

The Guam Treaty as a Modern “Disposal” of the Ryukyus

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Introduction by Gavan McCormack

Translation by Takeda Kyousuke and Takeda Yuusuke

Little attention internationally was paid to the agreement signed in February, 2009 between the newly commissioned Obama government in the US and the declining and soon to be defeated Aso government in Japan – the Guam Treaty. Many commentators drew the bland conclusion that by choosing Tokyo as her first destination Secretary of State Hillary Clinton was merely showing how highly the Obama government intended to regard the Japan alliance. Another view, advanced in these pages, was less benign. (See “Hillary in Japan – The Enforcer,” (<http://japanfocus.org/-Gavan-McCormack/3059>) February 2009) It was that Clinton went quickly to Tokyo fearing the Aso government might collapse in order to tie it and any successor government to the extraordinary deals that had been done between the Pentagon and Japanese governments over the preceding years. The Guam Agreement was the culmination of those deals, Okinawa the sacrificial

victim.

Clinton went, in other words, as “enforcer,” to lay down the law to Japan on the multi-billions of dollars that were required of it and to press the militarization of Northern Okinawa. Japan was to pay just over \$6 billion to relocate 8,000 Marines from Okinawa to Guam (of which \$2.8 billion was to be in cash in the current financial year), about \$11 billion to build a new base for the marines in Okinawa itself, continuing general subsidies of about \$2.2 billion per year (“Sympathy” budget or “Host Nation Facilities Support”) towards the costs of US bases in Japan, and payments on Missile Defense systems, estimated by the government of Japan at somewhere between \$7.4 and \$8.9 billion to the year 2012. As the Japanese economy reeled under the shock of its greatest crisis in 60 years, these were staggering sums. It was once said, of George W. Bush, that he was inclined to think of Japan as “just some ATM machine” for which a pin number was not needed. Under Obama, too, that relationship seemed not to change.

The “Special Agreement” on the relocation of marines from Okinawa to Guam signed by Clinton and Japanese Foreign Minister Nakasone Hirofumi was necessary for two reasons. First, because Okinawan resistance had forestalled all plans for base construction in Northern Okinawa for more than a

decade, ever since the deal concerning the Futenma base "return" was reached between the US and Japanese governments in 1996, and adopted in revised form in 2006. Since the target date of 2014 for the handover of Futenma seemed increasingly unrealistic, a formal diplomatic agreement was the device chosen to bring maximum pressure to bear on the Okinawa opposition. Second, because the Aso government's days were clearly numbered, and Washington wanted to get a deal signed and ratified by the Diet that would be enforceable against any subsequent government as to obviate any possibility of legal challenge.

The immensely unpopular Aso government (supported by the opposition Democratic Party of Japan (DPJ) grew steadily. Knowing well the the US pressed home the Guam deal) subsequently rammed the Agreement through the Diet on 13 May 2009, overruling the Upper House (which it did not control) by exercising its extraordinary constitutional powers under Article 59. After that, Aso's star kept falling till his government eventually collapsed after being ignominiously dismissed at the polls on August 2009.

During those last months, while Aso clung to power and took every possible step to please Washington and to tie down the Guam deal before democracy could intervene, support for the opposition Democratic Party of Japan (DPJ) grew steadily. Knowing well the DPJ's position on US-Japan relations, including opposition to the building of any new base in Okinawa, i.e. that the existing Futenma base should be returned, not replaced, the US viewed the DPJ with apprehension distrust.

Opposition Democratic Party leader Ozawa Ichiro spent a perfunctory 30 minutes with Clinton during her February tour, but found three times as much time

Obama came to office promising change, but at least a week later to meet and discuss the future of the far as Okinawa was concerned, his government moved quickly to enforce a key policy of the Bush administration, pushing home its advantage against an enfeebled, extremely unpopular government which it still enjoyed the Diet Lower House majority won four years earlier by Koizumi on his "reform" policy (which meant postal privatization). Much of Aso's legislative record – pleasing as it was to Washington – was of dubious constitutional propriety since he had recourse repeatedly to Article 59 (passage of a bill on

(other than Yokosuka) – were unnecessary. A chorus of anxious and alarmed voices rose from Washington and pressure was applied in multiple fora. Prominent US scholar-bureaucrats issued veiled threats about the “damage” the DPJ leader Ozawa Ichiro was causing the alliance by his references to an autonomous foreign policy. In controversial circumstances, Ozawa was ousted from leadership of the DPJ and replaced by Hatoyama in May.

government inclining towards an independent view of Japan’s defence and security and towards a renegotiated US-Japan alliance now takes office. The pattern in Okinawa is especially clear. In August the DPJ swept the polls, the DPJ recording a higher vote (in the proportional section) than ever before, and all five newly elected representatives promptly declaring their opposition to the base construction project.

