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Egypt: Justice and reconciliation increasingly failing after second wave of mass death sentences

BANJUL / GENEVA (15 May 2014) – A group of African and UN human rights experts today called on the Egyptian authorities to bring its legal system into compliance with international and regional standards so as to ensure long-term justice and contribute to reconciliation efforts in Egypt.

The appeal by nine United Nations independent experts, together with the Chairperson of the Working Group on Death Penalty and Extrajudicial, Summary or Arbitrary Killings in Africa, comes after the second wave of mass death sentences pronounced in Egypt last month.

"Following the two mass trials, Egypt's legal system is in critical need of being reformed, in line with international and regional standards," the international experts stressed. "A failure to do so is likely to undermine any prospects for long-term reconciliation and justice in the country."

On 28 April 2014, a group of 683 individuals were sentenced to death in Egypt, on charges related to the events in Al-Minya in August 2013. The verdicts were pronounced in the aftermath of a first round of mass death penalties imposed upon 529 individuals on 24 March 2014.

As in the previous case, the new death sentences were pronounced, reportedly under similar charges, after proceedings that seriously violated international standards of fair trial and 'the most serious crimes' provisions. Among them, reports indicate lack of clarity on the precise charges against each individual, conduct of the trials in the absence of the defendants and their lawyers, and mass sentencing.

"We are shocked at the extent to which the international and domestic outcries and calls following the first case were ignored by the authorities in Egypt," the UN human rights experts said, recalling their previous statement of 31 March 2014 when they jointly urged for the quashing of the 529 death sentences and for new and fair trials for all defendants.

"We stress once again that the imposition of these mass death sentences in both March and April for crimes that may not be punishable by death and after a grossly unfair trial is a staggering violation of international human rights law by Egypt," they said.

"This is a continuing and unacceptable mockery of justice that casts a big shadow over the Egyptian legal system," the UN independent experts reiterated.

The Chairperson of the Working Group on the Death Penalty and Extrajudicial, Summary or Arbitrary Killings in Africa, Ms. Sylvie Kayitesi Zainabo, noted with concern that the sentencing to death of the 529 people would constitute gross violation of the provisions of the African Charter, in particular Articles 4 and 5, as expressed in an urgent appeal sent by the African Commission on Human and Peoples' Rights to the Government of Egypt in March 2014.

"The number of people allegedly sentenced to death is the highest recorded in the recent past from two mass trials," Ms. Kayitesi Zainabo stated. "While there is a possibility of an appeal, it is highly unlikely that the mass trials observed the standards of a fair trial. The manner in which the death penalty was imposed may therefore violate international and regional standards."

Noting that the matter is currently being considered by the African Commission and its earlier call that the 529 death sentences are suspended, the Commissioner urged the Egyptian authorities to fully investigate the circumstances under which the death sentences were imposed.

Ms. Kayitesi Zainabo also called on the Government "to take all necessary measures to implement the African Commission's Resolution on a moratorium on the death penalty and to fully commit itself to upholding the rights in its own Constitution and its obligations under international human rights law."

The African and UN human rights experts further called upon Egypt's authorities to commit immediately that all the death sentences will be quashed and new and fair trials will be given to all defendants.

(* The experts: Ms. Sylvie Kayitesi Zainabo, Chairperson of the Working Group on the **Death Penalty and Extrajudicial, Summary or Arbitrary Killings in Africa**; Mr. Chaloka Beyani, Chair of the **Coordination Committee** of the United Nations Special Procedures and United Nations Special Rapporteur on the Human Rights of **Internally Displaced Persons**; Mr. Christof Heyns, United Nations Special Rapporteur on **extrajudicial, summary or arbitrary executions**; Ms. Gabriela Knaut, United Nations Special Rapporteur on the **independence of judges and lawyers**; Mr. Juan Méndez, United Nations Special Rapporteur on **torture** and other cruel, inhuman or degrading treatment or punishment; Mr. Pablo de Greiff, United Nations Special Rapporteur on the **promotion of truth, justice, reparation and guarantees of non-recurrence**; Mr. Mads Andenas, Chair-Rapporteur of the United Nations Working Group on **Arbitrary Detention**; Mr. Maina Kiai, United Nations Special Rapporteur on the rights to **freedom of peaceful assembly and of association**; Mr. Frank La Rue, United Nations Special Rapporteur on the promotion and

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protection of the right to **freedom of opinion and expression**; Mr. Ben Emmerson, United Nations Special Rapporteur on the promotion and protection of **human rights while countering terrorism**.

ENDS

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The African Charter established the African Commission on Human and Peoples' Rights. The Commission was inaugurated on 2 November 1987 in Addis Ababa, Ethiopia. The Commission's Secretariat has subsequently been located in Banjul, The Gambia.

The Commission is officially charged, among other things, with the protection and promotion of human and peoples' rights, and the interpretation of the African Charter on Human and Peoples' Rights. Learn more, long on to:

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