

PUBLIC

AI Index: ASA 35/26/99

7 July 1999

Further information on EXTRA 47/99 (ASA 35/13/99, 24 March 1999) and follow-up (ASA 35/14/99, 6 April 1999) - Imminent Execution

PHILIPPINES Dante Piandong, aged 27
Jesus Morillos, aged 32
Archie Bulan, aged 24

Dante Piandong, Jesus Morillos and Archie Bulan risk imminent execution by lethal injection on Thursday 8 July 1999 from around 2.30pm Philippines time, when their 90-day reprieve runs out.

President Estrada had granted the men a reprieve on 6 April, one day before their previous scheduled execution. However on 6 July a three-person Presidential Review Committee recommended that no further reprieve or commutation be granted. President Estrada today said that the men "deserved no mercy", and preparations for the executions are going ahead.

Dante Piandong, 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 public minibus. In February 1997 the Supreme Court confirmed their sentences, rejecting claims that a police line-up had been seriously flawed, and dismissing their defence that they had been elsewhere at the time.

Amnesty International is concerned that the Presidential Review Committee reportedly found "no extenuating circumstance which would call for the President's exercise of his clemency power", despite allegations that the police had used torture to coerce confessions from the three suspects.

In an interview with Amnesty International representatives in 1997 Dante Piandong alleged 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.

Amnesty International is gravely concerned that if the executions go ahead the Philippines would be in breach of its obligations as a party to the International Covenant on Civil and Political Rights (ICCPR) and the UN Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT).

Allegations of torture, which may have affected the fairness of the trial, must be fully and impartially investigated - especially when such torture may have affected the outcome of an investigation or trial in which the outcome is irreversible.

BACKGROUND INFORMATION

The Philippines restored the death penalty in late 1993. The first execution, that of Leo Echegaray, took place in February 1999, and the second, that of Eduardo Agbayani, in June 1999. Over 1,000 people are on death row.

President Estrada has granted a series of last-minute temporary reprieves since February 1999. One such reprieve was communicated to the execution chamber a few minutes too late to halt the execution of Eduardo Agbayani. President Estrada recently stated that he will grant reprieves to those who committed

their crimes "out of poverty", and has ordered the review of 10 other imminent execution cases.

FURTHER RECOMMENDED ACTION: Please send telegrams/faxes/e-mails in English or your own language:

- urging President Estrada to commute the death sentences passed on Dante Piandong, Jesus Morillos and Archie Bulan;
- expressing concern at reports that Dante Piandong was tortured during interrogation, a factor which may have prejudiced the fairness of his trial, and calling for a full, open and impartial investigation into the allegations, as required by the UN Convention against Torture (CAT);
- expressing unconditional opposition to the death penalty as a violation of the right to life;
- 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;
- urging the Philippines to suspend all executions, with a view to completely abolishing the death penalty in line with the resolution of United Nations Commission on Human Rights adopted in April 1998.

APPEALS TO:

President Joseph Estrada
Malacañang Palace
Manila
Philippines

Telegrams: President Estrada, Manila, Philippines

Faxes: + 63 2 832 3793 (via Department of Foreign Affairs) / + 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
Philippines

E-mails: doj@erap.com

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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 8 July 1999.