
Amnesty International

MONTHLY ACTION

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October 2015

JAPAN: Death Penalty

Individuals at Risk: Matsumoto Kenji

Matsumoto Kenji could be hanged any day now, and he does not know why.

He and his brother Matsumoto Hiroshi were arrested on 17 September 1993 for two separate robberies and murders committed in the period between September 1990 and September 1991.

Matsumoto Kenji has had a mental disability and low IQ since birth, allegedly due to mercury poisoning. His condition could have made him more vulnerable during police interrogation. According to his lawyer, the police officers coerced him to confess by offering him food and telling him things such as "be a man" during interrogation. Kenji was dependent on his brother, who killed himself in detention after the pair had been arrested. Despite all this, the court ruled that he is mentally competent enough to be sentenced to death and that his confession was reliable. His trial started in 1991, and in September 1993 he was found guilty of murder and sentenced to death.

Appeals against his conviction to the Osaka High Court and subsequently to the Supreme Court were both rejected, and his death sentence was confirmed on 4 April 2000. Requests for pardon and a retrial continue to be submitted by his lawyers. He could be executed at any time.

WHAT YOU NEED TO DO

- 1) Please write in English or Japanese to the Minister of Justice asking her to:
 - Commute Matsumoto Kenji's death sentence
 - Make sure he has access to adequate medical treatment
 - Improve the treatment of death row prisoners, and end the use of solitary confinement on death row
 - Commute the death sentences of all prisoners, introduce a moratorium on the death penalty and promote debate on its abolition

Minister of Justice Yōko Kamikawa
Ministry of Justice
1-1-1 Kasumigaseki
Chiyoda-ku
Tokyo 100-8977, Japan

Salutation: Dear Minister
Twitter: @matusimamidori

- 2) There is strength in numbers! Add your names to our **online petition** by clicking [here](#)

- 3) Support our efforts to raise awareness surrounding Matsumoto Kenji's case and the treatment of death row inmates in Japan. **Spread the word on social media** – remember to target the Minister of Justice @matusimamidori and to share a link to the petition –, encourage your friends, family, and community members to join the cause and help us reach 5,000 signatures.

If you have any queries about this action and for updates please contact:

activism@amnesty.org.uk / 020 7033 1675

Local group's monthly mailing can be downloaded from: www.amnesty.org.uk/groups

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Background Information

Individuals at Risk: Matsumoto Kenji

October 10th 2015 will mark the 13th annual Day against the Death Penalty. In 2014, we have made some progress, the number of recorded executions has decreased by 22% compared with 2013. Madagascar, Benin, Chad, Fiji and Suriname have either passed or drafted laws to abolish the death penalty. But much work remains to be done as legal systems around the world continue to hand out capital punishment sentences, thereby violating the most basic human right of the Universal Declaration of Human Rights: the right to life. The countries that have carried out the most executions in 2014, are China, Iran and the USA. But this month, we focus on Japan, the only remaining G8 country aside from the USA to have executed prisoners this past year.

After 21 years under Japan's harsh detention conditions, including solitary confinement and limited exercise time, Matsumoto Kenji's health has greatly deteriorated. He now suffers from a delusional disorder. Fellow prisoners have expressed their concern about his well-being as he now seems increasingly less capable of understanding or communicating pertinent information. He is unable to assist his lawyer in relation to specific legal claims on the validity of the conviction or sentence which require the prisoner's participation. He does not understand the nature and purpose of the punishment imposed on him, the death sentence.

Mercury poisoning

Matsumoto Kenji's disability is allegedly due to mercury poisoning, or Minamata disease. Mercury poisoning causes damage to the brain and central nervous system, and can lead to psychosis and in some cases coma and death. It was a common occurrence in some regions of Japan during the 1950s and 60s, due to chemical waste containing methyl mercury contaminating water supplies. The disease was discovered in Kenji's region, and its proliferation remains one of the worst cases of disease by industrial pollution in Japan.

As a result, Kenji has a low IQ (between 60 and 70) and cannot fully understand things that are put to him – which has impacted on him throughout his detention, trial and since then on death row.

Worsening health

Now 64 years old, Kenji has been imprisoned on death row for 21 years. Kenji experiences delusions and episodes of psychosis. His lawyer has said that Kenji's day-to-day thoughts are disjointed and not based on reality, and that he is increasingly unable to understand or communicate relevant information.

His mental state means that Kenji has not been able to communicate coherently with his lawyer in relation to legal investigation around his sentence or his conviction, which his lawyers say has impacted on legal proceedings throughout his case.

Worryingly, his mental health appears to be worsening. His lawyers don't believe he's having medical check-ups, and he has stopped drawing. Please see below some of Kenji's drawings.

Solitary confinement and execution

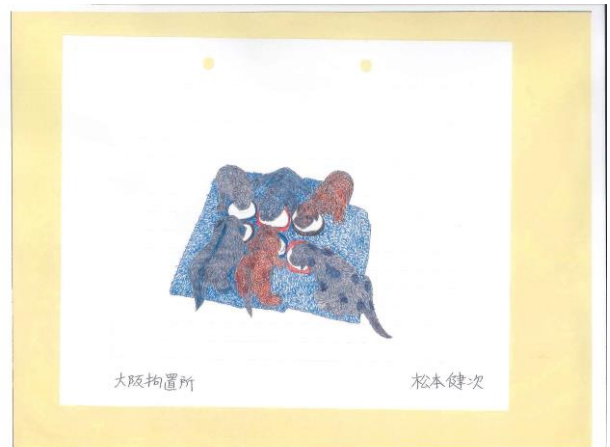
Being confined in a solitary cell has taken its toll on Kenji. Physically frail, he now uses a wheelchair. In addition to his condition due to mercury poisoning, his irrational thought and delusions have significantly worsened over the 21 years he has spent isolated on death row.

Executions in Japan are shrouded in secrecy with prisoners typically given only a few hours' notice. Some may be given no warning at all. Their families are usually notified about the execution only after it has taken place.

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Background Information

Matsumoto Kenji's drawings



Drawings by Matsumoto Kenji
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