

# URGENT ACTION

## EGYPT'S PRESIDENT MUST HALT EXECUTION

**An 34-year-old Egyptian man, Atef Rohyum Abd El Al Rohyum, is at imminent risk of execution. He was sentenced to death for murder in July 2005, along with a woman, Jihan Mohammed Ali. Jihan Mohammed Ali was executed on 10 March 2010, and Atef Rohyum Abd El Al Rohyum could therefore be put to death at any time. Egypt's President has the power to halt the execution.**

**Atef Rohyum Abd El Al Rohyum** and Jihan Mohammed Ali were sentenced to death for the murder in January 2004 of Jihan Mohammed Ali's husband, Ahmed Hussein Mourad, to whom she got married when she was still in school., Atef Rohyum Abd El Al Rohyum, from the city of Fayoum, south of Cairo, presented himself to police as soon as he received a summons to do so. He was then held at a police station in the city of Giza for investigation. While he was there, he said that he was tortured, including by having cigarettes stubbed on his body.

Atef Rohyum Abd El Al Rohyum did not have access to a lawyer during the interrogation and the investigation period. He was only assisted by a lawyer when his trial began on 20 June 2004. On 17 July 2005, the Giza Criminal Court sentenced him to death along with Jihan Mohammed Ali. Following their appeal, the Court of Cassation ordered a retrial on 4 December 2005 and referred the case to another criminal court. They were again sentenced to death and their sentence later upheld by the Court of Cassation on 2 February 2009.

On 9 February 2009, Jihan Mohammed Ali made a new statement to her lawyer, claiming that she killed her husband on her own and that Atef Rohyum Abd El Al Rohyum only helped her move the victim's body. She also claimed that she acted in self defence as her husband was drunk and beating her. Atef Rohyum Abd El Al Rohyum's lawyer submitted a request to the Public Prosecutor on 27 May 2009, calling for a retrial on the basis of this new evidence. Jihan Mohammed Ali also submitted a request to the Public Prosecutor for retrial. However, no retrial took place, and Jihan Mohammed Ali was executed on 10 March 2010 without her family being informed, in breach of Egyptian law.

### PLEASE WRITE IMMEDIATELY in Arabic, English or your own language:

- Calling on the Egyptian authorities to halt the execution of Atef Rohyum Abdel Al Rohyum;
- Urging them to commute his death sentence, and to order a retrial based on the new evidence available;
- Calling for an investigation into allegations that Atef Rohyum Abdel Al Rohyum was tortured, with those found responsible being brought to justice in proceedings that meet fair trial standards;
- Urging the authorities not the use as evidence any statement made under torture in line with Article 15 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to which Egypt is a state party.

### PLEASE SEND APPEALS BEFORE 22 APRIL 2010 TO:

President  
H.E. Muhammad Hosni Mubarak  
'Abedine Palace  
Cairo  
EGYPT  
Fax: +20 22 390 1998  
Email: [webmaster@presidency.gov.eg](mailto:webmaster@presidency.gov.eg)  
**Salutation: Excellency**

Prosecutor General  
Abd El-Megeed Mahmoud  
Dar al-Qadha al-'Ali  
Ramses Street, Cairo  
Egypt  
Fax: +20 22 577 4716  
**Salutation: Dear Counsellor**

**And copies to:**  
Deputy Assistant Minister of Foreign Affairs for Human Rights  
Wael Abu al-Magd  
Human Rights and International  
Humanitarian and Social Affairs  
Ministry of Foreign Affairs  
Corniche al-Nil, Cairo, Egypt  
**Fax: +20 22 574 971**

Also send copies to diplomatic representatives of Egypt accredited to your country. Please check with your section office if sending appeals after the above date.

**AMNESTY  
INTERNATIONAL**



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### ADDITIONAL INFORMATION

Amnesty International opposes the death penalty in all cases, irrespective of the crimes that were committed, on the grounds that it violates the right to life and constitutes the ultimate form of cruel, inhuman and degrading punishment. Egyptian courts have increased their use of the death penalty over the last year. In 2009, at least 269 death sentences were imposed by the Egyptian courts, and at least five prisoners were executed.

In Egypt, the death penalty is applied for criminal offences such as drug-related offences, murder and terrorism-related offences. Death sentences handed down by criminal courts have to be submitted to the Mufti, Egypt highest religious authority, for approval as a routine measure, but the opinion of the Mufti is not legally binding. They are then passed to the President of the Republic or his nominee for ratification.

Appeals against verdicts by criminal courts can be submitted to the Court of Cassation, but only on the grounds of procedural irregularities in the trial. In the event that the Court of Cassation turns down an appeal, the verdict is final and may not be appealed against before another court. If an appeal by review is upheld, the Court of Cassation may either order a retrial or nullify the verdict which implies an acquittal of the convicted party. If an appeal by cassation is upheld, the Court of Cassation can only order a retrial. In the event that the Court of Cassation decides to order a retrial the case is referred to a different circuit of the criminal court. If the retrial results in a conviction and is appealed against, the Court of Cassation rules on the case and pronounces a final verdict.

Final death sentences are submitted for ratification to the President or his nominee; they may decide on whether or not to grant clemency by ordering a pardon or a reduction of the sentence. If no clemency or reduction of the sentence is granted, the death sentence may be carried out after 14 days.

Torture and other ill-treatment remains widespread and systematic in police stations, and other detention centres of the State Security Investigations services.

UA: 57/10 Index: MDE 12/013/2010 Issue Date: 11 March 2010

