



## Urgent Situation at Okinawa's Henoko and Oura Bay: Base Construction Started on Camp Schwab 辺野古と大浦湾、緊急事態 キャンプ・シュワブで基地建設始まる

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Here is our update on the situation concerning US military base construction in Henoko and Oura Bay. We have divided it into three parts: The Japanese government (and US government), Opposition movements, and issues that are unclear and need to be clarified. Many things are very clear now. Both the Japanese government and people in Okinawa are so determined to prevail that we expect the tensions between the two to escalate with the possibility that confrontation will become ugly and dangerous. Meanwhile, there are things that are still not clear or many people may not be aware of. But we think some of them, once clarified, could change the dynamics of this 18-year-long Okinawan saga.

### The Japanese Government and the US Government



Image 1. Henoko construction started: TV clip from QAB Asahi

On July 1, 2014, the Okinawa Defense Bureau started the first phase of base construction work in Henoko and Oura Bay (see [Ryukyu Shimpo](#)). This involves tearing down factory buildings, barracks, and clinic offices at Camp Schwab to create a work yard. According to news reports (see [Ryukyu Shimpo](#)), drilling surveys on the sea floor, which will destroy the coral, are set to begin by the end of July. Actual land reclamation could start right after the gubernatorial election on November 16, 2014.

The start of construction amid Okinawa people's strong opposition and concern over environmental destruction indicates the Japanese government's willingness to do whatever it takes to push the construction plan forward. The US government appears to go along with the Japanese plan.

**Many people in Okinawa saw this coming**

In December 2013, the Japanese government was able to persuade Okinawa Governor Nakaima Hirokazu to change his previous position of "No to the construction in Henoko" to approve the Okinawa Defense Bureau's application for land reclamation, a prerequisite for base construction.

In January 2014, the Okinawa Defense Bureau began contracting with survey and construction companies. This was done against the background of the January 10 passage of a resolution by the Okinawa Prefectural Assembly calling for the resignation of Governor Nakaima for his approval of the reclamation work (see [Japan Update](#) (English) ) as well as the fact that Inamine Susumu, anti-base construction candidate, decisively won the Nago Mayor's election on January 17 (Henoko and Oura Bay is in Nago City), securing his second term and Nago City's anti-construction position (see [Japan Times article](#) (English)).

The Japanese government is now threatening those who oppose the construction of the base. It has indicated that it will not hesitate to apply the Keitoku hou, a special criminal law, to prosecute anyone who enters the construction area (see [Sankei Shinbun](#)). This special criminal law was established in 1952 to enforce the agreement under Article 6 of the Treaty on Mutual Cooperation and Security between Japan and the U.S (The Ampo Treaty).

In line with this, on June 20, the Japanese and US governments agreed to expand Camp Schwab's present off limits water area from 50 meters to 2 kilometers off the coast of Henoko (see [transcript](#) of Defense Minister Onodera's Press Conference). The expansion became effective on July 2 (see [Ryukyu Shimpo](#)). Now, almost half of Oura Bay is off-limits. Anyone who enters this expanded off-limits area, to protest, fish, or just to sightsee, could be arrested for breaching the special criminal act.

This is the basic reality.

## Opposition movements



*Image 2. Gathering before Peace Parade in Naha, Feb. 11, 2014.*

The vast majority of people in Okinawa continue to oppose the construction plan. According to the latest telephone polls conducted by the Ryukyu Shimpo on May 7, 2014 (see [Ryukyu Shimpo](#)), 74% of the people of Okinawa oppose the construction plan. Only 16% support construction. These numbers have remained constant for the last 18 years. And, as mentioned above, the Okinawa Prefectural Assembly passed a resolution on January 10 calling for the resignation of Governor Nakaima for his approval of the reclamation work.

Many individuals have taken or are willing to take whatever steps are necessary to prevent the construction. The sit-in protest at Henoko Tent village continues, with more people visiting the village. People have started practicing “sit-in on the water” protests with canoes and small boats. Rallies and gatherings have been held in various parts of Okinawa against the construction (see [Ryukyu Shimpo](#) for the latest protest rally at Henoko Tent village on June 28).

People have filed a lawsuit against Governor Nakaima claiming that the governor’s approval for reclamation breaches the public land reclamation law. They demand that Governor Nakaima retract his approval (see [Ryukyu Shimpo](#)).

Nago City, headed by Mayor Inamine, continues to oppose the construction plan. The City Office has been sending letters of inquiry and questions to the Okinawa Prefecture Government as well as to the Okinawa Defense Bureau, demanding explanation for details of the construction plan and refusing to issue permits to the Bureau (see [Ryukyu Shimpo](#)). Also, Mayor Inamine recently visited NY and Washington D.C., lobbying US policy makers for the withdrawal of the construction plan (see [New York Times](#)).

On the environmental front, NGOs are asking the international community to examine and voice against the impacts of the base construction/operation on the environment.



*Image 3. NGOs and Nago Mayor Inamine at US MMC on May 20, 2014*

NGOs have submitted a request letter to the US Marine Mammal Commission regarding the possible impact of the base on the Okinawa dugong, an endangered marine mammal species inhabiting the area of Henoko and Oura Bay (see the [request letter and the appendix MEMO](#) in English). NGOs have also contacted the International Union for Conservation of Nature (IUCN) regarding the possible introduction and spread of alien species from transportation of large amounts of rock and soil from other parts of Japan (see the [request letter](#) in English). The NGOs await responses from these organizations.

### **Things that are unclear and need to be examined**

There are things that are still not clear, that many people are not aware of, and that media outlets have not reported in detail. Some of them could change the dynamics of this 18-year-old Okinawan saga. We are able to provide the following information derived from our meetings to discuss the issues (resist) with government officials and engagement in various projects to stop the construction.

