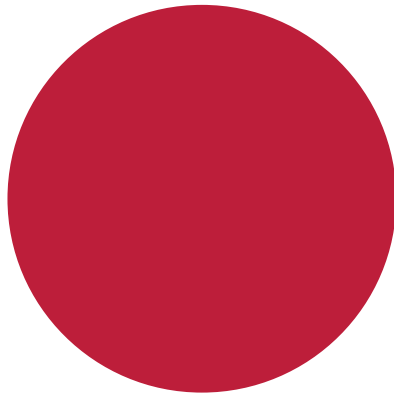




THE DEATH PENALTY IN LAW AND IN PRACTICE



JAPAN



**EC
PM** **TOGETHER
AGAINST
THE DEATH
PENALTY**

 **CPR** 
Center for Prisoners' Rights

JAPAN



AREA 377,975 KM²
CAPITAL CITY TOKYO
POPULATION 124,516,650 (2023, World Bank)
OFFICIAL LANGUAGES JAPANESE

HEAD OF STATE
EMPEROR NARUHITO SINCE 1 MAY 2019

HEAD OF GOVERNMENT
SHIGERU ISHIBA, PRIME MINISTER, SINCE 1 OCTOBER 2024

MINISTER OF FOREIGN AFFAIRS
TAKESHI IWAYA, SINCE 1 OCTOBER 2024

MINISTER OF JUSTICE
KEISUKE SUZUKI, SINCE 11 NOVEMBER 2024

MINISTRY IN CHARGE OF PRISON ADMINISTRATION
MINISTRY OF JUSTICE



STATUS
RETENTIONIST

DATE OF THE LAST EXECUTION
2025

NUMBER OF DEATH SENTENCES IN 2024
3

NUMBER OF EXECUTIONS IN 2024
0

NUMBER OF DEATH ROW PRISONERS AT THE END OF 2024
106 [Source: Ministry of Justice]

METHOD OF EXECUTION
HANGING

IMPLEMENTATION OF THE DEATH PENALTY AND CONDITIONS OF DETENTION FOR DEATH ROW PRISONERS

APPLICATION OF THE DEATH PENALTY

The death penalty exists as a sentence in the Japanese criminal justice system for 19 offences, including at least 15 offences which fall short of the definition of “most serious crimes” as defined by the ICCPR,¹ for instance treason, arson, or illegal use of explosives even when such acts do not result in death. In practice, however, Japan only uses the death penalty for murder and robbery resulting in manslaughter.² In accordance with article 11 of the penal code, the death penalty is executed “by hanging at a penal institution”. In 2022, three death row prisoners and their lawyers filed a lawsuit against the government, pointing out hanging as a cruel method of execution.

The application of the death penalty in relation with the Japanese justice system has raised other alarms from human rights groups. Namely, the Committee against Torture and the Human Rights Committee have made repeated recommendations expressing concern over the absence of mandatory appeal in capital cases under Japanese law.

No dates are set in advance for the executions. Individuals on death row are notified of their executions only hours before. Their families and legal representatives are only notified after the execution has taken place.

Combined with the unpredictability of the retrial procedure, the absence of an execution date puts death row prisoners and their relatives under the stress of a constant and invisible threat. According to recent statistics, the time between the final verdict and the actual execution can vary from 1 year and 4 months to 18 years and 6 months, with an average time on death row of 6 years and 8 months.

The executions are also carried out in secrecy, closed to the public, legal representatives or the press.

According to article 39 of the Penal Code, “actions due to insanity are not subject to punishment”.³ In practice though, even in cases where psychiatrists conduct evaluations for several months to prove the existence of mental illness, they often struggle to have them recognized by the judges, who can end up ignoring them entirely.⁴

1 As the UN Special Rapporteur on extrajudicial, summary or arbitrary executions further narrowed the interpretation of “most serious crimes” in 2006, defining them as “cases where it can be shown that there was an intention to kill, which resulted in the loss of life” (International Commission against the Death Penalty, 2013 https://icomdp.org/wp-content/uploads/2020/10/Most-serious-crimes_final_6Feb2013.pdf)

2 See interview with Japanese lawyer Takeshi Kaneko by the Oxford University Death Penalty Research Unit, DPRU Blog, 14 November 2024, <https://blogs.law.ox.ac.uk/death-penalty-research-unit-blog/blog-post/2024/11/dpru-qas-takeshi-kaneko-lawyer-japan-part-two>

3 And Article 39 (2): An act of diminished capacity leads to the punishment being reduced

4 Kashiwagi H, Hirabayashi N. Death Penalty and Psychiatric Evaluation in Japan. Front Psychiatry. 2018.

In fact, prisoners suffering from mental illnesses have been executed in the past⁵, which also contravenes Japan’s accession to the ICCPR, requiring that those with a serious mental illness be protected from the death penalty.

Japan has also ordered and carried out death sentences against foreign nationals, executing two Chinese men in 2009 and 2019.⁶

THE SITUATION OF DEATH ROW PRISONERS^{7,8,9}

Death row prisoners in Japan face extremely harsh conditions, as they are held in solitary confinement indefinitely, with severely limited contact with the outside world. Many are confined to 5.4-square-meter cells that are monitored 24 hours a day by closed-circuit TV cameras, even recording private moments. The use of prolonged solitary confinement violates international human rights treaties to which Japan is a party.

