

EXTERNAL

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Death Penalty

28 January 1997

**EGYPT 'Atef Ibrahim Mohammad  
Mohammad Sayyid Rabi'  
'Uwais Mohammad 'Abd al-Gawwad**

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On 20 January 1997 the Giza criminal court sentenced to death 'Atef Ibrahim Mohammad and Mohammad Sayyid Rabi', both labourers, after finding them guilty of murder. Their sentences have now been ratified by the *Mufti*, the highest religious authority in the country.

On 21 January the *Mufti* also ratified the death sentence handed down in a previous year on 'Uwais Mohammad 'Abd al-Gawwad. He had been found guilty by the Giza criminal court of a murder committed in 1990.

The death sentences handed down on the three men will now be passed on to the President of the Republic or his nominee for ratification. Amnesty International fears that they may be executed within weeks if their sentences are upheld.

#### **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 President Hosni Mubarak began issuing special decrees referring civilians to be tried by military courts in October 1992. 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 or airmail letters in Arabic, English, French or your own language:**

- expressing concern that the three people named above have been sentenced to death and that their sentences have been ratified by the *Mufti*;
- urging the President to use his constitutional powers to grant clemency and commute these and all other pending death sentences;
- explaining your opposition to the death penalty in all cases as a violation of the right to life and the most extreme form of cruel and inhuman punishment;

**If possible, also:**

- acknowledging the seriousness of the crimes for which the three men were convicted, and the right of governments to bring criminals to justice, but pointing out that there is no evidence that the death penalty is an effective deterrent to such crimes;
- expressing concern at the upsurge in the use of the death penalty in Egypt, and 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:**

Ms Nayla Gabr  
The Human Rights Department  
Ministry of Foreign Affairs  
Corniche al-Nil, Cairo, Egypt  
**Faxes: (20 2) 574 9667**

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 25 February 1997.