

POLICY BRIEF

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Tackling Prolonged Displacement: Lessons on Durable Solutions from Fukushima

Ana Mosneaga

Highlights

Finding a durable solution to a displacement situation is not a straightforward process. Cases of severe nuclear disasters that render areas unsafe for habitation for prolonged periods require interim or alternative solutions to meet the evolving needs, capacities, vulnerabilities and preferences of the displaced people. Existing international instruments offer crucial guidance, but greater appreciation of context is necessary to enhance their relevance.

Recommendations:

- An enabling environment for finding durable solutions needs to be systematically established through ongoing re-examinations of policies, laws and institutions. Comprehensive reforms are often required rather than piecemeal adjustments of existing frameworks.
- Addressing social and psychological consequences is as important as the (re-) construction of physical infrastructure and environmental remediation.
- Enabling displaced people to exercise agency and take ownership of the process is critical.

Drawing Lessons from Fukushima

The large-scale displacement that followed the March 2011 earthquake, tsunami and nuclear accident in Japan provided a clear reminder that internally displaced persons (IDPs) are not exclusively a concern for the developing world. This policy brief considers the displacement situation following the nuclear accident in Fukushima with reference to existing international instruments concerned with durable solutions for IDPs. It provides recommendations for recovery policymakers in Japan and for the wider application of the international framework on durable solutions in disaster situations leading to prolonged displacement.

The March 2011 events in Japan represented a compound disaster: an earthquake and subsequent tsunami damaged a nuclear power plant in Fukushima, triggering inherent vulnerabilities from decades of mismanagement and a deficient safety culture (National Diet of Japan 2012). The radiation released contaminated the surrounding areas and created radioactive hotspots in other parts of Fukushima and Japan. Residents in the areas surrounding the nuclear plant had to evacuate, while many people outside the official evacuation zone also left in fear of radiation. By June 2011, 164,000 people were displaced in Fukushima (Cabinet Office Nuclear Disaster Victims Support Team 2015).

Citing the UN Guiding Principles on Internal Displacement, the Japan Federation of Bar Associations (2012, 4) refers to all evacuees that moved in response to the nuclear accident as IDPs. There is no legal IDP status under current international law. Yet the recognition of displaced people as IDPs is important as the guiding principles articulate their rights to a durable solution (UN 1998). The Framework on Durable Solutions for IDPs elaborated by the Inter-Agency Standing Committee (IASC), which brings together humanitarian actors from inside and outside the UN system, provides further clarity on the concept of a durable solution and general guidance on how to achieve it. According to this framework, "a durable solution is achieved when IDPs no longer have specific assistance and protection needs that are linked to their displacement and such persons can enjoy their human rights without discrimination resulting from their displacement." (IASC 2010, 5)

The IASC Framework, as well as its Operational Guidelines on the Protection of Persons in Situations of Natural Disasters (2011, 46), recognise three principal settlement options towards achieving a durable solution:

- sustainable reintegration at the place of origin (hereinafter referred to as "return");
- sustainable local integration in areas where internally displaced persons take refuge ("local integration"); and
- sustainable integration in another part of the country ("relocation").

People often resort to makeshift arrangements that fall between different settlement options

In the aftermath of the nuclear accident, Japanese government policy has assumed that return of the displaced residents is the way to move forward with recovery in Fukushima. In April 2011 the central government increased the annual dose limit for public exposure to radiation from 1 millisievert (mSv) to 20mSv per year, and has since set a threshold of less than 20mSv per year for lifting evacuation orders and declaring an area as safe for return. However, as the limitations of decontamination work became clear, it also became evident that large parts of evacuation zones were not likely to meet such criteria in the near future. This policy was finally revised in December 2013, adding support measures for those seeking to "restart their lives elsewhere" to the original emphasis on supporting "speedy

return" to the affected areas (Nuclear Emergency Response Headquarters 2013, 2).

Adjusting to Changing Realities

Radioactive contamination from severe nuclear disasters leads to displacement situations that are likely to last for several decades as people's home areas remain unsafe for habitation. Meanwhile, interim or alternative solutions need to be found to address the needs, capacities, vulnerabilities and preferences of the displaced people as they evolve with time. Finding durable solutions to protracted displacement thus poses complex challenges for existing policy, legal and institutional frameworks concerned with residency, housing, land and property issues and with service provision in the realms of healthcare, education, employment and welfare.

These challenges are evident in the increasingly complex residential situation of evacuees in Fukushima, requiring operational adjustment as well as more comprehensive structural reorientation of existing policies, laws and institutions. Areas where evacuation orders have been lifted have seen the phenomenon of dual residency, with people commuting between their temporary housing and their original places of residence. Likewise, many households live separately, with the father often returning to the original place of residence to resume work, while the mother and children remain at the place of their evacuation.

These are dynamic, makeshift arrangements that fall somewhere between different settlement options, as affected people attempt to find workable solutions to their situations. Some of these arrangements have been partially or temporarily accommodated in existing frameworks as exceptions, but this has been done in a rather piecemeal and inconsistent manner. Enabling displaced people to find optimal solutions for their changing situations requires a wider cross-sectoral re-examination of policies, laws and institutions pertaining to internal movement and other closely related areas such as civil registration, voter registration and tax-related issues.

