

7<sup>TH</sup> Meeting of the International Network of Women Against Militarism

RESISTANCE, RESILIENCE, AND RESPECT FOR HUMAN RIGHTS

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Country Report OKINAWA

1 "Guam Relocation Agreement" in the Name of "the Reduction of the Burden of Okinawa," and the People's Resistance

U.S. Secretary of State Hilary Clinton, chosen by President Obama's administration, visited Japan as her first foreign visit to conclude "Guam Relocation Agreement" with Japanese Government. Even though this "Guam Relocation Agreement" has such a deep impact on the future of the people of Okinawa and Guam, it was determined without consideration of the sovereignty of those people. This agreement constitutes the core of the U.S. military realignment plan, reached an agreement between the U.S. Government and the Japanese Government in 2005 and 2006, for the further reinforcement and expansion of the U.S. military with its intention of anti-terrorist strategy. This agreement contains completion of transportation of U.S. Marine from Okinawa to Guam; Japanese Government's financial responsibility to implement this transportation plan; and construction of new military base at Henoko as an alternative facility to the Futenma Air Station, by 2014.

Both the U.S. government and the Japanese government emphasized that the transportation of 8,000 U.S. Marines and their dependents, projected to possibly number around 9,000, as "the response to Okinawan residents' long-cherished wish" and "the reduction of the burden of Okinawa residents," when they agreed upon the U.S. military realignment plan. In fact, Japanese Prime Minister and Director General of Japan Defense Agency stated that it is reasonable for the Japanese Government to take financial responsibility in the cost for relocating U.S. Marines to Guam—necessary in the construction of barracks, schools and residential buildings—for "the reduction of the burden of Okinawan residents."

This agreement was passed in the House of the Representatives (but was rejected in the House of Councilors). In the process of discussion, it became clear that the transportation of 8,000 U.S. Marines only means decrease in the quota of military personnel from 18,000 to 10,000. In the past 10 years, the actual number of Marines stationed in Okinawa is about from 12,500 to 13,000. It means that, this relocation plan may reduce the number of U.S. Marines stationed in Okinawa only from 2,500 to 3,000, although many people in Japan and Okinawa considered that this relocation plan would reduce 8,000 marines from the actual number of U.S. military personnel currently stationed in Okinawa. Japanese Government will pay 59 percent of the cost for the construction of the facilities for 8,000 U.S. Marines and their 9,000 dependents. Therefore, the reality of this relocation plan is further U.S.-Japan military

integration and expansion and U.S.-Japan joint military operation.

The reality of this realignment plan is to perpetuate U.S. military base in Okinawa and to locate strategic point in Guam in the name of the reduction of "the burden of Okinawa."

## 2. Resistance by All the Means We Have—Referendum, Non-Violent Direct Action, Trails and Opinion Letters

Relocation of 8,000 U.S. Marines from Okinawa will be implemented on condition of completion of the construction of the new U.S. military base in Henoko. It does not mean "the reduction of the burden of Okinawa," but rather means they are preparing for the permanent U.S. military presence in Okinawa and the destruction of natural environment, an important habitat of dugongs. People of Okinawa therefore have continued resistance for thirteen years.

In 1995, 12-year-old girl in Okinawa was kidnapped and was raped by three U.S. servicemen. People of Okinawa organized "island-wide" protest to demand a consolidation and reduction of U.S. military bases in Okinawa and review Status of Forces Agreement (SOFA). The protest moves led the U.S. and Japanese governments to establish the Special Action Committee on Okinawa (SACO) and to agree on return of Futenma Air Base within 5 to 7 years and on return of the military training area in the northern part of Okinawa Island. However, failure to find a replacement site outside Okinawa led the U.S. and Japanese governments to propose relocation of Futenma Air Base to Henoko and of six helipads in the military training area in the northern part of Okinawa to Takae, where local municipalities accept this plan for obtaining government funding to develop the village.

In 1997, residents of Nago City showed their rejection of the construction of the new U.S. military base in Henoko in Nago City referendum. However, Nago City mayor and council accepted this relocation plan. For thirteen years, from the referendum until present, people's struggle against this U.S. military construction plan has continued with all non-violent means—sitting in, canoeing, and boating to stop environmental assessment, writing opinion letters to the preparation/document for environmental assessment, filing a lawsuit against the U.S. Department of Defense, and organizing nationwide petition campaigns. In September 2005, the Japanese government gave up conducting their environmental assessment, the scaffolds built up for the assessment in the coastal area of Henoko were dismantled, and the sea was recovered.

However, both the U.S. and Japanese governments proposed the New Coastal Plan in October 2005. It was part of their realignment program and build new military facility in the coastal area of Camp Schwab as an alternative to Futenma Air Station.

