



General Assembly

Distr.: General
16 November 2023

English only

Human Rights Council

Fifty-third session

19 June–14 July 2023

Agenda item 6

Universal periodic review

Written statement* submitted by Chernobyl - Hibakusha Support, Kansai, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[30 May 2023]

* Issued as received, in the language of submission only.



Critical Comments and Recommendations for the Universal Periodic Review of Japan on the plan of discharging radioactive wastewater from Fukushima into the Pacific Ocean

On 13 April 2021, the Japanese Government decided to release Advanced Liquid Processing System (ALPS) "treated water" from the Fukushima Daiichi Nuclear Power Plant of Tokyo Electric Power Company (TEPCO), which occurred a severe nuclear accident in 2011. They plan to dilute the highly contaminated radioactive "ALPS-treated water," which contains tritium and other radioactive materials, with 500 to 2,000 times seawater and release the wastewater to the Pacific Ocean, starting from 2023, for 30-40 years.

The Government and TEPCO decided on the plan against considerable domestic and international opposition.[1] Several UN Special Procedures have expressed concerns about the potential threats to human health and the environment resulting from this decision.[2] The deliberate release of radioactive water into the sea violates the London Convention and Protocol.[3] Furthermore, releasing radioactive water into the Pacific Ocean violates the human rights of the Japanese people and the people of many other countries in the Pacific Ocean.

However, TEPCO is steadily preparing for the offshore release, constructing various onshore facilities and an underground tunnel under the sea 1km from the site. The tunnel has almost completed, and they plan to start discharging the wastewater this summer, in June or July at the earliest.

The Government and TEPCO assured the Japan Fisheries Co-operative and its branch of Fukushima prefecture in official documents in 2015 that they would not release the ALPS-treated water without the understanding of all concerned.[4] However, they only give one-sided "explanations" on the premise that they are going ahead with the offshore discharge of the wastewater, and they have not held sufficient public discussions with those who have expressed their concerns.

Background:[5]

Advanced Liquid Processing System (ALPS) "treated water" is radioactively contaminated wastewater:

The Japanese Government reported at the UPR that "the water to be discharged had concentrations of radioactive materials far below the regulatory standards and was therefore not contaminated water." [6] However, their statement needs to be corrected. The water to be discharged is only diluted with a large amount of seawater to lower the radioactivity concentration, but it is still contaminated. No matter how much it is diluted, the total amount of radioactive materials released will remain the same.

Such highly contaminated water is not generated during regular nuclear plant operation and will not be discharged into the Ocean. The wastewater contains radioactive materials, including large amounts of highly concentrated tritium, "radioactive hydrogen," and radioactive carbon, that ALPS cannot remove. In addition, it contains more than 60 radioactive nuclides that ALPS can remove to some extent but not entirely.

There is no precedent in Japan or any other country for a "disposal method" such as "treating" a large amount of radioactively contaminated water generated from contact with molten fuel debris at a nuclear reactor after a severe accident. There is no previous experience in diluting such water with an even more enormous amount of seawater, then systematically releasing it into the Ocean over several decades.

Large amounts accumulated as a result of the Japanese Government and TEPCO's failure to address the groundwater:

The contaminated water is an inevitable result of the location of the Fukushima Daiichi Nuclear Power Plant, as the site is rich in groundwater. They pumped up groundwater constantly, even before the accident, to ensure the stability of the reactor buildings. Had they done large-scale civil engineering work early on to prevent groundwater inflow, such a large volume of contaminated water would not have occurred. Instead, the Government spent considerable money on building an experimental "frozen soil wall," which was almost useless. The volume of contaminated water is more than 1,300,000 tons, and the water is stored on-site in massive tanks of over 1000. Therefore, in addition to bearing responsibility for the accident, the Government and TEPCO are responsible for failing to address the groundwater.

