

PUBLIC

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Death penalty

1 December 1999

EGYPT

Meriem Fakri Faltas, f, 28
Wa'il Daoud As'ad, 24

Meriem Fakri Faltas, a 28-year-old housewife and Wa'il Daoud As'ad, her lover, were sentenced to death by the Sohag Criminal Court (in Upper Egypt) on 22 November 1999. Their death sentences have now been passed to the Mufti, the highest religious authority in Egypt, for approval before going to the president for ratification. If their sentences are upheld they may face imminent execution.

Meriem Fakri Faltas and Wa'il Daoud As'ad were charged with the murder of Meriem's husband in 1998.

BACKGROUND INFORMATION

The death penalty, which is applied for criminal offences such as drug use or trafficking, and murder, and for offences related to "terrorism", has been used extensively in the country in recent years. In 1998 Amnesty International recorded 74 death sentences passed by military, criminal and (Emergency) Supreme State Security courts, and 48 executions. So far this year 95 death sentences and 15 executions have been recorded.

Death sentences issued by criminal and (Emergency) Supreme State Security courts are submitted to the *Mufti* for approval as a routine measure, where the majority are approved. They are then passed to the President of the Republic or his nominee for ratification. Appeals against final verdicts by criminal courts can be submitted to the Court of Cassation, but only when procedural irregularities in the trial can be proved.

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

- acknowledging the seriousness of the crime of which Meriem Fakri Faltas and Wa'il Daoud As'ad were convicted, but explaining your opposition to the death penalty in all cases as a violation of the right to life (as stated in Article 3 of the Universal Declaration of Human Rights: "Everyone has the right to life, liberty and security of person"), pointing out that it has never been shown to have a unique deterrent effect, and is brutalizing to all involved in its application;
- urging the Mufti not to ratify these death sentences;
- urging the President to 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.

APPEALS TO:

M. Farid Nasr Wassel
Mufti of the Arab Republic of Egypt
Wakf Ministry
Sabri Abou Alam Street
Bab al-Louk, Cairo, Egypt
Faxes: + 202 390 0362
E-mails: mawkaf@idscl.gov.eg
Salutation: Your Excellency

His Excellency Mohammad Hosni Mubarak
President of the Arab Republic of Egypt
'Abedine Palace, Cairo, Egypt
Telexes: 93794 WAZRA UN
Faxes: + 202 390 1998

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e-mails: **webmaster@presidency.gov.eg**
Salutation: **Your Excellency**

COPIES TO:

Mr Hani Khalaf
The Human Rights Department
Ministry of Foreign Affairs
Corniche al-Nil, Cairo, Egypt
Faxes: **+ 202 574 9533**

Dr Fathi Sorour
Speaker
The People's Assembly
Magles al-Sha'ab Street, Cairo, Egypt
Faxes: **+ 202 574 9175**

and to diplomatic representatives of Egypt accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY (Please prioritize appeals arriving before 31 December 1999 to the Mufti. Please send any appeals you anticipate will arrive after this date to the President of the Republic only). Check with the International Secretariat, or your section office, if sending appeals after 10 January 1999.