

Serious Health Hazard of Asbestos in Sennan Area

Kuniko Kobayashi

Attorney at law

JELF

The Asbestos Hazard in Japan

Asbestos has been used since the end of 19th century in Japan. As Japan's industrial manufacturing ran behind western countries, the control of asbestos was delayed and that caused the concerned asbestos victims to increase in Japan.

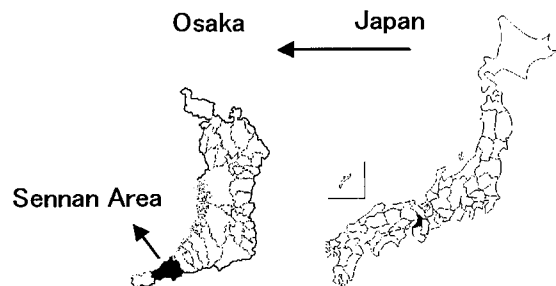
In June 29, 2005, Kubota, which is one of the biggest manufacturing companies in Japan, announced the occurrence of many occupational victims of asbestos, as well as the victims of asbestos dust from environmental exposure around the Kanzaki plant. That was what we call "Kubota Shock".

Another Suffering District in Japan

"Kubota Shock" triggered the discovery of other victims of asbestos in Japan. One of these was people in the Sennan area of Osaka.

There had been many small asbestos textile factories in the Sennan area since 1907 to 2005. They manufactured asbestos yarn, cloth, and other insulation materials that were used for ships, cars, and construction, etc.

There were only several big factories, and most of those factories were household industries typically operated by families and a few employees. So they were significantly different from Kubota in scale, equipment, and accordingly in compensation.



The Development of Our Movement

In September 2005, we began our movement to figure out the reality of the health hazards in the Sennan area. In November 2005, lawyers and doctors cooperated to conduct a medical and legal checkup session, and found lung abnormalities among more than 60% people who took X-ray examinations.

Our checkup sessions have been held regularly until now, examining more than 270 people. These tests revealed many asbestos cases, which were traceable to actual conditions in those factories, and showed clearly that asbestosis cases were caused by environmental exposure.

The Government had known the hazard, and could control the asbestos, but did nothing .

Amazingly, the Japanese government carried out a detailed investigation on asbestos hazards in the Sennan area between 1938~1940. It was an advanced and extensive investigation comparable with the investigation conducted by Merewether in England in 1930. Despite this, the Japanese Government did nothing to control the asbestos dust in those industries until 1970s. In addition, even after the enactment, the laws and regulations were woefully insufficient. It's obvious that this government's negligence caused the spread of the damage.

In February 2006, the government enacted a new asbestos compensation law in response to the Kubota Shock. But it was also defective in that it denied compensation to asbestosis patients whose illness was caused by environmental exposure. It also offered insufficient compensation in comparison with workman's compensation.

Going to Court

In May 26, 2006, 8 asbestos victims brought the Japanese Government into court suing for compensatory damages for mental suffering. Now, the plaintiffs have increased to 24 and are expected to increase further in the future. We are arguing the responsibility of the government to warn people about the toxicity of asbestos, to control asbestos, and ultimately to protect workers and residents. Our litigation is taking on the Government face-to-face making it take responsibility for the asbestos problem, and in the event, making clear the defectiveness of the new Asbestos compensation law.

Further information

Osaka Lawyers Advocacy for the Victims of Pneumoconiosis & Asbestos disease

E-mail: kobayashi@satsuki-law.gr.jp