Moreover, death row prisoners have very restricted access to family members and lawyers. Indeed, many families abandon their condemned relatives out of shame or due to the stress caused by the long waiting times. For those who do visit, the interactions are under constant surveillance and infrequent. Correspondence, including with attorneys, is also heavily censored by prison officials.

During the day, prisoners are not allowed to make noise, walk around their cell, or look around. They are permitted only two periods of exercise per week and may possess only three books. No other activities are permitted, leading to serious mental and physical health deterioration over time. Prisoners live in the constant fear of never knowing when they will be executed. They are only informed of their execution on the morning it is to be carried out. This uncertainty also causes intense psychological stress.

The numerous restrictions and long periods of immobility bring about a serious deterioration in mental and physical health over the years, while death row prisoners lack access to appropriate medical care.

More than 25% of people sentenced to death are reportedly over the age of 70. At the end of 2024, there were 106 prisoners on death row in Japan.

5 Amnesty International, «Japan: Stop the execution of mentally ill prisoners», press release, 10 September 2009, <https://www.amnesty.org/en/latest/press-release/2009/09/japan-stop-execution-mentally-ill-prisoners-20090910/>

6 There are currently 5 Chinese nationals and 1 Malaysian national among the 106 death row prisoners in Japan according to the JIADEP (Japanese Innocence and Death Penalty Information Center)

7 FIDH, International mission of investigation report, The Death Penalty in Japan: A Practice Unworthy of a Democracy, 2003 <https://www.fidh.org/IMG/pdf/jp359a.pdf>

8 Prison Insider, “Japan: detention conditions of people sentenced to death”, 18 January 2022, <https://www.prison-insider.com/en/articles/japon-conditions-de-detention-des-condamnes-a-mort>

9 Center for Prisoner’s Rights, FIDH, WCADP, submission to the UN Committee on the Elimination of Discrimination against Women, 2024

PARDONS AND COMMUTATION OF SENTENCES¹⁰

The Japanese pardon system offers very limited opportunities for death row prisoners. While a person sentenced to death in Japan may submit a request for a pardon to the *National Offenders Rehabilitation Commission*, this is typically done through the warden of their penal institution, although the warden is not obliged to forward the request. The final decision depends on the Minister of Justice, who holds the authority to grant pardons, commutations, or reprieves, based on the advice of the Commission. However, in practice, this power is rarely exercised in death penalty cases. The last known commutation of a death sentence issued by the government was in June 1975.¹¹

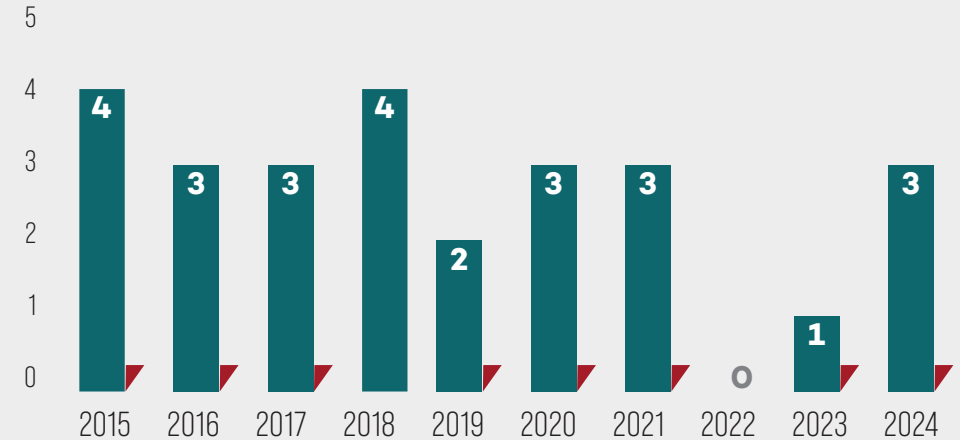
Since 2009, there have been seven cases in which the High Court overturned death sentences handed down by the District Court, resulting in the sentences being reduced to life imprisonment. These judicial commutations are distinct from pardons or administrative commutations, as they occur through the appeals process rather than through executive clemency. However, the effectiveness of judicial review in safeguarding against wrongful executions is itself limited by systemic issues within Japan's capital punishment system.

Compounding this issue is the absence of a unanimous verdict requirement and a mandatory appeal system for death penalty cases in Japan. This lack of automatic review for death sentences has been a point of concern for legal experts and human rights advocates, who argue that it increases the risk of irreversible miscarriages of justice and thus wrongful executions. While the Japan Federation of Bar Associations (JFBA) has called for comprehensive reforms to the penal system, including the introduction of Life Without Parole (LWOP) as an alternative to the death penalty, their proposals regarding clemency are distinct. The JFBA has also advocated for improvements to the clemency system for death row prisoners, emphasizing the need for a more transparent and accessible process.

