



## ASIAN HUMAN RIGHTS COMMISSION

19 Floor, Go-Up Commercial Building, 998 Canton Road  
Kowloon, Hong Kong . Tel: +(852) 2698-6339 . Fax: +(852) 2698-6367  
E-mail: [ahrchk@ahrchk.org](mailto:ahrchk@ahrchk.org) . Web: [www.ahrchk.net](http://www.ahrchk.net)

5 May 2008

Chief Justice Reynato S. Puno  
Supreme Court of the Philippines  
3rd Floor, New Supreme Court Building Annex  
Padre Faura Street, Ermita  
1000 Manila  
PHILIPPINES

Telefax: +63 2 526 8129  
Tel: +63 2 522 5090 to 94  
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Email: [pio@supremecourt.gov.ph](mailto:pio@supremecourt.gov.ph)

Dear Chief Justice Puno,

### **PHILIPPINES: Please ensure an adequate review of the Abadilla Five case**

The AHRC is writing to draw your attention to the well known case of the Abadilla Five.

We have learned that on 1 April 2008, the Court of Appeals (CA) has affirmed a decision by a lower court convicting the five accused for the murder of a police colonel, Rolando Abadilla, in June 1996.

While we appreciate the CA's conclusion of this long overdue case, it is disappointing that there has not been a substantial or real review that took place. Instead of thoroughly reviewing the case, the CA has instead plagiarized the arguments invoked by the Office of the Solicitor General (OSG).

They also ignored, in absence of a reasonable and sufficient explanation, large areas of argumentation by the defense clearly stipulated in their appeals' brief.

It is disappointing that for over eight years the five accused have suffered undue and unnecessary delays in the review yet they have not been able to obtain these Constitutional rights so far. The actions taken by the CA is completely in contravention to its obligations and judicial practice. It is unthinkable that for persons formerly convicted for death the review of their case has not been taken seriously.

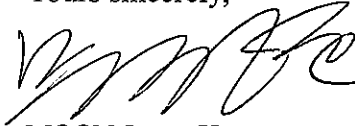
In fact, the legal counsels of the accused have filed a Petition for Review for Certiorari on 5 May 2008 urging the Supreme Court (SC) to declare the CA's decision as null and void. Unless and until these substantial arguments invoking the accused' innocence are not adequately dealt with, questions to the credibility and fairness of the conviction remains.

We therefore urge you to ensure that the appellant Petition for Review for Certiorari is promptly acted upon and to avoid further delay. This case could no longer afford to

endure more delays. The SC justices must also ensure that the arguments invoked by the legal counsels of the accused are dealt with accordingly.

We urge the judiciary that it must uphold and reassert its judicial integrity and credibility. It must ensure that every person who is deprived of their liberty is afforded with fair, impartial and credible review by high tribunal.

Yours sincerely,



MOON Jeong Ho  
Programme Officer  
Urgent Appeals programme



CC:

1. Justices Leonardo A. Quisumbing
2. Consuelo Ynares Santiago
3. Antonio T. Carpio
4. Ma. Alicia Austria-Martinez
5. Renato C. Corona
6. Conchita Carpio-Morales
7. Adolfo S. Azcuna
8. Dante O. Tinga
9. Minita Chico-Nazario
10. Presbitero J. Velasco, Jr.
11. Antonio Eduardo B. Nachura
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5 May 2008

Justice Leonardo A. Quisumbing  
Supreme Court of the Philippines  
3rd Floor, New Supreme Court Building Annex  
Padre Faura Street, Ermita  
1000 Manila  
PHILIPPINES

Dear Justice Quisumbing,

Please see attached a letter by the Asian Human Rights Commission (AHRC) to Chief Justice Reynato Puno of the Supreme Court (SC) requesting for appropriate action to ensure that Petition for Review of the Abadilla Five case is acted promptly and effectively.

Yours sincerely,

MOON Jeong Ho  
Programme Officer  
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5 May 2008

Justice Consuelo Ynares Santiago  
Supreme Court of the Philippines  
3rd Floor, New Supreme Court Building Annex  
Padre Faura Street, Ermita  
1000 Manila  
PHILIPPINES

Dear Justice Santiago,

Please see attached a letter by the Asian Human Rights Commission (AHRC) to Chief Justice Reynato Puno of the Supreme Court (SC) requesting for appropriate action to ensure that Petition for Review of the Abadilla Five case is acted promptly and effectively.

