

EXTERNAL

AI Index: ASA 35/07/96

6 September 1996

Further information (1) on UA 163/96 (ASA 35/05/96, 1 July 1996) - Death penalty

PHILIPPINES Leo Pilo Echegaray, house painter, aged about 35

Amnesty International understands that the Supreme Court is still considering the appeal lodged by Leo Pilo Echegaray's lawyer against his death sentence.

On 23 August 1996, the Free Legal Assistance Group (FLAG) - a leading association of human rights lawyers in the Philippines - filed a supplementary appeal on Leo Pilo Echegaray's behalf. FLAG's motion presents a number of points for consideration, including the assertion that Leo Pilo Echegaray's guilt had not been proved beyond reasonable doubt. FLAG also argued that the fairness of his trial was prejudiced due to the judge's lack of impartiality regarding the imposition of the death penalty.

The judge concerned has gained notoriety in the Philippines for founding an organization known as the "Guillotine Club" whose members are all reported to be judges who have passed death sentences. Members of the organization are perceived by the public to be strong advocates of the death penalty.

FLAG has further argued that the death penalty law is unconstitutional as it constitutes a cruel and unusual punishment and is an excessive and disproportionate punishment for rape and for other crimes which do not lead to the death of the victim.

According to FLAG there are now around 186 prisoners on death row. 107 cases have been referred to the Supreme Court but so far the Court has only heard around 12 of these cases and has not yet confirmed any further sentences.

No further appeals are required for the time being. A new Urgent Action may be issued in the future depending on further developments. Many thanks to all who sent appeals on Leo Pilo Echegaray's behalf.