

EXTERNAL

AI Index: MDE 12/26/96

4 November 1996

Further information on UA 232/96 (MDE 12/25/96, 3 October 1996) - Death penalty/legal concern

EGYPT

Death sentence:	Anwar Hamed 'Abbas Ahmad 'Abd al-Wahab Ahmad Khalil
Life imprisonment with hard labour:	Mohammad Kamal al-Din Fahmy, 24 years old Mohammad Bashir Mohammad Hassan (in absentia) Sa'id Mahmoud Hamid al-'Almy, 22 years old
15 years' imprisonment with hard labour:	Hussam Mohammad Gad Ahmad Mahdy al-Tayry Ashraf Amin Bardawily
Ten years' imprisonment:	Hosni Shawqy Hussein (juvenile)
Seven years' imprisonment:	'Adel Mahmoud Ramadhan (juvenile)
Five years' imprisonment:	Ahmad 'Abbas 'Abd al-Galil (in absentia)

On 31 October 1996 the (Emergency) Supreme State Security court in Cairo passed sentences of between five years' and life imprisonment with hard labour on seven of the remaining 16 defendants in a case involving 18 alleged members of the banned armed Islamist group *al-Gama'a al-Islamiya* (Islamic Group). The remaining seven defendants were freed. Two of those sentenced to prison terms, Hosni Shawqy Hussein and 'Adel Mahmoud Ramadhan, are juveniles. They have the right to appeal against their sentences.

The first two defendants named above, Anwar Hamed 'Abbas and Ahmad 'Abd al-Wahhab Ahmad Khalil, were sentenced to death *in absentia* by the court on 30 September 1996. They are reportedly still on the run.

Charges against all of those sentenced included involvement in a series of attacks in Upper Egypt in 1993 which resulted in the deaths of a number of members of the security forces and civilians, membership of an illegal organization which aims to overthrow the present regime and threatening the internal security of the state.

There is no right to appeal, except in the cases of juveniles, against sentences issued by the (Emergency) Supreme State Security Court. This violates international standards for fair trial, as guaranteed by Article 14 of the International Covenant on Civil and Political Rights (ICCPR), to which Egypt is a state party, which guarantees that everyone who is convicted shall have the right to have their conviction and sentence reviewed by a higher tribunal.

The United Nations Economic and Social Council has reiterated the fact that these rights must be respected in all cases involving the death penalty. In addition, Article 6 of the UN Safeguards guaranteeing the protection of the rights of those facing the death penalty states that: "Anyone sentenced to death shall have the right to appeal to a court of higher jurisdiction, and steps should be taken to ensure that such appeals should become mandatory."

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

- reiterating concern that Anwar Hamed 'Abbas and Ahmad 'Abd al-Wahhab Ahmad Khalil have been sentenced to death and urging president Mubarak to use his

constitutional powers to grant clemency and commute these and other pending death sentences;

- expressing concern at the extensive use of the death penalty in Egypt, and explaining your opposition to the death penalty as a violation of the right to life and the most extreme form of cruel and inhuman punishment;

- expressing concern that there is no right to appeal against sentences issued by (Emergency) Supreme State Security Courts, which is in violation of international standards for fair trial as guaranteed by Article 14 of the ICCPR, to which Egypt is a state party.

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 OF YOUR APPEALS TO:

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

Faxes: + 20 2 574 9667

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 16 December 1996.