After the Battle of Okinawa, many people of Okinawa have been evacuated from their land for the construction of U.S. military bases. Many of our people have experienced many kinds of violence caused

by the existence of U.S. military. We have known that U.S. military training in Okinawa has been connected to military conflicts and massacres in other parts of the world. The will of the people has been expressed in the opinion surveys. They show our rejection on military base, causing massacre and destruction. On the other hand, local municipalities' acceptance is controlled by increased lease income obtained from their property being used by the U.S. military and the special government funding in the post-reversion period.

In September 2008, the new assembly composed after Okinawa Prefectural Assembly Election adopted "Opinion to Oppose the Construction of New Base in the Coastal Area of Henoko, Nago City."

The assembly also stated that "the responsibility of us the people of Okinawa is to oppose perpetuation of military presence, construction of Henoko new base causing environmental pollution and destruction, but to inherit Okinawa's world class natural environment to the next generation." Moreover, in March 2009, the Prefectural Assembly adopted the opinion which expressed their concern that the "Guam Realignment Agreement" will result in the construction of military base in the coastal area of Henoko, Nago City, and that it will be concluded without considering the will of the people.

Academics and intellectuals representing Okinawa made a statement to Secretary of State Hillary Clinton, and pointed out how the U.S. military base and troops in Okinawa has deprived human rights and the rights to self determination from the people of Okinawa. In the statement, those academics and intellectuals declare that most people in Okinawa oppose to "Guam Realignment Agreement" with the following three aspects:

- Cancellation of the new base construction (Isellipon in Henoko, Nago City and Pehpas in Takae, Higashi-Village)
- Unconditional return of Futenma Air Station
- Further reduction of U.S. Military bases (return of the military bases to the south of Kadena Air Base)

### 3 . We Do Not Need Military Base for Massacre and Destruction in This Sea of Treasure

In April 2009, Environmental Assessment Preparation/Document necessary for the construction of the new military base in Henoko was publicly announced notified by the Defense Facility Administration Bureau and was inspected by people. In opposition to this documents, which extends over 5400 pages, civilians and environmental specialists have submitted opinion letters. The quality and quantity of those letters are equals to those of the Defense Facility Administration Bureau' Preparation/Document. The Preparation/ Document is currently examined in Okinawa Prefecture Environmental Assessment Examination Association, which was established at the request of Okinawa Prefectural Governor.

While anti-military movement organizations, environmental specialists and lawyers have watched on the examination process, 344 civilians from inside and outside Okinawa have filed a lawsuit against the Japanese Government to demand them to redo the Preparation/Documents and pay 10,000 yen for each plaintiff as a state compensation at the Naha District Court in the afternoon on August 19<sup>th</sup>.

In December 2008, Defense Facilities Administration Bureau has asked the court to take render a provisional disposition against fifteen residents who have sit-in and protested against the construction of helipad in Takae, a habitat of endangered Okinawan floras and faunas. This Administration Bureau's oppressive action against Takae residents with the power of the court has been called as an unprecedented procedure and is now under procedure.

In January 2008, a U.S. Federal Court in San Francisco ruled that the Secretary of Defense and the Department of Defense to confirm whether the environmental assessment take enough consideration of environmental impact and to propose dugong protection measure based on National Historic Preservation Act (NHPA).

In the military realignment plan, the U.S. government places Guam as an important military base in the future. Main Operating Base (MOB) plan includes the permanent disposition of military and the residence of their dependents. Therefore, the military need the facilities, such as schools and golf course to support their lives. In Guam, preliminary measures based on Guam Relocation Agreement for the relocation of marine, such as construction of residential facilities and infrastructure.

Temporary economic growth enabled by the construction of military facility. The destination of it is military dependent society, and state, where military, causing massacre and destruction, occupies important position.

What is indicated by the connection of the U.S. marine relocation plan and the construction of new military base in Henoko is not the reduction of the burden of Okinawa, but is further reinforcement of the U.S. and Japan military-security, which will bring further infringement on true security and peace for people.

We need to shift military dependent society toward coexisting and harmonious society. We need to stop further military reinforcement.

We should demand withdrawal and reduction, not relocation.

## **2. Violation of human rights, violence against women**

- Request for withdrawal of military forces
- Quick responses of Japanese and US governments are for the stable maintenance of

the bases. –

1) **After October 2007 (After the Conference in San Francisco ), the crimes against women committed by the U.S. soldiers.**

In addition to the incidents, some taxi drivers were robbed by the U.S. soldiers and resulted in bodily injury. These kinds of incidents occur in large numbers.

