

# **Fukushima disaster: Prosecutors drop case against former Prime Minister Naoto Kan and TEPCO executives**

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## **Prosecutors drop case against Kan, TEPCO execs over nuke disaster**

TOKYO (Kyodo) — Japanese prosecutors on Monday decided not to indict former Prime Minister Naoto Kan and executives of Tokyo Electric Power Co. over the nuclear disaster at the Fukushima Daiichi power plant, citing a lack of criminal responsibility.

“It was difficult to foresee the scale of the earthquake and tsunami,” the Tokyo District Public Prosecutors Office said of the government’s response to the March 2011 natural disasters that devastated northeastern Japan and led to the nuclear catastrophe.

Residents in Fukushima Prefecture and others had filed complaints against Kan and 41 other individuals for alleged professional negligence resulting in death and injury in connection with the nuclear plant disaster.

Kan, who was prime minister from June 2010 to September 2011, called the prosecutors’ decision “a natural outcome.”

Dissatisfied with the decision, the residents will request that an 11-member independent panel review the case for possible indictment of the government and TEPCO officials.

In addition to Kan, the accused include Tsunehisa Katsumata and Masataka Shimizu — respectively the then chairman and president of TEPCO — as well as Haruki Madarame, then chairman of the now-defunct Nuclear Safety Commission.

The focus was on whether the government and TEPCO failed to take sufficient measures at the power plant despite being aware of the risk of earthquakes and tsunami.

The residents also accused the government and TEPCO of delaying the evacuation from surrounding areas, leaving many people exposed to radiation and leading to the deaths of many bedridden hospital patients.

Asked about the prosecutors’ decision, Chief Cabinet Secretary Yoshihide Suga said at a news conference that he would not comment on conclusions of investigations into individual cases.

## **Fukushima refugees disappointed that ex-PM, TEPCO execs escape prosecution**

Fukushima residents, who were forced to evacuate in the wake of the outbreak of the crisis at the Fukushima No. 1 Nuclear Power Plant, were deeply disappointed with Tokyo prosecutors' decision not to indict former Prime Minister Naoto Kan and executives of Tokyo Electric Power Co. (TEPCO) over the nuclear disaster.

"We wanted to seize it as an opportunity to change the status quo. It is truly regrettable," said Toru Takeda, 72, who is still taking shelter in Yonezawa, Yamagata Prefecture, after evacuating from Fukushima city.

While the leakage of radioactive water at the crippled Fukushima nuclear power station has grabbed the attention of the international community of late, it remains to be seen when the nuclear crisis can be brought under control. Therefore, Fukushima residents had earnestly hoped that prosecutors would make thorough investigations into who were responsible for the nuclear disaster.

"The responsibility for an accident of that magnitude should not be kept ambiguous. I wonder how they think the world sees them," Takeda said while drooping his shoulders in disappointment.

Hiroyuki Inamoto, 52, who still is taking shelter in Tokyo's Koto Ward after evacuating from Tomioka, Fukushima Prefecture, said, "Non-prosecution. That's something like 'I thought so.' Even if we hold them accountable for what happened in the past, our lives will not change. I want the government to think about what should be done for us in the future, such as places for us to live and reconstruction of our hometowns."

Kan, who was prime minister when the nuclear accident broke out, said in a statement, "I spearheaded the work to prevent the accident from expanding and to mitigate damage. I see non-prosecution as a natural outcome."

The Tokyo District Public Prosecutors Office held a news conference late on the afternoon of Sept. 9 — a rare move over its decisions to drop cases. Deputy Chief Prosecutor Toru Sakai said, "The nuclear accident is so grave that it is impossible to put everything into words, but prosecutors' mission is to investigate whether there is criminal responsibility."

The focus of the dispute was on whether prosecutors would be able to undermine TEPCO's argument that "the accident was caused by an unexpected disaster." In order to hold the accused accountable for the nuclear accident, prosecutors had to verify that the nuclear disaster was in fact predictable. Therefore, prosecutors looked into how far research on earthquakes and tsunami had advanced prior to the March 11, 2011 earthquake.

However, prosecutors found out that even experts had not been able to point to the danger of tsunami. A senior official at the Tokyo District Public Prosecutors Office said, "The mechanism of tsunami and earthquakes occurring off Fukushima was not clearly known, and therefore TEPCO's

assumed tsunami (up to an estimated 15.7 meters) was nothing but talk with no sense of urgency.”

Ruiko Muto, 60, who heads the group that had filed the criminal complaint with prosecutors, angrily said at a news conference in Fukushima city, “The decision to drop the case taunts the victims of the nuclear disaster.” The Committee for the Inquest of Prosecution in Tokyo is set to examine the credibility of the prosecutors’ decision over the issue. Kazuyoshi Sato, deputy head of the group, said, “It is like we have been told to give in.”

*Mainichi Shimbun*, September 10, 2013

<http://mainichi.jp/english/english/newsselect/news/20130910p2a00m0na027000c.html>

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### **More Japanese nuclear refugees sue Tepco, government**

OSAKA — A total of 171 people from Fukushima Prefecture who had to flee their homes because of the crisis at the Fukushima No. 1 nuclear plant sued Tokyo Electric Power Co. and the central government Tuesday for ¥1.62 billion in damages.

The plaintiffs, from 60 families now living in western Japan, filed two suits, one with the Osaka District Court and the other with the Kyoto District Court.

Similar damages suits have been filed with 11 district courts by 3,811 plaintiffs, according to lawyers of the western Japan groups.

In the suit brought to the Osaka court, 80 members of 27 households are seeking ¥1.2 billion in damages, while in the Kyoto suit, 91 members of 33 households are demanding ¥400 million.

They argue that Tepco neglected its duty to prepare the plant for earthquakes and tsunami, while the central government failed to take stringent regulatory steps to prevent the triple meltdown.

**Jiji Press**, September 17, 2013

[http://www.japantimes.co.jp/news/2013/09/17/national/more-japanese-nuclear-refugees-sue-tepco-government/#.Uj\\_n39jbRY](http://www.japantimes.co.jp/news/2013/09/17/national/more-japanese-nuclear-refugees-sue-tepco-government/#.Uj_n39jbRY)

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