

EXTERNAL (for general distribution)

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UA 130/93 Death Penalty

23 April 1993

EGYPT: Bastawi 'Abd al-Hamid ABU AL-MAGD (aged 19)
Sa'id Amin ABU AL-MAGD (aged 23)
Ashraf Sa'id 'ABD RABBU (aged 22)
Drawi Mohammad Ibrahim 'ABD AL-MUTALLIB (aged 19)
Ahmed 'Abd al-Rahim RADWAN (aged 20)
'Abd al-Hadi al-Saghir TAYI' (aged 20)
'Abd al-Hamid Al-Zamqan 'ALI (aged 25)

Amnesty International is concerned that the above seven men were sentenced to death on 22 April 1993 and that they could be executed if their sentences are upheld.

On 22 April 1993 the Supreme Military Court pronounced judgment in the case of 49 defendants, all civilians, facing charges in connection with an illegal "terrorist" group, with the aim of hitting tourism and the Egyptian economy, and planning to overthrow the government. The seven sentenced to death were charged with armed attacks on tourist buses which resulted in the death of one and the injury of nine others. Three other defendants were sentenced to life imprisonment, 22 received sentences of between 15 and two years' imprisonment, and 17 were acquitted.

BACKGROUND INFORMATION

During the last 12 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. Those killed have included a writer known for his secularist views, tourists, Christians, government officials and police and prison officers.

The Egyptian Government has reacted by adopting a number of sweeping measures in law and practice. There have been mass arrests and prolonged administrative detention, under state of emergency legislation, and detainees have been subjected to torture and ill-treatment during prolonged incommunicado detention. New amendments to the Penal Code in July 1992 increased the number of capital offences for crimes carried out by what are termed "terrorist" groups. Changes to the Criminal Procedure Code introduced at the same time increased police powers of arrest and detention and extended the amount of a time a detainee may be held in incommunicado detention, before being presented to the Procuracy.

In addition, the Head of State has taken the unusual step of referring approximately 30 political cases to military courts for trial, apparently in

order that the trials should be concluded swiftly. Between December 1992 and April 1993 at least 16 death sentences have been passed by military courts (though no executions have so far taken place) and there are fears that many more death sentences could follow.

According to al-Ahram newspaper, the President of the Court stated that the seven men sentenced to death had 15 days in which to appeal. The precise nature of the appeals procedure is unclear to Amnesty International but the organization believes that, as with all death sentences passed in Egypt, these will be reviewed by the Court of Cassation, before being referred to the President of the Republic.

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

- expressing grave concern at the death sentences passed on 22 April 1993 on the seven men named above;

- urging that, if the sentences are confirmed and referred to the President, he should use his constitutional right to grant clemency and commute these and the other nine death sentences passed recently by military courts;

- expressing concern at the sudden upsurge in the use of the death penalty in Egypt, explaining Amnesty International's opposition to the death penalty as a violation of the right to life and the ultimate form of cruel and inhuman punishment, and mentioning the absence of any evidence that the death penalty is an effective deterrent against violent, political crime;

- 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
'Uruba Palace
Cairo, Egypt
Telegram: President Mubarak, Cairo, Egypt
Telexes: 93794 WAZRA UN

Salutation: Your Excellency

COPIES OF YOUR APPEALS TO:

1) His Excellency
General Muhammad Hussein Tantawi Sulayman
Minister of Defence
Ministry of Defence
23 July St
Kobry al-Qubba
Cairo, Egypt

2) His Excellency
Mr Faruq Sayf al-Nasr
Minister of Justice
Ministry of Justice
Maydan Lazoghly
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 4 June 1993.