

EXTERNAL

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UA 413/97

Death Penalty / Legal Concern

30 December 1997

EGYPTHassan Khalifa

Rif'at Zeidan (*in absentia*)

'Abd al-Hamid 'Uthman (*in absentia*)

On 27 December 1997 the Supreme State Security Court in Cairo sentenced the three above-named people to death in a case involving 33 alleged members of the armed Islamist group *al-Gama'a al-Islamiya* (Islamic group). Amnesty International fears that Hassan Khalifa, the only one of the three present at the trial, may be executed within weeks if the sentence is upheld. The court postponed sentencing the remaining 30 defendants until 27 January 1998.

The 33 defendants were charged with carrying out a series of attacks in southern Egypt in 1993 and 1994 in which 26 police officers were killed and a number of civilians and police officers were injured.

The death sentences have now been passed to the *Mufti*, the highest religious authority in the country, for ratification. They are then passed to the President of the Republic, or his nominee, for ratification.

There is no right to appeal against sentences issued by (Emergency) Supreme State Security Courts. This violates international standards for fair trial as guaranteed by Article 14 of the International Covenant on Civil and Political Rights (ICCPR), to which Egypt is a state party, which guarantees that everyone who is convicted shall have the right to have their conviction and sentence 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.

BACKGROUND INFORMATION

The death penalty has been extensively used in Egypt in recent years. This year alone Amnesty International has recorded 55 death sentences passed by Military, Criminal and (Emergency) Supreme State Security Courts and 24 executions.

Military Courts have passed 83 death sentences since October 1992 when President Hosni Mubarak began issuing special decrees referring civilians to be tried by such courts. Of these, 58 executions have been carried out.

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

- urging the President to use his constitutional powers to grant clemency to the three men named above 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, stressing that there is no evidence that it is an effective deterrent to violent crimes and that it is brutalizing to all involved in its application;
- expressing concern at the continuing extensive 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 ICCPR, 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
Faxes: + 202 390 1998
Salutation: Your Excellency

COPIES TO:

Ms Nayla Gabr
The Human Rights Department
Ministry of Foreign Affairs
Corniche al-Nil, Cairo, Egypt

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 12 February 1997.