Abstract

Purpose: The Kishida administration’s proposed Fukushima radioactive wastewater dumping plan is very controversial both domestically and internationally. This paper examines the risks and consequences of the plan with a special focus on human rights concerns. It argues that, as the Kishida administration commences the decommissioning of the Fukushima Daiichi Nuclear Power Station, it should only consider approaches that are consistent with a human-centric policy that is supportive of human rights.

Method: This paper employs politics of responsibility theory to examine the Kishida administration’s proposed Fukushima radioactive wastewater dumping plan. In light of the current body of research on the decommissioning of the Fukushima Daiichi Nuclear Power Station by international scholars, scientists, and experts, it argues that the Kishida administration’s implementation of the proposed radioactive wastewater dumping plan represents a failure to govern with an eye to the politics of responsibility.

Results: This paper finds that application of the Fukushima radioactive wastewater dumping plan under the Kishida administration will induce immense political, economic, social, and environmental consequences for Japanese citizens as well as citizens in neighboring countries and beyond. The Kishida administration is presently failing to pursue policies that reinforce a human-centric policy that would be more supportive of human rights.

Conclusion: The Kishida administration must suspend the current plan to dump Fukushima’s radioactive wastewater into the Pacific Ocean and consider alternative methods that will not result in the radioactive pollution of the ocean. As it proceeds with the decommissioning of the Fukushima Daiichi Nuclear Power Station, it should focus on principles of governance emphasizing the politics of responsibility and take steps to abide by relevant international legal standards and human rights norms.

Keywords: Kishida Administration, Fukushima Radioactive Wastewater Dumping Plan, Human Right to Health, The Politics of Responsibility, Protecting The Environment

1. Introduction

The Fukushima nuclear disaster of March 11, 2011 was comparable to the 1986 Chernobyl nuclear disaster in the former Soviet Union[1]. Almost twelve years have passed since the Fukushima nuclear disaster, yet the human rights of the disaster-affected inhabitants of Fukushima are still under attack. The Kishida administration’s plan to dump over 1 million metric tons of tritium contaminated wastewater into the Pacific Ocean over the next 30 or more years is facing strong domestic and international opposition[2][3]. The Kishida administration’s plan will fail to protect the human right to health of the disaster-affected citizens in Fukushima who are suffering from pre-existing conditions. It is likely to have negative consequences for the health of the remaining Japanese citizenry as well as the citizens of other states in the region. There have been several researches undertaken on scientific analysis of the issue of concern by
the international scholars. However, there has not been far less or perhaps none of researches undertaken on human rights impact through the lens of politics of responsibilities. This paper therefore examines how the Kishida administration’s radioactive wastewater dumping plan poses risks, threats, and consequences for the human rights of citizens globally. It argues that the Kishida administration should pursue a more human-centric policy that reinforces human rights by recognizing and employing the politics of responsibility.

2. The Politics of Responsibility in Protecting Environment and Human Rights

The non-traditional security issues ranging from COVID-19 to climate change are imminent, existential threats to both national security and the international community. Dr. Sikkink reflects on forward-looking responsibility theory along with promulgation of new rights such as the right to a clean environment. He concluded that the application of a forward-looking approach to norm change in addressing urgent problems such as climate change would pressure recalcitrant parties to change their behavior regarding an externality generated by their economic activities, both individually and collectively. That in fact poses an existential threat to both the national and international communities. Dr. Sikkink further argues that “to address environmental crises, it is necessary to emphasize not only our rights to a clean environment…”

The Kishida administration has not yet provided adequate treatment for the disaster-affected citizens of Fukushima while aggressively pushing the Fukushima radioactive wastewater dumping plan regardless of domestic and international opposition. Indeed, the Kishida administration’s radioactive wastewater dumping plan comprises a backward-looking politics of responsibility. It is the same, already controversial and undemocratic policy embraced by the previous Abe administration. In proceeding with this plan, the Kishida administration ignores unresolved human rights issues concerning disaster-affected citizens in Fukushima, disregards the promise made in 2015 to the Japanese fishing community not to proceed with the dumping plan without first obtaining the consent of the fishing community, fails to consider the neighboring countries’ requests for full compliance with Article 2 of the London Protocol and UNCLOS Article 207. The Kishida administration should consider the immediate suspension of the current plan to dump Fukushima wastewater into the Pacific Ocean and consider alternative methods to prevent radioactive pollution and protect the global citizenry. Further, the Kishida administration should invest in further efforts to govern in accordance with the politics of responsibility, abide by existing international legal standards and promote international human rights norms.

