

URGENT ACTION

THIRTEEN MEN AT RISK OF EXECUTION IN JAPAN

Thirteen members of the Aum Shinrikyo cult are now at risk of execution in Japan, following the conclusion of the trials of other cult members. The 13 men were found guilty of and sentenced to death for carrying out a deadly sarin gas attack in the Tokyo subway in 1995 and other illegal activities. Their executions could be carried out at any moment.

On 7 September the High Court of Tokyo upheld the conviction and indefinite prison sentence of the last man charged in relation to the 1995 sarin gas attack in the Tokyo subway system. The attack killed 13 people and injured over 6,000 others. The completion of the last judicial case related to this event means that the **13 Aum Shinrikyo cult members** who were convicted and sentenced to death, in separate trials between 2006 and 2011, for their respective roles in orchestrating and carrying out the gas attack are now at risk of execution.

A new Minister of Justice, Katsutoshi Kaneda, was appointed in Japan on 3 August. Since taking office, he has repeatedly stated that he is in favour of the death penalty and that its abolition would not be appropriate given public support. 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 legal remedies 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.

Please write immediately in English, Japanese or your own language:

- v Urging the authorities not to execute the 13 members of Aum Shinrikyo cult or any other prisoners, and to commute all existing death sentences;
- v Explaining that you are not seeking to excuse violent crime or downplay the suffering caused by the attack;
- v Calling on the authorities to establish a moratorium on executions with a view to abolishing the death penalty and to encourage an informed national debate on the use of this punishment;
- v Calling on the authorities to end the secrecy that surrounds the use of the death penalty in Japan and provide the prisoners, their family and lawyers and the public with notification of any scheduled executions.

PLEASE SEND APPEALS BEFORE 31 OCTOBER 2016 TO:

Minister of Justice

Katsutoshi Kaneda
1-1-1 Kasumigaseki
Chiyoda-ku
Tokyo, Japan 100-8977
Ministry of Justice
Fax: +81 3 3592 7008 / +81 3 3592 7393
Email: (via website)
https://www.kantei.go.jp/foreign/forms/comment_ssl.html
Twitter: @MOJ_HOUMU

Salutation: Dear Minister

Prime Minister

Shinzo Abe
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/comment_ssl.html
Twitter: @abeshinzo

Salutation: Dear Prime Minister

Also send copies to diplomatic representatives accredited to your country.

HIS EXCELLENCY MR KEIICHI HAYASHI
Embassy of Japan
101-104 Piccadilly W1J 7JT
020 7465 6500
Fax 020 7491 9348

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

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ADDITIONAL INFORMATION

13 men, members of the Aum Shinrikyo cult, have been convicted for their respective roles in orchestrating and carrying out the gas attack:

Seiichi Endo, Satoru Hashimoto, Kiyohide Hayakawa, Yasuo Hayashi, Kenichi Hirose, Yoshihiro Inoue, Chizuo Matsumoto (also known as Shoko Asahara), Kazuaki Miyamae, Tomomasa Nakagawa, Tomomitsu Niimi, Toru Toyota, Masami Tsuchiya and Masato Yokoyama. Charges included murder, kidnapping and experimenting with chemical and biological weapons.

On 21 November 2011, Seiichi Endo was the last of the 13 to have his death sentence finalized.

Three additional members of the Aum Shinrikyo cult, also suspected of involvement in the sarin gas attack, were subsequently arrested and charged, which resulted in a temporary stay of the executions of the 13 men. Under Article 475 of the Criminal Procedure Code, executions in Japan cannot take place until the cases of all co-defendants are finalized. The confirmation of the conviction and sentence in the last remaining case by the Tokyo High Court in September 2016 has paved the way for the 13 executions to be carried out, as any further judicial reviews of the most recent cases would not involve the participation of witnesses in the proceedings.

In 2015 the Japanese authorities carried out three executions, while four new death sentences were imposed. At the end of the year 143 people were under sentence of death, including 126 whose death sentences had already been finalized and remained at risk of execution. Two more executions were carried out on 25 March 2016.

Secret executions are in contravention of international law and standards on the use of the death penalty. UN bodies and experts have repeatedly criticized this and the lack of other adequate legal safeguards for those facing the death penalty in Japan. These include defendants being denied adequate legal counsel and a lack of a mandatory appeal process for capital cases. Several prisoners with mental and intellectual disabilities are also known to have been executed or remain on death row.

As of today, 140 countries have abolished the death penalty in law or practice. In 2015, four more countries – Congo (Republic of), Fiji, Madagascar and Suriname – abolished the death penalty for all crimes and the Parliament of Mongolia adopted a new Criminal Code abolishing this punishment, effective from July 2017. Amnesty International opposes the death penalty as a violation of the right to life, as recognized by the Universal Declaration of Human Rights (UDHR), and as the ultimate cruel, inhuman and degrading punishment. Amnesty International opposes the death penalty in all cases without exception, regardless of the nature or circumstances of the crime; guilt, innocence or other characteristics of the individual; or the method used by the state to carry out the execution.