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JAPAN: PRISONERS ON DEATH ROW WAIT FOR SECRET, RANDOM EXECUTION

Almost 60 Japanese prisoners under sentence of death have spent years -- some more than two decades -- wondering if they will be arbitrarily chosen for a secret hanging, Amnesty International states in a report released today.

"Every day in a prisoner's life is an agony of expectation about whether he or she will live to see the next," the human rights organization said. "It is time that Japan abolishes these cruel executions."

Executions are carried out secretly by the Japanese government, without warning given to the prisoners, notice to their families and lawyers, or even confirmation of who was hanged, according to the organization's report, "Japan -- The Death Penalty: A Cruel, Inhuman and Arbitrary Punishment."

In practice, Japan's minister of Justice appears to make a personal decision about when a prisoner is to be executed, sometimes according to the political situation, Amnesty International said. The selection for execution is apparently random, with no clear reason why the prisoners -- currently including 54 men and three women -- will be chosen to die.

Seven prisoners were executed in 1993, more than any other year since 1976, breaking a de facto moratorium on executions that had lasted for over three years. Two more were executed in December 1994, days after the government published an opinion poll suggesting that most of the population still supported capital punishment.

"The December 1994 executions seemed to be an attempt by the government to show the growing movement for the abolition of the death penalty that executions would continue," Amnesty International said.

Four executions in November 1993 were carried out weeks after the United Nations (UN) Human Rights Committee recommended that the Japanese government take steps to abolish the death penalty.

"The decision to execute the four men appeared timed by the Japanese authorities to send a signal that they had no intention of complying with the UN suggestion," the human rights organization said.

Some prisoners sentenced to death may not have received fair trials, while at least 11 claim police ill-treated them during interrogation or forced them to make "confessions" to crimes they did not commit.

Hakamada Iwao, for example, was reportedly held in a police cell for 50 days after his arrest in 1966 and subjected to lengthy interrogation over a 23-day period. He claims to have been beaten and denied food, water and sleep for long periods, forcing him to confess. He was sentenced to death in 1968.

The Japanese legal system makes it extremely difficult for prisoners to obtain a retrial once their sentence has been confirmed, yet in five cases since 1983 those who did manage to obtain a retrial were acquitted. Others who are applying or who have had their application rejected may be innocent.

Harsh conditions exist on Japan's death row, where the lights are never switched off and a video cameras monitor prisoners 24-hours-a-day. Strict rules regulate every aspect of prisoners' lives. Those sentenced to death must sit in the middle of the cell in one of three authorized positions and may not walk, lean or lie down unless given permission.

Unnecessary and arbitrary restrictions also limit visits to prisoners awaiting execution and obstruct their correspondence. Daidoji Masashi, for example, can only see his mother, adopted younger sister and a cousin. Only those three are allowed to send packages and letters to Daidoji Masashi, who was sentenced to death in 1989.

"In most cases, prisoners under a confirmed sentence of death are not permitted to receive letters from friends and supporters. Some have been denied access to adopted relatives," Amnesty International said.

Some of the world's longest serving prisoners under sentence of death are in Japan. That long wait for execution exacerbates the already cruel, inhuman and degrading experience of being under sentence of death. Tomiyama Tsuneyoshi, aged 77, has been under sentence of death for 28 years; Hakamada Iawo and Oda Nobuo for 26 years each; Okunishi Masaru for 25 years; Ohama Matsuzo and Akiyama Yoshimitsu for 19 years each.

Several prisoners over the age of 70 are awaiting execution, while others are believed to be suffering from mental illness, Amnesty International said. Although Japanese and international law prohibits the execution of the mentally ill, the government executed one such man in 1993. Several other mentally ill or mentally retarded prisoners have been sentenced to death.

"Japan remains one of the few industrialized countries that has not yet abolished the death penalty," Amnesty International said. "We urge the Japanese government to cease all executions permanently, with no further death sentences imposed and all existing death sentences commuted."

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