

Observations on the State of the Rights of Indigenous Peoples in the Ryukyus in Japan

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Reporting Organizations:

The Association of the Indigenous Peoples in the Ryukyus (AIPR)

AIPR is a non-governmental organization (NGO) established in 1999 in accordance with the principles of the United Nations Charter and the Universal Declaration of Human Rights. AIPR aims to restore the rights of the indigenous peoples in the Ryukyus, in particular the right to self-determination, in constructive cooperation with indigenous organizations, international organizations and citizens' organizations around the world.

MezonRyukyu #402, 4-260-3, Shuri Ishimine-cho, Naha city, Okinawa, Japan 903-0804
Tel: +81-98-988-1703, Email: aipr_un_ngo@yahoo.co.jp

Executive Summary

Despite the repeated recommendations from the previous Universal Periodic Reviews (UPRs) of the United Nations Human Rights Council (UNHRC), the United Nations Human Rights Committee (CCPR), and the Committee on the Elimination of Racial Discrimination (CERD), the Japanese government continues not to recognize the Ryukyuan peoples as indigenous peoples nor respect and implement the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). Not only that, the Japanese government seizes the sovereignty of the Ryukyuan peoples to promote exploitation and militarization of our land and sea, promotes development in the tourism industry under their colonial rule, and affirms ongoing prejudice and discrimination against the Ryukyuan peoples. The Ryukyuan peoples remain unguaranteed of their indigenous rights. In this UPR, we urge member states to firmly recommend the Japanese government to recognise the Ryukyuan peoples as indigenous peoples and to implement the UNDRIP, especially Articles 2, 3, 4, 15, 18, 21, 30, and 39.

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Part I: Previous relevant UPR recommendations

In the 3rd cycle (2017 - 2021),

- Paraguay urged Japan: “Continue and deepen the implementation of measures to avoid and prevent discrimination against minorities and indigenous populations, including through consultations with the different indigenous peoples.”
- Namibia recommended and Japan supported: “Continue to strengthen its anti-racist and anti-discrimination measures.”
- Iran recommended and Japan supported: “Take adequate measures to effectively address violence against foreign, minority and indigenous women by prosecuting and sanctioning all forms of violence, and ensuring that victims have access to immediate means of redress and protection.”

- Peru recommended and Japan noted: “Strengthen measures so that ethnic minorities - Ainu, Ryukyu and Burakumins - can fully enjoy their economic, social and cultural rights.”
- Guatemala recommended and Japan noted: “Ratify the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169).”

In the first cycle (2008-2012),

- Guatemala recommended and Japan supported: “Urge Japan to seek ways to initiate a dialogue with its indigenous peoples so that it can implement the United Nations Declaration on the Rights of Indigenous Peoples.”

Part II: Current status of infringement of rights of the indigenous peoples in the Ryukyus

1. Discrimination and hate speech against the Ryukyuan peoples in Japan

Despite the previous UPR recommendation to take measures to prohibit discrimination against the Ryukyuan peoples, the Japanese government has not accepted the recommendation and has not recognized the Ryukyuan peoples as indigenous peoples. No anti-discrimination measures have been taken in compliance with the recommendations made by CCPR, CERD and UNDRIP.

The Act for the Elimination of Hate Speech was enacted in 2016, but it promotes the prohibition of hate speech against persons originating from outside Japan, and does not include hate speech against the Ryukyuan peoples. Shortly after the enactment, a member of the Riot Police Unit dispatched from the Osaka Prefectural Police called local citizens who protested against the construction of a new US military helipad in Okinawa Island in the Ryukyus as *dojin* (dirt people). However, a decision made by the Abe Cabinet at the time was that this sort of incident cannot be recognized as hate speech, which indicates that the Japanese government officially affirmed discrimination against the Ryukyuan peoples. Ichiro Matsui, a former governor of Osaka Prefecture at the time, defended the riot police member who uttered the discriminatory statement with a comforting remark towards him. Followingly, discrimination and hate speech mainly on the Internet against the Ryukyuan peoples gained momentum in Japan. The term *dojin* has become established as discrimination and hate speech by Japanese people against the Ryukyuan peoples, and even the term "monkey" has come into usage.

Here are some more incidents:

(i) Right-wing groups attacked a tent village in Henoko

In 2017, a large group of people led by Makoto Sakurai, the current leader of the Japan First Party and the former leader of Zaitoku-kai (the Association of Citizens against the

Special Privileges of the Zainichi), attacked the tent. They surrounded a few senior local citizens at the tent, yelling "Perish! Get locked up in old folks' homes! Hey, you cockroaches!" Again, the police connived their hate crimes without putting an end to them.

(ii) Hate crime against senior local citizens in Henoko

In August 2018, a driver crashed the car into a woman in her 80s and a man in his 60s who protested peacefully against the construction of the new US Henoko base in front of the gate of the US Camp Schwab. The woman suffered from bone fractures in both of her legs, and the man from laceration in one of his legs. At that time, a disgusting hate speech such as "Why didn't they completely run over them to kill them?" was posted on the Internet.

