

NATIONAL

Criteria for hangings remain murky

Experts say trio executed for being easiest targets; LDP stays mum

KYODO

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The Liberal Democratic Party-led government appears reluctant to disclose the criteria under which it chose to execute three men Thursday, the first hangings since Prime Minister Shinzo Abe took power in December.

Some observers speculate that two of them were picked out of the more than 130 on death row because they had withdrawn their appeals and that executions may be revived on a regular basis.

In December 2009, a lawyer visited Masahiro Kanagawa, 29, one of the people hanged Thursday, at a detention center in Mito, Ibaraki Prefecture, to discuss an appeal after he was sentenced to death. He remembers being struck by Kanagawa's calmness.

Kanagawa was convicted of a series of random stabbings in Tsuchiura, Ibaraki Prefecture, in March 2008. During the trial he repeatedly said that his purpose in committing the crimes was "to be put to death."

While Kanagawa had appeared tense before hearing his sentence, on the day of the visit he looked "as if he had accomplished his goal," the lawyer recalled.

But the lawyer, who was never to see Kanagawa again, nonetheless felt that rehabilitation would have been possible and that he wondered whether Kanagawa's desire to be executed had lasted to the end.

Kanagawa and another prisoner, Kaoru Kobayashi, 44, convicted for the kidnapping and killing of a 7-year-old elementary school girl in Nara Prefecture in November 2004, both voluntarily withdrew appeals filed on their behalf by defense counsels.

According to an organization campaigning against the death penalty, despite dropping his appeal, Kobayashi had sought a pardon but had been notified Feb. 7 that his request had been rejected.

At a news conference Thursday, Justice Minister Sadakazu Tanigaki declined to say why the three

were chosen, saying, “I withhold comments on individual cases.” Executions require authorization by the justice minister.

But Yuji Ogawara, a lawyer familiar with the death penalty, said the government likely “put priority on those that can be easily executed, such as people who did not request retrials.”

Asked about the issue, a senior Justice Ministry official said that “because (the prisoners) voluntarily withdrew their appeals, it can be interpreted as their lack of an intention to contest (their sentences).”

The third prisoner, Keiki Kano, 62, was convicted of strangling a 61-year-old woman in Nagoya in March 2002, with his sentence finalized in 2007.

Under the previous administration, led by the Democratic Party of Japan, five justice ministers, including Satsuki Eda and Hideo Hiraoka, did not authorize any executions during their tenures.

There were no executions for about 20 months through late March 2012, with 2011 becoming the first year in 19 with no executions.

Tanigaki ordered the three executions less than two months after taking office in December.

“It is a duty rightly expected of a justice minister,” said former LDP Justice Minister Kunio Hatoyama, who ordered the executions of 13 prisoners during his time in office. “I hope that executions will continue to be carried out in the future.”

While the DPJ government briefly set up a study group to discuss abolition of the death penalty, among other topics, Tanigaki appears hesitant about creating venues for such debate, making it less likely that a national conversation will gain momentum.

“In Japan, too much of the information such as the treatment of death-row prisoners is hidden,” said movie director Tatsuya Mori, who has written a book about the death penalty. “Whatever the pros and cons of the system, the entire nation should share the information and make improvements if necessary.”

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