The drumbeats of “concern,” “warning,” “friendly advice” from Washington that Hatoyama and the DPJ had better not take seriously the party’s electoral pledges and commitments, much less actually think trying to carry them out, rose steadily leading up to the election and its aftermath. How Hatoyama and his government will respond remains to be seen, but the exchange in late July between the DPJ’s Okada Katsuya (who in September was to become Foreign Minister) and Under Secretary of Defense for Policy

Even if it should choose to try to buckle under US pressure, the Hatoyama government will not easily be able to sweep away this deep Okinawan anger and disaffection. Nor does it seem that the Obama administration will henceforth be able to manage Japan - like its predecessors, Republican and Democrat - by simply dictating to a faithful and unquestioning “ally.” The world will be hearing much more about Henoko in coming months and years.

Michele Flournoy was suggestive (Nikkei Net, 26 July 2009):

Fluornoy: The reorganization of US forces in Japan is in accord with agreement between the two countries.

Okada: There are 64 years of history dragging along behind the US-Japan relationship.

Here Professor Sakurai, president of Okinawa University in Naha and a distinguished scientist, argues that the Japanese government’s environmental impact survey, on which the project to construct the new base at Henoko rests, is fatally flawed. If he is right, the Hatoyama Government must cancel it and issue orders for an internationally credible, independent scientific survey in its stead.

So, too, was Okada’s comment to British journalist Simon Tisdall, weeks after the election victory: “If Japan just follows what the US says, then I think as a sovereign nation that is very pathetic.” (The Guardian, 10 August)

After more than six decades, an alternative US-Japan Relationship,”

(<http://japanfocus.org/-Maeda-Tetsuo/6216>)

The Modern “Disposal” of the Ryukyus

The year 2009 marks the 400th anniversary of the Satsuma clan’s invasion of the Ryukyu Islands [today known as Okinawa], and the 130th anniversary of the “Disposal” of the Ryukyus by the Japanese Government in the Meiji Era. Both are pivotal incidents in the history of Ryukyu/Okinawa. Both are remembered as *shobunor* “disposal.” They were events of such moment as to change the fate of the islands forever, and both were the consequence of overwhelming external intervention. Today in Okinawa it is feared that the “Japan-U.S. Agreement on the Implementation of the Relocation of a Part of the Third Marine Expeditionary Force Personnel and Their Dependents from Okinawa to Guam” (hereafter abbreviated as “Guam Treaty”), which was concluded on 17 February 2009, may become a modern “Disposal of the Ryukyus”.



Ryukyu shimpo (16 February 2009) reports the February Deal, under the heading “Guam Relocation Agreement in reality promotes “Reorganization of US Forces in Japan”

This is because of the possibility that, without asking for the opinions of the Okinawan people, the Japanese and U.S. governments might make Okinawa into a permanent military installation equipped with the latest military facilities. The Guam Treaty, which basically affects only Okinawa, is required to abide by article 95 of the Japanese Constitution, which states “Any special law that is effective only in a particular region must be approved by the majority of the residents in a referendum before it can be enacted” prior to its conclusion or ratification. However, this treaty is about to be pushed on to the people of Okinawa without their being

consulted, much less giving their consent. The U.S. bases in Okinawa were built during and after the end of World War Two and through the post war era, irrespective of the will of the people of Okinawa. Now, after decades since Okinawa's reversion to Japan, this history is about to be repeated.

Public Opinion Says No

The public opinion of the people of Okinawa on construction of new bases is simple: they don't want any. For the Nago referendum of 21 December 1997, over 200 officials from Naha Defense Facilities Administration Bureau were mobilized into the area to support the "yes" case. The officials distributed to all houses colored brochures declaring "Sea bases are safe" "The base will lead to the promotion of development projects in northern Okinawa", but citizens stubbornly chose to differ. In addition, various surveys by the local press have clarified that over 80 percent of citizens oppose relocation within the prefecture (for example, the morning edition of *Okinawa Times* 12 August 2005 showed that 82 percent of people are against relocation to Henoko). The most recent evidence of public opinion is the resolution against the construction of new bases adopted on 18 July 2008 by the Okinawa Prefectural Assembly.

Why are people so negative? It is because the people of Okinawa [in 1945] experienced catastrophic ground war. That experience has left

the words "Life is a precious treasure" deeply engraved on their hearts. In 1972, when Okinawa achieved its reversion to Japan from American administration, the overwhelming majority of the people dreamed of an "Okinawa without bases" and of "rejoining the country with a Peace Constitution". The people wanted the bases removed and everlasting peace. However, the mainland government turned a blind eye to these demands, and decided to leave the U.S. bases as they were, instead offering Okinawa subsidies for economic support. Okinawa was given three times as much funding for public works projects as similar prefectures. The Japanese Government wanted the U.S. bases to continue.