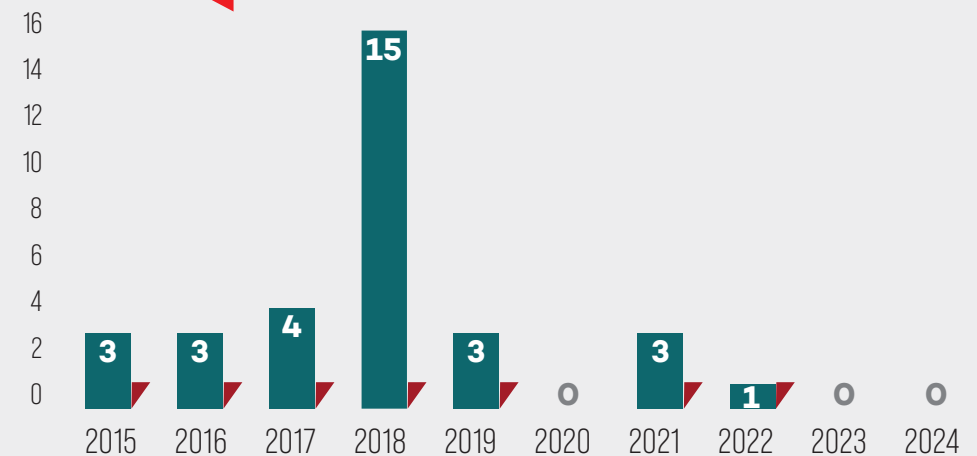
¹⁰ TAHR, CPR, JIDPIC, WCADP, Japan's Compliance with the International Covenant on Civil and Political Rights: The Death Penalty, submission to the Human Rights Committee, 2022, https://www.theadvocatesforhumanrights.org/Res/Japan_ICCPR_Death%20Penalty.pdf

¹¹ Prison Insider, 2022. Supra note 8.

EVOLUTION OF THE NUMBER OF DEATH SENTENCES OVER THE LAST 10 YEARS



EVOLUTION OF THE NUMBER OF EXECUTIONS OVER THE LAST 10 YEARS



NATIONAL LEGAL FRAMEWORK

There are 2 primary legislative texts that provide for the death penalty in Japan, as well as several special acts, which in total represent at least 31 articles providing for offences that are punishable by death.

THE PENAL CODE, 1908 (REVISED IN 2010)¹²

This is the primary legal document that outlines the crimes punishable by death. It lists 14 capital crimes, such as murder, robbery resulting in death, leading an insurrection, or military assistance to a foreign state using armed force against Japan. However in practice, the death penalty is primarily applied for aggravated murder, which includes cases involving multiple victims or particularly heinous circumstances.

THE CODE OF CRIMINAL PROCEDURE, 1948 (REVISED IN 2010)¹³

This code includes provisions regarding the judicial process for capital cases, such as the requirements for a conviction and the appeals process. For example, while defendants accused of capital crimes do not have a right to bail, it may still be granted at the discretion of the court. Immediate arrests can occur without a warrant when there is sufficient suspicion. Furthermore, mandatory legal representation is required during trials. Regarding the statute of limitations, there is no limitation period for capital offences resulting in death. For other capital offences that do not result in death, the statute of limitations is 25 years.

OTHER SPECIAL ACTS

EXPLOSIVES CONTROL ACT, 1884¹⁴: This act addresses the illegal use of explosives, with severe penalties, including the death penalty for acts resulting in death.

ANTI-HIJACKING ACT, 1970¹⁵: This act imposes the death penalty for hijacking aircraft that results in death or serious injury.

ACT ON PUNISHMENT OF ACTS CAUSING ENDANGERMENT TO AVIATION, 1974¹⁶: This act includes provisions for death penalty in cases where actions endanger aircraft and result in fatalities.

ACT ON PUNISHMENT OF COERCIVE ACTS BY HOSTAGES, 1978¹⁷: This act provides for the death penalty for acts that lead to the death of hostages.

12 <https://laws.e-gov.go.jp/law/140AC00000000045>

13 <https://laws.e-gov.go.jp/law/323AC00000000131>

14 https://laws.e-gov.go.jp/law/117DF10000000032/20250601_504AC00000000068

15 <https://laws.e-gov.go.jp/law/345AC00000000068>

16 https://laws.e-gov.go.jp/law/349AC00000000087/20250601_504AC00000000068

17 <https://laws.e-gov.go.jp/law/353AC00000000048>

ANTI-PIRACY ACT, 2009¹⁸: This act provides for the death penalty in cases of piracy that result in death.

ACT ON PUNISHMENT OF ORGANIZED CRIMES AND CONTROL OF PROCEEDS OF CRIME, 1999¹⁹: This act provides for the death penalty in cases of homicide in the context of an organized action.

