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## **Das Verhältnis von Recht und Technik in Japan aus Perspektive der Haftung von Unternehmen und Staat für technikbedingte Massenschäden am Beispiel von Minamata, Asbest und Fukushima**

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### **Summary**

There are two aspects to the relationship between law and technology. While, on the one hand, law promotes the development of technology, it also, at the same time, regulates its application and use — especially with regard to the protection of health and property. Japan has over the years experienced significant technology-related large-scale damage, well known examples being “Minamata disease”, the negative effects of asbestos on public health, and the Fukushima nuclear accident. In the 1960s industrial pollution was the cause of widespread instances of damage to public health. That triggered a series of lawsuits through which a whole new area of tort law was developed. From these cases it was established that private companies as polluters bear legal responsibility for the harm caused. Since the 1980s tort law has seen a new level of development: legal responsibility is no longer restricted to the direct polluter exclusively but has expanded to also include the state as the regulator as well. This article thus focuses on the relationship between the regulatory and promotive functions of the law in regard to technology, doing so through the analysis of the Minamata disease, asbestos, and Fukushima disaster cases.

**Keywords: Technology and law, mass tort, industrial pollution, asbestos, nuclear disaster**

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