

# A Brief Update on Japan's Internally Displaced Persons: The situation of evacuees and victims of the ongoing Fukushima nuclear disaster 27th June 2022

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By Mitsuko Sonoda **Fukushima evacuee**

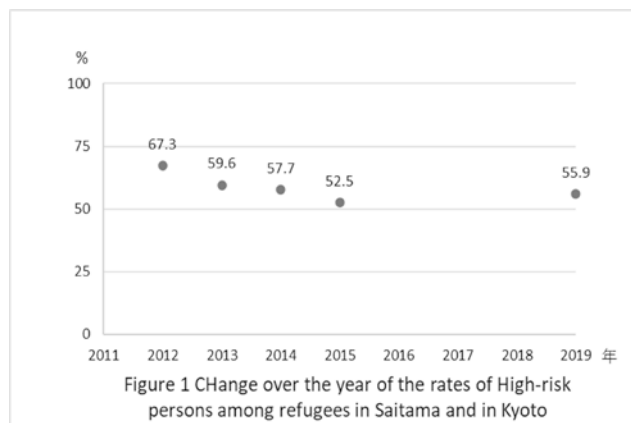
# 1 Research on the PTSD of the Evacuees from the Fukushima Nuclear Accident

By Shoichiro Takezawa: Professor emeritus of Community Studies at the Graduate University for Advanced Studies

1.1 The Fukushima nuclear disaster created more than 160,000 evacuees who escaped to different parts of Japan. Living in unfamiliar surroundings, they had many social, economic and mental difficulties. In order to quantify this mental distress more objectively, in 2019 we conducted a questionnaire with 174 plaintiffs from a law suit at Kyoto court. This demonstrated their continuing high risk of PTSD, with social isolation indicated as a particular contributing factor.

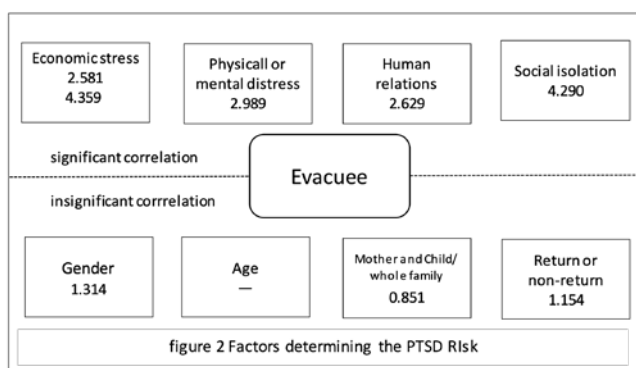
We used the well-established Impact of Event Scale – Revised (IES-R), the most recommended assessment tool for after traumatic events. People who record over 25 points on IES-R are considered to be at high risk of PTSD. We found that 55.9 % of the adults and 52.2% of the adolescents in the survey should be classed as high-risk, along with 15.6% of children.

This rate is much higher than found among the victims of other earthquakes. After the Hanshin-Awaji Earthquake in 1995, 39.5% were at high risk of PTSD, while after the Niigata Earthquake in 2004 it was 21.0%. For evacuees from the Fukushima disaster escaping to Saitama Prefecture, the number of those at high risk of PTSD much higher, at 67.3% in 2012; though as is normal this rate has reduced year by year: 59.6% in 2013, 57.7% in 2014, and 52.5% in 2015. The rate for evacuees from Fukushima in Kyoto in 2019 could therefore be expected to be down to around 30% – but they showed a persisting high risk of PTSD, at 55.9%.



## 1.2 Identification of factors affecting PTSD Risk

In the questionnaire, we asked questions to establish the economic, social, psychological, and physical conditions of the refugees in order to learn about any correlation between these conditions and the PTSD risk. The result is shown in figure 2. To explain this figure, let's take the example of economic factors. We asked them if their economic conditions became worse after they have immigrated to Kyoto. 68% of them answered “yes” and among them, 22% answered “much worse”. When compared to those who answered that their conditions were “equal” or “better”, the PTSD risk of those who answered “worse” is 2.581 times, and “much worse”, 4.359 times.



This figure shows also that differences of sex or age are not factors that aggravate the mental condition of most evacuees, whereas physical or mental distress raises their PTSD risk. The same is true for those who experienced difficulties in human relations with their neighbors, and especially for those who felt isolated in their new setting. The last point is noteworthy. In other evacuee studies, no attention was paid to the social relations of the evacuees, but our survey demonstrates that social isolation may affect their mental condition more critically than any other factors.

