



Report on violence against indigenous Ryukyu/Okinawa women and girls



Copyright @ Okinawa prefecture

This submission provides information on following three issues related to violence faced by indigenous Ryukyuan/Okinawan women and girls.

- 1. Sexual violence: Sexual violence related to the U.S. military presence in Okinawa**
- 2. High rate of Domestic Violence**
- 3. Targeted oppression against indigenous women environmental activist**

Background

Okinawa, now one of the 47 prefectures (administrative regions) in Japan, was once a country called the Kingdom of Ryukyu which was annexed by Japan in 1879 (Ryukyu Disposition). Following the annexation, its languages and culture were banned by the

Imperialisation policy of the Government of Japan. Its land was taken and its environment was damaged by Japan's militarisation policy.¹ At the end of the Pacific War, the islands of Okinawa became the battle fields between the Japanese and U.S. forces. The islands had been occupied and put under U.S. military control until it was returned to Japan in 1972. During the U.S. military occupation, much of its land was seized to construct U.S. military bases. Even after the reversion to Japan, the burden of U.S. military bases has not decreased, and currently about 70% of the U.S. military facilities in Japan are concentrated in Okinawa Prefecture, the small islands prefecture that accounts for only about 0.6% of Japan's land area. In recent years, the deployment of Japan's Self-Defense Forces (SDF) to Okinawa has also expanded rapidly, intensifying a discriminatory situation that has continued for 75 years since the end of World War II, in which numerous problems stemming from militarisation have been disproportionately imposed on Okinawa.

Civil society organisations in Ryukyu/Okinawa appealed to the Government of Japan through the United Nations Human Rights Bodies to recognise the peoples of Ryukyu/Okinawa as indigenous peoples and to respect and protect their rights as indigenous peoples. The UN treaty bodies have repeatedly recommended the Government of Japan to consider recognising them as indigenous peoples.² However, the Government of Japan has failed to do so.

1. Sexual violence: Sexual violence related to the U.S. military presence in Okinawa

About a half of all U.S. military personnel in Japan reside in Okinawa (55,026 U.S. military personnel in Japan and 25,843 U.S. military personnel in Okinawa, accounting for 47%)³.

There have been many incidents and accidents involving U.S. military personnel in Okinawa. In particular, sexual violence against women has been rampant since 1945,⁴

¹ E/CN.4/2006/16/Add.2, para 6

² CERD/C/JPN/CO/7-9, para 21, CERD/C/JPN/CO/10-11 para 17, CCPR/C/JPN/CO/5, para 32, CCPR/C/JPN/CO/6, para 26.

³ Please note these are reference figures. The number of U.S. troops stationed in Japan is as of March 31, 2018, and that in Okinawa is as of June 30, 2011, which is a different time point. These are the latest officially released figures.

⁴ Interviews with women have revealed that incidents of rape and sexual violence against women by U.S. servicemen have been occurring since the U.S. military landed on Ryukyu/Okinawa in 1945 during World War II

the year U.S. forces landed on Ryukyu/Okinawa. It threatens the safety of Ryukyuan/Okinawan women.

During the postwar period of the U.S. military occupation of Okinawa until 1972, rape by U.S. soldiers was rampant. Even after the reversion of Okinawa to Japan in 1972, according to the statistics of the Okinawa Prefectural Police, the total number of criminal offenses committed by U.S. servicemen, servicewomen and their families until September 2020 counted 6,052, of which 581 were heinous crimes such as murder, robbery, rape and arson, and 129 were rape cases.⁵ This is only the number of arrests made, and the actual number of incidents is believed to be much higher. Even today, half a century after the reversion of Okinawa to Japan, there is no end to the incidents of sexual violence committed by U.S. personnel in Ryukyu/Okinawa which hosts the largest military base in the Far East.⁶

