

Report:

Severe Working Conditions Continue in Extreme Heat at the Tokyo 2020 Olympic Construction Sites:

**Is this still an Olympics for Sustainable
Development (SDGs)?**



An investigation by
International Human Rights NGO
Human Rights Now

Human Rights Now

1. Investigation Outline

(1) In August 2019, it became exactly one year before the opening of the Tokyo 2020 Olympic and Paralympic Games. In accordance with the Olympic Charter, the Tokyo 2020 Olympic and Paralympic Games advocate for an Olympics for Sustainable Development.

If they are to follow the UN Guiding Principles on Business and Human Rights given by the United Nations Human Rights Council in 2011, the Olympic and Paralympic Games project and its situation require provisions which take human rights into consideration.

Here, the rights and working conditions of construction workers engaged in the construction of Olympic Game sites can be seen as a direct human rights problem of the Olympic and Paralympic Games project implementation, yet the situation remains highly concerning.

An official report by the Japanese Ministry of Health, Labour and Welfare, had already recorded two deaths of construction workers from Olympic sites by the end of 2018.¹

In the midst of the finalisation of the construction, the International Human Rights NGO Human Rights Now expresses grave concern about the increasingly harsh working conditions and thus decided to launch a project monitoring the construction sites.

(2) This report is based on the research findings of on-site monitoring on the 2nd of August.

The temperatures during August 2019 in Tokyo were deadly, with an average temperature of 28.4°C,² and the average of maximum temperatures was 32.8° C. August 2nd was one of the hottest days.³

According to the Ministry of Internal Affairs and Communications' Fire and Disaster Management Agency, the number of emergency transportations due to heat strokes in Japan from July 29 to August 4, 2019, was 18,347 (preliminary figure). Tokyo had the highest rate with 1,857 people.⁴

The number of people who were brought to the hospital from August 5 to August 11 was 12,751 (preliminary figure), with Tokyo having the highest rate with 1,465 people.⁵

If next year's Olympic Games are held in this kind of heat, the risk of deaths due to heat strokes cannot be ruled out. Whether the athletes, audience and staff members will be able to complete the tournaments safely is a concerning question.

While there are a number of concerning issues in relation to the approaching opening of the Olympic Games, the primary concern should be directed towards the severe working conditions, due to the heat, of workers involved in the currently on-going construction of facilities used for the Olympic and Paralympic Games.

On August 2nd, our monitoring team visited a number of Olympic sites to check out the respective working situations. The results made clear that not only is the work in this heat exceptionally harsh,

¹ <https://www.mhlw.go.jp/content/11200000/000493347.pdf>

² http://www.data.jma.go.jp/obd/stats/etrn/view/monthly_s3.php?prec_no=44&block_no=47662

³ http://www.data.jma.go.jp/obd/stats/etrn/view/monthly_s3.php?prec_no=44&block_no=47662&year=&month=&day=&view=a2

⁴ https://www.fdma.go.jp/disaster/heatstroke/items/heatstroke_sokuhouti_20190729.pdf

⁵ https://www.fdma.go.jp/disaster/heatstroke/items/heatstroke_sokuhouti_20190805.pdf

but moreover the fact that there is a risk of death shows the huge problem for the human rights of these workers. In reaction to these findings, Human Rights Now immediately set about to put together this report.

Shortly after the monitoring visits, on the 8th of August, news was published of the death of a male labour worker caused by a heatstroke at a temporary construction site at Tokyo Big Site (Ariake, Koto)⁶. We wish to express our deepest condolences to those who have passed away working in this burning heat and in the hopes of not seeing another sacrifice, we have come to publish this report.

2. Aim and overview of the investigation; on the weather conditions

(1) As can be seen in the picture below, a large number of venues for the Olympic and Paralympic Games are located in the Tokyo Bay Zone, where the construction slowly seems to be taking shape.

(2) The monitoring team of the international human rights NGO Human Rights Now launched a project following the working environment of construction workers at these Olympic construction sites.