(iii) Hate speech against an Okinawan teenager blinded by a Japanese police officer

In January 2022 in Okinawa Island, a police officer dispatched from the Miyazaki Prefectural Police struck a local high school boy with a baton without giving any warning. Consequently, the teenager lost sight in his right eye. In response, abusive speech was made against the boy while defending the perpetrator, and hate speech further developed against Okinawan and Ryukyuan people, calling them "dirt people" or "monkeys." Japanese police officers dispatched to Okinawa seem to have bias and a sense of special mission against the Ryukyuan peoples as if they are bureaucrats dispatched for colonial rule.

(iv) Hate speech by Japanese immigrants

Okinawa Prefecture (or the Ryukyu Islands in general) has become an increasingly popular destination for relocation among Japanese people. However, their discrimination and hate speech against indigenous peoples in the Ryukyus have also become the norm. A popular book called "The true reasons why poverty is never eliminated from Okinawa" authored by a Japanese immigrant Kotaro Higuchi (ISBN: 9784334044794) promotes a theory of self-responsibility as a cause of widespread poverty in Okinawa Prefecture while neglecting structural discrimination behind it. He also claims that Japanese immigrants should be able to more openly criticize local citizens, but it implies that he openly promotes oppressions against the Ryukyuan peoples.

One immigrant opposed the reconstruction of Shuri Castle (the former political center of the Ryukyu Kingdom) which was destroyed by fire in 2019, and has been also convicted of assaulting local citizens, especially women, who opposed US military bases. He also assaulted a Ryukyuan senior citizen, causing serious femur fractures.

In August 2016, a month after the Sagami-hara stabbings (an incident of murdering people with disabilities in Japan), a local woman in her 70s was stabbed with a knife by

a Japanese immigrant who just relocated to Okinawa. The suspect testified that he just wanted to stab anyone, but there was a possibility that he targeted a Ryukyuan person. Hate crimes against the Ryukyuan peoples are reaching the stage of threatening their life.

(v) Discrimination and hate speech by public officials and public institutions

Discriminatory remarks by Yuriko Koike against Tamaki, the current governor of Okinawa Prefecture:

Yuriko Koike, the current Governor of Tokyo, insulted Denny Tamaki, the current governor of Okinawa Prefecture, at the time when both of them were members of the House of Representatives by asking Tamaki, "Do you really understand Japanese?" It was a clear discriminatory remark against Tamaki because he has US Marine father and Ryukyuan mother.

Acts against Ms Fumiko Shimabukuro by Masamune Wada, the prosecution and the right-wing members:

In 2016, Masamune Wada, a member of the House of Councilors, took provocative acts such as relentlessly chasing after Ms Fumiko Shimabukuro (87 years old at the time) to take her pictures while she was protesting against the construction of the new Henoko base. When she brushed his camera away with her hand, he filed a victim report against her for being assaulted. Ms Shimabukuro was a wheelchair user with a heart condition, but the Nago Police Station requested Ms Shimabukuro to appear before them for questioning. She is a person who was hit by a flamethrower during the Battle of Okinawa and narrowly escaped death. During her questioning at the police station, right-wing propaganda vans stormed the streets and aired raid sirens at a loud volume. In response, the elderly lady with a heart condition complained of palpitations, tremors, chills, and nausea, which made her questioning interrupted. From the right-wing's act, we sense a serious intention to kill her. Even on the Internet, hate speech such as "Savage hag!" and "Deserves severe punishment!" was posted against Ms Shimabukuro.

(vi) Obstruction against relief of human rights and restoration of rights of the Ryukyuan peoples

The Ryukyuan peoples have appealed for the infringement against relief of human rights and restoration of rights, but within the indigenous territory, the Ryukyu people's human rights relief and rights restoration are becoming more and more obstructed, especially by Japanese immigrants. Despite the fact that CERD and UPR have issued recommendations on the prohibition of discrimination and hate speech against the Ryukyuan peoples, some counter activist groups against hate speech in Okinawa that are mainly formed by Japanese solely aim for enactment of an ordinance that prohibits discrimination against persons originating from outside Japan, excluding prohibition of hate speech against the Ryukyuan peoples. They deny the existence of the Ryukyuan peoples, have a clear hostility against relief of human rights and restoration of rights of the Ryukyu people, and promote hate speech against them.

2. Strengthening the armaments of Japan and the United States in the Ryukyus / Okinawa Prefecture

Despite receiving recommendations from CERD and UPR, the situation remains that more than 70% of Japan's US military bases are concentrated in Okinawa Prefecture which has less than 1% of Japan's land area. The Japanese government insists that the land currently used for the US Marine Corps Air Station Futenma and the US Naha Port Facility (formerly the Naha Military Port) can be returned only on condition that the new Henoko base and the new US Urasoe military port are constructed. Even in the domestic judiciary, all the claims from Okinawa Prefecture have been rejected. However, the United States Armed Forces built US military bases following World War II by expelling residents and forcibly acquiring indigenous peoples' land, which violates the international wartime law. The land should be returned to the Ryukyuan peoples unconditionally. The new Henoko base construction should be canceled out of respect for the will of Ryukyuan people, which has been repetitively shown through elections and referendums.

