

# AMNESTY INTERNATIONAL PRESS RELEASE

AI Index: ASA 22/003/2003 (Public)  
News Service No: 214  
12 September 2003

## **Japan: Secret execution of a 42 year-old mentally-ill man - perpetuating a harsh, and arbitrary practice**

The secret execution in Japan of a 42 year-old prisoner, who was reportedly suffering from a mental health condition, is an affront to the dignity of the human being, Amnesty International said.

Mukai Shinji was executed earlier today at Osaka detention centre. He was sentenced to death in February 1988 for the murder of three people in 1985 and had exhausted all appeals against the sentence since December 1996. Mukai Shinji was reportedly suffering from mental health problems and his lawyer was preparing an appeal for retrial when he was executed.

There are currently at least 50 prisoners facing the death penalty in Japan who have had their sentences upheld by the Supreme Court. They could be executed at any time.

"Executions in Japan are arbitrary and are carried out in secret. After years on death row, prisoners in Japan are executed with only a couple of hours' notice. They are not even allowed to say goodbye to their families, and their lawyers are never notified of the decision to carry out the death penalty," Amnesty International said.

Prisoners facing execution often spend many years on death row. They endure considerable mental distress. Last week, an 86 year-old death row prisoner, Tomiyama Tsuneki died of kidney failure after having been in prison for some 39 years and under sentence of death for over 36 years.

The Japanese government has continuously ignored the recommendations of the Human Rights Committee, a body of 18 legal experts established under the International Covenant on Civil and Political Rights (ICCPR) to monitor its implementation, which has expressed over the years grave concern at the number of crimes punishable by death. The Committee has restated its recommendation that Japan take legal measures to abolish the death penalty in practice and in law. The Committee has also expressed serious concern at the conditions under which persons are held on death row, and has concluded that undue restrictions on visits of the family and lawyers and the failure to notify them of executions of the prisoners on death row are incompatible with the ICCPR.

Amnesty International opposes the death penalty. It is a violation of the fundamental right to life, and the ultimate form of cruel, inhuman and degrading treatment. "The death penalty is inhumane and must be abolished," Amnesty International said.

*A de facto* moratorium on executions lasted more than three years from November 1989 to March

1993 and there was no significant opposition to the moratorium in Japan.

"The Japanese government should end all executions, commute all outstanding death sentences and take steps towards abolishing the death penalty," Amnesty International urged.

The secret execution in Japan of a 42 year-old prisoner, who was reportedly suffering from a mental health condition, is an affront to the dignity of the human being, Amnesty International said.

Mukai Shinji, aged 42 years, was executed earlier today at Osaka detention centre. He was sentenced in February 1988 for the murder of three people in 1985 and had been under finalized sentence of death since December 1996. Mukai Shinji was reportedly suffering from mental health problems and his lawyer was preparing an appeal for retrial when he was executed.

"The death penalty is inhumane and must be abolished," Amnesty International said.

There are currently at least 50 prisoners facing the death penalty in Japan who have had their sentences upheld by the Supreme Court (or become final in the lower courts). They could be executed at any time.

"Executions in Japan are arbitrary and are carried out in secret. After years on death row, prisoners in Japan are executed with only a couple of hours' notice. They are not even allowed to say goodbye to their families, and their lawyers are never notified of the decision to carry out the death penalty," Amnesty International said.

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The Japanese government has continuously ignored the recommendations of the United Nations Human Rights Committee which has expressed over the years grave concern at the number of crimes punishable by death. The Committee has restated its recommendation that Japan take legal measures to abolish the death penalty in practice and in law. The Committee has also expressed serious concern at the conditions under which persons are held on death row, and has concluded that undue restrictions on visits of the family and lawyers and the failure to notify them of executions of the prisoners on death row are incompatible with the International Covenant on Civil and Political Rights.

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