

# AMNESTY INTERNATIONAL PRESS RELEASE

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## **Council of Europe / US / Japan: Death Penalty: Putting an end to a heinous practice**

The Council of Europe should continue to do all it can to press Japan and the United States of America to abolish the death penalty, Amnesty International urged today ahead of tomorrow's debate in the Parliamentary Assembly of the Council of Europe on executions in countries with observer status.

"The continued resort to judicial killing by these two observer states casts a stain on the abolitionist aspirations of the Council of Europe as a whole," Amnesty International said, welcoming the fact that this region of 45 countries is now an execution-free zone. "Japan and the United States must recognize that their observer status places an additional obligation on them to end their use of this outdated punishment."

In 2001, the Parliamentary Assembly found that Japan and the USA were violating their obligations as observer states by continuing to employ the death penalty. The Assembly set itself the task of encouraging abolition in the two countries, in particular by promoting parliamentary dialogue to this end.

In a report earlier this month, the Council of Europe's Committee on Legal Affairs and Human Rights reported a "fruitful and ongoing" dialogue with Japanese parliamentarians on the subject of abolition. However, the Committee's Rapporteur concluded that, in contrast, "there is little willingness on the American side to engage in parliamentary dialogue with us, their European colleagues, on this important issue". The Rapporteur added that the Committee was "certainly not made to feel welcome" when it held a conference on abolition in the US Senate building in Washington DC in April this year. Not a single member of Congress attended the event.

"We urge the Council of Europe not to be discouraged -- it was always going to be a tall order to persuade these two countries to move away from judicial killing," Amnesty International continued. "Old habits die hard, and this is one of the oldest habits of all."

### **Background**

At least 118 people are under sentence of death in Japan, some 50 of whom have had their sentences finalized and can be executed at any time. Prisoners are told less than two hours before execution that they are going to be killed; families and lawyers are never informed of the decision. Most condemned prisoners are held on death row for many years, and endure considerable mental distress. The oldest prisoner, Tomiyama Tsuneki, aged 86, who had been on death row for 36 years, died of kidney failure in September 2003. The oldest person now on death row is 81. The longest-serving prisoner is 77 years old, and has

been in prison for 41 years, 33 of them under a death sentence. There are at least 12 others who have spent over two decades on death row. There has been one execution in Japan this year.

More than 3,600 men and women await execution in the USA, where more than 750 executions have been carried out since 1990, 56 of them this year. The USA has frequently violated international standards in its pursuit of the death penalty, including by using it against the mentally impaired, the inadequately represented, those whose guilt remains in doubt, and foreign nationals denied their consular rights. In the past 18 months, the USA has executed four child offenders -- those under 18 years old at the time of the offence -- the only such executions known in the world in this period. The report of the Council of Europe's Committee on Legal Affairs characterizes the execution of child offenders as a "particularly heinous practice" which is "clearly in violation of international law."

**For more information on death penalty, please see: <http://web.amnesty.org/library/eng-392/index>**

Public Document

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