

EXTERNAL (for general distribution)

AI Index: MDE 12/16/94
Distr: UA/SC

UA 346/94

Death Penalty / Legal concern

20 September 1994

EGYPT

Ahmed Muhammad Gumu`a, aged 27
Sharif Mohammad Hassan (*in absentia*)

Ahmed Muhammad Gumu`a and Sharif Mohammad Hassan were sentenced to death by a military court in Alexandria on 20 September 1994. Ahmed Muhammad Gumu`a could be executed within weeks if his sentence is upheld. Sharif Mohammad Hassan was sentenced *in absentia*.

The two men were charged, among other things, with membership of an illegal organization, "International Jihad Organization", previously unknown in Egypt, which reportedly aims to undermine the constitution by acts of violence. They were also charged with planning to occupy the ministries of defence, the interior and information. Another nine members of the same group were given prison sentences ranging from three to 10 years. Three of them were sentenced *in absentia*. The trial started on 29 August 1994 and all hearings were reportedly closed to the media until today's short session when the verdict was given.

The two men were sentenced to death by a military court, even though they are believed to be civilians. Their 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 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.

BACKGROUND INFORMATION

During the last 28 months politically motivated acts of violence by armed opposition groups have escalated sharply in Egypt. Islamist militant groups have committed deliberate and arbitrary killings, which Amnesty International has condemned. Victims have included a writer known for his secularist views, Copts, tourists, government officials and many police and prison officers.

On 20 September 1994, Amnesty International issued a 24-page report detailing its human rights concerns in Egypt, including the high number of executions following unfair trials by military courts (see *Human rights defenders under threat* (MDE 12/15/94)).

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

- expressing concern that Ahmed Muhammad Gumu`a and Sharif Mohammad Hassan have been sentenced to death and urging that the President use his constitutional right to grant clemency and commute these and all other pending death sentences; if these two men are executed, Amnesty International will consider them to be summary and arbitrary executions;
- expressing concern at the upsurge in the use of the death penalty in Egypt (58 death sentences have been passed by military courts since December 1992 and 40 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
Telegrams: 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 1 November 1994.