(CASE STUDY): PROBLEMS AND CHALLENGES FOR “VOLUNTARY EVACUEES” REGARDING THE FUKUSHIMA RADIATION DISASTER AND ITS LONG-TERM IMPACT

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AT THE IAIA CONFERENCE, IN LISBON

ON JUNE 5TH, 2019
LISBON DISASTER IN 1755
SAINT ROCH CHURCH AND ST. FRANCIS XAVIER (1506-52) IN JAPAN (1543, 1549-51)
I. FOREWORD: THE NEED FOR AN INCLUSIVE DISASTER RECOVERY FROM THE PERSPECTIVE OF HOUSING AND WELFARE

- HOUSING WELFARE LAW…. (EX.) DISASTER RECOVERY; HOMELESSNESS; HOUSING DISCRIMINATION; REGINAL HOUSING ETC.; THE EMPHASIS ON WELL-BEING AND PUBLIC ASSISTANCE FOR VULNERABLE PARTIES

- JAPAN---MARKET ORIENTED HOUSING POLICY: PUBLIC SPENDING FOR HOUSING WELFARE IS LIMITED, WHILE HUGE BUDGET HAS BEEN SPENT FOR PUBLIC WORKS --E.G., KOBE EARTHQUAKE…10 TRILLION YEN; FOR KOBE AIRPORT ETC. CF. NO PUBLIC SPENDING FOR LOCAL RESIDENTS AND THEIR DESTROYED HOUSING; ONLY 250,000 YEN FROM DONATION

- EAST JAPAN EARTHQUAKE…25 TRILLION YEN…E.G., (A) DECONTAMINATION AND THE CONSTRUCTION OF INTERMEDIARY STORAGE FACILITIES FOR NUCLEAR WASTE (2.4 TRILLION YEN), (B) COMMUNITY TRANSFER ONTO HILLS (1.6 TRILLION YEN), AND (C) THE CONSTRUCTION OF HIGH WALLS TO FEND OFF TSUNAMIS (2.2 TRILLION YEN)
*THE UNIQUE HOUSING POLICY IN CASE OF FUKUSHIMA RADIATION DISASTER(PART 1)*

• COMPARED TO THE HOUSING POLICY AFTER CHERNOBYL RADIATION DISASTER, THE EVACUATION POLICY IN CASE OF FUKUSHIMA TEPCO DISASTER, IS GENERALLY NEGLECTED, WITH ITS SIZE OF EVACUATION ZONE MUCH SMALLER, ESPECIALLY LATELY. *CHERNOBYL...EVACUATION HOUSING POLICY; FUKUSHIMA...RETURN/NON-EVACUATION/STAY HOUSING POLICY*

• ON THE OTHER HAND, THE JAPANESE GOVERNMENT STRONGLY TRIES TO MAKE EVACUEES RETURN TO THEIR ORIGINAL PLACES, BECAUSE THE NUCLEAR DAMAGES COUNCIL ARBITRARILY HAS CONNECTED ITS REMEDY PLAN TO THE EVACUATION ZONE: THUS, TEPCO AND THE GOVERNMENT HAVE TRIED TO DIMINISH THE EVACUATION ZONE, TAKING ACCOUNT OF BUDGETARY CONSTRAINT FOR COMPENSATION FOR EVACUEES, AND HAVE CONSIDERED ITS REMOVAL THE SYMBOL OF FUKUSHIMA DISASTER RECOVERY.
*THE UNIQUE HOUSING POLICY IN CASE OF FUKUSHIMA RADIATION DISASTER(PART 2)*

- HOWEVER, THE RADIATION DISASTER EFFECT IN FUKUSHIMA STILL PERSISTS: LOTS OF LOCAL RESIDENTS WERE EXPOSED TO RADIATION DUE TO THE RESTRICTIVE AND INAPPROPRIATE EVACUATION ZONING. IN THIS SENSE, THE HOUSING WELFARE HAVE BEEN NEGLECTED.