3. Kishida’s Failure to Promote Responsible Government Policy

The Kishida administration recently increased defense spending to support Ukraine. This decision was applauded by many. However, the current Japanese administration’s domestic policy choices have been less laudable. The most recent polls indicate that the major cause of Kishida’s dropping approval rating resulted from his wastewater dumping plan. It is unclear why the current administration is pressing forward with the radioactive wastewater dumping plan where it is opposed by the majority of Japanese citizens as well as global citizens while failing to meet the needs of the disaster-affected citizens of Fukushima.

The Kishida administration has failed to build trust between itself and ordinary Japanese citizens. The Japanese fishing community in particular, whose economic activities heavily depend upon the ocean, has long opposed the government’s plan to dump radioactive wastewater.
into the ocean[2][20][21][22]. Indeed, the Abe administration promised in 2015 not to proceed with the dumping plan without first obtaining the consent of the fishing community[14]. The government later broke its promise when it announced, “the government may listen but it does not mean it will take into account what it hears...[23],” and “We will consult with local people, rather than getting the consent from them, to take action...[23].” Then, in June, 2023, a Japanese government official reversed course, again stating that the government would respect the 2015 agreement that it would not proceed with the dumping plan without first obtaining the consent from fishing community[14]. In early August, 2023, the Kishida administration announced that they were considering proceeding with the wastewater dumping plan as soon as the end of this month[24]. Meanwhile, regardless of the IAEA’s report of July, 2023 which said the dumping plan would be scientifically safe, some scientist may disagree with the report, the Japanese fishing community again voiced its opposition to the Kishida administration’s dumping plan at a series of meetings conducted by the government officials with its representatives[25].

Since early 2020, resolutions have been passed opposing the radioactive wastewater dumping plan by 41 local councils and 59 local authorities[23]. After the IAEA’s report came out in July, 2023, Miyagi city council passed another resolution expressing concerns about the government’s irresponsible radioactive wastewater dumping plan and requesting the Kishida administration to consider alternative solutions to the problem[26]. The Kishida administration’s behavior towards ordinary Japanese citizens, most especially the Japanese fishing community, are clear indications that the current administration is failing to promote responsible government policy as well as democratic governance.

The human right to health of disaster-affected citizens in Fukushima has been continuously violated by the current administration. In 2019, the Committee on the Rights of the Child (CRC) expressed concern that the Abe administration had failed to meet its human rights obligations to the disaster-affected children in Fukushima[27]. Its most recent report indicates that disaster-affected children in Fukushima are struggling to protect themselves both from the health effects of radiation and the associated social stigmatization[12]. Lee’s recent study further indicates that disaster-affected women, including migrant women in Fukushima, are facing discrimination as well[12].

The most recent data indicates that disaster-related deaths have reached over 2,300 while many others are suffering from chronic illness resulting from the Fukushima disaster[12]. It is also troubling that compensation payments from the Japanese government have been paid to only a limited number of disaster-affected citizens in Fukushima, the sources of payments are largely unknown, and the compensation process has not been transparent[12]. Over 76,000 hired decontamination workers; homeless people, unregistered individuals, even asylum seekers have been exploited by the TEPCO and Japanese government[1]. Mimura’s recent study indicates that the problems related to decontamination workers have been unresolved[12].

Their citizen’s human right to health remains under attack by the Japanese government’s decision to relocate evacuees contaminated areas of Fukushima[1]. As <Figure 1>, <Figure 2> indicated below, the percentages of not decontaminated areas are far too higher than the percentages of decontaminated areas in Fukushima[28]. The Kishida administration’s wastewater dumping plan has further negatively affected citizens of Fukushima. For instance, Ishikawa town said, “victims who have been severely damaged by the nuclear accident should not be overwhelmed by the release of contaminated water into the ocean. This will fundamentally overturn the efforts and future prospects of producers who have worked to ensure the safety of agricultural, livestock and marine products produced in Fukushima prefecture and overcome the damage caused by rumors”[29].
The Kishida administration is failing to get support from neighboring countries. According to the survey, about 85 percent of South Korean citizens strongly oppose the Kishida administration’s radioactive wastewater dumping plan\[30\]. Of that 85 percent, up to 70 percent South stated that they would stop consuming marine products when wastewater begins to be discharged by Japan\[30\]. This will not merely hurt the Japanese fishing industry. It will also likely lead to significant damage to the South Korean fishing industry\[31\]. In 2020 London Convention/London Protocol(LC/LP) meetings, South Korea claimed that Japan’s radioactive wastewater dumping plan was not in compliance with its obligations under Article 2 of the London Protocol\[15\].