Project details: The monitoring team of Human Rights Now conducted their research by observing the working environment, as well as personally questioning several of the workers over a total of six outings on the dates July 4, 5, 9, 12, 24, and August 2, visiting the tournament sites currently under construction as listed below.

Olympic Stadium
Ariake Olympic Gymnastic Centre
Ariake Arena
Ariake Urban Sports Park
Tokyo Aquatics Centre
Olympic Village



⁶ <https://www.sankei.com/tokyo2020/news/190809/tko1908090001-n1.html>

(3) On August 2nd, the team's observation tour began at the Ariake Olympic Gymnastic Centre,⁷ Ariake Arena,⁸ Ariake Urban Sports Park⁹ and ended at the Olympic Village.

On 2 August 2019, when the highest temperature in Tokyo was said to have reached 35°C, the monitoring team of *Human Rights Now* visited the Tokyo Bay Zone, an area in which many of the Tokyo Olympic venues are based.

The same morning, NHK morning news announced a warning about the danger of heat strokes and recommended that people avoid leaving the house if not necessary. The official climate data of the Tokyo, Edogawarinkai area on 2 August 2019 published by the Japan Meteorological Agency can be found in the graph below.¹⁰

time	precip. (mm)	temperature (°C)	wind speed • direction (m/s)		sunlight duration (h)	snow (cm)	
			speed	direction		fall	accum.
8	0.0	29.3	2.8	S	1.0	///	///
9	0.0	29.8	3.7	S	1.0	///	///
10	0.0	30.7	3.6	S	1.0	///	///
11	0.0	31.4	3.8	S	1.0	///	///
12	0.0	32.1	4.8	S	1.0	///	///
13	0.0	32.3	5.7	SSW	1.0	///	///
14	0.0	32.1	7.1	SSW	1.0	///	///
15	0.0	31.5	8.3	SSW	1.0	///	///
16	0.0	30.6	8.9	SSW	1.0	///	///
17	0.0	30.1	8.1	SSW	1.0	///	///
18	0.0	29.0	7.2	SSW	1.0	///	///
19	0.0	28.3	7.5	SSW	0.1	///	///

Furthermore, data from the search engine Goo indicated the following temperatures in Tokyo on the same day.¹¹

Highest temperature	Lowest temperature
35.1	27.1

According to a website by the Japanese Ministry of Environment warning about heatstroke prevention, temperatures above 31°C are considered a hazard in daily life, and any form of exercise is principally advised against.¹²

⁷ <https://tokyo2020.org/jp/games/venue/ariake-gymnastics-centre/>

⁸ https://www.2020games.metro.tokyo.lg.jp/taikaiyunbi/taikai/kaijyou/kaijyou_07/index.html

⁹ <https://tokyo2020.org/jp/games/venue/ariake-urban-sports-park/>

¹⁰ https://www.data.jma.go.jp/obd/stats/etrn/view/hourly_a1.php?prec_no=44&block_no=0370&year=2019&month=8&day=2&view=

