

Joint submission

All Okinawa Council, Citizens' Network for Biodiversity in Okinawa, International Movement Against All Forms of Discrimination and Racism (IMADR), Shimin Gaikou Centre, Pek Chung, Yutaka Katou, Masahiro Takasaku

Violation of freedoms of expression and peaceful assembly in Okinawa, Japan

Introduction

This report highlights violation of rights to free expression and peaceful assembly taking place in Okinawa, Japan in four forms; 1) State violation of freedom of expression and peaceful assembly; 2) Police violations of freedoms of expression and peaceful assembly; 3) Oppression on freedom of press; and 4) Infringement of right to information. This report aims to provide the *Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression* and the UN Office of the High Commissioner for Human Rights (OHCHR) with the thorough information to illustrate the acute situation of freedom of expression and peaceful assembly as well as democracy in Okinawa, and Japan overall.

Background Information

The nineteen-year controversy over the U.S. and Japanese governments' plan to relocate U.S. Marine Air Station Futenma to Henoko (the Henoko base construction plan) in the northern part of Japan's Okinawa island is at a critical juncture.

On October 13, 2015, supported by an overwhelming majority of the people of Okinawa, Okinawa's Governor Onaga Takeshi revoked the land reclamation approval for the construction of the U.S. military base granted under heavy pressure from the Government of Japan in December 2013 by his predecessor, Nakaima Hirokazu. Governor Onaga's revocation was based upon a review of the approval process conducted by a Third Party (Experts) Commission, which concluded that Nakaima's approval had many legal flaws. With the act of revocation by Governor Onaga, the construction and related activities became illegal, and in fact the Government of Japan temporarily halted them.

However, the Government of Japan quickly acted to file complaints in an attempt to suspend and nullify Governor Onaga's revocation. It declared its intention to take the issue of Governor Onaga's revocation to court and to reinstate or "execute by proxy" the land reclamation approval. On October 29 it suspended Governor Onaga's revocation and resume construction works and on November 12 it resumed drilling surveys.

These events are deeply disturbing to the people of Okinawa. Opposition to the Henoko base construction plan reaches unprecedented levels. It has never been lower than 70 per cent of the population in Okinawa, and in some cases even higher than 80 per cent over the past several years. Confrontation between protesters and riot police forces escalates at Camp Schwab, the existing U.S. military base, part of which is to be incorporated into the projected new base. On a daily basis, protesters are forcibly evacuated, detained and even arrested resulting in the increase of the number of injuries. This situation is considered as a clear violation of freedom of expression as well as freedom of peaceful assembly.

1. State violation of freedoms of expression and peaceful assembly

The Government of Japan has been violating the freedom and dignity of its citizens by forcibly promoting the construction of a new military base in Henoko, Okinawa, under the guise of 'transferring' Futenma Airbase to a less populous location. However, the violation of constitutional rights relative to the U.S military bases in Okinawa started a long time ago. When we especially discuss the freedom of expression, the Takae SLAPP Lawsuit must be referred.

The Takae district in Higashi village of Okinawa Island, is located in the 'Yanbaru,' the natural forest that covers the northern half of Okinawa. U.S. Marine Corps helipads have been relocated adjacent to Takae residences, and others are being constructed.

Residents of the Takae district have opposed construction of the helipads. The Government of Japan filed a motion for “illegal obstruction of traffic” against Takae residents who staged a sit-in protest in front of the entrance to the construction site for a new U.S military facility, whereby they became defendants in this case. This kind of lawsuit, intended to suppress or discourage public opposition to the Government’s plans, is known as a “SLAPP” lawsuit (Strategic Lawsuit Against Public Participation).

SLAPP lawsuits were first used in the 1970’s -1980’s in the United States when civil movement was mounting. In response, laws were enacted in the 1990s in the U.S. in order to prevent SLAPP lawsuits.

The Takae SLAPP lawsuit started with a request by the Government of Japan to issue a temporary injunction against 15 Takae residents on 25 November 2008. A 7-year-old girl was among those named as a defendant because she was the daughter of the local protest leader. In actuality, the girl had never been involved in any of the protests. As a result, the case against her was eventually withdrawn, but the temporary injunction continued to be sought against the other 14 defendants. On 11 December 2009, the Naha District Court dismissed the case against 12 of the remaining 14 defendants. The dismissal occurred because some residents were named simply because they were spouses of protesters, even though they had not actually participated in the protest.

When the preliminary injunction was approved, a lawsuit was filed against the two remaining residents. The Naha District Court dismissed the case against one of the two; however, it proceeded to prosecute the other one, on 14 March, 2012. The high court upheld the case on 25 June 2013, and on 13 June 2014, the Supreme Court upheld the lower court order. During this time, the Liberal Democratic Party was defeated and the Democratic Party began to rule. However, the Democratic Party did not dismiss the lawsuit.

The defendant’s actions expressing his desire to “live in a peaceful place without military bases,” constitute an act of political expression, which is nominally protected by the Japanese Constitution. Its intent was to promote achievement of a self-sustaining existence for Okinawa. Because the Government of Japan’s case against a private citizen is intended to intimidate and to suppress future political expression, the rationale for its actions must be rejected unless some strict, clear criteria are provided. The Government lawsuit requests an indefinite suspension of political expression by private citizens. While securing unimpeded construction of the helipad is a trivial benefit to the Government, the loss of constitutionally guaranteed freedoms by the citizens of Japan is immensely consequential. The Government’s actions cannot be justified.

The violation of freedom of expression has begun already, and the critical situation of Japanese democracy, as represented by the construction of a new U.S military base in Henoko is not something which started recently. The Japanese democracy has been in peril already.

2. Police violation of freedoms of expression and peaceful assembly

Japanese police have undermined freedom of expression through oppressive and violent measures against protesters demonstrating on both land and sea. On a daily basis, the police forcefully evacuate peaceful protesters who gather in front of the gate of the Camp Schwab, the U.S. military base in Henoko.¹ Those evacuated are detained on the sidewalk, where they are kept inside an enclosure of iron bars and police vehicles. At sea, the Japan Coast Guard (JCG) uses violence to remove protesters and journalists in kayaks and small boats by detaining and evacuating, purposefully colliding with and damaging their boats and deliberately flipping smaller boats.² The police and JCG take video footage of protesters and journalists, identify, and threaten them by name in order to suppress them.³ The JCG frequently uses excessive force, including chokeholds and holding demonstrators underwater to threaten them with drowning. Since July 2014, at least 35 cases of detention affecting hundreds of protesters, 13 cases of alleged excessive use of force, and 12 arrests of protesters have taken place.⁴ From 4th November 2015, the Government has brought in riot police squads from the mainland on a daily basis. Each squad is composed of around 100 officers. As a result, the number of persons injured due to excessive use of force by the riot police has increased.⁵ These actions have also fuelled chilling effects among people and escalated the tension between people of Okinawa and the Government of Japan.

