

# THE EDGE OF EXECUTION

على حافة الإعدام



Statistical report on **(Arbitrary Executions in Egypt)**  
On the occasion of International Human Rights Day

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بمناسبة اليوم العالمي لحقوق الإنسان

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## Statistical Report on **(Arbitrary Executions in Egypt)** On the Occasion of International Human Rights Day December 10th, 2020

**"Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life."**

Article 6/1 of the International Covenant on Civil and Political Rights.

Prepared by | **Justice for Human Rights Foundation - JHR**

## **Justice for Human Rights Foundation - JHR**

An independent human rights foundation aims to support justice and protect human rights, working in accordance with the rules, mechanisms and systems of action of international organizations, and has a significant partnership with the organizations concerned.

The Foundation aims to protect and promote human rights, in accordance with international standards established by the United Nations and relevant international conventions and covenants, and to support and defend the oppressed.

## Introduction:

The death penalty in Egypt continues to pose a flagrant threat to the right to life. The Egyptian government has not taken any positive action towards reducing death sentences, even halting their execution, or replacing them with other punishments. Unfortunately, Egypt has been criticized for over-sentencing civilians to death, particularly issuing collective sentences in political cases, as verdicts were handed down after trials that lack the guarantees of justice. The Egyptian judiciary, both civil and military, has been dealing with cases of a political nature for more than seven years indifferently, reaching 1,563 verdicts.

Executions was considered one of the means of political retaliation against opponents of the Egyptian government, as Egypt was ranked by the International Coalition Against the Death Penalty among the first five countries who have implemented executions in the world, along with Saudi Arabia, Iran, China, and the United States of America;

The Egyptian Government declares in international forums that it adheres to the guarantees of a fair trial enshrined in the Constitution and in international human rights law, which isn't true in practice, the application of fair trial standards and guarantees necessarily requires an impartial and independent judiciary, and the reality in the Egyptian judiciary is quite the opposite, especially when prosecuting political opponents.

On December 23rd, 2013, Egypt's Minister of Justice issued Resolution 10412, allocating criminal chambers to hear terrorism cases, and on December 26th, 2013, the head of the Cairo Appeals Court, in order to implement that decision decided, to form Cairo special chambers made up of criminal court judges, named "**Terrorism Chambers**", and the decision to form those chambers was made, because the courts and a number of judges repeatedly stepped down from the cases assigned to them as "**political cases.**"

This decree was issued in contravention of the decision of the General Assembly of judges of the Court of Appeal to distribute judicial work in accordance with the Law of the Judiciary No. 46 of 1972. Each appeals chamber at the level of the Republic has allocated one or more court to consider terrorism cases

Accordingly, a particular court or judge is selected to hear a particular case, which is contrary to successive Egyptian constitutions, most recently in violation of article 97 of the Egyptian Constitution of 2014, **"a person shall be tried only before his natural judge, and special courts are prohibited."**

Article 30 of Law No. 46 of 1972 made the jurisdiction of the judicial services the prerogative of each court and not the minister of justice or even the heads of the courts, so the formation of any judicial services or the distribution of judicial work that violates this article of the Law of the Judiciary is described as absolute nullity.

Formally, the Egyptian government has been able to legalize death sentences, but in practice it has not succeeded in persuading international bodies and human rights organizations to accept such an unprecedented number of death sentences, and has not been spared criticism and blame. Moreover, there are repeated international and human rights calls for abolishing the death penalty and reviewing the death sentences.

In November 2019, the Egyptian human rights file was reviewed at the 34th UPR Session, and the Delegation of Egypt returned with 372 recommendations criticizing the generally deteriorating human rights situation, including more than 37 recommendations criticizing the death penalty and its execution in Egypt.

Due to the seriousness of the abused death penalty, we at JHR are working against it, demanding it to be stopped, reduced, or abolished.

In this statistical report, we refer to what has been monitored and documented on death sentences in some cases of a criminal nature, and others of a political nature, which are the most common in Egypt today.

### **Disclaimer**

Regardless of the nature and political circumstances that accompanied the cases, human rights transcend all circumstances, regardless of the sex, color, religion or political affiliation of the accused, we do not assume absolute innocence in execution cases, we do not cut it for sure, but we are looking for the application of justice, and the right of every accused to a fair trial.

