction of an alternative facility to Futenma Marine Corps Air Station in Okinawa will be accelerated and aircraft noise will damage the areas surrounding the bases. In the Korean community of Mehyang-ri, aerial bombing practice has caused severe environmental pollution. This essay will focus on the pollution of US bases in Asia in order to come to grips with the environmental problems caused by military activity. After investigating the pollution of US bases in Yokota (Japan), Okinawa and the Philippines, we will examine the principal conclusions that can be draw from those examples. Our purpose is to locate ways to resolve these military environmental problems.



US military bases in Japan, Okinawa and Korea

Why did we choose the problem of pollution associated with American bases in Asia? One reason is the particular importance to the US of

Asian bases, especially those in Japan. In 2002, 44.3% of all American soldiers stationed overseas and 26.7% of US bases were concentrated in Asia. Since US bases in the Philippines were closed in 1992, most are now in Japan and Korea. The majority of US Marines stationed abroad are also located in Japan. What's more, Japan provides 62% of the budget for basing American soldiers in Japan. In 2001, it was about 4.6 billion dollars. In addition to the so-called "Sympathy Budget" that Japan offers in order to support US bases, Japan provides additional funds such as indemnities for noise and various kinds of financial support for base activities. From the prospective of the American military, this has made it easy to pay for their overseas presence. Only in Japan (Yokota) has such an extensive complex of foreign military air force and navy bases, including port facilities for an aircraft carrier, been placed in such close proximity to the capital of an independent state. From a global perspective, this is an exceptional situation.

A second reason is that, even among US overseas bases, Asian base pollution is unusually severe. In accordance with 1993 Bonn supplemental agreements, base pollution became the first military environmental problem to be attended to by the American military. However, as can be seen from the example of damage in the Philippines, while we have entered a new century, pollution has been left as it is without being adequately addressed. It is a matter of great urgency to decide how to rectify these conditions.

II The Problem of Pollution in US Bases in Asia

The Philippines

In the Philippines, there has been a long history of foreign military bases including Japanese military occupation during World War II. Apart from this period of Japanese occupation, the US military has used the Philippines as a military stronghold in Southeast Asia since the Spanish American War of 1898.

The main US bases located in the Philippines were Clark Air Force Base and Subic Naval Base. These bases were returned to the Philippines between 1991 and 1992. However, even before their return, it was recognized that these bases caused environmental pollution through such routine uses as oil spills, the dispersion of pesticide, and the disposal of wastes and ammunition. The US military failed to properly manage and dispose of toxic materials and did not remove this pollution when the bases were closed.

The refugees who took shelter at Clark Air Force Base in order to escape the eruption of Mt. Pinatubo in 1991 suffered direct and serious consequences from base pollution. They were not notified that Clark Base was contaminated with toxic material and they used shallow wells in the base to get drinking water. This would later cause very serious health complications. At Subic Bay, it has been reported that there were quite substantial numbers of victims, mainly suffering from asbestosis, among former workers at ship repair facilities. According to "The People's Taskforce for Base Cleanup," a local environmental NGO, the total number of victims of pollution from both Clark Air Force Base and Subic Naval Base, as of the end of April 2004, is 2,460. Among those victims, 1060 have died; the health issues of surviving victims include leukemia, cancer, respiratory problems, and skin diseases.

The US military has not done any pollution cleanup nor provided any compensation to these victims. A section of the Status of Forces Agreement (SOFA) signed between the Philippines and the United States in 1947 that relieves US military from responsibility for restoring bases to their original condition has been cited as justification for the failure to take any action. Since so many have suffered from base pollution, it is critical to consider these

incidents that took place in the Philippines.

Okinawa

There have been reports of pollution in Okinawa caused by the US military since the beginning of the American Occupation. In 1947, base pollution in Iheya led to the death of eight people from arsenic poisoning. After the reversion of Okinawa to Japanese sovereignty in 1972, frequent oil spills continued to cause significant damage. In spite of such incidents, almost no countermeasures were taken to prevent base pollution. In part, this was due to the priorities of the times; however, it reflects the priority over all else that has always been accorded to the US military. Even now, the public only learns about base pollution when damage to the local community is caused by an incident that transcends the boundaries of the base. The jet fuel spill at Kadena Air Base that lasted for four days beginning on May 25, 2007 is but the most recent example of this.

