



DEATH PENALTY IN EGYPT

ALTERNATIVE REPORT BY ECRF, ECMP AND THE WCADP

To the Report of the Arab Republic of Egypt

On the implementation of the African Charter on Human and Peoples' Rights

African Commission on Human and Peoples' Rights

85th ORDINARY SESSION

21–30 OCTOBER 2025

Presentation of the authors of the report



ECPM (Together against the death penalty) is a French nongovernmental organization that fights against the death penalty worldwide and in all circumstances by uniting and rallying abolitionist forces across the world. The organization advocates with international bodies and encourages universal abolition through education, information, local partnerships and public awareness campaigns. ECPM is the organizer of the World Congresses against the death penalty and a founding member of the World Coalition Against the Death Penalty. In 2016, ECPM was granted consultative status with ECOSOC. Since 2017, ECPM has held observer status (No. 508) with the ACHPR.



The Egyptian Commission for Rights and Freedoms (ECRF) is an independent Egyptian NGO founded in 2013. It works to defend human rights through research, legal support, advocacy, and capacity building, focusing on issues such as torture, criminal justice, social and economic rights, minorities, and refugees. ECRF is active across multiple governorates and continues its work despite pressure on civil society in Egypt.



The World Coalition Against the Death Penalty (WCADP), an alliance of more than 180 NGOs, bar associations, local authorities, and unions, was created in Rome on 13 May 2002. The aim of the World Coalition is to strengthen the international dimension of the fight against the death penalty. Its ultimate objective is to obtain the universal abolition of the death penalty. To achieve its goal, the World Coalition advocates for a definitive end to death sentences and executions in those countries where the death penalty is in force. In some countries, it is seeking to obtain a reduction in the use of capital punishment as a first step towards abolition. The World Coalition holds observer status No. 507 with the ACHPR.

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Introduction

This joint report aims to provide up-to-date information to understand the reality of the death penalty in Egypt, in view of the upcoming examination of Egypt's combined periodic reports by the African Commission on Human and Peoples' Rights.

It focuses in particular on the implementation of Articles 1, 2, 4, 5, 6, 7 and 26 of the African Charter on Human and Peoples' Rights.

Implementation of the African Charter on Human and Peoples' Rights and the Death Penalty

I. FACTS AND FIGURES

- Egypt is a retentionist country; in 2024, 509 individuals, including 49 women, were under sentence of death, and 13 executions, including 2 women, were carried out by hanging.
- Egypt is among the countries with the highest number of women sentenced to death, with dozens of new cases each year.
- At least 3,379 individuals faced different forms of capital punishment between 2019–2024¹. 307 people were executed in the same period.
- The judicial and executive authorities in Egypt do not publish any official figures or statistics about death verdicts or executions, resulting in a serious lack of transparency. The country did not provide official data on death sentences or executions in its 18th and 19th periodic reports to the ACHPR.

Recommendations:

- ***Ensure transparency by publishing official, disaggregated data on death penalty (by gender, age, nationality, prison, etc.).***
- ***Impose an official moratorium on executions as a first step toward abolition.***
- ***Ensure special protection for vulnerable groups including but not limited to women, people with psychosocial or intellectual disabilities.***

II. LEGISLATIVE FRAMEWORK

National

- Law No. 1 of 2024 amended certain provisions of the Code of Criminal Procedure to allow felony judgments issued by courts of all degrees to be appealed, fulfilling a constitutional obligation delayed for ten years. The law was passed without societal or legal consultation. This ultimately led to its issuance without any real preparation for the judicial system to accommodate this significant change.
- Before 2024, felony verdicts, including death sentences, lacked real avenues for appeal. Cassation judges occasionally retried capital cases using discretionary power. Law No. 11 of 2017 restricted this practice, leaving most felony verdicts (2017–2024) without effective appeal.

Recommendations:

- ***Reinstate the separation between investigative and prosecutorial authorities to ensure balance in criminal cases.***
- ***Mandate the appointment of a lawyer for defendants sentenced to death before the Court of Cassation if they cannot afford one.***
- ***Expand the President's authority to reduce death sentences, consistent with Article 470 of the CCP and Article 155 of the Constitution.***
- ***Criminalize the failure to notify families and lawyers of executions, in line with humanitarian and international standards.***
- ***Introduce provisions allowing commutation of death sentences to life imprisonment without parole where reconciliation/compensation agreements are reached, except for war crimes or genocide.***
- ***Enforce Article 448 of the CCP, ensuring that reconsideration requests suspend executions.***
- ***Reduce the number of crimes punishable by death in the Egyptian legislative framework, which at present amount to more than 50 crimes, and limit this punishment to the most serious crimes.***
- ***Establish a clear and precise legal framework defining which crimes are eligible for the death penalty.***

