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i. About AIPR

The Association of the Indigenous Peoples in the Ryukyus (AIPR) is a non-governmental, non-profit organisation of the indigenous peoples in the Ryukyus, established in 1999 with the objective to realise, protect and promote the rights of indigenous peoples in the Ryukyus in full accordance with the international standards including the Universal Declaration of Human Rights (UDHR), International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) and the UN Declaration on the Rights of Indigenous Peoples (UNDRIP). AIPR has obtained special consultative status with ECOSOC in 2012. All members of AIPP are indigenous peoples in the Ryukyus.

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ii. About the indigenous peoples in the Ryukyus and glossary

Indigenous Peoples in the Ryukyus: all the persons whose ancestors lived in the Ryukyus before annexation / colonization of the Ryuku kingdom by Japan in 1879, share the history of the indigenous peoples in the Ryukyus and identify themselves as indigenous (independent from where he or she is born, if at least one of the parents or ancestors is from the Ryukyus, everyone can identify oneself as indigenous peoples in the Ryukyus).
**The Ryukyu kingdom:** An independent kingdom, lived and governed by the peoples in the Ryukyus for about 400 years till the colonisation / annexation by Japan in 1879, it consisted of more than 160 islands including the today’s Amami archipelago (of which about 40 are currently inhabited). In 1609, part of the Ryukyu kingdom (the Amami archipelago) was annexed to Japan due to the invasion of Japan (then Tokugawa / Edo bakuhu) through a regional lord (lord “Shimazu”). Ryukyu kingdom had independent trade relationships with other countries, whereby ratifying bi-lateral treaties with the US (1854), France (1855) and the Netherlands (1859).\(^1\)

**Ryukyu Islands i.e. the Ryukyus:** The territory of the Ryukyu kingdom (see below) consisted of more than 160 islands including the Amami archipelago, they are called Ryukyu Islands or the Ryukyus.

**Okinawa (Prefecture):** one of the prefectures of Japan, created by Japan to govern the Ryukyu kingdom (including all its 160 islands) after its colonisation / annexation.

**Residents of Okinawa prefecture:** today, residents of the Okinawa prefecture include not only the indigenous peoples in the Ryukyus, but also those migrated from Japan after the colonisation / annexation of the Ryukyu kingdom by Japan.

**Okinawa Island:** the biggest island among 160 islands consisting the Ryukyus. The capital of the Ryukyu kingdom (Shuri) was located on this island. Most of the US military bases are located on the Okinawa Island occupying 18 % of the total area.

**Japanese:** all persons who has Japanese nationality.

### 1. Implementation of the recommendations issued by UN Treaty Bodies in relation to the rights of indigenous peoples in the Ryukyus

Recommendations have been repeatedly issued by UN Treaty Bodies (e.g. CERD in 2010 and 2014, Human Rights Committee in 2014) to Japan to recognise the rights of the indigenous peoples in the Ryukyus. However, while recognising the Ainu as indigenous, Japan still fails to give due recognition to the peoples in the Ryukyus.

On 13 December 2016, a meeting was organised between national NGOs and the Department of the Human Rights and Humanitarian affairs of the Ministry of Foreign Affairs (MoFA) of Japan as a follow-up to the reviews of Japan by CERD and Human Rights Committee. In that meeting, AIPR has raised following questions:

> It was officially stated by Japan “it only recognises the Ainu as indigenous peoples in Japan”. Please explain concretely, how Japan understands “indigenous peoples” as set out in relevant international standards. Please also concretely explain whether any verification of the history was carried out and what is the understanding of Japan regarding the indigenous peoples in the Ryukyus including the existence of the Ryukyu kingdom as well its annexation by Japan.

And the representative of the Department of the Human Rights and Humanitarian Affairs MOFA answered:

> There is no international definition of “indigenous peoples”. There is no change in the official stance of Japan that the Ainu is the only indigenous peoples in Japan. A municipal assembly in the Okinawa prefecture expressed the view that residents of the Okinawa prefecture are not the indigenous peoples in the Ryukyus. Therefore, the government is not in the position to determine whether the peoples in the

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Ryukyus are indigenous.

