

Expert Mechanism on the Rights of Indigenous Peoples

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Agenda Item 7: Proposals to be submitted to the Human Rights Council for its consideration and approval

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Association of the Indigenous Peoples in the Ryukyus (AIPR)

11 July, 2013

Thank you Mr. Chairperson,

The Association of Indigenous Peoples in the Ryukyus (AIPR), having in mind the mandate of the Expert Mechanism and concerning various issues we are facing on the ground, would like to request the Expert Mechanism to include following topics in its proposal to be submitted to the Human Rights Council.

First, to conduct its thematic study on the concept of “traditional living sphere of indigenous peoples” and elaborate it in relation to the right of indigenous peoples to their land, sea and any other types of territory and States’ obligation under international human rights law in light of effective protection and promotion of the rights of indigenous peoples. The background of this proposal is described in our statement under agenda item 6 which was presented yesterday.

Second, to also conduct a thematic study on “peace and security in relation to the protection and promotion of the rights of indigenous peoples”, in order to clarify States’ obligation as well as identify good practices of promotion of peace and security in the territories of indigenous peoples as well as how indigenous peoples themselves can contribute to peace building process and di-militarisation. We, the indigenous peoples in the Ryukyus have been facing severe discrimination and various human rights violations by the government of Japan since Japan forcibly renamed and annexed Ryukyu kingdom by arm to one of its prefectures in 1879. Militarisation and military usage of our lands by Japan and US is one of the urgent issues we are facing. It includes further violation of our rights not only our right to land, but also to health, education and environment as well as being cause of increased crimes and accidents caused by military personnel including sexual violence against indigenous women. The situation and issues we are facing are also documented in our written statements submitted to 20th and 21st session of Human Rights Council.¹

Third, in relation to above two, to conduct a thematic study on a broader topic of “the right of indigenous peoples to their land, territory and other living sphere”, to document the global situation and what kind of violation of indigenous peoples’ rights are involved as well as to identify good practices as to how it can be protected.

¹ A/HRC/20/NGO/20 submitted in cooperation with the International Movement Against All Forms of Discrimination and Racism (IMADR), A/HRC/21/NGO/70 and A/HRC/21/NGO/71 submitted jointly with IMADR

Forth, to take any possible measures within its mandate to address the issue of proper “recognition” of the indigenous peoples by States. Since the forced annexation of Ryukyu Kingdom to Japan in 1879, the government of Japan has been enforcing assimilation policy on the indigenous peoples in the Ryukyus, while various discrimination against the indigenous peoples in the Ryukyus remained unaddressed, or even committed by the government of Japan. Through this process, many elements of culture, language, beliefs and also identity of the indigenous peoples in the Ryukyus have been rejected, discriminated and eventually made disappear. At the same time, the history and fact of the forced annexation, discrimination and human rights violation against the indigenous peoples in the Ryukyus including crimes against humanity committed by Japan during World War II where about ¼ of the Ryukyu civilians died, have never been properly stated in the textbook in Japan, nor recognised by Japanese State actors. Moreover, the government of Japan has never recognised, nor accepted, the existence and rights of the indigenous peoples in the Ryukyus, which is also in contradiction to the opinions of the UN Committee on the Elimination of Racial Discrimination (CERD) and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance.² The proper recognition of the existence and history of indigenous peoples is the very first step for States to effectively protect and promote the rights of indigenous peoples in full accordance with UNDRIPs and other international standards. However, not only the case of indigenous peoples in the Ryukyus, but also for many others, relevant States have not made this very first and fundamental step.

Thank you Mr. Chairperson.

² Concluding Observations of CERD 2001 (CERD/C/304/Add.114, para 7) and 2010 (CERD/C/JPN/CO/3-6, para 21) and the report of the Special Rapporteur on his visit to Japan (E/CN.4/2006/16/Add.2, paras 51 - 53)