

MISSION PERMANENTE DU JAPON
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The Permanent Mission of Japan to the International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights in Geneva and, with reference to the latter's Note Verbale AL JPN 1/2025, dated 25 February 2025, has the honour to transmit herewith the response of the Government of Japan to the Joint Communication from Special Procedures.

The Permanent Mission of Japan to the International Organizations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights in Geneva the assurances of its highest consideration.

Geneva, 25 April 2025

Enclosure mentioned



Response of the Government of Japan to the Request for Information from the “Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes” and “Special Rapporteur on the human rights to safe drinking water and sanitation”

25 April 2025

The Government of Japan would like to submit the following information in response to the request for information, dated 25 February 2025, from Dr. Marcos A. Orellana, “Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes” and Mr. Pedro Arrojo-Agudo, “Special Rapporteur on the human rights to safe drinking water and sanitation”.

1. Overview

In recent years, PFAS, more specifically PFOS and PFOA, has become the subject of various scientific discussions internationally from the perspective of protecting human health, including those discussions on the handling of these chemicals and on relevant standards. Based on the Chemical Substances Control Law, the Government of Japan (GOJ) has prohibited, in principle, the manufacturing and importing of PFOS in 2010 and PFOA in 2021. The GOJ is aware that there are concerns about PFOS/PFOA in various regions of Japan, including Okinawa. The GOJ takes these concerns seriously and is steadily taking action based on scientific findings.

2. Setting Drinking Water/Water Environment Standards

In Japan, the Ministry of Health, Labour and Welfare and the Ministry of the Environment set a provisional target value of 50ng/L (combined value of PFOS/PFOA) for drinking water/water environments in 2020. Water system operators are monitoring the combined value of PFOS/PFOA in drinking water and ensuring that it does not exceed the provisional target value. This target value was set based on the existing scientific knowledge at that time, with the assumption that no adverse effects on human health would be expected in the case that a person weighing 50kg drinks two liters of water every day over the course of their life, as far as the water quality meets this threshold.

The GOJ has been compiling and publishing the results of a nationwide survey on PFOS/PFOA-levels in water supply services and wholesale water supply services. As of the end of September 2024, there were no water supply services/wholesale water supply services that exceeded the provisional target value of 50ng/L¹.

In addition, the Cabinet Office Food Safety Commission established the PFAS Working Group, which is composed of external experts. The Working Group has been

¹ https://www.env.go.jp/press/press_04025.html

conducting independent research and engaging in deliberation from an expert perspective on how to conduct risk assessment, including identifying the estimated intake level that will not pose health risks. This has included analyzing relevant literature that has served as a basis for setting standards in the U.S. and other countries. Taking this into account, in June 2024, the Working Group set a Tolerable Daily Intake (TDI) standard of 20 ng/kg (body weight)/day for both PFOS and PFOA.

After the Working Group set TDI, there has been discussion within the GOJ about the provisional target value of 50ng/L. In February 2025, a council of experts under the Ministry of the Environment approved a plan for raising the target values to “water quality standards,” that legally obligates water suppliers to conduct water quality inspections and comply with the standards. Subsequently, a call for public comments was issued. Based on public comments received by the end of March, the direction will be finalized by this spring, and the ministerial ordinance based on the Water Supply Act will be revised by the end of FY2025, with enforcement scheduled to begin on April 1, 2026.

In addition, the “Guidance for PFOS/PFOA Response”² was developed and widely disseminated in 2020 to advise a set of actions for local governments when PFOS/PFOA levels higher than the provisional target value are detected in the water environment. PFOS/PFOA have been used for various purposes over the past decades, and as a result, those PFOS/PFOA already discharged in various forms from places where they were manufactured, used, stored, etc. have remained in the environment. As such, it remains difficult to identify the specific source of discharge. For this reason, regardless of the cause, the first and foremost priority is to prevent ingestion in order to reduce health risks. Based on the “Guidance,” the GOJ is advising local governments to take measures to prevent ingestion, conduct continuous monitoring surveys, and conduct additional surveys of the surrounding area (including surveys to identify the source of discharge if necessary).

3. Measures to Address PFOS/PFOA in Soil

It is also important to collect scientific evidence on the adsorption of PFOS/PFOA into soil and its impact on groundwater. Since a unified measurement method for PFOS/PFOA in soil had not been established in Japan, the Ministry of the Environment informed relevant local governments of a tentative measurement method and requested them to provide information on challenges that they face in applying the method. Furthermore, from FY2025, the Ministry of the Environment plans to accumulate scientific evidence on the movement of PFOS/PFOA particles in the environment, including in soil, by using government funds (i.e. the Comprehensive Environmental Research Promotion Fund).

Through these efforts, the GOJ intends to deepen its knowledge regarding survey methods and other issues concerning PFOS/PFOA in soil.

² <https://www.env.go.jp/content/000073850.pdf>

4. Measures to Address PFOS/PFOA in Human Blood

According to the currently available knowledge, it is still not clear in what way differing blood concentration levels of PFOS/PFOA affect people's health. Because of this, it is said that determining health effects based solely on blood test results remains difficult.

The Ministry of the Environment considers it important to clarify the correlations between PFAS-levels in blood and health effects. Relevant efforts will be made to promote collection of findings both inside and outside Japan, as well as scientifically assessable epidemiological surveys/research.

