

EXTERNAL (for general distribution)

AI Index: MDE 12/25/93
Distr: UA/SC

29 November 1993

Further information on UA 384/93 (MDE 12/20/93, 1 November 1993) - Death Penalty/Legal Concern

EGYPT 'Abd al-Hamid Mohammad 'Abd al-Hamid
 Fathi Imam 'Abd al-Maguid *
 Khuwaylid Mohammad Barakat
 Mohammad 'Abdullah Mohammad
 Ra'fat Mahmoud Mohammad 'Othman
 Mohammad Hosam Ahmed al-Sharif
 Yasser Kamil 'Ali (sentenced in absentia)
 Mohammad Zein (sentenced in absentia)

* His name has also been given as Fathi 'Abd al-Hamid Hozayen

The eight men named above were sentenced to death by the Supreme Military Court in Cairo on 30 October. Amnesty International is deeply concerned that, according to Al-Ahram newspaper of 28 November, the first six named above will be executed in the coming days as all legal procedures in their case have been completed.

The eight men were all sentenced to death in the case known as *Talai' al-Fatah* (Vanguards of the Conquest) - Group 1 (Military case no. 123/93) in which 55 people were tried. Others received sentences of between life imprisonment with hard labour and three years' imprisonment. Fifteen were acquitted. Charges against them included reviving the banned Islamic group known as *Gihad* (Holy Struggle), murdering two civilians, and the attempted murder of policemen and security guards. Some sessions of this trial were observed by Amnesty International representatives.

BACKGROUND INFORMATION

During the last 18 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 eight people named above (including two sentenced in absentia) were sentenced to death by a military court, even though all of them are believed to be civilians. (For further information on this issue see recent Amnesty International report Military trials of civilians: a catalogue of human rights violations, MDE 12/16/93, October 1993). The death sentences are subject to ratification by the President of the Republic, and then review by the Military Appeals' Bureau, also headed by the President of the Republic. Such procedures

fall 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 guarantee 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.

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

- expressing concern that the above eight people have been sentenced to death and at reports that the first six will be executed within the coming days; if they are executed Amnesty International will consider them to be summary and arbitrary executions;

- urging that the President use his constitutional right to grant clemency and commute these and all other pending death sentences;

- urging that civilians should not be tried by military courts and calling for new trials in civilian courts which 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 (39 death sentences have been passed by military courts since December 1992 and 19 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
Faxes: 202 260 54 17
Salutation: Your Excellency

COPIES OF YOUR APPEALS TO:

The Human Rights Department
 Ministry of Foreign Affairs
 Corniche al-Nil
 Cairo, Egypt
Faxes: 202 723173

Dr Fathi Sorour
 Speaker
 The People's Assembly
 Magles al-Shaab 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 10 January 1993.