Seminar: Human Rights Violations of Persons with Disabilities in Fukushima after the Great East Japan Earthquake, Tsunami and Nuclear Power Plant Accident

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Disaster support systems for people with disabilities in Japan.

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Introduction

1. Cases
   - how people with disabilities spent the time after the Great East Japan Earthquake

2. History of “welfare shelters”

3. Point at issue
   - differences in the courses of action

4. Conclusion
1. CASES
22% of people with disabilities were not able to take refuge. More than the half of those who did take refuge returned to their homes in the area within three weeks.

(Fukushima Disaster Support Center for People with Disabilities, 2011)
1.1 Cases of people, who were not able to take refuge

- **Mr. A**
  - Manager of a day care center for the mentally disabled people in Minami-Soma
  - On March 12, preparing for evacuation by bus that was to be used to evacuate the users.
  - Was not told where the evacuation bus will take them
  - "If I follow the bus, I'll be able to get support this way or another"

- The closer to the departure time, the more crowded the place become, and in the "utter crowded mess"

- One mentally disabled person: "I don't want to go" and hid somewhere.

- Mr. A and the family of the person, ended up giving up on evacuation (field notes, April 18, 2011).
Fukushima Map of Japan Region

2012/03/26   Disability Rights and the Great East Japan Earthquake
1.2 Cases of people who after evacuation entered large-scale welfare facilities.

- **Mr. B**
  - Lived in a group home in Tomioka-cho of Fukushima Prefecture
  - March 11, passed a night in a residential facility
  - March 12, after the explosion, all of the people staying in the facility took refuge in Miharu-machi.
  - April 15, evacuates into a institution in Prefecture Gumma. here could "Sleep on a futon at last".
  - But…Mr. B is still staying at the institution even now.
  - "It's as if I made a time slip and ended up where I was 25 years ago. In a group home we could all go shopping when we needed anything, hold personal events, eat out, go to work, and when I think about those days, it makes me really sad. It's really tough now."(Yoshida, 2011)
Mr. C "thought that I'll be there (in the institution) for about one week", he ended up spending there seven months (interview on October 27, 2011).
Fukushima Map of Japan Region

2012/03/26  Disability Rights and the Great East Japan Earthquake
1.3. A case of an establishment of a welfare shelter.

- Non profit organization “IL-no-kai (company IL)”
  - running a CIL in Fukushima Prefecture
- March 12,
  - Becomes impossible to maintain its PA dispatch business due to shortages of gasoline
  - Decided to close the office and established a welfare shelter
  - Requested the city to allow the staff to use the municipal facilities and open a welfare shelter.
  - "All those who cannot live without PAs gather at K (location of a welfare shelter)"

(interview on August 30, 2011).
"K (the welfare shelter) was the only way (for us disabled to take refuge). If it was near  (Interview on August 29, 2011)"

"After the earthquake, a PA came and said let's go to a shelter nearby, but the truth is, all I was thinking about was what if I can't go to the toilet there, or there'll be no one to take care of me? So I decided that I'd better stay home, and did so. […]The atmosphere was like even the disabled people living at homes did not have much of a choice, much of a say in the matter. […]I think that there should be PAs, and slopes for wheelchairs so the disabled people can use the place. In terms of protecting the shelter, it does not matter whether you have a disability or not.,If people can't use the shelter when the disaster happens, that's just not right. (Interview on August 31, 2011) "
What should be noted…

- For someone with a disability and requiring special care, it was a very difficult step to decide on taking shelter somewhere new.
- The majority of them first evacuated to common shelters nearby places, they have had a certain connection to in their everyday lives.
- Disabled people who cannot live in a common shelter ended up going from one place to another, facing everywhere the same situation with no guarantees of PAs, life-support equipment, fearing for their very lives.
- Nobody were given the information beforehand about where welfare shelters are located and where people requiring care should escape to.
2. HISTORY OF "WELFARE SHELTERS"
1987 “Disaster damage prevention white paper”

- “Vulnerable groups in disaster"
  - People with handicaps that impede them from conducting a series of actions necessary at the time of disasters,
    - those who cannot sense danger when the situation is dangerous,
    - those who can sense difficulties they are facing but cannot convey this fact to the rescuers,
    - those who cannot receive the information regarding dangers or difficulties,
    - those who cannot (or can but with difficulty) take necessary actions, when such information on difficulties or dangers does reach them (National Land Agency, 1987).
1995 Kobe Earthquake

- “Disaster-related death“
  - Dying not at the time the actual disaster occurs, but later, when one is already living in a shelter, where care is not available.

