Statistical Monitoring and Documenting report on the death penalty in Egypt

From January 2019 to December 2021
Within the framework of the Shafafia Center for research, Documentation and data management which aims to produce a technical and accurate informational knowledge as much as possible for the political and social incidents and phenomena to support the right of free circulation of information to help all those interested in working on such phenomena and events and within the framework of our policy that depends on cooperation with various institutions, both in their respective fields of database production and analysis, which it produces more accurate and broad knowledge of these phenomena, as we provide the latest database of sentences related to the death penalty in Egypt.

It happens with cooperation with the Arab Foundation for Civil and Political Rights - Nedal which aims to reduce the death penalty sentence in preparation for its abolition in Egypt, the Foundation issues periodic reports that monitor everything related to the death penalty. The Foundation issued an analytical report (previous report) in 2018, in cooperation with our colleagues from The Egyptian Front for Human Rights in the Czech Republic and Committee for Justice in Geneva.

The aforementioned report monitored the international position on the death penalty in comparison with the Egyptian legislator’s position on the death penalty, which has the most extensive application; for 104 crimes. The report also monitored the course of the cases in which the death penalty is imposed and the judicial guarantees that the Egyptian legislator put in place for this strict punishment. The past report highlighted some violations which could face some or all of those sentenced to death in Egypt. Through the last report it could be seen the litigations by the exceptional courts, violation of the right of defense, enforced disappearance of the defendants before their trial, physical and moral coercion of the victims, and the reliance of verdicts on anonymous sources. The report included a statistical statement of those sentenced to death during 3 years from July 2013 to December 2018.

This report comes in cooperation with our colleagues at Shafafiya Foundation, which is to be considered a continuation of the previous report, as the report monitors executions in the three years following it, from January 2019 to October 2021.
Through the periodic review of the human rights situation in September 2019, Egypt received 372 recommendations and observations from 133 countries, which is the largest number of recommendations a country receives in one session.

And compared to the periodic review in 2014, in which Egypt obtained 300 recommendations and observations from 117 countries, and in the 2010 review it obtained 42 recommendations and observations from 122 countries, and from the previous statement and hundreds of reports issued by us and those interested in the human rights situation in Egypt, it is clear that it is deteriorating day after day and lack of commitment. Successive administrations on Egypt implement the recommendations of the international community aimed at improving the human rights situation in Egypt.

With regard to the death penalty in Egypt, Egypt received, in the comprehensive international review of the situation of human rights in September 2019, 28 recommendations and observations related to the death penalty, most of which revolve around an urgent moratorium on the implementation of the death penalty, especially in cases of a political nature, collective suspension of execution, collective trials of the accused, and the provision of real guarantees for the implementation of the death penalty. The death penalty and the final moratorium on executions for those under the age of 18, and finally the signing of the Second Optional Protocol to the International Covenant on Civil and Political Rights related to the death penalty.

The response of Counselor Omar Marwan, Minister of Parliament Affairs and Head of Mission representing the Egyptian administration, was that Egypt is an Islamic state that adheres to the provisions of Islamic Sharia, which approved the death penalty, and that Egypt has not signed the second optional protocol attached to the International Covenant on Civil Rights and Politics, and that the Egyptian legislator has surrounded the death penalty with many Guarantees and did not turn to anything less, and cited his sovereignty in the face of terrorism as the main reason for the increase in the rates of application of the death penalty.
Two years have passed since the Universal Periodic Review of the human rights situation, and Egypt ranks third in the world in implementing the death penalty. The Egyptian legislative system is still the most extensive application of the death penalty in 104 crimes. We are still facing mass trials of the accused and the collective implementation of the death penalty. Even more than that, the state has committed new violations. Such as rotating the accused in many cases and referring the accused to the State Security Courts, which does not enable the accused to appeal their rulings.

And following the internal and international pressure in Egypt and the issuance of several reports issued by national and international non-governmental organizations monitoring the increase in human rights violations in Egypt.

And after 32 countries issued an unprecedented joint declaration before the United Nations criticizing the deteriorating human rights situation in Egypt.

On September 11, 2021, the President of the Republic announced the issuance of the so-called National Human Rights Strategy 2021-2026.

The President of the Republic decided that Egypt was facing terrorism and violations occurred simultaneously, but Egypt entered a new era in striving to preserve human rights.

Through the National Human Rights Strategy, the state pledged to work on improving the human rights situation and discussed the death penalty file. On page 16, it stated that it is one of the challenges facing the civil and political rights file, through the following:

1. The need to develop a framework for reviewing the most serious crimes for which the death penalty is imposed, taking into account societal conditions and specialized studies and in accordance with international and regional human rights conventions ratified by Egypt.

2. The Law on Appeal Cases and Procedures before the Court of Cassation, promulgated by Law 57 of 1959, is devoid of the obligation to appoint a lawyer for a death row convict who is financially unable to appeal, especially since the right to defense is closely linked in this case to the right to life.

