

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Amnesty International condemns executions in Japan

Amnesty International condemns the two executions carried out in Japan today. Today's hangings bring the number of executions this year to five. Junya Hattori and Kyozo Matsumura were executed at the Tokyo and Osaka Detention Centers respectively.

In 2011 Japan did not carry out any executions. Former Justice Minister Toshio Ogawa authorised the execution of three people on 29 March 2012, ending a 20 months' hiatus in executions in Japan.

Junya Hattori was sentenced to life imprisonment by the Shizuoka District Court but this was increased to the death penalty by the Tokyo High Court after an appeal by the Prosecution. The Supreme Court upheld the death penalty in February 2008.

Kyozo Matsumura was given the death sentence by the Kyoto District Court in March 2008. Matsumura withdrew his appeal to the High Court in April 2008. Japan has no automatic appeal system for death sentence cases.

Justice Minister Makoto Taki had stated his support for maintaining the death penalty because it already exists in the judicial system. Justifying acts which violate human rights as a 'Minister's duty' is unacceptable. Rather it is the responsibility of leaders to address crime without resorting to this ultimate cruel, inhuman and degrading punishment

Executions in Japan are by hanging and are usually carried out in secret and without prior notice to the families. Prisoners are typically given just a few hours' notice but some may be given no warning at all of their imminent execution.

More than two-thirds of all countries have abolished the death penalty in law and practice. Out of 41 countries in the Asia-Pacific region, 17 have abolished the death penalty for all crimes, 10 are abolitionist in practice.

Amnesty International opposes the death penalty in all cases without exception regardless of the nature of the crime, the characteristics of the individual on whom it is imposed and the method of execution used by the State, as a violation of the right to live and the ultimate cruel, inhuman and degrading punishment.

Background

On 17 July Amnesty International issued an Urgent Action calling on the Justice Minister to not sign any execution orders and to introduce a moratorium on executions with a view to full abolition of the death penalty. Amnesty International also sent an open letter in June to the Special Committee of the Legislative Council, which is

considering reforming Japan's criminal justice system, calling on the government to reform or abolish Japan's *daiyo kangoku* (substitute prison) system and to introduce electronic recordings of the entire process of interrogations. Amnesty International believes that these reforms are necessary to prevent human rights violations within the criminal justice system, including the possibility of miscarriages of justice in death penalty cases.

Under the *daiyo kangoku* system the police can detain and interrogate suspects for up to 23 days with limited access to a lawyer. Lawyers are not permitted to be present during interrogations. Amnesty International believes that this system is routinely used to obtain "confessions" through torture or other ill-treatment including beatings, intimidation, sleep deprivation and long periods of interrogation without breaks.