



Center for Prisoners' Rights Japan

February 21st, 2013

Statement on Executions ordered by Sadakazu Tanigaki

Justice Minister Sadakazu Tanigaki executed three death row inmates, Masahiro Kanagawa (29), Keiki Kanoh (62) and Kaoru Kobayashi (44), on Thursday, February 21.

The executions took place for the first time after Liberal Democratic Party (LDP) regained the political power and Justice Minister Tanigaki took office in last December. The Minister has shown his attitude in favor of retention of the death penalty on the occasions of press conferences, while he has also expressed an idea that a decision of execution must be made very carefully. However, we cannot find any sign of cautiousness about decision making in today's executions, which were carried out only 57 days after the Minister's inauguration.

As a universal trend toward abolition is overwhelming, Japan, which retains the death penalty and carries out executions regularly, is now a peculiar country and becoming more and more isolated from the international community. The government of Japan has been repeatedly urged by UN treaty bodies to consider stay of executions with a view to abolishing the penalty itself, as well as reforming current practices under the system. Nonetheless the government has ignored all the recommendations and kept a firm stance to continue executions. On October 31st 2012, on the occasion of the Second Review of Japan's human rights situations by Working Group of UN Human Rights Council, as many as 24 countries made recommendations related to the death penalty, including abolition and a moratorium on executions. The outcome report will be adopted at the coming eighth session of the Council and today's execution is a strong message that the government of Japan will not take any initiatives which could lead to commencement of national debate on the penalty or disclosure of related information and will continue regular executions in order to reduce the death row population.

Three executions also show serious problems with international human rights standards which try to minimize the usage of the death penalty even in the retentionist countries. In

Japan, an appeal against the sentence of death to a higher court is not mandatory despite repeated recommendations by UN Human Rights Committee and Committee against Torture. Both of Masahiro Kanagawa and Kaoru Kobayashi withdrew their appeals to the High Courts and let their sentences at the first instance become final. Keiki Kanoh's was originally sentenced to life imprisonment which was overturned by the High Court after an appeal by public prosecutors. On the contrary to the government excuse that the death penalty is applied extremely cautiously in Japan, the realities are far from such practices.

Center for Prisoners' Rights Japan strongly condemns today's executions and will continue its struggle to achieve a moratorium on executions and ultimate abolition of the death penalty.