

The Financial Problems of the Act on Asbestos Health Damage Relief

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1. The Characteristics of Asbestos Health Damage and the Act

Japan has consumed approximately 10 million tons of asbestos. Japan utilized asbestos before the Second World War, and accelerated its use since the beginning of a period of high economic growth in the 1950s. Asbestos textile goods and building materials containing asbestos supported the industrialization and urbanization of Japan. Asbestos is presumed to be used in more than 3,000 different ways and nearly 80% of all asbestos is assumed to be contained in building materials. Contrary to most industrialized countries which rapidly decreased the amount of asbestos usage from the mid-1970s to the first half of 1980s, Japan continued a high level of asbestos consumption until the mid-1990s.

Asbestos-related incidents are known as being “complex-stock disasters.” Asbestos health damage is caused in all the economic processes of mining, manufacturing, transportation, consumption, and waste. It manifests itself as asbestosis, asbestos-induced lung cancer, and mesothelioma after human exposure to asbestos dust.

Regarding the economic activities of individuals, asbestos health damage is classified into two categories: “occupational exposure” and “non-occupational exposure”. The latter comprises “domestic exposure” and “environmental exposure”. As a definition, this paper looks upon “non-occupational” as “environmental”.

The industrial distribution of cases of mesothelioma and asbestos-induced lung cancer by occupational exposure show that half can be attributed to the construction industry. Most of the remaining distribution is concentrated in

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manufacturing industries, such as shipbuilding and repair; transport machinery; ceramics and quarrying; machines and tools; and the chemical industry. Additionally, several asbestos-related diseases are found in other industries like transportation, the service industry, and also in educational institutions, such as schools. It is no exaggeration to say that almost all the industries in Japan brought about occupational asbestos disasters.

In Japan, the number of deaths from mesothelioma is predicted to be about 100,000 people by the year 2039. Recently, approximately 1,000 people have been dying of mesothelioma every year. Considering that the number of deaths from asbestos-induced lung cancer is double those of mesothelioma, and looking at the number of past asbestosis victims, it can be estimated that the number of victims of asbestos-related illnesses is expected to actually be several hundred thousand.

In 2005, it was brought to light that nearly 100 citizens around a former Kubota plant in Amagasaki City died or suffered from mesothelioma ('Kubota Shock'). Just after the Kubota Shock incident, the national government inspected previous data recognizing and dealing with asbestos problems and enforced the Act on Asbestos Health Damage Relief in March, 2006. The act is different from the Workers' Accident Compensation insurance in that it provides relief to asbestos victims due to environmental exposure and others¹⁾.

Mesothelioma and lung cancer have terrible prognoses. The ratio of two-year survival of mesothelioma is 30% and the median of patients' remaining days is 15 months. For lung cancer, the five-year survival ratio is about 20% and the median of patient's remaining days is 12 months.²⁾ It is clear that the quick creation of the Act on Asbestos Health Damage Relief reflected the dreadful characteristics of asbestos related diseases.

Just after the enforcement of the act, issues such as the kinds of illnesses subject to the relief, benefit level, and levying distribution of expenses have been discussed. In terms of the kinds of illnesses, "asbestosis with serious disorder of respiratory function" and "diffuse pleural thickening with serious disorder of respiratory function" were added to mesothelioma and asbestos-induced lung cancer that had been present since the enforcement of the act. However, financial aspects of the act have yet to be changed. It is the financial structure of the act. Imperfections of the current system have been postponed.

In this study, I focus on the financial issues of the act and examine their characteristics and realities to indicate how to improve the financial system of the act.

2. The Structure of Asbestos Health Damage Relief Fund

2.1 The Character of the Act on Asbestos Health Damage Relief

The original idea of the Act on Asbestos Health Damage Relief was edited in the *Summary on the Scheme of Asbestos Health Damage Relief System* in December, 2005. It illustrates the basic design of the system as follows: “Asbestos had extensively and enormously been utilized in our whole economic activities. As a result, a massive amount of health damage has been caused. However, it is difficult for victims to be compensated because it is hard to determine the causal relationship between asbestos and its damage to health because the diseases have a long incubation term. From the standpoint of specialty, this relief system is established to cover the victims not subject to Workers’ Accident Compensation, and share the burden of expense among companies, the national government, and local governments”. The characteristics of this idea are that (1) it is difficult to specify individual causal relationship between polluter and victim; (2) the system is implemented as administrative relief, not compensation for damages; and (3) the financial burden is distributed among business enterprises, national government, and local governments.

