

Situation facing women after the Great East Japan Earthquake

By Kazuko Ito

Kazuko Ito has been an attorney at law since 1994, after graduating from Waseda University. She is a former Visiting Scholar of NYU School of Law. She currently serves as the Chairperson of the Committee on Equality of Men and Women of the Japan Federation of Bar Associations, and is a Board member of the Gender Law Society in Japan. She joined Human Rights Now, a Japanese based international human rights NGO in 2006 and has since then served as the Secretary General. As a human rights lawyer, she works on women's rights, and children's rights criminal justice issues in Japan as well as critical human rights problems around the world, with a special focus on Asia.

On 11 March 2011, the earthquake and tsunami which struck Eastern Japan, caused a tremendous amount of damage and resulted in numerous deaths. Residents in broader areas of Eastern Japan have also been seriously affected by the accidents at the Fukushima Nuclear Power Plants. To date, the living conditions faced by the affected people have been very severe and insecure, and the fundamental human rights of affected people have not been fully guaranteed. Under such situation, the status of women after the disaster entails serious problems.

International norms and standards exist to guarantee human rights of people affected by natural disaster, as do special protections for the most vulnerable people such as women, the elderly and children (see IASC guidelines, http://www.brookings.edu/~media/Files/rc/reports/2011/0106_operational_guidelines_nd/0106_operational_guidelines_nd.pdf).

However, such norms and standards were not effectively implemented in the affected areas of Japan after the earthquake. Regarding the protection of women, in March 2011, the government issued a notice to all municipal governments calling for gender sensitive operation of evacuation centres, specifically the notice asked that

- 1) women's specific needs be respected;
- 2) measures be taken to protect the women's right to privacy, such as setting up partitions;
- 3) counseling services be provided for women;
- 4) women's participation in the decision making process be ensured. Despite such notice, none of the measures were sufficiently implemented on the ground and the affected women faced enormous difficulties.

Further, while the government has set up various expert committees regarding recovery and reconstruction from this disaster, very few women have been selected as members of such committees. Women have been mostly excluded from decision making in the disaster recovery process.

Women's groups across Japan have worked hard to change the abovementioned situation and are monitoring the situation facing women, providing various kinds of support for affected women, raising awareness and conducting lobbying at both the national and local level. Although progress has been slight, the voices of civil society have made a substantial difference regarding the status of affected women.

In May 2011, the Committee on Equality of Men and Women of the Japan Federation of Bar Associations (JFBA) established a project team on the situation facing affected women after this disaster. The team drafted several policy recommendations, organised awareness raising events, and lobbied various governmental bodies.

One focus of the JFBA project team is the protection of women from the radioactive hazards caused by the nuclear power plant accident. Although a significant amount of radioactive materials were released by the nuclear accident, the measures taken by the government have been inadequate. This creates serious health risks to the population, particularly expecting mothers, infants, children and the young who are most vulnerable to radiation. In particular, the government decided to set a 20mSv per year standard for determining evacuation and applying various anti-radiation counter measures to people, however, this standard is far higher than the internationally established standard of

continued next page >

> continued from previous page

1mSv per year for protecting people from radiation. Pregnant women and mothers are the most seriously affected by such situation; however, women's voices are not being heard in the decision-making process. Further there is a strong local campaign emphasising the safety of low level radiation, and women who are concerned at the risks feel isolated and thus find it difficult to raise their voices.

To address such situation, the JFBA made a proposal to the government requesting it to take immediate measures, such as support for evacuations, information disclosure, risk education, medical care and health checks to protect women from radioactive hazards.

Further, the JFBA team sent a delegation to the 56th Session of the Commission on the Status of Women (CSW) in March 2012 in New York. The JFBA team members twice made oral interventions at the CSW general discussion regarding the status of women after the earthquake in Japan, and organised a parallel event titled "Situation of Rural Women affected by the Great Japan Earthquake and Nuclear Power Plant Accident" together with a Tokyo-based human rights NGO, Human Rights Now. In the event, civil society actors including the JFBA presented the current situation in Japan and Ms Kate Burns from the UN OCHA explained the international standards regarding the protection of affected women and OCHA's efforts in disaster-stricken areas around the world. Notably, the event invited two mothers and three children from Fukushima, and they expressed how the nuclear power plant accident had seriously affected their lives and raised the urgent need for the protection of women, children and future generations. The children expressed their wish to maintain their health and their hopes for the future. The mother and children's remarks were widely covered by both international and Japanese media. It was very important that the affected women and

children, who have had little chance to be heard publicly, were able to express their grave concerns and their hopes for the future.

In the 56th CSW, Japan proposed a draft resolution titled "Gender Equality and the Empowerment of Women in Natural Disasters" which was unanimously adopted and was the first of its kind in CSW history. (http://www.un.org/womenwatch/daw/csw/csw56/resolutions_advance_versions/Natural-disasters-CSW56-res-advance.pdf).

The resolution mentions the protection of women after natural disasters and the importance of participation in the post-recovery decision-making process. This development is welcomed as a reflection of civil society's active campaign after the earthquake. Although the text in the resolution is far from the reality in Japan, I hope the resolution can be a vehicle to bring about a difference in the status of women after natural disasters in Japan and other disaster-hit areas. However, it was regrettable that the resolution contained no mention of the nuclear power plant accident. This is a universally important problem since nuclear accident is a common issue around the world and is a threat to health rights and reproductive health of women. I hope that in the future Japan will propose effective resolutions on the protection and prevention of all people, not only women, from radioactive hazards and contribute its experience to help create new norms of international law. The accident is a highly painful lesson for Japan but it should be a meaningful lesson for the world to ensure a safer and brighter future for the next generation.

> continued from page 21

amity in every country lies upon the majority community. It can indeed be said that the index of the level of civilization, culture and catholicity of a nation can be gauged from the fact as to how far its minorities feel secure and are not subjected to any discrimination or suppression"³⁷.

Communalism is a group phenomenon in the sense that it reflects the attitude of one group towards another. When it is adopted by the majority community it can lead to fascism. Just as hatred of the Jews was the cementing factor in the ideology which justified ethnic

cleansing and genocide in several countries in Europe, in different countries it could be the different minorities if public perception could be easily swayed and "One lesson that the history of these sordid years in Europe teaches us is that if the growth of fascism is not resisted and fought at the very beginning, it inexorably engulfs the whole society in a few years"³⁸.

37 Justice H.R.Khanna : "The Spirit Of Secularism"

38 Arjun Sengupta: Hindusthan Times 23 April 2002