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Death Penalty

29 March 1993

JAPAN:

TACHIKAWA Shujiro, KAWANAKA Tetsuo, KONDO Seikichi

Amnesty International is concerned about the executions of three men convicted of murderer, believed to have taken place on 25 and 26 March 1993 in detention centres in Osaka and Sendai. It fears that further executions may be imminent.

These are the first executions to have been carried out for over three years and have shocked the growing abolitionist movement in Japan which is supported by politicians, lawyers, academics and a growing section of the general public. Abolitionists had hoped that the three-year moratorium on executions meant that the government was taking steps towards abolition of the death penalty in Japan.

TACHIKAWA Shujiro and KAWANAKA Tetsuo are said to have been executed at Osaka Detention House on 26 March and KONDO Seikichi was reported to have been executed at Sendai Detention Centre on 25 March. Kawanaka's lawyer is reported to have said that his client was suffering from a mental disorder. Amnesty International fears that further executions may have been ordered. Because the Ministry of Justice does not confirm the names of executed prisoners, it is impossible to obtain official confirmation that executions have been carried out.

BACKGROUND INFORMATION

Over 50 prisoners are under finalized sentence of death in Japan and the last execution was carried out in November 1989. Since then the abolitionist movement has gained strength and has generated a lively public debate on the issue. A number of public figures have expressed support for abolition, including a former Minister of Justice and a former Supreme Court judge. Some 180 members of the Diet (Japan's Parliament) and a growing number of lawyers and academics have also given their support to the movement for abolition. Many have expressed concern at the recent executions. Former Supreme Court judge, Dr DANDO Shigemitsu, is reported to have said "I am greatly shocked. It's regrettable that executions have resumed just at a time when the idea of abolishing capital punishment had finally begun to spread in Japan".

Several former Ministers of Justice were reportedly reluctant to sign execution papers. They include Meghumu SATO who has publicly called for the abolition of the death penalty. The current Minister of Justice, Masaharu GOTODA, took office in December 1992.

Amnesty International opposes the death penalty in all cases, on the grounds that it constitutes the ultimate form of torture and inhuman punishment and that it is a violation of the right to life. The Japanese authorities have

argued that the death penalty is necessary because it is favoured by the public and constitutes a deterrent against violent crime. However, there is no evidence that the death penalty is an effective deterrent, in Japan or elsewhere. Abolitionist groups in Japan claim that the majority of the general public support abolition. They are urging the authorities to conduct a public opinion poll and to stimulate public debate on the issue.

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RECOMMENDED ACTION: Please send telegrams/faxes/express and airmail letters either in English, Japanese or in your own language:

- expressing concern about the three reported executions after a three-year moratorium and expressing fear that further executions may have been ordered;
- expressing unconditional opposition to the death penalty on the grounds that it constitutes the ultimate form of torture and inhuman punishment and that it is a violation of the right to life;
- calling on the Japanese Government to suspend all executions pending the abolition of the death penalty in law and urging the authorities to stimulate public debate on the issue.

APPEALS TO

Mr Masaharu GOTODA
Minister of Justice
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Chiyoda-ku
Tokyo 100
Japan

Telegrams: Minister Gotoda, Chiyoda-ku, Tokyo 100, Japan

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Salutation: Dear Minister Gotoda

COPIES OF YOUR APPEALS TO:

- correspondents of Japanese newspapers in your country.
- 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 10 May 1993.