

EXTRA 47/99

Imminent

PHILIPPINES Dante Piandiong
Jesus Morillos
Archie Bulan

The three men named above face imminent execution. A lower court has reportedly ordered their death sentences to be carried out on 7 April 1999.

Dante Piandiong, Jesus Morillos and Archie Bulan were sentenced to death in November 1994 for the killing of a police officer during an attempted robbery on a minibus in Manila. In February 1997 the Supreme Court confirmed their death sentences, rejecting their claim that a police line-up had been seriously flawed, and dismissing their defence that they had been elsewhere at the time of the crime.

In an interview with Amnesty International representatives, Dante Piandiong described how the police arrested him without a warrant on 27 February 1994 and tortured him to try to force him to confess. He claimed that during interrogation he was given electric shocks to his genitals, and was handcuffed and forced to lie flat on a bench while water was poured over his head, which was wrapped in a towel. He alleges that he was given access to a lawyer only after a month in custody.

During their trial, all three men testified that they had been tortured and ill-treated by the police. However, the trial judge only mentioned this in passing when he convicted them and sentenced them to death. When the Supreme Court reviewed their cases and confirmed their sentences, no reference was made to the alleged ill-treatment or torture.

BACKGROUND INFORMATION

The Philippines abolished the death penalty in 1987 but reintroduced it in late 1993. On 5 February 1999, the Philippines carried out its first execution in 23 years when Leo Echegaray, a convicted child-rapist, was put to death by lethal injection. The death sentence is applicable for 46 offences and mandatory for 21 in the Philippines, where more than 915 people are now on death row.

Amnesty International opposes the death penalty in all cases as a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment, as proclaimed in the Universal Declaration of Human Rights. The death penalty is an inherently unjust and arbitrary punishment, however heinous the crime for which it is imposed. Studies have shown that it is more likely to be imposed on those who are poorer, less educated and more vulnerable than average. The death penalty is irrevocable, yet there is always a risk of error in applying it. The risk of error becomes even greater when there are credible allegations that convicted prisoners have been tortured.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English or your own language:

- urging President Estrada to commute the death sentences passed on Dante Piandiong, Jesus Morillos and Archie Bulan;
- expressing unconditional opposition to the death penalty as a violation of one of the most fundamental human rights - the right to life;

-pointing out that the death penalty is imposed disproportionately on the poorest and most disadvantaged, who cannot afford the best possible lawyers for their defence;

-acknowledging the need to combat serious crime in the Philippines, but emphasizing that studies around the world have failed to find convincing evidence that the death penalty deters criminals more effectively than other punishments;

- expressing concern at reports that Dante Piandiong, Jesus Morallos and Archie Bulan were tortured during interrogation, a factor which may have prejudiced the fairness of their trial, and calling for a prompt and impartial investigation into these allegations, as required under the UN Convention Against Torture.

APPEALS TO:

President Joseph Estrada
Malaca_ang Palace
Manila
Philippines

Telegrams:President Estrada, manila, Philippines

Fax:+63 2 832 3793 (via Department of Foreign Affairs)

or+63 2 731 1325 (via Press Secretary to the President)

e-mails:erap@erap.com

Salutation:Dear President Estrada

COPIES TO:

Serafin Cuevas
Secretary of Justice
Padre Faura, Ermita, Manila
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and to diplomatic representatives of the Philippines accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 24 April 1999.