¹¹ <https://weather.goo.ne.jp/past/662/00000802/>

¹² <http://www.wbgt.env.go.jp/wbgt.php>

3. The Ariake Facilities – those working under the burning sun

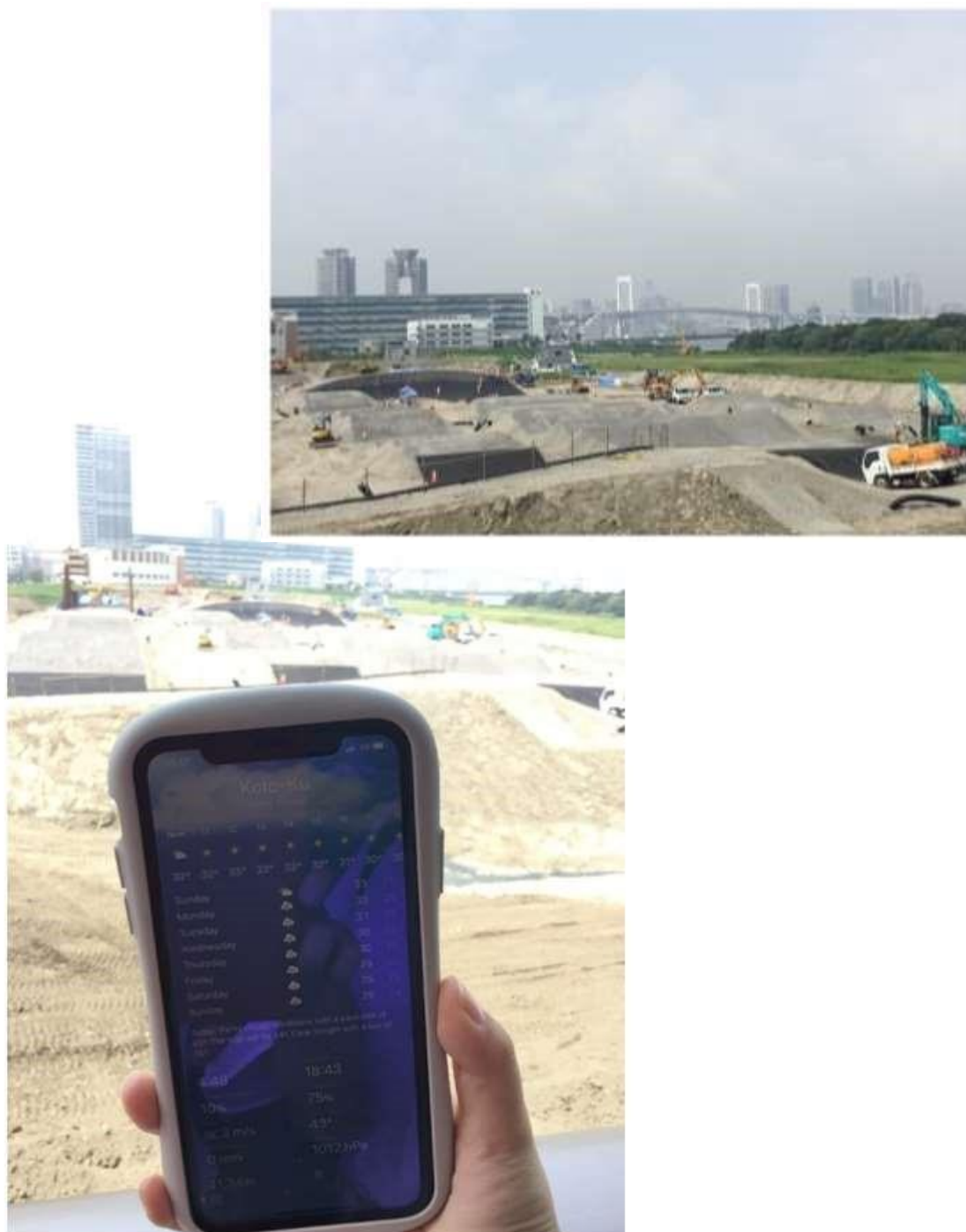
(1) Ariake Urban Sports Park

The monitoring team of Human Rights Now started off by visiting the Ariake Urban Sports Park construction close to the Ariake-Tennis-no-mori station that is planned to be made into the bicycle sports arena.

This facility that is located in the Waterfront area of Hokuchi, Ariake, is planned to be used for BMX racing, BMX freestyle, skateboarding and other sports.¹³ Many workers here were seen to be working under the burning sun.



¹³ <https://tokyo2020.org/jp/games/venue/ariake-urban-sports-park/>



温度を図ったもの。

Upon measuring the level of temperature, humidity, as well as the apparent temperature at the Ariake-Tennis-no-mori station at 10:17am, the results showed 32°C temperature, 75% humidity and 43°C apparent temperature. Construction work continued under extreme heat at the construction site with no shade.

