



**Human Rights Now**



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**[Joint Statement] HRN and Kiko Network protest the Japanese government's abstention from the UN resolution on the right to the environment and call on it to take proactive measures to guarantee the right to the environment**

18 October 2021

Human Rights Now

Kiko Network

Signing Organization

Greenpeace Japan

On October 8, the Human Rights Council passed a resolution on the human right to a safe, clean, healthy and sustainable environment, with 43 votes and favor, none against, and four abstentions, China, India, Russia, and Japan.<sup>1</sup> At its core, the resolution “[r]ecognizes the right to a safe, clean, healthy and sustainable environment as a human right” as well as its connection and importance to the enjoyment of other human rights, and it calls on states to build their capacities, international cooperation, best practices, and policies to protect the right, which has already received widespread recognition in national constitutions, national legislation, and regional human rights treaties.<sup>2</sup>

Human Rights Now\*, as a Tokyo-based international human rights NGO, and Kiko Network welcome the resolution itself as the confirmation of the right to a clean environment, but are deeply disappointed in the failure of the Japanese government to support this resolution and take global leadership in combatting one of the major challenges of our times.

The preambular paragraphs focus on some of the most important challenges facing the world today for which Japan should be a leader and contributor in addressing, including: the vital role of the environment in sustainable development and in protecting critical human rights including to life, health, food, housing, water, and culture; the central role of climate change and other environmental crises on the enjoyment of all human rights; the needs of populations specially vulnerable to environmental harm including indigenous people, older persons, persons with disabilities, women and girls; the public’s rights to accurate and adequate information, to participate effectively in the government’s environmental decision-making, and to an effective remedy; the obligation to respect human rights in addressing

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<sup>1</sup>\* Contact us through our website <http://hrn.or.jp/eng> or by email [info@hrn.or.jp](mailto:info@hrn.or.jp).

Human Rights Council, Resolution on “The human right to a safe, clean, healthy and sustainable environment”, A/HRC/48/L.23/Rev.1, 8 Oct. 2021, <https://undocs.org/a/hrc/48/l.23/rev.1>.

<sup>2</sup> Knox, “Report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment”, UNGA A/73/188, 19 July 2018, paras. 28-36, <https://undocs.org/a/73/188>.

environmental challenges; and the responsibility of businesses to respect human rights in regards to environmental matters and to environmental activists.

In all of these regards, it must be recalled that one of the largest blows to public trust in the Japanese government in recent years, which has highlighted significant failures by the Japanese government (and a business) on every one of these points, has been its much criticized response to the ongoing Fukushima nuclear disaster, including its failures to adequately protect the public's rights to health and to provide accurate and adequate information about the disaster.<sup>3</sup> In grossly mishandling the largest environmental disaster in recent history, the Japanese government displayed "a culture of coverups and denials that contributed to the nuclear accident and continues to dog Japan's efforts to restart its nuclear industry."<sup>4</sup> Repeatedly, the Japanese government has belittled and dismissed legitimate public concerns about the disaster, even as recently as this summer as it promoted the "Recovery Olympics" with rhetoric that diminished the continuing hardships of people affected by the Fukushima disaster.<sup>5</sup>

With this resolution, the Japanese government has the opportunity to reject the ways of thinking that led to its past failures and to take global leadership on environment and human rights. We call on it to send a clear message that it supports the right to a safe, clean, and sustainable environment as a human right and that it will respect and effectively act on the standards contained in this resolution. In particular, we call on the government to take meaningful action in line with the resolution to protect the right to a clean environment, including cooperating with international initiatives, implementing best practices and policies, and building government capacities, as well as to cooperate with the Special Rapporteur on this issue, to play an active role in the Human Rights Council to promote the resolution, and to support research on environmental rights including climate change and human rights.

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<sup>3</sup> HRN, "Serious Human Rights Situation of the People Affected by the Fukushima Nuclear Disaster", 14 Feb. 2017, <https://hrn.or.jp/eng/news/2017/02/14/fukushima-hrc34-statement/>.

<sup>4</sup> Denyer, "Eight years after Fukushima's meltdown, the land is recovering, but public trust is not", Washington Post, 20 Feb. 2019, [https://www.washingtonpost.com/world/asia\\_pacific/eight-years-after-fukushimas-meltdown-the-land-is-recovering-but-public-trust-has-not/2019/02/19/0bb29756-255d-11e9-b5b4-1d18dfb7b084\\_story.html](https://www.washingtonpost.com/world/asia_pacific/eight-years-after-fukushimas-meltdown-the-land-is-recovering-but-public-trust-has-not/2019/02/19/0bb29756-255d-11e9-b5b4-1d18dfb7b084_story.html).

<sup>5</sup> Lee & Inuma, "In shadow of Japan's Fukushima disaster, the Olympic message of 'recovery' rings hollow", Washington Post, 29 July 2021, <https://www.washingtonpost.com/sports/olympics/2021/07/29/olympics-fukushima-nuclear-tsunami/>.