The IASC framework mentions the responsibility of national authorities to respect the preferences of IDPs and to ensure that "the necessary legal and policy frameworks are in place" (2010, 11). Likewise, the IASC operational guidelines refer to the right of the displaced "to decide for themselves" (2011, 46) on what durable solutions to pursue. Yet neither of these instruments seem to acknowledge adequately that long-lasting displacement, in which IDPs have the right to eventual return or will need assistance to

seek alternative solutions, requires comprehensive reform and flexible implementation of policies, laws and institutions on an ongoing basis to address the prolonged and evolving situations of these people.

Finding a Way Out for Displaced Populations Trapped in Uncertainty

Focus group discussions with evacuees in temporary housing facilities in Fukushima on the possibilities for return, local integration or relocation, highlighted the persistent feeling of being “trapped in uncertainty”.

Uncertainty looms especially large concerning the question of return. Many people have difficulties trusting official declarations that it is safe to return after the lifting of evacuation orders, and there are persistent concerns about the impacts of remaining radiation. At the same time, protracted displacement inevitably diminishes the hopes of resuming a normal life in the original place of residence. While there are those, for the most part elderly residents, who wish to return as soon as possible, others — especially younger generations with small children — have had to start rebuilding their lives elsewhere and have no plans to return. Most notably, there is an increase in those who feel that there are too many uncertainties to decide what to do. Many question whether return is a viable option, now that original livelihoods have been disrupted, and communities have been geographically dispersed and socially divided due to differences in contamination levels, compensation payments and attitudes towards return.

The IASC framework (2010, 27) and operational guidelines (2011, 47) underline, among other factors, the importance of IDPs’ feeling of safety and security, access to adequate housing and their ability to return to normalcy with access to basic services, livelihoods and employment without discrimination to make any settlement option sustainable. The experiences of Fukushima IDPs confirm the importance of all of these conditions, but they equally underline the need to address the multiple causes and consequences of uncertainties related to prolonged displacement that make IDPs feel trapped.

Towards Recovery Policies that Support Durable Solutions

Visible recovery measures focusing on environmental remediation and reconstruction of physical infrastructure are important, but not sufficient. There is a need to revisit existing policy, legal and institutional frameworks to provide

targeted and timely support tailored to the changing realities of displaced populations. At the same time, less tangible, but influential legacies of displacement such as uncertainties and social divisions must be addressed. In the case of Fukushima, this means taking into account the following points when formulating recovery policies:

- **Realistic recovery plans.** The official process for securing reconstruction funds after the March 2011 disasters meant that most local recovery planning was rushed and often did not reflect the actual situations faced by the affected communities. While most recovery plans have been updated since then, persistent uncertainty about the funding and support mechanisms available to the municipalities has to be addressed to enable more effective implementation of such plans.
- **Return to life before March 2011 is neither possible nor sustainable.** The affected communities had been facing serious issues even before the nuclear accident, such as depopulation and severe economic dependency on employment in and tax revenues from the nuclear industry. Recovery plans must chart alternative directions for future community development, while enabling individuals to choose different settlement options and pathways of livelihood restoration.
- **Cooperation between all levels of governance.** Many of the bottlenecks in the recovery process cannot be addressed at the local government level. Closer cooperation, instead of the currently dominant approach of “passing the buck” between administrative levels, is a prerequisite for consistent and comprehensive policy and implementation.
- **Dealing with social divisions.** Recovering from a nuclear disaster inevitably requires addressing social divisions that have newly emerged or been exacerbated by subsequent policies. The official categorisation of the affected areas into different types of evacuation zones does not reflect the highly heterogeneous reality of radiological contamination. Nonetheless, it is used as a basis for decontamination operations and compensation payments. The issue of zoning and compensations must be approached with the utmost transparency and sensitivity to avoid worsening existing tensions.
- **Fundamental reorientation of the policy formulation process.** Many of the uncertainties stem from top-down policies that ignore local voices. There is a

need to depart from the decide–announce–defend model of policymaking, and adopt a more inclusive engage–interact–cooperate approach that promotes local ownership of recovery initiatives. Mentioning this objective in a policy document is meaningless unless it is supported by funds and a genuine willingness to engage with affected people.

The IASC framework and operational guidelines already underline the importance of these recommendations. Yet a more careful reading of the Fukushima case shows that the relevance and value of these instruments for addressing such disasters would be strengthened with greater acknowledgement of (i) the sheer scale and importance of the comprehensive reforms to policy, legal and institutional systems that prolonged displacement may require; and (ii) the amount of time often required to address the destabilising and disempowering uncertainty trap experienced by displaced populations.

To understand the bottlenecks of current policy, legal and institutional frameworks and rebuild trust in authorities, there must first be increased transparency, access to information and consultations with displaced populations. Providing clearer and more realistic policy timeframes and considering a broader range of settlement options are essential to implement these processes in a meaningful manner. These efforts, if supported by true political commitment, will help to increase certainty about future options for the affected populations. At the same time, continued efforts to involve IDPs in policy processes, backed by support measures tailored to their needs throughout their displacement, is the key to enabling their progress towards a durable solution as soon as longer-term options become clearer.

Note

This analysis incorporates findings from interviews and focus group discussions with representatives of local authorities and residents of displaced communities in Fukushima conducted by the author in June and September 2014. It also draws on insights from interviews held in May 2014 in New York and in October 2014 in Geneva with experts from the UN and other international organisations working in the fields of disaster-induced displacement, humanitarian assistance, disaster risk reduction and recovery.

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Author

Ana Mosneaga, UNU-IAS

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