



# General Assembly

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## Human Rights Council

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Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by Human Rights Now, a non- governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[26 May 2025]

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\* Issued as received, in the language of submission only.

## **Fourteen Years after the Fukushima Disaster, Human Rights Violations against Internally Displaced Persons Continue**

### **1. Background**

The Fukushima Daiichi nuclear disaster in March 2011 displaced 160,000 people, and about 30,000 are still designated as internally displaced persons (IDPs), not accounting for the many voluntary evacuees excluded from official statistics. Fukushima IDPs continue to face serious human rights violations, including most prominently the loss of access to housing and discriminatory treatment on all fronts of public life. Human Rights Now (HRN) wishes to draw the attention of the Council (HRC) to the protracted nature of this displacement, due to the Japanese government's failure to uphold its commitments under international human rights law.

### **2. Inadequate housing and evictions**

Official housing support for the Fukushima IDPs was terminated in 2017, and this policy shift has left thousands in prolonged instability. In a deeply concerning development, some local governments have pursued numerous legal actions against IDPs to demand evictions, when they have no choice but to remain in public housing. Evicting IDPs from public housing without support to prevent their involuntary return to risky places due to radiation violates their rights, including the rights to adequate housing and health.[1]

For example, Fukushima prefecture has filed 28 court cases to force eviction and seek compensation of double the amount of rent. One of them was fined more than 50,000 euros (8 million yen), and the judges ignored international human rights law and the Guiding Principles on Internal Displacement.[2] Evicting IDPs from public housing without support measures to prevent their involuntary return to places where their life or health would be at risk due to radiation and potential homelessness is a violation of their rights.

The result is a policy landscape that effectively coerces evacuees into choosing between unsafe return and poverty.[3] Without sustained housing guarantees or financial support, IDPs' communities remain at risk of social exclusion, vulnerability, and further rights violations.

### **3. Health**

IDPs are struggling with physical and mental illnesses, including terminal cancer, disability and poverty. However, Fukushima IDPs remain abandoned by the state and suffer mentally, physically, and financially without official support, and they continue to suffer serious health consequences. Before the disaster, child thyroid cancer was one case in a million children, but now officially 400 of Fukushima's children, from 300,000 total, have been found to have thyroid cancer.[4] Many children need multiple operations and lifelong medication, disrupting their lives and ability to work and calling for financial and mental support and protection from prejudice.[5] Difficult symptoms, including exhaustion, disrupt ordinary life, and some find university study or work impossible. In some cases, cancer has spread to other parts of the body, and the cancer develops abnormally quickly.

In this regard, in January 2022, six young patients aged 6 to 16 at the time of the disaster sued the Tokyo Electric Power Company (TEPCO).[6] They are living with cancer and are anxious about the future because of radiation exposure. There is a strong need to protect these young people from the attacks they receive from aggressive critics who blame them for interrupting Fukushima's recovery and damaging the nation's profitability.

### **4. Women**

Following the disaster, many mothers chose to seek safety with their children and evacuate, with husbands remaining in affected areas for work.[7] Even now, many families continue

to be separated. High rates of evacuees have committed suicide or divorced due to financial and psychological hardship.[8] Many female IDPs suffer ongoing health and psychological problems, including high levels of anxiety, stress, and PTSD,[9] and women are typically excluded from decision-making bodies and processes for recovery measures in Fukushima.[10] The low level of welfare and childcare support for isolated parents often leads to poverty. Job options are often limited for women, so female IDPs struggle financially, made worse by Japan's gender gap, leading to poverty for many women and single mothers.[11]

## 5. Litigation

Over 13,000 evacuees have filed more than 30 class actions, either against TEPCO as sole defendant or TEPCO and the government as joint defendants. In June 2022, regarding four judgments in cases against the Japanese state and TEPCO seeking responsibility, the Supreme Court concluded that the state was not liable for the occurrence nor the adverse effect on the IDPs affected by the Fukushima nuclear disaster in March 2011.[12] It then dismissed the claims against the state to pay reparations for damage while holding TEPCO liable. This judgment deepened the sense of injustice and weakened the legal position of thousands awaiting rulings in district and high courts. IDPs are seen domestically as being selfish for claiming their rights. Sadly, more than a hundred plaintiffs have died already.

## 6. Contamination

Millions of tons of radioactive waste have been kept in bags across Eastern Japan, including in residential areas and schools. Since 2015, the bags of nuclear cleanup waste have been moved to interim storage facilities, but there is nowhere to put them permanently. Instead of finding a long-term storage solution, the government intends to expand the spreading of radioactive soil across all of Japan, what they call recycling. This process spreads radioactive dust, which creates the risk of internal exposure through inhalation by workers and nearby residents, and it impacts food safety, creating more victims.

Many experts have also expressed concern over the government's decision to release radioactive water into the Pacific Ocean for the next 30 years, including a recent joint letter of HRC special rapporteurs.[13] Most Fukushima authorities object, and hundreds of citizens sued to stop it as a violation of UN Convention on the Law of the Sea and the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter. The contaminated water at Fukushima contains many nuclides from contact with debris after the accident. The government neglects the risk of tritium and other nuclides, including strontium-90, in the water and ignores viable alternative methods.

