

PUBLICAI Index: MDE 12/24/98

8 May 1998

Further information on UA 107/98 (MDE 12/20/98, 8 April 1998) - Death Penalty/ Legal Concern

**EGYPT Sa'eed 'Abd al-Hakim Mostafa
Mostafa Hamza (*in absentia*)**

Sa'eed 'Abd al-Hakim Mostafa could be executed within weeks.

The death sentences passed on him and Mostafa Hamza, who is believed to be in Afghanistan, have been approved by the Mufti, Egypt's highest religious authority, and were confirmed by an (Emergency) Supreme Security court in Cairo on 4 May 1998. There is no right of appeal against verdicts by (Emergency) Supreme Security courts.

This case, known as "the returnees from Sudan and Afghanistan", involves 22 men charged with plotting to overthrow the government and membership of the forbidden armed Islamist group "*al-Gama'a al-Islamiya*".

Apart from the two men sentenced to death, three others have been sentenced to life imprisonment with hard labour. Six men were given 15 years with hard labour, and another three were sentenced to 10 years with hard labour.

A further three defendants were respectively sentenced to one, three and five years in prison. The remaining five were acquitted.

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

- urging the President to use his constitutional power to grant clemency to Sa'eed 'Abd al-Hakim Mostafa and Mostafa Hamza and commute these and all 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 it violates the right to life and is the most extreme form of cruel and inhuman punishment;
- pointing out that while you recognize the right of states to bring criminals to justice, there is no evidence showing that the death penalty is an effective deterrent to crime;
- 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.

APPEALS TO:

His Excellency Mohammed Hosni Mubarak
President of the Arab Republic of Egypt
'Abedine Palace, Cairo, Egypt

Telegrams: President Mubarak, Cairo, Egypt

Telexes: 93794 WAZRA UN

Faxes: + 202 390 19 98

Salutation: Your Excellency

COPIES TO:

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The Human Rights Department

Ministry of Foreign Affairs

Corniche al-Nil, Cairo, Egypt

Faxes: (20 2)574 7839

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 20 June 1998.