LIST OF LEGISLATIVE PROVISIONS ON THE DEATH PENALTY

THE PENAL CODE, 1908 (REVISED IN 2010)²⁰

Article 9	The principal punishments are categorized as the death penalty, imprisonment with work, imprisonment without work, fine, misdemeanor detention and petty fine, with confiscation as a supplementary punishment.
Article 10	(3) Between death penalties or punishments of the same class which have equal maximum and minimum terms or amounts, the order of gravity shall be determined in light of the circumstances of the crimes.
Article 11	(1) The Death penalty shall be executed by hanging at a penal institution. (2) A person who has been sentenced to the death penalty shall be detained in a jail until its execution.
Article 14	(1) In cases where the death penalty, or imprisonment with or without work for life shall be reduced to imprisonment with or without work for a definite term, its maximum term shall be 30 years.
Article 46	(1) When a death penalty is rendered for one of the crimes for consolidated punishments, no other punishments except confiscation may be imposed.
Article 51	(1) When two or more punishments have been rendered in regard to the crimes for consolidated punishment, the punishments shall be executed cumulatively; provided, however, that when the death penalty is to be executed, no other punishment except confiscation shall be executed, and when imprisonment with or without work for life is to be executed, no other punishments except a fine, petty fine and confiscation shall be executed.
Article 56	(1) When a person who has been sentenced to imprisonment with work, commits a crime again within five years from the day on which the execution of the former punishment was completed or remitted, and is to be sentenced to imprisonment with work for a definite term, this crime constitutes a second conviction. (2) The same shall apply when a person who has been sentenced to the death

18 <https://laws.e-gov.go.jp/law/421AC00000000055>

19 <https://www.japaneselawtranslation.go.jp/en/laws/view/3587/en>

20 <https://laws.e-gov.go.jp/law/140AC00000000045>

penalty for a crime for which imprisonment with work is prescribed as an alternative punishment commits a crime again within five years from the day on which the execution of the death penalty sentence was remitted or, from the day on which the reduced sentence was completed or remitted after the death penalty was reduced to imprisonment with work, and the person is to be sentenced to imprisonment with work for a definite term.

Article 68 When there are one or more statutory grounds for reduction of punishment, the following rules shall apply:
(i) When the death penalty is to be reduced, it shall be reduced to imprisonment with or without work either for life or for a definite term of not less than 10 years;

Article 77 (1) A person who commits an act of riot for the purpose of overthrowing the government, usurping the territorial sovereignty of the State, or otherwise subverting constitutional order, thereby committing the crime of insurrection shall be sentenced according to the following distinctions:
(i) A ringleader shall be punished by death or life imprisonment without work;

Article 81 A person who agrees with a foreign state and thereby causes the state to exercise armed force against Japan shall be punished by the death penalty.

Article 82 A person who, when a foreign state exercises armed force against Japan, sides with the state by engaging in the military service of such state, or otherwise affords military advantage to such state, shall be punished by the death penalty or imprisonment with work either for life or for a definite term of not less than 2 years.

Article 108 A person who sets fire to and burns a building, train, tram, vessel or mine actually used as a dwelling or in which a person is actually present shall be punished by the death penalty or imprisonment with work for life or for a definite term of not less than 5 years.

Article 119 A person who causes a flood to damage a building, train, tram, or mine actually used as a dwelling or in which a person is actually present shall be punished by the death penalty or imprisonment with work for life or for a definite term of not less than 3 years.

Article 126 (1) A person who overturns or destroys a train or a tram in which a person is actually present shall be punished by imprisonment with work for life or for a definite term of not less than 3 years.
(2) The same shall apply to a person who capsizes, sinks or destroys a vessel in which a person is actually present.
(3) A person who, by commission a crime proscribed under the preceding two paragraphs, causes the death of another person shall be punished by the death penalty or life imprisonment with work.

Article 127 (1) A person who commits a crime prescribed under Article 125²¹ and thereby overturns or destroys a train or a tram or capsizes, sinks or destroys a vessel is dealt with in the same manner as prescribed for in the preceding Article. [...]

²¹ Article 125(1) A person who creates a traffic hazard for a train or tram by damaging a railway track or railway sign, or by any other means, is punished by imprisonment for a definite term of not less than two years.
(2) The same applies to a person who creates a traffic hazard for a vessel by damaging a lighthouse or a buoy, or by any other means.

Article 146 A person who pollutes water which is supplied to the public for drinking purposes or a water supply system with poisonous materials or any other substance harming human health, shall be punished by imprisonment with work for a definite term of not less than 2 years. If the death of another is thereby caused, the offender shall be punished by the death penalty or imprisonment with work for life or for a definite term of not less than 5 years.

Article 199 A person who kills another shall be punished by the death penalty or imprisonment with work for life or for a definite term of not less than 5 years.

Article 240 When a person who has committed the crime of robbery causes another to suffer injury at the scene of the robbery, the person shall be punished by imprisonment with work for life or for a definite term of not less than 6 years, and in the case of causing death, the death penalty or imprisonment with work for life shall be imposed.

Article 241 When a person committing the crime of robbery rapes a female, imprisonment with work for life or for a definite term of not less than 7 years shall be imposed, and in the case of causing death thereby, the death penalty or imprisonment for life with work shall be imposed.