¹ IMADR, “*Militarization and Human Rights Violations in Okinawa, Japan*”, the islands’ voice to UN Human Rights Council. September 9, 2015. http://imadr.org/militarizationhumanrights_okinawa_japan_hrc30-21september2015/

² Under the warrant principle, a restriction of personal liberty has to be supported by a warrant from a court judge. This measure is restricted for an emergency situation.

³ IMADR, *Human Rights Violations in Okinawa, Japan (HRC30, 2015, Joint-WS)*. September 17, 2015. <http://imadr.org/humanrights-violations-okinawa-japan-hrc30-2015-joint-ws/>

⁴ These numbers do not include incidents of which a number of victims is not clear. See the attached list “*Violence detention and arrests in Henoko Okinawa in 2014-15*”

⁵ As of 10 December 2015. See the list “*Violence detention and arrests in Henoko Okinawa in 2014-15*”

The legal basis of such oppressive actions by the police and JCG is dubious. Although the police claim that their measures comply with law, it is not clear to which law they refer.⁶ The Police Duties Execution Act prescribes that measures without warrant can only be conducted in exceptional cases, when there are threats of injury, of life or to property.⁷ However, because the protesters are demonstrating in a non-violent manner they do not pose a threat to anyone or anything. Furthermore, the JCG is violating the Japan Coast Guard Act. According to section 1 of Article 18 of the Act, stopping, transferring, and disembarking of vessels is only permitted: 1) in a dangerous situation (such as an accident); 2) in a situation involving risk to life or body of person, or of significant damage to property; and 3) in a situation of urgent need.⁸ These exceptional measures must be strictly interpreted, since they limit personal liberties guaranteed by the Japanese Constitution. In other words, the police and JCG are consistently acting beyond their legal purviews and violating constitutional rights.

Moreover, allegations of “*obstructing official duties*” as well as the *Act on Special Measures Concerning Criminal Cases*⁹ are arbitrarily used to arrest and oppress protesters and journalists. Circumstances of arrest for “*obstructing official duties*” are often unclear, since they often occur when police are forcibly removing protesters. The police are also accused of provoking protesters to create opportunities to arrest them. In 2015, three individuals were arrested for alleged violation of the Act on Special Measures. Of those, two were dragged by security guards into Camp Schwab and then arrested.¹⁰ It was a clear case of arbitrary arrest with application of the Act on Special Measures. Furthermore, the JCG has mentioned a possible application of the Act against detained protesters who entered the temporary restricted area. This raises a serious question about the government’s interpretation of the Act. The purpose of the Act on Special Measures is to guarantee activities of the U.S. military in Japan, but the current temporary restricted area is for completion of preliminary construction work for the foundation of a base that is a project of the Government of Japan. Therefore, the Government of Japan is misusing the Act in order to prevent citizens from expressing their opinions.

Those extrajudicial measures are taken to oppress protesters and spread chilling effects to prevent people from joining demonstrations. Regrettably, national courts have not found these measures legally problematic, despite serious impacts on constitutional rights, in particular, freedom of expression, freedom of speech and the right to peaceful assembly. Freedom of expression, especially freedom of political expression, exercised with respect for other human rights, must be upheld, since it is a core component of a democratic society. In taking oppressive measures against peaceful demonstrations, the Government of Japan not only violates its Constitution, but also the International Covenant on Civil and Political Rights.

3. Oppression on freedom of press

Background

Since Abe administration started, the Government’s intervention to the press has strengthened severely. In November 2014, just before the general Lower House election, ruling Liberal Democratic Party (LDP) sent official letters to NHK (“Nippon Hoso Kyokai”, Japan Broadcasting Corporation) and all the major TV stations in Tokyo, requesting them to handle the news on the election from a “*fair and neutral standpoint*”. The request was precise, including how to select the speakers and tips to take into account when editing the curb side interview. It was to ensure the news and programs not be inclined to a specific opinion and remain “*fair and neutral*”. LDP states that this request is not the oppression of freedom of speech, since it is just asking for a “*fair and neutral standpoint*” which is stated in article 4 of Broadcast Law. However, in reality there lies a severe problem. In the first place, in Japan it is the Ministry of Internal Affairs and Communications (MIAC) which has the regulatory authority and the authority to grant licenses to TV stations. In short, TV stations are under observation of MIAC through licensing process, therefore any request or guidance from MIAC becomes a strong pressure to the actual broadcasters.¹¹ Consequently, such a request from the Government creates a chilling effect, which makes it quite difficult for the broadcasters to criticize Government’s policies in TV programs.

There has been an example of the “administrative guidance”, which has a stronger impact than the request above. Broadcasting Ethics and Program Improvement Organization (BPO) had been investigating the program of NHK,

⁶ Lawyers group for lawsuit to cancel the approval of landfill in Henoko, *Statement against Wrongful Detention in front of the Camp Schwab Gate by Riot Police of Okinawa Prefecture*, 29 July 2015

⁷ Ibid

⁸ Okinawa Bar Association, *Presidential statement on security activities of Japan Coast Guard in Henoko*, 11 March 2015

⁹ This act is based on the “Agreement under Article 6 of The Treaty of Mutual Cooperation and Security between Japan and the United States of America, regarding Facilities and Areas and the Status of United States Armed Forces in Japan”

¹⁰ The incident took place on 22 February 2015. Ryukyu Shimpo, *Henoko protesters detained by US military*, <http://english.ryukyushimpo.jp/2015/02/24/17224/>

¹¹ Japan Federation of Bar Associations, “*Declaration for the Establishment of Freedom of Expression. -To realize a Free and Democratic Society-*” November 6, 2009 http://www.nichibenren.or.jp/en/document/statements/year/2009/20091106_3.html

broadcasted in May 2014, which was accused for the prearranged performance. BPO is the third party organization to promote the accuracy and improvement of broadcasting. However in the middle of investigation, Sanae Takaichi, the Minister of Internal Affairs and Communications, administrated a reprimand as an administrative guidance. She explained this action had been taken in accordance with Broadcast Law. However, this action is widely understood as the Government ignoring the role of the third party organization, and directly pressuring the media. It was quite an unusual measure in recent history.

LDP and the Government of Japan have been interfering with TV stations in succession, by misusing Broadcast Law. However, the section 2 of article 1 of Broadcast Law was to secure “nonpartisan of broadcasting” in order to prevent the intervention from the Government and to secure “fact” in order to forbid the pressure from the Government to falsify the facts.¹² However, the Government of Japan is using the law as a means to regulate freedom of press, without understanding nor respecting the original purpose of the law.

Amid the strengthening interference by the Government over journalism, the media in Okinawa, especially two local newspapers, have kept on conducting critical coverage against the Government about the U.S. base related issues. This is out of their ethics and mission as local newspapers, to report U.S. base related issues, which are rarely covered by the media outside Okinawa. This attitude is unfavorable of the Government of Japan, which promotes the construction of a U.S. base in Okinawa, and the Government has been criticizing the Okinawan media as “biased”. The Hyakuta incident occurred under such circumstances.