In this context, the Arab Foundation for Civil and Political Rights - Nedal and the Shafafia Foundation seek to invest the recognition of the National Human Rights Strategy that there are problems related to the death penalty and that the matter is not as Counsellor Omar Marwan decided by the periodic review that Egypt is committed to Islamic law and has not signed the second optional protocol attached to the International Covenant on Rights civil and political. The Arab Foundation for Civil and Political Rights - Nedal and Shafafia Foundation are intensifying their efforts to pressure the implementation of the national human rights strategy by issuing proposals for legislative amendments, raising awareness through workshops and seminars, and monitoring the development of the death penalty situation in Egypt. This report comes as a step in this direction.
This statistical report comes as an initial step towards monitoring the number of verdicts issued by various courts, with a qualitative presentation of verdicts and decisions referring to the Mufti from different courts.

This report monitors the rulings on the facts of referral to the Mufti, judicial rulings issued by various levels and types of the Egyptian judiciary, both civil and military, and the decisions of the courts of cassation and military appeals related to whether the death penalty is approved, annulled, amended, implemented or abolished during the period from January 1, 2019 to October 1, 2021.

During the period covered by the report, in total, verdicts and decisions referred to the Mufti from criminal courts, decisions (whether approving or reducing the penalty) and executions related to 1752 people in 820 different cases, including 760 criminal cases and 60 cases against a political background, were documented.

In a more detailed view, throughout the period covered by the report, there were 1301 death penalty convictions and/or referrals to the Mufti.

253 death penalty executions were documented through the time period covered by this report, with 66 political cases in 13 different political cases, from which 8 cases that were in front of civil courts and 5 from military court.

Cases covered by this report

1. Death sentences issued by various Egyptian judicial departments and their types, whether civilian or military.
2. Decisions of referral to the Mufti issued by the various Egyptian judicial departments
3. Judgments of the Court of Cassation and the Military Appeals Court regarding defendants sentenced to death or previously referred to the Mufti of the Republic to seek his opinion on their execution
4. Judgments of the Egyptian judiciary from its various circuits and types after the issuance of decisions by the Court of Cassation to re-trial of defendants who had previously been sentenced to death
5. Decisions of the President, whether pardoning and reducing the penalty, or approving the death penalty against defendants who have previously been sentenced to death.
6. The actual execution of the death penalty
It should be noted that the numbers mentioned in the report do not represent the total number of those who were sentenced to death for referral to the Mufti, but rather those who could be monitored only during the period covered by the report. For the following reasons:

1. The scarcity of government data and the difficulty of accessing information through it
2. The centralization of press coverage and the lack of information on the border governorates
3. The absence of an official body through which we can access or verify any information concerning defendants sentenced to death, except in cases where the total number of the case or the number of the appeal is available, so it can be verified through the website of the Egyptian Court of Cassation
4. The Prison Authority, in many cases, did not announce the data of victims executed

The principles of "do not violate privacy" and "do no harm" have been observed, and we are not responsible for the professionalism of what is published through the media referred to. Bearing in mind that there are deleted links, or they may be deleted or changed later due to the obsolescence of time, changing links, or closing media platforms and outlets. We note that many precise addresses of people's residence have been omitted within the body of this report, taking into account respect for privacy and not distinguishing these people in the vicinity of their residence or the residence of their relatives with direct indicative signs such as apartment number, house, street, etc.

The report relied mainly on specific sources, which were not directly verified from their primary sources except in limited cases. The credibility of the source was taken into account and the information was verified from multiple sources. In general, the source of each information was mentioned and classified in the inventory attached with the report.

These sources focused on:

1. The website of the Egyptian Court of Cassation in cases where a full case number is available and enables us to inquire about the court's decision.
2. Official documents in cases and cases for which official statements are published through the press, or they can be obtained from various sources, whether as a copy of the text of the document or a publication of its content.
3. News and press coverage while verifying the source's quality and credibility and focusing on ensuring information from more than one source.
4. The video clips of the sentences uttered.
5. Prison Authority data on the execution of death sentences,
6. Fellow lawyers at the Arab Foundation for Civil and Political Rights - Nidal and the Transparency Foundation.
7. Organizations or individuals concerned with human rights, such as lawyers and activists in the field of human rights.
It should be noted that the numbers mentioned in the report do not represent the total number of those who have been sentenced to death for referral to the Mufti, but rather those who could be monitored only during the period covered by the report.

This comes despite the availability of information about death sentences more than others due to their nature and the nature of media and societal interest in them, but this comes because of the following:

- The scarcity of government data and the difficulty of accessing information through it.
- The centralization of press coverage and the lack of information on the border governorates.
- The absence of an official body through which we can access or verify any information relating to defendants sentenced to death, except in cases where the total number of the case or the number of the appeal is available, so it can be verified through the website of the Egyptian Court of Cassation.
- In many cases, the Prisons Department did not announce the data of the persons executed.
The Egyptian legislator defines execution as: the killing of a person by a judicial procedure for the purpose of punishment or general deterrence and prevention. This is on the basis that any penalty must be subject to general deterrence and special deterrence. In the case of the death penalty, the punishment lacks the general deterrence part, otherwise Egypt would have witnessed fewer death sentences and crimes punishable by this punishment.