THE CODE OF CRIMINAL PROCEDURE, 1948 [REVISED IN 2010]²²

Article 89 The request for bail shall be granted, except when:
(i) The accused has allegedly committed a crime which is punishable by the death penalty, life imprisonment with or without work or a sentence of imprisonment with or without work whose minimum term of imprisonment is one year or more;
(ii) The accused was previously found guilty of a crime punishable by the death penalty, life imprisonment with or without work or a sentence of imprisonment with or without work whose maximum term of imprisonment was in excess of ten years;

Article 210 (1) When there are sufficient grounds to suspect the commission of an offense punishable by death, or life imprisonment with or without work or for a maximum period of three years or more, and in addition, because of urgency an arrest warrant from a judge cannot be obtained, a public prosecutor, a public prosecutor's assistant officer or a judicial police official may arrest the suspect after notifying the suspect of the reasons therefor. In such cases, the procedure of obtaining an arrest warrant from a judge shall be taken immediately. Where an arrest warrant is not issued, the suspect shall be released immediately.

Article 250 (1) The statute of limitations is completed upon the lapse of the following time periods with regard to crimes causing the death of a person and punishable with imprisonment without work or a greater punishment (except for those punishable by the death penalty):
(i) 30 years for crimes punishable with life imprisonment or life imprisonment without work;
(ii) 20 years for crimes punishable with imprisonment or imprisonment without work whose maximum term is 20 years;
(iii) 10 years for crimes other than the crimes provided for in the preceding two items.

²² <https://laws.e-gov.go.jp/law/323AC0000000131>

Article 289 (1) When the case is punishable with the death penalty, life imprisonment, or imprisonment with or without work for more than three years, the trial may not be convened without the attendance of counsel.

Article 291-2 When the accused has entered a guilty plea for the charging sheet during the proceedings prescribed in paragraph 2 of the preceding Article, the court may, (2) upon hearing the opinions of the public prosecutor, the accused and his/her counsel, rule to try the case by a summary criminal trial only with regard to the counts for which the accused has entered a guilty plea; provided, however, that this shall not apply to cases punishable with the death penalty, life imprisonment or imprisonment with or without work for not less than one year.

Article 350-2 (1) When a public prosecutor deems it appropriate, considering a case in which he/she is intending to institute prosecution to be clear and minor and where the examination of evidence is expected to be completed promptly as well as other circumstances, he/she may make a petition for a speedy trial procedure in writing; provided, however, that this shall not apply to cases which are punishable by the death penalty, life imprisonment or imprisonment with or without work for not less than one year.

EXPLOSIVES CONTROL ACT, 1884²³

Article 1 Any person who uses explosives with the intent of disturbing public order or harming the person or property of another person, or who causes another person to use such explosives, shall be punished by death or life imprisonment or by imprisonment for not less than seven years.

ANTI-HIJACKING ACT, 1970²⁴

Article 2 A person who commits the crime prescribed in the preceding article²⁵ and thereby causes the death of another person shall be punished by death or life imprisonment.

ACT ON PUNISHMENT OF ACTS CAUSING ENDANGERMENT TO AVIATION, 1974²⁶

Article 2 (1) Any person who crashes, capsizes, sinks, or destroys an aircraft in flight (meaning an aircraft from the time when all of its boarding and alighting doors are closed after embarkation to the time when any of those boarding and alighting doors is opened for disembarkation; the same applies hereinafter) shall be punished by imprisonment for life or for a term of not less than three years. (2) A person who commits the crime referred to in the preceding Article and thereby crashes, capsizes, sinks, or destroys an aircraft in flight shall be punished

²³ https://laws.e-gov.go.jp/law/117DF1000000032/20250601_504AC0000000068

²⁴ <https://laws.e-gov.go.jp/law/345AC0000000068>

²⁵ Article 1 : A person who seizes an aircraft in flight or takes arbitrary control of its operation by using violence or intimidation, or by other means rendering a person unable to resist, shall be punished with imprisonment for life or for a term of not less than seven years.

²⁶ https://laws.e-gov.go.jp/law/349AC0000000087/20250601_504AC0000000068

in the same manner as provided for in the preceding paragraph .
(3) A person who commits any of the crimes set forth in the preceding two paragraphs and thereby causes the death of another person shall be punished by **death** or by imprisonment for life or for a term of not less than seven years.

ACT ON PUNISHMENT OF COERCIVE ACTS BY HOSTAGES, 1978²⁷

Article 4 (1) If a person who commits the crime prescribed in Article 2 or the preceding Article²⁸ kills a person who has been taken hostage, he or she will be punished by death or life imprisonment.

ANTI-PIRACY ACT, 2009²⁹

Article 4 (1) If a person who has committed the crime prescribed in the first or second paragraph of the preceding Article³⁰ causes injury to another person, he/she shall be sentenced to life imprisonment or to imprisonment for six years or more, and if he/she causes death to another person, he/she shall be sentenced to the death penalty or to life imprisonment.

