

TWENTY-SECOND NORTHERN MARIANAS COMMONWEALTH
LEGISLATURE
IN THE HOUSE OF REPRESENTATIVES

Regular Session, 2021

H. J. R. 22-11

A HOUSE JOINT RESOLUTION

To condemn the Government of Japan's decision to dump nuclear waste into the Pacific Ocean, oppose any other government's actions related to nuclear testing, storage, and waste disposal in the Pacific, and reaffirm everyone's fundamental right to a safe and healthy living environment.

1 **WHEREAS**, the Pacific Ocean is a resource and home for many in
2 the Commonwealth, broader Oceania, and many in Japan who rely on it to
3 provide food, economic subsistence, a means of travel, and so many other
4 essential aspects of life that can be easily threatened by human activities
5 such as pollution and nuclear exercises; and

6 **WHEREAS**, the peoples of Oceania have throughout history been
7 disproportionately impacted by foreign powers' nuclear activities within the
8 Pacific region; and

9 **WHEREAS**, in 1979, the Government of Japan proposed a plan to
10 dump approximately ten-thousand drums of low-level nuclear waste at a
11 site north of the Commonwealth of the Northern Marianas Islands, despite

1 not initially consulting government officials of the CNMI, Guam, or any
2 other Pacific island nation; and

3 **WHEREAS**, a 1984 study titled “The Waste Bin: Nuclear Waste
4 Dumping and Storage in the Pacific”, published by James Branch on behalf
5 of the Royal Swedish Academy of Sciences, recounts the aforementioned
6 1979 events of Japan planning to dump nuclear waste near the CNMI and
7 mentions that an independent review courtesy of Dr. W Jackson Davis
8 (Univ. of California) “documented serious weaknesses in the Japanese
9 safety assessment”; and

10 **WHEREAS**, these documented weaknesses led to more powerful
11 coalitions within the Pacific pushing back against Japan’s plans - such
12 examples being petitions from the “Asian Pacific Parliamentarian Union,
13 South Pacific Forum and the South Pacific Conference” as well as the
14 governors of the CNMI and Guam traveling to Japan to deliver “a formal
15 anti-dumping petition representing seventy groups throughout the Pacific
16 Basin with memberships of several million people”; and

17 **WHEREAS**, there was further international cooperation and
18 solidarity against nuclear proliferation during this time as exemplified by
19 the Rarotonga Conference that set the stage for the Rarotonga Declaration
20 and eventually the Treaty of Rarotonga (also known as South Pacific
21 Nuclear Free Zone Treaty) with such meetings and documents outlining a

1 set of policies that declared "the storage and release of nuclear waste in the
2 Pacific regional environment shall be prevented," and "testing of nuclear
3 devices against the wishes of the majority of the people in the Region will
4 not be permitted" as well as specifically resolving that "Japan, [the] US and
5 other governments should be requested to abandon their studies of specific
6 proposals to store or dispose of nuclear waste in the Pacific regional
7 environment. . . They should be strongly urged to research alternative
8 methods of disposal outside the region"; and

9 **WHEREAS**, Branch's 1984 study concludes by noting "the people
10 of the Pacific islands have not received any benefits from the nuclear power
11 industry, yet they are being asked to accept the radioactive garbage of this
12 industry" and quotes Palau's former Legislative Speaker - the late Tasiwo
13 Nakamura's words "you don't throw the seeds of a poisonous fruit in the
14 yard of your neighbor"; and

15 **WHEREAS**, actions like the ones by Japan are not unique as
16 evidenced by the United States of America's actions in the Bikini Atoll of
17 the Marshall Islands where in the 1950s the US government deceived
18 Marshallese residents to relocate from their homes so that the US could
19 perform nuclear weapons tests that irreversibly damaged the islands, the
20 surrounding marine environment, and most of all the Marshallese people
21 themselves; and

1 **WHEREAS**, foreign powers have a lackluster track record for
2 transparency and fully disclosing the dangers and risks of these nuclear
3 activities, especially as they relate to the health of people and the
4 environment as demonstrated by many environmental groups' criticisms
5 that the Japanese government and nuclear power plant operator did not
6 initially disclose all the radioactive materials present in the water they
7 propose to dump; and

8 **WHEREAS**, due to this lack of transparency and reckless nuclear
9 activities, Pacific environments have become inhospitable for terrestrial and
10 aquatic life and Pacific peoples have been stricken with maladies ranging
11 from cancer to birth defects over generations; and

12 **WHEREAS**, for decades, Pacific leaders and global allies have
13 resisted time after time against nuclear proliferation such as when one
14 Palauan activist interjected during a 1980 Hiroshima Day event in Japan by
15 saying "Are the Japanese going to change from nuclear victims to nuclear
16 assailants?"; "Are you going to dump your own garbage in other people's
17 backyards?"; "Are you really going to throw dangerous nuclear wastes in
18 the Pacific which will harm not only us but our children and the following
19 generations?"; and