Hyakuta incident

On June 25th, 2015, about 40 junior LDP Diet members held a study session at the LDP’s headquarters. This study session is called “Culture and Art gathering” and its aim was to promote constitutional amendment. They invited the famous writer, a former member of the Board of Governors of NHK, Naoki Hyakuta. The study session was vibrant, with a series of critical opinions about media expressed by the LDP Diet members and Naoki Hyakuta.

Hideo Ohnishi said “ *The best way to teach media a lesson is to deprive them of advertisement income. Neither politicians nor Prime Minister Abe can say this, so we want you to appeal to the Federation of Economic Organizations that it is outrageous to provide advertisement income to media which commits a fault against the interest of Japan. Something like boycotting.*”

Takahiro Inoue said “ *When I served as a president of the Fukuoka branch of Junior Chamber International Japan, I bashed media. From this experience, I learned that the boycotting sponsorship damages media the most. We must do (this) all over Japan. Why not announcing the worst 10 TV programs and list the name of sponsoring companies?*”

Takashi Nagao asked Hyakuta “ *It is the failure of post war conservatives that created the odd structure of media in Okinawa. What will you do to straighten the biased public opinion of Okinawa? I believe media is completely taken over by the left wing.*”

Answering to these opinons and questions, Hyakuta said “*We must smash up (two Okinawan newspapers)*”. He went further to tell a false history of Futenma Air Base saying “*People from the neighboring community moved around the Air base for the money*”.

Minoru Kihara, the head of this gathering, said “*Mr. Hyakuta has been providing information and voicing his opinions and belief to the public, and he is well accepted by the people. We, politicians, should all learn from him.*” Several government officials also attended this study session.

On June 30th, in response to the press Hideo Ohnichi answered “*We should punish (the media critical about the new Security bill)*” or “*I believe companies should restrain spending advertisement fees to the media which conduct false news coverage.*”

The issues raised through this incident

Remarks cited above were intended to oppress the media. Together with the Government’s regulation of the freedom of expression, it is clear that they produce a serious chilling effect. LDP removed Kihara Minoru from the Director of Youth Division, and ordered the suspension of any post for a year. Hideo Ohnishi, Takahiro Inoue, Takashi Nagao were

¹² Broadcasting Ethics and Program Improvement Organization (BPO), “*Opinions concerning the program [Becoming a priest fraud] of NHK*” November 6, 2015
<http://www.bpo.gr.jp/wordpress/wp-content/themes/codex/pdf/kensyo/determination/2015/23/dec/0.pdf>

reprimanded. However, these punishments cannot address the problematic nature associated with the incident. The following three points must be pointed out.

Firstly, “Culture and Art gathering” is an official study session of Diet members held at the LDP’s Headquarters, which many Diet members with high-ranked positions in LDP and the Government participated. Therefore we can conclude that the remarks made there, created political pressure using the position of the ruling party.

Secondly, we must highlight the fact that the remarks were concrete, including specific methods on how to reduce the advertisement income or sponsors of media. Their utterance denies the freedom of press, and therefore we recognize them as a threat and challenge to the freedom of press by the authority.

Thirdly, we must focus that the remarks made by Naoki Hyakuta were not denied or questioned, but were accepted positively by the Diet members. Diet members are the representatives of Japan which is a democratic country. They must adamantly oppose such proposal of media regulation. Instead, they said “*We must learn from Hyakuta Naoki.*”

Conclusion

In recent years the oppression of freedom of press by the Government and ruling LDP has been intensified more and more. Especially to the media of Okinawa, conflicting with the Government over the U.S. base related issues, the oppression has progressed to the level which seeks to deprive freedom of press, rather than disrespecting it. This is clear from the fact that LDP members discussed how to “smash up” the local newspaper at the study session. It cannot be excused for the sake of protection and maintenance of democracy. The present situation, where the freedoms of press and expression have been threatened, is the crisis of Japan’s democracy.

4. Infringement of right to information

Introduction

Freedom of expression is guaranteed by Article 21 of the Japanese Constitution, which also stipulates the people’s “right to information.” In Okinawa, however, the Government of Japan continues to conceal information arbitrarily from local communities, particularly those related to military affairs. Some observers have charged that the government’s efforts at concealment have nothing to do with concerns about national defense, but that they are intended to avoid fueling civilian opposition to the U.S. military bases. In addition, the lack of transparency regarding discussions about U.S. military bases with local Okinawan communities constitutes a problem. Information is not equitably or properly disclosed to Okinawan residents. The Government must share as much information about U.S. military installations as possible with people of Okinawa, whose lives are impacted by the U.S. military presence. Only after proper information disclosure is ensured, can democratic decision-making be pursued. Anxious to quell the increasing anti-base sentiment in Okinawa, the government has often violated people’s right to know by controlling information in an arbitrary manner.

The following chapters outline the latest cases of hiding information about deployment of Osprey military aircraft and about the Government’s obstructing information disclosure regarding a prefectural road in the Takae district of Higashi Village, used by the U.S. military.

Hiding Information on Deployment of Osprey Military Aircraft

Following the rape incident of an Okinawan school-girl by three U.S. service members in 1995, the Special Action Committee on Okinawa (SACO) was established by the Government of Japan and U.S. Government. The November 26, 1996 document of the SACO talks compiled by the U.S. military describes the “comments of the U.S. military officials in Japan (1)” of the fact that “the Government of Japan has not released information on deployment of MV-22 Osprey aircraft. The U.S. military calls for the immediate release of the information (C).” Due to a high number of accidents associated with the aircraft, local residents on Okinawa have long been concerned about deployment of the aircraft to Futenma. With safety concerns, local citizens had been contacting the Government, asking whether there was a plan to deploy the aircraft to Okinawa.

On November 27, the document entitled, “The Government of Japan’s view on the relocation of U.S. Marine Corps Air Station Futenma” (MCAS Futenma) was sent to U.S. military forces in Japan. Section 5 “Q & A regarding matters related to MV-22 Osprey aircraft: Explanation for the prefecture and people of Okinawa provided by Naha Defense Facilities Administration Bureau” notes that “the Defense Agency prefers answers in accordance with the following details. The sea-based facility will serve as the base for operation of sixty helicopters. [...] If these helicopters are to be

replaced with MV-22 aircraft (not fixed-wing aircraft) in the future, the base is considered to be capable of accommodating the new aircraft under the same conditions. The sea-based facility will remain to be a heliport as it was originally planned to be used for the relocation site for transport helicopters that are currently basing in MCAS Futenma.”¹³

Following the guidance of the Government of Japan, the SACO Final Report of December 22 of the same year contains a phrase “...will also support operation of short takeoff and landing aircraft,” with the description of the MV-22 Osprey aircraft removed. Although the U.S. Government tried to reveal the planned deployment of MV-22 Osprey aircraft in the SACO agreement, the of Japan requested removal of the statement regarding the deployment through Nobushige Takamizawa¹⁴, then Director of Defense Policy of the Japan Defense Agency. As a result, the statement regarding deployment of MV-22 Osprey aircraft was struck from the SACO Final Report.

