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Japan: Foreigners in detention face violence, humiliation and discrimination

TOKYO -- Foreigners in Japan are at serious risk of ill-treatment at the hands of the authorities, Amnesty International said today in a report detailing violent punishment, sexual assault and racist humiliation by immigration officials, prison guards or police officers.

Some foreign detainees have been harshly punished for minor breaches of the many secret rules which govern the day-to-day lives of prisoners in minute detail. Others have fallen victim to strict interrogation methods, while people held in immigration detention centres have been cut off from the outside world for months on end without judicial supervision. Many have been denied adequate medical care.

Those held in detention have been ill-treated on account of their race or nationality, and cite overtly racist statements by police and detention officials to support their claims. Amnesty International's report highlights the plight of people from China, Denmark, Egypt, Iran, Iraq, South Korea, Nepal, Nigeria, Pakistan, Peru and the USA.

"Foreigners in Japan are at serious risk of ill-treatment if detained, and the government makes it extremely difficult for them to obtain compensation for their suffering," said Susan Waltz, Chairperson of Amnesty International's International Executive Committee, at a press conference in Tokyo today.

"For a long time the Japanese authorities have tried to cover up their racist treatment of foreigners by secrecy and obstruction. By failing to reform their policies and practices, the government is in direct breach of its obligations under international human rights standards. If the government wants to play a prominent role on the world stage, it must clean up its own backyard."

"When you leave Tokyo Detention Centre you are not a human being. If you have a dog in your house you don't treat it like this....They do terrible things - I will never forget what they did to me as long as I live," said an Egyptian man who spoke to Amnesty International after his release. He described how prison guards stripped him naked, kicked him hard in the abdomen and sexually assaulted him with a truncheon, while he was held in solitary confinement in 1994.

Many other detainees have testified to ill-treatment at the hands of police and immigration officers. Among the cases in Amnesty International's report are:

- C Kevin Mara, a United States national, is currently being held in solitary confinement after he complained about his conditions of detention. He was forced into a straitjacket, handcuffed and thrown into solitary confinement for merely looking out of a window while working. He is now seeking compensation from the Japanese Government.

- C Zhou Bizhu, from China, was arrested on 3 March 1997 for holding an expired visa. She was seven weeks pregnant. In the following weeks, she complained repeatedly of abdominal pains

related to her pregnancy, but was not given adequate medical attention. On 21 April, she was examined by a gynaecologist, who discovered that the foetus had died. Her foetus was aborted only on 26 April, after she had been granted two weeks' release on medical grounds. She is currently awaiting deportation to China.

- C Mousavi Abarbekouh Mir Hossein, from Iran, died in Kita-ku Immigration Detention Centre in Tokyo on 11 August 1997. Following a scuffle with officers, a blanket was reportedly thrown over his head. According to officials, he banged his head on the concrete floor, then fell unconscious and died.
- C Yu Enying, from China, her year-old baby and 73-year-old mother were detained in May 1997 in an Immigration detention centre in Nagoya. During a 36-day period of detention, they were allowed outside exercise only once. The baby was exposed daily to cigarette smoke from other inmates sharing their cell, which was excessively hot and infested with insects. Yu Enying was denied medicine she needed to treat a pre-existing illness.
- C Luo Yi, from China, sought asylum in July 1995. He was detained at the Osaka Immigration Detention Centre, where he was held in a room almost continuously for eighteen months with no outdoor exercise. Despite being recognized as a refugee by the United Nations, he was refused asylum by Japan, and eventually settled in Denmark.
- C "MD", from Iraq, applied for refugee status in Japan in November 1995. Despite being recognised as a refugee by the United Nations, he remained in detention until May 1997, which led to psychological problems. His application for refugee status is still pending.

Amnesty International is calling on the Japanese Government to initiate independent and impartial inquiries into the reports of human rights violations described in its 46-page report issued today. It calls for officials responsible for human rights violations to be brought to justice and for victims to be given adequate compensation.

The report closes with a twelve-point list of recommendations detailing measures that should be taken by the Japanese Government to reduce the risk of human rights violations. These include signing up to the United Nations Convention against Torture, improving access to medical care for detainees, and ensuring that officials receive training in human rights issues.

"Our concern for foreigners applies equally to Japanese citizens in custody," Ms Waltz said. "By addressing our recommendations, the Japanese Government would be helping to improve human rights safeguards for all its citizens and foreign nationals who are arrested and imprisoned in Japan."

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Amnesty International is holding a press conference at the Foreign Correspondents's Club of Japan, in Tokyo on 10 November, from 14:30 hrs to 15:30 hrs local time.

To arrange an interview or receive a copy of the report, *Japan: Ill-treatment of foreigners in detention* (AI Index: ASA 22/09/97), please call:

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