

AI Index: PRE 01/087/2010
11 March 2010

Egypt: Halt execution of man accused of murder

Amnesty International has made an urgent personal appeal to Egyptian president Hosni Mubarak to prevent the execution of a man who is believed to have been wrongly convicted of murder and whose co-accused was executed on Wednesday.

The organisation fears that Atef Rohyum Abd El Al Rohyum is at imminent risk of being hanged as he has now been moved from al-Qeta prison, Giza, to Isti'naf prison in Cairo, where executions take place.

Jihan Mohammed Ali, a woman convicted of murder in the same case, was executed in al-Kanater prison, northeast of Cairo, on 10 March. Her family were given no prior notification of her execution.

“A man’s life hangs in the balance, yet there are compelling reasons to believe that he was wrongly convicted” said Malcolm Smart, Amnesty International’s Middle East and North Africa Director.

“We are appealing to President Mubarak to exercise his power of executive clemency to spare this man’s life and prevent what could be an unacceptable, and avoidable, miscarriage of justice.”

The two are accused of the murder of Jihan’s husband in January 2004.

Both Atef and Jihan were sentenced to death on 17 July 2005 by a Cairo court and their sentences were later confirmed on appeal and became final on 2 February 2009.

Yet, while in al-Kanater prison Jihan stated that she had acted alone in killing her husband and that Atef had done no more than help her move the body. He requested a retrial based on this new evidence, but there has been no response from the authorities.

At an earlier stage, following his arrest, Atef is reported to have been interrogated without the presence of a lawyer and tortured and otherwise ill-treated, but people who say they witnessed him being tortured and harshly treated were not called to give evidence at his trial.

Last year witnessed a significant rise in death sentences handed down by Egyptian courts, with at least 269 death sentences imposed. According to official statements, more than 20 executions took place in Egypt in 2008 and some 26 death sentences were declared final by the courts, adding to those on death row. The authorities never disclose how many people are awaiting execution.

Amnesty International is opposed to the death penalty in all cases but is additionally concerned about this case because Atef Rohyum Abd El Al Rohyum does not appear to have received a fair trial.

Final death sentences are submitted for ratification 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. If no clemency or reduction of the sentence is granted, the death sentence may be carried out after 14 days.