Relief benefits are for (1) medical care expenses (borne by the sufferers), (2) medical care allowances (103,870 yen/month), (3) funeral expenses (199,000 yen), (4) special condolence for the bereaved families (2.8 million yen, benefits for bereaved families of people who died before the act came into force). The amount of necessary expense was estimated at about 9 billion yen annually from FY 2007 to FY 2010. Figure 1 outlines the system of the Asbestos Health Damage Relief Fund by the act. The fund is managed in this scheme.

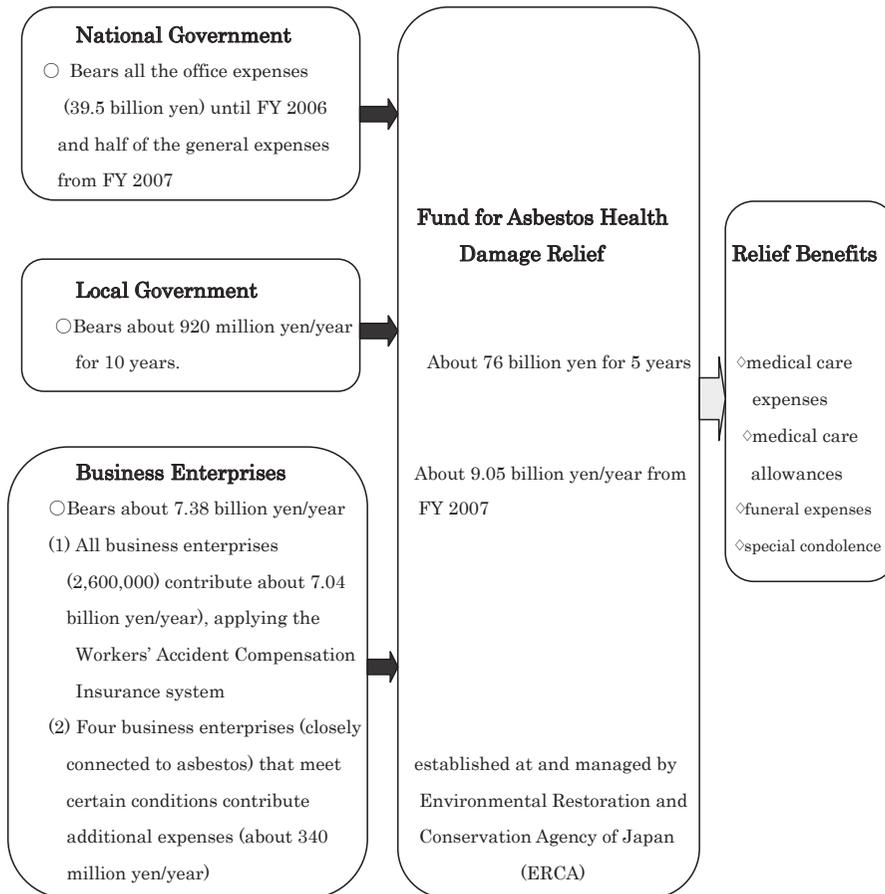


Fig.1 Outline of the Fund for Asbestos Health Damage Relief

2.2 Characteristics of the Relief Benefits

The contents and levels of the relief benefits in the Fund for Asbestos Health Damage Relief are designed mainly by examining the Relief System for the Victims of Harmful Side Effects of Medicines. The system is to aid victims with side effects of medical supplies with relief benefits through the funds collected from makers and sellers of medicines based on their social responsibility. The system is similar to the Act on Asbestos Health Damage Relief in a precondition that it is difficult to practice civil liability. Nevertheless, the system is different in that it provides a higher level of relief benefits approximating compensations and is operated like an insurance system wholly financed by related business

enterprises. Therefore allowances for the handicapped (benefits for living security with lost profits considered) and for the bereaved families are excluded from the relief benefits of the Act on Asbestos Health Damage Relief.