- Over 10 percent of the death toll of Kobe earthquake was **disaster-related deaths**

- October 1995, the revision of the Disaster Measures Basic Law
  - “Measures to accommodate vulnerable groups in disaster“ were incorporated as a task to be addressed (Lower House plenary session, 1995).
1996 "Emergency rescue in large-scale disasters"

- Published by Ministry of Health and Welfare and the Disaster Relief Study Group
- The first mentioning of the words "welfare shelter"

- "Since persons requiring support tend to experience difficulties in respect of ensuring their living space etc., in a regular shelter, it is essential to ensure that social welfare facilities, which can offer institutions to those requiring them, function as shelters. For this reason, it is indispensable to select beforehand from the institutions of the region facilities that people requiring support can use as shelters at the time of disaster and designate them as "welfare shelters" (tentative name)."

(Ministry of Health and the Disaster Relief Study Group, 1996)
1997 "Disaster relief manual"

- Summary of the discussion of the Disaster Relief Study Group that was instituted in the Ministry of Health and Welfare
- Notices were sent out establishing institutions as "welfare shelters" for persons with disabilities (Ministry of Health and Welfare, Disaster Relief Study Group, 1998).

2004 Chuetsu earthquake
- Welfare shelters were established for the first time. But did not function effectively
2005 "Evacuation support guidelines for persons requiring support at the time of disaster"

- Newly suggested that the government needs to decide upon the method of sharing of information regarding persons requiring support at the time of disaster as well as its evacuation support plan for persons requiring support at the time of disaster.

- September 2005, "Investigative commission regarding evacuation support of persons requiring support at the time of disaster"
  - "Vulnerable groups in disaster" start to be called "persons requiring support at the time of disaster".
2006 revised edition of “Evacuation support guideline for persons requiring special care at the time of disaster”

- Measures specifying institutions as welfare shelters at the time of disasters, began to be implemented
- Welfare shelters divided "establishment of windows for persons requiring support in shelters", and "promotion of establishment and utilization of welfare shelters"
- “Welfare evacuation rooms" (tentative name) are newly suggested

2007 the Chuetsu Offshore Earthquake

- 9 welfare shelters were established
- Again some problems…the delay of establishment, utilization remained at 60%
2008 “Guidelines for establishment and administration of welfare shelters”

- **The users of welfare shelters**: "Those who need some special care during their lives at an evacuation site, such as elderly people, the disabled, pregnant women and nursing mothers, infants, and feeble persons, and can also include the family thereof".

- **The choice of place**: "As facilities that can be used as welfare shelters, the possible options would be institutions that can accommodate those requiring special care without any changes to the infrastructure made, and also the common designated shelters that at present do not have the facilities necessary to accommodate persons requiring support, on condition that those functions are prepared".

- “The advisable goal is one welfare shelter for every elementary school area".
1987 - “Disaster damage prevention white paper”
1995 Kobe Earthquake
1996 "Emergency rescue in large-scale disasters"
1997 "Disaster relief manual“
2000 Chuetsu earthquake
2005 "Evacuation support guidelines for persons requiring support at the time of disaster"
2006 revised edition of “Evacuation support guideline for persons requiring special care at the time of disaster”
2007 Chuetsu Offshore Earthquake
2008 “Guidelines for establishment and administration of welfare shelters”

The system to support life of people with disabilities was adopted the system of welfare shelters.
3. POINTS AT ISSUE: DIFFERENCE IN THE DIRECTION OF MEASURES BEING DEVISED
The welfare shelters might be an ideal system - if it can be really materialized.

But in many cases during the current Great East Japan Earthquake the system of welfare shelters was not utilized at all.

Actual circumstances that led to the establishment of welfare shelter were quite different from the expectations of the administration.

The welfare shelter did not perform the functions they were expected, and evacuation of the disabled people who need special care was still just as difficult as before.
History of the system supporting the lives of the disabled people in Japan.

