

EXTERNAL (for general distribution)

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Death Penalty/Legal Concern

1 November 1993

EGYPT

'Abd al-Hamid Mohammad 'Abd al-Hamid  
Fathi Imam 'Abd al-Maguid  
Khuwaylid Mohammad Barakat  
Mohammad 'Abdullah Mohammad  
Ra'fat Mahmoud Mohammad 'Othman  
Mohammad Hosam Ahmed al-Sharif  
Yasser Kamil 'Ali (sentenced in absentia)  
Mohammad Zein (sentenced in absentia)

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The eight men named above were sentenced to death by the Supreme Military Court in Cairo, which pronounced judgment in two separate political cases on 30 October. They could be executed within weeks if their sentences are upheld.

The eight men were all sentenced to death in the case known as Talai' al-Fatah (Vanguards of the Conquest) - Group 1 (Military case no. 123/93), in which 55 people were tried. Others received sentences of between life imprisonment with hard labour and three years' imprisonment. Fifteen were acquitted. Charges against them included reviving the banned Islamic group known as Gihad (Holy Struggle), murdering two civilians, and the attempted murder of policemen and security guards. Some sessions of this trial were observed by Amnesty International representatives.

#### BACKGROUND INFORMATION

During the last 16 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. Those killed by Islamic militant groups have included a writer known for his secularist views, tourists, Copts, government officials and police and prison officers.

The eight people mentioned above (including two sentenced in absentia) were sentenced to death by a military court, even though all of them are believed to be civilians. (For further information on this issue see recent Amnesty International report entitled Military trials of civilians: a catalogue of human rights violations, AI Index: MDE 12/16/93, October 1993). 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 that the above eight people have been sentenced to death and urging that the President use his constitutional right to grant clemency and commute these and all other pending death sentences;

- urging that civilians should not be tried by military courts and calling for new trials in civilian courts which comply with international standards to which Egypt is a state party (the International Covenant on Civil and Political Rights);

- expressing concern at the sudden upsurge in the use of the death penalty in Egypt (39 death sentences have been passed by military courts since December 1992 and 14 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

**Telegrams: 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 13 December 1993.