There are also serious problems with pollution in the former base areas that have been returned by the US military. The one-time US Communications Station at Onna Point demonstrates the severity of these ecological problems. In 1996, toxic materials such as cadmium, mercury, PCBs, lead, and arsenic were detected in the outflow area around Onna Point and in muddy soil inside a former water treatment tank at the base. After discussions between representatives from Okinawa Prefecture and the US military regarding toxic waste disposal, the American government refused to restore any polluted soil. Again, they claimed that the US-Japan SOFA absolved them from any responsibility to return sites to their original condition. To date, the Japanese Self Defense Force continues to store polluted soil temporarily on government land at their facility in Onna and the Government of Japan pays for this storage.

Onna Point

Since this case, there have been many similar incidents. On January 30, 2002, barrels containing tar-like material were discovered buried at a construction site in Mihama in the city of Chatan. The Government of Japan paid approximately 84 million yen for its disposal. Also in March 2003, soil in the northern area of former Camp Kuwae was found to be contaminated with lead at levels twenty times higher than environmentally acceptable as well as with arsenic, hexavalent chromium and PCBs. Because of this, plans to develop the returned site have been delayed.

Yokota

As in the cases of the Philippines and Okinawa, pollution inside US military bases was assessed for the first time when they were returned to local control. However, in those situations, it was difficult to grasp the events that led to the pollution. After pollution was discovered, the only way to take effective countermeasures was to provide medical treatment to victims based on their symptoms. It was difficult to detect the hazards and risks associated with pollution beforehand. Yokota Air Base was an exception in that requests made under the US Freedom of Information Act revealed pollution prior to the base's return.

Based on the material made public, the following cases became known. First, ninety incidents of spilled contaminants in Yokota Base took place over a seven-year period from September 30, 1999 to May 10, 2006. Nine of these incidents were major leaks that had the potential to cause a serious impact on the local community. In case of Yokota, most of the polluted material that was spilled was petroleum related. Jet fuel accounted for 56% of the total, representing fifty of the ninety accidents. Yokota is an Air Force base: toxic materials such as jet fuel are used near the local residential area and the US military has been unable to completely prevent leaks.

Second, Yokota is considered to have problems with pollution that include incidents not recognized by the US military. As in the returned bases in the Philippines, toxic materials accumulated during a time when their safe disposal was neglected can cause adverse affects on the local community and environment. It is also possible to prevent the returned site from being further utilized. Since, even with the release of information, it is difficult to comprehensively assess base pollution, the challenge of resolving these issues will continue to exist unless methods to actually investigate the environment inside bases are established.

III Why does base pollution occur? An Institutional Analysis

Status of Forces Agreement with the US

Rules and regulations governing the activity of US military at bases are provided in the SOFA. In Japan and South Korea, exclusive right to the use of bases by US military is provided under Article 3, Section 1 of the SOFA. The military is exempted from the environmental laws of both their host countries and the United States of America under this agreement. Given this exclusive right of base use it is difficult to perform walk-in investigations of bases for the purpose of environmental study. There is no section requiring the preservation of the environment in the SOFA and the US military continued to remain free from any rules and regulations until the time when regulations by US Department of Defense became meaningful in the 1990's, as discussed in detail below.

It is also set forth in Article 4, Section 1 of the SOFA that the US military is exempted from responsibility to restore bases to their original condition. For US bases in Japan, the Japanese government pays any costs rather than requiring contributions by the US military. Therefore, the US military has no incentive to control pollution. Rather, the Japanese government relieves the US military of its financial burden.

Disposal of toxic materials and waste

Because of the disclosures of serious environmental destruction in the Philippines discussed earlier, and increasing awareness of environmental issues, the Department of Defense set forth regulations known as the "Department of Defense Policy for Establishing and Implementing Environmental Standards at Overseas Installations" on November 20, 1991. This directive officially outlines DoD policies for the disposal of toxic materials and wastes. It stipulated the creation of two documents: the "Overseas Environmental Baseline Guidance Document" and the "Environmental Governing Standard," which originated in the former document. The Overseas Environmental Baseline Guidance Document stipulates the minimum standard for environmental protection in overseas bases. On the other hand, the Environmental Governing Standard sets official standards for each base, according to applicable environmental laws of the United States and of the host country as well as SOFAs and other international treaties. The Overseas Environmental Baseline Guidance Document provides a minimum standard; however, if a higher standard is set forth by host country, a comparable standard for environmental

management will be established. In Japan, the Environmental Governing Standard was created on May 1, 1995 and has been revised six times to September 2006.