(2) Ariake Olympic Gymnastic Centre

Next, the team headed towards the construction site of the Ariake Olympic Gymnastic Centre. By the time of the Games, the finished arena is expected to fill up to 12,000 seats and showcase the gymnastic section (gymnastics, rhythmic sports gymnastics, trampoline) of the Olympics, and Boccia for the Paralympics.¹⁴



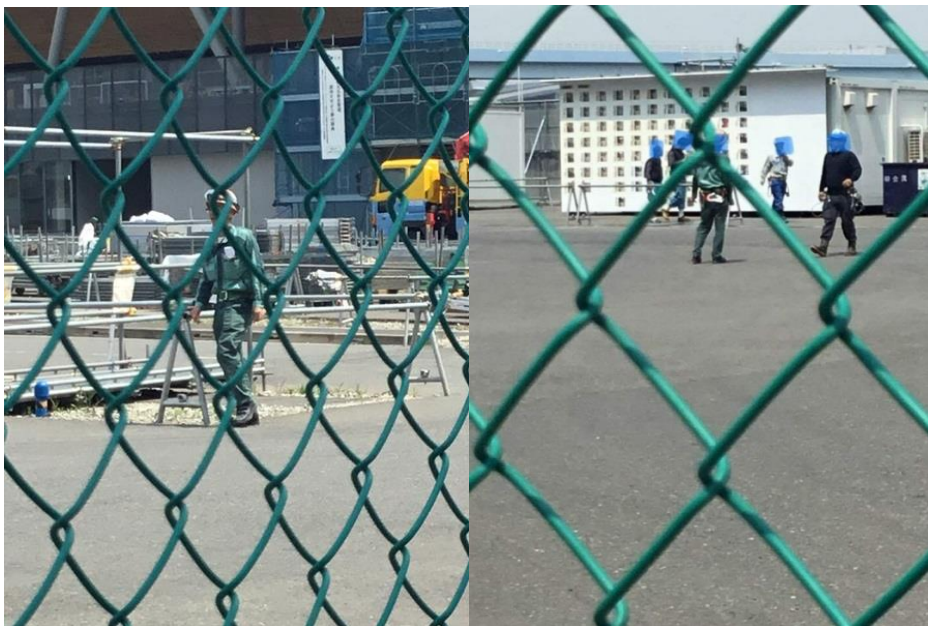
This construction is supervised by the *Shimizu Corporation*.

The picture below shows the climate data displayed at the construction site. The official display indicated a temperature of 35°C and a humidity level of 45%.

¹⁴ <https://tokyo2020.org/jp/games/venue/ariake-gymnastics-centre/>



However, the Ariake Olympic Gymnastic Centre is also nearest to the Ariake-Tennis-no-mori station and thus located not far from the Ariake Urban Sports Park. From a position in which one could look down on the Ariake Urban Sports Park from Ariake-Tennis-no-mori station, the humidity level measured 75%. This calls into question the on-site display of 45%. A large number of workers were seen working under the burning sun at this construction site. As a safety measure for construction work, the workers are required to wear full body long sleeve outfits and helmets. This leaves the workers working in this heat under even harsher conditions.



Some workers were seen to be wearing work clothes that had a fan installed on the inside, however not all of them.

Work jacket with an electric fan installed



According to one of the workers, “depending on which subcontractor you are employed by, fans sometimes are supplied, while others buy them privately.”

There is also construction work conducted inside the buildings, in which the built-up heat must make the temperature even higher.



However, prior to this visit, in July, we had heard from a worker that air conditioning had not been set up inside the buildings. It sounded as if installing air conditioning was considered part of their job, as he said they would be “installing them now.”

Large amounts of soft drinks could be found at the construction site, perhaps for heat stroke prevention, though this is certainly no sufficient measure.



(3) Ariake Arena (temporary name)

Next, we proceeded towards the Ariake Arena (temporary name).¹⁵

This arena is planned to hold the volleyball tournament for the Olympics and the wheelchair basketball tournament for the Paralympics.



