

EXTERNAL

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EXTRA 51/96

Death Penalty

3 April 1996

EGYPT **Mohammad 'Abd al-Ra'uf Mahmoud, aged 34**
Ayman Kamal Mohammad, aged 21
'Abd al-Nasser Abu Kharouf, aged 25

On 2 April 1996, the three men named above were sentenced to death by the (Emergency) Supreme State Security Court in Cairo in a case involving alleged members of al-Gama'a al-Islamiya, a banned Islamist armed group. The three death sentences have been submitted to the Mufti, the highest religious authority in the country, for approval. This is a routine measure, as he approves the vast majority of them. They are then passed on to the President of the Republic or his nominee for ratification.

The (Emergency) Supreme State Security Court postponed until 5 May the verdicts on another 26 defendants, including five who are still on the run, charged in the same case. The three people sentenced to death were charged with murdering three policemen and injuring others in Aswan, south of Egypt in 1993. Other charges against them and other defendants include membership of a banned organization, possession of weapons and threatening the peace.

BACKGROUND INFORMATION

The death penalty has been extensively used in Egypt in the last few years. So far this year Amnesty International has recorded 21 death sentences passed by military, criminal and (Emergency) State Security Courts. Three people, sentenced in previous years, have been executed during the same time. Military courts have passed 70 death sentences since October 1992 when President Hosni Mubarak began issuing special decrees referring civilians to be tried by such courts, 48 executions have been carried out.

There is no right to appeal against sentences issued by (Emergency) Supreme State Security Courts. This falls 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, which guarantees that everyone who is convicted shall have the right to have their conviction and sentence being reviewed by a higher tribunal. The United Nations's 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/airmail letters in English, French, Arabic or your own language:

- expressing concern that the three people mentioned above have been sentenced to death and urging that the President use his constitutional powers to grant clemency and commute these and other pending death sentences. If these men are executed, Amnesty International will consider them summary and arbitrary executions;
- expressing concern at the extensive use of the death penalty in Egypt, 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;
- pointing out that the organization does not in any way condone the crimes such as those of which the three people above were convicted, and recognizes the right of states to bring criminals to justice; however, stress that there is no evidence that the death penalty is an effective deterrent to such crimes;

- 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.

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
Salutation: Your Excellency

COPIES TO:

Ms Nayla Gabr
The Human Rights Department
Ministry of Foreign Affairs
Corniche al-Nil, Cairo, Egypt
Faxes: (202) 574 7839

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 1 May 1996.