If the government of Japan is indeed “not in the position to determine whether the peoples in the Ryukyus are indigenous”, then it should respect self-identification of the peoples in the Ryukyus. No willingness or even intention could be seen from the side of Japanese government to consult and discuss this matter with the peoples in the Ryukyus.

Today, a lot of persons migrated to the Ryukyus from Japan and live there as “residents of Okinawa prefecture”. It is against this backdrop that the Japanese government, despite the recommendations issued by the UN Treaty Bodies including CERD, has still been rejecting to give due recognition to the indigenous peoples in the Ryukyus, whereby arguing “all residents in Okinawa prefecture are Japanese nationals to whom the equality before the law is guaranteed”, whereby crucially failing to make important and crucial distinction between ethnicity and nationality. Even worth, the government officially expressed its intention, on 27 April 2016, to request UN Treaty Bodies to repeal their recommendations regarding indigenous peoples in the Ryukyus as the government does not recognise them as indigenous2.

At the same time, the Concluding Observations of CERD in 2010 as well as in 2014 included terms such as “Ryuku/Okinawa” or “Okinawa (Ryuku)” which could lead to some confusion or, as stated above, failure to properly distinguish indigenous peoples in the Ryukyus from the residents of Okinawa. In this regard, AIPR strongly request the Committee to use precise terms clearly differentiating indigenous peoples in the Ryukyus as explained in the chapter ii “About indigenous peoples in the Ryukyus and glossary” of this report.

Concerning the concentration of US military bases in the Ryukyus, the situation has not changed at all and the government of Japan is still forcibly proceeding with the construction of new base in Henoko, in the area i.e. sea where rare types of corals are found. There has been no consultation with the representatives of the Ryukyus, although strong opposition was expressed by the people against the project. The government of Japan notified the prefectural government of Okinawa that it would start filling up the sea on 17 August 20183.

Regarding the education of the indigenous peoples, the government of Japan merely stated that everyone in Japan can enjoy the freedom of culture and religion, but no specific measures were taken to recognise or protect the rights of indigenous peoples in the Ryukyus thereto. Even today, peoples in the Ryukyus do not have any option to study own language or own history and culture in own language. Persons who can speak Ryukyu languages are continuously and problematically decreasing.

2. Assimilation and discrimination by Japan

In 1879, the government of Japan sent about 400 military and 160 police officers to the Ryukyu kingdom, forced out the king from his residence, “Shuri”-castle, and unilaterally annexed i.e. colonised the whole kingdom as one of its prefectures, Okinawa. The king of the Ryukyu kingdom was brought to Tokyo. Resistance of the peoples in the Ryukyus against the colonisation and control by Japan was violently repressed, where reportedly more than 100 local leaders were detained and tortured. The main and key positions in the administrative and educational bodies in the Ryukyus i.e. Okinawa prefecture were occupied by persons from Japan and the government of Japan started its rigorous assimilation policy. The languages, culture, customs etc. of the Ryukyus were regarded as primitive, unique religious or traditional practices of the Ryukyus were prohibited. Persons with clearly distinctive

2 http://kokkai.ndl.go.jp/SENTAKU/syugiin/190/0002/19004270002014.pdf
3 https://ryukyushimpo.jp/news/entry-738307.html
Ryukyu names were forced to change them into more “Japanese” ones. Usage of the Ryukyu languages were prohibited and peoples were forced to use Japanese and pledge their loyalty to the Japanese emperor.

It was reported that all the public institutions in the Okinawa prefecture were instructed not to respond to anyone who spoke Ryukyu languages, Ryukyu elderly who used Ryukyu languages were black listed, and the Ryukyu languages were labelled as useless. Pupils and students who used Ryukyu languages at their schools were punished and various measures were taken to “eliminate” Ryukyu languages. Such measures were taken even till after the World War II. As a result, several of the Ryukyu languages are listed by UNESCO since February 2009 as definitely or severely endangered (Amami – definitely endangered; Kunigami – definitely endangered; Miyako – definitely endangered; Okinawan – definitely endangered; Yaeyama – severely endangered; and Yonaguni – severely endangered)\(^4\).