- **On October 1, 2007, the 22 year-old restaurant employee was raped by the son of the Colonel in the U.S. Air Force and resulted in bodily injury.** The offender received a three-year prison sentence without suspension in Okinawa district court. (November 19, 2008)

- **On February 10, 2008, the sexual crime incident against the 14 year-old girl.**

On the night of February 10, 2008, the offender skillfully spoke to the school girl. took her to his house by his motorbike, ran after the girl who tried to escape and raped her inside of his car. The girl sought for help on her cellular phone and her friends reported to the police and the offender was arrested in case of emergency. The offender was different from young marines who tend to have high crime rates and he was a resident outside of the bases. This case emerged as a new problem.

-- The victim withdrew a complaint. In the military court, the offender received a three-year prison sentence.

- **On February 18, 2008, the 22-year-old Filipino woman was raped by the 28-year-old army soldier.**

One week after the girl rape incident, this incident happened during the curfew was imposed on all U.S. soldiers. It truly indicates that "strict enforcement of official discipline" by the U.S. armed forces is only in name. The victim came from the Philippines to Japan for working at a pub around Kadena Air Base. On the third day after her arrival in Japan, she became the victim of this incident. Although she was carried to a hospital while she had heavy bleeding, this U.S. soldier insisted that he paid the bar for taking her out and he obtained mutual consent. The Okinawa district public prosecutors office dropped the case. Though the case was prosecuted in the judiciary of the U.S. armed forces, the rape incident was disregarded. The offender's behavior during the curfew was only questioned. He received a six-month prison

sentence without suspension for the violation of military regulations.

**2) Security for mental and legal aids of the victims, and Action to request for the withdrawal of the U.S. armed forces.**

We, "Okinawa Women Act Against Military Violence," immediately after the girl rape incident, expressed a written request that demanded for the mental care of the victim, the apology and compensation for the victim, the strict punishment for the offending U.S. soldier and the withdrawal of military forces, and sent this request to the U.S. president, the U.S. consul, and the U.S. four martial negotiator. Then, on February 19, "We don't want dangerous neighbors! -- an emergency meeting for women" was held by the women under the joint sponsorship of 25 groups.

The prefectural assembly, every municipal assemblies, and *Pacificist & Human Rights* organizations delivered their statements of protest one after another, and on March 24, 2008, the rally of the prefecture residents was held.

It appears in the reality how the protection of privacy for victims, the mental care and the legal protection are insufficient. Because the crimes of the U.S. soldiers have nature to become political problems, especially in the case of sexual crime, the protection of privacy for victims and the mental care must be improved enough and the environment in which the victims can easily take the offenders to court must be created.

Every time the incident happened, the U.S. armed forces promised "the strict enforcement of official discipline" and "the day of reflection," but they can not be preventive measures for the repeating crimes of the U.S. soldiers. Because of high crime rate of marines who occupy the majority of the U.S. armed forces, the measure to impose a curfew (from midnight to 5 a.m.) on young soldiers has enforced since June, 2004. However, this time, the offender was the middle-ranking soldier and he lived outside of the bases, so the measure was entirely ineffective.

Both Japanese and the U.S. government representatives expressed their regrets, and the U.S. armed forces took some measures for the strict enforcement of official discipline, for the reeducation of soldiers and a curfew. But in the middle of this situation, another incident happened. What can we say to this situation caused by the military forces whose aim is a top-down system. In the background which the external behaviors are not promulgated on the rank and file of the soldiers, it indicates that the sexual abuse is not considered as the most important matter of military organization.

Although Japanese government repeats making a request for "the strict enforcement of official discipline" and "the prevention of recurrence" every time the incident happened.

they recognize these crimes only as the factors to destabilize Japanese-American relations, and they do not recognize them as the violence against women and the violations of human rights. There is a case in which they used that a rape and a sexual assault are offense indictable only on complaint, they forced victim to settle out of court and they quieten down the incident.

About Filipina rape incident, in July, the Philippine Diet member, who is the Gabriela representative in the Philippines, visited Okinawa for an on-the-spot survey in compliance with the Philippine assembly's instruction. She met some members of the prefectural assembly and the mayor and investigated the working conditions of Filipino women. Also, Filipino group in Okinawa played a leading role in a street parade for supporting the victim and for requesting justice.

- 3) The correspondence of Japanese and the U.S. government is not the purpose of the prevention of violence against women and violation of women's human rights, but for the stable maintenance of the bases.