One of Okinawa's Rarer Inhabitants – the "Three-Finger Kingfisher"

Today, Okinawa, which is only 0.6 percent of Japan's area, contains 75 percent of U.S. bases in Japan. After World War Two, for over 60 years Okinawa was made to take part in the Korean War, Vietnam War, Gulf War, Afghanistan War, and Iraq War, all of which victimized the people of Asia. Now, the various violations of human

rights and the environmental destruction caused by the bases have reached a limit. As Kurt Campbell has put it, “too many eggs are stacked on a small basket”.

Persistent Violations of Human Rights

One awful incident of human rights violation which we can never forget is the case in 1995 of three U.S. servicemen raping a 12-year-old Japanese girl. Such problems - including the violation of human rights of women - caused by the U.S. bases and U.S. soldiers (and their family members) are common, and virtually every day there are articles about them in the local press. Yet, incidents which come to light are only the tip of an iceberg. Countless violations go unreported.

Early in the morning of 4 April 2009, in a hit-and-run accident near the entertainment district of Naha City, three people crossing the crosswalk on a green light were run over by a Y-numbered vehicle and seriously injured. Y-numbered cars are registered as vehicles for US army/navy civilian employees. An hour later, the car stained with blood was found in a vacant lot in the bar quarter of Kin Town, near Camp Hansen, with two men who seemed to be U.S. soldiers standing beside it. On 10 December 2008, at Igei District of Kin Town, a stray bullet which probably came from Camp Hansen damaged the license plate of a car parked at the garage of a civilian. In the past, on at least two occasions

people have been seriously injured by stray bullets in Igei District. Now the same kind of incident is repeated in the same place. To make matters worse, the U.S. army did not admit that the bullet came from their camp, and the Japanese Government could do nothing about it. The Okinawa freeway goes right by Camp Hansen. Near Igei District there is a sign saying “Beware of stray-bullets”. I duck my head every time I pass this area. Security is always threatened in Okinawa.

As a university professor, the helicopter crash incident at Okinawa International University on 13 August 2004 remains clear and vivid in my mind. It was unbelievable that there were no casualties. Moreover, I was very shocked to know that president Tomoaki Toguchi and all other people concerned were shut out from their university for 7 days. Okinawa International University is located adjacent to the Futenma base, and when the helicopter crashed into the campus, the marines rushed from the base to occupy the university. In order to secure the fuselage and to cover up all evidence of the incident, they cordoned off the area to prevent entry by university staff and mass media. On 11 August 2005, one year after that incident, I sent a statement of protest to the Japanese and the US Governments, to both President Bush and Prime Minister Koizumi. I said that if a US helicopter happened to crash into Okinawa University, I, as president of the university, would not permit

U.S. soldiers to enter my campus without my permission. Okinawa's present situation is such that a university president has to take such measures.

The U.S. Marine Futenma Air Station, surrounded by a thickly populated district, is located so close to the residential area that it would not clear US safety standards under Air Installation Compatible Land Use Zone (AICUZ). Donald Rumsfeld, when Secretary of Defense, visited this area and pointed out the danger. Therefore, taking the opportunity of the rape incident in 1995, the SACO (Special Action Committee on Okinawa) decided the base should be relocated to Henoko, reaching agreement in December 1995 supposedly to "reduce the burden of Okinawa". The helicopter crash occurred in 2004 (one year after the deadline for relocation under the SACO final agreement) but before Futenma Air Station was relocated, proving that the location of the base was dangerous.



Cape Henoko (including Camp Schwab base),

Aerial View

This SACO agreement, seen from the U.S. military point of view offered a new facility with the latest technology and a naval port in a thinly populated area with all expenses covered by the Japanese people's hard-earned taxes, while requiring only the abandonment of an inconvenient, obsolete base in the middle of a thickly populated district. In other words, it was an "unexpected windfall". However, even if a Futenma Air Station substitute facility is needed for national security, there is no necessity for the new relocation area to be in Okinawa. As for the people, who live in a place where "too many eggs are stacked on a small basket", they have the right, from a human security perspective, to demand the base be relocated somewhere else, inside or outside Japan.

Why the Guam Treaty Now?

The Guam Treaty between the Japanese and the U.S. Governments was supposed to reduce Okinawa's burden. However, considering what is taking place in areas such as Kadena Air Base, Camp Hansen, and White Beach Military Port, the treaty is only making matters worse for Okinawa. In Kadena Air Base, dawn takeoffs and landings of F-15 jet fighters leave residents of the area around the bases - such as Kadena Town, Chatan Town and Okinawa City - sleepless. However, the authorities do not listen to the protests of those citizens.