20 **WHEREAS**, the International Atomic Energy Agency's Joint
21 Convention on the Safety of Spent Fuel Management and on the Safety of

1 Radioactive Waste Management states that Contracting Parties, such as
2 Japan and the US, (i) reaffirm “that the ultimate responsibility for ensuring
3 the safety of spent [nuclear] fuel and radioactive waste rests with the State,
4 (ii) are “convinced that radioactive waste should, as far as is compatible
5 with the safety of the management of such material, be disposed of in the
6 State in which it was generated, whilst recognizing that, in certain
7 circumstances, safe and efficient management of spent fuel and radioactive
8 waste might be fostered through agreements among Contracting Parties to
9 use facilities in one of them for the benefit of the other Parties, particularly
10 where waste originates from joint projects”, (iii) recognize “that any State
11 has the right to ban import into its territory of foreign spent fuel and
12 radioactive waste”; and

13 **WHEREAS**, the United Nations Department of Economic and
14 Social Affairs outlines several Sustainable Development Goals such as Goal
15 3 “Good Health and Wellbeing - ensure healthy lives and promote wellbeing
16 for all at all ages”, Goal 13 “Climate Change - take urgent action to combat
17 climate change and its impacts”, and Goal 14 “Life Below Water - Conserve
18 and sustainably use the oceans, seas, and marine resources for sustainable
19 development” to which the actions of the Government of Japan run directly
20 counter; and

1 **WHEREAS**, the CNMI Office of Planning and Development adopt
2 these exact same goals in their proposed Comprehensive Sustainable
3 Development Plan with the intention of helping “the CNMI plan for a
4 sustainable future” which is thus threatened by the Government of Japan’s
5 decision to dump such nuclear wastes into the Pacific; and

6 **WHEREAS**, Dame Meg Taylor, the former Secretary General of
7 the Pacific Islands Forum, expressed in an April 2021 statement regarding
8 Japan’s decision to dump nuclear waste that “we are of the view that steps
9 have not been sufficiently taken to address the potential harm to our Blue
10 Pacific Continent, including possible environmental, health, and economic
11 impacts. Our fisheries and ocean resources are critical to our Pacific
12 livelihoods and must be protected. . . We therefore urgently call on the
13 Government of Japan to hold off the conduct of the discharge of the ALPS
14 Treated Water until further consultations are undertaken with Pacific Island
15 Forum Members and an independent expert review is undertaken to the
16 satisfaction of all our Members”; and

17 **WHEREAS**, the Republic of the Marshall Islands also released a
18 statement conveying concerns about Japan’s decision to dump nuclear
19 waste by stating “The availability of alternative solutions for disposing the
20 wastewater must be further considered. . . We urge the Japanese government
21 to heed the warnings of international experts and reconsider its plans. The

1 RMI joins the UN Special Rapporteurs in calling on the Government of
2 Japan to adhere to its international obligations to protect the marine
3 environment. We call on the Japanese government to consult with its Pacific
4 Island neighbors to ensure its plans are communicated and understood.
5 Further, we seek Japan's support for an independent review of the potential
6 impacts a release of one million tons of wastewater might have on our
7 Pacific Ocean environment"; and

8 **WHEREAS**, Special Rapporteurs from the United Nations released
9 a statement expressing deep disappointment in Japan's decision saying "the
10 release of one million tons of contaminated water into the marine
11 environment imposes considerable risks to the full enjoyment of human
12 rights of concerned populations in and beyond the borders of Japan. . . We
13 remind Japan of its international obligations to prevent exposure to
14 hazardous substances, to conduct environmental impact assessments of the
15 risks that the discharge of water may have, to prevent transboundary
16 environmental harms, and to protect the marine environment"; and

17 **NOW, THEREFORE, BE IT RESOLVED**, by the House of
18 Representatives of the Twenty-Second Northern Marianas Commonwealth
19 Legislature, the Senate concurring, that the Legislature condemns the
20 Government of Japan's decision to dispose of nuclear waste into the Pacific
21 Ocean; and

1 **BE IT FURTHER RESOLVED**, that the Commonwealth of the
2 Northern Marianas Islands joins other Pacific Island governments such as
3 the Republic of the Marshall Islands, regional entities such as the Pacific
4 Islands Forum, and international experts such as UN Special Rapporteurs,
5 in expressing immense disappointment in Japan's decision, strongly urges
6 them to reconsider alternatives that better protect the surrounding marine
7 environment and the people who inhabit it, and agrees with proposals to an
8 independent expert review of Japan's plans; and

9 **BE IT FURTHER RESOLVED**, that the CNMI government
10 reaffirms every person's fundamental right to a clean, safe, and hospitable
11 living environment free from any potential toxins, pollutants, and
12 substances that may otherwise negatively impact the health and lives of
13 people and other organisms; and