In maintaining the death penalty, the Egyptian legislator relies on the existence of special safeguards and procedures for capital cases.

It is natural that a punishment such as the death penalty is surrounded by many guarantees, considering it the most severe punishment, which violates the most important human right, which is the right to life. Although the Egyptian legislator has surrounded the way to implement the death sentence with many guarantees to ensure that the accused receives a fair trial, in many cases the judicial authorities do not abide by these standards, and these sentences are issued and rejected, appeals are refused, and even implemented in light of the violation of these standards.

Following is an overview of the death sentence cases path:

**FIRST: INVESTIGATION STAGE**

After the appearance of the defendant in front of the prosecution within 24 hours of the arrest, the prosecution starts the investigation process by asking about the crimes charged against them, and this is in presence of his lawyer. Then the defendant is referred to the forensics if seen fit or requested by the defendant. The prosecution then decides whether to vacate or renew the detention. The investigation is then through for the case by either referring to the court or saved.

**SECOND: TRIAL**

The Court shall be required to enable the accused and his counsel to access the papers of the case, submit appropriate requests for the hearing of witnesses and resolution of custody, and allow him to submit his case, the arrival of the sentencing of the accused of conviction or acquittal.

**THIRD: REFERRAL TO THE Mufti**

The legislator ordered the court to review the opinion of the Grand Mufti of the death sentence before it was issued. The Mufti sends his opinion to the court within 10 days of the referral. The Mufti’s opinion shall be advisory and non-binding to the Court. If the Mufti does not submit his opinion, the Court shall rule on the case in accordance with article 381 of the Code of Criminal Procedure.
FOURTH: THE VERDICT
After taking the opinion of the Grand Mufti of the Republic, the court shall issue the death sentence by unanimity of its members. Violation of this condition is a justification for revoking the ruling.

FIFTH: APPROVAL OF THE VERDICT (MILITARY JUDICIARY)
The Egyptian Military Jurisdiction Law stipulates that the judgments of the military judiciary shall be effective against the convicted persons to be ratified by the authorized officer of the President of the Republic. The President of the Republic shall in all cases have the power to amend, cancel, retry or ratify the judgment as is. The law did not specify specific dates for ratification.

SIXTH: ACTION OF CASSATION
The right of cassation is guaranteed to any person who has been sentenced by the Criminal Court. The law sets out the means and procedures for appealing against the sentences against the accused by filing a notice of appeal to the Court of Cassation within the prescribed legal period. The Court of Cassation is essentially a court of law, not a court of subject, in the sense that its role is limited to evaluating the judgment in terms of application or interpretation of the law if there is a lack of causality or corruption in the reasoning, regardless of the subject matter of the case. However, with the amendment of article 39 of the Code of Criminal Procedure on 27 April 2017, the Court of Cassation was given the power to adjudicate the case after the verdict of the Criminal Court, which closes the door to re-trial of the accused in front of another Chamber, reducing the chances of considering several times the judgments issued against them.

SEVENTH: PLEA FOR RECONSIDERATION
The petition is a death sentence taken by the person sentenced to death. Article 441 of the Code of Criminal Procedure restricts the conditions for reviewing the judgments of the Criminal Court that if the accused is sentenced to a murder, and the victim turns out to be alive or if a person is sentenced to death for an incident and another person is sentenced for the same incident, or if one of the witnesses or experts is sentenced to the penalty of perjury or if a forged paper was presented during the proceedings, and the testimony or report of the expert or the paper had an effect on the judgment.

EIGHTH: PRESIDENTIAL RATIFICATION
The Constitution and the Egyptian Law authorized the President of the Republic to reduce or suspend the death penalty as a basic guarantee for the accused to stop any provisions that might lead to the loss of the right to life as a basic human right. Article 155 of the Constitution states that “To the President of the Republic after taking the opinion of the Council of Ministers to pardon or commute the sentence. A comprehensive amnesty shall be by law only, with the approval of the majority of the members of the Parliament”. Article no. 470 of the Code of Criminal Procedure states that “When the death sentence is final, the case papers must be submitted immediately to the President of the Republic by the Minister of Justice. The sentence shall be enforced if the amnesty order is not issued or the penalty is commuted within fourteen days”. The wisdom of this procedure is to give the person sentenced to death a last chance because of the seriousness of the punishment and to provide the opportunity in all cases for the head of state to exercise his right to amnesty or commutation of the sentence if he wishes. The death sentence is carried out if the amnesty is not issued or the sentence is commuted within four decades.
NINTH: THE EXECUTION OF THE DEATH SENTENCE

Executions are carried out after all previous procedures have been exhausted by hanging. The death sentences are not carried out on holidays or official holidays and the legislator has made the execution of the pregnant mother two months after the birth.