Even though there is a noise abatement regulation between the U.S. and Japanese Governments on Kadena Air Base, a clause annexed to it states that exceptions may be made when requested by the USAF. The USAF claims that dawn takeoff is necessary for safe return to mainland USA and never takes the suffering of local residents into consideration. Meanwhile, the Japanese Government just keeps repeating, "We will ask the U.S. forces to improve this situation." In 2009, squadrons of F-22 stealth jet fighters (one of which recently crashed in mainland USA) flew to Okinawa, and they now conduct daily training.

In Camp Hansen (known for the number of accidents caused by stray-bullets), the Japanese Self Defense Force and U.S. forces have started joint training for urban-warfare. Also in the White Beach Military Port area, increasing numbers of nuclear submarines call at the port. This is due to their mission of collecting information in preparation for possible military action in the Taiwan Strait.

The burden of such intensification of base functions is always accompanied by some compensation. Since reversion of Okinawa to Japan in 1972, over a 30 year period three "Okinawan Promotion and Development" plans were carried out and in 2002, a further, 10 year promotion plan to 2012 was launched. These four government-led development plans, which have lasted for 40 years in total, will end in a few more

years. They have provided Okinawa with nearly 10 trillion yen worth of public works (mainly construction related) as a form of compensation for Okinawa's acceptance of the bases.

However, regardless of the SACO agreement, the relocation of Futenma Air Station to the Henoko area has been deadlocked because of fierce (but non-violent) protests by the local residents against the relocation plan.

Frustrated, in May 2007 the Japanese Government took its next move, enacting the "Bill on Special Measures to Implement U.S. Military Realignment". Under this new law, the acceptance of the U.S. bases became a kind of "piecemeal" for the people of Okinawa. The level of subsidy was linked to base acceptance and the Defense Force Facilities Bureau paid local self government authorities to the extent that they adopted the Futenma Replacement Facility. It was an undisguised "carrot and stick" approach. Subsidy was paid only when the local government actually completed each step in the relocation process. The government classified the level of cooperation into four stages:

- (1) announcement of the acceptance of the U.S. bases in the area (10 percent of the full amount of the subsidy to be paid);
- (2) commencement of the environmental impact assessment (hereafter "EIA") process (25

- percent to be paid);
- (3) commencement of the main construction works, for example land reclamation (66.7 percent to be paid); and
- (4) final implementation of the realignment plan (full amount to be paid).

Incidentally, as I will discuss later, public works funded by such subsidies cause serious damage to the delicate natural environment of Okinawa. Not only the environment, but also the sense of pride and self governance of Okinawa, are violated.

Why should there be another “Ryukyu Disposal” now? After the reversion to Japan, Okinawa became split between on the one hand the Okinawan people, wanting the “Peace Constitution” of Japan to be applied to their island and for their home to be free of military bases, acting to make their military base issue one of the main points of contention in Japanese politics, and on the other hand the Japanese Government and some of its collaborators in Okinawa intent on concentrating U.S. bases under the Japan-U.S. Security Treaty in Okinawa, and struggling to prevent the bases from becoming the main political issue. The past 30 years of Okinawan “promotion and development” plans and the ongoing plan is a political measure of the Japanese Government’s

efforts to prevent the base issue from becoming a major political issue. This strategy, although it caused environmental destruction, has been politically successful to some extent.

Such a strategy can be best seen in the way the local government of Okinawa has acted for the last 10 years under former governor Inamine (1998-2006) and incumbent governor Nakaima (2006-) to avoid making the military base issue into the main political issue. This started right after the resignation of former governor Ota (1990-1998), who for eight years following the 1995 rape of the school-girl strived to make the military base issue a main political issue.

Nevertheless, the Okinawan public has continued nonviolent protests against the construction of the Henoko base replacement for the Futenma Air Station, and a wide variety of Okinawan people support the idea of stopping the governmental plan to relocate the base within Okinawa, due to the fear of human rights violations and environmental destruction caused by the presence of the base itself.

This was evident in the victory of the Opposition in the Prefectural Assembly election of June 2008, and the Assembly’s adoption of “Opinion and Resolution against the Construction of a New Military Base in Henoko” by the Assembly on 17 July 2008. Also, at the level of national politics, there is currently a chance of change of the administration [such as occurred with the

landslide victory of the Democratic Party of Japan in the 30 August 2009 elections [GMC]. It amounts to a crisis for the plan made by Japanese and US Governments to relocate the base within Okinawa. This may be seen as the biggest reason for concluding the Guam Treaty in February 2009.

Environmental Destruction Caused by the “Promotion and Development” of Okinawa

The Japanese government-led “promotion and development” plan for Okinawa, soon to reach its 40th year, was provided as a compensation for keeping the US bases in the region. However, state funded public works are standardized nation-wide and often do not meet the needs of particular regions. This is especially the case in Okinawa. Agricultural and road construction public works have caused massive red clay runoff into the sea, killing the coral and causing serious ocean pollution. Public works ill-suited to the environment of Okinawa have resulted in the widespread destruction of Okinawa’s mountains, rivers, and sea.

