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Philippines: decision not to debate the death penalty -- a lost opportunity for human rights protection

The resolution passed by the House of Representatives in the Philippines not to debate the death penalty is a serious setback in human rights protection, Amnesty International said today.

The subsequent lifting of the Supreme Court's stay of execution for Leo Echegaray could mean that the executions of more than 860 prisoners on death row in the Philippines may soon begin.

"This is a very sad step backwards for human rights in the Philippines, a country which has in many ways been at the forefront of human rights promotion in Asia," Amnesty International added.

"An informed debate would have provided an opportunity for the Philippines to prove its commitment to human rights protection, especially the right to life."

While not belittling the seriousness of violent crime and its consequences for victims and their families, Amnesty International opposes the death penalty in all cases.

"There is no scientific proof that the death penalty is a better deterrent against crime than any other punishment. Effective law enforcement and the quick and impartial delivery of justice can prove much more efficient tools to fight crime," the organization said.

In the Philippines, the alleged use of torture to extract confessions in pre-trial detention increases the risk of judicial error. The risk of convicting innocent people is present in any judicial system, and it becomes much greater when torture is used.

Amnesty International is urging the Philippines to impose a moratorium on executions and to allow for an informed debate on the nature and scope of the death penalty. This would be in keeping with a resolution passed by the UN Commission on Human rights on 3 April 1998, which calls on all states that maintain the death penalty "to establish a moratorium on executions, with a view to completely abolishing the death penalty" and "progressively to restrict the number of offences for which the death sentence may be imposed".

Background

The Philippines is one of only four countries to have re-introduced the death penalty after abolition. If the first scheduled execution, that of Leo Echegaray, goes ahead, the Philippines will be the first country in the world to execute a person after having abolished and then re-introduced the death penalty.

The Supreme Court had ordered a stay of his execution pending a forthcoming congressional debate on capital punishment. However, yesterday the House of Representatives

voted not to debate the death penalty at this time, and the stay of execution has been lifted by the Supreme Court.

Although the death penalty was reintroduced only four years ago, the Philippines is among the countries in the world with the highest numbers of people condemned to death. The death penalty is applicable for 46 crimes and mandatory for 21 crimes. Currently, more than half of the more than 860 people on death row have been sentenced to death for rape.

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