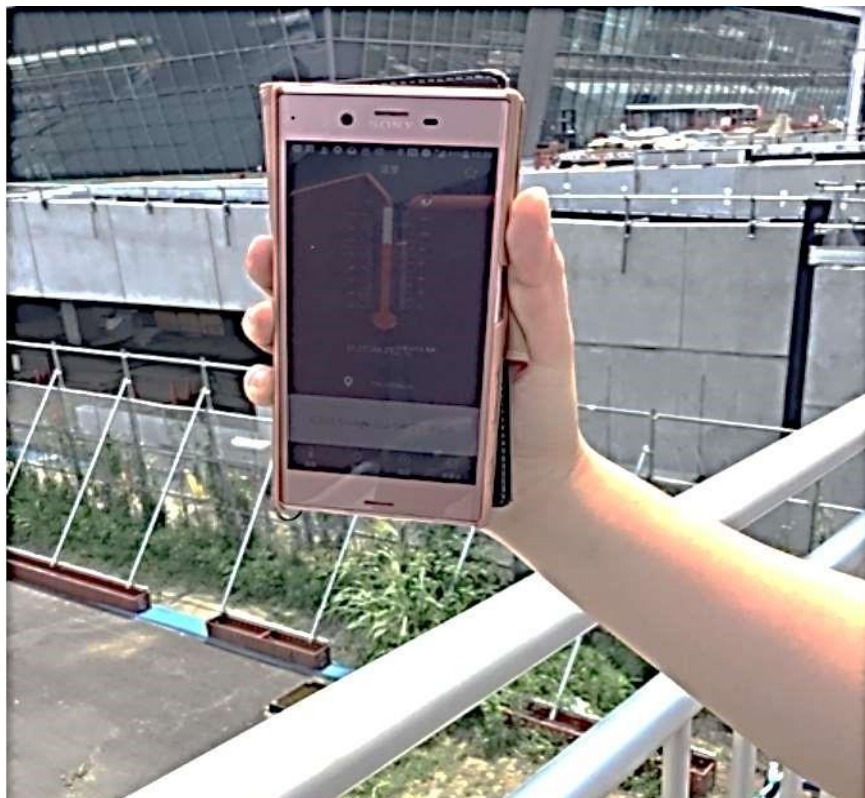
Multiple construction companies are jointly working on this construction.



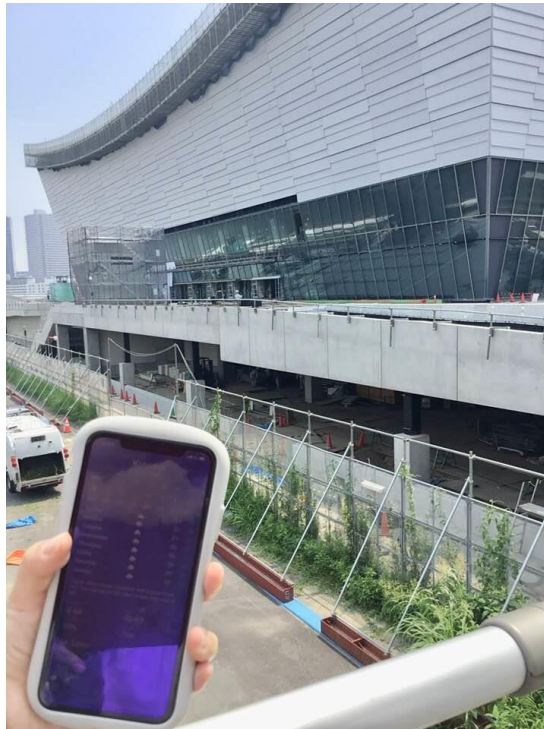
Many workers could be seen working in severe heat.