Okinawa is the prefecture that has conducted the most land reclamation. After its reversion to Japan, Okinawa went through rapid land reclamation projects under the slogan “close the gap” between Okinawa and the Japanese mainland. During the eight year-period 2000 to 2007, Okinawa acquired more land from land reclamation projects than any other prefecture.

The land reclamation project of the year 2000 (the year of the G8 Okinawa Summit) was the most significant of all, constituting one-quarter of all newly gained land nationwide. Reclamation became its own end, and much reclaimed land was left unused. One of Okinawa’s characteristics is that such projects may bring a temporary benefit, but job opportunities do not last. Natural shorelines and wetlands have steadily shrunk. Furthermore, the precious coral reef that is left around the main island of Okinawa faces a critical situation because of new reclamation projects to begin at Henoko and Awase. To fulfil our responsibility to the children of the next generation, we must stop such undertakings.

The Course of Relocation of Futenma Air Station to Henoko

The U.S. plan to build a base in Henoko has existed from as early as the Vietnam War era. According to the December 1966 master plan of the U.S. navy, the marines were to reclaim the sea near Henoko and construct an airfield with a 3000 meter-long runway, while the navy was to build a port in Oura Bay. This old plan came back to life in 1996 in the form of the SACO agreement (following the 1995 assault by U.S. troops on the school girl.). The SACO agreement on the construction of a “Futenma Air Station substitute facility” in the Henoko area is described as relieving Okinawa of its burden. In reality, however, this is not simply a “substitute facility”. Rather it is to be a state of the art facility

equipped with naval port (which does not exist in the current Futenma Air Station) in addition to the flight facility.

Originally, the plan was to build a heliport inside Camp Schwab. As time passed, other plans were raised, such as “limiting the use of the base to 15 years after which the site would be returned and incorporated in plans for the development of the northern region of the island” or “joint usage of the facility by both U.S. forces and the Okinawans”. They were designed to take advantage of the weakness of the northern regional economy, which suffers from depopulation. However, all such plans eventually evolved into the plan for construction of a permanent base. When the plan for building a new base off the coast of Henoko came up against a blank wall as a result of the local residents’ non-violent protest, U.S. forces and the Japanese Government came up with a plan to build it on the shore of Henoko Bay, in a restricted area attached to Camp Schwab which would be almost impossible for civil activists to enter for purposes of protest. They later further expanded their plan and came up with a plan for “V” shaped runways.

It is not surprising that some residents suspected that the whole thing was a result of a hunt for concessions by interested parties. If the plan for building the base off the coast of Henoko should be adopted, they would need to fill in the deep sea outside the coral reef and it would be difficult

for low-skilled local construction companies to take part. On the other hand, if the plan for building it on the shore were to be adopted, reclamation works only in the shallow waters inside the coral reef would be required and local construction companies would have a chance to participate.

The governor of Okinawa Prefecture and the mayor of Nago City have recommended construction “a little off-shore”, aiming to increase the landfill area for the benefit of local firms. Although they explain to the public that this decision comes from their desire to protect residents from noise pollution and other dangers, nobody doubts the hidden intention. Meanwhile, the Japanese Government and U.S. forces insist upon their “strictly on-shore” plan. This is from fear that if they should adopt the “a little off-shore” plan, it would be easier for local activists to restart their protests.

The mass media from the Japanese mainland reports this as if the discrepancy between the Japanese Government and local governments of Okinawa is the main conflict. Such reporting leads the people of Japan to believe, falsely, that it is best for the people of Okinawa if the governor’s plan is adopted. As if in support of this concern, the draft EIA report for Henoko which was submitted on 1 April 2009 included six alternative plans for “a little off-shore” plan, all of which seemed designed to prepare the way to a compromise with the governor’s plan.

Yet, the large majority of public opinion of Okinawa is against the construction of the new base. Therefore, the true question at issue is whether or not to allow the base to be built.