ACT ON PUNISHMENT OF ORGANIZED CRIMES AND CONTROL OF PROCEEDS OF CRIME, 1999³¹

Article 3 (1) When an act constituting any of the crimes set forth in the following items is done as an activity of an association (meaning an act based on the decision-making of an association, and that the effect of such act, or any profit gained through such act, vests in the association; the same applies hereinafter) through an organization whose purpose is to bring the act to fruition, the person who commits the crime shall be punished as provided in the applicable item:[...] (vii) the crime prescribed in Article 199 (Homicide) of the Penal Code: death penalty, or imprisonment for life for not less than six years; [...]

²⁷ <https://laws.e-gov.go.jp/law/353AC0000000048>

²⁸ Aggravated hostage taking

²⁹ <https://laws.e-gov.go.jp/law/421AC0000000055>

³⁰ Acts of piracy (acts committed for private purposes by personnel aboard a ship (excluding warships and ships owned or operated by a government) on the high seas (including the exclusive economic zone defined in the United Nations Convention on the Law of the Sea) or on the territorial waters or internal waters of Japan)

³¹ <https://www.japaneselawtranslation.go.jp/en/laws/view/3587/en>

INTERNATIONAL LEGAL FRAMEWORK

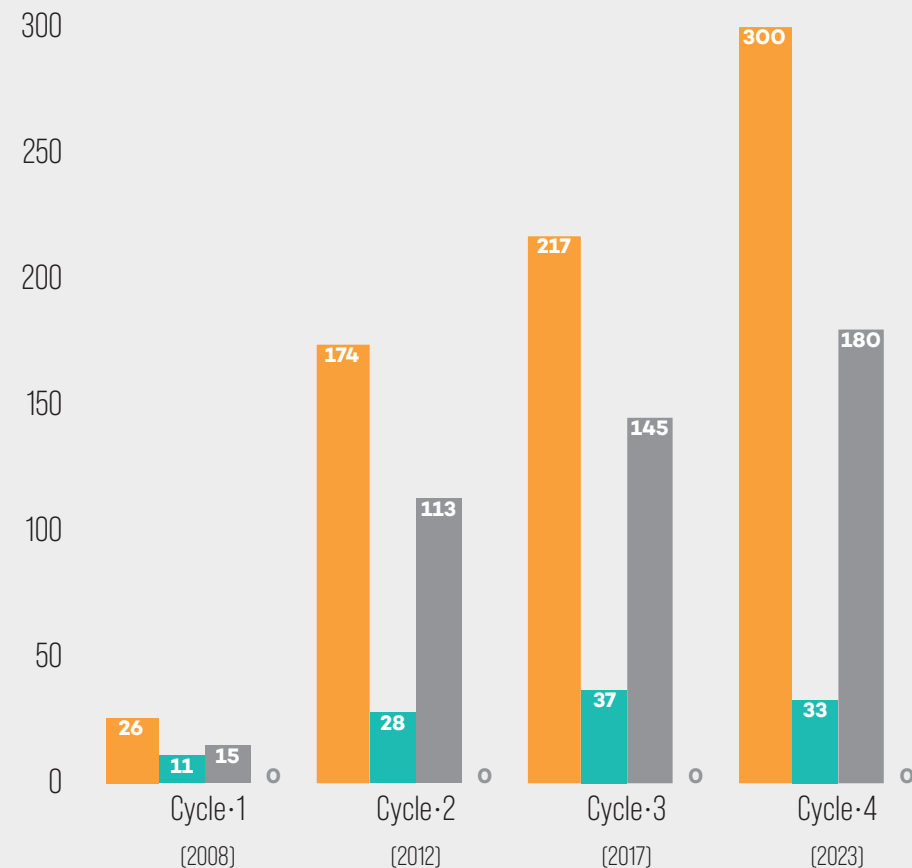
MAIN INTERNATIONAL TEXTS ON THE ABOLITION OF THE DEATH PENALTY

TEXT	DATE OF RATIFICATION OR ACCESSION
International Covenant on Civil and Political Rights, 1966	21 June 1979 (ratification)
Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, 1989	X
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984	29 June 1999 (accession)
Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 2002	X
Convention on the Rights of the Child, 1989	22 April 1994 (ratification)

VOTE ON THE UNITED NATIONS GENERAL ASSEMBLY RESOLUTION CALLING FOR A UNIVERSAL MORATORIUM ON THE USE OF THE DEATH PENALTY



