



PUBLIC

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**Further information on EXTRA 84/98 (ASA 35/11/98, 17 November 1998) -
Imminent Execution**

PHILIPPINES Leo Echegaray, aged 38

The execution of Leo Echegaray has been scheduled to take place on 4 January 1999. According to news reports President Estrada has so far refused to grant him a reprieve.

Leo Echegaray was sentenced to death in 1994 after being convicted of raping his 10-year-old step daughter. His sentence was later confirmed by the Supreme Court in 1996.

Two months after the confirmation of Leo Echegaray's sentence a leading association of human rights lawyers - the Free Legal Assistance Group (FLAG) - filed an appeal against his sentence. They argued that his alleged crime had not been proven beyond reasonable doubt and that his trial was unfair. In February 1997, however, these arguments were rejected by the Supreme Court, and, on 16 November 1998, it issued a death warrant for Leo Echegaray.

Amnesty International opposes the death penalty in all cases as a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment, as proclaimed in the Universal Declaration of Human Rights.

The death penalty is an inherently unjust and arbitrary punishment, however heinous the crime for which it is provided. Studies have shown that it is more likely to be imposed on the poorest and most disadvantaged sectors of society who are unable to afford good legal defence.

RECOMMENDED ACTION: Please send telegrams/e-mails/faxes/express/airmail letters in English or your own language:

- urging President Estrada to exercise his power to grant clemency and commute to a more humane alternative the death sentence passed on Leo Echegaray;
- acknowledging the need to combat serious crime in the Philippines, but emphasizing that the death penalty has never been shown to have a unique deterrent effect to violent crime and is brutalising to all involved;
- pointing out that the death penalty is imposed disproportionately on those from the poorest and most disadvantaged sectors of society who cannot afford the best possible lawyer for their defence.

APPEALS TO:

President Joseph Estrada
Malacañang Palace
Manila
Philippines

Telegrams: President Estrada, Manila, Philippines

**Faxes: + 63 2 832 3793 (via Dept of Foreign Affairs)
or + 63 2 731 1325 (via Press Secretary to the President)**

Salutation: Dear President Estrada

Serafin Cuevas
Secretary of Justice
Department of Justice
Padre Faura, Ermita, Manila
Philippines

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Telegrams: Secretary Justice, Manila, Philippines
Faxes: + 63 2 521 1614
Salutation: Dear Secretary Cuevas

COPIES TO:

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and to diplomatic representatives of the Philippines accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.