The death penalty shall be carried out inside the prison or in any other place covered by a written request from the Attorney General indicating the completion of the procedure for the submission of papers to the President of the Republic, and the period of fourteen days on this date (article 473 of the Code of Criminal Procedures).

The prison administration must notify the Minister of the Interior and the Attorney-General of the day and time of execution (article 653 of Prison Regulation Code). The execution of the death penalty must be carried out in the presence of an attorney general representative, a prison director and a prison doctor or any other doctor assigned by the public prosecution. (article no. 4741 of the Code of Criminal Procedures)

The Egyptian legislator allowed the relatives of the condemned to meet him on the day appointed to carry out the sentence, in accordance with article 472 of the Code of Criminal Procedure, which in many cases doesn’t happen in violation of the law. In some cases, those sentenced to death are prevented from exercising and handcuffed in their cells. Moreover, the administrative authority sometimes refuses to hand over the body of the executioner to the execution of its relatives. If it is handed over, it is stipulated that the burial be carried out without a celebration, in accordance with article 477 of the Code of Criminal Procedure.
The entire data is arranged and indexed according to the following archival system:

The date of the incident, then the governorate of the incident in a fixed order of the governorates, the incident police department - which is the indictment department -, the place of the incident, a distinctive or indexed name for the incident composed of that hierarchy.

In the field of a distinguished name for the incident, it was taken into account that it is indexed according to the archival system, and a distinguished media name or the name approved in official papers may be added to it, and written in the following hierarchy:

1. Background of the incident
2. The type of incident
3. The incident circle
4. The year of the incident

The conventions of police stations have been adopted with a unified indexing system by mentioning the name of the city/police department due to the low number of police department departments mentioned accurately so as not to cause a statistical problem.

**TIME RANGE OF INCIDENT:**

The date range of the incident is divided into three main sections:

1. Before 2011, which are the facts that occurred before 2011
2. After the year 2011, the year was mentioned for each incident whose history is known
3. Unknown, which are the facts in which the date of the incident was not reached

Bearing in mind that there are other time ranges for the entire criminal procedure, as there are multiple time ranges for criminal procedures according to the type of procedure, and the report came as follows:

The date of the incident: the date of the main accusation incident where the police report was drawn up, or the date of the incident itself.

Date of execution of the death sentence: the date on which the death sentence was carried out against the defendant after exhausting the means of litigation.

Arrest date: The date of arrest of the defendant.

Date of the decision to refer to the Mufti: is the date of the court session in which the decision was issued to refer the defendants' papers to the Grand Mufti for solicitation of his opinion.

Date of pronouncement of criminal court ruling: The date of pronouncement of ruling in judicial cases before the various criminal courts.

Date of pronouncement of the criminal court ruling (re-trial): It is the date of pronouncement of the judgment in cases that are accepted for appeal by the Court of Cassation and the accused are retried.

Date of pronouncement of the cassation ruling: It is the date of pronouncement of the verdict in the appeals submitted to the lawsuits before the courts of cassation.

Dates of other criminal proceedings: the date of any criminal proceedings except for the above, such as; A presidential pardon, a judgment in absentia, or a moratorium on the execution of a judgment.
The background of the incident

1. Political: These are the events of protest activities against a political background or for clear political demands, or even operations by armed groups, whether to achieve political or sabotage goals in general.

2. Criminal: The incidents that occurred for reasons not related to public affairs or political context in any way, but limited to the apparent purpose of the accused in committing the crime such as theft, rape or other crimes.

Type of incident

A clash between security and civilians during a mass field protest: The cases of arrests, awakenings and accusations against the background of a field demonstration.

Kidnapping and murder: The incidents in which the accused kidnapped a victim, whether for ransom or for disputes of any kind, and the accused killed the victim.

1. Drug trafficking: which contains sub-divisions:
   • Bringing drugs from outside the country
   • Drug trafficking

2. Sectarian violence: These are the incidents of civil violence with a sectarian dimension.

3. Sexual assault: Sexual assault has been defined as any incident of rape of a female or indecent assault of a minor or male.

4. Sexual assault associated with murder: These are the incidents in which the victim was sexually assaulted, whether by rape or the indecent assault of a minor or male, and this was combined with the murder of the victim.

5. Operations by armed groups, which are the accusations related to the crimes of armed attacks or the use of explosive devices, etc., whether on civilians or regular forces, whether to achieve political or sabotage goals in general.

6. Killed during a quarrel. The main causes and main types of it are the following:
   • Work disputes
   • Financial disputes
   • Drug dealing
   • Archeology excavation
   • Neighborhood disputes

7. Murder out of revenge: These are the incidents of murder on the basis of previous disputes with the victim.

8. Honor killing

9. Murder associated with robbery under duress: These are the incidents of murder that were associated with the crime of robbery.

10. Resisting authorities: These are the killing incidents that took place during the defendants' resistance to a security raid.