First, the Japanese Ministry of the Environment, supposedly a national guardian of the nation's environment, remains

silent over the issue of military base construction in Henoko and Oura Bay. Despite the fact that the area of Henoko and Oura Bay is considered as one of the most biodiversity rich areas in Japan, the Environment Ministry has not gone beyond stating the obvious, that the Okinawa Defense Bureau needs to follow whatever is required to adhere to environmental conservation. Privately, however, ministry officials have expressed concern about possible environmental impacts and disappointment at the Governor's approval of reclamation.

Interestingly, the Ministry of the Environment is pushing its bid to have Okinawa (Ryukyu) and Amami Islands registered as a UNESCO World Natural Heritage (see [Japan Times](#)). The forest of Yanbaru, just 20 km away from Henoko and Oura Bay, is considered a candidate site (see [Ryukyu Shimpo](#)). One must wonder what this is all about. But, one can also see, this has opened up possibilities that could be explored to challenge the construction plan. We will discuss this in another article.

Secondly, while Governor Nakaima insists that his decision to approve the reclamation work was an "administrative decision," in accordance with the public water reclamation law (see [Ryukyu Shimpo](#)), emerging evidence suggests otherwise. The law stipulates that the Governor cannot issue a permit unless the project sufficiently considers environmental conservation and disaster prevention (Article 4-1-2). We are deeply concerned that his approval was a mere political decision, lacking scientific backing and validity, breaching the law, thereby putting at great risk our environment and our life.

Through NGO fact-finding meetings with the Okinawa prefectural government and the Okinawa prefectural assembly's special investigation committee (see hearings [video clips](#)), we know that the following took place, leading to Governor Nakaima's approval (that is, assuming that Governor Nakaima and the officials told the truth).



*Image 4. Fact finding meeting between NGOs and Okinawa Prefectural Government on Jun. 6, 2014*

Can you tell who are NGO members and Who are officials? In Okinawa, we dress alike.

When Governor Nakaima made his decision, there were two different sets of information on the table. One was provided by the head of the Department of Environment and Social Affairs of the Okinawa prefectural government as well as by Mayor Inamine of Nago City. This information set discussed various concerns about environmental conservation. The other set was provided by the head of the Department of Civil Engineering and Construction of the Okinawa prefectural government. This set declared that the Okinawa Defense Bureau's reclamation application was in accordance with the law. Governor Nakaima went along with the latter information, the Department of Civil Engineering and Construction being the department responsible for making decisions regarding reclamation of public waters.

We see two problems here. The first concerns the validity of the information Governor Nakaima accepted and adopted in his approval. The information from the Department of Environment and Social Affairs and from Nago

Mayor, which could have led Nakaima to reject reclamation, was compiled in consultation with experts and scientists (see [Okinawa BD report](#)). Many of the experts and scientists are in fact appointed by the Okinawa prefectural government itself. Governor Nakaima ignored or dismissed this information.

The latter information, which Nakaima adopted, was compiled by three middle rank officials from the Department of Civil Engineering and Construction. These officials have admitted that they have no expert knowledge and experience of environmental conservation regarding the dugong, corals, sea grass, and alien species issues as well as military operations (see [Okinawa BD report](#)). They also admitted that they did not consult with any scientists or experts in compiling the information. Where is the scientific backing for the Governor's approval?

The second problem concerns the validity of the entire process (or scenario) presented by Governor Nakaima and his officials. Was it really possible that these middle rank officials could make such an important decision by themselves, without consulting experts and scientists, and that then, and only then, the governor endorsed it? Or was the case really that these three officials were told to produce information that would favor the Governor's approval and become scapegoats? As long as Governor Nakaima and his high-ranking officials stick to the stories they provided in the Special Investigation Committee's hearings, these questions remain speculative. But we need to keep asking them.

Finally, we need to pay close attention to the role of the US military in the start of military base construction in Henoko and Oura Bay. We know that the US military (and the US government) endorsed the Japanese government decision to expand the off-limit water area in Henoko and Oura Bay. But what about the "dugong lawsuit" (Dugong vs. Rumsfeld)? Does anyone remember it?



Image 5. Dugong vs. Rumsfeld

In January 2008, the US District Court for the District of Northern California ordered the U.S. Department of Defense (DoD) to comply with Section 402 of the U.S. National Historical Preservation Act before engaging in any federal "undertaking" (see [Asia-Pacific Journal](#)). The DoD was ordered to conduct its own analysis of or to "take into account" the impacts of the construction and operation of the base on the Okinawa dugong. This case has been held in abeyance by the Court because of the uncertainty of the base construction plan since February 2012 (see Center for Biological Diversity, et al., Plaintiff(s), vs. Leon Panetta, Secretary of Defense, et el., Defendant(s). Case3:03-cv-04350-MHP Document147).

The very fact that the Okinawa Defense Bureau started the first phase of construction means that the Bureau was able to obtain permits from the DoD to enter Camp Schwab for the purpose of carrying out the construction. (Work entry permits are required for construction works on US bases). This in turn means that the DoD must have completed the "take into account" process ordered by the Court because issuing entry permits is a form of "federal undertaking."



Image 6. Dugong Origami on the Fence of Camp Schwab on Jan. 1, 2014

The problem is this: we, including the Okinawan plaintiffs in the lawsuit, do not know how and when the DoD conducted its investigation. Nor have we seen any statements and documents coming out of the process. Did the DoD conduct the entire process and hold all the documents in secret while issuing entry permits to the Japanese government to start the construction? If so, is this really legal under US law? We will be asking the DoD and the US government these questions.

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