CHAPTER 5

Threats to Human Security Imposed on the Ainu in Biratori, Hokkaido, Japan

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Abstract

In recent decades, the livelihood of indigenous peoples across the world has been affected by the exploitation of nature, more so than by earlier assimilation policies. The Ainu in Japan are no exception. In March of 1997, the Sapporo District Court ruled against the construction of the Nibutani Dam on the basis that the Ainu have the right to enjoy their own culture as an indigenous people in Hokkaido, and that the construction is illegal because the authorities did not take into consideration how much of an impact it would have on Ainu culture. However, the Nibutani Dam was almost completed at that time, so, in the public interest, the Court permitted the dam to operate. Despite the ruling on the Nibutani Dam, the construction of another dam named the Biratori Dam is now underway in the heart of Ainu territory in Biratori, home to a higher percentage of Ainu than any other area. Ainu culture is shaped by a history of hunting, gathering, and fishing in harmony with nature, and the treatment of all things in nature as gods. Ainu culture and identity are therefore essentially connected to the land and their way of life. In other words, Ainu cultural identity is especially vulnerable to environmental degradation. In order to protect and empower the Ainu, this chapter attempts to discuss threats to the human security of the Ainu in Biratori, specifically the threats to the community security or the security of cultural identity that are caused by the construction of the Biratori Dam as well as the Nibutani Dam on the same Saru River System.

Introduction

Modernization, which brought about tremendous increases in human productivity, goes hand in hand with a centrally administered state that promotes a policy of “one nation, one people and one language”. As a consequence, ethnic minorities such as indigenous peoples have been coercively assimilated into
mainstream society in many countries. In Japan, the Ainu were deprived of their lands, culture and language under the colonization and modernization of Hokkaido and other northern islands, including Sakhalin and the Kuril Islands. After WWII, progress was made by the United Nations in the way of establishing core human rights, which resulted in the protection of indigenous peoples’ rights, or indigenous rights, as defined by the Human Rights Committee:

The Human Rights Committee (HRC), in interpreting article 27 of the International Covenant on Civil and Political Rights (ICCPR), has expressed the positive duties on States to protect indigenous peoples' cultural rights, including their rights in relation to their lands, territories and resources as well as in relation to their traditional activities, the need to include indigenous peoples in decisions affecting them, the requirement to interpret the right to culture consistently with the right to self-determination in the context of indigenous peoples' issues.1

Furthermore, in its general comment No. 21 on the right of everyone to take part in cultural life, the Committee on Economic, Social and Cultural Rights for the International Covenant on Economic, Social and Cultural Rights (ICESCR) recognizes:

the collective element of indigenous peoples’ right to culture, noting that “the strong communal dimension of indigenous peoples’ cultural life is indispensable to their existence, well-being and full development, and includes the right to lands, territories and resources which they traditionally owned, occupied or otherwise used or acquired”.2

In recent decades, the exploitation of nature caused by the rapid advancement of globalization, including deforestation, mining and damming, has seriously affected the livelihood and violated the rights of indigenous peoples around the world. Even if these peoples live in industrialized countries that formally recognize indigenous rights to some extent, in accordance with international human rights instruments, they still struggle to maintain, develop and revitalize

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2 Ibid, 5.