11. Murder due to marital disputes: These are the incidents of murder that occurred as a result of marital disputes, which are concentrated in the following reasons:
   • Quarrels between spouses for various reasons.
   • Murders committed by one of the spouses to get rid of the other because of his desire to marry another / another.
   • He was killed because of family disputes.
   • Killed out of revenge.
   • Other
Age Stages

1. Under 18 years of age: Minors under the age of 18, whether they are treated by the judicial authorities as minors or adults.
2. Between 1830-
3. Between 3140-
4. Between 4150-
5. Above 50 years old: Defendants over 50 years old
6. Unknown: The defendants were not able to determine their exact ages

Judicial Classification

1. Civil: These are the cases that have been heard by the civil judiciary of all kinds.
2. Military: These are the cases that were heard by the Military Criminal Court.

Types of the judiciary:

1. The Criminal Court is the case of arrest, issuing a report, presenting it to the prosecution, and then referring it to the criminal court.
2. The Criminal Court, Terrorism Chambers: It is the case of arrest, the preparation of a report, submission to the Public Prosecution, and then referral to one of the departments designated for terrorism cases in the criminal courts.
3. The Criminal Court: The Supreme State Security Departments, emergency, “is the case of arrest, the preparation of a report, the presentation to the prosecution, and then the referral to one of the departments designated for state security felonies cases in the criminal courts.
4. The Court of Cassation is the case of arrest, writing a report, presenting it to the prosecution, then referring it to the trial and ruling thereon, and then adjudicating it before the Court of Cassation with a final ruling.
5. The Criminal Court after the cassation is the case of arrest, issuing a report, presenting it to the prosecution, then referring it to the trial and ruling thereon, then accepting the appeal in cassation, and returning it again to the criminal court.
6. The Military Criminal Court is the case of arrest, the preparation of a report, submission to the prosecution, and then referral to the Military Criminal Court.
7. The Supreme Court of Military Appeals is the case of arrest, writing a report, submitting a report to the prosecution, then referring to the military court for felonies and ruling in them, then adjudicating in them by a final judgment before the Supreme Court of Military Appeals.

Judicial stages

1. It was judged for the first time before the felonies: these are cases that have been adjudicated, whether in presence or in absentia, and the appeal or petition for them has not yet been considered.
2. It was judged for the second time before the felonies: these are the cases that were decided in presence after the Court of Cassation ruled that the appeal was accepted and the retrial was accepted, and the retrial was decided and the appeal has not yet been considered.
3. The litigation stages have been exhausted: these are the cases whose appeals have been resolved
THE LEGAL STATUS OF THE DEFENDANT IS DIVIDED AS FOLLOWS

1. The death sentence was carried out: the cases in which the death sentence was carried out after the litigation stages had been exhausted.

2. A death sentence from Criminal Court after the appeal was rejected: These are the cases in which the stages of litigation have been exhausted and the death sentence has not yet been implemented.

3. A death sentence from Criminal Court that has taken place after a petition to reduce the sentence was rejected: These are the cases in which a death sentence was issued by the emergency Supreme State Security Criminal Court departments, and the petition to reduce the sentence was rejected by the military ruler.

4. A death sentence from the criminal court in presence: It is a death sentence from the criminal court in presence, and the appeal has not yet been decided on.

5. A death sentence from the criminal court in absentia: It is a death sentence by the criminal court in absentia.

6. Referral to the Mufti despite the death of the accused in advance: These are the cases in which case papers were referred to the Grand Mufti of the Republic for a referendum on his opinion on the execution of the accused despite the death of the accused himself in advance.

7. Judgment of acquittal after referral to the Mufti: These are the cases in which the verdict was passed after referring the case papers to the Grand Mufti of the Republic for a referendum on his opinion on the execution of the accused for the accused of innocence.

8. Imprisonment sentence after referral to the Mufti: These are the cases in which a ruling was passed after the case papers were referred to the Grand Mufti of the Republic for a referendum on his opinion on the execution of those accused of imprisonment, regardless of the period.

9. Referral to the Mufti and the Final Verdict Couldn’t Be Reached: These are the cases in which the case papers were referred to the Grand Mufti of the Republic for a referendum on his opinion on the execution of the accused, whether in presence or in absentia, and the final judgment was not reached.

10. Referred to the Mufti and no judgment has yet been passed: These are the cases in which the case papers were referred to the Grand Mufti of the Republic for a referendum on his opinion on the execution of the accused, whether in presence or in absentia, and a date was set for the case to be considered and judged after the expiry of the time space covered by the report.

11. Referred to the Mufti in presence or absence: These are the cases in which the accused has been referred to the Mufti, whether in presence or in absentia.

12. Accepting the appeal and amending the sentence to a prison sentence: It is a decision by the Court of Cassation to reduce the death sentence issued by the criminal court to a prison sentence, regardless of the period.

13. Acceptance of the appeal and retrial: A decision of the Court of Cassation accepting the appeal and ordering a retrial.

14. Acceptance of the Cassation and the Court of Cassation addressing the issue: A decision of the Court of Cassation accepts the appeal and decides to address the subject matter of the case itself.
A total of 251 death sentences were monitored during the period covered by the report, as 185 defendants were executed in 145 criminal cases, in addition to the execution of 66 defendants in political cases in 13 cases against a political background, including 8 cases where verdicts were issued by the civil judiciary and 5 cases where verdicts were issued by the military judiciary.

