

Honoring Minamata

International Solidarity Statement In Support of Minamata Victims' Groups

Introduced by the International POPs Elimination Network (IPEN) during the Second Intergovernmental Negotiating Committee Meeting held in Chiba, Japan, January 2011

WHEREAS:

- Minamata disease is a serious and often deadly illness caused by exposure to methylmercury. It is named after Minamata Bay in Kumamoto Prefecture where the first outbreak of this disease occurred in the early 1950's.
- People living around Minamata Bay were stricken with the disease after eating fish and other seafood that were highly contaminated with methylmercury.
- This methylmercury entered the Bay from the wastewater discharges of a plant owned by the Chisso Corporation. The plant produced the chemical acetaldehyde using a mercury catalyzed process. Although the disease was first diagnosed in 1959, the Chisso Corporation plant continued discharging methylmercury into the Bay through 1968.
- A second outbreak of Minamata disease began in the mid 1960's in the Agano River basin in the Niigata Prefecture. A different chemical company, Showa Denko, produced acetaldehyde using a similar process and discharged its wastewater into the Agano River.
- The Chisso Corporation originally denied that discharges from their plant caused the outbreak of Minamata disease. They tried to quietly pay-off some victims in order to avoid full liability and larger compensation claims.
- Thousands of people suffered crippling illnesses from Minamata disease and many died. Tens of thousands of people have so far come forward to report that they are victims of this pollution.
- The total number of Minamata disease victims, however, is much higher. Many are not willing to reveal publicly that they are victims because of the prevalence of discrimination and prejudice against Minamata victims. Many others died without ever being formally recognized as Minamata victims.
- In 1977, the Government of Japan established criteria for certifying victims of Minamata disease. These criteria were criticized by Minamata victims' groups as inadequate, as only some of the symptoms of Minamata disease were recognized and this limited the number of victims who would qualify for compensation. Later in 2010, the Osaka Court of Appeals also criticized the criteria, finding that they had no sound medical basis.
- In 2004, the Supreme Court of Japan ruled that the Government of Japan and the Kumamoto Prefecture was responsible for not preventing the spread of the disease after 1960, and criticized them for not recognizing their responsibilities.
- In 2009, the Government of Japan enacted the Minamata Disease Victim Relief Law. This law allowed the Chisso Corporation to split into two companies to enable it to limit its Minamata disease liabilities. The new law does not establish any review of the Minamata

disease certification criteria even though victims' groups and others have concluded that these criteria are inappropriately narrow and inadequate. Nor does the new law establish a program to rigorously investigate the health of residents in the contaminated area.

- In 2010, Japanese Prime Minister Yukio Hatoyama participated in the 54th annual Minamata commemoration ceremony and apologized for the government's inability to prevent the spread of the disease in the country's worst industrial pollution case. In his speech, he expressed hope that Japan will actively contribute to creating an international treaty for preventing future mercury poisoning and proposed naming the treaty the *Minamata Convention*. This proposal was not discussed with Minamata victims' groups prior to its announcement.
- In 2010, the First Intergovernmental Negotiating Committee Meeting to prepare a global legally binding instrument on mercury was held in Stockholm, Sweden. A representative of the Government of Japan formally proposed naming the global mercury control treaty the *Minamata Convention* and indicated that Japan wishes to host the 2013 diplomatic conference at which the Convention will be adopted.
- In 2011, the Second Intergovernmental Negotiating Committee is meeting in Chiba, Japan. Victims' groups remain unsatisfied with how the Government of Japan and the Chisso Corporation have responded to the terrible tragedy of Minamata disease.

More than fifty years have passed since Minamata disease was first diagnosed and victims' groups remain dissatisfied with the responses to this tragedy by the Government of Japan and the Chisso Corporation. Victims' groups want all victims to be recognized and compensated. They want a comprehensive health study of people in the impacted areas. They want to ensure that the Polluter Pays Principle is fully and properly implemented. They want the contaminated areas around Minamata Bay to be cleaned up so that the Convention signing ceremony does not take place at a location where massive mercury contamination is still being neglected. Finally, the Minamata victims' groups want a health and welfare system established that will enable residents to live secure lives.

IPEN and NGOs from all regions of the world support the legitimate demands of the Minamata victims' groups.

RESOLVED

- We agree that naming the global mercury control treaty the *Minamata Convention* would directly connect the Minamata tragedy to global efforts to protect human health and the environment from mercury pollution. Therefore, if the treaty is to bear the name *Minamata*, the victims and their legitimate demands must be honored and the lessons of the Minamata tragedy must be applied to the treaty.
- We stand in solidarity with the Minamata victims' groups who insist that the ongoing tragedy must be properly addressed by the Government of Japan and the Chisso Corporation before the Convention can take the name the *Minamata Convention*. This means that public commitment and concrete steps toward a genuine resolution of outstanding issues should be taken before the diplomatic conference in 2013.
- We stand in solidarity with the Minamata victims' groups in agreeing that *Minamata* is not just a name, a place or a disease. It is more. It is also pain, corporate irresponsibility, loss,

and discrimination. Minamata is about people and community. It is about their struggle to survive, and their determination to live. This is the real Minamata.

FURTHER RESOLVED:

We call upon all stakeholders- including governments, non-governmental organizations, the private sector, intergovernmental organizations and others- to work together to negotiate a strong global treaty that will effectively minimize and eliminate all human sources of mercury so that fish and seafood are once again safe to eat and so that the Minamata tragedy will never reoccur.

Olga Speranskaya, IPEN Co-Chair

Mariann Lloyd-Smith, IPEN Co-Chair



IPEN is a global network of more than 700 health and environmental organizations working in 109 countries. The Network was originally founded to promote the negotiation of a global treaty to protect human health and the environment from a class of toxic chemicals called Persistent Organic Pollutants (POPs). Then, following adoption by Governments of the Stockholm Convention on POPs, IPEN expanded its mission beyond POPs and now supports local, national, regional and international efforts to protect health and the environment from harms caused by exposure to all toxic chemicals.



Endorsements

The International POPs Elimination Network (IPEN) invites all to show their solidarity with the Minamata victims and endorse the “Honoring Minamata Solidarity Statement”. This IPEN initiative is sponsored by IPEN’s global NGO network.