In 1903, real persons from various “ethnic” groups including those from the Ryukyus were “exhibited” by Japanese anthropologists at an expo convened in Osaka. Overall Japan, there were a number of restaurants and shops publicly putting signs outside saying “No Ryukyu person allowed” and landlords rejected to rent house or rooms to the persons from the Ryukyus.

The right of the peoples in the Ryukyus to take part in the conduct of public affairs, to vote and to be elected was not recognised till 1909, in a part of the Ryukyus (Miyako and Yaeyama) till 1919.

Traditional system of communal land ownership in the Ryukyus was ignored and rejected by the government of Japan, which forced nationalisation of the lands owned by the peoples in the Ryukyus.

Even in 2016, highly derogatory and discriminatory terms were thrown at to the local Ryukyu protesters sitting in front of the construction site of US military helicopter-pad in Takae on Okinawa island by members of the riot police deployed from Osaka, Japan. It was also reported that a person moved from the Ryukyus to Tokyo was denied his application for room rent by the landlord merely because he was from the Ryukyus.

As a result of the rigorous assimilation measures and deep-rooted discrimination, peoples from the Ryukyus are often forced into the situation where they have to hide their ethnic origin or identity. Sadly, there are also more and more persons in the Ryukyus, despite themselves being indigenous in the Ryukyus, forcing others and their children to also assimilate.

There are more and more people in Japan who do not know about the indigenous peoples in the Ryukyus and their history, due to the failure of the government of Japan to recognise them as indigenous and also the lack of opportunities to learn about it in schools.

### 3. Grave robbing by Japanese researchers

Around 1928, a Japanese anthropologist named Takeo Kanaseki excavated graves in the Ryukyus including Amami archipelago, collected and took away remains for the purpose of his research\(^5\). In the publication of Kanaseki’s mentor, Kenji Kiyono, it is described that they

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have taken remains of 71 bodies from Okinawa Island and 241 bodies from Amami archipelago. It is reported that, of these remains taken away, 26 are kept by the University of Kyoto and 33 by the University of Taiwan (Kanaseki taught at both universities). Upon the request from the peoples in the Ryukyus, the University of Taiwan expressed its intention to return the remains, but the University of Kyoto has not responded at all. Concerning this issue, the government of Japan has stated on 27 February that it is not aware of any request from the Ryukyus for the remains to be returned and that it is not in a position to say whether the remains should be returned or not.

The peoples in the Ryukyus worship their ancestors and believe that ancestors have influence on their lives. With this belief since 600 years, families in the Ryukyus visit the graves of ancestors regularly and continously.

4. Human rights violation by Japan during World War II

In March 1945, Japan decided to fight against the US troops on the islands of the Ryukyus with the hope to hold the US troops as long as possible to avoid their attack on the main land of Japan. Since the purpose was to prolong it as much as possible, Japanese military carried out rigorous battle on islands, especially the Okinawa Island which was the most inhabited island in the Ryukyus, more than a quarter of the population of the Ryukyus lost their lives.

In this battle, Japanese military forced the civilians in the Ryukyus, from teenagers to 70-year-old, even women, to join military related labour and even direct battle against the US troops. Furthermore, facing food shortage on the battleground, the Japanese military robbed foods from the civilians in the Ryukyus. It was also reported that the Japanese military drove out the Ryukyu civilians from their shelters in order to use it for themselves. Ryukyu civilians who used Ryukyu languages were regarded and treated as spies, and therefore sometimes killed, by the Japanese military.

The Japanese military forced Ryukyu civilians to dedicate their lives for Japan like Japanese soldiers, who were told to take their own lives before being caught by the US military, and forbade Ryukyu civilians from surrendering but provided them with hand grenade and forced to take their own lives when facing the risk of being taken captive. Ryukyu civilians were factually left alone in such a situation, whichever way they go, death was the only way out, facing full scale offensive and fire from the US military, but being abandoned and forced by the Japanese military to die rather than survive as captive. Against this backdrop, it is reported that a large number of Ryukyu civilians were literally forced to take their own lives, using any “available” means including hand grenade, rats bane, razor, hoes and sickles, whereby people had to take each others lives between friends and within families including babies and infants.

