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Death penalty in Japan

European Parliament resolution of 16 February 2012 on the death penalty in Japan (2012/2542(RSP))

The European Parliament,

- having regard to United Nations General Assembly Resolution 63/168 which calls for the implementation of United Nations General Assembly Resolution 62/149 of 18 December 2007 calling for a worldwide moratorium on the death penalty and on executions,
 - having regard to United Nations General Assembly resolution 65/206 of 21 December 2010 on a moratorium on the use of death penalty,
 - having regard to the EU Guidelines on the Death Penalty,
 - having regard to its resolution of 27 September 2007 on a universal moratorium on the death penalty¹,
 - having regard to its resolution of 13 June 2002 on the abolition of capital punishment in Japan, South Korea and Taiwan²,
 - having regard to its resolution of 7 October 2010 on the World Day Against the Death Penalty³,
 - having regard to the joint declaration by Catherine Ashton, European Union High Representative for Foreign Affairs and Security Policy, and Thorbjorn Jagland, Secretary General of the Council of Europe, on the European and World Day Against the Death Penalty on 10 October 2011,
 - having regard to the European Union's statement of 6 April 2011 on the abolition of the death penalty, encouraging observer countries to the Council of Europe, including Japan, to abolish the death penalty,
 - having regard to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which Japan ratified in 1999,
 - having regard to Rule 122(5) of its Rules of Procedure,
- A. whereas the European Union is strongly committed to working towards the abolition of the death penalty everywhere and is striving to achieve universal acceptance of the basic principle of the right to life;
- B. whereas 2011 has been the first year without any execution in Japan since 1992; whereas, however, according to press reports, the new Minister of Justice, Toshio Ogawa, announced

¹ OJ C 219 E, 28.8.2008, p. 306.

² OJ C 261 E, 30.10.2003, p. 597.

³ OJ C 371 E, 20.12.2011, p. 5.

that he did not wish to continue the policy of ‘caution’ of his predecessor, Hiraoka Hideo, and would be prepared to sign execution orders again;

- C. whereas there has been significant progress towards abolishing the death penalty worldwide, and a growing number of countries have done away with capital punishment;
 - D. whereas an official commitment by Japan, as a leading democracy in Asia and a key member of the international community, to the abolition of the death penalty will not only be consistent with the international trend but will also send a powerful signal all over the world that the right to life must be respected and protected;
 - E. whereas some 130 persons sentenced to death in Japan are currently on death row;
 - F. whereas prisoners and their legal representation are not informed of the execution until the very day it takes place, and families learn about it only after the event, which represents a particular cruelty in view of the long years of waiting on death row;
1. Welcomes the fact that the EU’s relationship with Japan is based on a shared attachment to freedom, democracy, the rule of law and human rights;
 2. Welcomes the fact that no executions have taken place in Japan since July 2010, and that a study group on the death penalty was established in the Ministry of Justice in 2010;
 3. Urgently calls on the Minister of Justice, Toshio Ogawa, not to approve any execution order in the future and to support the work of the study group;
 4. Calls on Japan to sustain its efforts towards returning to the de facto moratorium which was in place from November 1989 until March 1993 and to encourage public authorities, Members of Parliament, civil society organisations and the media to engage in a national debate on the use of capital punishment in the country;
 5. Instructs its President to forward this resolution to the Vice-President of the Commission/ High Representative of the Union for Foreign and Security Policy, the Commission, the parliaments of the Member States, the UN Secretary General and the UN Commissioner for Human Rights, as well as to the Prime Minister and Minister of Justice of Japan and the Japanese Diet.