

PUBLIC

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Death penalty

19 September 2001

EGYPT

Rida Muhammad 'Ali (f) - 24 years old

Muhammad Salih Fahmi (m) - 36 years old

Tareq Salah al-Basha (m) - 28 years old

Rida Muhammad 'Ali, Muhammad Salih Fahmi and Tareq Salah al-Basha were sentenced to death by hanging on 7 September 2001. They were convicted of murder and theft by Cairo Criminal Court.

Their sentence was pronounced after having been considered by the Mufti, the highest religious authority in Egypt, who is routinely consulted before the death penalty is handed down. Final verdicts are sent to the President, who has the right to grant a pardon or reduce the sentence. In the absence of this, those sentenced to death are at imminent risk of execution.

BACKGROUND INFORMATION

Egyptian courts have made extensive use of the death penalty in the last few years. More than 50 people, including 3 women, have been sentenced to death this year alone. The death penalty is applied for criminal offences such as drug use or trafficking, murder and offences related to "terrorism".

Death sentences by criminal courts have to be decided by consensus of the members of the court. Before pronouncing a death sentence, criminal courts have to submit case documents to the *Mufti*, Egypt's highest religious authority, for his opinion. If he does not give an answer within ten days, the court may pronounce the death sentence. 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. If the verdict of the criminal court is not appealed or is upheld on appeal, it is subsequently passed on to the President of the Republic - or his nominee - who may decide on whether or not to grant clemency by ordering a pardon or a reduction of the sentence.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Arabic, English, French or your own language:

- acknowledging the seriousness of the crime for which Rida Muhammad 'Ali, Muhammad Salih Fahmi and Tareq Salah al-Basha have been convicted;
- expressing your opposition to the death penalty in all cases, as a violation of the right to life as set out in the United Nations Universal Declaration of Human Rights, which says that "Everyone has the right to life, liberty and security of person";
- pointing out that the death penalty has never been shown to deter crime more effectively than other punishments, and that it 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 outstanding 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:

His Excellency Mohammad Hosni Mubarak
President of the Arab Republic of Egypt

`Abedine Palace, Cairo, Egypt

Telexes: 93794 WAZRA UN

Faxes: + 202 390 1998

e-mails: webmaster@presidency.gov.eg

Salutation: Your Excellency

COPIES TO:

Ms Shadia Farag

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 19 November 2001.