

EXTERNAL (for general distribution)

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Further information on UA 380/94 (ASA 22/09/94, 21 October 1994) and follow-up (ASA 22/11/94, 2 December) - Fear of imminent executions

JAPAN FUJIOKA Eiji, aged 40
 SUDA Fusao, aged 54
 TANAKA Shigeho, aged 70

Amnesty International is gravely disturbed that three people, including a 70-year-old man, were executed at Osaka and Tokyo Detention Centres on 26 May 1995. They had been convicted of robbery and murder and kidnapping and murder at trials which may not have met all international standards for fairness. Amnesty International fears that the Ministry of Justice may have ordered more executions.

Suda Fusao had been under sentence of death for eight years and Tanaka Shigeho for 17 years. They were executed at Tokyo Detention Centre. Tanaka Shigeho had claimed that following his arrest in October 1976 he was not advised of his right to a lawyer and further that because he had no money he did not request that one be hired for his case. Fujioka Eiji had been under sentence of death for 12 years and was executed at Osaka Detention Centre.

BACKGROUND INFORMATION

Executions are carried out in secret without the prisoner being informed in advance. The prisoners executed appear to have been selected in an arbitrary fashion from among more than 50 prisoners whose death sentences were upheld by the Supreme Court. The evidence suggests that in recent years these decisions have sometimes been based upon political expediency or the personal conviction of the Minister of Justice in office at the time.

The resumption of executions in March 1993 brought to an end a three-year moratorium on executions. Seven men were executed in 1993 and two in 1994 and some 57 others, including three women, are believed to remain under finalized sentence of death. By ordering the executions on 26 May Justice Minister Maeda Isao becomes only the second Justice Minister in a period of 10 years to order two series of executions, the other being Justice Minister Shimazaki in 1985.

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. In its report *Japan: The Death Penalty: A Cruel, Inhuman and Arbitrary Punishment*, dated May 1995 (ASA 22/03/95), Amnesty International calls on the Japanese government to cease executions permanently, impose no further death sentences, to commute all existing death sentences and abolish the death penalty in law for all offences.

It also called upon the government to order an independent inquiry into reports of illegalities at the pre-trial stage, including reports of ill-treatment, coerced confessions and inadequate access to legal counsel.

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

- expressing grave concern about the executions of Fujioka Eiji, Suda Fusao and Tanaka Shigeho, the first to be carried out in 1995;

- stating Amnesty International's opposition to the death penalty in all cases as the ultimate form of cruel and inhuman punishment;
- urging the government to commute all death sentences and to abolish the death penalty;
- call on the Japanese government to implement the recommendations set down in Amnesty International's May 1995 report *Japan: The Death Penalty: A Cruel, Inhuman and Arbitrary Punishment* (ASA 22/03/95).

APPEALS TO

Mr Maeda Isao, Minister of Justice
Ministry of Justice
1-1-1 Kasumigaseki
Chiyoda-ku, Tokyo 100, Japan
Telegrams: Minister Maeda, Tokyo 100, Japan
Faxes: +81 3 3592 7011
Salutation: Dear Minister

Mr Murayama Tomiichi, Prime Minister
Office of the Prime Minister
1-6 Nagata-cho
Chiyoda-ku, Tokyo 100, Japan
Telegrams: Prime Minister Murayama, Tokyo 100, Japan
Faxes: +81 3 3581 3883
Salutation: Dear Prime Minister

COPIES OF YOUR APPEALS TO:

1) *Asahi Daily*
5-3-2 Tsukiji 5-chome
Chuo-ku, Tokyo 104-11, Japan
Faxes: +81 3 3545 0285

2) *Yomiuri Daily*
1-7-1 Ohtemachi, Chiyoda-ku
Tokyo 100-55, Japan
Faxes: +81 3 3246 0455

3) *Japan Times*
4-5-4 Shibaura
Minato-ku, Tokyo 108, Japan
Faxes: +81 3 3453 5456

and 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 20 July 1995.