¹⁵ https://www.2020games.metro.tokyo.lg.jp/taikaijyunbi/taikai/kaijyou/kaijyou_07/index.html

According to the report of a worker, many foreign workers are employed at this construction site. This is concerning, as this puts the health of foreign workers that are not used to this kind of labour work in this heat at high risk. Furthermore, the poor working conditions and risk of work injuries that technical intern workers experience and have become apparent in other industries provide another concern.



Upon measuring the weather via a phone app from a place further away, a temperature of 31°C, humidity of 88% and apparent temperature of 45°C were recorded. It can be assumed that the heat inside the buildings is even higher, making the severity of the work inside almost unimaginable.



4. *The Olympic Village* in Harumi, Tokyo – construction in extreme heat

The monitoring team also visited the Olympic Village construction site located in Harumi. Various emblems and illustrations symbolising the Tokyo 2020 Olympic Games could be found here. Large scale development has been taking place, as the Olympic Village will be covering a very wide area.



Around this area there were almost no trees and only the construction of the high-rise buildings meant for the athletes, which made it feel even hotter than at the previous location. The Olympic Village, currently under construction, resembles a luxury apartment complex and, in fact, plans have been set up to sell and use them as condos after the Olympics.



Some buildings have an exterior that incorporates *wa*, the traditional Japanese style of design.

The temperature was again high and even from a distance measurements showed a temperature of 33°C, humidity of 73% and apparent temperature of 45°C.

The site was equipped with a rest area in which it seemed like breaks could be taken appropriately, yet it is questionable whether this alone suffices as a health measure.

A drastic improvement of the working environment is still needed if heat stroke prevention is to be done appropriately.



5. Severe Working Conditions

This monitoring project has not been a formal investigation, and the temperature and humidity measurements were, thus, conducted on a fairly limited scale. Still, it has shown us that there is reason for deep concern for the safety and health of these workers.

Our team ended the monitoring in the morning, but as the temperatures kept rising throughout the afternoon it could be expected that the working conditions for the workers only worsened.

After about 1.5 hours of inspection (including the commute time by bus and taxi), one of the monitoring team members experienced a head ache as well as other symptoms of a minor heat stroke, due to which we closed the investigation.

6. “No number of lives would be enough...” – on further examinations by international organisations

Other international organisations have conducted similar investigations on the construction sites for the Olympic and Paralympic Games and its problems.

The Building and Wood Workers’ International (BWI, headquartered in Geneva) carried out a survey investigation in Tokyo on 2 February 2019, focusing on the working environment of workers involved in the construction work of the Tokyo Olympic and Paralympic establishments.

The National Federation of Construction Workers Union, a labour union which is part of BWI, was set with the task to interview 40 construction workers working at the National Stadium, the Olympic Village, and other sites, and it carried out the survey investigation based on this.

According to the report, a male worker at the Olympic Village construction stated: “The work here is extremely dangerous because proper procedures aren’t followed, and no number of lives would ever be enough.” Together with a few of his colleagues, he quit the job after a month. There had also been instructions to finalise the construction in a shorter period than what had originally been set, on which he comments: “it was a rushed atmosphere on-site, and there was heavy pressure to finish the work.”

Moreover, there were reports saying “information is heavily controlled” and “it felt terrible watching the foreign technical interns being made to carry out simple tasks such as picking up building materials.”¹⁶

Based on this investigation, BWI published a report this year in May titled “The Dark Side of the Tokyo 2020 Summer Olympics” that summarised its findings.¹⁷

This report records the complaints of workers on the following issues:

- 28 working days per month
- Dangers in the working environment
- Two of the workers having to pay for safety equipment out of their own pocket
- Half of the questioned workers not having a formal employment contract
- Foreign workers not being able to voice their complaints about the working conditions due to the working culture in which complaints increase the risk of workers losing their jobs or other forms of punishment

Furthermore, it was stated that “even if the labour union represents the complaints of the workers to the JSC, these are rejected because they are not the person concerned.”

