

PUBLIC

AI Index: ASA 35/004/2004

28 January 2004

Further Information on UA 14/04 (ASA 35/002/2004, 13 January 2004) Imminent Executions

PHILIPPINES

**Roberto Lara (m)
Roderick Licayan (m)**

On 28 January, Roberto Lara and Roderick Licayan were granted a 30-day stay of execution by the Supreme Court, only two days before they were due to be executed by lethal injection.

The Court's decision follows legal arguments put forward by the Public Attorney's Office (PAO) on 26 January. Supported by the Solicitor General, the PAO called on the Court to defer the executions pending a review of the case. This was due to the recent arrest of two key suspects in the original kidnapping case and the testimony of a new witness. On 28 January, the Supreme Court declared that they needed more time to study claims of new evidence, and to decide whether or not Roberto Lara and Roderick Licayan cases should be formally reopened.

Responding to the stay of execution, President Arroyo stated she remained determined to "enforce the law". Though she has previously declared her personal opposition to the death penalty, President Arroyo lifted the moratorium on executions in December 2003. No announcement of plans to reintroduce the moratorium has been made following the Court's decision.

Representatives of the Catholic Church, who have repeatedly emphasized the Pope's pro-life position, have welcomed the reprieve and expressed the hope that the two prisoners will eventually be cleared based on new evidence.

FURTHER RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or in your own language:

- noting the decision of the Supreme Court to suspend for 30 days the execution of Roberto Lara and Roderick Licayan;
- calling on President Arroyo to commute their death sentences, and grant clemency to 32 other prisoners who are reportedly facing executions in 2004;
- expressing concern at the possibility of judicial error in the Philippine criminal justice system, which increases the risk of the innocent being executed;
- expressing unconditional opposition to the death penalty as a violation of the right to life;
- urging the President to reinstitute an official moratorium on all executions, with a view to completely abolishing the death penalty and support continuing moves within the Congress to abolish death penalty.

APPEALS TO:

President

President Gloria Macapagal-Arroyo

Malacanang Palace

J.P. Laurel St

San Miguel 1005, Manila

Philippines

Telegrams: President Macapagal-Arroyo, Manila, Philippines

Fax: +632 736 2495/ 733 2107/ 736 1010

Salutation: Dear President Macapagal-Arroyo

COPIES TO:

Secretary of Justice

Secretary Merceditas Gutierrez

Department of Justice

Padre Faura, Ermita, Manila

Philippines

Telegrams: Secretary Merceditas Gutierrez, Manila, Philippines

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Salutation: Dear Secretary of Justice

and to diplomatic representatives of Philippines accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. All appeals must arrive by 2 March 2004.