The benefit levels of the act are determined in accordance with those of the Relief System for the Victims of Harmful Side Effects of Medicines and the Support System for the Atomic Bomb Victims that get out of any civil responsibilities. In short, the benefit levels of the Fund for Asbestos Health Damage Relief are balanced with other similar public relief systems.

It is important to recognize that the government does not compensate for lost profits of the victims on behalf of the polluters by means of the Asbestos Health Damage Relief system. The government gives victims relief in the form of a sympathetic “monetary gift” for medical care expenses and allowances, and this monetary gift absolutely differs from lost profit and consolation money being estimated and given by polluters.

2.3 Distribution of Bearing Expenses

2.3.1 National and Local Government

It is important to comprehend the governmental fiscal aspect of the Act on Asbestos Health Damage Relief to understand its financial nature.

As seen in Figure 1, the national government expensed 39.5 billion yen mainly through its FY 2005 supplementary budget to bear all the office outlays at the establishment of the fund. It has successively borne half of the annual office expenses (about 750 million yen) since FY 2007. The rest of these expenses have been paid by business enterprises.

The public expenditure by the national government is for office management and has the nature of general burden shared by the Japanese people. The expenses are financed by general revenue resources. The principle of this fiscal system is much vaguer than that of the Law Concerning Pollution-Related Health Damage Compensation and Other Measures whose public expenses are borne by the automobile weight tax because automobile exhaust is one of the causes of air pollution.

Local governments were required to bear 920 million yen annually for ten years from FY 2007. The reason for their burden is explained as follows: “The system to swiftly relieve the victims of asbestos health damage is established as administrative relief financed by the parties concerned to separate civil and national government liabilities. Local governments are required to contribute

expenses for relief benefits since the system consequently leads to swift relief for those residents suffering from health damage in every region...³⁾ This indicates that local governments are entangled in the relief system because it contributes to residents with asbestos health damage.

Table 1 shows the distribution of fiscal burden among local governments.

Table 1 The distribution of fiscal burden for the Fund of Asbestos Health Damage Relief among local governments

