

PHILIPPINES: Five men sentenced to death after torture

Lenido Lumanog and four others have been sentenced to death. All five have made credible complaints of torture during interrogation, but the authorities have failed to instigate a proper investigation before sentencing them to death.

Lenido Lumanog, a father of five, was visiting a friend's child in hospital in June 1996 when he was approached by a group of unidentified armed men who forced him into a vehicle and, after blindfolding and handcuffing him, reportedly hit him on the head and ribs. Believing he had been kidnapped by a criminal gang, Lenido Lumanog feared for his life. He later recounted that he was driven to an unknown location where, still blindfolded, he was tortured in an attempt to force him to confess to the murder of a former police officer. He claimed his interrogators nearly suffocated him by pulling plastic bags over his head, doused him with icy water and repeatedly subjected him to painful electric shocks. During five days' detention he was denied access to lawyers, relatives and medical attention.

Five days after his arrest, Lenido Lumanog was brought before a judicial officer and charged with murder. The following day, he complained to officials of the Philippine Commission on Human Rights that he had been tortured and was observed to be walking with a limp and complaining of numbness in his hand. In 1999 he was found guilty of murder and sentenced to death, along with Rameses de Jesus, Joel de Jesus, Cesar Fortuna and Augusto Santos.

Please write, expressing concern at reports that Lenido Lumanog, Rameses de Jesus, Joel de Jesus, Cesar Fortuna and Augusto Santos were tortured during incommunicado detention. Urge the authorities to investigate fully, independently and impartially their complaints of torture and call for their death sentences to be commuted.

Send appeals to: Artemio Tuquero, Secretary of Justice, Department of Justice, Padre Faura, Ermita, Manila, Philippines. Fax: +63 2 521 1614. E-mail: doj@erap.com

TURKMENISTAN: Ill-treatment and imprisonment of possible prisoner of conscience

Shagildy Atakov, a member of the Baptist Church, is serving a four year sentence in a corrective labour camp and has been fined the equivalent of US \$12,000. The authorities say he was arrested for fraud but members of his church believe the real reason is his religious affiliation.

The 36-year-old father of five was arrested at his home in Turkmenbashi on 18 December 1998 on “swindling” charges relating to his former car business. Kopetdag District Court in Ashgabat sentenced him to two years in a labour camp in March 1999; a sentence which was subsequently raised to four years after an appeal by the prosecution. Shagildy Atakov is currently serving his term in the town of Seydi. While in pre-trial custody, Shagildy Atakov reportedly suffered temporary loss of vision after he was subjected to systematic beatings; he was also unable to embrace his family when they visited him because of his injuries.

State officials are also reported to have harassed Shagildy Atakov’s family on religious grounds; placing his wife and children under “village arrest”, giving one of his brothers a term of administrative detention, and forcing other relatives from their jobs.

Please write, expressing concern at reports that Shagildy Atakov was prosecuted solely for his peaceful religious activity, in violation of Article 18 of the International Covenant on Civil and Political Rights to which Turkmenistan became a party in 1997. Urge the authorities to carry out

an impartial and comprehensive investigation into reports that he was ill-treated in custody and make public the findings. Also call on the authorities to protect his family from harassment.

Send appeals to: President Saparmurad Atayevich Niyazov, 74400 g. Ashgabat, Apparat Prezidenta, Prezidentu Niyazovu, S.A.; Turkmenistan. Fax: +993 12 35 51 12.

USA: Facing execution despite doubts over guilt

Philip Workman is scheduled to be executed in Tennessee on 31 January 2001, despite the emergence of evidence since his trial that undermines the original verdict. Philip Workman, aged 45, was convicted of the murder of police officer Lieutenant Ronald Oliver during a robbery of a Memphis restaurant in 1981.

Lt Oliver and two other officers were first to arrive at the scene. As Philip Workman – who has never denied the robbery – fled, shots were fired and Lt Oliver was killed by a single bullet. At the trial, the two police officers testified that they had not fired, but admitted that they had not seen Philip Workman shoot Lt Oliver. An alleged eyewitness, Harold Davis, said that he had seen Workman shoot the officer. The defence lawyer conducted no forensic or ballistics analysis and did not investigate Harold Davis.

Since the trial, however, Harold Davis has retracted his testimony, saying he lied under police coercion. An eyewitness has come forward to say that at least one of the other officers fired his gun. Ballistics experts have stated that the fatal bullet could not have come from Philip Workman's weapon, raising the possibility that Lt Oliver was killed by "friendly fire".

Seven jurors from the original trial have expressed their concern about the new evidence. In September, a federal court split 7-7 on whether to grant a hearing into the new evidence; Philip

Workman had needed one more vote. Two Tennessee Supreme Court judges have suggested that the governor should grant clemency.

The daughters of both prisoner and victim have appealed for clemency. “If I request that he be executed, I would be taking him away from Michele [Philip Workman’s daughter]. We suffered the same loss at the same time,” said the daughter of Lt Oliver.

Please write, urging the Governor to commute Philip Workman’s death sentence. Send appeals to The Honourable Don Sundquist, Office of the Governor, State Capitol, Nashville, TN 37243-0001, USA.

Fax: +1 615 532 9711. E-mail: dsundquist@mail.state.tn.us