More specifically, since FY2024, the GOJ has been supporting research to clarify correlations between blood PFAS concentration and cancer/metabolic diseases/mortality by utilizing government funds (i.e. the Comprehensive Environment Research Promotion Fund). In addition, the GOJ is conducting analyses of chemical substances (including PFAS) in the Japan Environment and Children's Study (JECS), a nationwide epidemiological study, and human biomonitoring survey³ with a view to collecting more research data.

5. Communication Efforts for the Public

From the viewpoint of ensuring thorough communication with the public, in 2023, the GOJ compiled and published a "Q&As on PFOS and PFOA"⁴ under the supervision of the "Expert Committee on Comprehensive Strategy for PFAS" established by the Ministry of the Environment. The GOJ also prepared materials such as leaflets and handbooks that contain the latest knowledge and information needed by the public. The GOJ will continue to address the issue while carefully listening to the voices of the public.

6. Initiatives related to U.S. Forces Japan

There are multiple frameworks for environmental cooperation between Japan and the United States, such as the Environmental Supplementary Agreement⁵ and Japan-U.S. Joint Committee Agreements⁶. The GOJ believes that it is important to ensure these frameworks be properly implemented so as to address the concerns of local residents. At the summit level, both sides confirmed the importance of continued bilateral cooperation, including cooperation on environmental issues⁷.

In the past, when there has been a spill case, the Japanese side entered U.S. military facilities and areas in accordance with the Environmental Supplemental Agreement, based on the requests from the local governments concerned. For example, in April 2020, when there

³ <https://www.env.go.jp/chemi/kenkou/monitoring.html>

⁴ <https://www.env.go.jp/content/000242834.pdf>

⁵ <https://www.mofa.go.jp/mofaj/files/000415173.pdf>

⁶ <https://www.mofa.go.jp/mofaj/files/000117342.pdf>

⁷ <https://www.mofa.go.jp/mofaj/files/100652149.pdf>

was a firefighting foam spill at Futenma Air Station in Okinawa, and in June 2021, when water containing PFOS/PFOA spilt from an Army fuel storage facility in Okinawa, the GOJ entered those facilities and areas. So far, a total of 10 entries in four cases (see below) were made in accordance with the Environmental Supplemental Agreement, and sampling was conducted in cooperation with the U.S. Forces. In addition, the Ministry of Defense has been conducting sampling in the vicinity areas at the request of related local governments, while U.S. Forces have been taking remediation and other measures.

[Previous Cases]

- (1) In April/May 2020, Japanese authorities entered Futenma Air Station in Okinawa (a total of 5 times) for the purpose of water/soil sampling to respond to the firefighting foam spill.
- (2) In June 2021, Japanese authorities entered the Army POL Depot (3rd Kinwan Tank Farm) in Okinawa (a total of 2 times) for the purpose of water sampling to respond to the spill of water containing PFOS/PFOA.
- (3) In December 2022, Japanese authorities entered U.S. Fleet Activities, Yokosuka in Kanagawa for the purpose of water sampling to respond to the spill of water containing PFOS/PFOA.
- (4) In October/December 2022, Japanese authorities entered Atsugi Air Base in Kanagawa (a total of 2 times) for the purpose of water sampling to respond to the spill of water containing PFOS/PFOA.

Furthermore, the GOJ was notified by the U.S. side in Japan that the U.S. Forces Japan have not used old-style firefighting foam agents containing PFOS/PFOA for training purposes since 2016, and that they have completed the disposal of all old-style firefighting foam agents at all U.S. military facilities and areas by October 2024.

Article 4 of the Status of U.S. Forces Agreement stipulates that upon the return of U.S. military facilities and areas in Japan to Japan, the United States is not obligated to restore the facilities and areas to the condition in which they were at the time they became available to the U.S. armed forces, or to compensate Japan in lieu of such restoration. The restoration of the returned areas to their original condition is to be carried out by the Japanese side as necessary.

This article is about maintaining a balance between Japanese and the U.S. obligations in that the U.S. side is not obligated to restore the property to its original condition, and the Japanese side is not obligated to compensate the U.S. side for the buildings and structures that will be left behind. As such, it is not the case that Japan is unilaterally shouldering obligations.

In light of the above, the GOJ as a whole has been and will remain committed to working to ensure that environmental measures (both inside and outside the U.S. military facilities and areas) are effective to address concerns of local residents, under the current Status of U.S. Forces Agreement, Environmental Supplementary Agreement, and other related

agreements/arrangements.

7. Noise Abatement Measures

While the GOJ understands that the issue of noise does not fall under the mandate of the Special Rapporteurs concerned, the GOJ would like to point out that the current “Aircraft Noise Abatement Countermeasures”⁸ for airfields such as Kadena Air Base and Futenma Air Base are the outcome of extensive consultations between Japan and the United States. These regulations aim to strike a balance between the need to minimize the impact on local residents living near the airfields and the need to ensure the necessary operations of U.S. Forces for the sake of achieving the objectives of the Japan-U.S. Security Treaty.

The GOJ will continue to work together with the United States on environmental issues, while requesting the U.S. side to pay maximum consideration to safety, comply with “Aircraft Noise Abatement Countermeasures” and to minimize the impact on local residents.

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⁸ https://www.mofa.go.jp/mofaj/area/usa/sfa/pdfs/souon_kisei_e.pdf