Due to the Japan-U.S. Status of Forces Agreement, Japan does not have primary jurisdiction over cases involving U.S. military personnel on official duties, and even in cases where an incident occurred outside of official duties, the Okinawa Prefectural Police cannot take the suspect into custody before prosecution and therefore cannot conduct the full investigation. In addition, if the suspect flees to the base, the extradition of the suspect requires the consent of the US military. Since the U.S. military is not obligated to extradite, it is possible for the U.S. military to repatriate suspects so that they will not be tried for their alleged crimes. In fact, according to data from the period of 2001-18, the prosecution rate for criminal offenses committed by U.S. military personnel was 13.17%, which is about one-third of the national over-all prosecution rate of 43.85%.⁷ The crimes committed by U.S. military personnel have gone largely unaddressed. In addition, there is a Japan-U.S. Joint Commission agreement that, in principle, Japan will

(Battle of Okinawa). See also NGO report. 2016. *Okinawa Beihei ni yoru josei heno seihanzai* 沖縄・米兵による女性への性犯罪. Okinawa

⁵ Okinawa Times (21 Oct 2020), *In Okinawa heinous crimes by US military personnel counts 581, case detected counts 6052 - since reversion to Japan*, available at: <https://www.okinawatimes.co.jp/articles/-/650949>

⁶ In 1955, an Okinawan girl of elementary school age was assaulted and killed by a US soldier and her body was dumped; in 1995, three US soldiers sexually assaulted an Okinawan girl; and in 2016, a 20-year-old Okinawan woman was assaulted, killed, and dumped by a former US military man.

⁷ Okinawa Times (10 Feb 2020), *Low Prosecution Rate for Criminal Offenses Related to U.S. Military: Expert Says Japan's Secret Agreement to Give Up Jurisdiction is Alive*, available at: <https://www.okinawatimes.co.jp/articles/-/532799>

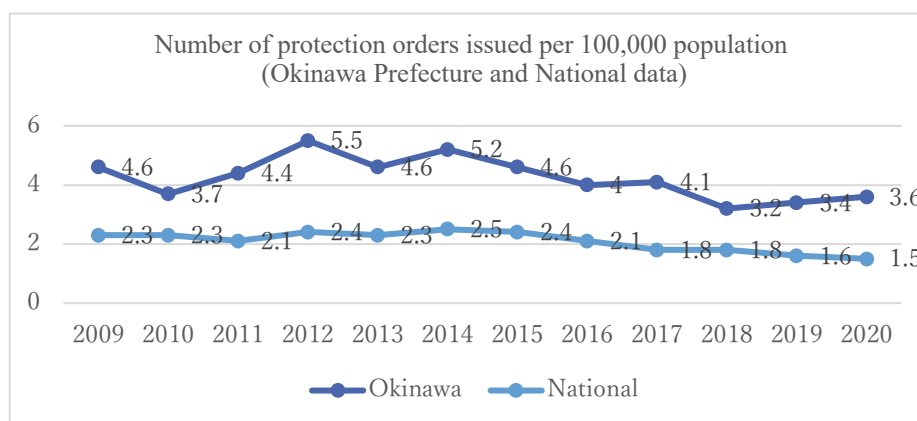
not exercise primary jurisdiction except in important cases, making it difficult for Japan to prosecute even if a case is filed. In other words, Ryukyuan/Okinawan women suffer from a situation in which not only the sexual violence is rampant, but also the damage is not legally redressed.

The United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP), paragraph 12 of the preamble emphasises the importance of demilitarisation of indigenous peoples' lands and territories, and Article 30, paragraph 1 stipulates the prohibition of military activities on their lands and territories.

The Government of Japan promotes disproportionate militarisation on the land of Ryukyu/Okinawa, which not only violates the UNDRIP but also constitutes discriminatory treatment of the indigenous peoples of Ryukyu/Okinawa. In addition, Ryukyuan/Okinawan women continue to suffer from widespread sexual violence and the lack of legal redress under the prolonged military presence. These constitute intersectional discrimination against indigenous women, and the Government of Japan has not taken effective measures to address this intersecting form of discrimination.

2. High rate of Domestic Violence

In Okinawa, the number of women who consult as victims of domestic violence is higher than that of mainland Japan in proportion to the population. The number of protection orders issued per 100,000 population is higher than the national figure. According to statistics from the Okinawa Prefectural Police, between 2009 and 2020, the national figure was 2.1 cases (per 100,000), while Okinawa was almost twice as high at 4.2 cases.



