

EXTERNAL (for general distribution)

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UA 65/94 Death Penalty / Legal Concern

21 February 1994

EGYPT Medhat TAHHAWI
 Mohammad Ahmed Sa'id SALIH
 Hammada Mohammad LUTFI (sentenced in absentia)

According to foreign press reports the three men named above were sentenced to death last week, following a military trial held in secret. The official Egyptian media has so far released no information about the case. Medhat Tahhawi and Mohammad Ahmed Sa'id Salih are believed to be members of the armed forces. Hammada Mohammad Lutfi, a civilian, was sentenced in absentia. Three others reportedly received prison sentences.

The six, allegedly members of an armed Islamist opposition group, *al-Gama'a al-Islamiya*, were reportedly accused of planning the assassination of President Mubarak, and were tried in secret by a military court at the military barracks in Sidi Barrani, close to the Libyan border. Their trial reportedly began on 30 January. If these reports are true, the two men could be executed within weeks if their sentences are upheld.

BACKGROUND INFORMATION

During the last 20 months politically motivated acts of violence by armed opposition groups have escalated sharply in Egypt. Islamic militant groups have committed deliberate and arbitrary killings, which Amnesty International has condemned. Victims have included a writer known for his secularist views, Copts, tourists, government officials and many police and prison officers.

The three people named above were sentenced to death by a military court. No information is available regarding the actual proceedings. The trial appears to have taken place in secret. The death sentences are subject to ratification by the President of the Republic, and then review by the Military Appeals' Bureau, also headed by the President of the Republic. Such procedures fall far short of international standards for fair trial, as guaranteed by Article 14 of the International Covenant on Civil and Political Rights, to which Egypt is a state party, which guarantee that everyone who is convicted shall have the right to their conviction and sentence being reviewed by a higher tribunal. The United Nations' Economic and Social Council has urged that these rights be respected in all cases involving the death penalty.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters either in Arabic, French, English or in your own language:

- expressing concern at reports that Medhat Tahhawi, Mohammad Ahmed Sa'id Salih and Hammada Mohammad Lutfi have been sentenced to death after an unfair trial held in secret, and urging that the President use his constitutional right to grant clemency and commute these and all other pending death sentences; if these men are executed, Amnesty International will consider them summary and arbitrary executions;
- expressing concern at the sudden upsurge in the use of the death penalty in Egypt (42 death sentences have been passed by military courts since December 1992 and 28 executions have now taken place), and explaining Amnesty International's opposition to the death penalty as a violation of the right to life and the most extreme form of cruel and inhuman punishment;
- drawing attention to world trends to abolish or reduce the use of the death

penalty, in accordance with Article 6 of the International Covenant on Civil and Political Rights, to which Egypt is a state party.

APPEALS TO

His Excellency
Muhammad Hosni Mubarak
President of the Arab Republic of Egypt
'Abedine Palace
Cairo, Egypt
Telegram: President Mubarak, Cairo, Egypt
Telexes: 93794 WAZRA UN
Faxes: 202 260 54 17
Salutation: Your Excellency

COPIES OF YOUR APPEALS TO:

The Human Rights Department
Ministry of Foreign Affairs
Corniche al-Nil
Cairo, Egypt
Faxes: 202 723173

Dr Fathi Sorour
Speaker
The People's Assembly
Magles al-Shaab Street
Cairo, Egypt

and to diplomatic representatives of Egypt accredited to your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 4 April 1994.