

News Service: 01/99

AI INDEX: ASA 35/02/99

4 JANUARY 1999

### **Philippines: Stayed Execution -- an opportunity for progress in human rights protection**

The decision made today by the Philippines Supreme Court to stay the first execution planned in the country in 23 years is a welcome step, but it must be followed by informed debate on the death penalty, Amnesty International said today.

Leo Echegaray was due to be executed by lethal injection today. Three hours before the time set for the execution the Supreme Court ordered it be delayed until after 15 June 1999. This will give Congress time to review a 1993 law restoring capital punishment for "heinous" crimes such as rape and murder.

"The forthcoming debate provides an opportunity for the Philippines to prove its commitment to the protection of human rights, especially the right to life," Amnesty International said. "But it is essential that legislators and the public are given the true facts about this inhuman, unjust and ultimately ineffective punishment."

"The death penalty violates fundamental human rights and brutalizes the society which applies it," the organization continued, urging legislators to lead the debate on the use of the death penalty away from the myth that such punishment deters crime.

"There is no scientific proof that the death penalty is a more effective deterrent against crime than any other punishment. To fight crime the Philippines does not need the death penalty, but effective law enforcement and the quick and impartial delivery of justice," Amnesty International concluded.

While sympathizing with the victims of violent crime and their families, Amnesty International opposes the death penalty in all cases. In the case of the Philippines the organization is particularly concerned that it has been applied in an arbitrary, inconsistent way which falls disproportionately on poorer, disadvantaged sectors of society.

Moreover, the safeguards necessary to ensure fair trials appear not to be rigorously upheld in the Philippines. The organization is further concerned at the alleged use of torture in pre-trial detention to extract confessions.

#### **Background**

Leo Echegaray would have been the first person to be executed in the Philippines in 23 years. He was sentenced to death in 1994 for the rape of his 10 years old step daughter and is one of at least 840 persons on death row, a large number of whom have been convicted for rape.

In the Philippines the death penalty -- abolished in 1987 and reintroduced in 1993 -- may be applied for a wide range of "heinous crimes", including treason, piracy, bribery, murder, kidnapping and serious illegal detention, drugs offences, and theft of a vehicle with rape or murder. ENDS.../