Furthermore, the Japanese government has strengthened the deployment of Self-Defense Forces in the Southwestern Islands including the Ryukyu Islands. Especially since Russia's invasion of Ukraine, the deployment has been accelerated with an excuse of a Taiwan contingency as both Prime Minister Kishida and President Biden referred to a Taiwan contingency and extended deterrence. The Japanese government, in collaboration with the United States, has been relentlessly building missile silos against China on the Ryukyu Islands. The missile siege has increased military tensions with China as in the case of Russia's invasion of Ukraine, and has been inviting a great risk of war into our Ryukyu islands. Moreover, the US and Japanese governments have shown their intention to deploy the Ryukyu islands as a base for attacking China in the event of a Taiwan emergency. We will once again be sacrificed in war and lose our lives.

The Act on the Review and Regulation of the Use of Real Estate Surrounding Important Facilities and on Remote Territorial Islands was enacted in June 2021 (<https://www.japaneselawtranslation.go.jp/ja/laws/view/3966>). It aims to prevent obstruction of "functions" of such as Japan Self-Defense Force bases, US military bases, Japan Coast Guard facilities, "facilities supporting the public" designated by Cabinet Order, and remote territorial islands. Measures such as designation of "monitored areas" and "special monitored areas", reviewing the use of real estate in monitored areas, regulation, and notification are stipulated. Concerns have been raised against related issues such as hostility to specific countries, restrictions on private rights, mass surveillance, infringement of freedom of thought, forced land expropriation, and the provision of information by confidential informants. The act has a great impact on our lives in Okinawa prefecture which has vast areas of US military bases and Japan Self-Defense Force bases. In particular, it seems that they have taken into account our peace movements and movements against military bases in the Ryukyu Arc. In addition, it has been pointed out that the act stipulates "monitored areas" and "special monitored areas" to possibly designate the entire Ryukyu Islands as "monitored areas". Consequently, in

the case that a new version of the Military Secret Protection Act of the old Constitution designates the entire regions of the Ryukyus as "special monitored area" during future war, a strict regulation may be applied to land and sea surveys, photography, and aviation, and the Ryukyuan peoples might be regarded as spies and killed by the Japanese army as they were in World War II.

3. Health impact and financial distress caused by the COVID-19 pandemic

(i) Spread of infection due to the Japanese government's failure to act

When an emergency declaration was issued in April 2020 following the spread of COVID-19 in Japan, Okinawa Prefecture also implemented its own border control measures until June 2020 to prevent a further spread of COVID-19. However, the Japanese government implemented a domestic tourism promotion policy called "Go-to-Travel Campaign," which led to a further outbreak in Okinawa prefecture. In addition, the inadequate quarantine systems of the US Forces Japan allowed their soldiers to cross the Japanese borders to enter US military bases in Okinawa prefecture freely from abroad, which contributed to a further spread of COVID-19 in the islands. For this reason, Okinawa Prefecture has the highest infection rate per capita in Japan. The Japanese government failed to act against the spread of COVID-19 not only because they narrowed the eligibility criteria to access COVID-19 screening tests but also because the healthcare system did not function adequately. As a consequence, many Ryukyuan peoples were killed without receiving necessary medical treatments.

(ii) Financial distress

During the period between 1872 and 1879 following the forced annexation of the Ryukyu Kingdom to Japan by the Japanese Meiji government,, the industrial structures of the Ryukyus were severely distorted by the government's national policy and exploited by Japanese companies under the colonial economy. Even after World War II, our economic structures have been shaped to depend on US military bases and limited to the tertiary industries, especially tourism. In addition, most tourism companies in Okinawa are owned by Japanese, and local Ryukyuan people work for them. Due to the pandemic, they suspended hiring local Ryukyuan job seekers and left them financially impoverished.

Part II: Recommendations required

AIPR urges member states to make the following recommendations to Japan:

1. Prohibition of hate speech

- To recognize the Ryukyuan peoples as indigenous peoples in accordance with the previous recommendations made by UNHRC, CCPR, CERD and UPR, guarantee the rights of the Ryukyuan peoples as stated in the UNDRIP, address the current discrimination and hate speech against the Ryukyuan peoples, and enact domestic legislations prohibiting discrimination and hate speech against the Ryukyuan peoples.
- To prohibit advocacy, hostility, and hatred of war against other countries based on Article 20 of CCPR.

2. Prohibition of military activities in the Ryukyus and Okinawa Prefecture

- To ban military activities in the Ryukyus (Okinawa Prefecture) under the UNDRIP and to cancel the construction of the new Henoko base and the China-targeted missile siege.

3. Measures to the economic hardship of the Ryukyuan peoples

- To promote the economic and social rights of the Ryukyuan peoples.
- To ratify *ILO Convention Concerning Indigenous and Tribal Peoples in Independent Countries, 1989* or *ILO Convention No. 169*.