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## Human Rights Council

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**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.

[2 February 2026]

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

## **Fifteen Years after the Fukushima Nuclear Disaster: Ongoing Inadequate Housing, Forced Evictions and Human Rights Violations against Internally Displaced Persons**

### **1. Background**

The Fukushima Daiichi nuclear disaster in March 2011 displaced 160,000 people, and about 27,000 are still designated as internally displaced persons (IDPs),[1] not accounting for the thousands of 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. The Declaration of a Nuclear Emergency Situation has not yet been fully lifted. 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.

In the wake of the disaster, many mothers chose to seek safety with their children, with their husbands remaining at home for work, meaning that only the wife and children evacuated in many cases. Still now, families continue to be separated. Additionally, IDPs are struggling with physical and mental illnesses, including terminal cancer, disability, and poverty. There have been cases of evacuees committing suicide or divorcing as a result of financial and psychological hardship.[2]

In the latest health survey, 407 Fukushima children have been diagnosed with thyroid cancer, many needing multiple operations and lifelong medication.[3] In 2022, the Child Thyroid Cancer trial had 7 plaintiffs, who were 6 to 16 years old at the time of the disaster. All of them had thyroid cancer and underwent thyroidectomy. Three of them had a thyroid lobectomy, and four of them had surgery to fully remove their thyroid. They are living with cancer and are anxious for the future because of radiation exposure and discrimination. Furthermore, many of them have on-going health problems and are facing PTSD.[4] The following sections focus on three major issues affected persons face relating to the right to housing.

### **2. Livelihood Support for the Evacuees**

As for the livelihood support for the evacuees, the Act on Protection and Support for Victims of the Nuclear Power Plant Accident was established in June 2012.[5] This Act is the basic law designed for the promotion of measures on livelihood support for those victims affected by the nuclear disaster with a specific focus on affected children.

Accepting that affected victims have the right to choose voluntary evacuation, the right to residence, and the right to return, the Act provides that the Japanese government shall take all necessary measures to support the victims, including financial support for voluntary evacuation and compensation. The Cabinet is ultimately tasked to decide the policy based on the draft recommendations of the Reconstruction Agency based on the Act, leaving room for considerable discretion by the government. However, the Act still hasn't been implemented yet.

### **3. Termination of housing support for evacuees**

Following the Great East Japan Earthquake and the Fukushima nuclear accident, the Ministry of Health, Labour and Welfare of Japan notified prefectures that it was applying the Disaster Relief Act to the disaster,[6] and it announced a policy to rent vacant private properties and public housing to evacuees free of charge. However, Fukushima prefecture announced the termination of the housing support to voluntary evacuees in June 2016, and then at the end of March 2017, national and local governments terminated housing assistance to voluntary evacuees (from areas not designated for evacuation) who

elected not to return to their hometowns,[7] although housing support for mandatory evacuees continues. The housing support was the only lifeline for voluntary evacuees. This policy shift has left thousands in prolonged instability. To try to force voluntary evacuees to return to their former habitual residence in a way that is contrary to their own decision-making infringes upon their rights as victims to evacuation and housing under international human rights standards for the protection of IDPs, such as the Guiding Principles on Internal Displacement (GPID).

On this matter, the Special Rapporteur on the human rights of IDPs recommended in a report that “the discriminatory distinction between ‘mandatory’ and ‘voluntary’ IDPs be completely eliminated in all administrative and legal policies and their actual implementation.”[8] She also clearly indicated in her report that evicting IDPs from public housing without support to prevent their involuntary return to risky places where their life or health would be at risk due to radiation and potential homelessness violates their rights, including the rights to adequate housing and health.[9]

To deal with this matter, an evacuee group has held 32 discussions with prefectural authorities, calling for an understanding of evacuees' actual living conditions and a corresponding shift in evacuee policy.[10] However, the Fukushima governor has never attended any meetings with evacuees. Furthermore, Fukushima Prefecture officials visited evacuees' relatives' homes to pressure them to leave.[11] The result is a policy landscape of the government that effectively coerces evacuees into choosing between unsafe return and poverty. Without sustained housing guarantees or financial support, IDP communities remain at risk of social exclusion, vulnerability, and further rights violations. Taking advantage of the absence of domestic legislation addressing IDPs by the nuclear disaster, the government and Fukushima Prefecture have distorted the intent of the Disaster Relief Act by applying it forcibly, unilaterally expelling voluntary evacuees. This action disregards international human rights law and the GPID.