Yours sincerely,

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5 May 2008

Justice Antonio T. Carpio  
Supreme Court of the Philippines  
3rd Floor, New Supreme Court Building Annex  
Padre Faura Street, Ermita  
1000 Manila  
PHILIPPINES

Dear Justice Carpio,

Please see attached a letter by the Asian Human Rights Commission (AHRC) to Chief Justice Reynato Puno of the Supreme Court (SC) requesting for appropriate action to ensure that Petition for Review of the Abadilla Five case is acted promptly and effectively.

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5 May 2008

Justice Ma. Alicia Austria-Martinez  
Supreme Court of the Philippines  
3rd Floor, New Supreme Court Building Annex  
Padre Faura Street, Ermita  
1000 Manila  
PHILIPPINES

Dear Justice Austria-Martinez,

Please see attached a letter by the Asian Human Rights Commission (AHRC) to Chief Justice Reynato Puno of the Supreme Court (SC) requesting for appropriate action to ensure that Petition for Review of the Abadilla Five case is acted promptly and effectively.

Yours sincerely,

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5 May 2008

Justice Renato C. Corona  
Supreme Court of the Philippines  
3rd Floor, New Supreme Court Building Annex  
Padre Faura Street, Ermita  
1000 Manila  
PHILIPPINES

Dear Justice Corona,

Please see attached a letter by the Asian Human Rights Commission (AHRC) to Chief Justice Reynato Puno of the Supreme Court (SC) requesting for appropriate action to ensure that Petition for Review of the Abadilla Five case is acted promptly and effectively.

Yours sincerely,

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5 May 2008

Justice Conchita Carpio-Morales  
Supreme Court of the Philippines  
3rd Floor, New Supreme Court Building Annex  
Padre Faura Street, Ermita  
1000 Manila  
PHILIPPINES

Dear Justice Carpio-Morales,

Please see attached a letter by the Asian Human Rights Commission (AHRC) to Chief Justice Reynato Puno of the Supreme Court (SC) requesting for appropriate action to ensure that Petition for Review of the Abadilla Five case is acted promptly and effectively.

Yours sincerely,

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5 May 2008

Justice Adolfo S. Azcuna  
Supreme Court of the Philippines  
3rd Floor, New Supreme Court Building Annex  
Padre Faura Street, Ermita  
1000 Manila  
PHILIPPINES

Dear Justice Azcuna,

Please see attached a letter by the Asian Human Rights Commission (AHRC) to Chief Justice Reynato Puno of the Supreme Court (SC) requesting for appropriate action to ensure that Petition for Review of the Abadilla Five case is acted promptly and effectively.

Yours sincerely,

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5 May 2008

Justice Dante O. Tinga  
Supreme Court of the Philippines  
3rd Floor, New Supreme Court Building Annex  
Padre Faura Street, Ermita  
1000 Manila  
PHILIPPINES

Dear Justice Tinga,

Please see attached a letter by the Asian Human Rights Commission (AHRC) to Chief Justice Reynato Puno of the Supreme Court (SC) requesting for appropriate action to ensure that Petition for Review of the Abadilla Five case is acted promptly and effectively.

Yours sincerely,

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5 May 2008

Justice Minita Chico-Nazario  
Supreme Court of the Philippines  
3rd Floor, New Supreme Court Building Annex  
Padre Faura Street, Ermita  
1000 Manila  
PHILIPPINES

Dear Justice Chico-Nazario,

Please see attached a letter by the Asian Human Rights Commission (AHRC) to Chief Justice Reynato Puno of the Supreme Court (SC) requesting for appropriate action to ensure that Petition for Review of the Abadilla Five case is acted promptly and effectively.

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5 May 2008

Justice Presbitero J. Velasco, Jr.  
Supreme Court of the Philippines  
3rd Floor, New Supreme Court Building Annex  
Padre Faura Street, Ermita  
1000 Manila  
PHILIPPINES

Dear Justice Velasco,

Please see attached a letter by the Asian Human Rights Commission (AHRC) to Chief Justice Reynato Puno of the Supreme Court (SC) requesting for appropriate action to ensure that Petition for Review of the Abadilla Five case is acted promptly and effectively.

