

EXTERNAL (for general distribution)

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Death Penalty

21 May 1992

INDIA:

Laxman Nayak

Amnesty International is concerned that Laxman Nayak faces imminent execution after the Orissa High Court recently upheld his death sentence.

Laxman Nayak was convicted of murdering his seven-year-old niece, and was sentenced by the Barpada sessions judge on 30 March 1992. It is unknown whether further appeals or mercy petitions have been made beyond the High Court.

BACKGROUND INFORMATION

The Indian Constitution protects the right to life. Yet on average over a dozen executions are carried out in India every year for criminal offences. Most of those executed are poor and illiterate.

The death penalty is usually carried out by hanging. An attempt to challenge this method of execution failed before the Supreme Court, which stated in a 1983 judgement that hanging did not involve torture, barbarity, humiliation or degradation.

There have been reports in the press that the government is considering extending the death penalty to persons convicted of kidnapping.

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 punishment, as proclaimed in the Universal Declaration of Human Rights.

RECOMMENDED ACTION: Please send telegrams/airmail letters:

- urging that the death sentence of Laxman Nayak be commuted to life imprisonment;
- explaining Amnesty International's unconditional opposition to the death penalty;
- pointing out that the death penalty has never been shown to have a special deterrent effect;
- urging that no further executions be carried out in India.

APPEALS TO

Jagya Datta Sharma
Governor of Orissa
Raj Bhavan
Bhubaneswar
Orissa
India

Salutation: Dear Governor

Telegrams: Governor Sharma, Orissa, India

Page 2 of UA 169/92

COPIES OF YOUR APPEALS TO:

The President
High Court Bar Association
High Court Building
Cuttack 2
Orissa
India

and to diplomatic representatives of India in your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 2 July 1992.