Prefecture	A The number of deaths from mesothelioma (ten-year average)	B Population (March 31, 2005)	C The number of deaths from mesothelioma per 100,000 people (A×100000/B)	D Portion by probability of mesothelioma death (ten thousand yen) (46175×C/total)	E Portion by population (ten thousand yen) (46175×B/total)	F Annual fiscal burden of local government (ten thousand yen) (D+E)
Hokkaido	35.2	5,632,133	0.6250	1154	2050	3204
Aomori	4.5	1,468,608	0.3064	566	535	1100
Iwate	4.1	1,396,637	0.2936	542	508	1050
Miyagi	9.9	2,347,970	0.4216	779	855	1633
Akita	5.8	1,164,389	0.4981	920	424	1344
Yamagata	3.4	1,218,875	0.2789	515	444	959
Fukushima	9.2	2,107,800	0.4365	806	767	1573
Ibaraki	12.1	2,988,729	0.4049	748	1088	1835
Tochigi	7.7	2,008,036	0.3835	708	731	1439
Gunma	7.9	2,020,734	0.3909	722	735	1457
Saitama	32.9	6,996,528	0.4702	868	2546	3415
Chiba	19.9	6,014,584	0.3309	611	2189	2800
Tokyo	54.5	12,168,247	0.4479	827	4429	5256
Kanagawa	51.9	8,644,031	0.6004	1109	3146	4255
Niigata	12.1	2,445,807	0.4947	914	890	1804
Toyama	9.4	1,116,387	0.8420	1555	406	1961
Ishikawa	6	1,172,133	0.5119	945	427	1372
Fukui	3.5	822,405	0.4256	786	299	1085
Yamanashi	2.8	880,947	0.3178	587	321	908
Nagano	7.3	2,193,419	0.3328	615	798	1413
Gifu	8.3	2,106,293	0.3941	728	767	1494
Shizuoka	18.7	3,773,826	0.4955	915	1374	2289
Aichi	26.3	7,062,762	0.3724	688	2571	3258
Mie	6.4	1,858,026	0.3445	636	676	1312
Shiga	7.6	1,359,273	0.5591	1032	495	1527
Kyoto	14.1	2,565,170	0.5497	1015	934	1949
Osaka	71.4	8,651,301	0.8253	1524	3149	4673
Hyogo	60.9	5,571,148	1.0931	2019	2028	4046
Nara	11.6	1,434,548	0.8086	1493	522	2015
Wakayama	5.6	1,067,114	0.5248	969	388	1357
Tottori	3.4	612,191	0.5554	1026	223	1248
Shimane	2.6	747,469	0.3478	642	272	914
Okayama	16.8	1,955,317	0.8592	1587	712	2298
Hiroshima	27.7	2,868,251	0.9657	1783	1044	2827
Yamaguchi	12.5	1,504,917	0.8306	1534	548	2082
Tokushima	3.4	818,998	0.4151	767	298	1065
Kagawa	6.4	1,027,405	0.6229	1150	374	1524
Ehime	9.6	1,490,831	0.6439	1189	543	1732
Kochi	4.1	804,721	0.5095	941	293	1234
Fukuoka	29.7	5,014,179	0.5923	1094	1825	2919
Saga	5.8	873,978	0.6636	1225	318	1544
Nagasaki	12.4	1,502,058	0.8255	1524	547	2071
Kumamoto	7.8	1,857,998	0.4198	775	676	1451
Oita	6.3	1,224,892	0.5143	950	446	1396
Miyazaki	6.1	1,172,940	0.5201	960	427	1387
Kagoshima	9.1	1,763,004	0.5162	953	642	1595
Okinawa	5.8	1,372,388	0.4226	780	499	1280
Total	700.5	126,869,397	25.0054	46175	46175	92351

Source: Ministry of the Environment

It points out that the total expense (about 920 million yen) is divided equally between (1) portion by probability of mesothelioma death and (2) portion by population, and each local government is required to bear its own amount of expense determined by this sum. Local governments with huge populations such as Tokyo, Osaka, and Kanagawa unsurprisingly pay a lot of public money. The remarkable point is that an enormous amount of expenditure is borne by Hyogo in which the Kubota Kanzaki factory was located. The probability of mesothelioma death in Hyogo is the highest. In addition, prefectures like Hyogo, Nara and Osaka where there used to be many or big asbestos factories have heavy fiscal burdens because of their high probability of mesothelioma death in these areas. The trend of fiscal burden is almost identical for local governments with large industrial areas in which shipbuilding and other heavy industries have been operating.

Like the national government, local governments pay their contribution through general revenue resources. It means that the contribution has the character of “monetary gifts” to the victims by all residents.

2.3.2 Business Enterprises

Business enterprises were called upon for relief benefit expenses of 7.38 billion yen per year from FY 2007 to FY 2010. The burden of business enterprise is divided into (1) general expense and (2) special expense.

2.3.2.1 General Expense

General expense is characterized as “monetary burden from the viewpoint of contributing responsibility by noting that all the business enterprises have enjoyed economic benefits of asbestos use through their business activities.” More specifically, “The benefit of asbestos is not limited to business enterprises that produced asbestos-containing goods such as construction materials and automobile parts. A lot of business enterprises have office buildings and automobiles that contain asbestos goods. In addition, they perform their business activities with water resources which come from asbestos-containing cement water pipes. All business enterprises have enjoyed economic benefits from asbestos use and so it has been determined to collect levies from all the business enterprises employing workers.”⁴⁾ Total wage of each business enterprise is adopted as the criterion of the economic benefit. The percent of general expense is 0.05/1000. The existing collecting system of the Workers’ Accident Compensation contribution is applied.

Although economic benefits have been enjoyed by individuals, they are exempted from the expenses for the reason that they have made no monetary benefits through business activities⁵⁾.

