

PUBLIC

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07 August 2007

UA 203/07 **Death penalty/imminent execution**

JAPAN **TAKEZAWA Hifumi (m), born in 1937**
SEGAWA Kouzou (m), born in 1947
IWAMOTO Yoshio (m), born in 1945

The three men named above, who are on death row in Tokyo and Nagoya, are likely to face execution as early as 9 August. All were convicted of murder between 1990 and 1999. One of the three, Takezawa, has been diagnosed as suffering from mental illness.

Seven men have already been executed since Justice Minister Nagase assumed office in October 2006: four on 25 December 2006 and three on 27 April 2007. Minister Nagase's predecessor, Sugiura Seiken, did not sign a single death penalty warrant due to his personal beliefs. On assuming office, Minister Nagase stated that death sentences ordered by the courts must be solemnly executed.

The authorities often schedule executions to coincide with parliamentary recesses or elections, or public holidays, to minimize public and parliamentary criticism. Japan observes the 62nd anniversary of the Nagasaki atom bomb attack on 9 August.

BACKGROUND INFORMATION

The application of the death penalty in Japan is arbitrary and cruel. Executions, by hanging, are carried out without the knowledge of prisoners' 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. There are 107 prisoners facing the death penalty in Japan including a few who have spent over three decades on death row expecting to die at very short notice.

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.

The scheduling of these executions represent a retrograde step bucking the global momentum which is gathering to end capital punishment in all countries: 129 countries from all regions of the world, including 25 from the Asia Pacific region, have abolished the death penalty in law or in practice. Amnesty International's statistics also show a significant overall decline in the number of reported executions in 2006. The preparations for these secretive executions also come at a time when a resolution calling for a global moratorium on executions is to be introduced at the UN General Assembly 62nd session in October 2007.

Amnesty International issued a report on death penalty in Japan in July 2006, *Will this day be my last? The death penalty in Japan* (ASA 22/006/2006) which reported that those on death row who are elderly or mentally ill are waiting for execution for decades in solitary confinement, and are executed without notice. Amnesty International is calling for the Japanese government to end the secrecy surrounding the death penalty as the first step towards abolition. Amnesty International hopes that the death penalty will be debated from the point of view of human rights, and that Japan will take the first step towards the abolition of the death penalty, which is the ultimate human rights violation.

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

- expressing concern that TAKEZAWA Hifumi, SEGAWA Kouzou, IWAMOTO Yoshio and over 100 others who are in death row are at risk of imminent execution;
- 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;
- calling on the authorities to end the secrecy surrounding the death penalty and begin a public and parliamentary debate on abolition of the death penalty by making available all information regarding its use.

APPEALS TO:

Prime Minister

ABE Shinzo

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

via website: <http://www.kantei.go.jp/foreign/forms/comment.html>

Salutation: Dear Prime Minister

Justice Minister

NAGASE Jinen

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

Salutation: Dear Minister

COPIES 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 10 August 2007.