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Death penalty

25 May 1995

EL SALVADOR            Attempts to reinstate the death penalty

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The ruling party in El Salvador, the *Alianza Republicana Nacionalista*, ARENA, Nationalist Republic Alliance, is about to submit a proposal to the *Asamblea Legislativa* (Legislative Assembly) which would reinstate the death penalty.

Should this proposal be approved, El Salvador would be violating its international commitments, as it is a party to the American Convention on Human Rights which states in Article 4 (3): "The death penalty shall not be re-established in states that have abolished it".

The death penalty was abolished in El Salvador in 1983 for all but exceptional crimes. Under Article 27 of the 1983 Constitution it can only be imposed during times of international war on those convicted of certain offences defined in the Military Code, such as treason, desertion, espionage and sedition.

In April 1995 a group of deputies of the ruling ARENA decided to propose a constitutional reform to reinstate the death penalty for, among other things, murder, kidnapping and rape. The initiative was allegedly in response to a perceived increase in criminal activity in the country. The reform needs, in the first instance, the support of 43 out of the 84 Deputies to be approved; it must then be ratified by two-thirds of the next elected Assembly (56 Deputies) before it can come into force. According to press reports, 41 deputies would vote in favour of the proposal at present.

Amnesty International opposes 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 Article 5 of the Universal Declaration of Human Rights.

**RECOMMENDED ACTION: Please send telegrams/faxes/airmail letters either in Spanish or in your own language:**

- expressing deep concern about the proposed constitutional reform to reintroduce the death penalty in El Salvador;
- stressing that the death penalty is not effective in combatting crime, mentioning that various studies undertaken on the subject have shown that it does not have a deterrent effect;
- noting that El Salvador would be infringing its international commitments if the proposal is approved by the Legislative Assembly; quote Article 4 of the American Convention on Human Rights ratified by El Salvador in June 1978;
- calling on members of the Legislative Assembly, through its president and vice-president, to oppose any attempt to reintroduce the death penalty in El Salvador.

**APPEALS TO**

*Please organize equal numbers of appeals to address 1 and 2 (ruling party and opposition)*

1) President of the Legislative Assembly  
Señorita Gloria Salguero Gross  
Presidenta de la Asamblea Legislativa

Honorable Asamblea Legislativa  
Centro de Gobierno  
San Salvador, El Salvador

**Telegrams: Presidenta Asamblea Legislativa, San Salvador, El Salvador**

**Faxes: + 503 271 1143**

**Salutation: Señora Presidenta de la Asamblea Legislativa**

2) Vice President of the Legislative Assembly

Señora Ana Guadalupe Martínez  
Vice Presidenta de la Asamblea Legislativa  
Honorable Asamblea Legislativa  
Centro de Gobierno  
San Salvador, El Salvador

**Telegrams: Vice Presidenta Asamblea Legislativa, San Salvador, El Salvador**

**Faxes: + 503 271 0517**

**Salutation: Señora Vice Presidenta de la Asamblea Legislativa**

**COPIES OF YOUR APPEALS TO:**

1) Human rights organizations

Señores  
IEJES  
Calle Sisimiles  
Av. Las Anturias N° 194  
San Salvador, El Salvador

Señores  
Centro de Promoción de los Derechos  
Humanos "Madeleine Lagadec"  
Colonia Universitaria  
Calle Universitaria N° 9  
Mexicanos, San Salvador, El Salvador

2) Daily newspapers

Diario Latino  
6ª Avenida Norte, 325  
San Salvador  
El Salvador

La Prensa Gráfica  
3ª Calle Poniente N° 130  
San Salvador  
El Salvador

and to diplomatic representatives of El Salvador accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 15 July 1995.