The Henoko EIA is not an EIA

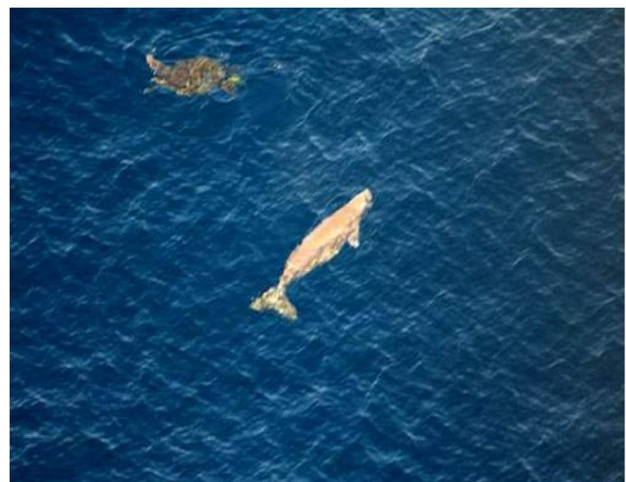
The Henoko environmental impact assessment (EIA) has, at least in form, been steadily moving ahead. On 1 April 2009, an enormous, 5,400 page draft EIA report was tabled. However, in many respects the Henoko EIA contravened the intention of the EIA Law. As a member and councilor of the Japan Society for Impact Assessment, I cannot acknowledge this as a true EIA. Due to space limitations, I will indicate just four points that are crucial violations of the EIA Law.



The Draft EIA Report, 5,400 pages (author photo)

First, the Agreement on the Realignment of the United States Armed Forces in Japan (the so-called Roadmap) of May 2006 set the goal of a new base by the year 2014. Therefore, the EIA

procedures were obliged to follow that goal. This is a big problem. Natural phenomena are very unstable, and since understanding the behavior of animals like the dugong was necessary, the people, experts, and even the prefectural governor called for a long-term field study. However, the Okinawa Defense Bureau (hereinafter “ODB”) decided that the goal of 2014 was the higher priority, and started the study without making any definite statement about a long-term field study. A year later, on 14 March 2009, they suddenly declared a conclusion of the study and on 1 April 2009, the draft EIA report was submitted. That report does not include the study of the impact of typhoons on the local environment, even though the ODB itself recognized its necessity. Unfortunately for ODB, no typhoon struck Okinawa in that year, hence no study could be conducted.



Turtle and Dugong Swimming together off Henoko
(Higashionna Takuma)

Second, the ODB conducted a “present condition study” (at a cost of more than two billion yen) without receiving the benefit of the scoping document required by the EIA Law. This study was conducted before the EIA team had set a goal to complete all procedures before 2014. On top of that, they used the results of the study as “existing information”, and started working on their draft EIA report. The equipment for the dugong and the coral reef’s research were set up by divers at night, while the Japan Maritime Self-Defense Force brought up their minesweeper “Bungo” to intimidate civilians engaged in nonviolent opposition activities. As a natural result of the operation conducted by people who were ignorant of the behavior of coral reef and the dugong, the equipment damaged the coral reef, and the video cameras turned out to threaten the dugong. The draft EIA report of 1 April 2009 says that there are no dugong in the coastal area of Henoko, but it is highly likely that such a result was caused by the threatening activities of the survey teams for dugong have actually been seen for many years in the east coast of the Okinawan mainland, including the coastal area from Kin Bay to Henoko to the north. Dugong trenches (the pattern of their grazing on seaweed) have also been spotted.



Sea Floor Scarred by EIA,

(Tanahara Morihide, May 2007, Dugong Network Okinawa)

Now, according to the draft EIA report, the only dugong confirmed in the study was one offshore from Kayo and two in the bay of the Kouri islands. The report only considers the impact of the construction of a new base on the three dugong that were found, and with such invalid data concludes that the construction would have little impact on the ecosystem of the Okinawan dugong. This is clearly a leap in logic. As the draft EIA report says, according to the past research results of the Ministry of the Environment (MOE), the research results of the Naha Bureau of the Defense Facility Administration, and the survey results of 10 different fishermen’s cooperative associations that relates to this, it is clear that Henoko Bay provides (or provided) perfect conditions for dugong habitat. Therefore, the EIA procedures could not be said to have been properly conducted unless quantitative assessments were

made as to the extent to which the dugong might be deprived of the possibility of maintaining and reproducing their population if a new base was constructed in the Bay of Henoko, their vital habitat.

Third, since it is the Japanese Government (Ministry of Defense) that conducts the survey but the actual base will be run by the US, beyond Japanese control, the project content listed in the scoping document is virtually zero. The scoping document submitted on 14 August 2007 was a slipshod piece of work, with only 7 pages allocated to explanation of the contents of the project. In the section on “the aviation model planned to be used”, one line refers to “US tilt-rotor aircraft and aircraft which are capable of short takeoff and landing.” Although the U.S. has since 1996 made clear their intention to deploy the next generation vertical takeoff and landing (VTOL) Bell-Boeing V-22 Osprey, this matter is not mentioned at all in either the scoping document of August 2007 or the draft EIA report of April 2009. The Osprey is an aircraft notorious for its frequency of accidents, a fact that the Japanese Government has been concealing.