- WHAT IS CALLED “VOLUNTARY EVACUEES” ARE PEOPLE WHO DISTRUST THE GOVERNMENTAL ZONING STANDARD, AND HAVE FLED FUKUSHIMA TO ALL OVER JAPAN, FEARING THE LONG-TERM EFFECT OF RADIATION. *THEIR REMEDY HAS BEEN NEGLECTED.*
KOBE EARTHQUAKE IN 1995 (AT NAGATA, KOBE)
KOBE AIRPORT (26KM WEST OF OSAKA. OPENED IN 2006. 314 BILLION YEN ($3.14 BILLION) SPENT AND MORE THAN 90% OF ITS EXPENDITURE FROM KOBE CITY)
TOTTORI WESTERN EARTHQUAKE IN 2000
(GOVERNOR YOSHIHIRO KATAYAMA, WHO FIRST ADVOCATED PUBLIC ASSISTANCE FOR HOUSING)
NIIGATA CENTRAL EARTHQUAKE IN 2004
(DEAD GOLDEN CARP)
YAMAKOSHI VILLAGE MAYOR TADAYOSHI NAGASHIMA, WHO LATER BECAME A CONGRESS PERSON
EAST JAPAN EARTHQUAKE IN 2011
(EXPLODED FUKUSHIMA DAIICHI PLANT ON MARCH 14TH, 2011)
POUNDS OF RADIOACTIVE WASTE IN IIDATE
(650 BILLION YEN HAD BEEN SPENT FOR THE DECONTAMINATION WORK FOR 6000 IIDATE VILLAGERS (APRIL 2014))
II. UNIQUENESS AND PROBLEMS FOR THE FUKUSHIMA RADIATION EVACUATION POLICY

A. THE PROCESS OF FUKUSHIMA EVACUATION POLICY

- **Radiation Spread Northwest** after the explosions of Fukushima Daiichi Nuclear Power Reactors No. 1, 3, 4 on March 12th through 15th, and broad areas in that direction, most prominently Iidate Village already mentioned, located 40km northwest from the site, factually faced high radiation.

- It took time for local residents to get correct information about radiation: for example, *speedi* information was concealed by top government officials fearing panic, and many evacuees didn’t know which way to move. Consequently, some, including people from Futaba town, moved into high radiation areas such as Namie town and Iidate village, thus being exposed to high radiation without taking iodine.
EVACUATION ZONE IN FUKUSHIMA: RADIATION MOVED NORTHWEST
CLASSIFICATION OF EVACUATION ZONE

• THE ZONE-SETTING IN APRIL 2012 IS AS FOLLOWS: (1) THE ‘NO-RETURN ZONE’ ABOVE 50MSV; (2) THE ‘RESTRICTED RESIDENCE ZONE’ ABOVE 20MSV; AND (3) THE ‘WOULD-BE RETURN ZONE’ UNDER 20MSV, WHERE THEORETICALLY THE DESIGNATION CAN BE CANCELLED AND THUS BE OUTSIDE OF THE EVACUATION ZONE ANY MINUTE. *(1)=RED; (2)=YELLOW; (3)=GREEN

• THE LAST ONE IS DIMINISHING.*DESIGNATION OF TAMURA CITY (APRIL 1ST, 2014); KAWAUCHI VILLAGE (OCTOBER 1ST, 2014); NARAHA TOWN (SEPTEMBER 5TH, 2015); KATSURAO VILLAGE (JUNE 12TH, 2016); SOUTH SOMA CITY (JULY 1ST, 2016) HAS BEEN CANCELLED.