In 2020, the trend was even more apparent in the Corona pandemic. The number of domestic violence (DV) consultations received by Okinawa Prefecture's Spousal Violence Counseling and Support Centers (SPSSCs) and other institutions was 1,123 from March to August 2020, an increase by 182 cases from the same period last year. As a result of the spread of the new coronavirus, there were requests to refrain from going out and measures to close schools, resulting in the seriousness of violence directed at children and women.⁸

Okinawa has been under the influence of Confucianism since the 13th century, and after the annexation of Ryukyu by the Meiji government in 1879, Ryukyu/Okinawa was strongly influenced by the idea of a 'good wife and a wise mother' and the patriarchal system under the Meiji Constitution, which placed the emperor as the absolute ruler. Under the Meiji Civil Code, property was supposed to be managed by the husband and the wife was regarded as "incapacitated". After the war, with the enactment of the new Constitution and the new Civil Code, the "house" system was abolished, and men and women were to be equal and married couples were considered to have an equal relationship. However, the influence of the "house" system, which remained as a custom, is still strong in Okinawa. For example, in Okinawa, where there is a strong belief in ancestor worship, the inheritance of a *Ihai* (Buddhist mortuary tablet), which is dedicated to the deceased, is often accompanied by the inheritance of property. It was strongly believed that the heir must be a man, and that if a woman took over, it would bring misfortune to the family. Therefore, even today, the structure and concept of a husband as a patriarch and a wife or woman as a subordinate of the husband is still strong in connection with the succession of *Ihai*.

In addition, the industry structure of Okinawa is unbalanced, having very few manufacturing industries and heavily weighted toward tertiary industries, mainly tourism. Wages and incomes are low compared to the rest of Japan, and the region is constantly facing economic problems. The relative poverty rate for children in Okinawa is 29.9%

⁸ Ryukyu Shimpo (26 September 2020) *Domestic Violence Cases in Okinawa Increase by 182 to 1123, Severe in Pandemic, Difficulty to evacuate, March to August*, available at: <https://ryukyushimpo.jp/news/entry-1197547.html>
[2020/9/26](https://ryukyushimpo.jp/news/entry-1197547.html)

compared to the national average of 13.9%, a gap of more than double. In addition to the patriarchal mindset, unstable situations such as economic deprivation, poverty and disparity have been pointed out as the reasons behind the high number of domestic violence cases in Okinawa.⁹ Tourism and related industries, which are the main industries in Okinawa, were hit hard by the pandemic. The increasingly difficult economic situation of families is thought to be one of the reasons for the increase in domestic violence.

3. Targeted oppression against indigenous woman environmental activist

In 2021, Akino Miyagi, a butterfly researcher, was indicted after a raid on her house. Ms. Miyagi has been working to clean up the environment and remove military items from the site of the former U.S. military base, which is now littered with large amounts of shell casings and waste from military training. The site is now registered as a World Natural Heritage site, and from the perspective of maintaining and protecting a sustainable environment, the large amount of U.S. military waste is a very serious environmental threat.

Ms. Miyagi placed U.S. military waste items which she found in the former training area near the entrance to the U.S. base, requesting the U.S. military to collect them. The request was denied, and she was charged with obstruction of business and violation of the Waste Management and Public Cleansing Act for this act. She was also charged with violation of the Road Traffic Act for stopping two US military vehicles from entering the training area. She was indicted at home in December 2021 after a raid.

Ms. Miyagi's action is a political expression calling for the proper disposal of waste left behind by the U.S. military, a right guaranteed by Article 19 of the Covenant on Civil Liberties.

In response to the increasing persecution of environmental activists in recent years, the Special Rapporteur on Human Rights Defenders has stated that governments have an

⁹ Okinawa Prefecture, Child Poverty Prevention Plan (March 2019)
<https://www.pref.okinawa.jp/site/kodomo/kodomomirai/seishonen/kosodatec/documents/okinawakenkodomohinko/ntaisakukeikaku3103.pdf>

obligation to protect environmental activists from human rights violations by the state, that freedom of expression, including the right of access to information, must be protected in order to protect environmental rights, and that the obligation to protect these rights rests with governments.¹⁰ This raid by police forces violates these guidelines and runs counter to the international trend for the protection of environmental activists and is a form of state violence against indigenous women.

¹⁰ A/71/281