For those reasons, the Okinawa EIA Prefectural Reviewing Committee pointed out that ODB should start EIA procedures over again when they are ready with a clearer plan for the project. Taking this into consideration, on 11 January 2008 the ODB submitted a 150 page-long additional document on their plan. Yet, since

they provided their information only little by little, the view that the ODB should be asked to go back to the drawing board as stated in article 28 of the EIA Law grew stronger within the committee. Shocked, the prefectural government tried to settle this issue by having the ODB rewrite the scoping document instead of starting its work again from scratch. One reason why things turned out this way is that there was no expert in EIA Law on the committee. Its interpretation was exclusively that of the prefecture’s environmental policy department.

ODB rewrote its scoping document twice according to the prefecture’s formula, respectively on 5 February and on 14 March 2008 before its final submission; in other words it made additions and modifications to the plan twice. The prefecture’s department of environmental policy originally said that the documents submitted by ODB in February and March 2008 were rewritten scoping documents, but later they changed that explanation to avoid being criticized for violation of article 8 of the EIA Law which guarantees citizens the rights to express their opinions on scoping documents. Violation of these rights is clearly against the spirit of the EIA Law as a procedural-law. The Okinawa prefectural government now says that the scoping document of the project is the one submitted on 14 August 2007 and the documents submitted in February and March 2008 are merely additional information. In any case, local

residents were only able to submit opinion papers on the ODB's original plan, and were denied opportunity to question or make submission about the two modified versions of the plan.

Moreover, the ODB plan, which was released to the public on 1 April 2009, included a newly added plan for four helipads. Needless to say, this is another example of ex post facto high-handedness.

The fourth issue concerns the unwillingness of ODB to make assessments concerning the environmental impact which would be caused by the new plan, released in January 2008, to purchase 17 million square-meters of sea-sand (all collected from waters near Okinawa) from private enterprises for use in the landfill projects. This vast amount is about 12.4 times all sea-sand collected in Okinawa in the year 2006, and equivalent to 1.14 times all the sea-sand collected in the year 2005 nation-wide. The effect caused by such projects on the environment of the coastal areas and beaches of Okinawa would be incalculable.

The people of Okinawa know from experience the severe damage from salt at the time of typhoons if they were to damage their beaches by collecting sea-sand offshore. Nevertheless, ODB claimed that there would be no problem in buying legally collected sand from private enterprises, and that there was no need to

conduct an EIA on this issue. Even though collection of sea-sand on a small scale might have no environmental effect serious enough to require an EIA, if repeated countless times it would have a considerable effect. This is an example of what is known as the "fallacy of composition".

Soon after that, the ODB was forced by growing public anxiety to revise their original plan and announce that they would purchase sand from outside Okinawa. Yet, considering the cost, it is clear that a large part of the sea-sand would be collected from the waters of Okinawa and the issue still remains a great concern.

The coastal areas of Henoko are classified as rank 1 (areas to be strictly protected) under the Okinawa Prefectural Government's Guidelines for Environmental Protection. They require special care. That is to say, this area has extraordinary importance for the environment. For example, the massive colony of blue coral found a few years ago in the northern Oura Bay (near Henoko) turned out to be equivalent in size and rarity to its famed counterpart in Shiraho, Ishigaki-Island. No matter how careful they may be about the protection of the environment, as long as they continue to build bases, these environments will continue to perish. Despite references in the Henoko EIA to "concern for the environment", since there is no option to stop the project it amounts in fact to a "death sentence".

The eastern coast of the island of Okinawa (especially the Henoko area) is known to be the northernmost habitat of dugong. The International Union for the Conservation of Nature (IUCN) at its fourth international conference on nature conservation held on 14 October 2008 in Barcelona adopted for the third time a recommendation for the protection of the dugong. In October 2010, the Tenth Meeting of the Conference of Parties to the Convention on Biological Diversity is to be held in Nagoya (COP 10). The whole world watches to see what efforts Japan, the host country of this conference, will make for the protection of the dugong. Besides, there has been a lawsuit in the U.S. Federal Court of San Francisco about the protection of the dugong in Okinawa, arising out of the fear that they might become extinct as a result of construction of a new base at Henoko. On 24 January 2008 the Case was decided in favor of the plaintiff [i.e. the dugong and Okinawan environmentalists] in accordance with the National Historic Preservation Act. The Court ordered the Pentagon to evaluate how the construction and use of the new base in the Henoko area would affect the endangered dugong of Okinawa, and to take the result of the evaluation into account as they actually execute the construction plan and operate the base. The Pentagon responded by saying that the Japanese Government's EIA procedures would do this task for them. However, it is questionable if the U.S. Federal Court would be satisfied with the result

gained in the draft EIA report - that "Dugong are not in the Henoko area, but in the offshore area of the Kayo region. Considering the distance between these two areas, it is doubtful that construction or use of the new base in Henoko would ever affect them."