• THE RETURN PROCESS IN THOSE AREAS HAS BEEN SLOW AND ONLY LIMITED NUMBERS OF PEOPLE, PREDOMINANTLY THE ELDERLY, HAVE RETURNED HOME. THE PAUCITY OF PUBLIC FACILITIES, SUCH AS SCHOOLS, HOSPITALS AND SHOPPING CENTERS, IS MENTIONED AS A MAIN REASON FOR THE DELAY, PUTTING ASIDE RADIATION ISSUES
II-B PROBLEMS OF THE JAPANESE EVACUATION STANDARD

- (1) The 20MSV standard is very different from the standard taken after the Chernobyl tragedy in 1986. In the aftermath of the Chernobyl radiation disaster, local residents within areas over 5MSV were obligated to evacuate and those within areas over 1MSV qualified for evacuation.

*The evacuation zone in the Chernobyl case was much wider than the Fukushima evacuation zone.

*Lots of Fukushima people could do nothing but face radiation, which might cause serious health effects in the near future. Those suffering from thyroid cancer and other medical issues cannot freely talk about their diseases openly in Japan. In that sense, they have been marginalized and oppressed by the rhetoric of ‘normalization’ and related policies.
EVACUATION ZONE OF CHERNOBYL
THE EXPLODED AND CEMENTED REACTOR #4 OF CHERNOBYL POWER PLANT (MARCH 2014)
UNIQUENESS OF THE FUKUSHIMA EVACUATION ZONE

• (2) UNDER AMERICAN STANDARDS, A RADIUS OF 50 MILES (80 KM) SHOULD HAVE BEEN EVACUATED. MANY MAJOR CITIES IN THE CENTRAL BAND OF FUKUSHIMA PREFECTURE, INCLUDING FUKUSHIMA CITY AND KORIYAMA CITY, WOULD FALL UNDER THE AMERICAN EVACUATION ZONE, AND MILLIONS OF PEOPLE HAVE BEEN EXPOSED TO RADIATION WITHOUT ANY EVACUATION ORDERS OR MONETARY ASSISTANCE.
THE RADIATION MAP IN FUKUSHIMA, WHICH SHOULD BE COMPARED TO THE EVACUATION ZONE MAP
THE NUMBER OF EVACUEES IN FUKUSHIMA AND UKRAINE


THE BACKGROUND OF THIS CONSPICUOUS DIFFERENCE:
1. THE DIFFERENCE OF HOUSING POLICY;
2. THE DIFFERENCE OF PROPERTY SYSTEM (CF. THREE MILES ISLAND CASE);
3. THE LINK TO THE COMPENSATION PLAN BY THE COMMITTEE (AND THUS, THE STRONG PRESSURE TO RETURN/STAY)
III. VOLUNTARY EVACUEES AND THEIR LACK OF ASSISTANCE

A. THE DEFINITION OF VOLUNTARY EVACUEES

• **THE SITUATION OF VOLUNTARY EVACUEES IS ONE OF THE MOST SERIOUS AND NEGLECTED ISSUES** WITH REGARD TO THE NUCLEAR DAMAGES STATUTE OF 1961.

• ‘**VOLUNTARY EVACUEES’ ARE THOSE WHO LIVE OUTSIDE THE DESIGNATED EVACUATION ZONE.** DUE TO THE RELATIVELY SMALL SIZE OF THE EVACUATION ZONE IN FUKUSHIMA, MANY PEOPLE OUTSIDE THE DESIGNATED AREAS FEARED FOR THEIR HEALTH, ESPECIALLY PREGNANT WOMEN AND CHILDREN, AND DECIDED TO EVACUATE ON THEIR OWN INITIATIVE.
THE NUMBER OF VOLUNTARY EVACUENES

- The number of voluntary evacuees has not been officially recognized, but was estimated at 60,000 to 80,000 in 2012, and had decreased to 25,000 (13,000 families) by the end of October, 2015. In Hokkaido, there were 3,220 in the summer of 2011, down to 2,125 in February 2016.

