

EXTERNAL (for general distribution)

AI Index: MDE 12/18/93

Distr: UA/SC

UA 368/93

Death Penalty/Legal concern

15 October 1993

EGYPT

Yahya Mustafa Imam SHAHROUR

Ahmed Mohammad HAMMOUDA

Hesham Taha Ahmed SALIM

The three men named above were sentenced to death by the Supreme Military Court in Alexandria which pronounced judgment in two separate political cases on 14 October. They could be executed within weeks if their sentences are upheld.

Yahya Mustafa Imam Shahrour was sentenced to death in the case known as Talai' al-Fatah (Vanguards of the Conquest) - Group 3, in which 33 people were tried. Others received sentences of between 15 and three years' hard labour. Fifteen were acquitted. Charges against those convicted included reviving the banned Islamic group known as Gihad (Holy Struggle) and attempting to overthrow the government.

Ahmed Mohammad Hammouda and Hesham Taha Ahmed Salim were among 19 defendants accused in Military Case no. 20. Other defendants in this case received sentences ranging between life imprisonment with hard labour and one year's imprisonment. Four were acquitted. Charges included planning the assassination of government officials.

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. Victims have included a writer known for his secularist views, tourists, Copts, government officials and police and prison officers.

The three people mentioned above were sentenced to death by a military court, even though all of them are civilians. (For further information on this issue see recent Amnesty International document Military trials of civilians: a catalogue of human rights violations, 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. This guarantees 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 three 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 (31 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 30 November 1993.