During its 2020 meeting, China\[32\], Chile, Mexico, and Vanuatu, all of whom are associated with the Pacific Island Forum(PIF), have also opposed Japan’s dumping plan\[15\]. The PIF, inclusive of 18 Pacific states, has been a major opponent to the radioactive waste dumping plan, has thus requested that the Japanese government suspend the plan, and has demanded Japan’s compliance with its obligations under Article 2 of the London Protocol\[15\].

Nonetheless, the Kishida administration’s response in 2022 was troubling as they objected to their neighboring countries’ proposals to seek legal advice but committed to conducting an
environmental impact assessment before any wastewater would be discharged [15]. As previously stated, the Kishida administration recently announced they would be ready to dump radioactive wastewater by the end of August, 2023; however, they have not performed the environmental impact assessment.

The owner of the Fukushima Daiichi Nuclear Power Plant, Tokyo Electric Power Company (TEPCO), seems to be in charge of all technical matters concerning the radioactive wastewater dumping plan. It has, however, long been criticized by international scientists and experts for providing incorrect data. In late 2022, the National Association of Marine Laboratories stated, “The supporting data provided by the TEPCO and the Japanese government are insufficient and, in some cases, incorrect, with flaws in sampling protocols, statistical design, sample analysis, and assumptions, which in turn lead to flaws in the conclusion of safety and prevent a more thorough evaluation of better alternative approaches to disposal. A full range of approaches to addressing the problem of safely containing, storing, and disposing of the radioactive waste have not been adequately explored, and alternatives to ocean dumping should be examined in greater detail and with extensive scientific rigor” [33]. Dr. Dalnoki-Veress expressed special concern for the lack of data concerning transboundary, transgenerational issues [34].

In June, 2023, the PIF experts once again suggested to the Japanese government to use the wastewater in making concrete as an alternative to dumping it into the ocean. However, the Kishida administration rejected the proposal for technical and legal reasons [35]. Here, the Kishida administration insisted that the reason why the wastewater could not be used to make concrete was that the tritium in the wastewater could violate their domestic law. Their concern with the rule of domestic law was ironic where they completely ignored the fact that tritium enriched radioactive wastewater dumping plan could violate the United Nations Convention on the Law of the Sea (UNCLOS). The Kishida administration is in fact seeking to proceed with the radioactive wastewater dumping plan because it is the “cheapest option” available [16] without consideration of alternative measures when there are available land for additional storage tanks for decades or longer [28].

According to the latest IAEA’s report in 2023, “Comprehensive Report on the Safety Review of the ALPS-Treated Water at the Fukushima Daiichi Nuclear Power Station,” tritium has not been removed from Fukushima radioactive wastewater [36]. Long-term exposure to tritium may pose dangerous health risks to humans and cause serious biological consequences [16][37][38][39][40][41][42][43][44][45][46][47]. Tritium exposure could cause cancer, hereditary and generational effects, and even death [16][37][38][39][40][41][42][43][44][45][46][47]. Furthermore, Dr. Buesseler argued there should be more to be researched to understand the potential health risks of many other radioactive elements contaminated besides tritium in the Fukushima radioactive wastewater tanks [48]. The most recent analysis by Dr. Mousseau asserts that tritium can adversely affect the reproductive system [46][49]. The Kishida administration’s Fukushima wastewater dumping plan violates UNCLOS Article 207 as it constitutes pollution and poses potential harmful consequences to living resources and marine life as well as human health and marine activities [16][50][51].

4. Conclusion

The Kishida administration is failing to promote responsible government policy as its Fukushima radioactive wastewater dumping plan hinders marine activities of the domestic and international fishing community and undermines the human right to health of the disaster-affected citizens in Fukushima. Moreover, the plan is strongly opposed by neighboring countries which would, in turn, undermine regional peace and security. It raises safety concerns due to TEPCO’s apparent technical incompetence. It is not the government’s sole alternative. Other
measures could prevent the pollution of the Pacific marine environment, pollution which will likely pose harm to marine life and human health. Finally, the Fukushima radioactive wastewater dumping plan violates Japan’s obligations under Article 2 of the London Protocol as well as Article 207 of UNCLOS. In sum, the Kishida administration needs to immediately suspend the current plan to dump the Fukushima radioactive wastewater into the Pacific and consider alternative methods available that would both dispose of the wastewater and not result in transoceanic pollution. The Kishida administration should undertake further efforts to govern in a manner consistent with the politics of responsibility, abide by international legal standards and international human rights norms.

5. References

5.1. Journal articles


### 5.2. Additional references


[34] https://www.middlebury.edu/ (2023).

5.3. Books


6. Appendix

6.1. Author’s contribution

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