- There must have been many more people who wanted to avoid radiation, but did not evacuate for financial reasons or due to oppressive community power to not leave their hometown and abandon their relatives.
ATSUBETSU EMPLOYMENT FACILITATION HOUSING IN SAPPORO WHERE MANY VOLUNTARY EVACUEES LIVE (CHERRY BLOSSOM ASSOCIATION AMONG EVACUEES HAS BEEN ESTABLISHED SINCE JULY 2011)
MEETINGS WITH VOLUNTARY EVACUEES IN HOKKAIDO(1)(SAPPORO)(2015.5)
MEETINGS WITH VOLUNTARY EVACUEES IN HOKKAIDO(2)(HAKODATE)(2014.9)
III- B. DISCREPANCY BETWEEN MANDATORY EVACUEES AND VOLUNTARY EVACUEES IN TERMS OF REMEDIES


• THE RESULT IN THE FIRST AMENDMENT OF DECEMBER 2011 WAS: 400,000 YEN FOR PREGNANT WOMEN AND CHILDREN PER PERSON WITH TEPCO’S VOLUNTARY ADDITION OF 200,000 YEN (600,000 YEN IN TOTAL PER PERSON) AND 80,000 YEN FOR OTHER PERSONS.
* DISCREPANCY BETWEEN MANDATORY EVACUEES AND VOLUNTARY EVACUEES IN TERMS OF REMEDIES

- THE COUNCIL ADDED NOTHING MORE FOR VOLUNTARY EVACUEES IN THE SECOND AMENDMENT IN MARCH 2012, ALTHOUGH FOLLOWING THE SECOND AMENDMENT, TEPCO ADDED THE VOLUNTARY PAYMENT IN DECEMBER 2012 BY **120,000 FOR PREGNANT WOMEN AND CHILDREN** AND **40,000 FOR OTHER PERSONS**.

*THESE PAYMENTS WERE STILL FAR BELOW THOSE PROVIDED FOR THE MANDATORY EVACUEES, WHO ARE GRANTED A MINIMUM OF 100,000 PER MONTH PER PERSON.*
III-C SUFFERING OF VOLUNTARY EVACUEES

• EVEN THOUGH THEIR EVACUATION IS TERMED VOLUNTARY, THIS IS NOT TRUE. ALMOST ALL OF THEM WERE EXPOSED TO HIGH RADIATION IN PLACES LIKE FUKUSHIMA CITY AND KORIYAMA CITY, AND MADE THE DECISION TO EVACUATE TO AVOID THE HEALTH EFFECTS OF RADIATION ON THEIR CHILDREN AND PREGNANT WIVES. IN MANY CASES, HUSBANDS STAYED IN FUKUSHIMA WHILE THEIR WIVES AND CHILDREN MOVED ELSEWHERE.

• THE FREE PROVISION OF HOUSING FOR VOLUNTARY MOVERS HAD BEEN THEIR ONLY EXCEPTIONAL PROTECTIVE MEASURE, ALTHOUGH THIS MEASURE ENDED IN MARCH, 2017 AND WAS REPLACED BY A RENTAL ASSISTANCE PROGRAM FOR TWO YEARS: WITH SUPPORT FOR HALF OF THEIR RENT IN 2017, AND A THIRD IN 2018 UNDER STRICTER ELIGIBILITY CONDITIONS.
SUFFERING OF VOLUNTARY EVACUEES

- THEIR SUFFERINGS, PROBLEMS AND CHALLENGES INCLUDE, (A) THE HEAVY ECONOMIC BURDENS OF TWO HOUSEHOLDS; (B) DIFFICULTIES OF FINDING NEW EMPLOYMENT, ESPECIALLY FOR SINGLE WOMEN WITH KIDS; (C) RARE FAMILY GATHERINGS AND FAMILY RUPTURES LEADING TO DIVORCE; (D) LONELINESS FOLLOWING THE DESTRUCTION OF THEIR TIGHT-KNIT PREVIOUS COMMUNITIES, LEADING TO MENTAL DISTRESS AND EVEN DEATH; (E) ACCUSATIONS OF FLEEING FROM FORMER FRIENDS AND NEIGHBORS IN FUKUSHIMA; (F) TROUBLES AND CONFLICTS IN THEIR NEW COMMUNITIES; AND (G) HEALTH EFFECTS.
*TRYING EXPERIENCE OF MOTHER AND CHILDREN EVACUUEES (MRS. MORIMATSU’S CASE)
* NEGLECT OF VOLUNTARY EVACUEES DESPITE THEIR VULNERABILITY