¹ See Appendix

Regional and international

- Egypt is party to the International Covenant on Civil and Political Rights, the Convention against Torture, the Convention on the Rights of the Child, the African Charter on Human and Peoples' Rights and the African Charter on the Rights and Welfare of the Child.
- Egypt is not a party to the Second Optional Protocol to the ICCPR aiming at the abolition of the death penalty, nor to the Optional Protocol to the CAT.
- Egypt consistently opposed the UN General Assembly resolution calling for a universal moratorium on the use of the death penalty from 2007 to 2024.
- In its last Universal Periodic Review (2025), Egypt received 33 recommendations relating to the death penalty, of which it supported 4 (including 3 partially) and noted 32.

Recommendations:

- ***Ensure that the Egyptian government complies with Article 6 of the International Covenant on Civil and Political Rights (ICCPR), which Egypt has ratified, and by working towards limiting executions with the goal of abolishing the death penalty.***
- ***Ratify the Second Optional Protocol to the ICCPR, which aims at the abolition of the death penalty.***

III. APPLICATION OF THE DEATH PENALTY IN EGYPT

- Death sentences are increasing, raising concern given Egypt's severe social and economic challenges. The death penalty violates the right to life and fails to serve as an effective deterrent, requiring reassessment of its effectiveness as a tool for criminal justice.
- Trials in Egypt are often very unfair: mass trials, expedited hearings, denial of access to lawyers, confessions extracted under torture, and enforced disappearances.
- Civilians have been sentenced to death before military courts, and juvenile offenders remain at risk of capital punishment.
- Conditions of detention for death row prisoners amount to inhuman and degrading treatment, with denial of healthcare, poor nutrition, overcrowding, and secret executions.
- Egypt is among the countries with the highest number of women sentenced to death, with dozens of new cases each year.

Recommendations:

- ***Suspend or abolish the death penalty, in line with the Resolution (ACHPR/Res.614(LXXXI) 2024)***
- ***Guarantee fair trial standards, in particular for capital cases, and prohibit trials before exceptional or military courts.***
- ***End mass trials, expedited hearings, and military trials for civilians, ensuring that all capital cases meet international fair trial standards.***
- ***Exclude juveniles and pregnant women from capital punishment and adopt protective measures for vulnerable defendants.***
- ***Replace the death penalty with alternative punishments such as life imprisonment without parole or conditional pardon in cases such as war crimes or genocide.***
- ***End military trials for civilians and exclude juveniles and women from capital punishment.***
- ***Improve detention conditions in line with international standards (Mandela Rules).***
- ***Promote public debate and awareness on the ineffectiveness and dangers of the death penalty.***

APPENDIX

ECRF and its campaign “Stop the Death Penalty in Egypt” launched a series of reports called “The Road to the Gallows” (2023²-2024³), compiling analytical reports based on media monitoring, court observation, and interviews. Due to lack of official statistics and reliability issues in media coverage, data represent only part of reality but follow strict verification standards.

The next two tables show death penalty figures and statistics in Egypt from 2019 to 2024:

Table 1 : Figures and statistics from 2019 to 2023

year	2019	2020	2021	2022	2023
First - degree death sentence	343	295	403	538	297
Referral to the Grand Mufti	243	118	-	-	124
Death sentence confirmed by cassation court	16	55	80	39	25
Executed death sentences	46	126	84	30	8
Total Count	648	594	567	607	454

Table 2: Figures and statistics during 2024

Current legal status	Total Count
First- degree death sentence	273
Referral to the Grand Mufti (first degree)	177
Second- degree death sentence	8
Referral to the Grand Mufti (second degree)	3
Death sentence confirmed by cassation court	35
Executed death sentences	13
Total	509

² <https://www.ec-rf.net/the-road-to-the-gallows-stop-the-death-penalty-campaign-releases-its-2023-report-on-execution-cases/>

³ <https://www.ec-rf.net/the-road-to-the-gallows-3-a-descriptive-statistical-report-on-the-status-of-the-death-penalty-in-2024/>

*ECRF acknowledges that the figures and statistics mentioned above represent only a portion of the reality and may be lower than the actual number of death sentences issued and executed, due to the absence of official statistics. However, despite the challenges of collecting data on death penalty, the research team has adhered to the highest possible standards of accuracy and verification to ensure the reliability of the data presented in all analytical reports.