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5 May 2008

Justice Antonio Eduardo B. Nachura  
Supreme Court of the Philippines  
3rd Floor, New Supreme Court Building Annex  
Padre Faura Street, Ermita  
1000 Manila  
PHILIPPINES

Dear Justice Nachura,

Please see attached a letter by the Asian Human Rights Commission (AHRC) to Chief Justice Reynato Puno of the Supreme Court (SC) requesting for appropriate action to ensure that Petition for Review of the Abadilla Five case is acted promptly and effectively.

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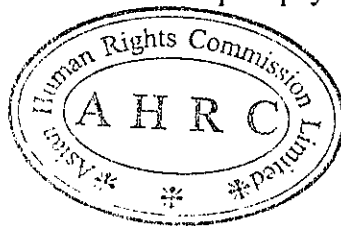
Justice Ruben T. Reyes  
Supreme Court of the Philippines  
3rd Floor, New Supreme Court Building Annex  
Padre Faura Street, Ermita  
1000 Manila  
PHILIPPINES

Dear Justice Reyes,

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5 May 2008

Justice Teresita J. Leonardo-De Castro  
Supreme Court of the Philippines  
3rd Floor, New Supreme Court Building Annex  
Padre Faura Street, Ermita  
1000 Manila  
PHILIPPINES

Dear Justice Leonardo-De Castro,

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5 May 2008

Justice Arturo D. Brion  
Supreme Court of the Philippines  
3rd Floor, New Supreme Court Building Annex  
Padre Faura Street, Ermita  
1000 Manila  
PHILIPPINES

Dear Justice Brion,

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We have learned that on 1 April 2008, the Court of Appeals (CA) has affirmed a decision by a lower court convicting the five accused for the murder of a police colonel, Rolando Abadilla, in June 1996.

While we appreciate the CA's conclusion of this long overdue case, it is disappointing that there has not been a substantial or real review that took place. Instead of thoroughly reviewing the case, the CA has instead plagiarized the arguments invoked by the Office of the Solicitor General (OSG).

They also ignored, in absence of a reasonable and sufficient explanation, large areas of argumentation by the defense clearly stipulated in their appeals' brief.

It is disappointing that for over eight years the five accused have suffered undue and unnecessary delays in the review yet they have not been able to obtain these Constitutional rights so far. The actions taken by the CA is completely in contravention to its obligations and judicial practice. It is unthinkable that for persons formerly convicted for death the review of their case has not been taken seriously.

In fact, the legal counsels of the accused have filed a Petition for Review for Certiorari on 5 May 2008 urging the Supreme Court (SC) to declare the CA's decision as null and void. Unless and until these substantial arguments invoking the accused' innocence are not adequately dealt with, questions to the credibility and fairness of the conviction remains.

We therefore urge you to ensure that the appellant Petition for Review for Certiorari is promptly acted upon and to avoid further delay. This case could no longer afford to

endure more delays. The SC justices must also ensure that the arguments invoked by the legal counsels of the accused are dealt with accordingly.

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Programme Officer  
Urgent Appeals programme



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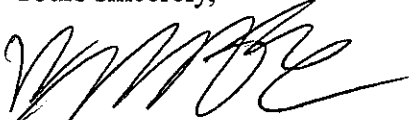
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Programme Officer  
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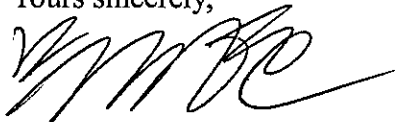
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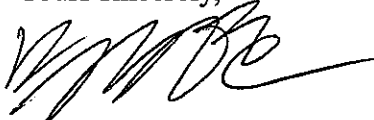
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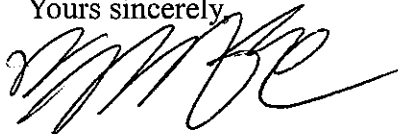
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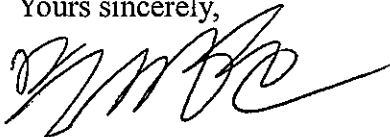
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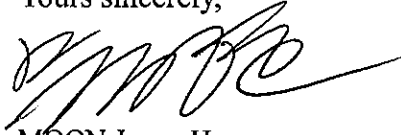
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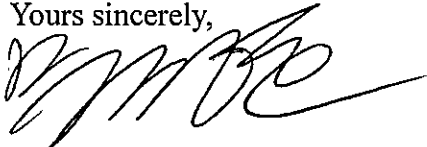
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