

JAPAN Omori Katsuhisa (m), aged 53

Omori Katsuhisa, currently under sentence of death, may be executed on or around 2 August. As there is a trend of more than one execution taking place at the same time in Japan, there are fears that other executions may also be carried out around this time. Executions are arbitrary and carried out in secret, so there is no official confirmation of the names of those scheduled for execution.

Omori Katsuhisa was arrested on 10 August 1976 on charges of planting and detonating a bomb in the Hokkaido prefectural government building in March 1976 in Hokkaido, northern Japan.

His death sentence was finalized when his appeal was rejected by the Supreme Court in July 1994. It appears that Omori Katsuhisa's lawyer was in the process of appealing against the judgement when he found out that Omori Katsuhisa's execution could be imminent.

BACKGROUND INFORMATION

Executions in Japan usually take place in summer and winter, and the authorities often schedule these to coincide with parliamentary recesses or parliamentary elections, or public holidays, to minimize public and parliamentary criticism. The Japanese Parliament (the Diet) is due to go into summer recess this week.

The application of the death penalty in Japan is arbitrary and cruel. Execution is by hanging. The prisoner is informed that the execution will take place just hours in advance, denying the prisoner the chance to inform relatives or lawyers. The Japanese government has shown previously that lodging an appeal will not stay an execution: in 1999, one person who was executed had filed a habeas corpus petition to the court, while another had petitioned for a retrial.

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 if Omori Katsuhisa's execution order is issued already, he could be executed on 2 August; otherwise his order could be issued in the next week.

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.

At the First World Congress against the Death Penalty in Strasbourg in June 2001, the Council of Europe passed a resolution calling on the Japanese government to take steps towards abolition of the death penalty by 2003 or risk losing its Observer Status (at the Council of Europe). The Council of Europe Parliamentary Assembly and the Japanese Diet Members co-organized a seminar in Tokyo on 27 and 28 May. One of the guest speakers, a member of the European Parliament, submitted a resolution on the death penalty in Japan, South Korea and Taiwan which was adopted at the European Parliament on 13 June.

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 between 1989-1993.

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

- expressing concern that Omori Katsuhisa and other unnamed death row prisoners are under threat of imminent execution;
- urging the Japanese government to ensure that no executions are carried out during the parliamentary recess in August;
- 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 ICCPR, aimed at and leading to the abolition of the death penalty, which is the ultimate form of cruel and inhuman punishment.

APPEALS TO:

Mr KOIZUMI Junichiro
Prime Minister
Prime Minister's Office
2-3-1 Nagata-cho, Chiyoda-ku,
Tokyo 100-0014, Japan
Fax:+ 81 3 3581 3883
Salutation: Dear Prime Minister

Ms MORIYAMA Mayumi
Minister of Justice
Ministry of Justice
1-1-1 Kasumigaseki, Chiyoda-ku,
Tokyo 100-8977, Japan
Fax: + 81 3 3592 7008/5511 7200
email: webmaster@moj.go.jp
Salutation: Dear Minister

COPIES TO:

Japanese 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

English-language newspaper
Japan Times
4-5-4 Shibaura, Minato-ku,
Tokyo 108-0014, Japan
Fax: +81 3 3453 5456

Japanese national newspaper
Yomiuri Shimbun
1-7-1 Ohtemachi, Chiyoda-ku,
Tokyo 100-0004, Japan
Email:gaihou@tokyo.yomiuri.co.jp /dy@yominet.ne.jp (newsroom email)
Fax:+81 3 3245 1277/3581 0434/+81 3 3279 6324/+81 3 3217 8247 (newsroom)

and to diplomatic representatives of Japan accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.