

AI INDEX: ASA 22/04/97

4 JULY 1997

Japan: Justice would not be served if rights of juveniles are not protected

The Ministry of Justice should ensure that the dignity and rights of a male juvenile suspect held in connection with a widely publicized murder case should be safeguarded at all times, Amnesty International said in a letter to Minister Matsuura Isao on 2 July.

The 14-year-old suspect was arrested on 28 June in Kobe and has reportedly confessed to killing an 11-year-old boy, in May 1997 and a 10-year-old girl, in March 1997. The suspect was reportedly named on an Internet site and his photograph was published by two magazines. Statements from his alleged confession may have been leaked to the media.

Amnesty International is concerned that the juvenile suspect's right to a fair trial and to adequate privacy should be protected, in accordance with the Constitution and Code of Criminal Procedure of Japan, and with international human rights standards, in particular the United Nations (UN) Convention on the Rights of the Child (CRC) and the UN Standard Minimum Rules for the Administration of Juvenile Justice (SMRAJ).

Specifically, the human rights organization is concerned that the suspect should not be "*compelled to give testimony or to confess guilt*" (CRC, Article 40), and should have access to a legal adviser at all times "*throughout the proceedings*" (SMRAJ, Article 15).

Amnesty International also urges the Japanese Government to ensure that the juvenile suspect is *at all times* accompanied by a legal counsel, is not subjected to exceedingly lengthy interrogation and is not compelled to confess.

"We recognize the widespread anguish caused by the murder of the two children and sympathise with their family. However, there is a danger that justice would not be served if the fundamental rights of suspects and defendants in such cases were to be infringed upon. This concern is deepened in this case by the young age of the suspect," Amnesty International said.
ENDS\