Where 43 executions were carried out during 2019, including 18 on a political background, 25 on a criminal background, 126 judgments in 2020, including 30 on a political background and 96 criminal, and 82 judgments during 2021, including 18 on a political background and 64 on the background of criminal incidents.
Among the death sentences that were carried out, 237 males and 14 females were executed. It is worth noting that all the executed females were on the basis of accusations of criminal facts, as two females were executed during 2019, 6 females during the year 2020, and 6 others during year 2021.

There are 101 people on death row. No details about them were announced by the Ministry of Interior, so it was not possible to classify or know any details about them.
At least 1,441 defendants were referred to the Mufti of the Republic during the period from January 1, 2019 to at least December 31, 2021, in 33 political cases and 633 criminal cases.

During the year 2019, 601 death sentences and referral decisions were issued to the Mufti, including 51 judgments in 16 cases on political grounds and 531 judgments in 249 criminal cases.

During the year 2020, 299 rulings and decisions to refer to the Mufti were monitored, including 50 rulings in 4 political cases and 249 in 131 criminal cases.

During the year 2021, 529 judgments and decisions to be referred to the Mufti were monitored, including 56 judgments in 13 political cases and 473 judgments in 253 criminal cases.

It was monitored that 7 defendants under the age of 18 were referred to the Mufti of the Republic, including 1 on a political background and was actually convicted of the death penalty, and 6 on the background of criminal incidents, 4 of them were convicted of the death penalty and 2 were sentenced to prison terms.
It was monitored that 118 females were referred to the Mufti of the Republic, and 107 of them were convicted, in addition to 9 who have not yet been sentenced, and two females were sentenced to prison after referring their papers to the Mufti of the Republic.

The sentences included 1,315 defendants in presence and 126 in absentia

1,306 defendants were convicted of the death penalty, or 90.5% of the total referred to the Mufti of the Republic

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<th>The background of the incident</th>
<th>Total</th>
<th>in absentia</th>
<th>in presence</th>
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<tr>
<td>political events</td>
<td>160</td>
<td>54</td>
<td>106</td>
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<tr>
<td>criminal facts</td>
<td>1281</td>
<td>72</td>
<td>1209</td>
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<tr>
<td>Total</td>
<td>1441</td>
<td>54</td>
<td>106</td>
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</tbody>
</table>

There are 79 defendants referred to the Mufti, and sentencing sessions are scheduled for 2022

There are 57 defendants who were convicted of imprisonment after referring their papers to the Mufti of the Republic

4 defendants were referred to the Mufti despite their previous death, and the final judgment was issued that the criminal case for death was terminated.

Two cases were acquitted after referring their papers to the Mufti of the Republic

3 defendants, the court opened the door for pleadings again after the court decided to refer them to the Mufti

Among the observed sentences, 62 of them were sentenced after accepting the appeal and retrial, and they were again convicted of the death penalty.
<table>
<thead>
<tr>
<th>type of incident</th>
<th>criminal facts</th>
<th>political background</th>
<th>Total</th>
</tr>
</thead>
<tbody>
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<td>Armed group operations</td>
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<td>150</td>
<td>150</td>
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<tr>
<td>sectarian violence</td>
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<td>6</td>
<td>6</td>
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<td>Clashes between security and civilians during a mass field protest</td>
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<td>4</td>
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<tr>
<td>Forced robbery</td>
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<td>Killed during a fight</td>
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<td>Murdered due to marital disputes</td>
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<td>killed out of revenge</td>
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<td>he was killed because of family disputes</td>
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<td>drug trafficking</td>
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<td>others</td>
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<td>Resistance to security authorities</td>
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<td>sexual assault</td>
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<td>kidnapping and killing</td>
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<tr>
<td>Honor killing</td>
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<tr>
<td>Killed out of revenge</td>
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<tr>
<td>Total</td>
<td>1281</td>
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</table>
The Greater Cairo region was the most monitored region with cases involving 433 rulings at 30%, followed by the Upper Egypt region with 29.9%, then the Delta region with 285 rulings at a rate of 19.7%, followed by the Maritime region with 257 rulings at a rate of 17.8%, then the Canal and Sinai regions with 1.9%. And 7 people were convicted of incidents that occurred outside Egypt.

Two death sentences were monitored by the State Security Criminal Court, and the petition to reduce the sentence was rejected, and one of them was executed against a political background.

22 death sentences were monitored by the State Security Criminal Court in criminal cases, and it was not possible to obtain information about their petition, and whether the sentence was ratified or not.

1406 Egyptian nationals were convicted, in addition to 5 Yemeni nationals, 4 Libyans, 3 Palestinians, 5 Syrians, 14 Pakistani nationals, one Iranian, and two Arab nationals accused, and the country was not specified.
As for the age groups, 632 accused persons were monitored with a percentage of 43.8%.