2.3.2.2 Special Expense

Special expense was originally characterized at the design stage of the system as follows: “The business enterprises closely connected to asbestos-related activities should take more responsibility for relieving asbestos health damage, and these enterprises are required to bear additional expenses together with general ones. The business enterprises and their burdens subject to the additional expenses are decided by considering the amount of asbestos use, extent of health damage, and so forth.”⁶⁾ The idea is also expressed by the Central Environmental Committee (2011).

However, the Committee on Business Enterprise Expenses Concerning Asbestos Health Damage Relief (2006) expresses the following: “Some business enterprises were closely connected to asbestos-related activities. Enterprises which used an enormous amount of asbestos are supposed to make additional contributions to relieve the victims.” It continues: “The special expense means additional contribution for victims’ relief without any relation to civil liability. It is necessary to set a proper level of special expense since bankruptcy or unusual disorder of the business enterprises concerned should be avoided by imposing it, taking it into account that the relief for victims needs to be continuous and stable.”⁷⁾ These official statements mention that the special expense is an additional contribution that is not based on civil liability, and it must be given careful consideration to set the financial burden of the specified business enterprises in order not to disrupt their business activities. In addition, the committee proposes not to name nor disclose the monetary burden of each specified business enterprise: “It is appropriate not to disclose them because it may do harm to their rights, competitive positions, and other reasonable interests.”⁸⁾ According to the committee, names and financial expenses of each specified business enterprises have not been revealed yet. The only disclosed information is that four business enterprises are specified and the total amount of special expense is about 340 million yen per year. Simply calculated, each specified business enterprise bears about 100 million yen.

The characteristic of special expense is much vaguer than that of general expense. It is very ambiguous whether special expense is based on “responsibility” or “additional contribution” of the specified business enterprises.

2.3.2.3 Problems of the Financial Burden on Business Enterprises

The whole character of the financial burden on business enterprises is also “monetary gift”, although it has a two-storied collection structure. This character of the burden results in diffusing responsibilities of the liable enterprises over all the enterprises and leads to unjust allocation of financial burden among them. It is also anticipated that industries that have high probability to cause asbestos disasters are not given strong initiatives to protect against future pollution. The demolition industry is typical since Japan will experience a peak of demolishing deteriorated buildings from 2020 to 2030.

2.3.3 The Implications of Fund Management

Concerning fund management, I will summarize several points.

Firstly, as has been repeatedly mentioned, the character of the fund is administrative ‘relief’, not ‘compensation’ for damages. It produces ambiguity in expense burdens in each sector and eliminates lost profits and consolation from the relief fund. The items and levels of relief benefit are determined by balancing other public relief systems, not by examining the original characteristics of asbestos disasters. Hence, the amounts of the relief benefit are a great deal smaller than those of the Law Concerning Pollution-Related Health Damage Compensation and Other Measures and the Workers’ Accident Compensation Insurance which pay compensating allowances for the handicapped and for bereaved families with a criterion of average wages. These defects in the asbestos relief fund have led to more and more legal litigations against enterprises and the government.

Secondly, it is obvious that the national government is the main sector to manage the fund system. The design and management of the asbestos relief fund are all assumed by the national government and Environmental Restoration and Conservation Agency of Japan (ERCA). Half of the office expenses are borne by the national government. The amounts of relief benefits are decided by the government. Therefore, it becomes evident that the national government must make relief for the asbestos victims according to law whether the financial burden on business enterprises is heavy or not.

Thirdly, the items of the relief benefits are all monetary payments to the victims and do not extend to other related usages. For example, Hong Kong also has a comprehensive “Pneumoconiosis Compensation Fund” to cover asbestos victims who have been exposed environmentally. The fund outlays research,

education, rehabilitation and so forth as well as medical expenses. In Japan, it is crucial for the government to increase the number of doctors who correctly diagnose asbestos related diseases. There are few medical clinics and hospitals specializing in asbestos patients. This lack of medical facilities causes failures or delays in identifying people whose health has been damaged by asbestos. Protective measures for asbestos dust at demolition sites are unworkable in terms of technology and labor administration. More comprehensive countermeasures to protect against asbestos disasters must be examined.