The Environmental Impact Assessment Law requires all organizations to undertake environmental impact assessments before carrying out major projects like the new base construction at Henoko. Assessments are conducted to study adverse environmental consequences of proposed activities and to present measures to protect the environment. A democratic process of disclosing information to the public and hearing opinions from citizens, as well as scientific verification should be ensured throughout the process of environmental impact assessment, specifically during development of an investigation plan (Environmental Scoping Document) and when reporting the results of assessments (Draft Environmental Impact Assessment).

However, even after the Environment Impact Statement (EIS) for the construction of a new U.S military in Henoko started, the Ministry of Defence did not mention the plan to deploy the Osprey in the Environmental Scoping Document (ESD) or the Draft Environmental Impact Assessment (DEIA), and information related to deployment of Osprey had been hidden, despite the many inquiries about the Osprey from citizens. However on June 6th, 2011, The Okinawa Defence Bureau finally revealed information about the Osprey deployment by sending a FAX entitled “Notification to local community (Oral)” to Okinawa Prefecture and Ginowan City. The document said, “This is to inform you that we have received information from the Ministry of Defence of Japan that the U.S. Government has announced the deployment of MV 22 Osprey to Okinawa. The U.S. Marine Corps is exchanging CH 46 helicopters for MV 22 Ospreys by gradually reducing the number of CH46s.” At 4:00 a.m. on December 28, 2011, the ‘Evaluation Document’ of the final report of the Environmental Assessment was submitted to the Okinawa Prefectural Government, in which the plan of Osprey deployment was mentioned for the first time. However the process of seeking public opinion about the “Evaluation Document” was lacking; therefore citizens were not given any opportunity to raise concerns about the Osprey deployment.

The Government of Japan hid the Osprey deployment plan because it knew that Okinawan opposition to the U.S. military base at Henoko would have been strengthened had the people known about it. This would have made it even more difficult to start construction of a new military base in Okinawa. This flawed assessment completely ignores stipulated procedures for the Method Document and the Preparatory Document, thereby making a mockery of the entire process. The construction of a new base in Henoko is exactly the kind of issue that these procedures were designed to address and the construction work at Henoko is already underway without the right processes.

Prevention of information disclosure concerning the use of the road in the Takae district

On 19 February 2015, Okinawan residents submitted an information disclosure request to the Okinawa Prefectural Government about: 1. ‘FAC 6001 Agreement on Joint Use of U.S. military Facilities in the Northern Training Area by the Okinawa Prefectural Government’ (1 December, 1990¹⁵) and also the memo of the Facility Special Committee, and 2.

¹³ In the document it was stated that “*These documents were passed from Takamizawa in the Minister of Defence to the military J/3 in Japan*”, and “*The third part (fifth item) is an expected question and answer regarding deployment of MV-22*”.

¹⁴ Nobushige Takamizawa, then Director of Defense Policy of the Japan Defense Agency who attended the negotiation meeting with the U.S government, answered a question by the Ryukyu Simpo (newspaper) interview, about the person ‘Mr. Takamizawa’ mentioned in the document, saying that “*It is hard to deny that that person is not me*”.

¹⁵ The document is the agreement on joint use concluded on 1 December, 1990, between the Director of the Engineering Division, Marine Corps Bases Japan, the Governor of Okinawa, and the Director of the Facility Division of the Naha Defence Facilities Administration.

'FAC 6001 Agreement on Joint Use of part of the land of the Northern Training Area (18 December 1981¹⁶)'. The Okinawa Prefectural Government decided on the disclosure of those documents.

However, on March 4th, the Government of Japan filed a legal case to cancel Okinawa Prefecture's decision regarding the disclosure and on March 5th the court ordered suspension of the disclosure¹⁷. The Government of Japanese's petition claimed "it is clear that the relationship with the United State will be lost (if these documents were disclosed). The government pointed out that in the meeting minutes of the first meeting of the Japan-U.S Joint Committee, (Official Name: Joint Committee established by Article XXV of the Agreement under Article VI of the Treaty of Mutual Cooperation and Security between Japan and the United States of America, regarding Facilities and Areas and the Status of United States Armed Forces in Japan) and "9. The United States made recommendations on the following procedures and preparation and Japan agreed", and "F. Official meeting minutes of the Joint Committee shall be considered as official documents for both countries and not be disclosed without mutual agreement by both Governments."

However, these documents only stipulate the agreement on the use of the shoulder of the road that runs through the training facilities in the jungle located in northern Okinawa Island, which means that no military information would be included. Therefore, the Okinawa Prefectural Government, which owned these documents, decided that these documents did not have to be concealed.

Nevertheless, the Government of Japan opposed their disclosure, claiming that this agreement was made under the Status of Forces Agreement and refused access to information, even if it had no bearing on national security.

Conclusion

From these cases, it is obvious that the Government of Japan has arbitrarily limited public access to information in its possession, especially that related to the military. These cases are just the tip of the iceberg and there is concern that arbitrary concealment of information continues to the present. Moreover, due to enforcement of the Act on the Protection of Specially Designated Secrets (the government has offered no definition of "Designated Secrets"), there is also concern that the Act makes it easier for the Government of Japan to conceal information concerning the U.S. military. In such a case, Okinawa, where the U.S military bases are concentrated, will suffer.

The methods that the Government of Japan uses to regulate acts of expression, limiting public access to information, reminds us of the time before the World War II when the freedom of expression and the right to information were both significantly restricted. The freedom of expression and the right to information must be protected as basic democratic principles, as they are protected by international standards of human rights.

¹⁶ This document is part of the notification sent from the Secretary General of Naha Defence Facilities Administration Agency to the Okinawa Prefectural Government, through the Director of the Okinawa Forest Land-Use Management Office, dated February 15th 1983, inquiring about the conditions of use proposed by the U.S. military for joint use of land by the Government of Japan and the U.S. Government.

¹⁷ The Government of Japan possesses the land designated FAC6001, the northern training area, located in Higashi and Kunigami Villages and has approved use of the area by the U.S. military. The Governor of Okinawa submitted an application for joint use of the land based on item 4 in Article in the Status of Forces Agreement on October 9th, 1979 and it was approved by the joint committee on September 27th, 1990.