- The age group is less than 18 years, 7 minors.
- The age group between 19 to 30 years old, 373 accused.
- The age group is from 31 to 40 years, 166 defendants.
- The age group between 41 to 50 years, 63 defendants.
- One accused is between 50 and 60 years old, and another is over 60 years old.
- 798 Unspecified age group.

Regarding the decisions issued by the Courts of Cassation, 342 decisions of the Courts of Cassation and Military Appeals were monitored with regard to 160 accused on a political background and 182 on the background of criminal facts.

- The Court of Cassation has monitored the death sentences against 192 of them, 56.1% of them, 87 of them on a political background (including 14 judgments of the Military Appeals Court) and 105 on a criminal background. 58 of them have already been executed and 141 are awaiting execution.
- The court decided to amend the sentence to a prison sentence for 89 defendants, 26% of whom were on a political background (including two judgments from the Military Appeals Court) and 21 on a criminal background.
- The Court of Cassation decided to amend a ruling to acquittal of 5 defendants, including 4 on a political background and only one on a criminal background.
- The Court of Cassation ordered a retrial of 46 defendants, all on criminal grounds.
- The Court of Cassation dismissed the criminal case for death for one accused.

- The Court of Cassation decided to address the issue with regard to 9 accused, and it ruled the acquittal of one accused on a political background and one on a criminal background, and a life sentence for one accused, and sentenced the death penalty to 6 accused.

<table>
<thead>
<tr>
<th>Court of Cassation decision</th>
<th>Appeal rejected and death sentence upheld</th>
<th>Accepting the appeal and amending the sentence to a prison sentence</th>
<th>Acceptance of the appeal and a retrial</th>
<th>Accepting the appeal and amending the judgment to acquit</th>
<th>Accepting or rejecting the appeal</th>
<th>Total</th>
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A retrial of 112 defendants was monitored after their appeals against death sentences were accepted. As the criminal courts in its various departments sentenced 41 of them to death, 41 accused with prison sentences, and 30 accused of acquittal.

- It was monitored that the Military Appeals Court accepted a petition to reduce the death penalty to life imprisonment for two of the defendants, after rejecting their appeal in the case known as the Advanced Operations Cell.

- A decision was issued by the President of the Republic to reduce the sentence of an Indian accused of death by hanging to life imprisonment.

- Twelve defendants were monitored who had appealed death sentences in absentia in two cases, the first on a criminal background, 11 defendants were being tried, and three of them were sentenced to death, and the rest were sentenced to life imprisonment. And two on a political background were acquitted and the other was sentenced to life imprisonment.
To see the full stats
1 - Distribution of the facts of execution of death sentences according to the quarterly period

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<th>Quarter-Annually Period</th>
<th>Female</th>
<th>Male</th>
<th>Subtotal</th>
<th>Female</th>
<th>Male</th>
<th>Subtotal</th>
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2- Statistical distribution of judges that have been implemented and the type of incident

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<th>Type of Incident</th>
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<th>Total</th>
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<tr>
<td>Mass Civil Protest</td>
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<td>Killing during Forceful Theft</td>
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<tr>
<td>Killing due to Marital Disputes</td>
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<td>5</td>
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<tr>
<td>Kidnap and Killing</td>
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<td>11</td>
<td>11</td>
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<td>Resisting Authorities</td>
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<td>Killing due to Family Disputes</td>
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</table>
- Statistical distribution according to the year in which a death sentence was carried out and the age group of the person who was executed

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<th>Age Group</th>
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<td>41 to 50 Years Old</td>
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<tr>
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</table>

3 - Statistical distribution of judges that have been implemented and the type of incident

<table>
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<th>Month of Execution</th>
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4- Statistical distribution according to the year in which a death sentence was carried out and the year of the incident

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### Nationality Distribution

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### Criminal Verdicts

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### Criminal

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<th>Mediterranean Region</th>
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### Total

| | Delta Region | Upper Egypt Region | Suez Canal & Sinai Region | Mediterranean Region | Greater Cairo Region | Outside Egypt | Total |
| | 22 | 21 | 6 | 38 | 73 | 6 | 140 | 211 | 168 | 22 | 187 | 324 | 1 | 1,120 |

### Political

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### Total

| | Delta Region | Upper Egypt Region | Suez Canal & Sinai Region | Mediterranean Region | Greater Cairo Region | Outside Egypt | Total |
| | 4 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |

### Grand Total

| | Delta Region | Upper Egypt Region | Suez Canal & Sinai Region | Mediterranean Region | Greater Cairo Region | Outside Egypt | Total |
| | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 |