- Institutions had been created for the stated purpose of "protection and rehabilitation" of the disabled people.
  - "Guaranteeing the lives of the disabled after their parents die"
- 1970s, "boom of colonies"
  - Institutions were built everywhere to serve as "protection from birth to death"
- 1970s, Independent living movement
- 1981 the International Year of Disabled Persons
  - "Nothing about us, without us"
  - Led to a review of the role that had been shouldered by institution till then in the "community welfare"

The system supporting lives of the disabled people has shifted from creation of institutions to deinstitutionalization and community welfare.
Measures being devised: The Cabinet Office

- Narratives surrounding such measures undergo a great change
- Before the Kobe earthquake in 1995
  - There was not much discussion going on at all
- After the Kobe earthquake in 1995
  - The measures to accommodate evacuation of the disabled people mainly start to appear in the context of the volunteers
  - "Disaster damage prevention white paper 2002" introduces the measures adopted by "Kasuga school district voluntary disaster damage prevention association" of Kyoto
  - "Disaster damage prevention white paper 2003" similarly discusses the activities of rescue teams and local residents of Tokyo
  - Since "Disaster damage prevention white paper 2006", "Training courses for volunteer leaders supporting rescue and support of the disabled after disaster" start to be offered to the public.
Measures being devised:
The Ministry of Health, Labor and Welfare

- 1997 "Large-scale disaster relief study group report"
  - "Institution shall be used as places for evacuation for people requiring support have largely decided the framework for subsequent measures"
- 2001 "Function of the temporary rescue in large-scale disasters"
- 2008 "Guidelines for establishment and administration of welfare shelters"

- In ordinary times: deinstitutionalization
- In time of disasters:
  The Cabinet Office...local residents and the volunteers
  The Ministry of Health, Labor and Welfare...institutions

There is a difference at the initial stage of policy making
4. CONCLUSION
"Where do all the disabled people go?"

- "To support vulnerable groups in disaster it is necessary to establish some sort of barrier-free welfare shelters." (August, 2002 entire day Yomiuri Shimbun)

- "It would be best for the disabled people to take refuge in the same shelter as everyone else living in the community. And in a welfare shelter the disabled people would have to take a different path from everyone around them so it would be best if they could be accommodated in an ordinary shelter, where they can go with everyone else. (November 26, 2006 Asahi Shimbun)"

- "Those who need support should have the right to decide for themselves [...] There should be a way for them to select a facility they feel good in, submit the request together with their companions to the municipality, and if the facility is appointed, then the public administration can offer it effective support. (October 17, 2007 Asahi Shimbun)"

- “If they cannot live in the shelters available, there is no meaning in registering themselves as a person requiring support at the time of disaster [...] and a shelter is not a place to escape to, but a place everybody creates and maintains together (Dream and Wind Foundation, 2010).”
Welfare shelter

Proposal in the beginning:
- To remove the obstacles in the schools and other public facilities that are impeding the disabled and the elderly from taking shelter with everyone else in the community as well as their own families.

Welfare shelters in fact appear
- The places assigned for evacuation of the severely disabled and the elderly people requiring special care.
- The common shelters remained just the way they were.

What has been forgotten in the problem of evacuation for the disabled who suffer in a disaster?

"Nothing about us, without us"

The philosophy was missing in the policies from the start has been simply forgotten.
国土庁 1987『防災白書』財務省印刷局
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「福祉避難所:震災１５年…指定進まず 自治体４分の１のみ」『毎日新聞』（2009年12月6日）
「大規模災害時の宿泊確保へ協定 県と旅館ホテル組合 ／福島県」『朝日新聞』（2010年11月23日）
What we felt, shared, and acted with our devastated fellows in Fukushima

~In the aftermath of the unprecedented triple disaster~

The Fukushima Disaster Support Center
for People with Disabilities
Koriyama, Fukushima, Japan

Representative Director
Kiyoharu Shiraishi
We will talk about our support activities in the disaster area

* Status report
* Findings and proposals for improvements

Cherry blossom in the City of Iitate, located inside the evacuation zone
Status report

3.11 and the moments that followed
3.11 and the moments that followed

Right after the earthquake at "Ai Eru No Kai" (Center for Independent Living) in Koriyama

* All shelves tumbled, PCs and printers fell from desks, files were scattered on the floor, unable to walk in
* Blizzard started outside while sizeable aftershakes continue
* Electricity, water, and phone systems were suspended in most households
* No way of knowing the accident at the nuclear plant located 30 miles away to the East
Evacuation zone map