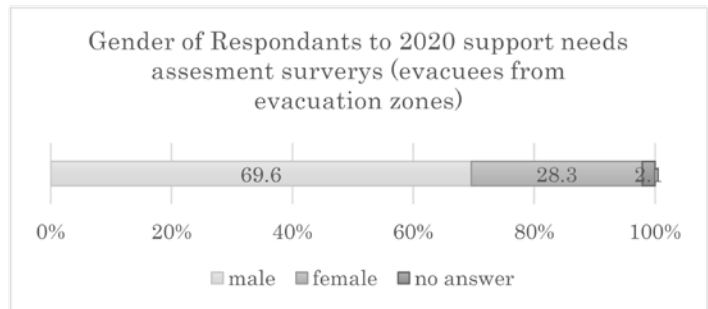
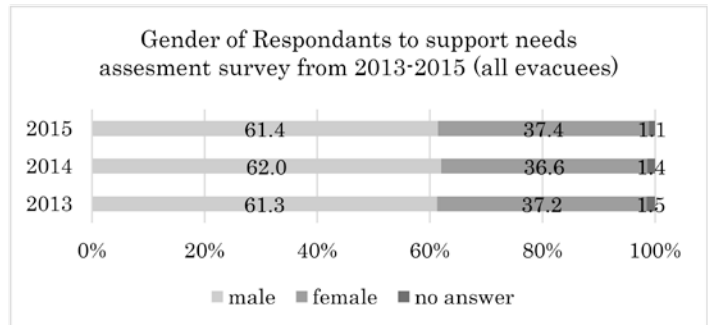
## 2 Issues related to nuclear accident evacuation and gender

March 13 2022

**Dr. Nanako Shimizu - International Relations, International Law, Utsunomiya University, Japan**

### 2.1 Inadequate statistics and the unheard voices of women

According to Fukushima Prefecture, 33,365 people are still evacuated as of February 2022, of which 26,693 remain outside of Fukushima Prefecture. However, the actual number of evacuees is presumed to be higher because the method of counting the number of evacuees is not standardized, and evacuees from radiation-contaminated areas outside of Fukushima Prefecture are not counted. No official support needs assessment for all households evacuated from Fukushima has been conducted since 2015. To date, the Fukushima Prefectural Government has only conducted surveys of evacuees from official evacuation zones, which has obscured the support needs of evacuees from areas where evacuation orders were not issued. Furthermore, since these surveys are conducted with registered household representatives (setainushi), 60-70% of the respondents are male, which makes it impossible to find the support needs of women. An official survey of the support needs of women and young people is needed.



### 2.2 Family separation

The evacuation zone set by the government was limited compared to radiation-contaminated areas, resulting in societal conflict. Many of the households evacuated from outside the evacuation zone were separated, with the husband remaining at home for work and only the wife and children evacuating outside of Fukushima. The gendered division of labor is reinforced in such families by the fact that the wife quit her job to evacuate and took on childcare responsibilities alone at an unfamiliar evacuation site, while the husband had less time to spend with his family. There have been cases of evacuees committing suicide or divorcing as a result of the financial and psychological hardship caused by evacuation, or because of disagreements between spouses regarding the continuation of the evacuation. Furthermore, the termination of the housing assistance policy by March 2017 made life even more difficult for the evacuees. Those who continue to evacuate are sometimes accused of “abandoning their hometown” or “evacuating because they want more aid money”. Even if they do not wish to return, some households had no choice but to return because public assistance continues to be provided to those who will go back to Fukushima. In addition, there are few opportunities for the many challenges experienced by evacuees, especially women, to be reflected in policy decision-making related to nuclear accident countermeasures, reconstruction, and return.

### 2.3 The serious gender gap and criticism of women

The serious gender gap that existed before the nuclear accident and continues to this day makes it difficult for women to communicate the damage they have experienced to society and have it reflected in policy. Japan is in 120th place out of 156 countries in the World Economic Forum Gender

Gap Index 2021. Particularly low scores are given for women's participation in the political and economic spheres. For female Fukushima evacuees, the low level of welfare and childcare support for lone parents leads to poverty, which is also experienced by parents living separately, who incur double household costs. Even when mothers start working to increase their incomes, their incomes are very low. Although the Japanese government is hurrying to recover from the nuclear accident and claiming that it is safe to return to and live in Fukushima, some people choose to continue their evacuation due to concern about low-dose radiation exposure and the uncertain future of decommissioning work at the broken nuclear power plant. Those who continue to evacuate find it difficult to communicate their concerns because they are criticized for fueling "harmful rumors" about Fukushima. Especially, mothers' concerns about the health effects of longtime low radiation exposure on their children have been criticized as "emotional" and the mothers have been accused of making their children ill because of their "irrational anxiety over their children's health." These criticisms make it difficult for many women to share their legitimate concerns with society.