¹⁶ <https://www.asahi.com/articles/ASM2341FPM23UHBI006.html>

¹⁷ <https://www.bwint.org/web/content/cms.media/1542/datas/dark%20side%20report%20lo-res.pdf>

7. An Olympics for Sustainable Development – but is this the reality?

The Tokyo Organising Committee of the Olympic and Paralympic Games has been moving slowly after receiving the findings of the above-mentioned investigation and completed report, realising a report only on July 19.¹⁸ However there still seems to be no notion of the organisation initiating its own investigation or further addressing these issues.

In relation to the National Stadium, the Japan Sport Council (JSC) wrote a statement in response; however, its content essentially dismisses the entire report released by BWI.

However, this counter-statement by the JSC is not based on own findings, but mainly just emphasises arguments of the receiving party.¹⁹

One major point that JSC made, countering BWI's assertion that it should be the responsibility of the employing contractor to pay for or lend safety equipment at construction sites, was that this kind of a problem should be solved between the employer and workers, thereby denying the responsibility of the prime contractor.

The Tokyo Organising Committee of the Olympic and Paralympic Games aims for an Olympics for Sustainable Development following a set of rules in alignment with the Sustainable Development Goals.²⁰ The general principles concerning human rights and labour work are as follows:

The Organising Committee puts high importance on the protection of human rights. Therefore, we reject any form of discrimination or harassment concerning race, nationality, religion, gender, sexuality, handicap, or others against suppliers and licensee regarding the production and distribution process. Furthermore, we demand the provision of goods and services that do not violate rights through things such as illegal forced eviction.

The Organising Committee cares for and respects the fair management of the labour work and work environment. Thus, we demand the prohibition of forced labour and child labour, the securing of the safety and health of suppliers and licensee regarding the production and distribution process and the provision of goods and services that secure the various rights of workers.

In the case of violations against these general rules, a counter is provided where one can notify them.²¹

However, looking at the way they have handled investigations concerning such issues, as well as BWI's report, it is questionable whether the above-mentioned rules are really being put into practice accordingly.

According to the report by BWI, JSC did not recognise the complaints made by the labour union based on the reports of anonymous workers because they were not made by the persons concerned. The JSC does not recognize this fact, but it also cannot be seen to be engaging in correcting this accusation.

¹⁸ <https://tokyo2020.org/jp/news/notice/20190719-02.html>

¹⁹ <https://tokyo2020.org/jp/news/notice/20190719-02.html>

²⁰ <https://tokyo2020.org/jp/games/sustainability/sus-code/>

²¹ https://www.jpnsport.go.jp/corp/Portals/0/soumu/code_2019.pdf

In construction work, the general contractor is usually not connected to subcontractors directly, but over several levels, and secondary workers' contracts are terminated as soon as they state a complaint against the working environment, creating an environment in which it becomes hard to raise their voices. In order to confirm the reality of the situation, it is necessary to take into consideration the difficulties of speaking up in this environment and to respond more widely to anonymous reports.

The Tokyo Organising Committee of the Olympic and Paralympic Games and JSC are using a shared reporting forum located in Tokyo, but this is clearly still difficult to access for workers that are experiencing violations of their rights. This is because reporting individuals are asked to enter details such as shown below.

- Information specifying an article, etc., relating to the Tokyo 2020 Olympic and Paralympic Games supplied by the Organising Committee in Tokyo, or the JSC. (Type and name of article; name of manufacturer or distributor; characteristics of an article in cases where the name alone does not suffice for identifying the given article; times of production or delivery, and information as detailed as possible such as the lot number are asked for.)
- The effects the given issue has had on the reporting individual, or future negative influences that are likely to occur
- Details concerning the violation the individual is reporting, as well as the specific article name of the given general rule
- The causal relationship between the general rule violation and the possible negative effects

Besides being highly difficult to understand, these above stated details create a significant obstacle for those workers, NGOs and other third parties reporting as a representative for the anonymous individuals experiencing a violation of their rights. That is because, if a report is only treated as valid when the effects the issue has had on the reporting individual or its future negative influences are entered, it means that even if a worker, NGO or another third party hands in a report in place of an affected anonymous worker, the report is likely to be treated as invalid.

