

PUBLIC

AI Index: ASA 35/42/99

14 October 1999

Further information on UA 178/99 (ASA 35/30/99, 23 July 1999) and follow-ups (ASA 35/33/99, 11 August 1999, ASA 35/35/99, 13 August 1999, ASA 35/37/99, 20 September 1999 and ASA 35/39/99, 28 September 1999) - Imminent execution

PHILIPPINESJosefina Esparas (f)

On 13 October 1999, President Estrada announced he had decided to commute the death sentence against Josefina Esparas. This is the first time the President has ordered a death sentence to be commuted.

According to a *Reuters* report, he said he had reached his decision on the recommendation of the newly created "conscience committee" which had argued that Josefina Esparas, convicted of drug-trafficking, was "just a carrier and not the mastermind". "It would not have been fair for her to be put to death by lethal injection while the mastermind is not punished at all", the President is reported to have said.

On 27 September, three days before she was scheduled to be executed, President Estrada granted Josefina Esparas a 20-day stay of execution to allow the "conscience committee" to examine her case. Hers was one of a number of temporary reprieves granted by him in recent weeks. It is not clear what sort of sentence Josefina Esparas will now serve but it is thought likely to be life imprisonment.

If Josefina Esparas's execution had gone ahead she would have been the first woman to be executed in the Philippines since the death penalty was restored in 1993.

More than 20 women are currently on death row in the Philippines for crimes ranging from drug-trafficking to murder and kidnapping. The total number of prisoners under sentence of death in the country is now well over 1,000. The "conscience committee" is due to make decisions on a number of other prisoners whose death sentences have been confirmed by the Supreme Court.

Many thanks to all who sent appeals on behalf of Josefina Esparas. Although no further action is required by the Urgent Action network participants may send a final round of appeals in English or your own language:

- welcoming President Estrada's decision to commute the death sentence passed on Josefina Esparas;
- expressing the hope that he will grant clemency in all other pending death sentences;
- urging the Philippines to establish a moratorium on executions, with a view to completely abolishing the death penalty, in line with resolution 1998/8, adopted on 3 April 1998 by the UN Commission on Human Rights.

APPEALS TO (please note that fax tones to the Philippines are sometimes available on an erratic basis):

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Salutation: Dear President Estrada

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