14 **BE IT FURTHER RESOLVED**, that the CNMI immensely values
15 its relationship with governments such as Japan and the United States and
16 hopes to participate in meaningful dialogue with them to ensure mutual
17 prosperity and stewardship of our oceans; and

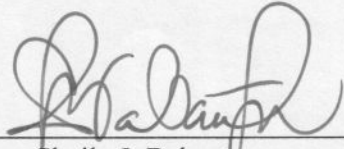
18 **BE IT FURTHER RESOLVED**, that the Speaker of the House
19 Representatives and the President of the Senate shall certify and the House
20 Clerk and the Senate Legislative Secretary shall attest to the adoption of this
21 joint resolution and thereafter the House Clerk shall transmit a copy to the

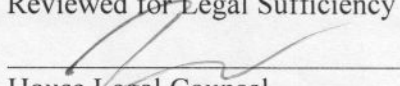
1 Honorable Yoshihide Suga, Prime Minister of Japan; Mr. Toshimitsu
2 Motegi, Japan's Minister of Foreign Affairs; Mr. Shinjiro Koizumi, Japan's
3 Minister of the Environment; Mr. Kazuhiko Ono, Consul of Japan in
4 Saipan; the Honorable Joseph R. Biden, Jr., President of the United States
5 of America; the Honorable Kamala D. Harris, Vice-President of the United
6 States of America; Michael S. Regan, Administrator of the Environmental
7 Protection Agency; Debra Anne Haaland, Secretary of the Interior; Richard
8 W. Spinrad, Administrator of the National Oceanic and Atmospheric
9 Administration; Nazhat Shameem Khan; United Nations Human Rights
10 Council President; Honorable Ralph DLG. Torres, Governor,
11 Commonwealth of the Northern Mariana Islands; Honorable Arnold I.
12 Palacios, Lieutenant Governor, Commonwealth of the Northern Mariana
13 Islands; Honorable Gregorio Kilili C. Sablan, CNMI Delegate, 117th
14 United States Congress; Honorable Jude U. Hofschneider, Senate President,
15 Twenty-First Northern Marianas Commonwealth Legislature; Honorable
16 Edmund S. Villagomez, Speaker of the House of Representatives, Twenty-
17 Second Northern Marianas Commonwealth Legislature; Honorable
18 Members of the Twenty-Second Northern Marianas Commonwealth
19 Legislature; Honorable David M. Apatang, Mayor of the Municipality of
20 Saipan; Honorable Edwin P. Aldan, Mayor of the Municipality of Tinian
21 and Aguiguan; Honorable Efraim M. Atalig, Mayor of the Municipality of

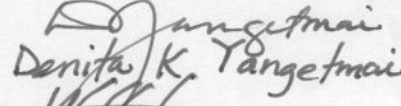
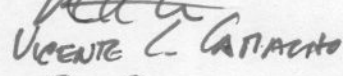
1 Rota; Honorable Vicente C. Santos Jr., Mayor of the Municipality of the
2 Northern Islands; Glenna SP Reyes, Special Assistant to the Governor for
3 Military Affairs, Commonwealth Bureau of Military Affairs; John
4 Tagabuel, Executive Assistant, Carolinian Affairs Office; Roman Tudela
5 Jr., Resident Executive, CNMI Indigenous Affairs Office; Robert Hunter,
6 Secretary of CNMI Department of Community and Cultural Affairs;
7 Anthony T. Benavente, Secretary, CNMI Department of Lands and Natural
8 Resources; Eli D. Cabrera, Administrator, CNMI Bureau of Environmental
9 and Coastal Quality; Advisory Council on Historic Preservation; CNMI
10 Women's Association; CNMI Historic Preservation Office; Northern
11 Marianas Descent Corporation; Second Marianas Political Status
12 Commission; Alternative Zero Coalition Member Organizations: Guardians
13 of Gani; PaganWatch; Tinian Women Association; Our Common Wealth
14 670; and Oceania Resistance.

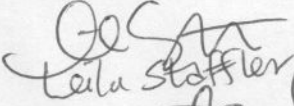
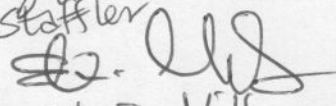
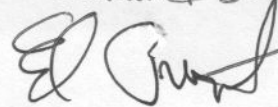
Prefiled: 9/14/2021

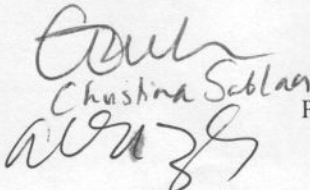
Date: 9/9/21

Introduced by: 
Rep. Sheila J. Babauta

Reviewed for Legal Sufficiency by:

House Legal Counsel


Denita K. Tangetmai

VICENTE C. CAPANTO


Leila Staffler

Edmund S. Villapomez



Chastina Seblan