

José Manuel Barroso
President of the European Commission

**AMNESTY
INTERNATIONAL**



European Institutions Office

Brussels, 21 March 2013

Our Ref: B1430

Dear President Barroso,

EU-JAPAN SUMMIT: EU MUST PRESS JAPAN ON HUMAN RIGHTS

Ahead of the EU-Japan Summit, and following Japan's rejection of key recommendations made in the 14th session of the Universal Periodic Review related to the death penalty, the *daiyo kangoku* substitute detention system, and justice for survivors of Japan's military sexual slavery system, Amnesty International calls on the EU to press Japan to address its serious human rights failings. We particularly urge you to raise the following concerns.

Proposals put forward to establish a National Human Rights Institute (NHRI) in Japan fail to meet international standards, notably the Paris Principles. The proposal that the NHRI be affiliated closely to the Ministry of Justice could potentially compromise its independence. This and other serious concerns are further detailed in our [open letter](#) of March 2012.

In February, Japan executed three death row inmates. This followed a total of seven executions in 2012. There is reason to fear that the pace of executions may increase under the new Prime Minister, Shinzo Abe, as ten people were hanged in less than a year during his previous term. Some death row prisoners are given a few hours' notice on the morning of their execution, but others are given no warning at all. Relatives are usually notified about the execution only after it has taken place.

We are concerned that the *daiyo kangoku* system (substitute detention system) continues to be used to obtain "confessions" through torture and other cruel, inhuman or degrading treatment. Under the system, a person can be detained for up to 23 days without charge. There are no rules regarding length of interrogation, and lawyers are not allowed to be present during interrogations.

The government continues to deny justice to the survivors of Japan's military sexual slavery system (1932 – 1945), insisting that any obligation to provide reparations was settled in the 1951 San Francisco Peace Treaty and other bilateral peace treaties and arrangements, though they did not cover sexual slavery. They also expressly allowed for further claims and did not preclude further reparations.

In line with the Strategic Framework and Action Plan on Human Rights and Democracy, which states that the EU must "*place human rights at the centre of its relations with all third countries, including its strategic partners*", we urge you during this Summit to call on Japan to:

- Ensure that proposals to establish a NHRI fully reflect the Paris Principles
- Establish an immediate moratorium on the death penalty with a view to abolition, in line with the EU Guidelines on the death penalty
- To abolish or reform the *daiyo kangoku* system of detention to bring it into line with international standards
- To acknowledge and accept responsibility, including legal responsibility, for the military sexual slavery system, issue an unequivocal apology, and provide adequate compensation to the survivors

Please do not hesitate to contact me should you require anything further.

Yours sincerely,

Dr Nicolas J Beger
Director

CC:

Viorel Isticioaia Budura, European External Action Service, Managing Director for Asia
Véronique Arnault, European External Action Service, Director for Human Rights and Democracy
Gerhard Sabathil, European External Action Service, Director for North East Asia and the Pacific
Seamus Gillespie, European External Action Service, Head of Japan Division
Hans Dietmar Schweisgut, EU Ambassador to Japan
Boguslaw Majewski, Chair of the Council Working Party on Asia and Oceania