#### 4. Eviction trials

The Disaster Relief Act does not envisage long-term evacuation such as those following a nuclear accident. In a deeply concerning development, some local governments have pursued numerous legal actions against IDPs to demand evictions, even though IDPs have no choice but to remain in public housing due to their limited financial means and health issues. For example, Fukushima Prefecture has persistently resorted to hardline measures, even taking to court evacuees remaining in provided housing due to unavoidable circumstances such as poverty or health issues to force their eviction and demand payment of ‘damages’ equivalent to double the rent.

Fukushima prefecture has filed 40 court cases to force evictions and seek compensation of double the amount of rent. There was a total of 13 forced evictions prior to a finalised judgment. These IDPs are struggling with physical and mental illnesses including terminal cancer, disability, and poverty without any official support.

In one such case, a court forcibly evicted and fined more than 45,000 euros (8.4 million yen) an IDP woman in her 50s who evacuated to Osaka city after the disaster, following the end of her housing support in March 2017, despite being diagnosed with terminal cancer in 2016 and having a severe disability.[12] The judges ignored international human rights law and the GPID.[13]

On 9 January 2026, the Supreme Court dismissed the appeal of another IDP woman to a court order of eviction and compensation for damages in one of multiple lawsuits brought by Fukushima Prefecture against voluntary evacuees of the Fukushima disaster.[14] The Court concluded that there is no legal basis to allow the defendant to occupy the public housing in which she was residing. Nevertheless, the presiding judge, Judge Mamoru Miura, dissented, stating that the prefecture's response was completely inappropriate according to normal social convention. He insisted that the interpretation and application of

relevant laws and regulations concerning the protection of victims of this incident should be construed based on ICESCR Article 11 and principles 3,14,15,18, and 28 of the GPID.

## 5. Recommendations

Recognizing the hardships, rights, and vulnerable positions of IDPs affected by the Fukushima disaster, we urge the government of Japan to:

- Establish effective and appropriate measures to stabilise the residence of IDPs, taking into account their individual circumstances, and ensure that they are reliably and effectively implemented for as long as the need persists;
- Cease filing lawsuits and evicting IDPs, and resume housing support necessary for evacuation;
- Implement without delay the recommendations of the Special Rapporteur on the right to health (2013)[15] and the Special Rapporteur on the human rights of IDPs (2023)[16] following their respective visits to Japan, as well as the recommendations of the UPR cycles[17] and concluding observations of human rights treaty bodies,[18] considering international human rights law and the GPIDs.
- The Fukushima governor and the government should attend discussions with evacuees regarding housing support and listen to IDPs' voices.

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[1] Reconstruction Agency (05.12.2025), <https://www.reconstruction.go.jp/files/user/topics/main-cat2/sub-cat2-1/251205hinansya.pdf> (in Japanese)

[2] Yomiuri Shinbun, <https://www.yomiuri.co.jp/shinsai311/news/20210205-OYT1T50248/> (in Japanese)

[3] OurPlanet, <https://www.ourplanet-tv.org/51872/> (in Japanese)

[4] Asahi Shinbun, <https://www.asahi.com/articles/ASR386DBLR38UTFL010.html> (in Japanese)

[5] <https://www.japaneselawtranslation.go.jp/en/laws/view/2435/en>

[6] The Disaster Relief Act, <https://www.japaneselawtranslation.go.jp/en/laws/view/4174/en>

[7] Nikkei, [https://www.nikkei.com/article/DGXLASDG15HCM\\_V10C15A6000000/](https://www.nikkei.com/article/DGXLASDG15HCM_V10C15A6000000/)

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

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

[10] Hidanren, <https://hidanren.blogspot.com/2025/02/32.html>

[11] The Shukan Kinyobi, <https://www.kinyobi.co.jp/kinyobinews/2022/03/22/antena-1072/>

[12] Asahi Shinbun, <https://www.asahi.com/articles/ASSCQ3H0MSCQPTIL00TM.html>

[13] Id.

[14] Tokyo Shinbun, <https://www.tokyo-np.co.jp/article/461004>

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

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

[17] 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.

[18] 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).