

EXTERNAL

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Death Penalty

20 January 1997

EGYPT Yasser Fathi Mohammad 'Abd al-Mon'im Fawwaz
'Arfan Mohammad Hassib al-Kholi
'Ali Mohammad Ahmad Farhan
Yasser 'Abbas Sulayman

On 19 January 1997 the four men named above were sentenced to death by the Supreme Military Court in Heikstep, east of Cairo. Amnesty International fears that they may be executed within weeks if their sentences are upheld. Twelve other defendants were sentenced to between five years' and life imprisonment with hard labour; one defendant was sentenced to 10 years' imprisonment. Two others were acquitted.

The case involved 19 defendants - 18 Egyptians and a Palestinian - all alleged members of the banned armed Islamist group *al-Gama'a al-Islamiya* (Islamic Group). Charges against them included the planting of bombs in two cinemas in the Helwan district of Cairo in December 1993, the killing of a State Security Investigations Department (SSI) officer and the planned assassination of the head of the Military Prosecution.

BACKGROUND INFORMATION

Since October 1992, when President Hosni Mubarak began issuing special decrees referring civilians to be tried by military courts, 74 death sentences have been passed by military courts and 54 executions have been carried out.

The death sentences are subject to ratification by the President of the Republic, and then to review by the Military Appeals Bureau, also headed by the President.

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 guarantees that all those convicted shall have the right to have their conviction sentence 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/airmail letters in Arabic, English, French, or your own language, including some or all of the following points:

- expressing concern that the four people mentioned above have been sentenced to death and urging that the President use his constitutional powers to grant clemency and commute these and all other pending death sentences;
- stating that you do not in any way condone crimes such as those of which the four were convicted, and acknowledging the right of states to bring criminals to justice, but stressing that there is no evidence that the death penalty is an effective deterrent to such crimes;
- expressing sympathy for the victims of violent crime and their families, but explaining your opposition to the death penalty in all cases as a violation of the right to life and the most extreme form of cruel and inhuman punishment;
- expressing concern at the upsurge in the use of the death penalty in Egypt, and 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 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 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 17 February 1997.