

EXTERNAL (for general distribution)

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Further information on UA 368/93 (MDE 12/18/93, 15 October 1993) - Death Penalty/Legal Concern

EGYPT:Yahya Mustafa Imam SHAHROUR
Ahmed Mohammad HAMMOUDA
Hesham Taha Ahmed SALIM

The three men named above were sentenced to death by the Supreme Military Court in Alexandria in two separate political cases on 14 October 1993. According to Al-Ahram newspaper of 30 November the death sentences have now been ratified by the President of the Republic. Although the three men may submit petitions to the Military Appeals Bureau, they have no right of appeal as provided for by the International Covenant on Civil and Political Rights (see below).

Yahya Mustafa Imam SHAHROUR was sentenced to death in the case known as Talai' al-Fatah (Vanguards of the Conquest) - Group 3, in which 33 people were tried. Charges against those convicted included reviving the banned Islamic group known as Gihad (Holy Struggle) and attempting to overthrow the government.

Ahmed Mohammad HAMMOUDA and Hesham Taha Ahmed SALIM were among 19 defendants accused in Military Case no. 20. Charges included planning the assassination of government officials.

BACKGROUND INFORMATION

During the last 18 months politically motivated acts of violence by armed opposition groups have escalated sharply in Egypt. Islamic militant groups have committed deliberate and arbitrary killings, which Amnesty International has condemned. Victims have included a writer known for his secularist views, tourists, Copts, government officials and police and prison officers.

The three people named above were sentenced to death by a military court, even though all of them are civilians. (For further information on this issue see recent Amnesty International document Military trials of civilians: a catalogue of human rights violations, MDE 12/16/93, October 1993). The death 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 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 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.

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

-expressing concern that the above three people 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 they are executed Amnesty International will consider them to be summary and arbitrary executions;

-urging that civilians should not be tried by military courts and calling for new trials in civilian courts which comply with international standards to which Egypt is a state party (the International Covenant on Civil and Political Rights);

- expressing concern at the sudden upsurge in the use of the death penalty in Egypt (39 death sentences have been passed by military courts since December 1992 and 19 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
Telegram: 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 11th January 1994.