

Press release

UN/Japan/Death penalty

A UN Body expresses concern at Japan's death penalty record

Paris-Geneva-Tokyo, 30 October 2008: The Human Rights Committee, a UN monitoring body composed of independent experts, expressed today its concern that many of its recommendations issued as early as in 1998 have not been implemented by Japan. This conclusion follows the examination of the respect by Japan of its international human rights obligations under the International Covenant on Civil and Political Rights (ICCPR).

The key concerns of the Committee include the use of the death penalty; the access of women to high-responsibility jobs and the gender wage gap; the unreasonable restrictions on freedom of expression and the right to take part in the conduct of public affairs, such as the prohibition of door-to-door canvassing, as well as restrictions on the number and type of written materials that may be distributed during pre-election campaigns; and the restrictions on the rights of asylum seekers.

As regards the death penalty in particular, the UN body points out the high number of crimes entailing the death sentence, the detention of death row inmates in solitary confinement often for protracted periods and their execution sometimes at an advanced age and despite the fact that they have mental disabilities. The non-use of the power of pardon, commutation or reprieve is also a matter of concern to the UN. The UN experts concluded that "regardless of opinion polls, [Japan] should favourably consider abolishing the death penalty", "ensure the suspensive effect of requests for retrial or pardon" in capital cases and "relax the rule under which inmates on death row are placed in solitary confinement".

In addition, the UN body asks the Japanese authorities to abolish the substitute detention system (*Daiyo Kangoku*) or ensure that it is fully compliant with fair trial guarantees. This system, widely criticized by Japanese and international human rights NGOs, allows the detention of suspects in police detention facilities for a period up to 23 days to facilitate investigations, without the possibility of bail and with limited access to a lawyer. The Committee recalls that it increases the risk of prolonged interrogations and abusive interrogation methods with the aim of obtaining a confession. This concern is aggravated when such convictions involve death sentences.

"Two days ago, two death row inmates were executed in Japan, which brings to 15 the number of persons executed this year, the highest number in the last 30 years", declared Maiko Tagusari, from the Center for Prisoners' Rights (CPR), FIDH partner organization in Japan. *"Those recommendations issued by an independent UN body come as a support to the Japanese civil society, who are advocating for the abolition of this inhuman punishment since years. It is now time for the Japanese authorities to take all the Human Rights Committee's recommendations seriously into account",* added Florence Bellivier, Secretary General of FIDH.

For further information about death penalty in Japan, see FIDH fact-finding mission report :

["The law of silence, going against the international trend"](#)

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