

PUBLIC

AI Index: MDE 12/16/00

UA 136/00

Death Pen

EGYPTNagoua 'Ashari Ahmad Farag, (f)
Abd al-Nasser Mahrous Ma'bad

Najoua 'Ashari Ahmad Farag and Abd al-Nasser Mahrous Ma'bad were sentenced to death on 21 May for the murder of Najoua's husband. Their sentences will now be passed on to the *Mufti*, the highest Muslim authority in Egypt, for ratification.

BACKGROUND INFORMATION

The death penalty has been applied much more widely in Egypt in the last few years. In 1999 at least 108 people were sentenced to death, and at least 16 were executed. So far this year, at least 41 people have been sentenced to death and 10 executed. The death penalty is applied for criminal offences such as drug use or trafficking, murder and offences related to "terrorism".

Death sentences passed by criminal and (Emergency) Supreme State Security courts are submitted to the *Mufti* for approval as a routine measure, where most are approved. They are then passed to the President of the Republic or his nominee for ratification. Appeals against final verdicts by criminal courts can be submitted to the Court of Cassation, but only on the grounds of procedural irregularities in the trial.

RECOMMENDED ACTION: PLEASE PRIORITIZE APPEALS. Until 19 June, send appeals to the Mufti only. After 20 June, please address your appeals to the President of the Republic. Please send telegrams/telexes/faxes/express/airmail letters in Arabic, English, French or your own language:

- acknowledging the seriousness of the crime of which Abd al-Nasser Mahrous Ma'bad and Najoua 'Ashari Ahmad Farag were convicted, but explaining your opposition to the death penalty in all cases as a violation of the right to life (as stated in Article 3 of the Universal Declaration of Human Rights: "Everyone has the right to life, liberty and security of person"), pointing out that it has never been shown to have a unique deterrent effect, and is brutalizing to all involved in its application;
- urging the *Mufti* not to ratify these death sentences;
- urging the President to use his constitutional powers to grant clemency and commute these and all other pending death sentences;
- drawing attention to the world trend towards abolishing or reducing 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:

M. Farid Nasr Wassel

Mufti of the Arab Republic of Egypt

Wakf Ministry

Sabri Abou Alam Street

Bab al-Louk, Cairo, Egypt

Faxes: + 202 3926 155 (If somebody picks up the phone please ask them to turn the fax machine on)

E-mails: mawkaf@idscl.gov.eg

Salutation: Your Excellency

His Excellency Mohammad Hosni Mubarak

President of the Arab Republic of Egypt

2

`Abedine Palace, Cairo, Egypt
Telexes:93794 WAZRA UN
Faxes:+ 202 390 1998
e-mails:webmaster@presidency.gov.eg
Salutation: Your Excellency

COPIES TO:

Mr Hani Khalaf
The Human Rights Department
Ministry of Foreign Affairs
Corniche al-Nil, Cairo, Egypt
Faxes:+ 202 574 9533

Dr Fathi Sorour
Speaker
The People's Assembly
Magles al-Sha'ab Street, Cairo, Egypt
Faxes:+ 202 574 9175

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 7 July 2000.