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## **Japan: Stop the execution of mentally ill prisoners**

The government of Japan's continued practice of executing prisoners with mental illness is inhuman and must come to an end, Amnesty International said today with the publication of a new report on the treatment of the mentally ill sentenced to death in Japan.

In the report, *Hanging by a thread: mental health and the death penalty in Japan*, Amnesty International condemned Japan's practice of executing mentally ill prisoners which contravenes the international standards requiring those with a serious mental illness be protected from the death penalty, that Japan has signed up to.

One hundred and two people are currently on death row in Japan waiting to find out if or when they will be put to death. For those who have completed the legal process, they are forced to await execution every day, facing a sentence that could be enforced at only a few hours notice. Each day could be their last and the arrival of a prison officer with a death warrant would signal their execution within hours. Some live like this year after year, sometimes for decades.

"To allow a prisoner to live for prolonged periods under the daily threat of imminent death is cruel, inhuman and degrading. The treatment imposed on condemned inmates in Japan means that they face a high risk of developing a serious mental illness while on death row," said James Welsh, Amnesty International's Health expert and lead author of the report.

"The treatment of prisoners on death row urgently needs to be improved to prevent inmates from developing serious mental health problems."

The exact number of death row prisoners with mental illness in Japan is unknown. Secrecy surrounds the death penalty and prisoners' health and the lack of scrutiny by independent mental health experts has led to reliance on secondary testimony and documentation to assess the mental state of those on death row. The government has a policy of not allowing access to prisoners on death row and denied Amnesty International's request for access.

Amnesty International found that prisoners on death row are not allowed to talk to one another – a restriction enforced by strict isolation. Contact with family members, lawyers and others can be restricted to as little as five minutes at a time. Apart from visits to the toilet, prisoners are not allowed to move around the cell and must remain seated. Death row prisoners are less likely than other prisoners to have access to fresh air and light and are likely to suffer additional punishments because of behaviour that may infringe the strict rules imposed on them.

"These inhuman conditions increase a prisoner's anxiety and anguish and in many cases push prisoners over the edge and into a state of mental illness," said James Welsh.

Amnesty International's studies around the world have shown that those suffering mental health problems are at particular risk of ending up on death row. Mental disorders can give rise to crimes, impair the ability of a defendant to participate in an effective legal defence, and are likely to play a significant role in the decision of prisoners to terminate appeals.

The report calls on the government of Japan to establish a moratorium on executions with a view to abolishing the death penalty. It also urges the government of Japan to review all cases where mental illness may be a relevant factor, to ensure that prisoners with mental illness are not executed and to improve conditions for prisoners so that prisoners will not suffer declining mental health or the development of serious mental illness.

Amnesty International urges the government of Japan to show a firm commitment to human rights by complying with international human rights standards.