8. Conclusion

Right after the monitoring visits, on the 8th of August, a male worker engaged in construction at the temporary construction site at Tokyo Big Site (Ariake, Koto) passed away. According to news reports, the cause of death was a heat stroke.

Yet even after the news of such tragic accident broke, there was no sign of the Organising Committee setting out to investigate the matter, nor was there any movement to formulate human rights policies or some sort of safety measure standards at the construction sites.

The reporting system has still not improved, and consequently there is still no formal relief procedure after the report.

Not only is there no improvement on these reported issues, but together with the intensifying heat, in which any ordinary person would immediately experience a heat stroke, the upcoming typhoon season, the finalisation of construction and the burden on those having to continue working despite these conditions will only increase; and the working conditions strongly raise concerns.

As has become clear, the situation at the Olympic construction sites goes against the following requirements listed in the UN Guiding Principles on Business and Human Rights given by the United Nations Human Rights Council in 2011:

1. A public commitment to respecting human rights
2. Conducting human rights due diligence
3. Taking relevant measures to prevent and reduce negative effects on human rights
4. Correcting the negative effects
5. Setting up efficient complaint mechanisms and securing access to them

It is evident that the current situation is far from an “Olympics for Sustainable Development”. In line with the upcoming Olympics, the world’s attention is now faced towards Japan to see whether their call for an “Olympics for Sustainable Development” is being met and other human rights and societal issues are dealt with seriously.

Now is the time when the top priority should be placed on the working environment of workers involved in the construction of Olympic facilities and concrete steps taken to improve the current conditions.

9. Recommendations

Human Rights Now calls on the Organising Committee, Tokyo authorities, and JSC as follows:

1. To follow the general principles listed in the UN Guiding Principles on Business and Human Rights and Sustainable Development Goals and accordingly work towards a serious improvement of the working conditions at every respective Olympic construction site;
2. To take full responsibility of the work safety, working environment, and human rights of workers at Olympic construction sites and establish human rights policies based on domestic law and ILO treaties for the protection of workers;
3. To carry out an investigation by an independent third party examining the actual situation of workers at all Olympic construction sites, understand the problem areas, and set up an action plan and system to improve them;
4. There are single contractors with various small business enterprises within the subcontract structure, creating a systematically difficult situation to protest against working conditions. Thus, we demand unified safety standards and rules for all construction sites.
5. Considering the death of a construction worker in August, 2019, work towards creating a better working condition including heat stroke preventions and formulate, implement, and publically announce unified measures for various construction sites.
6. Take account the fact that foreign workers and foreign Industrial Training and Technical Interns are more vulnerable to accidents due to the language barrier; even in other industries, they have been in a vulnerable situation in which they are easily exploited and under severe labor conditions. Differentiate measures for people in vulnerable situations, such as women or elderly persons, according to physical or medical criteria.
7. Implement a daily monitoring system to ensure implementation of the above.
8. Understand the current situation in which it is difficult for general workers to access the whistleblower mechanism for reporting unsustainable procurement code violations, and change the procedures fundamentally to improve it by allowing anyone to be able to report quickly, including proxies such as workers unions and NGOs, and to request remediation.
9. Establish an effective remedy mechanism for violations of the procurement code, and make it known to all workers.

10. Promptly begin discussions with BWI and the workers union that made the report, and conduct regular dialogues for improvements. Also conduct dialogues with relevant stakeholders in civil society. Publicly release the details of your processes to ensure transparency.

Human Rights Now (HRN) is an international human rights NGO based in Tokyo, Japan with UN special consultative status. HRN was established in 2006 by a group of human rights professionals, such as lawyers, scholars, and journalists, as the first international human rights NGO based in Japan. With over 700 members comprised of various human rights specialists, HRN works for the promotion and protection of human rights for people in the world, with a special focus on Asia.

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