3. Financial Realities of the Fund of the Asbestos Health Damage Relief

Table 2 shows the change in revenues of the asbestos relief fund. The annual total amount has fluctuated between nearly 8.5 billion yen and 10 billion yen since FY 2006. The total amounts are identical to the 9.05 billion yen that was expected at the design stage of the fund system. The amounts of general expense by business enterprises also match the calculated quantity (7.04 billion yen/year).

Table 2 Revenue of the Fund of Asbestos Health Damage Relief

	2005	2006	2007	2008	2009	2010
Public Expense (Ministry of the Environment)	38,608,792,000	0	0	0	0	0
General Expense (Business Enterprises)	0	0	6,692,612,781	6,772,256,200	8,671,566,998	9,125,100,592
Public Expense by Local Governments and others*	0	102,892,179	1,839,402,146	1,696,172,285	1,748,961,222	1,590,057,587
Total Revenue of the Fund	38,608,792,000	102,892,179	8,532,014,927	8,468,428,485	10,420,528,220	10,715,158,179

* including interest revenue on the fund

Source: Environmental Restoration and Conservation Agency of Japan

Table 3 illustrates revenue and expenditure of the asbestos relief fund. It shows that revenue has exceeded expenditure by approximately 5 billion to 6 billion yen since FY 2007 when the fund came to be managed normally. The dominant reason for the gap is that the government failed to find the expected number of asbestos victims.

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The national government originally estimated the number of victims subject to the relief system from viewpoints of (1) the number of mesothelioma patients in Japan, (2) the number of asbestos-induced lung cancer patients in Japan, and (3) the ratio of the number of patients eligible for Workers' Accident Compensation and those for the asbestos health damage relief. As for (2), the number of cases of lung cancer and mesothelioma are 431 and 1,718 respectively from the beginning of the system to FY 2008, and the government expected that the number of the lung cancer would be equal to that of mesothelioma. Indeed, the number of asbestos-induced lung cancer and mesothelioma designated in the Workers' Accident Compensation is 1,788 and 2,060 respectively from FY 2006 to FY 2008. The ratio is almost 1 to 1 as the government anticipated. It means that the number of asbestos-induced lung cancer patients must be much smaller than the actual number for the asbestos health damage relief. Therefore, the national government recently decided to reinforce enlightenment for medical organizations in consideration of the scarcity of the lung cancer applicants for the relief system.⁹⁾

Table 3 Revenue and expenditure of the Fund of Asbestos Health Damage Relief

	2005	2006	2007	2008	2009	2010
Revenue	38,608,794,005	102,894,185	8,532,016,934	8,468,430,493	10,420,530,229	10,715,160,189
Expenditure (Relief Benefit)		5,613,393,276	2,694,612,620	3,653,564,457	4,659,784,919	2,836,335,901

yen

Source: Environmental Restoration and Conservation Agency of Japan

As regards mesothelioma, approximately 12,000 people died of it from 1995 to 2009, according to population statistics from the Ministry of Health, Labour, and Welfare, while the number of victims of mesothelioma who have been given money through the Asbestos Health Damage Relief or the Workers' Accident Compensation Insurance is almost half of that number.¹⁰⁾ This indicates that there remain a lot of victims of mesothelioma who have not been relieved by the Act of Asbestos Health Damage Relief. The surplus of budget in the fund represents that the relief system has not performed its expected function.

Table 4 shows the number and expenditure amount of relief benefits by item. The heaviest expenditure is for medical care allowances. The frequency of payment for medical care allowances is once every two months, and the number is almost half that of medical care expenses.

Table 4 Number and expenditure of relief benefits by item (FY 2010)

Item of Relief Benefit	Number	Expenditure
Medical Care Expenses	10,534	37,383
Medical Care Allowances	4,679	144,951
Funeral Expenses	368	7,323
Adjusting Expenses of Relief Benefit	271	37,700
Special Condolence and Special Funeral Expenses	194	57,901
Total	16,046	285,258

Source: Environmental Restoration and Conservation Agency of Japan

4. Problems and Proposals in the Act on Asbestos Health Damage Relief

There are three aspects in public policy for countering pollution; relief (or compensation), regulation, and protection. The starting point of connecting them in policy structure is relief. If reliefs are to be performed with proper quantities and polluter-pays principle, it would be crucial for the sectors concerned to protect against pollution. Polluter enterprises and industries would have an incentive to develop countermeasures against pollution, and governments would reinforce regulations along with their responsibilities and fiscal burdens.