### Religious/Sect Violence

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|                                | Criminal   |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Appeal rejected and death     | 105        |                |                |                |                |                |                |                |                |                |                |                |                |                |
| sentence upheld                | 67         |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Accepting the appeal and      | 21         |                |                |                |                |                |                |                |                |                |                |                |                |                |
| amending the sentence to a    | 46         |                |                |                |                |                |                |                |                |                |                |                |                |                |
| prison sentence               | 4          |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Acceptance of the appeal and  | 46         |                |                |                |                |                |                |                |                |                |                |                |                |                |
| a retrial                      | 4          |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Accepting the appeal and      | 1          |                |                |                |                |                |                |                |                |                |                |                |                |                |
| addressing the matter         | 9          |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Accepting the appeal and      | 1          |                |                |                |                |                |                |                |                |                |                |                |                |                |
| amending the judgment to      | 1          |                |                |                |                |                |                |                |                |                |                |                |                |                |
| acquit                         | 1          |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Expiry of the criminal case   | 1         |                |                |                |                |                |                |                |                |                |                |                |                |                |
| by death                       | 1         |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Total                          | 182        | 342            |                |                |                |                |                |                |                |                |                |                |                |                |

|                                | Political   |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Appeal rejected and death     |              |                |                |                |                |                |                |                |                |                |                |                |                |                |
| sentence upheld                |              |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Accepting the appeal and      |              |                |                |                |                |                |                |                |                |                |                |                |                |                |
| amending the sentence to a    |              |                |                |                |                |                |                |                |                |                |                |                |                |                |
| prison sentence               |              |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Acceptance of the appeal and  |              |                |                |                |                |                |                |                |                |                |                |                |                |                |
| a retrial                      |              |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Accepting the appeal and      |              |                |                |                |                |                |                |                |                |                |                |                |                |                |
| addressing the matter         |              |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Accepting the appeal and      |              |                |                |                |                |                |                |                |                |                |                |                |                |                |
| amending the judgment to      |              |                |                |                |                |                |                |                |                |                |                |                |                |                |
| acquit                         |              |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Expiry of the criminal case   |              |                |                |                |                |                |                |                |                |                |                |                |                |                |
| by death                       |              |                |                |                |                |                |                |                |                |                |                |                |                |                |
| Total                          |              |                |                |                |                |                |                |                |                |                |                |                |                |                |
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### Diagram

- Criminal Death Sentences: 2019 - 8, 2020 - 4, 2021 - 32
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|                           | 2019      | 2020      | 2021     | Total     |
| Death by hanging          | 4         | 4         |          | 37        |
| innocence                 | 2         | 2         |          | 28        |
| Five years imprisonment   | 17        | 17        |          | 0         |
| life imprisonment         | 13        | 13        |          | 1        |
| Imprisonment of           | 0         | 1         | 3        | 4         |
| unknown term              |           |           |          |           |
| Fifteen years             | 0         | 2         |          | 2         |
| Ten years imprisonment    | 1         | 1         |          | 1         |
| Seven years imprisonment  | 1         | 1         |          | 0         |
| Total                     | 44        | 21        | 9        | 74        |

| Death by hanging          | Political | Male | Total |
| Death by hanging          | 4         | 4    | 4     |
| innocence                 | 2         | 2    | 2     |
| Five years imprisonment   | 17        | 17   | 17    |
| life imprisonment         | 13        | 13   | 13    |
| Imprisonment of           | 0         | 0    | 0     |
| unknown term              |           | 1    | 1     |
| Fifteen years             | 0         | 2    | 2     |
| Ten years imprisonment    | 1         | 1    | 1     |
| Seven years imprisonment  | 1         | 1    | 1     |
| Total                     | 0         | 38   | 38    |

| Death by hanging          | Criminal | Male | Total |
| Death by hanging          | 4         | 33   | 37    |
| innocence                 | 2         | 28   | 28    |
| Five years imprisonment   | 17        | 17   | 0     |
| life imprisonment         | 13        | 13   | 2     |
| Imprisonment of           | 0         | 4    | 4     |
| unknown term              |           | 2    | 2     |
| Fifteen years             | 1         | 1    | 1     |
| Ten years imprisonment    | 1         | 0    | 1     |
| Seven years imprisonment  | 1         | 1    | 0     |
| Total                     | 5         | 69   | 74    |
| Total                     | 112       |      |      |
RECOMMENDATIONS

1. Moratorium on the death penalty and catch up with the global trend against the death penalty

2. Responding to the seven demands issued by independent national human rights institutions, on top of which is the formation of a committee to review all death sentences issued in mass trials or trials in cases of a political nature

3. Reviewing legislation that imposes the death penalty and replacing the death penalty with freedom-depriving penalties for less serious crimes and setting a framework for reviewing the most serious crimes for which the death penalty is imposed, taking into account societal conditions and specialized studies and in line with international and regional human rights conventions that Egypt has ratified in implementation of the Egypt pledged in the National Human Rights Strategy

4. Amending the Law on Appeal Cases and Procedures before the Court of Cassation, promulgated by Law 57 of 1959, stipulating the obligation to hire a lawyer for a death sentence convict who is financially unable to appeal, especially since the right to defense in this case is closely related to the right to life in implementation of the National Human Rights Strategy.

5. Expand the use of the authority of the President of the Republic to pardon, reduce or replace punishment with freedom-depriving punishments


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