- HOUSING BENEFIT HAS BEEN EXCEPTIONALLY INFLEXIBLE. VOLUNTARY EVACUEES ARE NOT ALLOWED TO CHANGE THEIR HOUSING IRRESPECTIVE OF THEIR CHILDREN’S GROWTH, HAVING MORE CHILDREN, NEIGHBORHOOD TROUBLES, OR INCONVENIENCE IN TERMS OF EDUCATION, SHOPPING, AND COMMUTING TO WORKPLACE, EVEN IF THERE ARE AVAILABLE HOUSING UNITS.
* NEGLECT OF VOLUNTARY EVACUUEES DESPITE THEIR VULNERABILITY

• VOLUNTARY EVACUUEES ACROSS JAPAN HAVE BEEN BULLIED BY LOCAL AND CENTRAL GOVERNMENT COMMITTED TO FUKUSHIMA DISASTER RECOVERY. EVEN THOUGH THEY ARE THE MOST VULNERABLE PARTIES IN THIS RADIATION DISASTER, THEY ARE CONSIDERED ‘OBSTACLES’ IN THE WAY OF THE RESUSCITATION OF FUKUSHIMA AND LARGELY NEGLECTED BY GOVERNMENTAL OFFICIALS.

• CF. VULNERABLE PEOPLE ARE A KEY NOTION FOR INCLUSIVE DISASTER RECOVERY (FARBER ET AL; VERCHICK)
PROF. ROBERT VERCHICK AT THE LOWER 9TH WARD
(FACING CATASTROPHE: ENVIRONMENTAL ACTION FOR A POST-KATRINA WORLD (HARVARD U.P., 2010)
*THE BUDGET FOR HOUSING FOR VOLUNTARY EVACUEES

• *THE BUDGET FOR THEIR HOUSING IS ONLY 8.09 BILLION FOR THEIR SUPPLY-SIDE ASSISTANCE, AND 2 BILLION FOR DEMAND-SIDE RENTAL SUBSIDIES. IN THE COURSE OF THIS BUDGETARY CUT, WE’LL FACE SERIOUS EVICTIONS: BASIC HUMAN RIGHT’S INFRINGEMENT.

• CF. TRILLIONS OF BUDGETARY SPLURGE ON PUBLIC WORKS---PLEASE REMIND THAT THERE IS A COLLUSIVE RELATIONSHIP BETWEEN THE GOVERNMENT AND RELATED SCHOLARS AND THE DECONTAMINATION INDUSTRY.
IV. FUTURE CHALLENGES

• 1) PROBLEMS OF THE KYOTO DISTRICT COURT (FEB. 18TH, 2016)...
  ① 20MSV STANDARD, WHICH IS UNSUPPORTED BY THE WORLD CONSENSUS UNDER THE LINEAR NON-THRESHOLD (LNT) THESIS; ② THE NARROW NOTION OF VOLUNTARY EVACUATION, THAT DENIES THE PROTECTION OF RELOCATION AND PURSUANCE OF NEW EMPLOYMENT; ③ DENIAL OF HEALTH EFFECTS OF VOLUNTARY EVACUEES.

