

URGENT ACTION

528 MEN SENTENCED TO DEATH AFTER MASS TRIAL

An Egyptian court has sentenced 528 people to death, most in their absence, following a grossly unfair trial. It is the largest number of death sentences handed down in one case in recent years.

A court in the city of Minya, Upper Egypt, tried 545 people on charges ranging from “murdering a police officer”, “attempted murder of two police officers”, “setting fire to Mattay police station in the governorate of Minya and stealing firearms from it on 14 August 2013”, as well as “administering and belonging to a banned group”. On 24 March, the court sentenced 528 of them to death.

Although 118 of the defendants had been detained, defence lawyers have told Amnesty International that just 64 of them were present in court when the trial opened on 22 March, with a hearing that lasted less than 30 minutes. The prosecutor did not read out the charges, which is required under Egyptian law. The judge did not allow the defence to cross-examine any witnesses, and did not review evidence against the 528. The judge also rejected the defence’s request for additional time to review the 3,070 pages of case documents, stating he would deliver the verdict on 24 March. After some of the defence team argued with the judge, angered at the way he was handling the case, and called for a different judge to hear the case, he ordered armed guards to surround them.

The trial continued on 24 March in the absence of all the defendants, who were not brought to court by the security forces, as well as the defence lawyers, who were barred from attending by the court. The judge referred 528 of the defendants to the country’s highest religious official, the Grand Mufti, for his advice. Under Egyptian law, he must be consulted on all death sentences imposed by criminal courts, though his opinion is not legally binding on the court. The judge will formally issue his final decision on 28 April.

Please write immediately in Arabic, English or your own language:

- Urging the Egyptian authorities to overturn the 528 death sentences handed down on 24 March and order retrials that rigorously adhere to international standards for fair trial without recourse to the death penalty;
- Calling on them to commute all confirmed death sentences, and establish a moratorium on executions, as a first step towards abolition.

PLEASE SEND APPEALS BEFORE 9 MAY 2014 TO:

Minister of Justice

Nayer Abdel-Moneim Othman

Minister of Justice

Ministry of Justice

Cairo

Arab Republic of Egypt

Fax: +202 2 7958103

Email: mojeb@idsc.gov.eg

Salutation: Your Excellency

Interim President

Adly Mahmoud Mansour

Office of the President

Al Ittihadia Palace

Cairo, Arab Republic of Egypt

Fax: +202 2 391 1441

Salutation: Your Excellency

Public Prosecutor

Hesham Mohamed Zaki Barakat

Office of the Public Prosecutor

Supreme Court House, 1 “26 July” Road

Cairo, Arab Republic of Egypt

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(switched off after office hours, GMT+2)

Salutation: Dear Counsellor

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

The number of those sentenced to death has been reported as 529, but in the court decision and referral the actual figure is 528. This number has been confirmed to Amnesty International by some of defence lawyers.

The Grand Mufti must review all death sentences imposed by criminal courts, but his opinion is only advisory. Once a judge formally hands down a death sentence, after giving the Mufti time to give his opinion, those condemned may challenge it before the Court of Cassation, which is the supreme court. Under Egyptian law, those sentenced in their absence (*in absentia*) also have the right to a retrial.

Supporters of ousted president Mohamed Morsi took to the streets across Egypt on 14 August 2013, after the security forces violently dispersed pro-Morsi sit-ins in the Rabaa al-Adawiya district of Nasr City and al-Nahda Square in Giza. In the next few days, hundreds died at the hands of the security forces, who used excessive force, including intentional lethal force, to break up the protests.

In the wake of the crackdown, some of Mohamed Morsi's supporters attacked government buildings, police stations and security forces. In some attacks police officers were captured, beaten and even killed. In a recent report, the National Council for Human Rights stated that 64 members of the security forces had died in violence across Egypt between 14 and 17 August 2013, as well as eight at Rabaa al-Adawiya. Coptic Christian communities also faced scores of attacks on churches, homes and businesses.

Amnesty International opposes the death penalty as the ultimate cruel, inhuman and degrading punishment and a violation of the right to life. Egypt's authorities do not release figures on death sentences and executions, despite repeated requests over the years by Amnesty International. According to the organization's monitoring, Egyptian courts handed down at least 109 death sentences in 2013, at least 91 in 2012 and at least 123 in 2011. Between February and March 2014, the Egyptian judiciary has sentenced at least 532 men to death.

The last known execution was in October 2011, when the authorities hanged one man for the killing of six Coptic Christians and a Muslim police guard in a drive-by shooting in January 2010.

The judge who presided over the sentencing of the 528 men to death on 24 March is trying another group of 683 people, including the former general guide of the banned Muslim Brotherhood movement, in relation to attacks on Adwa Police Station on 14 August in the capital of Upper Egypt, Minya. Defence lawyers told Amnesty International they were concerned that the judge might also hand down death sentences in this case.

Egypt is a state party to the International Covenant on Civil and Political Rights, Article 14 of which guarantee the right of everyone to a fair and public hearing by a competent, independent and impartial tribunal established by law. The article further guarantees the rights of everyone facing criminal charges to be informed promptly of the nature and cause of the charges against them; the right to have adequate time and facilities for the preparation of their defence; the right to be tried in their presence; and the right to examine, or have examined, the witnesses against them.

Name: 528 men sentenced to death in unfair trial

Gender m/f: m

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