

EXTERNAL

AI Index: MDE 12/58/97

22 October 1997

Further information on Extra 125/97 (MDE 12/50/97, 17 September 1997) - Death Penalty / Legal Concern

**Husam Mohammad Khamis Nuwair
Mohammad Fawzi Ibrahim
Ahmad 'Abd al-Fattah Sayyed
Mohammad Mostafa Isma'il**

The death sentences handed down by the Supreme Military Court in Heikstep, near Cairo, on 15 September 1997 on the four individuals mentioned above were ratified on 21 October. Their only hope of clemency now lies with the President of the Republic who may commute death sentences within 15 days of their ratification or grant pardons. Amnesty International fears that Husam Mohammad Khamis Nuwair, Mohammad Fawzi Ibrahim, Ahmad 'Abd al-Fatah Sayyed and Mohammad Mostafa Isma'il are at imminent risk of execution.

The four men were sentenced to death in September 1997 in a case involving 97 alleged members of the armed Islamist group *al-Gama'a al-Islamiya* (Islamic Group). Charges brought against the defendants reportedly included the planting of bombs outside nine banks in 1995, the killing of the deputy head of the State Security Investigations Department in 1994, possession of explosives, and membership of a banned organization that aims to overthrow the government by force.

The 97 defendants, all civilians, were tried before a military court, the procedures of which were grossly unfair. Amnesty International is concerned that trials of civilians before military courts in Egypt fall far short of international standards for fair trial such as Article 14 of the International Covenant on Civil and Political Rights, which guarantees defendants a fair hearing by an independent and impartial tribunal and the right to appeal to a higher court.

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

- expressing concern that the death sentences handed down on the four people mentioned above have now been ratified and that they may therefore be at imminent risk of execution;
- acknowledging the seriousness of the crimes of which the four men have been convicted, but explaining your opposition to the death penalty in all cases as a violation of the right to life, pointing out that it has never been shown to have a unique deterrent effect and is brutalizing to all involved in its application;
- urging that the President use his constitutional powers to grant clemency and commute these and all other pending death sentences;
- 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;
- expressing concern that the four men, all civilians, were tried before a military court and that the trial did not comply with international standards for fair trial.

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: +20 2 574 9677

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 3 December 1997.