Attachments

Statement against Wrongful Detention in front of the Camp Schwab Gate by Riot Police of Okinawa Prefecture

29 July, 2015

1. Against citizens' protest activities in front of the Camp Schwab Gate to oppose the construction of a new base in Henoko, Nago city, Okinawa prefectural police repeatedly mobilise a number of riot police officers and evacuates citizens to a temporary detention space by using iron fences and police vehicles on the side walk where evacuated citizens are detained.
Such acts of the prefectural riot police are detention without warrant which violates the Articles 33 and 34 of the Constitution.
2. With regard to the wrongful detention, lawyers belonging to our group directly questioned riot police officers for its legal basis, yet riot police officers ignored the questions and continued illegal detention of citizens.
Nevertheless, since citizens are conducting non-violent protests, it is not in a situation where security cannot be ensured without detention. Thus, detention above by the prefectural riot police officers is an illegal act which cannot be justified by law.
Moreover, evacuation by prefectural riot police officers is conducted in which several officers hold citizens' arms and legs or bind their arms behind to deprive their physical liberty, and then bring them inside the fences. Even if its purpose is to ensure the safety of citizens, it significantly exceeds the appropriateness of means.
Such acts of prefectural riot police disrespect basic human rights and human dignity of citizens by treating them as if they are "objects", which have to be said illegal and wrongful.
3. According to press reports, the prefectural police explained in interview that "*(it is) taking appropriate measures in accordance with law in a view to secure security for people and prevent troubles*", "*(it is) moving people to resolve an illegal situation, and using equipment and cars to make sure that people do not come out to the road until vehicles enter (the Camp)*". (Morning edition of Okinawa Times on 29th June 2015)
However, it is absolutely unclear which "*law*" is referred here. Even if it is based on the Police Duties Execution Act, the Act only illustrates that measures can be taken in a necessary capacity to avoid a risk only when there is a threat to lives or bodies of persons or property. There is a very low possibility for citizens, who are conducting expressive activities guaranteed by the Constitution in a non-violent manner, to pose such a risk. Even if "*moving people to resolve an illegal situation*" is approved, "*using equipment and cars*" to detain citizens concerned clearly exceeds the scope permitted by law.
4. Moreover, it can be said that illegal detention by the prefectural police officers in front of the Camp Schwab Gate represents the current Government's attitude to disrespect the Constitution.
The current Government railroaded the security bill in the lower house of the Diet in which the majority of the population expressed their opposition and vast majority of constitutional scholars concludes it unconstitutional.
The current Government's attitude to neglect the Constitution is clearly represented by ongoing illegal detention in front of the Camp Schwab gate and the forcible passage of the unconstitutional security bill, which makes us alarmed at Japan's constitutionalism, rule of law and democracy.
5. Overall, citizens' activities to oppose the construction of a new base in Henoko, which are taking place around the Camp Schwab, are part of the exercise of freedom of expression guaranteed by the Constitution. Especially since the freedom of political expression is a basic human right in the foundation of a democratic society, any authoritative regulation against it must be inhibitory.

We strongly demand the prefectural police to take sufficient consideration to citizens' freedom of political expression by following the Constitution and other law which civil servants are abided.

Lawyers group for lawsuit to cancel the approval of landfill in Henoko
Head Toshio Ikemiyagi

URL: <http://okinawagodo.org/category/legal-term/%E8%BE%BA%E9%87%8E%E5%8F%A4%E5%9F%8B%E7%AB%8B%E6%89%BF%E8%AA%8D%E5%8F%96%E6%B6%88%E8%A8%B4%E8%A8%9F/> (Japanese)

Presidential statement on security activities of Japan Coast Guard in Henoko

- 1 Currently, Japan Coast Guard (JCG) is conducting security activities using patrol vessels and rubber boats against citizens protesting at sea who oppose the construction of a new U.S. military base by the Government in Henoko, Nago city. The JCG's security activities range from stopping boats and canoes carrying citizens and media personnel to JCG officers moving onto those boats, overturning canoes or forcibly towing those boats, on the ground of safety guidance. Among those security activities, citizens claim that JCG officers used violence against them for several cases, which are brought lawsuits.
- 2 Nevertheless, JCG officers are restricted to take forcible measures against citizens acting at sea only for cases which fulfill the conditions set by the Article 18 of the Japan Coast Guard Act. According to the section 1 of the Article, stop, transfer and disembarkation of a vessel is only permitted when: 1) it is in a dangerous situation such as sea accident; 2) there is a risk of threat to life or body of person or significant damages to property; and 3) there is an urgent need. Interpretation of these conditions must be made strictly, since these forcible measures limit personal liberty guaranteed as a human right in the Constitution, which normally have to be supported by a warrant from a court judge under the warrant principle, and it is considered as an exceptional measure in an emergency situation. With this regard, forcible measures JCG is currently conducting at sea do not fulfill any of those conditions, even basing on the explanation from JCG.
- 3 On the other hand, JCG refers the possible application of the *Act on Special Measures Concerning Criminal Cases* for those entering the temporary restricted area in the water zone provided for U.S. military in Camp Schwab. Principally, in a situation when a crime is going to be committed, JCG can take forcible measures on the basis of the section 1 of the Article. However, although the Act on Special Measures is a legal system to guarantee activities of U.S. military in Japan, the setting of the current temporary restricted area is not for the purpose of guaranteeing U.S. military activities. It is clear that the purpose of the temporary restricted area is to complete the construction work for the foundation of a base which is a Government of Japan's construction project. Such expansion of the application of penal law for different purposes from the objective of the law poses a risk to violate personal liberty guaranteed in the Constitution. Therefore, it must be stated that the control of JCC officers based on the application of the Act of Special Measures in the temporary restricted area is problematic.
- 4 Civilian activities against the construction of a new base in Henoko around the Camp Schwab are part of exercises of the freedom of expression guaranteed in the Constitution. It goes without saying that particularly the freedom of political expression is a foundation of a democratic society in which restriction by authority should be inhibitive. Our association strongly demands JCG to make sufficient consideration to citizens' freedom of political expression and respect the strict conditions for forcible measures set by the Japan Coast Guard Act.

11th March, 2015

Okinawa Bar Association

President Hidekatsu Shimabukuro

URL: <http://www.okiben.org/modules/contribution/index.php?page=article&storyid=127> (Japanese)

Presidential statement to demand the Japanese government to respect freedom of expression, which has filed for a provisional disposition against the residents of the US military helipad construction area in Okinawa

15 December, 2011

On 25th of November, 2008, the Japanese government filed at a court for a provisional disposition against the 15 residents who oppose the construction of the U.S. military helipad in the Takae district, Higashi-son, because they have interfered or might interfere with the Government's passage and other activities near the entrance of the construction site.

On 11th of December, 2009, the Naha district court made the final decision to issue a provisional disposition only for two residents out of fourteen and dismissed the Government's claim for the other twelve, while the Government had withdrawn its filing against a 7-year-old girl (the lawsuit against the two residents to bar the interference with passage, who had been issued an provisional disposition, closed a hearing on 14th of December and the judgement will be rendered on 14th of March, 2012 whilst the construction still continues.)

Meanwhile, the Kyushu Bar Association issued a recommendation to the Government to conduct a sufficient investigation and review based on reasonable grounds before taking legal proceedings against its people while refrain from causing chilling effects beyond a necessary level, since the Government's action was infringement on freedom of expression of the residents.