## 3 The current situation regarding Fukushima evacuees' trials

**By Yasuo Tanabe, a lawyer for the Kyoto Evacuee's Lawsuit, the trial for Freedom from Radioactive Exposure for Children, and the 3.11 Children's Thyroid Cancer Lawsuit**

### 3.1 The number of evacuees

The number of evacuees from the Great East Japan Earthquake was announced by the Reconstruction Agency on 28 January 2022 as approximately 39,000.

### 3.2 Compensation for evacuees

The Dispute Reconciliation Committee for Nuclear Damage Compensation was established inside the Ministry of Education, Culture, Sports, Science and Technology. It is supposed to formulate guidelines for determining the scope of damage between TEPCO and the victims, along with other general guidelines that contribute to the voluntary resolution of such disputes by the parties concerned. It has so far reported multiple guidelines, including intermediate guidance. TEPCO prepares its own compensation standard based on the guidelines, and a dedicated claim form for each damage item. They have received direct compensation claims from victims. However, in direct claims compensation is not paid for items that are not included in TEPCO's compensation standards. However, items that are not included in TEPCO's compensation standards are not paid through direct claims, so ADR procedures are prepared.

### 3.3 Class action lawsuits by evacuees

Many evacuees are dissatisfied with the compensation offered through direct claims or ADR procedures. Consequently, there are 30 class actions in Japan with a total number of plaintiffs exceeding 13,000 people at the time of writing.

### 3.4 Achievements and problems

#### 3.4.1 The government's responsibility

These class actions are filed against TEPCO alone as a defendant, or against TEPCO and the government as dual defendants. Under the Act on Compensation for Nuclear Damage, TEPCO is liable for compensation for nuclear damage (damage caused by an accident at a nuclear power plant) even if there is no intention or negligence. In contrast, the government must have intention or negligence, which is a requirement for claiming compensation because of an illegal work act.

The evacuees dare to make the government a defendant because they think that the government has a responsibility, and they need long-term and comprehensive support. Of the cases in which the government's responsibility has been disputed, decisions in high courts have been delivered in four cases.

The four cases weren't heard by the final appellate court as was requested by TEPCO. The High Court ruling on the dispute between the evacuees and TEPCO was final. As a result, it was determined that TEPCO has liability for compensation above the measure set by the government.

However, regarding the central government's obligations, the Supreme Court on June 17 ruled that the government was not obligated to compensate the victims.

### **3.4.2 The scope of damage**

After the accident, the government did not issue evacuation orders to areas with exposure of less than 20 mSv per year, despite the legal radioactive exposure dose limit for the public being 1mSv per year in Japan. Therefore, evacuees who did not receive an evacuation order, as they were outside official evacuation areas, were assessed as if they had evacuated voluntarily. Most courts recognise the legal reasonableness of evacuating from outside official evacuation zones only until December 2011, when the government declared a cold shutdown.

### **3.4.3 Problems**

#### ***(a) Trivialising damage***

The attitude of the courts is essentially to allow citizens to be exposed to radiation, even to exposures in excess of the legal limit of 1 mSv per year. Therefore, the court doesn't look squarely at prolonged evacuation as justified, and the amount of compensation by the government and TEPCO is extremely small.

#### ***(b) The Housing issue***

Japan received a joint communication from the seven UN Special Rapporteurs dated 13th January 2021. The following responses by the government were made:

“Regarding support measures for evacuees from outside the evacuation zone:

- Various consultations and social events for supporting livelihood recovery across the nation took place in 26 locations.
- Measures were taken to facilitate people moving into public housing.
- Free motorway access was given for evacuees in fatherless families.”

However, the provision of free accommodation support for evacuees from outside the official zone ended in March 2017. Up to the present, several eviction proceedings have been filed against evacuees who have not moved out of the free accommodation.

#### ***(c) The prejudice issue***

The majority of evacuees are from outside of evacuation zones. They are seen domestically as being selfish in claiming rights. For example, of the claims of unofficial evacuees, the government said “It is harmful to the feelings of residents remaining in areas from which voluntary evacuees have left, as it is equivalent to saying that it was dangerous to live there after January 2012. Consequently this is unacceptable, as it is an injurious assessment of our national land.” (From a presentation by the government in the Tokyo High Court on the 17th September 2019).