It is estimated that there were total of 150,000 casualties in the battle on the Ryukyus, of which more than 120,000 were civilians from the Ryukyus. Almost all of the historical and cultural heritages of the Ryukyus were destroyed. A lot of the lands of the peoples of the Ryukyus were grabbed and occupied by the Japanese military during the war, which were further nationalised after the war and thus not yet returned to the peoples in the Ryukyus even today.

Despite all these facts and history, the Ministry of Education, Culture, Sports, Science and Technology (MEXT) of Japan has announced its new policy to remove all parts, which describe anything related to the fact that Japanese military literally forced vast number of Ryukyu civilians to die in the war and other human rights violations and war crimes committed by the Japanese military, from the high school text books. There has been strong
opposition from the peoples in the Ryukyus against this policy. However, the policy was implemented in 2008, and since then till today, almost all of the mainstream school textbooks do not contain any description related to these facts and history. The government of Japan has explained the reason of its policy that it could not verify whether all the “suicides” of Ryukyu civilians during the war were actually caused or forced by the order of Japanese military and been trying to spread false information that the Ryukyu civilians “voluntarily” took their lives for the sake of Japan or Japanese emperor during the World War II, while hiding the truth. Instead of recognising and teaching the truth and facts of violations of human rights and violence against humanity, the government of Japan “enshrined” those Ryukyu civilians who lost their lives during the war as “patriot paramilitary force” who willingly laid down their lives for the emperor at the Yasukuni Shrine (where all the Japanese military personnel including war criminals are “enshrined” as sacred).

It is also estimated that around 2050 tons of unexploded bombs still remain in the lands of the Ryukyus. In 1974, 4 persons including an infant died and 34 injured in Naha city, Okinawa Island, through explosion of a remaining bomb. Another bomb exploded in 2009 in Itoman city, Okinawa Island injuring 2 and destroying windows of nearby elderly nursing home.

5. Human rights violation by the US and its military

After the World War II, military bases constructed by the then Japanese military on the lands of the peoples of the Ryukyus were further used by the US military. Moreover, the US military also grabbed vast area of lands of the peoples of the Ryukyus and built their military bases. Today, these lands are still occupied and military bases used by the US military despite opposition from the peoples of the Ryukyus.

At the same time, the administration of the Okinawa prefecture was taken up by the US after the World War II, whereby making peoples in the Ryukyus stateless for 27 years till it was “returned” to Japan in 1972. Through the militarisation of the islands by the US administration, the life of the peoples of the Ryukyus has always been exposed to the danger of military related incidents and accidents including bomb explosions, leaking of poisonous gas as well as traffic accidents caused and crimes committed by US military personnel. In 1959, a US fighter jet crashed into an elementary school located in residential area in Uruma city, Okinawa Island killing 17 including 11 pupils and injuring 210. It was reported that in just 5 years between 1964 and 68 total of 5367 crimes were committed by US military personnel (on average 90 incidents per month), including 504 felonies such as murder and rape (8.4 cases per month).

Even after the end of US administration, between 1972 and 2010, total of 1545 accidents caused by US military were recorded by the prefectural government of Okinawa including 43 crashes of US military planes, 367 cases of forced landing outside military bases or reservations and 520 wild fires due to military exercise.

On 13 August 2004, a large transport helicopter of the US military crashed on the campus of Okinawa International University in Ginowan city, Okinawa Island. Though there was no casualty since the university was closed on that day, residents in the area are constantly

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exposed to high risk of such accident that can have disastrous impact, as the US Futenma base is built in the middle of densely populated residential area of the Ginowan city, where 10 elementary schools, 5 junior high schools, 4 high schools and the Okinawa International University are located. On 7 December 2017, small parts of a US military helicopter belonging to the Futenma base were found on the roof of a kindergarten in Ginowan city. On 13 December 2017, window parts of a flying US military helicopter, also belonging to Futenma base, fell down on the playground of an elementary school in Ginowan city injuring a 10-year old boy. After this incident, US military has agreed to avoid flying over schools “as much as possible”. However, one month later, on 18 January 2018, 3 US military helicopters were flying over the elementary school.

