

EXTERNAL (for general distribution)

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UA 327/93 Death Penalty

16 September 1993

**EGYPT: Mahmoud Salah
 Mostafa 'Awni Zaki**

Mahmoud Salah and Mostafa 'Awni Zaki were sentenced to death by the Supreme Military Court in Cairo on 15 September 1993 and could be executed if their sentences are upheld.

They were among eight defendants who were charged with membership of an illegal organization which aimed to suspend the constitution, murdering two people, attempting to murder eight others and possession of weapons and ammunition. Four other defendants were sentenced to 25 years' imprisonment (three of them *in absentia*) and two were acquitted.

BACKGROUND INFORMATION

During the last 16 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. Victims have included a writer known for his secularist views, tourists, Copts, government officials and police and prison officers.

The two men mentioned above were sentenced to death by a military court, even though they are civilians. The death sentences are subject to confirmation by the President of the Republic, and then review by the Military Appeals' Bureau, also headed by the President of the Republic. Amnesty International believes that such procedures fall 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. This guarantees that everyone who is convicted shall have the right to their conviction and sentence being 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.

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

- expressing concern that the above two people have been sentenced to death and urging that the President use his constitutional right to grant clemency and commute these two death sentences;

- urging an immediate review of military trial procedures to ensure that they comply with international standards to which Egypt is a state party (the International Covenant on Civil and Political Rights);

- expressing concern at the sudden upsurge in the use of the death penalty in Egypt (28 death sentences have been passed by military courts since December 1992 and 14 executions have now taken place), 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;

- 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
'Abedine Palace
Cairo, Egypt
Telegram: President Mubarak, Cairo, Egypt
Telexes: 93794 WAZRA UN
Salutation: Your Excellency

COPIES OF YOUR APPEALS TO:

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

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 28 October 1993.