

PUBLIC

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Death penalty

18 November 1998

**EGYPT' Omar Mahmoud 'Abd al-'Aziz  
Abu Bakr Mahmoud 'Abd al-'Aziz  
'Othman Mahmoud 'Abd al-'Aziz, all brothers**

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On 10 November 1998, a Cairo Criminal Court sentenced the three above-named brothers to death on convictions of murder.

Their death sentences have now been passed for approval to the *Mufti*, the highest Muslim authority in Egypt. This is a routine measure as the *Mufti* approves the vast majority of death sentences. If approved by the *Mufti*, the three men's sentences will be passed back to the Criminal Court for final confirmation. This is due to take place on 11 December. If the sentences are upheld, the three brothers could be executed immediately afterwards.

#### **BACKGROUND INFORMATION**

The death penalty has been used extensively in Egypt in recent years. It is usually applied for criminal offences such as drug use or trafficking and murder, and for offences relating to "terrorism". In 1997, Amnesty International recorded 55 death sentences passed by military, criminal and (Emergency) Supreme State Security courts and 24 executions. So far this year, 60 death sentences and 44 executions have been recorded.

Death sentences issued by criminal and (Emergency) Supreme State Security courts are submitted to the *Mufti* for approval as a routine measure. They are subsequently passed to the President of the Republic or his nominee for ratification. Appeals against final verdicts by criminal courts can only be submitted before the Court of Cassation when procedural irregularities in the trial can be proved.

#### **RECOMMENDED ACTION: Please send e-mails/telegrams/faxes/express/airmail letters in Arabic, English, French, or your own language:**

- acknowledging the seriousness of the crime for which 'Omar Mahmoud 'Abd al-'Aziz, Abu Bakr Mahmoud 'Abd al-'Aziz and 'Othman Mahmoud 'Abd al-'Aziz 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 Egypt's President to use his constitutional powers to grant clemency and commute these 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;
- reminding the government of Egypt of its commitment to the Universal Declaration of Human Rights, in particular Article 3: "Everyone has the right to life ...".

#### **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**

**E-mail: webmaster@presidency.gov.eg**

**Salutation: Your Excellency**

**COPIES TO:**

Ms Nayla Gabr  
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  
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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 16 December 1998.

**"Everyone has the right to life ..."**  
*Article 3, Universal Declaration of Human Rights*

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