

# URGENT ACTION

## HALT PLANS TO REINSTATE THE DEATH PENALTY

**The House of Representatives and Senate of the Philippines will consider and vote on draft legislation to reintroduce the death penalty from as early as 13 December. If adopted, the draft law would allow for the imposition of the death penalty for a wide range of crimes, against international law obligations on this issue.**

On 7 December the Committee on Justice of the House of Representatives of the Philippines adopted draft legislation to reintroduce the death penalty, paving the way for its consideration by the House of Representatives and Senate. The government had pledged to make the House of Representatives adopt the draft law before the end of 2016. If adopted, the law would allow for the use of the death penalty for a several crimes ranging from murder to drug-related offences and aggravated circumstances of kidnapping, among others.

The Philippines, which fully abolished the death penalty for the second time in 2006, has ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights, an international treaty which categorically prohibits executions and commits the country to the abolition of this punishment. The adoption of legislation to reintroduce this punishment in national law would violate the Philippines' obligations under this treaty and put into question how the authorities value the country's international commitments.

At a time when more and more countries have been abolishing this punishment, a move to reintroduce the death penalty would set the Philippines starkly against the global trend towards its abolition. It would additionally undermine the country's strong track record of assisting and advocating for the commutation of the death sentences imposed on Filipino nationals abroad, such as overseas workers.

### **Please write immediately in English, Tagalog or your own language:**

- Asking the authorities of the Philippines to fully oppose the adoption of draft legislation to reintroduce the death penalty in the country;
- Reminding them that the Philippines has undertaken international law commitments to the abolition of the death penalty and that the move would undermine positive efforts to support Filipinos overseas workers facing the death penalty abroad;
- Highlighting that there is no evidence that the death penalty has a unique deterrent effect and more and more countries have been abolishing the death penalty.

### **PLEASE SEND APPEALS BEFORE 23 JANUARY 2017 TO:**

Speaker of the House  
Rep. Pantaleon Alvarez  
House of Representatives  
Rm. S-217-218  
Constitution Hills 1126  
Quezon City, Philippines  
Fax: (632) 9316277  
Email: speakerpda@congress.gov.ph  
Twitter: @speakeralvarez  
**Salutation: Dear Mr. Speaker**

Chairperson, House Committee on Human Rights  
Rep. Cheryl Deloso-Montalla  
House of Representatives, Rm. N-510  
Constitution Hills 1126  
Quezon City  
Philippines  
Fax: (632) 9315856  
Email: cheryl.montalla@deloso.com  
**Salutation: Dear Representative**

**And copies to:**  
Chairperson, House Committee on Public Order and Safety  
Rep. Romeo Acop  
House of Representatives  
Rm. SWA-414  
Constitution Hills 1126  
Quezon City, Philippines  
Fax: (632) 4424032  
Email: romeoacop@yahoo.com

**Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:**

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY  
INTERNATIONAL**



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### ADDITIONAL INFORMATION

The House of Representatives of the Philippines could begin consideration of a draft law to reintroduce the death penalty in the country as early as 13 December 2016. Under the proposed law, the Penal Code would be amended to allow for the use of the death penalty for certain circumstances of murder, treason, bribery, rape, kidnapping, robbery, destructive arson, drug-related offences, planting evidence and car-napping (stealing a motor vehicle). The draft law would also make the death penalty the mandatory punishment for some of these offences if carried out in certain instances. Further, it would mandate that the death sentence be implemented by lethal injection, hanging or firing squad between 12 and 18 months since its confirmation by the Supreme Court.

Amnesty International opposes the death penalty in all cases and under any circumstances as a violation of the right to life, recognized by the Universal Declaration on Human Rights; and as the ultimate cruel, inhuman and degrading punishment. It is an irrevocable punishment, imposed and administered through justice systems that can be vulnerable to discrimination and error. The organization is concerned by the Philippines authorities' claims about the death penalty's ability to deter crime and provide justice to victims, in order to justify this reintroduction. There is no conclusive evidence that the death penalty has a deterrent effect. Statistics from countries that have abolished the death penalty show that the absence of the death penalty has not resulted in an increase in the crimes previously subject to capital punishment, while evidence shows that punitive policies have little influence on the prevalence of drug use.

Since it abolished the death penalty in 2006, the Philippines has played an instrumental role in the protection of the right to life internationally, including through the promotion of the abolition of the death penalty. The authorities of the Philippines supported and co-sponsored five UN General Assembly resolutions on a moratorium on the use of the death penalty that have been adopted since 2007. The resolutions contain a critical call on states that have abolished the death penalty not to reintroduce it.

According to the most recent figures publicly reported and attributed to the Department of Foreign Affairs, as of April 2015 at least 88 Filipinos were facing the death penalty for various crimes in other countries. The Department of Foreign Affairs has been providing assistance to these prisoners to ensure their rights are respected. As part of their efforts, the country's representatives have applied political pressure to secure the commutation of the death sentences imposed on their nationals. Amnesty International is further concerned that the reintroduction of the death penalty will significantly diminish the capacity of the authorities of the Philippines to protect the rights of its citizens, including the right to a fair trial, when facing the death penalty in other countries.

As of today, 141 countries—more than two-thirds of the world's countries—have abolished the death penalty in law or in practice. The number of countries that carry out executions has also been declining, with only 11 countries known to have carried out executions every year in the past five years. In 2015, 169 (88%) of the 193 UN Member States were execution-free. In the Asia-Pacific region, 19 countries have abolished the death penalty for all crimes following the abolition of the death penalty in Fiji and Nauru in 2015 and 2016, respectively, and a further eight are abolitionist in practice. In 2015 Mongolia also adopted a new Criminal Code, effective from 2017, that abolishes the death penalty for all crimes.

Name: n/a

Gender m/f: n/a