However, these documents still present problems. First of all, the Environmental Governing Standard is merely a guideline. It imposes no obligation on the US military. Military policy regarding the observance of environmental regulations is always an internal directive and never imposes any responsibility toward the host country, even in the case of violation of this policy.

Secondly, according to the Japan-US SOFA, the US military is not required to obtain permission from the Government of Japan to perform its activities. The host country is also precluded from taking any initiative to conduct walk-in investigations, which prevents the host country from any direct research into environmental conditions inside the bases. Therefore, it is necessary to revise the SOFA so that the host country will be able to understand and regulate activities conducted by US military.

Removal of Pollution

The Environmental Governing Standard mentioned above does not require the removal of pollution. Any removal is considered "to be determined according to applicable international treaties, Status of Forces Agreement and policies of US government". This is why it is critical to consider the US military's exemption from any responsibility to restore bases to their original condition in the SOFA.

On February 2, 1998, the Environmental Remediation for DoD Activities Overseas was issued. It stipulates measures for the comprehensive removal of pollution on both bases that are currently in use or have been closed. It broadly outlines expedited environmental governing standards that the American military is to follow when dealing with "known immanent and substantial endangerment to human health and safety."

There are two important points in these regulations. The first is that the American military is probably authorized to hide the presence of pollution in overseas military bases by not declaring its presence. It seems likely that, if pollution was made generally known, the American military would have to implement the Environmental Governing Standard at vast expense.

The second is this: if the presence of pollution is clearly declared, the possibility exists that it would not actually be removed. That is, if it is determined that there is a "known immanent and substantial endangerment to human health and safety" of those outside the base, the pollution will be removed; otherwise, it might not be. The problem is that the specific content of these standards is not defined in the regulations.

In American law, a single standard exists for regulating the removal of pollution in domestic US bases. On the other hand, no laws exist for regulating the removal of pollution overseas. The relations of power between the United States and the host nation come into play. Concerning American overseas bases, beyond Presidential orders, Congressional laws, the internal directives of the Department of Defense, and international agreements like the SOFA, relations of power between the United States and the host nation are mobilized over the issue of pollution. The removal of pollution from overseas bases is not an obligation built on regulations; rather, it takes on the character of a voluntary goal that the American military imposes on itself. When the American military agrees to meet the demands of the host nation to remove pollution, any negligence in removal could damage relations with the host nation and create problems for the smooth use of US bases. That is, pollution is removed in order to avoid damaging the mutual security policies that depend on the effective

operation of the bases.

IV Towards the resolution of problems of environmental pollution associated with overseas American bases

In light of the previous discussion, we can, at minimum, propose the following three points to advance the resolution of environmental pollution associated with American military bases.

The first is that it is necessary to establish the exact nature of this pollution. Concerning pollution within the bases, at present, the host country can only request that information from the US military. Unless the US military makes it public, as in the case of Yokota, information about pollution can only be obtained through the Freedom of Information Act. Within the bases, according to the SOFA, one cannot freely carry out studies that require entering the bases. Considered from the perspective of the safety of the citizens of that area, this is a tremendous problem. It is necessary to revise the SOFA to ensure that the host nation has the right to enter bases in order to carry out this research.

The second is that the American military should be obligated to observe the environmental laws of host countries. In recent years, we have seen that the US military has adopted standards for environmental management and incorporated them in everyday military practices. While it might appear that these standards have become stricter, no powers of enforcement are stipulated. What's more, military standards of evaluation are unclear as to whether they are required to remove existing pollution or not. It will probably be necessary to enact reforms that include revisions of regional accords in order to address these problems.

The third is that it is necessary to problematize the relationship of American military affairs to the public sphere. As any number of base pollution incidents has clearly demonstrated, even in peacetime, military activity creates severe environmental problems, jeopardizing the safety of those living near the bases. In the name of "National Peace and Security," vast amounts of money such as the "Sympathy Budget" and various supplementary expenses have been paid to the American military. However, when considered from the perspective of environmental preservation, the activities of the American military have not respected the public sphere.

Drawing on the resolution of those who live in the areas where military bases are located and, more broadly, on that of citizens nationwide, it is necessary to develop a movement that demands environmental safety. While recognizing the priority that the American military places on the smooth operation of its oversea bases, it is critical that we press forward with demands for the disposal of hazardous materials and the removal of pollution. Fundamentally, environmental safety and military affairs are incompatible. So, from the perspective of environmental safety, we must radically reduce military activity. That is to say, unless we commit ourselves to a movement with citizens as its driving force, striving for environmental disarmament, there will be no resolution to the environmental problems created by the military.

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