

## Congress Declaration (Tentative Translation)

The 33<sup>rd</sup> Japan Environment Council (JEC) Congress in Okinawa was held from 21 to 23 October, 2016 at Okinawa International University. Under the main theme of “Environment, Peace, Local Autonomy and Human Rights – Exploring Future from Okinawa”, active discussions were held by more than 400 Japanese and overseas participants in Plenary Session and six Subcommittees.

1. Present Situation and Problems of Okinawa from the Viewpoints of “Environment, Peace, Local Autonomy and Human Rights”

(Environment)

In the past, JEC Congress were held twice in Okinawa in 1988 (8<sup>th</sup> Congress) and 1996 (16<sup>th</sup> Congress). This year’s Congress is the third one held in Okinawa. In the 16<sup>th</sup> Congress, environmental disruption problems caused by the presence of military bases and public works were indicated and removal of military bases and promotion of new industries aiming at circulating societies were recommended. However, 20 years later in Okinawa, the disruption of the natural environment is more rampant, and the pollution of the living environment of the people is left unattended without appropriate countermeasures.

By the construction works forced by Japanese Government in Henoko and Takae, the environment of Ohura Bay and subtropical forest in Yanbaru, well known for their rich biodiversity and untouched nature of highest degree, is damaged by large scale. Environmental disruption expected in the western part of Japan due to the extraction of soil for the reclamation work in Henoko will also be tremendous. Noise problem caused by existing US military bases and soil and water pollution by toxic substances are deteriorating instead of decreasing due to the priority given to the operational requirements of US forces and their legal basis - exclusive right of control – damaging people’s living environment and natural environment.

(Human Rights)

We have to recognize first of all that these environmental problems we are now confronted with are human rights problems. Military forces are in their nature violence installations to cause infringement of human rights. Due to the exclusive right of control given to US forces by SOFA (Status of Forces Agreement) and the lack of policy to control them at the side of Japanese Government, human rights of local people are violated seriously. Taking the opportunity of Earth Summit in Rio de Janeiro in 1992, the world community has determined that the enjoyment of good environment and its handing over to next generations are very important human rights. However, in Okinawa, human right violation by environmental disruption is worsening, freedom of expression is restricted by the oppression of protesting movements, right to know and right to participate in decision process are damaged by arbitrary impact assessment procedures. In conclusion, people’s voice is ignored.

(Peace)

Okinawa is now right in the midst of the fortifications by Japanese and US governments. It is promoted by the construction of new US bases as a part to strengthen more Japan-US Alliance, the strengthening of self-defense system in Ryukyu archipelago based on the Fundamental Principles of Defense and the Mid-term Defense Force Improvement Project launched in 2013, and the disposition of self-defense force in the area. Okinawa experienced a fierce land battle in the World War II, bore the burden of US military bases under the direct US rule without the application of Japanese Peace Constitution, and even after the reversion to Japan the established framework has been maintained and strengthened even more. Through their experience of the land battle of Okinawa, people of Okinawa fully realized that peace cannot be achieved by military forces. Therefore they want to live peacefully without military forces, but their hope is far from being achieved. Moreover, the ongoing fortifications are the constructions of full-scale military bases with attack capacity surpassing greatly the peace framework of Article 9 of Japanese Constitution. The assertion made by Japanese Government that Okinawa has geographical advantage as the location of USMC bases fails completely. It is necessary to make an all-out effort to collect wisdoms to construct a regional security system non-dependent on military forces setting Okinawa as its center.

#### (Local Autonomy)

Okinawa has been declaring its clear intention against the oppression by Japanese Government. The approval of sea reclamation for the construction of new base in Henoko made in 2013 by Mr. Nakaima, the then Governor of Okinawa, was against his campaign pledges. Under the banner of all Okinawa with Mr. Onaga as the central figure, Okinawa has made a party to demand the solution of Okinawan problems starting from the stoppage of the New Henoko Base Project. The neglect of Okinawa's intention by Japanese Government is a violation of local autonomy guaranteed by the Article 92 of Japanese Constitution. It is also violating Okinawa's right to self-determination. Under the Local Autonomy Law that defines central and local governments as equal cooperative partners, it is never allowed for a democratic county to force against the intention of local governments the construction and offer of US military bases that are out of control not only by local governments but also by the government itself leaving the ongoing environmental disruption and the violation of human rights as they are. Not only the complete neglect of Okinawan people's will by the Government but also the High Court decision that instructs Governor Onaga to correct the revocation of Henoko's landfilling approval are the acts and problems that trample down the basis of right to local autonomy guaranteed by the Constitution and affect all local governments.

The right to self-determination (UN Chapter Article 1, International Human Right Agreement Article 1) has developed along with the process of decolonization and it is now established in the field of international human right laws as a legal right of political, economic, social and/or cultural minority groups to develop themselves. Not only the construction of US military bases but also the disposition of self-defense forces in Ryukyu Archipelago are the coercion of military use of land and the violation of right to self-determination of Okinawan people.

The concentration of US military bases and the fortifications of Ryukyu Archipelago by the disposition of self-defense forces are damaging communities in Okinawa and impeding the economic self-reliance. Islands in Ryukyu Archipelago are small and people are living in densely populated area. It is very important to recognize that the existence of huge military bases in those areas are incompatible essentially and causes inevitably a tension among local communities and their self-reliant economies that have been coexisting with natural environment.