UNIVERSAL PERIODIC REVIEWS



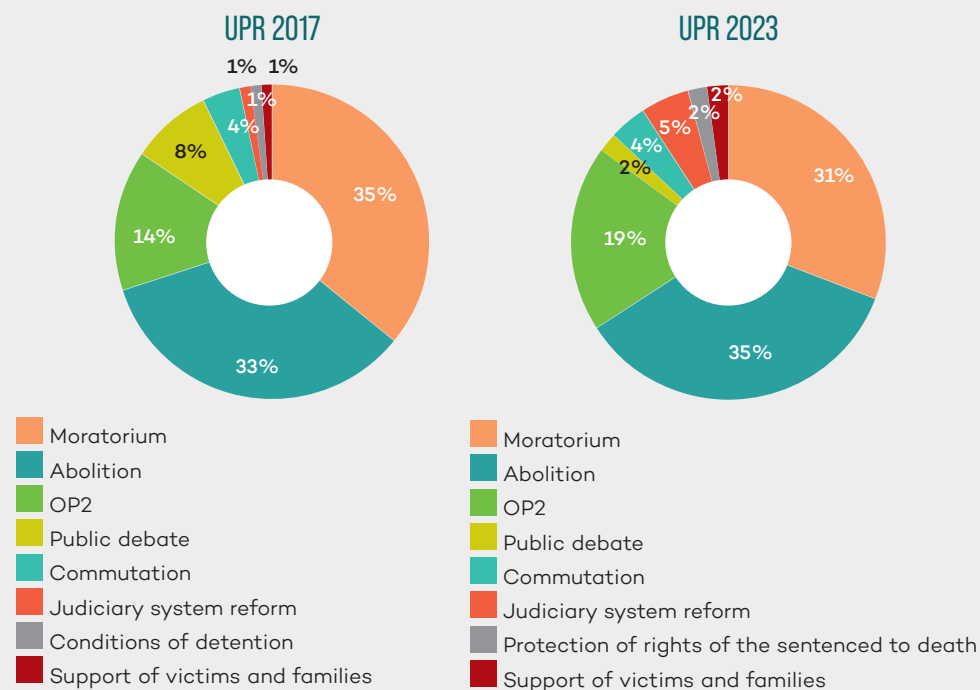
- Total number of recommendations
- Number of recommendations on the death penalty
- Total number of supported recommendations
- Number of supported recommendations on the death penalty

RECOMMENDATIONS ON THE DEATH PENALTY MADE TO JAPAN IN 2023

No.	RECOMMENDATION	Number	Supported	Noted
158.2	Establish a moratorium and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (France); Consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights and introduce a moratorium on the death penalty as the first step towards its abolition (Lithuania); Establish a moratorium on the death penalty and consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (Chile);	3		3
158.3	Enact an immediate formal moratorium on capital punishment. Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Germany);	1		1
158.4	Consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Argentina);	1		1
158.5	Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Sweden);	1		1
158.6	Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Luxembourg) (Malta) (Panama) (Slovenia) (Spain);	5		5
158.92	Continue the efforts to reform the Penal Code within the context of the possible elimination of the death penalty (Uzbekistan);	1		1
158.93	Reduce the number of capital crimes, with a view to implementing a moratorium on the death penalty (Cyprus);	1		1
158.94	Abolish the death penalty (Angola);	1		1
158.95	Abolish the death penalty (Iceland) (Paraguay);	2		2
158.96	Abolish the death penalty, beginning by commuting all death sentences to terms of imprisonment and introducing a formal moratorium on executions (Ireland);	1		1
158.97	Consider abolishing the death penalty (Timor-Leste);	1		1
158.98	Reconsider establishing a moratorium on the death penalty, with a view to its abolition (Uruguay); Consider introducing a moratorium on capital executions with a view to fully abolishing the death penalty (Italy);	2		2
158.99	Consider abolishing the death penalty and introducing alternatives to it (Kazakhstan);	1		1
158.100	Consider positively the introduction of a moratorium on executions as a first step toward the abolition of the death penalty (Fiji);	1		1
158.101	Introduce a formal moratorium on executions and take concrete steps towards the total abolition of the death penalty (Norway); Introduce a moratorium on the death penalty as the first step to its abolition (Slovakia); Introduce a moratorium on the death penalty with the view to the abolition of capital punishment (Portugal); Establish an immediate formal moratorium on executions and take concrete steps towards the total abolition of the death penalty (Estonia);	9		9
	Establish a moratorium on executions, followed by the eventual abolition of the death penalty (Finland); Establish a moratorium on the use of the death penalty as a first step towards the complete abolition of this practice (New Zealand); Declare an official moratorium on executions as a first step towards abolishing the death penalty and commute all sentences to prison terms (Spain); Introduce a moratorium and instigate public debate on the abolition of the death penalty, while also addressing how to support victims and their families (United Kingdom of Great Britain and Northern Ireland); Establish a moratorium on the use of the death penalty as a first step towards abolition and implement a mandatory appeal system against death penalty sentences (Australia);			
158.102	Initiate a policy review with the intention of abolishing the death penalty (Poland);	1		1
158.103	Ensure that all safeguards guaranteeing protection of the rights of those facing the death penalty are respected and that proceedings are in conformity with the International Covenant on Civil and Political Rights, in particular article 14 (Belgium);	1		1
TOTAL		33	0	33

During its latest Universal Periodic Review (UPR) cycle in 2023, Japan received a total of 300 recommendations, of which 33 were related to the death penalty. Japan did not accept any of the death penalty-related recommendations, mirroring its stance from its third UPR cycle. Furthermore, while the overall number of recommendations increased from the third to the fourth cycle, the number of death penalty-related recommendations decreased from 37 to 33.

