

EXECUTIVE ORDER NO. 147

CONSTITUTING THE PRESIDENTIAL CONSCIENCE COMMITTEE
TO REVIEW CASES OF DEATH CONVICTS
SCHEDULED FOR EXECUTION

WHEREAS, Republic Act 7659 imposed the death penalty on certain heinous crimes "in the interest of justice, public order, and the rule of law;"

WHEREAS, RA 7659 states that "In all cases where the death sentence has become final, the records of the case shall be forwarded immediately by the Supreme Court to the Office of the President for possible exercise of the pardoning power;"

WHEREAS, the President has exercised, on several occasions, his power under the Constitution (Article VII) to grant reprieve to death convicts;

WHEREAS, there is need to balance humanitarian concerns and the demands of social justice in the implementation of the law on death penalty and the exercise of the President's power to grant reprieve, commutations, and pardons;

WHEREAS, there is need for a multidisciplinary group that will assist the President in reviewing cases of death penalty turned over by the Supreme Court to the Office of the President.

NOW, THEREFORE, I, JOSEPH EJERCITO ESTRADA, President of the Republic of the Philippines, by virtue of the powers vested in me by law, hereby order that:

SECTION 1. CONSTITUTION OF THE COMMITTEE. There is hereby constituted a Presidential Conscience Committee to Review Cases of Death Convicts Scheduled for Execution (hereinafter referred to as "Committee"). The Committee shall be purely a consultative and recommendatory body and shall not in any way limit or constrain the President's pardoning power.



SECTION 2. COMPOSITION. The Conscience Committee shall be chaired by the Executive Secretary, with the following as members:

- (a) One representative from the social sciences;
- (b) One representative from a non-government organization involved in anti-crime campaign; and
- (c) Two representatives from church-based organizations.

The Committee may call on representatives from the families of the accused and the victim during its deliberations.

The members of the Committee from the private sector shall not be considered as public officials but rather as private sector representatives in a consultative and recommendatory body.

SECTION 3. FUNCTIONS. The Committee shall have the following functions:

- (a) Undertake a review of cases of death convicts turned over by the Supreme Court to the Office of the President and scheduled for execution, taking into consideration both humanitarian concerns and the demands of social justice; and
- (b) Submit a recommendation to the President on the possible exercise of the President's power to grant reprieve, commutations, and pardons.

SECTION 4. REPORTING. The Committee shall submit its recommendations to the President not later than 48 hours before the scheduled execution of the convict.

SECTION 5. SUPPORT FROM OTHER GOVERNMENT AGENCIES. All agencies and instrumentalities of government are hereby directed to provide assistance to the Committee in the exercise of its functions.



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SECTION 6. SEPARABILITY CLAUSE. If, for any reason or reasons, any part of the provisions of this Order shall be held unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 7. EFFECTIVITY. This Order shall take effect immediately.

DONE in the City of Manila, this 27th day of August, in the Year of our Lord, Nineteen Hundred and Ninety-nine.


JOSEPH EJERCITO ESTRADA



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By the President:

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Date



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RONALDO B. ZAMORA
Executive Secretary



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