

# **AMNESTY INTERNATIONAL**

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### **Philippines: lawmakers must uphold international obligations and say no to the death penalty**

As the House of Representatives and Senate of the Philippines resume their work on 16 January 2017, Amnesty International calls on the country's lawmakers to uphold its obligations under international law and oppose attempts to reintroduce the death penalty.

The session of the Congress of the Philippines resumes this week, when a Bill aimed at reintroducing the death penalty is expected to be discussed at the House of Representatives. The Bill, which is a consolidated version of several proposals adopted by the Sub-Committee on Judicial Reforms of the Committee on Justice of the House of Representatives on 29 November 2016, would reintroduce the death penalty for a wide range of offences.

The move would categorically violate the country's obligations under international law. In 2007 the Philippines ratified the Second Optional Protocol of the International Convention on Civil and Political Rights that categorically prohibits executions and commits the country to the abolition of this punishment. These obligations cannot be withdrawn at any time. Amnesty International renews its call on the country's authorities to vote to uphold these obligations, instead of reintroducing a punishment that would cast a further dark stain in the country's human rights record.

At a time when more and more countries are abolishing the death penalty and 141 in total are now abolitionist in law or practice, a move to reintroduce the ultimate cruel, inhuman and degrading punishment would set the Philippines starkly against the global trend towards abolition, more than a decade after the country fully abolished the death penalty – for the second time – in 2006.

It would also undermine the country's strong track record of advocating for the commutation of the death sentences imposed on Filipino nationals abroad, such as overseas workers, if moves were made to re-introduce these penalties back home. The legal assistance and political pressure the authorities of the Philippines have provided to those facing this punishment in other countries has

undoubtedly contributed to the protection of their rights, including the right to a fair trial.

Amnesty International is further concerned by the Philippines authorities' claims about the death penalty's ability to deter crime and provide justice to victims, in order to justify its reintroduction. While governments have the obligation to respect and protect the human rights of victims of violent and other serious crime, they also have the responsibility to ensure that all other relevant human rights are protected and respected. This includes ensuring fair judicial processes, as well as that punishments are not cruel, inhuman and degrading punishment or amount to torture and any sanction must have reformation and social rehabilitation of prisoners as its primary aim.

There is no conclusive evidence that the death penalty has a deterrent effect. Statistics from countries that have abolished the death penalty show that the absence of the death penalty has not resulted in an increase in the crimes previously subject to capital punishment, while evidence shows that punitive policies have little influence on the prevalence of drug use.

Amnesty International opposes the death penalty in all cases and under any circumstances as a violation of the right to life, recognized by the Universal Declaration on Human Rights; and as the ultimate cruel, inhuman and degrading punishment. It is an irrevocable punishment, imposed and administered through justice systems that can be vulnerable to discrimination and error. Amnesty International urges members of the Sub-Committee on Judicial Reforms of the Committee on Justice, and of the Congress more broadly, to reject in full the proposed legislation.