

## Human Rights Now Statement on HFA2 Zero Draft

17 November 2014

Human Rights Now

Almost three years have passed since TEPCO's Fukushima Daiichi Nuclear Power Plant Disaster in March 2011, which has resulted in a significant toll as well as irreversible damage on environment. Massive leakage of radioactive materials into the oceans has not yet been handled in an appropriate manner either by the government of Japan or TEPCO. Lessons need to be learned and certainly reflected for better preparedness and lowering the risk of future disaster.

In this statement, HRN suggests rights-based approach to be the base for the zero-draft for a post-2015 framework for disaster risk reduction, giving due consideration to the experiences and on-going struggles from Fukushima nuclear disaster.

1. First of all, 'Understanding disaster risk' as one of the priority areas is the key focus that needs to reflect the lessons learnt from Fukushima disaster. Our experience from Fukushima nuclear accident teaches us that nuclear energy is not sustainable, and that such a disaster cannot respect the environment or the right to health of the most vulnerable. Similar nuclear disasters could happen again so long as we have nuclear power plants, nuclear facilities and nuclear weapons. The international community must take this lesson seriously and take steps towards a nuclear free world and seek alternative energy in the Post-2015 discussion. The international community also needs to continue to discuss the possible long-term health risks associated with low dose radiation exposure.

Alarmingly, the Japanese government is promoting re-activation of existing nuclear power plants in Japan. One of them named Sendai nuclear power plant has a serious risk of volcanic eruptions and its effect. Despite the fact that there are several topographical areas which contain a risk of huge eruption surrounding the plant in a future, Nuclear Regulation Authority (NRA) has concluded the safety measures of the plant met the new criteria. In reality, however, recently the government has failed to predict the earlier eruption at Mt. Ontake which caused a number of deaths. This proved impossibility of prediction of eruption in today's science and also revealed the lack of credibility of the assessment itself.

2. Second, institutional development and capacity building for disaster management needs to be achieved only through public discussions among different stakeholders. Effective response and recovery strategies produced in this way can subsequently enhance transparency and accountability of policy makers as well. Most importantly, strongest emphasis needs to be put on the inclusion of

the most vulnerable and the affected in these processes. At a reconstruction period, affected people are entitled to live in a safe and healthy environment. Regrettably, no sufficient protective measures, medical checks and support for relocation are provided under the current government in Japan. They are left without viable choices. There is no effective mechanism for women or children to participate in the decision making process of all relevant policies, including nuclear disaster response, health care, evacuation policy, and future energy policy of the country. Active participation from different stakeholders should be always encouraged for decision-making processes in order for the policies to centralize the most vulnerable and become gender-sensitive. The Japanese government's response has been extremely insufficient in protecting people from the negative impacts on their rights to health, reproductive health, safe drinking water and access to productive land and other economic social rights. Those fundamental rights of people will be only protected when all kinds of information are disclosed and publically available and voices of the vulnerable are heard with particular attention.

The international community also needs to continue to prepare and implement an effective international coordination and response system, to minimize the consequences of nuclear accidents. We have learned that contamination, hence the health risk, from a nuclear disaster can affect beyond national borders, yet we do not have an international framework on the accountability of private companies which are responsible for nuclear accidents.

Hence, HRN requests followings changes to be considered for Zero Draft.

#### 1. Guiding principles

- Para.15. (b) Managing the risk of disasters should be aimed at protecting persons, their property, livelihoods and productive assets, (~~while respecting their human rights~~) \*ADD\* *considering rights-based approach*;

#### 2. Understanding disaster risk

- Para.22. (e) Promote and improve dialogue and cooperation among scientific communities, including social, health, economic and environmental sciences, practitioners, business, people at risk and policy makers, \*ADD\* *and reflect the results of the dialogues for drafting policies*;
- \*ADD NEW POINT\* (k) *Hold continuous discussion on the definition of used terms in this area particularly the term of 'sustainable energy'. It is crucial to recognize that nuclear energy cannot be included in the term when it comes to disaster reduction and protection of people's rights and environment.*

#### 3. Strengthening governance and institutions to manage disaster risk

- Para.25. (c) Strengthen mechanisms to monitor, periodically assess, ensure compliance, and publicly report on progress on national and local plans by all public and private stakeholders. \*ADD\* *These mechanisms should include follow-up discussion in public based on the results*

*of the monitoring;*

4. Investing in economic, social, cultural, and environmental resilience

- Para.28. (h) Strengthen the implementation of social safety-net mechanisms, *\*ADD\* including health check-ups on request to all the affected populations and continuous physical and mental support*, to assist the poor and at-risk groups, such as older persons, persons with disabilities, displaced persons, migrants and other populations exposed to disaster risk and affected by disasters
- *\*ADD NEW POINT\* (l) Allocate educational resources and learning materials of disaster risks and mitigations, and make them accessible to all kinds of audiences;*

5. Enhancing preparedness for effective response, and building back better in recovery and reconstruction.

- Para.31. (f) Ensure the engagement of diverse institutions, multiple authorities and stakeholders at all levels *\*ADD\* with particular attention to the voices of the vulnerable and the victims*, in view of the complex and costly nature of post-disaster reconstruction;