



ASSOCIATION INTERNATIONALE DES JURISTES DEMOCRATES
INTERNATIONAL ASSOCIATION OF DEMOCRATIC LAWYERS
ASOCIACION INTERNACIONAL DE JURISTAS DEMOCRATAS
МЕЖДУНАРОДНАЯ АССОЦИАЦИЯ ЮРИСТОВ ДЕМОКРАТОВ
國際民主法律家協會
رابطة المحققين الديمقراطيين العالميين

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Item 3 – Interactive Dialogue with the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes

The International Association of Democratic Lawyers (IADL) welcomes the report of the Special Rapporteur on toxic wastes and thank him for elaborating principles intended to help States, businesses and other key actors protect workers from toxic occupational exposure and to ensure just and favorable conditions of work for all.

We express to him our deepest appreciation for calling attention to the hazardous radiological working conditions for decontamination workers in Fukushima prefecture and the urgent need for the Japanese government to meet in full its domestic and international human rights obligations, including those enshrined in Article 12 and 14 of the International Covenant on Economic, Social and Cultural Rights which enshrines the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, and where by states are required to adopt measures against environmental and occupational health hazards and against any other threat as demonstrated by epidemiological data.

Tens of thousands of workers have been recruited over the past seven years under the decontamination program. Such workers include migrant workers, asylum seekers and people who are homeless. In a recent joint allegation letter, three UN experts, namely the Special Rapporteur on toxic wastes, the Special Rapporteur on the right to health and the Special Rapporteur on contemporary forms of slavery expressed deep concern “about possible exploitation by deception regarding the risks of exposure to radiation, possible coercion into accepting hazardous working conditions because of economic hardships, and the adequacy of training and protective measures”.

The Japanese government has attempted to dismiss the concerns of the SRs rather than acknowledge the very real risks to workers. It also fails to address the fundamental issue which is that in the last seven years tens of thousands of workers have been exposed to harmful radiation risks and without justification. As Greenpeace Japan has revealed and well documented, the policy of decontamination is limited and ineffective in highly contaminated areas such as Namie and Iitate, and the stated

aim of allowing evacuees to return to their homes has failed with very low numbers returning. This is in no small measure due to Government policy that permits members of the public, including women and children, to be exposed to 20 millisievert (mSv) in one year. This is 20 times higher than the international recommended maximum.

As recently as the 4th of September 2018, the Japanese Ministry of Labor for the first time admitted that a Fukushima worker who contracted lung cancer died as a result of work-related radiation exposure. The worker had accumulated a dose of 195mSv during his 28 years working in the nuclear industry. While working at the Fukushima Daiichi nuclear plant between March 2011 and September 2016 he is reported to have been exposed to a total of 74mSv, or an average annual dose of 16.4 mSv. This is less than the 20mSv limit government has set as a permitted annual dose for Fukushima citizens in places such as Namie and Iitate, and the 50mSv annual limit set for decontamination workers. The Japanese government continues to misrepresent radiation risks in communications to the workers themselves, to the Japanese public and, equally seriously to UN bodies and mechanisms by stating that there are no discernible health risks below 100mSv, including to children and pregnant women.

IADL, along with civil society in Japan including Greenpeace, strongly support the continuing efforts of the UN Human Rights bodies to question and seek to protect the rights of Japanese citizens, including workers, who are continuing to suffer the consequences of deliberate Japanese government policy and their mis-management of the on going Fukushima Daiichi nuclear disaster.

We would like to ask one question to Mr. Baskut Tunkak: which special measures do you think the Japanese government should take to adequately protect workers in accordance with principle 1?

12 September 2018