

The Japanese Experience on Claims Management after the Fukushima Daiichi Accident

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Introduction

- Fukushima Accident
(Accident de Fukushima)
- Changes after the Fukushima accident
(Changement après l'accident de Fukushima)
- Contents of report
(Contenu de rapport)

1. General survey of nuclear liability. (Vue générale de la responsabilité nucléaire)

(1) The Civil Code
(Le Code Civil)

(2) The act on compensation for nuclear damage
(the Nuclear Compensation Act)

(La loi sur la réparation de dommage nucléaire)

(3) The Civil Code and the Nuclear Compensation
Act

(Le Code Civil et la loi sur la réparation)

2. The Nuclear Compensation Act (La loi sur la réparation)

- (1) Strict liability and Exemption
(Responsabilité sans faute et exemption)
- (2) Unlimited liability
(responsabilité illimitée)
- (3) Legal channeling
(canalisation juridique)
- (4) Concept of nuclear damage
(Notion de dommage nucléaire)

2. The Nuclear Compensation Act (continued)

(5) Resolution of disputes of compensation for nuclear damage

(Résolution des différends d'indemnisation de dommage nucléaire)

(6) Financial security of compensation

(Garantie financière d'indemnisation)

2.The Nuclear Compensation Act. (continued)

(7) Compulsory measures of Government

(Mesures obligatoires de Gouvernement)

(8) The Dispute Reconciliation Committee for
Compensation of Nuclear Damage (DRC)

(Le comité de règlement différends pour
indemnisation de dommage nucléaire (CRD))

(i) The tasks of DRC

(Les tâches de CRD)

2. The Nuclear Compensation Act. (continued)

(8) DRC (continued)

(ii) The organization of DRC
(L'organisation de CRD)

3. The measures taken after the Fukushima Accident

(Les mesures prises après l'accident de Fukushima)

(1) The activities of DRC

(Les activités de CRD)

(i) Guidelines on the extent of nuclear damages

(Directives sur l'étendue de dommages réparables)

3. The measures taken after the Fukushima accident (continued)

(1) The activities of DRC
(continued)

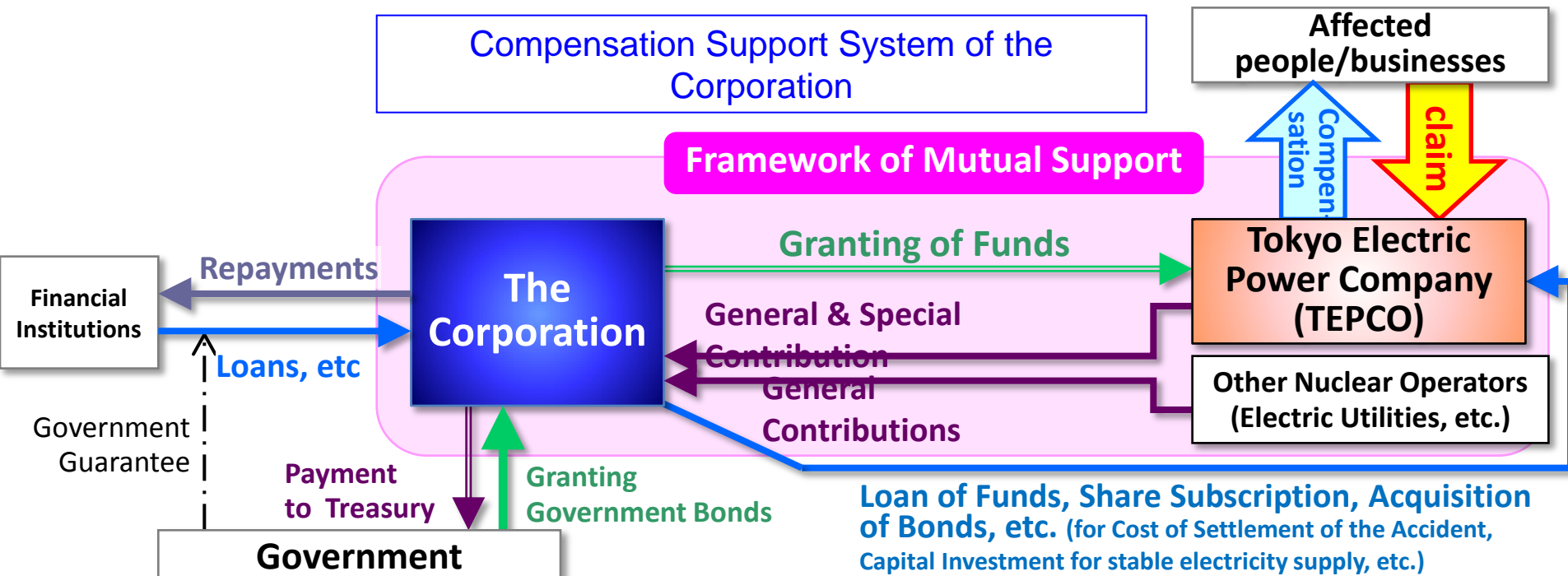
(ii) The legal nature of guidelines
(La nature juridique de directives)

(2) The Nuclear Compensation Facilitation Corporation (The Corporation)

(L'organisation pour faciliter l'indemnisation)

The Nuclear Damage Compensation Facilitation Act

- The Act is an institutional framework that embodies the governmental aid prescribed in Article 16 of the Compensation Act.
- The government has established the Nuclear Damage Compensation Facilitation Corporation (the “Corporation”) to get ready for huge compensation payment exceeding the financial security amount in the future, not for the purpose of supporting the compensation this time but as a permanent organization.



3. The measures taken after the Fukushima accident (continued)

(3) Nuclear Damage Compensation Dispute Resolution Center (ADR Center)

(Centre de règlement de différends pour indemniser les dommages nucléaires (Centre ADR))

(4) The compensation paid by TEPCO
(Compensation payée par TEPCO)

3. The measures taken after the Fukushima accident (continued)

(5) Two special acts on statute of limitations for nuclear damage

(Deux lois spéciales sur la prescription extinctive de l'action en réparation)

Conclusion

- Revision of Nuclear compensation act
(Révision de la loi sur la réparation)
- CSC convention
(Convention CSC)
- Smooth resolution of a large number of
disputes of compensation
(Résolution prompte de différends de
compensation)