**Input to a report on “Too Dirty, Too Little, Too Much: The Global Water Crisis and Human Rights” by All Okinawa Council for Human Rights**

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**Introduction**

Okinawa is the group of islands located at the southernmost part of Japan. It was an independent kingdom until the Government of Japan annexed it in 1879 with use of threat to its representative. Since then, Japan has promoted cultural assimilation policies, colonization and militarization. At the end of World War Ⅱ, Okinawa became the battlefield between the United States and Japan, and a quarter of Okinawan population was lost in the battle. After the war, Okinawan islands were occupied by the U.S. military, and the land was taken forcibly for military use. Although Okinawa was returned to Japan in 1972, many U.S. military bases remain in the islands. Despite only representing 0.6 percent of the country's land, Okinawa accounts for more than 70 percent of total acreage exclusively used by U.S. military facilities in Japan[[1]](#footnote-1).

**1. Water pollution having adverse impacts on human rights in Okinawa**

There is a wide and serious concern in Okinawa about high level water contamination from perfluoroalkyl and polyfluoroalkyl substances (PFAS). Okinawans first realized the island was contaminated with PFAS in 2016 when tests by Okinawa Prefectural Government detected high levels of the substances in rivers running through and near Kadena Air Base, the largest U.S. Air Force installation in the Pacific. In several surveys conducted by Okinawa Prefectural Government and concerned civilians, elevated PFAS level has been repeatedly detected in waterways, soil, residents’ blood and the drinking water supplied to 450,000 people, – a third of the prefecture’s population.

The survey results suggest that it is highly likely that the two major U.S. military bases in Okinawa, Marne Cops Air Base Futenma and Kadena Air Base are the sources of the contamination. Internal documents of the U.S. Department of Defense obtained by a journalist show that U.S. military operations have been polluting Okinawa with PFAS via three principal pathways: (1) firefighter training; (2) accidental leaks of aqueous film forming foam (AFFF); and (3) disposal of AFFF[[2]](#footnote-2). However, the U.S military officials insist there is no proof that its bases are responsible for the environmental problems.

Researchers from Kyoto University led by a professor emeritus Akio Koizumi found concentration of PFAS at four times the national average in the blood of Okinawans living near the U.S. bases on the island[[3]](#footnote-3). They conducted blood checks on residents living in Ginowan City which hosts MCAS Futenma. Residents’ blood contained PFOS levels more than double the national average, PFOS levels four times the national average, and as for PFHxS level, they were 53 times the national average[[4]](#footnote-4). Although several surveys suggest exposure dates at least from a few decades ago and current elevated levels in the blood of local residents confirm ongoing exposure, no wider surveys to ascertain PFAS levels in a wider cohort have been conducted, nor have there been any investigations into health problems.

Due to the lack of environmental accountability, Okinawans have very limited information on the source of water contamination, nor the measures to prevent further contamination. They have denied repeated requests from local authorities to conduct on-base investigations. Recently the first on-site investigation to MCAS Futenma was finally allowed this year following the leakage of massive volume of potentially toxic firefighting foam outside of the base into a river[[5]](#footnote-5). However, their on-site investigation request of Kadena Air Base to identify the cause of the contamination has not been still granted.

Given the situation and the uneven concentration of the U.S. bases in Okinawa, it is against the principle of nondiscrimination to underlying determinants of health, and the rights to life, health, safe water, non-discrimination and indigenous people’s right[[6]](#footnote-6) have been adversely affected by the water contamination.

**2. How has climate change exacerbated water-related problems?**

Climate change is not a factor which has exacerbated water-related problems in Okinawa.

**3. Specific obligations of States in terms of addressing water pollution**

The root of the problem lies in the Status of Forces Agreement (SOFA) which agreement that has allowed privilege upon Japan-based U.S. military members, such as Japanese laws not applying to their activities[[7]](#footnote-7). Whether to allow any Japanese on-site investigation into a specific accident within a U.S. base is up to U.S. forces to decide. The same also applies to the collection of samples. Okinawa Prefectural Government local municipalities have repeatedly requested a revision of SOFA the Government of Japan however, SOFA remained untouched since its inception in 1960.

Japan ratified the International Covenant on Economic, Social and Cultural Rights in 1979. According to General Comment 14, right to health includes the underlying determinants of health, such as “access to safe water, healthy…environmental conditions, and health-related information[[8]](#footnote-8).” States are obliged to ensure that third parties do not limit people’s access to health-related information and “to formulate and implement…policies aimed at reducing and eliminating pollution of water[[9]](#footnote-9).” The General Comment also states the principle of non-discrimination applies to underlying determinants of health[[10]](#footnote-10).

Okinawa Prefectural Government and local municipalities have repeatedly demanded the Government of Japan that they respond to serious water concerns among Okinawan people living around U.S. bases.

However, the government of Japan has not taken measures to study the source, prevent or stop the further contamination, nor has urged the US military to disclose the related information. They have failed to take any measures to protect our rights to life, health and safe water.

1. https://dc-office.org/basedata [↑](#footnote-ref-1)
2. https://apjjf.org/2020/16/JMitchell.html [↑](#footnote-ref-2)
3. https://www.washingtonpost.com/world/asia\_pacific/on-japans-okinawa-us-military-blamed-for-contaminating-environment-with-hazardous-chemical/2019/05/24/ca3ba342-7c84-11e9-b1f3-b233fe5811ef\_story.html [↑](#footnote-ref-3)
4. http://english.ryukyushimpo.jp/2019/05/21/30452/ [↑](#footnote-ref-4)
5. http://www.asahi.com/ajw/articles/13308327 [↑](#footnote-ref-5)
6. The UN Committee on the Elimination of All Forms of Racial Discrimination adopted the Concluding Observations (CERD/C/JPN/CO/7-9, para21) stating “consider recognizing the Ryukyu as Indigenous peoples and take concrete steps to protect their rights, however, the Government of Japan has not recognized the Ryukyus as indigenous people not taken any measures to protect their rights. [↑](#footnote-ref-6)
7. https://www.japantimes.co.jp/news/2020/08/03/national/okinawa-coronavirus-us-military-sofa/ [↑](#footnote-ref-7)
8. General Comment 14, para 11 [↑](#footnote-ref-8)
9. General Comment 14, para 35 [↑](#footnote-ref-9)
10. General Comment 14. Para 18 [↑](#footnote-ref-10)