

EXTERNAL

AI Index: ASA 20/06/96

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Death penalty

16 February 1996

INDIAGantela Vijayavardhana Rao, aged 25
Satuluri Chalapathi Rao, aged 24

Amnesty International fears for the lives of Gantela Vijayavardhana Rao and Satuluri Chalapathi Rao. The two men were sentenced to death on 7 September 1995 by the third additional sessions court in Guntur for murder committed in March 1993. The sentences were subsequently upheld by the High Court of Andhra Pradesh.

An appeal against the High Court order was dismissed on 2 November 1995 when the date for execution was set for 20 February 1996. An appeal against the sentences was filed in the Supreme Court and is now pending. While the court considers the appeal the executions have been temporarily stayed.

BACKGROUND INFORMATION

The Indian Constitution protects the right to life. Yet on average 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 1981 judgement that hanging did not involve torture, barbarity, humiliation or degradation. Amnesty International believes it involves all of these.

Although India's highest court has ruled that the death penalty can only be applied in the "rarest of the rare" cases, the number of offences carrying the death penalty has been extended in recent years. In 1984, several judges of the Supreme Court ruled that a death sentence, if not carried out for more than two years, should be automatically commuted to life imprisonment. Other Supreme Court judges, however, have ruled that no specific time limit could be set for converting a sentence of death into life imprisonment on grounds of delay in execution.

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

- urging that the death sentences against Gantela Vijayavardhana Rao and Satuluri Chalapathi Rao not be carried out and that their sentences be commuted;
- expressing unconditional opposition to the death penalty as a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment as proclaimed in the Universal Declaration of Human Rights;
- pointing out that the death penalty has never been shown to have a unique deterrent effect.

APPEALS TO:

President Shankar Dayal Sharma
Office of the President
Rashtrapati Bhavan
New Delhi 110 004
India

Telegrams: President of India, New Delhi, India
Faxes: +91 11 301 7290

Salutation: Dear President

Chief Minister Chandrababu Naidu
Chief Minister of Andhra Pradesh
Office of the Chief Minister
Hyderabad
Andhra Pradesh
India

Telegrams: Chief Minister, Hyderabad, India

Faxes: +91 40 234 828

Salutation: Dear Chief Minister

COPIES TO:

Mr S.B Chavan
Minister for Home Affairs
Ministry for Home Affairs
North Block
New Delhi
India

and to diplomatic representatives of INDIA accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 8 April 1996.