The court has recognized the residents' expressions of opinion against the construction as acceptable and not exceeding the respectable scope since it was based on political beliefs, while the Government, as applying for provisional disposition, had condemned all forms of the local people's expressions of their opinion including sit-in protests, writing opinions on the internet, making requests to stop the construction to the Government and expressing their opinions through the mass media.

Meanwhile, in filing for the provisional disposition, the Government singled out the Takae district residents, including a married couple and a 7-year-old girl, out of the many protesters from inside and outside Okinawa. Moreover, considering the fact that the photos submitted to the court by the Government were not identical with those who had been sued and eventually the Government's claim against most of them was rejected, it would be natural to assume that the Government simply selected those who expressed opposition without sufficient prior examination to assess whether they had actually interfered with the passage or not when it filed the complaint.

This legal action has effectively caused significant chilling effects on residents' activities in political expression by imposing a heavy burden on the residents and subjecting the broad range of their activities.

As we have seen, there is a doubt that the Government's lawsuit was not aimed at resolving the dispute in a sincere manner or realizing substantive rights, but instead it was aimed at suppressing the residents' movement as a whole by imposing the residents burdens and disadvantages both psychologically and materially in and out of court.

Freedom of expression is an important human right to determine the fate of a democratic society, and therefore, a free and democratic society is established by free discussions and formation of democratic consent. The State intervention or interference with political expressions is considered a serious crisis in guaranteeing freedom of expression in general. Also, when these expressions of opinions concern the right to a peaceful existence that underlies basic human rights, these expressions should be respected all the more.

If we lose freedom of expression once in a democratic society, it is extremely hard to obtain it back. Therefore, the State's action to limit it must be done with sufficient consideration to avoid unnecessary chilling effects against its people's activities of expression while the freedom has immanent limitations.

The provisional disposition is concerned to have significant impacts not only on this case, but also on future activities of political expression by citizens.

Therefore, we, JFBA, demand the Government to respect freedom of expression and give due consideration so as not to result in suppression of the people's activities of expression when it takes legal proceedings against its people,

President Kenji Utsunomiya
Japan Federation of Bar Associations

Attachments

Violence, detention and arrests in Henoko, Okinawa in 2014-15

*All the incidents took place in Henoko (in front of the Camp Schwab Gate or in Oura Bay).

**The term "detention" includes the restraint of personal physical liberty by law enforcement officials.

*** The list does not include incidents where a number of victims is not clear.

No.	Date	Victim	Perpetrator	Incident	Action by authorities	Source	URL
1	27/07/2014	2 individuals	Japan Coast Guard	2 protesters on canoes approaching to watch the work for the seabed investigation were temporarily detained.	Detention	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/preentry-229258.html
2	15/08/2014	3 individuals	Japan Coast Guard	3 citizens on canoes protesting outside the temporary restricted area were temporarily detained while one of them had slight cut around his eyes by the JCG officers' violence.	Excessive use of force and detention	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/movie/preentry-230221.html
3	25/08/2014	3 individuals	Japan Coast Guard	3 citizens on canoes protesting between the oil fence and the JCG-installed buoys were temporarily detained. These buoys were installed to constrain citizens from protesting.	Detention	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/preentry-230605.html
4	26/08/2014	7 individuals	Japan Coast Guard	7 protesters on canoes jumped into the sea over the buoys to protest against on-going drilling investigation were temporarily detained.	Detention	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/preentry-230653.html
5	30/08/2014	20 individuals	Japan Coast Guard	20 protesters on canoes crossing over buoys were temporarily detained. Some of them approached the spudding pontoon.	Detention	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/preentry-230851.html
6	02/09/2014	1 individual	Japan Coast Guard	One protester on a canoe crossing over buoys was temporarily detained.	Detention	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/preentry-231010.html
7	03/09/2014	3 individuals	Japan Coast Guard	3 protesters on canoes crossing over the oil fence were temporarily detained for approximately 40 minutes.	Detention	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/preentry-231069.html
8	04/09/2014	10 individuals	Japan Coast Guard	10 protesters on canoes approaching the spudding pontoon were temporarily detained for approximately 1 hour while 6 canoes were also temporarily confiscated.	Detention and confiscation of canoes	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/preentry-231146.html
9	09/09/2014	21 individuals	Japan Coast Guard	All protesters on canoes approaching the spudding pontoon for drilling survey were temporarily detained.	Detention	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/preentry-231346.html
10	12/09/2014	5 individuals	Japan Coast Guard	JCG officers said "the Act on Special Measures Concerning Criminal Cases will be applied" to the detained citizens who had protested on canoes, and took their face photos against their will by forcibly taking off their sunglasses or hats.	Detention and verbal threat	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/preentry-231531.html
11	13/09/2014	At least 12 individuals	Japan Coast Guard	Citizens on canoes protesting outside the temporarily restricted area were temporary detained in a forceful manner. One protester was held his neck by the JCG officer and hit his head strongly against the boat, which would have injured him if he was not wearing a helmet.	Excessive use of force and detention	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/movie/preentry-231584.html