Fukushima prefecture

Actual radiation map

City of Koriyama

Fukushima 1 Nuclear Plant

50 km (30 miles)

Radioactive seawater widely spreads around the Pacific Ocean:
- Currents
- Trade winds
- Islands of Hawaii are of course being affected
- Global issue

Seawater contamination map
From Fukushima to the entire globe

November 11, 2012
3.11 and the moments that followed

Municipal welfare center for the disabled substituted for an evacuation shelter

* Due to the loss of living necessity, as many as 30 IL members evacuated to the shelter
* 24h assistance was facilitated by IL staff
3.11 and the moments that followed

1. Start-up of the Disaster Support Center for People with Disabilities

* 3.18 Emergency supplies and volunteers from Shiga and Osaka were brought by “Yume Kaze Kikin” (Dream Wind Fund)

* 3.19 The Fukushima Disaster Support Center for People with Disabilities started activities in cooperation with several disability organizations in Fukushima
Delivering supplies

With an emphasis on the City of Soma and the City of Iwaki in the early phase

• Continuous arrival of emergency supplies from all parts of the country

• Delivery to the communities in the City of Soma and the City of Iwaki had higher priority in the early phase

• The 2 cities served as a hub that enabled distribution to further towns and villages of higher demands

DISASTER SUPPORT CENTER FOR PEOPLE WITH DISABILITIES
Disaster survey

Full-scale hearings were executed to obtain real information on the disaster area

- Volunteers gathered from all over the country
- Disaster survey has begun to obtain information on whereabouts, living conditions, and the needs of the fellows with disabilities
- Some were forced to stay on wheelchair for more than 10 days at evacuation shelters
- Some didn’t have a chance to take a shower for more than a month
- One family was forced to live in a car because of a child with Autism
Searching for our fellow in difficulty

Searching persons with disabilities who need attendant care

- I could not find a single person with obvious disability in the evacuation shelters. …. Where have they gone?
- This led to our All-out Search in the affected area
- Supporters from Osaka, the City of Fukushima, the City of Iwaki and Aizu-Wakamatsu joined the task
- We found that many persons with disabilities who need attendant care were being forced to stay home without appropriate assistances from local government
UF-787 Project

Planting Sunflowers and Tenderstem Broccoli

• Radiation level at a farmland attached to a facility for people with intellectual disability in the affected area exceeded 14000 Bq (approx 1000 times/legal limit)
• To help decontaminate the radiated soils, we started to grow plants that absorb “radioactive materials”, namely “Sunflower” and “Tenderstem Broccoli”
• Project started from the City of Nihonmatsu”
• Problem still exists as nobody seems to accept harvested “post-decontamination” plants with absorbed radioactive materials
Findings and proposals for improvements

Provide Reasonable Accommodations during evacuation from disasters for persons with disabilities.
Evacuation Shelters

• Findings
  • Facilities at Evacuation Shelters and Temporally Housing for persons without disabilities never function for persons with disabilities.
  • Inappropriate facilities such as inaccessible school gymnasiums were substituted for evacuation shelters.
  • Too much “Steps” and “Obstacles” for persons with disabilities.
  • Excluded persons who need attendant care or environmental accommodations.

• Proposals for improvements
  • Make all Evacuation Shelters Accessible IMMEDIATELY.
  • Accessible Bathroom
  • Individual (separated) sections for people who have difficulties in public space.
Temporary housing

• Findings
  • The Japanese Government never learned from the past (The Great Hanshin Earthquake in 1995).
  • Despite repeated requests from our fellows after 3.11, both national and local governments rushed to build thousands of Temporary Houses without any consideration for Accessibility.
  • They put ramps for wheelchairs but with many steps inside houses.

