

# Japanese Gov't suspected of asking doctor to give false testimony in Minamata disease case

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The Ministry of the Environment is suspected of asking a doctor to perjure himself to support a Kumamoto Prefectural Government decision to dismiss an elderly woman's claim for Minamata disease aid, it has been learned.

In April 2012, the Osaka High Court overturned a 2010 lower court ruling that Kumamoto Prefectural Government should recognize the woman — a Minamata, Kumamoto Prefecture, native now living in Osaka Prefecture — as a victim of Minamata disease. The 87-year-old woman then appealed to the Supreme Court, and on Feb. 26 her attorney submitted documents in which the doctor himself clarifies exactly what had happened.

"The state tried to have (the doctor) give false testimony," the attorney stated.

The doctor, who had originally planned to testify before the Osaka High Court that the woman was actually a Minamata disease victim, was apparently asked by the Ministry of the Environment to testify that the Kumamoto Prefectural Government's decision was reasonable. The doctor rejected the ministry's request and did not testify. In the end, the Osaka High Court heard another doctor declare the woman was not suffering from Minamata disease.

The doctor first approached by the environment ministry was Takeshi Sato, 80, who headed Kohnodai Hospital with the National Center for Global Health and Medicine, in Ichikawa, Chiba Prefecture.

According to the plaintiff documents submitted to the Supreme Court, Sato conducted medical checkups for Minamata disease in the Kanto region in the 1970s. In June 2011, the environment ministry asked Sato to appear in court as an expert medical witness. After Sato submitted case study records which concluded that the woman was in fact a Minamata disease victim, ministry officials visited him a number of times. The officials asked Sato to testify that Kumamoto Prefecture's "decision was reasonable" as "it would be troublesome if the Kumamoto Prefectural Certification Council for Minamata Disease's judgment was ruled incorrect."

Sato rejected the request. He rejected the request once again when he met the officials at the ministry in September 2011. The officials have not contacted him since, and Sato's findings were not submitted to the Osaka High Court. Sato contacted the woman's attorney following the Osaka High Court ruling, saying, "I can't help but sympathize (with your client), as her case was dismissed though she should clearly be diagnosed with Minamata disease."

The environment ministry responded by saying, "There is no evidence that we made the request. We cannot comment because the case is before the court."

Sato has refused to speak to the media.

In 1978, the woman in question filed an application with the Kumamoto Prefectural Government for official recognition as a Minamata disease victim, but was denied. In 2007, she brought her case to the Osaka District Court. The case is still in litigation together with a separate lawsuit in which she seeks official posthumous recognition of her mother as a Minamata disease sufferer. The two lawsuits question whether the government's criteria for recognizing Minamata victims are appropriate. Hearings on the two cases will be held in the Supreme Court on March 15, with both the plaintiff and the accused set to state their opinions.

*Mainichi Shimbun*, February 27, 2013

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\* <http://mainichi.jp/english/english/newsselect/news/20130227p2a00m0na011000c.html>