

PUBLIC

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Further information on EXTRA 64/99 (ASA 35/15/99, 24 May 1999) and follow-ups (27 May 1999, ASA 35/16/99, 28 June 1999, ASA 35/24/99, 23 July 1999, ASA 35/29/99) - Imminent execution

PHILIPPINESPablito Andan, aged 27, tricycle driver

Amnesty International fears that Pablito Andan may be executed at any time once his stay of execution expires on 25 October 1999, after President Estrada rejected his appeal for clemency. The President based his decision on the advice of the "conscience committee", created recently to review the cases of all prisoners scheduled for execution. Pablito Andan has been granted three separate stays of execution since May 1999.

Pablito Andan was sentenced to death for rape and murder in August 1994. He testified at his trial that he had been tortured during interrogation to force him to confess to the crime. Amnesty International has repeatedly raised concerns with the Philippine authorities about the torture allegations, which were noted by the Supreme Court when Pablito Andan's death sentence was confirmed. The organization has called for a prompt and impartial investigation into these allegations, as required by the UN Convention against Torture (CAT), to which the Philippines is a party. Amnesty International has received no response to its requests and is not aware that any such investigation has been undertaken. If this execution goes ahead the Philippines may be in breach of its obligations under the CAT.

Amnesty International's concern **about the "conscience committee's" decision** is heightened by reports in today's *Philippine Star* and *Manila Bulletin* that the five-member committee voted 4-1 not to recommend clemency on the basis that Pablito Andan had "confessed to the crime".

The "conscience committee" is headed by Executive Secretary Ronaldo Zamora and has four other members - a Catholic bishop, the chairwoman of the pro-death penalty citizens' group Crusade against Violence, and two psychology professors. The committee voted this week to commute the sentences of four other prisoners on death row.

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

- urging President Estrada, Executive Secretary Zamora and the other members of the "conscience committee" to reconsider their decision on Pablito Andan and urging them to commute his death sentence to a more humane alternative;
- reiterating concern at allegations, recorded by the Supreme Court, that Pablito Andan was tortured during interrogation, a factor which may have seriously prejudiced the fairness of his trial;
- reminding the Philippines of its obligation under the UN Convention against Torture to carry out a prompt and impartial investigation into these allegations and urging that the results be made public;
- reiterating concerns that the risks of error in the application of the death penalty are increased if convictions are made on the basis of confessions made under torture.

APPEALS TO (please note that fax tones are sometimes difficult to obtain):

Executive Secretary Ronaldo Zamora (head of the "conscience committee")

Office of the Executive Secretary
2nd Floor, New Executive Building, J.P. Laurel St,
San Miguel 1005, Manila
Philippines

Telegrams:Executive Secretary Ronaldo Zamora, Manila, Philippines

Faxes:+ 63 2 736 1010

Salutation:Dear Executive Secretary Zamora

President Joseph Estrada
Malacañang Palace
J.P. Laurel St
San Miguel 1005
Manila
Philippines

Telegrams:President Estrada, Manila, Philippines

Faxes: + 63 2 742 1641 / 832 3793 (via Dept of Foreign Affairs)

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

E-mails:erap@ops.gov.ph

Salutation: Dear President Estrada

COPIES TO:

Secretary of Justice
Serafin Cuevas
Department of Justice
Padre Faura, Ermita, Manila
Philippines
Faxes:+ 63 2 521 1614

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 12 November 1999.