## **The methodology of the report:**

This report is a research and statistical report of death sentences documented by the monitoring and documentation units.

The report includes a statistical summary of some criminal cases.

The report monitors death sentences handed down in 2020, with reference to the total numbers of sentences handed down over the past years.

The report will also present the monitoring of executions in 2020, with reference to the cases in which executions have been carried out already and also with reference to cases of a political nature with enforceable and final provisions.

The report is based on information monitored and documented by the foundation, and some of the information published in newspapers and trusted websites.

### **#Stop\_Execution\_in\_Egypt**

The error in implementing death penalty is impossible to fix after it has been carried out, and therefore it is considered the most severe and most serious of all punishments in general.

## **A numerical summary of death sentences in criminal cases during the years 1981-2012:**

- **2,180** death sentences from 1981 to 2012.
- **179** death sentences and 35 executions (1990-1981).
- **678** death sentences and 213 executions (1991-2001) .
- **528** death sentences (2002-2006) .
- **40** death sentences (2007).
- **87** death sentences (2008).
- **269** death sentences (2009).
- **185** death sentences (2010).
- **123** death sentences (2011).
- **91** death sentences (2012).

## **A numerical summary of death sentences in cases of a political nature:**

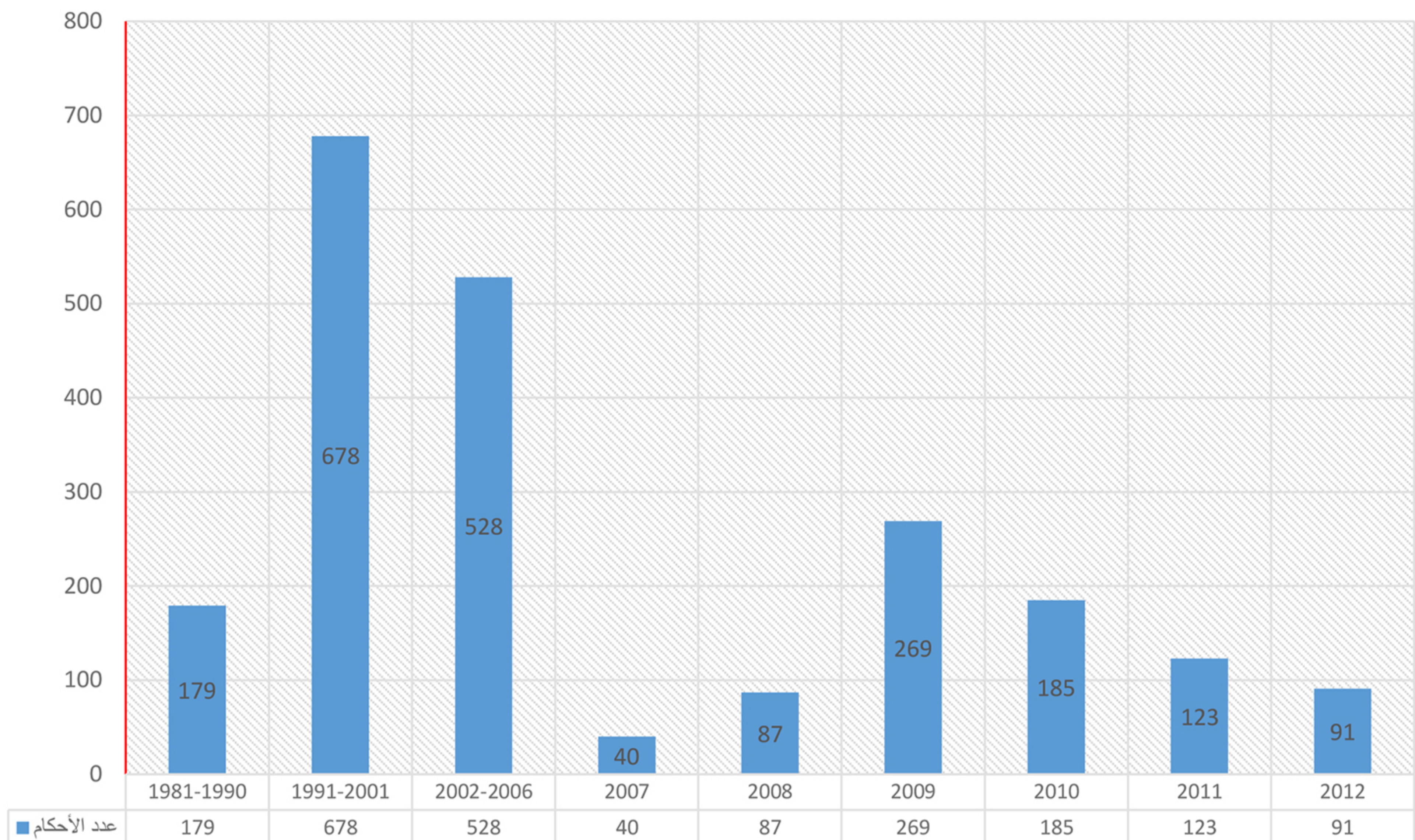
### **Death sentences handed down during 2013-2020**

