

EXTRA 53/00

Death Pen**JAPANUp to nine prisoners, names not given**

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Up to nine prisoners under sentence of death may be executed on or around 9 June. Because executions in Japan are arbitrary and carried out in secret, there is no official confirmation of the names of those scheduled for execution.

Executions usually take place in summer and winter, and the authorities often time these to coincide with parliamentary recesses or parliamentary elections, and public holidays, so as to minimise public and parliamentary criticism. Parliament is due to dissolve today, with elections scheduled for 25 June. These executions may be seen as a signal to the public that the government is tough on crime.

Four of the nine submitted *habeas corpus* petitions in December 1999, and another lodged an appeal for a retrial. It is feared that their executions will go ahead even though, as far as Amnesty International is aware, these appeals have not yet been decided. Of the five people executed in 1999, one had filed a *habeas corpus* petition, and another had petitioned for a retrial.

Three of the nine have lodged appeals for clemency, one of which was rejected a few days ago. The outcomes of the other two appeals are not known.

**BACKGROUND INFORMATION**

The application of the death penalty in Japan is arbitrary and cruel. Executions by hanging are carried out without the knowledge of families or lawyers and apparently in an arbitrary manner. Usually the Minister of Justice signs the execution order on Monday and the executions are carried out on the Thursday or Friday of the same week. It is feared that the Minister could sign the order for these executions on 5 June, and they would then take place on or around 9 June.

Members of Japan's large anti-death penalty movement intend to picket the detention centres in Tokyo, Nagoya, Osaka and Fukuoka next week where the nine prisoners are held.

Amnesty International opposes the death penalty as a violation of the right to life and the ultimate form of cruel and inhuman punishment, and calls on the government to cease all executions, to commute all outstanding death sentences and to take steps towards abolishing the death penalty.

Advocates of the death penalty in Japan claim that public support for the death penalty is overwhelming, citing Japanese government surveys. However, these surveys contain questions loaded in favour of the death penalty. Importantly, there was no significant opposition in Japan to the *de facto* moratorium on executions of 1989-93.

**RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English or your own language:**

- expressing concern that some nine people are under threat of imminent execution;
- urging the Japanese government to ensure that no executions are carried out before or during the forthcoming Parliamentary elections;
- calling for an immediate moratorium on all executions pending the abolition of the death penalty in Japanese law;

- calling on the Japanese government to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aimed at and leading to the abolition of the death penalty.

**APPEALS TO:**

Mr MORI Yoshiro  
Prime Minister  
2-3-1 Nagata-cho  
Tokyo 100-0014, Japan

**Telegrams: Prime Minister Mori, Tokyo, Japan**

**E-mails: You can send your appeal through the following URL**  
**<http://iijnet.or.jp/sorifu/kantei/foreign/comment.html>**

**Fax: +81 3 3581 3883**

**Salutation: Dear Prime Minister**

Mr USUI Hideo  
Minister of Justice  
Ministry of Justice  
1-1-1 Kasumigaseki  
Tokyo 100-8977, Japan

**Telegrams: Minister Usui, Tokyo, Japan**

**E-mails: [webmaster@moj.go.jp](mailto:webmaster@moj.go.jp)**  
**[g00680@shugiin.go.jp](mailto:g00680@shugiin.go.jp)**

**Fax: +81 3 3592 7011/3593 3009 (answer machine message followed by tone)/5511**  
**7207**

**Salutation: Dear Minister**

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and to diplomatic representatives of Japan accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 30 June 2000.