• 2) THE NEED FOR LEGAL SCHEME OF DAMAGES BASED ON THEIR MOVE AS EQUITABLE, SPECIFIC REMEDIES
IV. FUTURE CHALLENGES

• 3) THE NEED FOR LEGAL DOCTRINE REGARDING RADIATION DAMAGE CF. HEALTH EFFECTS ARE ALREADY PREVALENT…THE RESULT OF 116 CONFIRMED AND ANOTHER 50 POSSIBLE CANCER PATIENTS AMONG THE SEVERAL HUNDREDS OF THOUSANDS OF FUKUSHIMA CHILDREN, IS 30 TIMES THE NATIONAL AVERAGE.

*THE SERIOUS HEALTH PROBLEMS HAVE BEEN REPORTED, BUT SUFFERERS HAVE REJECTED HEALTH CHECK (FOR EXAMPLE, IITATE VILLAGERS).

• 4) RECOVERY FROM BROKEN COMMUNITIES
THE MISMATCH/FAILURE OF THE NUCLEAR DAMAGES LEGAL MODEL

THE LEGAL FRAMEWORK OFFERED BY THE COUNCIL IS BASED ON TRAFFIC ACCIDENT CASES AND THIS LEGAL MODEL ACTUALLY DOES NOT FIT WITH RADIATION DISASTER:

• (1) THE COUNCIL FOCUSED ON THE ‘EVACUATION’ AS THE TYPICAL IMAGE OF FUKUSHIMA NUCLEAR DAMAGE AND FOLLOWED THE PRECEDENTS FOR AUTOMOBILE ACCIDENTS, WHERE PHYSICAL DAMAGE IS MORE SALIENT, WHILE NUCLEAR RADIATION VICTIMS AND SUFFERERS’ CONCERN IS THEIR HEALTH EFFECT;

• (2) THE FICTITIOUS FEATURE OF THIS APPLICATION TO RADIATION CASES BECOMES OBVIOUS WHEN WE CONSIDER THE ARBITRARY SHRINKING OF THE EVACUATION ZONE BY THE GOVERNMENT;

• (3) THE UNREASONABLE NEGLECT OF VOLUNTARY EVACUEES, AND THE UNScientIFIC STANDARD OF 20MSV, IS NOT SUPPORTED BY THE WORLD CONSENSUS UNDER THE LINEAR NON-THRESHOLD (LNT) THESIS.
ATTORNEY IDO FOR THE KYOTO CASE, WHO USED TO BE AN OUTSTANDING CRITICAL JUDGE IN THE FIELD OF NUCLEAR POWER PLANT INJUNCTION CASES
THYROID CANCER CHECK-UP OF FUKUSHIMA CHILDREN
AT DATE EAST TEMPORARY HOUSING WITH MS. HANAKO HASEGAWA, WHO DESCRIBED SERIOUS HEALTH PROBLEMS AMONG RESIDENTS. (SEPTEMBER, 2015)
FUKUSHIMA CONTAMINATED WATER

• A WARNING ABOUT THE HEALTH PROBLEMS FROM TRITIUM INCLUDED IN IT HAS BEEN MENTIONED DESPITE JAPANESE GOVERNMENT’S DESIRE TO POUR IT INTO PACIFIC OCEAN
THANKS FOR YOUR ATTENTION!

• I’D APPRECIATE IT IF YOU COULD GIVE ME SOME COMMENTS AND QUESTIONS.

• THE EXECUTIVE AND ADJUDICATORY RULE THAT IS BASED ON 20MSV AND HAS ARBITRARILY DWINDLED THE “EVACUATION ZONE”, IS NOT SUPPORTED BY THE WORLD CONSENSUS AND IT HAS NEGLECTED THE JUSTIFIABLE DECISIONS OF VOLUNTARY EVACUEES.

• WE NEED THE INTERNATIONAL FAIR REVIEW OF THIS ISSUE BY THE IAIA IN ANY MINUTE!

• FUKUSHIMA CASE IS A TRULY BAD EXAMPLE THAT SHOWS THE LACK OF PUBLIC PARTICIPATION AND OF ENVIRONMENTAL DEMOCRACY.