EVOLUTION OF THEMES OF RECOMMENDATIONS MADE TO JAPAN BETWEEN 2017 AND 2023

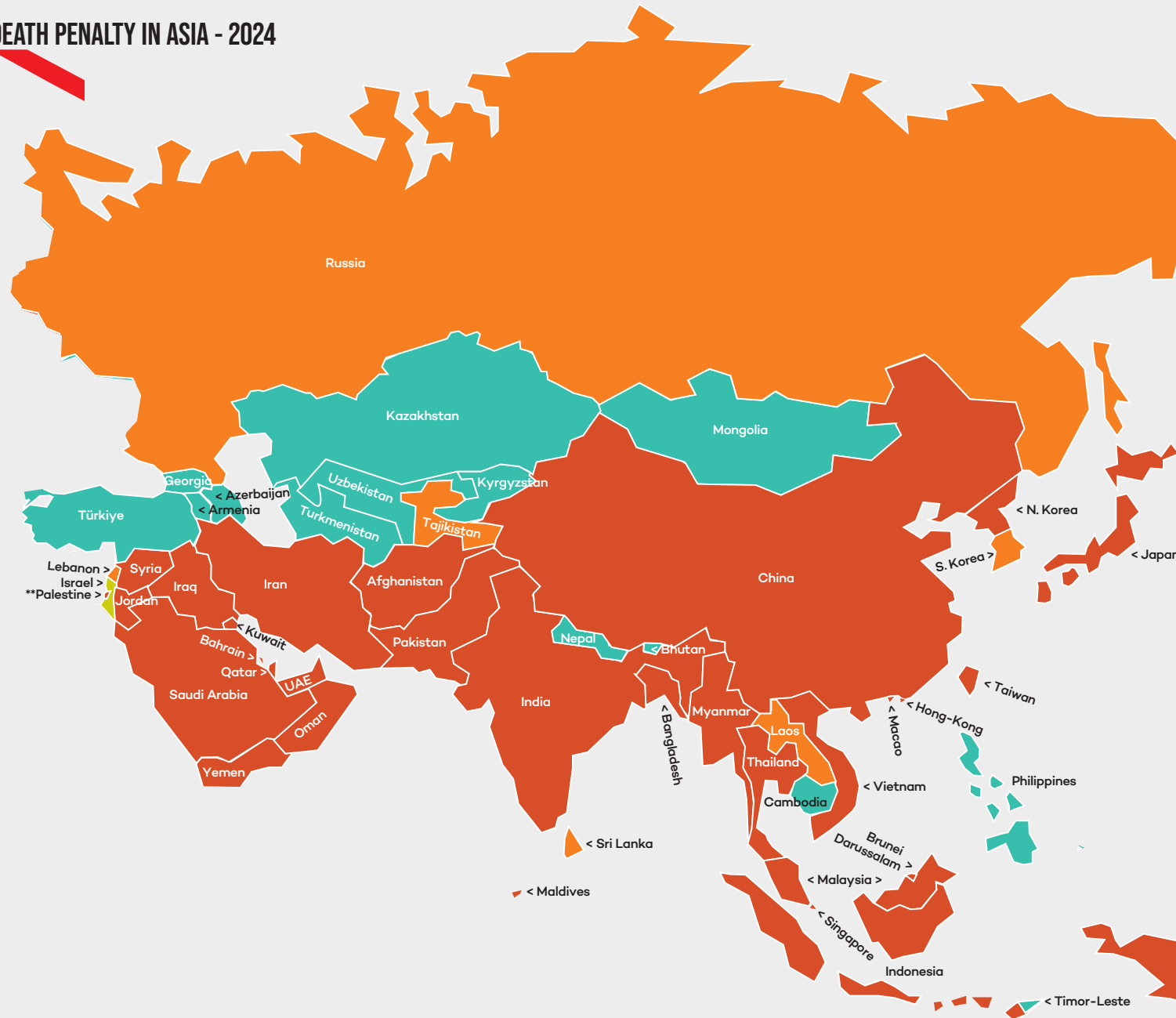


The recommendations made during Japan's last UPR confirmed the high priority towards the abolition of the death penalty and the establishment of a moratorium on executions. These two issues continue to represent the largest part of the themes mentioned in the recommendations.

A potential moratorium on executions was mentioned by 25 countries in 2017, and 18 countries in 2023, this small decrease could be attributed to the lower number of executions in Japan during the last few years (none have been carried out since July 2022), which could make the moratorium seem like a less pressing matter.

In other developments, demands for the ratification of the Second Optional Protocol to the ICCPR (OP2) rose from 14 to 19%, while public debate recommendations fell sharply from 8% to 2%.

THE DEATH PENALTY IN ASIA - 2024



14 ABOLITIONIST STATES FOR ALL CRIMES

States or territories where the death penalty is abolished.

1 ABOLITIONIST STATES FOR ORDINARY CRIMES

States or territories where the death penalty is abolished unless there are exceptional circumstances.

6 STATES WITH A MORATORIUM ON EXECUTIONS

States or territories where the death penalty is implemented but no executions have been carried out for at least 10 years and which did not oppose the latest UN resolution for a universal moratorium on executions and/or having ratified OP2*.

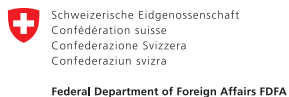
28 RETENTIONIST STATES

States or territories where the death penalty is implemented.

ABOLITION NOW

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