Since the incident on 13 December 2017, the school has closed the usage of the playground till the end of winter school break in December 2017 and January 2018. After it opened the playground on 13 February, the school started evacuation of pupils from the playground every time they saw any US military airplanes or helicopters flying over or near the school. Such evacuation were carried out between 13 February and 23 March 2018, in total of 242 times in 39 days, whereby the highest number of evacuation per day was 29 times and there were other 3 days when evacuation was conducted more than 20 times a day. Such evacuation inevitably interrupted gymnastic classes or any other activities on the playground and pupils were not able to take such classes or enjoy playing outside. Due to the incident on 13 December 2017, there are still several pupils who are suffering from trauma and having psychological problem that they simply cannot be outside whenever they see or hear US military planes flying.

In December 2016, a US Osprey military aircraft belonging to the Futenma base crashed into the sea off the coast of Nago city. In October 2017, in the Northern part of Okinawa Island, a US military helicopter belonging to the Futenma base made emergency landing on a private pasture land, crashed and went up in flames. On 11 June 2018, a US F-15 fighter jet belonging to Kadena base crashed into the sea of the coast of Naha city.

On 3 September 1955, then 6-year old Ryukyu girl was abducted by a US military sergeant, and repeatedly assaulted by him in the Kadena Air Force base. The officer then killed the girl and abandoned her body at a nearby damping ground. The face of the girl was distorted and teeth clenched when her body was found. The sergeant was arrested and tried in the US court in the Ryukyus, where he was sentenced to death. However, his sentence was reduced to 45 years of hard labour after being deported to the US. On 4 September 1995, a Ryukyu elementary school girl was brutally raped and assaulted by three members of US Marine Corps. In 2016, a Ryukyu woman was raped and killed by former US Marine Corps member. Between 1945 and 1997, approximately 180 cases of rape by US military personnel were reported in the Ryukyus, whereby 22 victims were under 20 years of age including one 9-month infant. However, in most of the cases, perpetrators were tried in the US courts and found not guilty or simply sent back to the US, whereby victims rarely received any compensation or reparation.

Between 1972 and 2012, in total of 543 cases of wild fires inside US bases were reported burning 3,646 ha of fields, often due to the live-ammunition exercise of US military. Moreover, repeated live-ammunition exercise has destroyed vast areas of natural environment, not only forests, but also causing red clay pollution of the water in the coastal zones nearby US military training field.

10 According to the research conducted by Morio Tengan, a Ryukyu expert on the crimes committed by the US military personnel
Furthermore, most of the US Air bases, especially the Kadena and Futenma bases that are built in the middle of densely populated residential areas, have been causing severe noise pollution. In accordance with the Article 16 of the Basic Environment Law of Japan (Law No.91 of 1993), so-called “Environmental Quality Standards” is set by the government, including the standard for noise, whereby noise should be kept below this standard “for the protection of human health and the conservation of the living environment”\textsuperscript{12}. However, results of the research conducted by the local government of Okinawa prefecture in 2016 concerning the noise that exceeds this standard around Kadena and Futenma bases, at 7 of 32 measuring points, the amount of noise was above the standard.\textsuperscript{13} Moreover, according to the data collected at regular measurement points near those bases, the highest number of average noise occurrence per day was 62.8 at a measuring point near Kadena and 30 at a measuring point near Futenma base, whereby the longest total duration of the noise per day was 38 minutes and 10 seconds at a measuring point near Kadena, and 16 minutes at a measuring point near Futenma base.\textsuperscript{14} According to the study conducted by Okinawa prefecture between 1995 and 1998, various negative impacts of the long-time and continuous exposure to the noise pollution on physical and mental health were found, especially in the area around Kadena base, such as loss of hearing, increase in the number of low birth weight baby as well as larger number of children having physical, mental or psychological irregularities.\textsuperscript{15}

