

AI INDEX: ASA 35/22/99  
25 June 1999

## **Philippines: Presidential clemency came minutes too late to save Eduardo Agbayani's life**

Despite a last minute attempt by President Joseph Estrada to halt his execution, Eduardo Agbayani was executed on 25 June. The decision to grant him clemency was reportedly communicated to prison authorities at nine minutes past 3pm, shortly after he had received a lethal injection.

He died two minutes after the call came.

“It is now too late to save Eduardo Agbayani's life,” Amnesty International said. “But there is still time for the government to act with clarity and decisiveness to save the lives of the more than 1,000 people still on death row in the Philippines.”

“Eduardo Agbayani's execution has compounded the suffering of his family, and emphasised the death penalty's most fundamental flaw -- its irreversibility.”

“This case is a tragic reminder of the potential that exists at all stages of the Philippine judicial process for irrevocable errors in cases where people face the death penalty.”

“If any good is to come from this horrific event, the authorities should use it as a turning point, leading Philippines society away from a form of punishment which belongs in the past, and towards humane and constructive solutions to crime.”

Before any more lives are needlessly lost, Amnesty International urges the government to review its use of capital punishment, and to suspend all executions, pending abolition of the death penalty in law.

Eduardo Agbayani had been sentenced to death for the rape of his daughter, Eden, in 1994, when she was 14 years old. She had appealed alongside her sisters and members of the Catholic church to President Estrada to grant her father clemency. The death penalty is mandatory in the Philippines for 21 offences, including the crime of incestuous rape of minors. More than one in 10 of those on death row were sentenced for incestuous rape.

ENDS.../

\*\*\*\*\*

**For more information please call Amnesty International's press office in London, UK, on 44 171 413 5566 or visit our website on [www.amnesty.org](http://www.amnesty.org) for a copy of *Philippines: Amnesty International joins incest victim's plea for clemency for her father on death row (ASA 35/21/99, 24 June 1999)*.**