#### (Structured Discrimination)

As symbolized by the jeers "aborigines (dojin)" made by the riot police in Takae,

concentration of US military bases in Okinawa, the fortifications of Ryukyu Archipelago by the disposition of self-defense forces, violation of human rights, and non-existence of local autonomy and democracy are all based on the structured discrimination that developed historically since the Disposal of Ryukyu. Its prompt eradication is a burning task for the Japanese society as a whole. In the Congress, the problem of historical injustice (colonization) done by Japanese Government towards Okinawa endowed with original culture was discussed. The discussion was also done about the problem of the right to self-determination based on UN Declaration of the Rights of Indigenous People in 2007 that clearly defines the right to land/area/resources. Although these problems have been discussed in UN to some extent, the discussion in Japan so far has not been enough. It is necessary hereafter to discuss these problems in all Japan verifying modern and contemporary Japanese history.

## 2. Radioactive Pollution and the Present Condition of the Victims of Nuclear Power Plants' Accident – Problems of the Support to the Victims and Nuclear Power Policy of the Government

Immediately after the accident, many victims came to Okinawa seeking safety to escape from the fear of radioactive pollution. Many of them came to Okinawa in spite of difficult family and economic environment putting highest priority to the life and the health of their children who bear the future. We have to recognize seriously the fact that many victims participated in the Congress and appealed their distress.

Although 5 years have passed since the Great East Japan Earthquake and the nuclear power plant accident, the accident has not quite come to an end yet and more than one hundred thousand people are still forced to live as refugees. Under the declaration of atomic emergency, the Government did not order evacuation for the area where the radiation is over 1 milli-sievert per year set by Radiation Damage Prevention Law and Nuclear Power Plant Control Law using 20 milli-sievert per year as a guide for the evacuation order. Moreover, the Government now tries to promote the return of people and discontinue the compensation through the cancellation of evacuation order. The risk of radiation to human health is sufficiently recognized scientifically. The Government should diagnose the situation of radioactive pollution and take all measures to protect the health of its people. The choice of refuge by victims should be fully respected as the right to seek safety. It is an urgent task to recover the right to live for all the victims who are suffering from the disturbance of their living base by radioactive pollution. It is necessary to prepare proper legislations that will protect health and life of refugees such as the guarantee of various choices including long term shelters. Many residents both refugees and the people who stay at home suffer from serious damages including the loss or transformation of their native places. To recover their own rights, many victims have raised law suits against TEPCO and the Government. It is requested for wide-ranging people to support the struggle of victims.

The Government is promoting the re-start of operation, new construction and export of nuclear power plants. This will expand the risk of human right violation and environmental pollution to overseas affecting the local people who live in the vicinity of plant sites including minorities. This act of barbarity should never be forgiven.

## 3. Recovery of Local Communities Where Each Person is Respected and Able to Conduct a Safe Life

The common factor in the above mentioned situations is the fact that sacrificing of minorities is done openly for the sake of profit and prosperity of the whole and that it is institutionalized and structured. We should go back to our point of origin, namely "environment, peace, local autonomy and human rights", the basic value the Japanese civil society has developed under Japanese Constitution, and its basis "dignity of individuals". We have to restore sustainable local societies where each person is respected and able to conduct a safe life instead of sacrificing somebodies. And it is our generation's important responsibility to hand over the basis of such societies, namely the natural environment, to

the next generation without damage and pollution.

Based on the above-mentioned discussions, we hereby propose the following recommendations

Recommendations:

1. Japanese Government should stop immediately the construction of New Henoko Base and Takae helipads. In order to recover the rights of Okinawan people, the Government should also take positive actions to withdraw the disposition of ospreys done against the will of local people and to demand the US Government the immediate closure of Futenma air station called the most dangerous military base in the world. On this case the Supreme Court should pass judgement that is consistent with the guarantee of the right to local autonomy determined by the Article 92 of the Constitution
2. The Government should revise SOFA that evades the polluter pays principle and clarify the responsibility of US forces to restore original conditions when they return military bases. As far as the environmental disruption/pollution of possible US bases' origin is concerned, the response should never be left to the discretion of Japan-US Joint Committee but the right to enter and make an inspection by local governments and citizen groups should clearly be stated in SOFA or its supporting documents. Information disclosure about the pollutions caused by US military bases including those by the ones returned in the past should be done as much as possible to guarantee the right to know of local people.
3. The Government should construct a legal system to realize environmental democracy including the right to have access to information as well as the right of participation in EIA process. The Government should also examine measures that prevent SLAPP (strategic lawsuit against public participation) because it damages the democratic decision making process.
4. The disposition of self-defense forces in Ryukyu archipelago is a full-scale fortification that exceeds, by national security legislation, the existing defense only framework. This will damage local environment, local autonomy and local communities. Local people have historically learnt that peace creation is done by the promotion of cultural exchange based on people's daily life. The Government should withdraw immediately its plan of disposition of self-defense forces in Ryukyu Archipelago.
5. The Government should carry out a comprehensive epidemiological health study and grasp the real situation of damages recognizing radioactive pollution as a clear case of public nuisance. The Government should strengthen immediately the measures that will respect the right to live including the supply of medical service and expenses as well as the continuation and expansion of housing support. It is requested for wide-ranging people to support the struggle of victims who try to recover their own rights through law suits.
6. The Government should stop immediately the re-start of operation, new construction and export of nuclear power plants that will become a new cause of environmental pollution. They should also close the existing nuclear power plants to establish a society free of nuclear power.
7. In order to create local communities where each person is respected and able to conduct a safe life it is very important for us to strengthen national and international solidarity through the promotion of exchange among the people and the establishment of places where citizens and specialists can discuss freely exchanging their experiences and expressing their opinions. It is vital for us to promote the cooperation of young generations in the region who will bear the destiny of coming age.

23 October, 2016  
Ginowan, Okinawa, Japan