## 4 The Fukushima Evacuees' Housing Eviction Trial

### - Case brought by Fukushima Prefecture against evacuees

#### Summary of information from Toshio Yanagihara, lead lawyer in the trial

In March 2017, the government stopped providing accommodation for evacuees, even though some of them had nowhere else to live. Some victims who evacuated to Tokyo were charged double rent if they stayed in the accommodation. In an extraordinary reversal of societal norms, in March 2020 Fukushima Prefecture filed a lawsuit against four households who had evacuated to Tokyo, demanding that they surrender their accommodation and claiming damages.

They should be protected by the government and the administration but they were taken to court by Fukushima Prefecture in order to evict them from their homes. This is a violation of international human rights law on providing adequate housing. The evacuees (as defendants) claimed the right to accommodation recognised under international human rights law as internally displaced persons, but Fukushima Prefecture (the plaintiff) countered that this is just the defendants' completely original interpretation.

A relevant Japanese law, "The Nuclear Accident Children & Victims Support Law (Act on Promotion of Support Measures for the Lives of Disaster Victims to Protect and Support Children and Other Residents Suffering Damage due to Tokyo Electric Power Company's Nuclear Accident)" was passed in 2012, but it has not been implemented properly.

*Extract from the statement of an evacuee (defendant):*

"I heard that the housing support would be lifted in 2017. Since then, I have consulted with the officials of the Tokyo Metropolitan Government and Fukushima Prefecture, saying that I could not find another place to live even if I was evicted from the housing. I have been struggling financially because I am not able to find a stable job, due to mental anxiety. The Tokyo Metropolitan Government had prepared 300 local authority flats, but I could not move in because I am single. If I had been allowed to move into a local authority flat as an evacuee in the first place, this housing issue would never have happened. I am a victim of the failure of current laws and systems to provide housing for evacuees from the Fukushima nuclear accident."

## 5 Young Fukushima thyroid cancer victims' lawsuit against TEPCO

### By Mitsuko Sonoda - Fukushima evacuee

Six young Fukushima nuclear victims filed a class-action lawsuit against TEPCO on the 27th of January 2022, claiming they developed thyroid cancer due to exposure to radiation after the Fukushima Daiichi nuclear disaster. They were between 6 and 16 years old at the time of the disaster.

Children's thyroid cancer is an extremely rare illness, and the occurrence rate is usually 1-2 cases per million per year. But in the Fukushima case, nearly 293 cases of child thyroid cancer have been detected in last 10 years from a far smaller cohort. Four of the six plaintiffs have had recurrences in the thyroid gland or secondary malignant growths elsewhere, and one of them has had four



operations already. However, the Japanese government insists there is no relationship between the nuclear accident and the cancers, even though the number of children suffering from thyroid cancer has been increasing.

There was discrimination against evacuees at the time of the disaster, so they became isolated for fear of discrimination and prejudice. Many patients struggling with thyroid cancer kept their doubts and fears about how they contracted the illness silent. They have faced numerous hardships, and the burden of ongoing medical treatment has caused many difficulties, including dropping out of college and giving up careers. Children were not usually involved in the decision to evacuate or not. Unlike after Chernobyl, the Japanese government did not provide any special support for recuperation or respite to benefit children's health.

## 6 Termination of support previously given through the reduction of or exemption from the payment of medical costs

**By Mitsuko Sonoda - Fukushima evacuee**

In Japan citizens who pay national health insurance also pay 30% of medical costs at the time of treatment. After the Fukushima nuclear accident in 2011, the government exempted citizens who were evacuated from the official evacuation zone, the emergency evacuation preparedness zone and the planned evacuation zone, from paying all or part of national health insurance tax and medical costs, depending on their area and income. However, the Reconstruction Agency has started to discuss with the affected local governments the possibility of gradually reducing or abolishing the support, even though it is desperately needed long term. In the same way that people gave up hope of accommodation support through having to constantly re-apply for it until it was ended altogether, this plan pushes people give up on medical support, with the aim of ending it altogether. And the victims will not be involved in the decision-making process.

Evacuees who were from outside of the official zones were never offered this special medical support. The agency expects to start reducing the services in 2023 at the earliest. This is despite the government having accepted the Mexican UPR recommendation regarding medical support for nuclear victims.