12		1 individual and others	Japan Coast Guard	A JCG officer yelled at the resident while pressing his neck and twisting his arm. One of the injured residents submitted a complaint to the Nago branch of the Naha District Public Prosecutors Office.		Ryukyu Shimpo	http://english.ryukyushimpo.jp/2014/09/22/15350/
13		20 individuals	Japanese police, Japan Coast Guard	19 protesters on canoes were temporarily detained and placed on the agency's inflatable rafts while riot policemen forcibly dragged the sit-in protesters, including an 84-year-old woman who hit the ground and injured her head, in front of the Camp Schwab gate.	Excessive use of force and detention	Ryukyu Shimpo	http://english.ryukyushimpo.jp/2014/12/03/16053/
14	20/11/2014	2 reporters	Japanese police	The riot police squads removed two Ryukyu Shimpo reporters by force from reporting on those scenes above.	Infringement of freedom of press by force	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/movie/preentry-234816.html
15		A film director (Mr. Yukihiisa Fujimoto)	Japanese police	3 riot officers grabbed the director's arms and legs and forcibly lifted him out of the spot to stop him shooting the scenes.	Infringement of freedom of press by force	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/movie/preentry-234816.html
16	11/01/2015	1 individual	Japanese police	The man allegedly hit the face of a security guard with a plastic bottle when he was restrained by the guard in an attempt to sit in front of the gate of Camp Schwab.	Arrest for assaulting a security guard	Ryukyu Shimpo	http://english.ryukyushimpo.jp/2015/01/15/16656/
17	16/01/2015	19 individuals	Japan Coast Guard	19 citizens protesting inside the temporary restricted area against the set-up of oil fence were temporarily detained.	Detention	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/preentry-237398.html
18	17/01/2015	21 individuals	Japan Coast Guard	Protesters on canoes/ boats were temporarily detained for entering the temporary restricted area.	Detention	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/preentry-237444.html
19	19/01/2015	6 individuals	Japan Coast Guard	Protesters on canoes/ boats were temporarily detained.	Detention	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/preentry-237541.html
20		2 individuals		Citizens on canoes were temporarily detained for protesting inside the temporary restricted area.	Detention	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/preentry-237575.html
21	20/01/2015	A film maker	Japan Coast Guard	Around 2:30 pm, Japan Coast Guard officers moved onto a boat carrying protesters and a female film maker with camera. The officers tried to forcibly confiscate her camera by strongly putting his leg on her shoulder and holding her body down with his weight. Consequently, her right wrist was injured which required one week medical treatment.	Excessive use of force	Ryukyu Shimpo	http://english.ryukyushimpo.jp/2015/01/30/16863/
22	31/01/2015	1 individual	Japan Coast Guard	When he was attempting to cross the temporary restricted area with a canoe, a Japan Coast Guard officer seized his paddle and threw it to the water. Due to the appeal by other protesters, another officer returned the paddle.	Confiscation of a paddle from a protester on canoe	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/movie/preentry-238161.html
23	13/02/2015	1 individual	Japanese police	Past 7 am, he allegedly pulled down a riot police officer during scuffle with protesters and police officers. He was later released on 14th February.	Arrest for obstructing police officers from performing their duty	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/preentry-238836.html
24	22/02/2015	2 individuals (Mr. Hiroji Yamashiro and Mr. Daigaku Tanimoto)	US security guard, Japanese police	The two protesters were allegedly trespassing onto U.S. Marine Camp Schwab. According to the witnesses, the two were dragged by the security guards and detained in the base. There were taken to the Nago police station, then transferred to the Naha prosecutors office. They were later released on 23rd February.	Arrest for violating the Act on Special Measures Concerning Criminal Cases	Ryukyu Shimpo	http://english.ryukyushimpo.jp/2015/02/24/17224/ http://english.ryukyushimpo.jp/2015/03/01/17314/

25	20/03/2015	1 individual	Japanese police	The concerned person was temporarily detained during scuffle with protesters and riot police when protesters were trying to prevent a vehicle of Japan Coast Guard to enter the Camp Schwab. The person was later released on the same day.	Detention	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/preentry-240630.html
26	31/03/2015	1 individual	Japanese police	He allegedly obstructed police officers during scuffle with protesters and riot police officers. He was detained in the base before being taken to the Nago police station around 8:50 a.m.	Arrest for obstructing police officers from performing their duty	Ryukyu Shimpo	http://english.ryukyushimpo.jp/2015/04/06/18033/
27	16/04/2015		Japan Coast Guard	One of the Japan Guard officers called protesting citizens "criminals" when they were protesting by the temporary restricted area. The office of district 11 of the Coast Guard denied the statement.	Verbal abuse	Ryukyu Shimpo	http://ryukyushimpo.jp/news/preentry-241857.html
28	28/04/2015	4 individuals	Japan Coast Guard	A boat carrying 4 citizens protesting against the construction plan inside the temporary restricted area was turned over when coast guard officers moved onto the boat. One of the protesters was allegedly put his head into the water by an officer. It made him nauseous and near to pass out. He was brought to a hospital and later recovered. Other 2 protesters were detained and brought to the Nago police station. They were later released on the day.	Excessive use of force and detention	Ryukyu Shimpo	http://english.ryukyushimpo.jp/2015/05/06/18357/ http://english.ryukyushimpo.jp/2015/05/07/18362/
29	06/05/2015	1 individual	Japanese police	He allegedly broke a helmet's string of a riot police during scuffle with protesters and riot police. He was detained inside the base for the suspicion of obstructing police officers from performing their duty. He was released 25 minutes later, as it was found that his action was not intentional.	Detention	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/preentry-242650.html
30	22/05/2015	4 individuals	Japan Coast Guard	4 individuals were detained who were protesting against the set-up of floats to indicate the temporary restricted area.	Detention	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/preentry-243254.html
31	04/06/2015	1 individual	Japan Coast Guard	Japan Coast Guard intentionally hit the man by boat when he was swimming inside the temporary restricted area to protest against the construction plan. His body was put under the boat. He was diagnosed for 3 days treatment for a bruise on his face and accidental ingestion of sea water. A coast guard officer on the boat allegedly said, "It should be fine since it (the boat) was not so fast".	Excessive use of force	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/preentry-243852.html
32	05/06/2015	2 individuals	Japan Coast Guard	2 individuals on canoes, protesting against the crash of a coast guard's boat against a citizen a day before, were temporary detained.	Detention	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/preentry-243883.html
33	09/06/2015	16 individuals	Japan Coast Guard	Protesters on canoes were detained on the sea. A 51-year-old male got a bruise on the back of his head when he was detained a day before.	Detention	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/preentry-244041.html
34	12/06/2015	15 individuals	Japan Coast Guard	Protesters on canoes/ boats were temporarily detained for protesting inside the temporary restricted area.	Detention	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/preentry-244180.html
35	13/06/2015	17 individuals	Japan Coast Guard	Protesters on canoes/ boats were detained for crossing into the temporary restricted area.	Detention	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/preentry-244233.html
36	17/06/2015	11 individuals	Japan Coast Guard	Protesters on canoes/ boats were temporarily detained for protesting inside temporary restricted area.	Detention	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/preentry-