- **1563** Death sentence.
- **80** citizens were executed in **22** cases, including **13** cases in which military courts have sentenced civilians, **4** cases handed down by the criminal courts, and **5** cases handed down by the terrorism extraordinary chambers.

### **Executions implemented and await executions from 2015-2020 in numbers :**

- **7** were executed in 2015.
- **1** was executed in 2016.
- **15** were executed in 2017.
- **14** were executed in 2018.
- **18** were executed in 2019
- **25** were executed in 2020.
- **68** civilians are awaiting execution (**with final an enforceable judgment in 14 cases**).

## Grap for Criminal Cases' death sentences from 1981 to 2012



### #Stop\_Execution\_in\_Egypt

The accused must not be deprived of the guarantees of a fair trial, from the very first moment of his arrest and during his trial, and should be treated with the proper humanitarian treatment granted to him by law, constitution, covenants and international covenants, regardless of the nature of the case and the political circumstances that accompanied it.



## Summary of executions in 2020 in cases of a political nature:

- **51** death sentences in **4** cases.
- **Two** cases in which sentences were handed down by the State Security Supreme Court of Emergency, final verdicts, **40** sentenced persons .
- **25** citizens were executed.

No.	Case known to media as	Case no.	Governorate	Date	Number of convicted
1	Bait El-Maqds Group	21947-Nasr City-F- 1 <sup>st</sup> – 2014- 25 of 2014- State Security- Emergency	Sinai	2 <sup>nd</sup> March 2020	37
2	Assassination of the Head of Alexandria Security	6- year 2019- F-Supreme State Security- Emergency	Alexandria	14 <sup>th</sup> June 2020	3
3	Killing the patrolman of Abu Kebeer	479-year 2018 –F- Abu Kebeer- Sharqia	Sharqia	30 <sup>th</sup> September 2020	6
4	Raiding Mubarak Police Station	19855-year 2016- F- Fayoum-Terrorism	Fayoum	16 <sup>th</sup> October 2020	5
Total					<b>51</b>

## **Statistical Chart of Death sentences handed down in cases of a political nature 2020;**

### **Executions carried out in 2020:**

- During 2020, executions were carried out in a number of cases of a political nature as follows:
- Case No. 165 of 2017 Military Felonies Alexandria, (**Church Bombing**) – 8 were executed.
- Case No. 01 of 2014 Military Felonies Cairo, (**Hisham Ashmawy case**) – 1 was executed.
- Case No. 160 of 2018, West Cairo Military Felonies, (**El-Wahat Events**) – 1 was executed.
- Case No. 20091 of 2013, Bab Sharqi- Alexandria, 2 were executed.
- Case No. 3455 of 2015, Felonies of South of Giza, (**Ajnad Misr**) – 10 were executed.
- Case No. 12749 for 2013, Felonies, Kerdasa, Giza. 3 were executed.

### **#Stop\_Execution\_in\_Egypt**

Death Penalty should never be imposed after summary arbitrary procedures that lack fair guarantees, due to the seriousness of this punishment and the threat it causes on the right to life.

