

PUBLIC

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Fear of imminent execution

14 June 2004

JAPAN

HAMADA Takeshige (m), born 1927

NATA Kousaku (m), born 1950

MAKINO Tadashi (m), born 1950

IKEMOTO Noboru (m), born 1933

MATSUBARA Masahiki (m), born 1944

Over 50 other death row prisoners, names not known

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The five men named above, who are on death row in Fukuoka and Osaka, have had their appeals for retrial rejected, and are likely to face execution before the end of June. All were convicted of murder between 1982 and 1990. A further 50 prisoners have had their death sentences finalised, and could be executed at any time.

The authorities often schedule executions to coincide with parliamentary recesses or elections, or public holidays, to minimize public and parliamentary criticism. The Diet (parliament) will begin its summer recess on 17 June. The Minister of Justice, Nozawa Daizo, is reportedly not standing for re-election, and is therefore likely to resign shortly before the 11 July elections to the House of Councillors (Upper House). He has recently expressed concern about a breakdown in public order in Japan, and cited public opinion in its favour as a factor making it difficult to abolish the death penalty in Japan. There is concern that he could sign execution orders before he resigns, as he has not ordered any executions since he was appointed on 22 September 2003. The last execution in Japan took place on 12 September 2003, days before the former Minister of Justice was replaced: a 42-year-old mentally ill man, Mukai Shinji, was put to death.

## BACKGROUND INFORMATION

A delegation from Amnesty International Japan, and some members of the Diet who are opposed to the death penalty, met the Minister of Justice in late May 2004. The Minister said that it was difficult to abolish the death penalty, on the grounds that the situation of public order in Japan is growing worse and the majority of the Japanese people are in favour of the death penalty. However, this claim is based on government surveys that contain questions loaded in favour of the death penalty. More importantly, there was neither significant opposition nor any sign of an increase in crime in Japan during the de facto moratorium on executions between 1989 and 1993.

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: they are scheduled so as to prevent parliamentary or media scrutiny by coinciding with parliamentary recesses in summer and winter, or national holidays. Usually the Minister of Justice signs the execution order on a Monday and the executions are carried out on the following Thursday or Friday.

Amnesty International opposes the death penalty in all cases. The death penalty constitutes a violation of right to life and is the ultimate form of cruel, inhuman and degrading punishment.

## RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Japanese, English or your own language:

- expressing concern that the five men named above, and over 50 other death row prisoners, are at risk of imminent execution;
- urging the Japanese government to ensure that no executions are carried out during the parliamentary recess;

- 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 of the International Covenant on Civil and Political Rights, which aims at the abolition of the death penalty, which is the ultimate form of cruel and inhuman punishment.

**APPEALS TO:**

Prime Minister KOIZUMI Junichiro  
Prime Minister's Office  
2-3-1 Nagata-cho, Chiyoda-ku  
Tokyo 100-0014, Japan

**Fax:** +81 3 3581 3883

**E-mail:** [jpm@kantei.go.jp](mailto:jpm@kantei.go.jp) OR through the following URL:  
<http://www.ijjnet.or.jp/sorifu/kantei/foreign/comment.html>

**Salutation:** Dear Prime Minister

Minister NOZAWA Daizo

Minister of Justice,

Ministry of Justice

1-1-1 Kasumigaseki, Chiyoda-ku

Tokyo 100-8977, Japan

**Fax:** +81 3 3592 7088

+81 3 5511 7200 (via Public Information & Foreign Liaison Office)

**E-mail:** [webmaster@moj.go.jp](mailto:webmaster@moj.go.jp)

**Salutation:** Dear Minister

**COPIES TO:**

National newspaper

*Asahi Shimbun*

5-3-2 Tsukiji, Chuo-ku,

Tokyo 104-8011, Japan

**Fax:** + 81 3 3545 0285/3593 0438

**Email:** [kouhou@mx.asahi-np.co.jp](mailto:kouhou@mx.asahi-np.co.jp)

English-language newspaper

*Japan Times*

5-4 Shibaura 4-chome, Minato-ku, Tokyo 108-0023, Japan

Central P.O. Box 144, 352, Tokyo 100-8691, Japan

**E-mail:** [opinion@japantimes.co.jp](mailto:opinion@japantimes.co.jp)

National newspaper

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Tokyo 100-0004, Japan

**Fax:** +81 3 3245 1277

+81 3 3581 0434

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[dy@yominet.ne.jp](mailto:dy@yominet.ne.jp) (newsroom)

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 26 June 2004.