

On the Enactment of “Statute on Protection and Support for the Children and other Victims of Tokyo Electric Power Company Nuclear Power Plant Disaster”

June 25th, 2012

Human Rights Now

1. The House of Representatives passed the “Statute on Protection and Support for the Children and other Victims of Tokyo Electric Power Company Nuclear Power Plant Disaster” on June 25th.

Since the inception of the Tokyo Electric Power Company Nuclear Power Plant Disaster, the supportive measures provided by the national government had been restricted to the issuance of evacuation orders concerning the regions with annual radiation dose of over 20mSv, barely providing other critical support such as healthcare and necessary support to the victims, or compensation and assistance to those who were forced to evacuate from their homes as the result of this disaster. Human Rights Now has been urging the national government to take necessary measures to protect the rights to health and life of the citizens who previously resided in the areas with annual radiation dose of over 1mSv, excluding natural radiation.

With the new principle established to respect the victims’ rights to choose whether or not to return to their previous resident area, this new law attempts to provide equal support and relief efforts to all victims regardless of their position, stating that “the country must provide appropriate support to all victims regardless of their choices of residency.” Human Rights Now welcomes this decision as a significant step towards the implementation of a proper support program for the victims of this disaster, and would like to express sincere respect to the efforts of those who were involved in the process.

Adopted into this new law are the recognition of “the social responsibility that the country holds for pursuing nuclear energy policies in the past”, and the establishment of a constructive framework aiming to provide protection to affected children, both of which were part of the suggestions defined in the written statement concerning this bill that Human Rights Now released on April 24th of this year.

2. Human Rights Now has been requesting the national government to clarify the definition of “areas subject to assistance.” However, the term has remained unspecified in this new law. Considering the fact that the national government had been employing the ICRP-recommended radiation standard which allows up to 1mSv annual radiation exposure, as well as the Ukrainian government’s decision to grant the “right to evacuate” to those who lived in the areas with the annual radiation exposure dose of over 1mSv after the Chernobyl disaster, Human Rights Now believes that the Japanese government should accept its responsibility and provide adequate assistance in all areas with the annual radiation exposure dose of over 1mSv, excluding natural radiation.¹

The Atomic Bomb Survivors' Assistance Act and Atomic Bomb Sufferers Criteria define a radius of 3.5km from the hypocenter as the subject of assistance, recognizing the causality between the radiation exposure and subsequent health issues of the victims who were located within this area at the time of the disaster.² According to the Ministry of Health, Labour and Welfare, this definition is based on the principle that the annual radiation exposure dose of the citizens should not exceed 1mSv.³ Human Rights Now believes that there is no justification for handling this new law differently, and that the guidelines defined in the Atomic Bomb Survivors' Assistance Act should be employed as the new standard. Therefore, Human Rights Now requests all areas with the annual radiation exposure of over 1mSv to be recognized in Article VIII as part of the areas subject to assistance.

3. The new law serves as a basic law, and does not propose any specific strategies in which the national government will implement assistance. Furthermore, the previous policies underestimate the importance of providing adequate healthcare and other necessary assistance, and immediate implementation of this new law is crucial. Human Rights Now requests the national government to immediately proceed to concretize the new law.

Human Rights Now requests the following supportive measures to be taken for the victims located within the areas subject to assistance.

1. Provide periodic internal exposure screening, thyroid examination, blood testing, and other applicable medical examinations to the entire population subject to assistance at no cost for their entire lifetime.
2. Provide periodic radiation exposure screening and other medical examination to pregnant mothers.
3. Enforce policies in order to provide free healthcare to those who suffer from medical conditions caused by radiation exposure.
4. Establish a system to store and examine screenings, reported medical conditions, and treatment procedures defined in 1 and 3, and disclose the information to patients and their family members in a timely manner.
5. Finance and ensure the installation of radiation detectors in all school kitchens and school lunch centers to monitor food on a daily basis.
6. Finance assistance to those who are forced to relocate to an uncontaminated area, and provide support at no cost for their entire lifetime.

Concurrently, Human Rights Now requests the Japanese government to take necessary measures to implement and enforce policies to secure residence, job opportunities, and other crucial support to those who choose to leave the area subject to assistance. In order to improve accessibility to the assistance, Human Rights Now requests that the national government implement policies to effectively notify the victims of the supportive measures available.

1. Human Rights Now has been requesting the country and Tokyo Electricity Power Company to expand the assistance subject area to all regions with annual radiation exposure of over 1mSv, reflecting the supportive measures taken in the aftermath of Chernobyl Disaster.
2. <http://www.mhlw.go.jp/bunya/kenkou/genbaku09/08.html>
3. <http://www.mhlw.go.jp/bunya/kenkou/genbaku09/15e.html>