## A statistical table of cases of a political nature in which executions were carried out:

No .	Case known to media as	Case no.	Governorate	Date	Number of executed
1	'Sidi Gaber clashes'	15663 Sidi Gaber's felonies, year 2013	Alexandria,	07\03\2015	1
2	Arab Sharkas	43 Cairo Military felonies year 2014	Qalyobia	17\5\2015	6
3	The second massacre of Rafah	24856 year 2014, Abu Kabir Al-Sharqia	North Sinai	15\12\2016	1
4	Safa Ambush	411 felony- Military court 2013	North Sinai	26\12\2017	15
5	Kafr El-Sheikh Stadium	352, year 2015- Alexandria Military Felonies	Kafr El-Sheikh	2\1\2018	4
6	Military Case	93 year 2011 Ismailia Military Felonies	Ismailia	9\1\2018	3
7	Military Case	99 year 2015 Military Felonies	Sinai	30\1\2018	1
8	Military Case	382 year 2013- Military Felonies	North Sinai	23\3\2018	2
9	Abdelrahman El-Gabarty	119 year 2016 Military-Suez	Suez	25\6\2018	1
10	Military Case	Military Felonies	Sinai	9\7\2018	3
11	Chancellor's Son Case	17583 year 2014 South Mansoura	Dakahlia	7\2\2019	3
12	General Nabil Farrag Killing	983- year 2014- North Giza	Giza	13\2\2019	3
13	Attorney General Case	314 year 2015 Supreme National Security Felonies	Cairo	20\2\2019	9
14	Bombing of Nigar Embassy	268 –year 2015 – Military-West Cairo	Cairo	05\12\2019	1
15	Bombing of Helwan University	2278- year 2018 Helwan- Felonies- Supreme State security- Emergency	Cairo	05\12\2019	1
16	Al-Tal Al-Kabeer	5713 year 2013 Ismailia Felonies	Ismailia	05\12\2019	1
17	Church Bombing	165 – Year 2017 Military Felonies	Alexandria	25\02\2020	8
18	Hisham Ashmawi	1 – Year 2014 Military Felonies	Cairo	04\03\2020	1
19	El-Wahat	160- Year 2018 – Military- West Cairo- Felonies	El-Wahat	27\06\2020	1
20	Bibliotheca Alexandrina	20091- Year 2013- Bab Sharqi Felonies	Alexandria	03\10\2020	2
21	Ajnad Misr	3455 – Year 2015 – South Giza Felonies	Giza	03\10\2020	10
22	Raiding Kerdasa Police Station	12749 – Year 2013 – Kerdasa Felonies	Giza	03\10\2020	3
<b>Total</b>					<b>80</b>

## Statistics on executions in criminal cases of 2020:

**91 people were executed from January 2020 to December 1st, 2020, in criminal cases:**

- 21st January 2020, **4** were executed in Appeal Prison, Cairo.
- 21st January 2020, **5** were executed in Zaqaziq Prison, Sharqia.
- 22nd February 2020, **3** were executed in Appeal Prison, Cairo.
- 4th March 2020, **3** were executed, Gharbia Governorate .
- 28th July 2020, **7** were executed, Ismailia Governorate.
- 3rd October, **8** were executed in Borg al-Arab prison, Alexandria.
- 6th October, **11** were executed in Appeal Prison, Cairo.
- 8th October, **7** were executed in Borg al-Arab prison, Alexandria.
- 13th October, **8** were executed in Minya prison.
- 28th October, **4** were executed, Giza governorate.
- 29th October, **1** was executed, Daqahlia governorate.
- 2nd November, **3** were executed.
- 7th November, **9** were executed in Minya Prison.
- 9th November **1** was executed in Minya Prison.
- 18th, 19th November, **9** were executed, Alexandria .
- 21st, 23rd November, **1** was executed, Menoufia governorate.
- **10** were executed in Tanta Prison, Gharbia.
- **10** were executed in Tanta prison, Gharbia .
- 24th November **1** was executed, Daqahlia.
- 29th November **1** was executed, Qena.

## Disclaimer

Statistics on executions in criminal cases don't include all of the cases, only the ones published in the media.

### **#Stop\_Execution\_in\_Egypt**

The death penalty causes the loss of human soul that cannot be restored again.

### **#Stop\_Execution\_in\_Egypt**

All persons shall be equal before the courts and tribunals. In the determination of any criminal charge against him, or of his rights and obligations in a suit at law, everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law.

