

EXTERNAL

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Death Penalty

3 September 1997

**EGYPT 'Abd al-Nasser 'Abdu Wahaballah, unemployed
'Amru Mohammad Taha 'Abd al-Raziq, soldier**

'Abd al-Nasser 'Abdu Wahaballah and 'Amru Mohammad Taha 'Abd al-Raziq were sentenced to death in two separate court cases on 26 and 28 August 1997 respectively. 'Abd al-Nasser 'Abdu Wahaballah was sentenced to death by a criminal court in southern Egypt, after being found guilty of murder. 'Amru Mohammad Taha 'Abd al-Raziq was sentenced to death by the North Cairo Criminal Court, after being found guilty of rape and murder. The sentences have been passed on for approval to the *Mufti*, the highest religious authority in the country.

BACKGROUND INFORMATION

The death penalty, which is applied in Egypt for criminal offences such as drug use or trafficking and murder, and for offences related to "terrorism", has been used extensively in the country in recent years. So far this year, Amnesty International has recorded 20 death sentences passed by military, criminal and (Emergency) State Security courts. Twelve people sentenced to death in previous years have been executed during the same period. Furthermore, 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 such courts 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. 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 crimes for which 'Abd al-Nasser 'Abdu Wahaballah and 'Amru Mohammad Taha 'Abd al-Raziq 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 this 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

Faxes:+202 390 1998

Salutation: Your Excellency

COPIES TO:

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The Human Rights Department
Ministry of Foreign Affairs
Corniche al-Nil, Cairo, Egypt
Faxes: + 202 574 9808

Dr Fathi Sorour
Speaker
The People's Assembly
Magles al-Sha'ab 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 15 October 1997.