

backlog of cases pending before the Naples Tribunal. There was still no news concerning the outcome of a judicial investigation opened into the alleged ill-treatment of inmates of Pianosa Island prison in 1992 (see Amnesty International Reports 1993 to 1996).

Amnesty International sought information from the authorities about the progress and outcome of criminal investigations into allegations of torture and ill-treatment. In October, in response to the organization's inquiries about the steps taken to investigate Edward Adjei Loundens' allegations, the Ministry of Justice stated that it had referred the case to Rome Public Prosecutor's Office. Amnesty International also expressed concern about the conduct of judicial proceedings relating to the alleged ill-treatment of Marcello Alessi. At the opening of the scheduled court hearing in October, the judge ordered further investigation into the circumstances of the case and adjourned the hearing to December 1997.

JAMAICA



least two people were sentenced to death and at least 61 others remained under sentence of death. There were no executions. One person was killed by police in disputed circumstances.

In July, the UN Human Rights Committee found that Jamaica had violated the rights of Ricky Burrell under the International Covenant on Civil and Political Rights (ICCPR). Ricky Burrell had been killed by prison guards in 1993 while under sentence of death (see Amnesty International Report 1994). The Committee found that the killing was in violation of Article 6 of the ICCPR, which states: "No one shall be arbitrarily deprived of his

life". The Committee also found that Ricky Burrell's rights under Article 14 of the ICCPR had been violated, in that he was "not effectively represented on appeal" by legal counsel; his appeal lawyer had stated in court that the grounds for the appeal against his conviction and death sentence were without merit.

In August, in a ruling on the case of death-row inmate Errol Johnson, the chairperson of the UN Human Rights Committee criticized Jamaica for having refused for the previous 10 years to comply with its obligations to report under article 40 of the ICCPR. This had prevented the Committee from considering whether the death penalty was being applied in accordance with the strict limits imposed by the ICCPR.

At least two new death sentences were imposed, of which one was later rescinded. Elvis Martin was sentenced to death in January, and Kevin Mykoo in February, both for murders committed in 1996. In October, the Court of Appeal overturned Elvis Martin's conviction, finding that the judge had failed to adequately direct the jury. At least 61 prisoners remained under sentence of death but no executions were carried out.

In October, Keith Francis was killed by police officers in disputed circumstances. Police claimed that Keith Francis had been shot dead in an exchange of gunfire with the police; according to several eyewitnesses, police officers shot him after he had been captured and disarmed.

In November, Amnesty International wrote to the Minister of National Security and Justice asking for information on the killing of Keith Francis and to be informed of the outcome of any official investigations. No reply had been received by the end of the year.

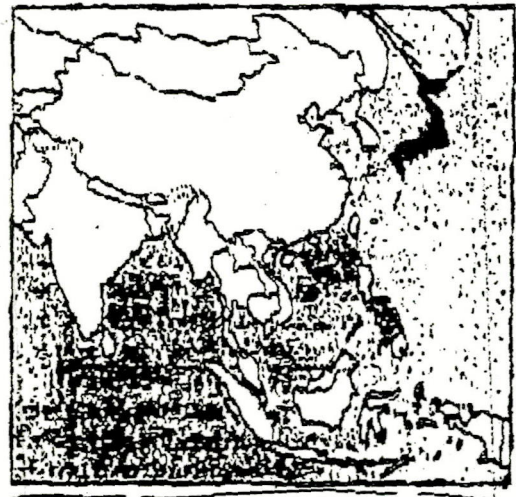
In December, Amnesty International wrote to the authorities asking that no executions be carried out.

JAPAN

Conditions of detention for all prisoners remained harsh, often amounting to cruel, inhuman and degrading treatment. Reports persisted of ill-treatment of prisoners and of foreign nationals detained at border points. Ninety prisoners remained under sentence of death. Six prisoners were executed.

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Prime Minister Murayama Tomiichi resigned in January and was replaced by Hashimoto Ryutaro, leader of the Liberal Democratic Party (LDP), one of three parties in the ruling coalition. General elections in October gave the LDP enough seats to form a minority government, still led by Hashimoto Ryutaro, without entering into a coalition but with outside support from its former coalition partners, the Social Democratic Party of Japan and the New Party Sakigake. The new LDP cabinet pledged itself to a program of administrative reform, particularly in economic affairs. The Minister of Justice, Matsuiura Isao, stated that his priority would be to fight corruption.



In February, the UN Special Rapporteur on violence against women published a report on the government's responsibility towards so-called "comfort women" - women forced into prostitution by the Japanese army during the Second World War. About 200,000 women, mostly from east and southeast Asia, were subjected to sexual slavery during the war. The Special Rapporteur's report called on the Japanese Government to acknowledge moral and legal responsibility for human rights violations against these women, to apologize, to provide compensation and to bring to justice those responsible for the recruitment and ill-treatment of the women. The government strongly criticized the Special Rapporteur's report and stood by its 1995 decision not to use state funds to pay compensation. In August, a private fund which had been set up in 1996 at the government's instigation (see Amnesty International Report 1996) started to send

payments to some of the women. Most of them refused to accept the payments, continuing to criticize the government's refusal to accept moral and legal responsibility.

Conditions of detention remained harsh and humiliating for all prisoners, and often constituted cruel, inhuman or degrading treatment. Among other rules, prisoners were not allowed to look at or speak to each other except during short rest periods, and were forbidden to speak to guards unless invited to do so. Minor infringements of the rules could lead to weeks in solitary confinement, where prisoners were often forced to sit still in a specified position for hours on end. Punishment could also involve solitary confinement in "protective cells" with padded walls, in which prisoners had to wear, sometimes for days on end, special bells which prevented them from moving their arms. Lawyers reported that more than 100 prisoners had initiated lawsuits claiming government compensation for alleged ill-treatment and excessively humiliating or harsh treatment. In September, a prisoner was awarded compensation by the Kumamoto District Court for the "mental pain" he suffered when the Kumamoto Prison authorities refused him permission to mail more than one letter per month to his daughter. In October, the parents of a man who died in a "protective cell" in July initiated legal proceedings for compensation, on the grounds that his human rights had been violated. The detainee, who was serving a two-month sentence for a driving offence, died a few days after being put in a "protective cell" in Hamada, Shimane Prefecture, reportedly as a punishment for being "noisy and violent". The outcome of the proceedings was not known by the end of the year.

Foreign nationals alleged that they were ill-treated while detained at border points pending expulsion. In October, a Danish national of Iranian origin was reportedly detained at Narita Airport, near Tokyo, when a border control official questioned the authenticity of his Danish passport. When he refused to sign a statement admitting that he was carrying forged documents, he was reportedly slapped, beaten about the head with a heavy cardboard roll and kicked in the legs by an immigration officer. He was also forced to pay a "fee" for staying in the

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