

EXTERNAL

AI Index: MDE 12/17/97

UA 101/97

Death Penalty

14 April 1997

**EGYPT Gamal 'Abd al-Latif
Sha'ban Mahmoud**

On 7 April 1997 the Cairo Criminal Court sentenced Gamal 'Abd al-Latif and Sha'ban Mahmoud to death, after finding them guilty of murder. The death sentences against the two men have been approved by the *Mufti*, the highest religious authority in the country. Amnesty International fears that they could be executed within weeks.

BACKGROUND INFORMATION

The death penalty is applied in Egypt for criminal offences such as drug use or trafficking and murder. Dozens of people have been sentenced to death in Egypt for such crimes in the last few years. It is also applied for offences related to "terrorism". The death penalty has been increasingly used in such cases since October 1992, when President Hosni Mubarak began issuing special decrees referring civilians to be tried by military courts: 74 death sentences have been passed by military courts since that date and 54 executions have been carried out.

Death sentences in criminal cases are submitted to the *Mufti* for approval. (This is a routine measure, as he approves the vast majority of them). They are then passed on to the President or his nominee for ratification. Final verdicts by criminal courts can be appealed against before the Court of Cassation only when it can be proved that there were procedural irregularities in the trial. The death sentences issued by military courts 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.

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

- acknowledging the seriousness of the crime for which Gamal 'Abd al-Latif and Sha'ban Mahmoud were convicted, but explaining your opposition to the death penalty in all cases as a violation of the right to life, 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 President to use his constitutional powers to grant clemency and commute the death sentences against the two men, and all other pending death sentences;
- 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 Mohammad Hosni Mubarak
President of the Arab Republic of Egypt
'Abedine Palace, Cairo, Egypt
Telegrams: President Mubarak, Cairo, Egypt
Telexes: 93794 WAZRA UN
Salutation: Your Excellency

COPIES TO:

2

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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 29 May 1997.