

URGENT ACTION

MINISTER PRESSURED TO CARRY OUT EXECUTIONS

Thirteen members of the Aum Shinrikyo cult found guilty of carrying out the gas attack in the Tokyo subway in 1995 are at imminent risk of execution. The Japanese Minister of Justice is under pressure from other ministers to carry out executions before 2012. This means the cult members, and indeed all other death row inmates, are at risk of imminent execution.

On 21 November, the sentence of the last of the Aum Shinrikyo cult members, **Seiichi Endo**, was finalized. Typically executions of death row inmates are postponed if proceedings against accomplices are still on-going. The completion of Seiichi Endo's case means that the other cult members who have been prosecuted and sentenced to death are now at risk of execution. They were found guilty for their respective roles in orchestrating and carrying out the gas attack, including murder, kidnapping, and experimenting with chemical and biological weapons.

Chizuo Matsumoto (aka Shoko Asahara), the leader of the cult who has been on death row since 2006, is appealing for a second retrial. He is suspected of suffering from mental illness. In his previous appeal in 2004, his defence lawyers requested a psychiatric evaluation. Six psychiatrists found his mental health has declined as a result of his imprisonment. The Tokyo appeal Court dismissed the findings stating that Chizuo Matsumoto was feigning illness. There are no safeguards to prevent an execution from taking place at any time after a sentence has been finalized, including while appeals for retrial are underway.

The Minister of Justice is under heavy pressure to carry out executions before 2012. Executions have been carried out in Japan for the past 19 consecutive years. Death row inmates are usually only informed hours before their execution, and their families told only afterwards. Amnesty International believes Chizuo Matsumoto is at particular risk but all other death row inmates are at risk during this time of increased pressure to carry out executions.

Please write immediately in Japanese or your own language:

- Urge the Minister of Justice not to execute Chizuo Matsumoto and the other members of Aum Shinrikyo who are on death row
- Urge the Minister of Justice to introduce a moratorium on executions with a view to full abolition of the death penalty in Japan, and to encourage more national debate on the death penalty.

PLEASE SEND APPEALS BEFORE 11 JANUARY 2012 TO:

Minister of Justice

Hideo Hiraoka
1-1-1 Kasumigaseki
Chiyoda-ku
Tokyo
Japan 100-8977

Fax: +81 3 3592 7008

Salutation: Dear Minister

Prime Minister

Yoshihiko Noda
1-6-1 Nagata-cho
Chiyoda-ku
Tokyo
Japan 100-8968
Fax: +81 3 3581 3883
Email: (via website)

https://www.kantei.go.jp/foreign/forms/commment_ssl.html

Salutation: Dear Prime Minister

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

Under Article 479 of Japan's Code of Criminal Procedure, "if a person condemned to death is in a state of insanity, the executions shall be stayed by order of the Minister of Justice". However, the suspension of a death penalty case on the grounds of mental incapacity has occurred only twice and then only for reasons of procedural competence. A death sentence has never been suspended because of incompetence for execution under the terms of this article. Successive Ministers of Justice have ignored this responsibility, although it is a duty and not a discretionary power.

Executions in Japan are by hanging, and are usually carried out in secret. Prisoners are typically given a few hours' notice, but some may be given no warning at all. This means that prisoners who have exhausted their appeal options must spend their entire time on death row knowing they could be executed at any time. Their families are typically notified after the execution has taken place.

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 life and the ultimate cruel, inhuman and degrading punishment. There are currently approximately over 220 people on death row in Japan. The last execution carried out in Japan took place on 28 July 2010 when two people were executed.

In October, the Justice Minister, Hideo Hiraoka said he would look at each death row case individually after Chief Cabinet Secretary Osamu Fujimura reportedly encouraged the Minister of Justice to press ahead with executions. Amnesty International and the Anti-Death Penalty Asia Network (ADPAN) called on the Minister of Justice to refrain from carrying out executions.

Name: Chizuo Matsumoto, Seiichi Endo, and other Aum Shinrikyo cult members

Gender m/f: Chizuo Matsumoto (M), Seiichi Endo (M), Aum Shinrikyo cult members (all male)

UA: 342/11 Index: ASA 22/004/2011 Issue Date: 30 November 2011