

PUBLIC

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EXTRA 103/99

Death penalty / Imminent execution

6 August

EGYPT Radha Muhammad 'Ali (f), 24
Muhammad Salah Fahmi Isma'il, 32
Tareq Salah al-Basha, 28

On 3 August 1999, the Cairo Criminal Court sentenced Radha Muhammad 'Ali, Muhammad Salah Fahmi Isma'il and Tareq Salah al-Basha to death. Their death sentences have now been passed for approval to the *Mufti*, the highest religious authority in Egypt, and will then be passed on to the President for ratification. If their sentences are upheld, they may face imminent execution.

The three were convicted of premeditated murder.

BACKGROUND INFORMATION

The death penalty, which is applied for criminal offences such as drug use or trafficking and murder, and for offences related to "terrorism", has been used extensively in Egypt in recent years. In 1998 Amnesty International recorded 74 death sentences passed by military, criminal and (Emergency) Supreme State Security courts, and 48 executions. So far this year 56 death sentences and 13 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. The majority are approved. They are subsequently passed on to the President of the Republic or his nominee for ratification. 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.

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

- acknowledging the seriousness of the crime of which Radha Muhammad 'Ali, Muhammad Salah Fahmi Isma'il and Tareq Salah al-Basha were convicted, but explaining your opposition to the death penalty in all cases as a violation of the right to life (as stated in Article 3 of the Universal Declaration of Human Rights: "Everyone has the right to life, liberty and security of person"), 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 Mufti not to ratify their death sentences;
- urging the 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.

APPEALS TO (please note that it can sometimes be difficult to get faxes through to the first address. If unsuccessful, please try later):

M. Farid Nasr Wassel
Mufti of the Arab Republic of Egypt
Wakf Ministry
Sabri Abou Alam Street
Bab al-Louk, Cairo, Egypt
Faxes: + 202 390 0362

E-mails:mawkaf@idscl.gov.eg
Salutation:Your Excellency

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-mails: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
Faxes: + 202 574 9175

and to diplomatic representatives of Egypt accredited to your country.

Please prioritize appeals to the mufti until 20 August 1999. After this time please send appeals to the president of the republic.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 10 September 1999.