

## Dugong Defeats US Dep. of Defense

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On January 24, in response to a suit brought by the Center for Biological Diversity, a federal court found the Department of Defense in violation of the National Historic Preservation Act. The department is now required to consider all impacts of a new U.S. airbase on the endangered Okinawa dugong, a cultural icon of Japan's Okinawan people.

The decision sets an important precedent in international environmental law. The National Historic Preservation Act requires U.S. government agencies to consider effects on cultural and historic resources when carrying out activities abroad. Thus the Department of Defense must adhere to the law and take into consideration any harm that might occur to another nation's cultural resources. The endangered dugong, listed on Japan's register of protected cultural properties, is therefore entitled to protection. And the Department's failure to produce, gather, and consider information about effects of the new airbase on the species are a clear violation of the statute.

Attorneys Sara Burt and Martin Wagner from Earthjustice are representing the Center in the case. Read more at the Environmental News Service, and to read the decision, [click here](#).