37		1 individual	Japanese police	His walkie-talkie allegedly hit a police officer during scuffle with protesters and riot police when protesters attempted to prevent construction vehicles to enter the Camp Schwab. He was released 15 minutes later.	Detained for allegedly obstructing police officers from performing their duty		244411.html
38	18/06/2015	13 individuals	Japan Coast Guard	Protesters on canoes were temporarily detained for protesting inside the temporary restricted area.	Detention	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/preentry-244471.html
39		1 individual	Japanese police	Around 7:30 pm, he was arrested by the police for allegedly assaulting a police officer.	Arrest for obstructing police officers from performing their duty	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/preentry-245037.html
40	30/06/2015	1 individual	US security guard, Japanese police	He allegedly entered the U.S. Marine Camp Schwab. He was later transferred to the Nago police station.	Arrest for violating the Act on Special Measures Concerning Criminal Cases		
41	13/09/2015	9 individuals	Japan Coast Guard	9 individuals on canoes protesting against the set-up of floats for drilling survey on the sea were temporarily detained.	Detention	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/preentry-248818.html
42	17/09/2015	1 individual	Japanese police	He allegedly kicked a police car in front of the Camp Schwab Gate. He denied the allegation.	Arrest for obstructing police officers from performing their duty	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/preentry-249040.html
43	20/09/2015	1 individual and others	20 non-state actors	A group of 20 individuals attacked the sit-in protest site in front of the Camp Schwab gate. They destroyed tents, banners and abused sit-in protesters including a 49-year-old male.	The police arrested 3 men for criminal damage and assault	Asahi Newspaper (Japanese)	http://www.asahi.com/articles/ASH9N53QBH9NTPOB004.html
44	22/09/2015	1 individual (national of Republic of Korea)	Japanese police	He allegedly kicked a police officer. According to his pregnant wife, he attempted to protect her from a police officer when the officer pushed her. He was detained in the Nago police station, and later released on 2nd October.	Arrest for obstructing police officers from performing their duty	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/preentry-249283.html
45	30/10/2015	1 individual	Japanese police	In the morning of 30th, he got injured during scuffle with police officers when he and other protesters were trying to prevent construction vehicles from entering the Camp Schwab. The detail of the incident has to be clarified. He was sent to a hospital.	Suspicion of excessive use of force	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/entry-163143.html
46		2 individuals	Japanese police	About 200 riot police squads and prefectural policemen tried to forcibly remove the citizens including members of the prefectural, city, town and village assemblies. One injured man was urgently sent to hospital after falling down during a scuffle. Another man was detained by police.	Excessive use of force and detention	Okinawa Times (Japanese)	http://www.okinawatimes.co.jp/article.php?id=140064
47	04/11/2015	1 individual	Japanese police	A man in 60s was arrested during scuffle with riot police officers. One riot police officer grabbed his shoulder which made him lose balance. He then raised his right foot to riot police officers which led to the arrest immediately.	Arrest for obstructing police officers from performing their duty	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/movie/entry-166413.html
48	06/11/2015	1 individual and approx. 100 protestors	Japanese police	About 120 riot police officers forcibly removed approximately 100 protesters from the Gate, and temporarily detained them inside iron fences or vehicles for 10 minutes. A 73 years old man was injured in his arm when he was grabbed by a riot police officer.	Excessive use of force and detention	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/entry-167030.html

49	07/11/2015	Approx. 80 protesters	Japanese police	Over 200 riot police officers forcibly removed approximately 80 protesters from the Gate, and temporarily detained them inside iron fences.	Detention	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/entry-167674.html
50	09/11/2015	Approx. 80 protesters	Japanese police	Over 120 riot police officers forcibly removed approximately 80 protesters from the Gate, and temporarily detained them inside iron fences.	Detention	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/entry-168471.html
51	12/11/2015	1 individual	Japan Coast Guard	A 62 years-old male who was detained at sea by a JCG officer received injury on his arm. It was diagnosed as a bruise for one week medical treatment.	Excessive use of force	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/entry-171475.html
52	13/11/2015	97 individuals	Japan Coast Guard, Japanese police	27 individuals protesting inside and outside the temporary restricted area were temporarily detained. Approximately 70 protestors on land were removed and locked inside iron fences or police vehicles.	Detention	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/entry-171475.html
53	18/11/2015	1 individual (Mr. Masao Isomura)	Japan Coast Guard	On 18th November around 2 pm, he was constrained by 4 JCG officers when he entered the temporary restricted area by boat. Two JCC boats sandwiched his boat and 4 officers moved to Mr. Isomura's boat to take the key for his boat. He resisted for about 10 minutes against JCG officers, then he became unconscious. Another protester requested the JCC officers to call an ambulance, but the JCG officers did not do so since "it is not asked by the person concerned" and "there is no instruction from the headquarters". Mr. Isomura vomited on the way back to the port to take an ambulance. He later gained conscious in a hospital after 6 pm.	Excessive use of force	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/movie/entry-174308.html
54	19/11/2015	1 individual (Mr. Nishihara Seiichi)	Japanese police	In early morning of 19th, 80 people conducted a sit-in protest in front of the Camp Schwab gate to prevent vehicles from bringing in materials for operation. During the protest, Mr. Nishihara crawled under a riot police to stop a vehicle, then he was pushed back by 3 or 4 riot police officers. He later felt a pain and went to a hospital by himself. He was diagnosed for a possible fracture of rib bone.	Excessive use of force	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/entry-174864.html
55	27/11/2015	Approx. 100 protesters	Japanese police	Around 7 am of 27th, approximately 100 citizens were protesting in front of the Camp Schwab gate in attempt to prevent construction vehicles from entering the Camp. About 100 riot police officers forcibly evacuated and detained them in a place fenced by iron bars and vehicles of the riot police.	Detention	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/entry-178822.html
56	28/11/2015	1 individual (Mr. Masanori Gima)	Japanese police	In an attempt to remove Mr. Gima, who was participating in sit-in protest, the riot police strongly pressed his chest. It broke his left rib bone which needs two-week treatment.	Excessive use of force	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/entry-179318.html
57		Approx. 70 protesters		Around 7 am, around 70 sit-in protesters in front of the gate were forcibly removed by approximately 120 riot police officers and detained inside iron fences and police vehicles.	Detention		
58	4/12/2015	1 individual	Japanese police	Around 7 am, riot police officers removed sit-in protesters and detained them inside iron fences. During the scuffle, a 61 years-old male received injury on his fingers and fist.	Excessive use of force	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/entry-182796.html
59	5/12/2015	1 individual (Mr. Kazuo Senaga)	Japanese police	Around 7:22 am, Mr. Senaga, Secretary-General of an Okinawan civil group against the Japan-U.S. Security Treaty, was arrested for obstructing police officers from performing their duty. He allegedly pulled the string of a loudspeaker and the jacket of a 39 years-old police officer. It is claimed that he was trying to calm down both protesters and riot police officers when he was arrested. He was transferred from the Nago police station to the Naha District Public Prosecutors Office next day (6th December). He was released later on 8th December.	Arrest for obstructing police officers from performing their duty	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/entry-183739.html ; http://ryukyushimpo.jp/news/entry-183415.html ; http://ryukyushimpo.jp/news/entry-184245.html

60		1 individual	Japanese police	Around 7:18, a protester in 70s was arrested for obstructing police officers. He allegedly kicked the shin of a police officer. He was transferred from the Nago police station to the Naha District Public Prosecutors Office next day (6th December).	Arrest for obstructing police officers from performing their duty	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/entry-183739.html ; http://ryukyushimpo.jp/news/entry-183415.html ; http://ryukyushimpo.jp/news/entry-184245.html
61		1 individual (Mr. Hiroji Yamashiro)	Japanese police	Around 9:42, Mr. Yamashiro, Secretary-General of the Okinawa Peace Movement Center, was arrested for violating the Act on Special Measures Concerning Criminal Cases by entering the Camp Schwab without a justifiable reason. He was transferred from the Nago police station to the Naha District Public Prosecutors Office. The Prosecutors office released him on 6th December.	Arrest for violating the Act on Special Measures Concerning Criminal Cases	Ryukyu Shimpo (Japanese)	http://ryukyushimpo.jp/news/entry-183739.html ; http://ryukyushimpo.jp/news/entry-183415.html ; http://ryukyushimpo.jp/news/entry-184245.html