A few days after the incident happened, the U.S. ambassador in Japan visited the Governor of Okinawa prefecture and left the letter of apology with the Governor. The Secretary of State, Gonzalez Rice expressed her regret and the quick correspondences continued. There had been a lot of activity going on such as the curfew imposed on entire U.S. armed forces in Okinawa, peace on the day of reflection, and Okinawa Special Ambassador proposed the installation of surveillance camera for the prevention of crime. However, these quick correspondences are not for the sincere apology for the victim, but mainly for the aim to suppress the resistance of Okinawa prefecture residents and the anti-military base movement.

Ms. Anne Wright, who is a pacifist activist and a former Colonel of Air Force, visited Japan in May and introduced her report of investigation stating, "One-third of female soldiers are the victims of the sexual abuse" inside of the U.S. armed forces. Also, she pointed out, "the U.S. armed forces do not consider the prevention of rape and sexual abuse against women in their stationing countries or against female soldiers as their priority issue. Unless a commander of corps which caused a sexual abuse should be resigned, or unless the countries where the U.S. assembly and the U.S. armed forces are stationed should strongly request for the measure to prevent sexual abuse and make an intervention, the U.S. military forces do not try to take a positive move." And she emphasized the importance of monitoring by the local residents and raising the residents' voices.

Among the dispatched troops in Afghanistan and in Iraq, many sexual abuse incidents against the female soldiers were recently reported by the victims themselves.

These cases are the deep-rooted issues as the structural violence of military forces.

#### 4) **The Discovery of A Secret Agreement Between Japan and the U.S. Status**

##### — **The agreement not to bring into a prosecution**

In August, 2008, in the U.S. *National Archives*, the book of minutes was discovered. In this book, the document that Japan and the U.S. agreed not to bring the crime of the U.S. armed forces into prosecution was found.

##### Abandonment of the first jurisdiction over the U.S. soldiers

According to the book of minutes for the Japan-U.S. joint committee on October 22, 1953. Japanese side expressed, "There are only few cases that the Japanese authorities take an offender into custody" and they do not detain an offender as much as possible. The Japan-U.S. Administrative Agreement which decided on the legal status of the U.S. soldiers in Japan ( the present Japan-U.S. Status of Forces Agreement ) was revised in September, 1953, and it is said, "Japan has the right to exercise the first jurisdiction (except crimes during public service)."

Furthermore, because of the Status of the U.S. armed forces in Japan which is protected by the Japan-U.S. Status of Forces Agreement, the U.S. soldiers can escape from the prosecution of crime, and they can return to their country after receiving a suspended sentence.

A sexual crime is an offence indictable only on complaint. At the same time, the discrimination against women and the prejudice against sexual abuse are deeply rooted, so the rate of report of the damage is the lowest among the crime incidents. Besides, how many human rights are violated in the past because of the agreement not to bring a criminal into a prosecution. They are incalculable.

There is a case that the offender returned to his country after receiving the suspended sentence, but he committed a similar crime again.

On November 2, 2002, the Major of U.S. Marine Corps was accused of attempting sexual assault and damaging to articles against the Filipino woman who worked as a cashier at an officers' club. In July, 2004, he was sentenced to one year in prison, with a three-year suspension. He was demoted to a lower position and was discharged from military service. He returned to Virginia in the U.S., where he was arrested for attempting rape against the 18-year-old Vietnamese woman in October, 2005.

On August 18 in this year, there was a media report saying that this Major of U.S. Marine corps was put on probation for three years, but the sentence passed on him in Japan has not carried out.



In October, 2007, in Hiroshima-city, the four U.S. soldiers who belonged to Iwakuni base took the 19-year-old woman into their car and committed the gang rape. This case was not prosecuted in the Japanese district public prosecutors office. Although the offenders were found guilty in the military trial, this may be considered as the influence of the secret agreement.

**5) For the nature of military as a violent device, we request for definite reduction and withdrawal of military.**

The relocation of 8,000 marines to Guam is said to be the reduction of burden for Okinawa, but it is just the maintenance of military power and the transfer of violence. Ms. Anne Wright pointed out that we should not only allow the higher officers of the U.S. armed forces to just finish expressing "their regrets" when the criminal incidents happen, but also we should strongly request the commanders of the corps to take responsibility. Not only the U.S. armed forces, but also the Self-Defense Forces are the same. We should deny violence, support the victims, create the environment which the victims can easily bring a suit and change the society which admits military and violence.

Also, Japanese government should breach the secret agreement in 1953, and drastically revise the Japan-U.S. Status of Forces Agreement which is an unequal treaty. We consider the violence of military as a structural violence. After all, it is abnormal that the U.S. military forces have continued to stay in Okinawa for 64 years after the war. We need to direct our steps toward not only the reduction of areas or spaces of the U.S. military bases and the transfer of military, but the removal of military and the contraction of the entire scale.