Under the Act on Asbestos Health Damage Relief, the relief benefits are much smaller and the polluter enterprises and industries are not required to bear expenses according to their responsibilities. Although both the Workers' Accident Compensation and the Act on Asbestos Health Damage Relief are systems against industrial disasters through business activities, the benefit levels are quite different. For example, Kubota Corporation pays 25 million to 46 million yen as relief to the victims living in the neighborhood around its old factory according to its additional payment to the workers who had occupational accidents. If a business enterprise does harm to general residents who have no economic interests between employer and employee, it would be an absolute minimum for the enterprise to pay such amount of relief money to them. In light of this, the relief benefits to the victims through the Act on Asbestos Health Damage Relief are too small.

In the Law Concerning Pollution-Related Health Damage Compensation and Other Measures, causal relationship between polluters and victims is determined by reasoning out institution from the legal standpoints in spite of the difficulty in settling individual cause and effect. Besides, not only companies located in a specified air-polluted area but also those in other non-polluted areas are both

required to pay levies by the law, though the amounts of them are dissimilar. The law also specifies the kinds of responsible industries, mainly the electric power, iron and steel, and chemical industries. Since victims of asbestos pollution are distributed all over Japan, the Act on Asbestos Health Damage Relief is more suitable for an institutional design of imposing expenses on the basis of a generally causal relationship.

Recently more than fifty asbestos lawsuits and compromises have been completed and these results will show who should be liable for asbestos disasters in Japan. Industrial distribution of the asbestos victims granted by the Workers' Accident Compensation and the Asbestos Health Damage Relief is also evident. It is achievable to restructure and improve the Act on Asbestos Health Damage Relief by determining the polluters in institutional and comprehensive ways like the Law Concerning Pollution-Related Health Damage Compensation and Other Measures. Specifically, candidate industries are the construction, automobile, shipbuilding, electric power, and chemical industries; and also educational establishments, such as schools. It will be much fairer for the fund to distribute its financial burden among these industries and contribute to clarify the nature of the expenses.

Besides, the lawsuits against the national government are being disputed in court.¹¹⁾ If governmental liabilities are identified by court, the government will be required to contribute compensation as one of the "polluters". It may intensify the compensating feature and the level of public financial burden for the fund. In this case, the financial resource must be changed from general revenue tax to corporate-related taxes in the national and local governments, because the asbestos disasters are mainly caused by business activities.

It is imperative for the Act on Asbestos Health Damage Relief to be made effectual and fair by carrying out the polluter-pays principle thoroughly.

Note

- 1) It must be kept in mind that construction workers who work for themselves without an employee are excluded in the category of "worker" in the Labor Standard Law and have no right to receive money through the Workers' Accident Compensation law if they are not a member of the special compensation insurance.
- 2) Labor Newspaper Co. (2006), p.55.
- 3) Labor Newspaper Co. (2006), p.163.
- 4) Subcommittee on Asbestos Health Damage Relief, Central Environmental Committee (2011), p.4.
- 5) Labor Newspaper Co. (2006), pp.170-171.
- 6) Ministry of the Environment (2005).

- 7) The Committee on Business Enterprise Expenses Concerning Asbestos Health Damage Relief (2006), p.2.
- 8) Ibid., p.6.
- 9) Ministry of the Environment (2010)
- 10) Asahi Shimbun Newspaper, July 29, 2011
- 11) They are (1) Sennan (Osaka) asbestos lawsuit by former asbestos factory workers and surviving kin of deceased workers, (2) Construction asbestos lawsuits by construction workers in Metropolitan Tokyo, Kyoto, Osaka, and others, and (3) Amagasaki asbestos lawsuit against the national government in part.

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