

Q2

Isn't the Issue of the Relocation of Marine Corps Air Station Futenma a Domestic Issue in Japan?

The U.S. military bases in Okinawa were established through the forceful seizure of Okinawan people's land. For many years, these bases have been the origin of crimes, accidents, noise pollution, and environmental issues among other problems.

In accordance with the agreement on the return of Marine Corps Air Station Futenma, the U.S. military will use an alternate facility which is to be constructed by the Government of Japan. Moreover, the U.S. government has confirmed together with the Japanese government that relocation to Henoko is the only solution. In that sense, the United States government is also a party to this problem.

Today with the security situation in East Asia in flux as China increases its military prominence, North Korea develops missiles and other significant changes take place, prominent figures in Japan and the United States have argued that the plan should be reassessed from a strategic perspective as well.

Q3

Didn't the Court's Decision Resolve the Issue of the Relocation to Henoko?

The former governor of Okinawa Prefecture approved an application for reclamation of public waters in December 2013, which was for construction of a new base at Henoko. Thereafter, Takeshi Onaga, who campaigned on the promise not to allow construction of a new base at Henoko, won the gubernatorial election. A third-party committee carefully reviewed the previous authorization and determined that it had legal defects, after which the approval was revoked.

There have been a total of four lawsuits with the Japanese government over this revocation. In December 2016, the court reached a final decision in favor of the Japanese government. The Okinawa Prefectural Government complied with the decision of the Supreme Court and retracted the revocation of the reclamation approval. However, the court's decision only covers part of the procedures involving construction of a new base at Henoko, specifically the reclamation approval.

Naturally, the Japanese government needs to obtain the permission of the Governor of Okinawa Prefecture in accordance with relevant laws and regulations in order to proceed with construction.

The court's decision does not mean that the people of Okinawa have consented to relocation of the base to Henoko. The end of the previous court case has not resolved the relocation issue.

【Settlement Terms】

The Japanese government has criticized the Governor of Okinawa, saying that he should cooperate with the reclamation project simply because he declared that he would abide by the spirit of the court's decision in the settlement terms agreed to during the legal proceedings. In accordance with the Supreme Court's decision, the Okinawa Prefectural Government retracted the revocation of the reclamation approval.

However, this in no way means that the understanding or cooperation of the Okinawa Prefectural Government is no longer needed for any sort of construction the Japanese government undertakes in the future. Just because the Supreme Court rendered a decision on one procedural point does not mean that the Japanese government is free to disregard other procedures and do as it pleases.

Okinawa Prefecture Governor's authority over the construction of new base at Henoko

Revocation of reclamation approval
(Public Water Body Reclamation Act)

○○ Permission (○○ Act)

□□ Permission (□□ Act)

△△ Governor's Authority (△△ Act)

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Other gubernatorial
authorities

Effect of Supreme Court's decision

Decision does not affect other gubernatorial powers

No conclusion reached on construction of new base at Henoko