Problems:

1. No need to release contaminated water as the Government and TEPCO can safely store the wastewater:[7]
 - They are at the stage where measures to deal with groundwater inflow (mainly sub-drainage) can prevent the further generation of contaminated water (water injection for cooling nuclear fuel is no longer necessary).
 - There is still space for additional tanks at the site.
 - No specific work needs to be done in a hurry to remove the tanks and secure the place.
2. Safety of the marine environment and life cannot be guaranteed even if the concentrations of radioactive materials meet the "standard values" of the Japanese Government and IAEA:

The "treatment method" for radioactively contaminated wastewater that touches debris to discharge it for an extended period is unprecedented.

3. The idea of intentionally discharging contaminated materials, especially radioactive materials, to the Ocean violates the lives and livelihoods of many people living in the sea and their spiritual culture:

This is the case irrespective of whether the radioactive concentration of wastewater meets the "standard values" the Government and TEPCO have set. The Pacific Ocean has been the "origin of life" for all living creatures in the Ocean since immemorial. It is unacceptable for us, the people living in the Pacific Ocean, both Japanese and Pacific Islanders, that the Government of one country, Japan, and one company, TEPCO, infringe on our "spiritual culture" for their economic and political reasons.

We support the concerns and recommendations from the Pacific Islands, including the Marshall Islands, Samoa, Fiji, Vanuatu, and Timor-Leste, which request the Japanese Government to "Halt plans to discharge radioactive wastewater into the Pacific Ocean unless the Pacific Islands Forum's independent assessment concludes that this is an acceptable measure." [8]

4. Violation of domestic laws and international conventions:

The "1mSv/year standard at the site boundary" of the domestic law is not observed because of the severe radioactive contamination after the accident. Therefore, any further release of radioactive materials in liquid or gaseous form violates Japanese domestic laws and regulations, regardless of the concentration.

The London Convention and Protocol (LC/LP) and the UN Convention on the Law of the Sea (UNCLOS) prohibit such a project. However, the Japanese Ministry of Foreign Affairs (MoFA) gives deceptive explanations. First, LC/LP prohibits ocean dumping of radioactive materials, though Japan's MoFA claims that "dumping" and "releasing or discharging" differ. Second, the dumping of contaminated materials from artificial offshore structures is prohibited, though Japan's MoFA claims that "undersea tunnel" is not "artificial marine structures" that is defined in LC/LP.

Recommendations:

- The Japanese Government should cancel its plan of discharging "ALPS-treated water," contaminated water containing tritium and other radioactive materials, from the Fukushima Daiichi Nuclear Power Plant into the Pacific Ocean and store it strictly on land at the plant site.
- The Japanese Government should also recognize that discharging "ALPS-treated water" will violate the human rights of many people in Japan and the Pacific Islands.

Furthermore, we call on the Human Rights Council to take this urgent problem seriously and request the Japanese Government to halt the plan of discharging the radioactive "ALPS-treated" wastewater into the Pacific Ocean. The HRC should examine the plan from the viewpoint of protecting the human rights of all people who share the Pacific Ocean.

[1]<https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=26882&LangID=E>

[2]<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27000&LangID=E>

[3]<https://www.imo.org/en/OurWork/Environment/Pages/London-Convention-Protocol.aspx>

[4]<https://www.tepco.co.jp/news/2015/images/150825a.pdf>

[5] Additional information is available in the joint submission by Chernobyl - Hibakusha Support Kansai, Wakasa Solidarity Network, and Citizen's group concerning nuclear power plants (Takarazuka) posted on OHCHR webpage for the UPR of Japan as Joint submission 11 <https://www.ohchr.org/en/hr-bodies/upr/jp-stakeholders-info-s42>

[6] A/HRC/53/15 (153.) <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G23/036/60/PDF/G2303660.pdf?OpenElement>

[7] See the footnote [8] of our joint submission: <https://www.ohchr.org/en/hr-bodies/upr/jp-stakeholders-info-s42>

[8] A/HRC/53/15 (158.172) <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G23/036/60/PDF/G2303660.pdf?OpenElement>