US military bases and related military activities have also been the cause of various environmental destruction and pollution in the Ryukyus. In 1967, the underground pipe used by the US military for the transport of fuels explored and severely polluted drinking water for the residents. In 1969, the US military disposed defoliant containing highly poisonous dioxin in tens of drum cans (55 gallon each) in an area of Chatan town (located in the west of Okinawa city), which was returned to Japan in 1972. However, this fact was concealed until 2011. According to the research of Ryukyu Asahi Broadcasting, toxic materials such as cadmium, quicksilver and polychlorinated biphenyl have been continuously found since 1972 from the land used by the US military and returned to Okinawa prefecture. In December 1995 and January 1996, total of 1520 bullets that contain depleted uranium were mistakenly used by the US military in the training at its range on Torishima Island (located in the west of Okinawa Island). However, this fact was not reported to Japan until more than 1 year after the incident, whereby it also took one month for the Japanese government to inform the government of Okinawa prefecture. In 2001, it was reported that in total of 49 tons of lead bullet was accumulated in the area including sea surrounding US Base “Camp Courtney” due to the shooting exercise carried out on the site for a long time. Excessive amount of lead was found from the sea grass in the affected sea area.

6. Suggestions for the recommendations to be issued by the Committee to Japan
- The government of Japan must sincerely acknowledge and publicly promote the history of the Ryukyu kingdom as well as indigenous peoples in the Ryukyus, in particular the violation of the rights of indigenous peoples in the Ryukyus. The

\textsuperscript{12} Basic Environment Law of Japan, Article 16
\textsuperscript{14} ibid.
\textsuperscript{15} http://www.asahikawa-med.ac.jp/dept/mc/hygiene/okinawa/summaryj.pdf
government of Japan (e.g. the Prime Minister, or the emperor) should apologise at Diet meeting about violations of human rights of the indigenous peoples in the Ryukyus committed by Japan.

- The government of Japan must recognise all the peoples in the Ryukyus, who have been living in the territory of Ryuku kingdom including those in Amami archipelago, but excluding those migrated from Japan, as indigenous, and protect, respect, promote and realise the rights of indigenous peoples in the Ryukyus in full accordance with the UN Declaration of the Rights of Indigenous Peoples (UNDRIP) including their right to self-determination.
- The government of Japan must take all measures to precisely and correctly reflect and clearly state the facts about the history and culture of the indigenous peoples in the Ryukyus as well as the Ainu in the textbooks for schools, at least in obligatory education.
- Concerning all the acts of discrimination, including those done with discriminatory intention and those having discriminatory effects, the government of Japan must carry out wider consultation with representatives of the indigenous peoples in the Ryukyus, respect their views and take appropriate measures.
- The government of Japan must stop the militarisation and immediately start the demilitarisation of the lands of the indigenous peoples in the Ryukyus, especially the construction of new US bases in Henoko bay, which has been strongly opposed by the peoples in the Ryukyus.
- The government of Japan must investigate all cases of the violation of human rights and violence against humanity perpetrated by the Japanese military during the World War II against the peoples in the Ryukyus, punish perpetrators, provide compensation and remedies to the victims, and take all measure to restore the cultural and historical heritages destroyed in the war.
- The government of Japan must immediately return all the lands owned by the indigenous peoples in the Ryukyus but grabbed by the Japanese or US military during and after the World War II including the land still currently used by Japanese Self Defence Force or US military.
- The government of Japan must take urgent and comprehensive measures to protect culture, tradition and languages of the indigenous peoples in the Ryukyus.
- The government of Japan must investigate the whereabouts of the remains of indigenous peoples in the Ryukyus, which were taken away from their graves, and immediately return them to their families.
- The government of Japan must repeal its intention and position to request the UN Treaty Bodies to retract their recommendations regarding the indigenous peoples in the Ryukyus, immediately recognise peoples in the Ryukyus as indigenous, and sincerely and promptly implement the recommendations of UN Treaty Bodies including CERD, Human Rights Committee and CESCR.
- The government of Japan must carry out comprehensive study on the fact and impact as well as situation of the victims of all cases of crimes committed US military personnel, accidents and environmental damages caused by US military and its personnel, and take all measures, if necessary in cooperation with the US government, to provide adequate compensation to the victims and to prevent reoccurrence of any incident.