Taking into account that this draft EIA report was tabled on 1 April (April Fool's Day), I even think that this plan itself must be some kind of a joke, with the real thing to be turned in separately, later.

For a Foreign Policy We Could Be Proud Of

Now, let me summarize my position. The realignment plan for the U.S. forces which is behind the May 2007 "Bill on Special Measures to Implement U.S. Military Realignment" includes the relocation of the Marine Corps to Guam, relocation of Futenma Air Station to Henoko, and return of the Okinawan bases south of Kadena to the land's civilian owners. However, due to protests by local residents and delay of EIA, it was found impossible to move the base by 2014 as originally agreed by both the U.S. and the Japanese Governments. Also, since there has been volatility in the political situation [deepened as a result of the change of government following the national elections of 30 August 2009, GMc], both governments agreed to make another international agreement called the Guam Treaty aside from the Agreement of the Realignment of the United States Armed Forces in Japan (so-

called Roadmap) made in May of 2006, to bind themselves to the plans.

This Guam Treaty is totally unacceptable, since it forces the people of Okinawa to accept the plan to relocate the Futenma base to the Henoko area without listening to their opinion. The Japanese Government states that diplomacy and national defense should be under the control of the national government. But the presence of the U.S. bases constitutes an everyday threat to the lives of the people of Okinawa. Therefore, from the viewpoint of human rights, the Okinawan people have the right to demand the abolition of military bases from their island.

“Today’s self-government law provides that the national government and the local government should be considered equal. In brief, this means that even if decisions concerning the Japan-U.S. Security Treaty are made by the national government, local governments reserve the right to make decisions on how and where to actually construct the bases.” (Sato Manabu, *Okinawa Times* 17 March 2009)

Since the reversion of Okinawa to Japan, U.S. bases in Japan have been concentrated in Okinawa. In compensation, the government conducted many public works in Okinawa. As a result, serious environmental disruptions were expected, and EIAs (though sometimes used as a device to secure consent for their projects) were conducted because of that fear, resulting in mass

production of EIAs. Since many of the EIAs in Okinawa such as those for Awase Wetland, New-Ishigaki Airport, Takae Helipads, and Henoko were made by companies specializing in conducting EIAs, a negative chain reaction resulted, spreading and expanding tactics that go against the spirit of the EIA Law.

The EIA system, which has been an indispensable part of Japanese society’s attempt to realize sustainable development, has been flawed in Okinawa, and now, that flaw is boomeranging back on the entire nation. The whole of Japanese society stands to be seriously damaged by forcing the bases on to Okinawa and acting as if this has nothing to do with the rest of the country.

In February 2003, just a year before his death, the late Chief Cabinet Secretary Gotoda Masaharu said, “Since Japan relied on the U.S. entirely on national defense, it ended up being a “client state” of the U.S.” Taking Gotoda’s words into account, Gavan McCormack, emeritus professor of Australian National University, says in his book *Client State, Japan in American Embrace* that “Japan has virtually changed itself into a client state of the U.S.” If Japan is a “client state” of the U.S., Okinawa may be described as its “military-colony”. As a Japanese citizen I strongly demand that the Japanese Government practice a foreign policy that the people of Okinawa can be proud of.

Philippines

Author Note: Sakurai Kunitoshi is President of Okinawa University in Naha, a well-known scholar in the field of environmental studies, author, inter alia, of *Chikyū bunmei no jouken (The Conditions for a Global Civilization)*, with Sawa Takamitsu, Iwanami Shoten, 1995.

(<http://japanfocus.org/-Hayashi-Kiminori/3185>)

Miyume Tanji, Community, Resistance and Sustainability in an Okinawan Village: Yomitan

(<http://japanfocus.org/-Miyume-TANJI/3062>)

This article is based on his testimony on 8 April 2009 as expert witness to the Foreign Affairs Committee of the Japanese House of Representatives examining the Guam Treaty. It was published in Japanese as "Arata na Ryūkyū shōbun to shite no Nichi-Bei Guam kyōtei," *Sekai*, July 2009, pp. 96-105. English translation by Takeda Kyōsuke and Takeda Yuusuke.

Hideki Yoshikawa, Dugong Swimming in Uncharted Waters: US Judicial Intervention to Protect Okinawa's "Natural Monument" and Halt Base Construction

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Gavan McCormack's introduction was completed on September 15, 2009.

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Catherine Lutz, US Bases and Empire: Global Perspectives on the Asia Pacific

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Sakurai Kunitochi, Okinawan Bases, the United States and Environmental Destruction

(<http://japanfocus.org/-Sakurai-Kunitoshi/2946>)

See the following relevant articles on the United States military bases and Asia:

Hayashi Kiminori, Oshima Ken'ichi and Yokemoto Masafumi, Overcoming American Military Base Pollution in Asia: Japan, Okinawa,