## 7. A disregard of national law and international human rights law

The Act on Protection and Support for the Victims of Nuclear Power Plant Accident was established on 21 June 2012. This Act is the basic law designed to provide measures for livelihood support for those victims affected by the Fukushima nuclear disaster who live or have lived outside the designated zone for evacuation, especially with a specific focus on any affected children. Over a decade later, the Act remains largely unimplemented. Assistance has been narrow in scope and temporary in nature. Despite the Act's promise of participatory recovery, evacuees have been routinely excluded from policies.

UN human rights mechanisms have consistently called attention to the suffering of Fukushima IDPs, including post-disaster recommendations of UPR cycles,[14] concluding observations of human rights treaty bodies,[15] and two country visit missions under HRC special procedures.[16] In 2023, the former Special Rapporteur on the human rights of IDPs in her 2023 visit mission report recommended that "the discriminatory distinction between 'mandatory' and 'voluntary' IDPs be completely eliminated in all administrative and legal policies and their actual implementation." [17] The Japanese government responded negatively to this recommendation, with a persistent unwillingness to address the above-mentioned structural discrimination and to provide support to IDPs.[18]

## 8. Recommendations

Recognizing the hardships, rights, and vulnerable position of IDPs affected by the Fukushima disaster, we call on the government of Japan to:

- Increase IDPs' participation in official decision-making, including state support systems that help IDPs find jobs and childcare, in accordance with the Guiding Principles on Internal Displacement;
- Ensure sufficient medical support for mandatory evacuees and that all evacuees, including voluntary, benefit from the same health services;
- Cease filing lawsuits against and evicting IDPs, and resume housing support necessary for continued voluntary evacuations;
- Implement without delay the recommendations of the Special Rapporteur on the right to health (2013)[19] and the Special Rapporteur on the human rights of IDPs (2023)[20] following their respective visits to Japan, as well as the recommendations of the UPR cycles[21] and concluding observations of human rights treaty bodies.[22]

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[1] A/HRC/53/35/Add.1, para. 69.

[2] Yahoo News, 13 Feb. 2025,

<https://news.yahoo.co.jp/articles/df3033be2fe6c8d02bf6ab3645a6eb63985484b8> (in Japanese).

[3] McCurry, 10 Mar. 2017, <https://www.theguardian.com/world/2017/mar/10/japan-fukushima-nuclear-disaster-evacuees-forced-return-home-radiation>.

[4] OurPlanet, 16 May 2025, <https://www.ourplanet-tv.org/50877/> (in Japanese).

[5] ATA, "Thyroid cancer in children near [Fukushima]", June 2016, [https://www.thyroid.org/wp-content/uploads/publications/ctfp/volume9/issue6/ct\\_public\\_v96\\_3\\_4.pdf](https://www.thyroid.org/wp-content/uploads/publications/ctfp/volume9/issue6/ct_public_v96_3_4.pdf).

[6] Mainichi, "6 people to sue TEPCO over thyroid cancer after Fukushima nuclear disaster", 21 Jan. 2022, <https://mainichi.jp/english/articles/20220121/p2a/00m/0na/018000c>.

[7] Horikoshi, et al, "...Psychological distress among [Fukushima] evacuees", 24 Nov. 2016, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5121974/>.

[8] Orui, et al, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6263751/> (suicide); Takebayashi, et al, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8208296/> (suicide); Haworth, <https://www.theguardian.com/environment/2013/feb/24/divorce-after-fukushima-nuclear-disaster>.

[9] Hori, "Coming to terms with Fukushima disaster-related trauma", 24 Sept. 2020, [https://www.radioprotection.org/articles/radiopro/full\\_html/2020/06/radiopro200078/radiopro200078.html](https://www.radioprotection.org/articles/radiopro/full_html/2020/06/radiopro200078/radiopro200078.html).

[10] "Situation of Rural Women affected by [Fukushima]", <https://www.gender.go.jp/kaigi/renkei/ikenkoukan/52/pdf/siryo7.pdf>.

[11] Katayanagi, et al, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7662503/> (mental health).

[12] Yamaguchi, 17 June 2022, <https://thediplomat.com/2022/06/japan-top-court-government-not-responsible-for-fukushima-disaster/>.

[13] <https://www.mofa.go.jp/mofaj/files/100847421.pdf>.

[14] A/HRC/22/14, para. 147.155; A/HRC/37/15, paras. 161.214-161.217; A/HRC/53/15, paras. 158.141, 158.178, 158.180, 158.217, 158.299, and 158.300.

[15] E/C.12/JPN/CO/3, paras. 24-25; CCPR/C/JPN/CO/6, 20 para. 24; CEDAW/C/JPN/CO/7-8, paras. 36-37; CRC/C/JPN/CO/4-5, para. 36; CCPR/C/JPN/CO/7, paras. 22-23; CEDAW/C/JPN/CO/9, paras. 23 (b) and 24 (b).

[16] A/HRC/23/41/Add.3 and A/HRC/53/35/Add.1.

[17] A/HRC/53/35/Add.1, para. 101.

[18] A/HRC/53/35/Add.3.

[19] A/HRC/23/41/Add.3.

[20] A/HRC/53/35/Add.1.

[21] Supra, note 14.

[22] Supra, note 15.