• Proposals for improvements
  • Make all Temporary Housing Accessible IMMEDIATELY.
  • Make sufficient space in bathroom for care giving.
  • Incorporating Universal Design from the beginning will ultimately save costs significantly.
  • Extend this concept to regular housing to prepare for the “aged society”
Care services to persons with disabilities

• Findings
  • Very poor **Public Awareness** toward needs of attendant care for people with disabilities in the Tohoku area (North East Japan)
  • Many persons with disabilities who need attendant care living outside mandatory evacuation zone decided to evacuate to safer towns by their own decision without proper **Information and support** from local government
  • Local governments are reluctant to assume these costs
  • Local governments’ negligence and lack-of-policy revealed as the result of the disaster

• Proposals for improvements
  • Immediate legislation of “Disaster Care Service Act” which enables to provide affected citizens with disabilities with **Necessary Services** including **Reasonable Accommodations**.
Essential Rights to Life for persons with disabilities

• Findings
  • Persons with disabilities and children may continue to be exposed to higher risks by horrible radiation from various radioactive materials that Fukushima Daiichi emits (immunological perspective).
  • Increased risks for Thyroid Cancer as well as other types of cancer
  • Japanese government doesn’t seem to learn from Chernobyl.
  • It is obvious that our society is paying no attention to the Essential Rights to Life for persons with disabilities and children.
  • We are highly concerned about likely “Eugenic Movement” to pressure people into aborting fetuses with disabilities. (“Don’t marry a woman from Fukushima”)

• Proposals for improvements
  • Immediate legislation of “Disaster Anti-Discrimination Act” which safeguard the Rights to Life of Persons With Disabilities including unborn babies.
Last but not least

This is a never ending sad story but we live with hope

• Many work places in Minami-Soma for people with disabilities have been closed due to the nuclear accident
• A new project is in progress to provide these fellows in difficulty with a job.
• Design, manufacture, and sell original Can Badges, praying for recovery
• All process are handled by affected fellows of Minami-Soma
• Someday we will get our homeland back
• Until the day we live with hope
• **Please purchase ONE and join the prayer**
  $1.00/piece

Thank you !!
Human rights violations of persons with disabilities in Fukushima after the Great East Japan Earthquake, tsunami, and nuclear power plant accident

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lidate Village
The supermarket in Lidate Village posted
"We will be closed at 5 PM May 27th"
May 27th 2011
lidate village. Fukushima
lidate Village Farmer's Market
Everyone had evacuated
The radiation level was 4μSv.
Fukushima the Disaster Support Center for Persons with Disabilities
At ground level: 5.67 μSv,
1 meter from the ground: 0.26 μSv.
Radiation has no color, and no smell.
Local vegetables at a farmer’s market
One side “safe”, and one side “contaminated”.
Lack of Support
Direct aid by persons with disabilities
• “Oh no, but you must have gotten in peoples way.”

• “What would you do there?”

• “You were probably just an extra burden on them.”
Nursing home where bedridden elderly were washed away
Mandatory Evacuation Zone

40 km of tsunami hit area
What happened in this area?
They’ve been left there.
“someone will come”
Gruesome Fact
Where have all the PWD gone?
Witness of deaths caused by lack of medical supplies
“People must have starved to death.”
The physician’s policy
Revived Institutionalization.
40 years fight against institutionalization
Died in Inhumane Conditions!

- People with disabilities
- Elderly
- Children
- Sick people
list of the violated articles of the CRPD

• Article 11 (Situations of risk and humanitarian emergencies)
• Article 19 (Living independently and being included in the community)
• Article 9 (Accessibility)
• Article 10 (Right to life)
• Article 3 (General principles)
• Article 4 (General obligations)
• Article 8 (Awareness-raising)
• Article 13 (Access to justice)
• Article 14 (Liberty and security of the person)
• Article 16 (Freedom from exploitation, violence and abuse)
• Article 17 (Protecting the integrity of the person)
• Article 18 (Liberty of movement and nationality)
• Article 20 (Personal mobility)
• Article 23 (Respect for home and the family)
• Article 25 (Health)
• Article 26 (Habilitation and rehabilitation)
• Article 30 (Participation in cultural life, recreation, leisure and sport)
• Article 32 (International cooperation)
• Article 33 (National implementation and monitoring)
Focusing on the major catastrophe of Japan
“Save yourself first.”
All Lives Worth Saving!
MAKE COMMUNITY ACCESSIBLE NOW!!

- Increasing number of PWD!
- Contreat change!
Accessibility cost no additional money!
20% of US citizens have disability (Aged<60; 13%)

5% of Japanese (Aged<60; 23%)

PEOPLE WITH DISABILITY NEVER COME BACK INACCESSIBLE HOME
COMMUNITY CHOICE FIRST!

NOTHING ABOUT US WITHOUT US!
Thank you!