## Chart of the final and enforceable death sentences;

No.	Case known to media as	Case no.	Governorate	Number of Convicted
1	'Port Said clashes'	437 year 2013 – Port Said – Felonies	Port Said	10
2	Matai Police Station	1824 year 2013 – North Menya Felonies	Menia	6
3	Kerdasa's Police Station	12749 year 2013 Kerdasa District Felonies	Giza	17
4	Guard's Murder	16850 year 2014 – Mansoura Felonies	Daqahlia	6
5	Fadl al-Mawla	1781 year 2014 – East Alexandria Felonies	Alexandria	1
6	Spying for Qatar	315 year 2014 – Supreme State Security Felonies	Cairo	3
7	General Wael Tahoon	288 –year 2015 – Cairo Military Felonies	Cairo	3
8	"Ajnad Misr"	3455 year 2015 – South Giza Felonies	Giza	3
9	Awseem's Cell	2719 year 2015 – North Giza Felonies	Giza	1
10	Helwan's Police station	8280 year 2014 – Helwan's Felonies	Cairo	7
11	Assasination of Head of Alexandria Security-3	106 year 2019 – F- Supreme State Security – Emergency	Alexandria	2
12	Ansar El0-Shareia	2870 year 2014 – South Cairo	Cairo	3
13	Kerdasa'a Resistance Committees	1273 year 2016 – F- Kerdasa	Giza	6
14	Killing the patrolman of Abu Kebeer	141 year 2018 - Supreme State Security – Abu Kebeer		1
<b>Total</b>				<b>68</b>

### #Stop\_Execution\_in\_Egypt

Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.

### Conclusion and summary of the report:

- **2,180** total death sentences handed down in criminal cases (1981-2012).
- **1563** total death sentences handed down in political cases (2013-2020).
- **80** citizens were executed in cases of a political nature (2014-2020).
- **68** citizens are on death row, in "**political cases**".

2020 Statistics:

- **116** citizens were executed from January to November.
- **25** citizens were executed in "**political cases**".
- **91** citizens were executed in "**criminal cases**".
- **51** citizens were sentenced to death from January to November, **40** of whom have final and enforceable sentences that are issued by the Supreme State Security Emergency Court.

## **Previous statistics indicate a significant increase in the sentencing and execution of death sentences in Egypt.**

By following up and monitoring the availability of fair trial guarantees, they have been found to be largely absent, and the most prominent of those missing guarantees are:

- 1. Arbitrary arrest and detention of the accused.**
- 2. Practice enforced disappearance.**
- 3. Physical and moral torture.**
- 4. Forced to confess under torture.**
- 5. Trials before extraordinary chambers.**

The availability of fair trial guarantees recommended by successive Egyptian charters and constitutions is evidence of the existence of a political system in the state that respects human rights, and their lack is a sign of its collapse. Respecting the right to a fair trial is a necessity of a just and irreplaceable democratic state, and none of these guarantees should be compromised, whether when arrested, detained or offered to the investigative body, during the trial before the judiciary, or after the verdicts have been handed down.

The promotion and protection of human rights must be the ultimate goal of political systems, prohibiting the violation of the law and committing acts that constitute an attack on human rights under any pretext, especially in an era where human rights are protected by the international law.

## Recommendations:

- Suspend executions, and review the judgments and trials in accordance with the Constitution and international conventions.
- The Egyptian Government to ratify the Second Optional Protocol of the International Covenant on Civil and Political Rights to abolish the death penalty.
- The Egyptian government' obligation, in the light of its insistence on this punishment, to article 6 of the International Covenant on Civil and Political Rights, as stipulated in its second paragraph, to issue death sentences only for the most serious crimes in accordance with the law in force at the time of the commission of the crime and can only be carried out pursuant to a final judgment rendered by a competent court adhered to the international conventions and laws.
- The Egyptian government to abide by the recommendations resulting from the comprehensive periodic review in November 2019, regarding the death penalty and the trend towards abolishing or reducing it.
- Work to activate the first resolution of the UN General Assembly in 2007, which calls for a moratorium on the execution of the death penalty, and to open a broad community debate - formal and popular - on the death penalty and its feasibility, consider replacing it with other sanctions, and work to reform the legislative and judicial system, towards protecting the right to life.
- Review the recommendations of the UN and the African Commission experts on death sentences in Egypt.
- The establishment of a fact-finding commission to investigate the human rights situation in Egypt, extrajudicial killings, or judicial proceedings leading to summary or arbitrary executions, and to hold accountable those responsible for these crimes and prevent impunity.