Departure
Behind Bars

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Mohamed Morsi

Departure Behind Bars

A Special Report prepared By Justice for Human Rights and El Shehab for Human Rights July 2019

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Justice For Human Rights

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Introduction

President Mohamed Mursi

On Tuesday, June 17th, 2019, at 6:00 p.m. Cairo time, the Egyptian television announced the death of Mohamed Mursi, the first elected civilian president in Egypt's history, following the January 2011 revolution;

Inside a soundproof glass cage, and sometimes ant vision Mursi fell to the ground unconscious - after the hearing was adjourned by Judge Mohamed Sherin Fahmy, head of Judicial , authorized to hear the two cases known to the media as "escaping prisons" and "communication with Hamas";

According to eyewitnesses from the families, and lawyers, Dr. Mohamed Mursi was speaking in court (the Institute of Police Secretaries in the Tura prisons complex of the Egyptian Ministry of Interior) during the trial session and he did not show any signs of health fatigue, he fainted during the hearing and was transferred to the Hospital, later found to be the hospital of Tura prison, after nearly 20 minutes in the cage without an aids;

Everyone questions the death of Mohamed Mursi and denies the official Egyptian version, which claims that the death is natural - a 68-year-old man spent six years of solitary confinement was banned from visits like all other detainees in Egyptian prisons. The authorities have authorized him only three visits to his family during the six years. A victim of lack of proper health care and grave medical negligence According to human rights statistic and monitoring. The victims of slow-death as a result of medical negligence have risen to more than 800 cases, most of them accused in political cases;

In this report we highlight the unnatural death of
Dr. Mohamed Mursi

Through a brief history of Mursi and the legal and human rights violations he had suffered, a review of the international bodies' opinion on this incident and the most prominent statements that accompanied this.

The Death of Mohamed Morsi

The death of Mohamed Morsi

The death of President Mursi is considered by international human rights organizations to be in doubt, and it is likely to be an unnatural death tainted by criminal suspicion, opening of a thorough investigation into this has become a necessity.

On Tuesday, 18 June 2019, the UN High Commissioner for Human Rights called for an "independent investigation" into the circumstances of the death of former Egyptian President Mohamed Mursi in custody.

The Office of the High Commissioner for Human Rights (OHCHR) said that the investigation should address all aspects of his treatment during his nearly six years in detention.

Rupert Colville, the U.N. High Commissioner for Human Rights spokesman said that: **"The investigation should be carried out by a judicial or other competent authority that is independent of the detaining authority and mandated to conduct prompt, impartial and effective investigations into the circumstances and causes of his death,".**

The death of Mohamed Mursi was foreseeable. The government did not provide adequate health care, as was the statement of Human Rights Watch following the death by Sarah Leah Whitson, Executive Director of the Middle East,

"The government failed to allow him access to the necessary medical care and obstructed family visits," Whitson said on her Twitter account, noting that the organization was preparing a report on his health in prison.

The organization called on the UN Human Rights Council to investigate "the continuing gross human rights violations in Egypt, including widespread abuse in prisons and Mursi's death."

The Egyptian authorities must immediately order an investigation into the death of former President Mohamed Mursi, Amnesty International said.
Magdalena Mughrabi, Deputy Director of Amnesty International's Regional Office for the Middle East and North Africa, commented on the death of former Egyptian President Mohamed Mursi in custody:

- "The news of Mohamed Mursi's death in court today is deeply shocking and raises serious questions about his treatment in custody. The Egyptian authorities must immediately order an impartial, thorough and transparent investigation into the circumstances of his death, as well as his detention conditions and his ability to access medical care."

- "Egyptian authorities had the responsibility to ensure that, as a detainee, he had access to proper medical care."

The death of Mohamed Morsi

- A number of human rights organizations concerned with Egyptian affairs issued a statement entitled "They deliberately murdered him",
- El Shehab Centre for Human Rights - London.
- Justice for Human Rights - Istanbul.
- Salam International Organization for the Protection of Human Rights - London
- Human Rights Monitor- London.
- Sawt Hor organization – Paris.
- AVTT organization – Geneva.
- Najda for Human Rights – London.
- Center for victims of human rights – Cairo.

"The organizations hold the Egyptian Security authorities full responsibility, in particular, the Prison Service which intentionally deprived him of proper medication. In addition to the criminal, civilian and political responsibility that the ruling regime, headed by **Abdelfattah El Sisi**, bears. As he is the person in charge of these repressive actions since 2013."

Statement of

The Egyptian General Prosecution

Statement of The Egyptian General Prosecution

The Egyptian Attorney General said immediately after the death,

The public prosecutor's office received notification of the death of Mohamed Mursi al-Ayat while attending the trial session (in the intelligence case) - "according to the text of the statement."

"After the defendants' defense was finished, (Mohamed Mursi) asked to speak, and the court allowed him to speak for 5 minutes, and after he finished his speech, the court adjourned the hearing," the attorney general's statement said.

"While he and the other defendants were inside the cage, he fell to the ground and was immediately taken to hospital and pronounced dead," the statement said.

The initial medical report showed that by medical examination, he had no pressure, no pulse, no respiratory movements, and that the eyes were wide, unresponsive to light and external effects.

"Mursi was brought to the hospital at 4:50 p.m., and there were no recent apparent injuries to his corpse," he said.

The Egyptian Attorney General ordered a team of prosecutors to "conduct a debate on the body of the deceased and to preserve the surveillance cameras in the courtroom and the defendants' cage, as well as to hear the statements of those who were with him at the time."

The prosecution also ordered the detention of the medical file for the treatment of the deceased, and called on a high committee of forensic medicine to prepare a forensic report on the causes of death, in preparation for the burial permit.

Comment on the statement

According to the official press release issued by the Public Prosecutor's Office,

- That there were no recent apparent injuries - and the use of that phrase begs a question, where there traces of old injuries that made them use the term "Modern"?

Why didn't the statement come up with a statement denying injuries?

This opens up room for doubt.

The public prosecutor ordered the reservation of the medical file of Dr. Mohamed Mursi, as if the public prosecutor's office is working to withhold information about his medical history and the medicine he received, what may be an attempt to hide the facts and blur the evidence.

The statement speaks of the death as a natural death that came in normal circumstances despite Dr. Mohamed Mursi suffered from medical negligence and slow deliberate murder, as he suffers from chronic diabetes, which as a result of poor conditions of detention and denial of treatment led to serious complications, including severe weakness in Vision of the left eye, and the frequency of hypoglycemic coma, in addition to severe rheumatic infections of the spine and neck vertebrae, in addition to malnutrition, he suffered many chronic diseases during the 6 years of his detention in prison.

International judicial actions

Afdi International, Free Voice, El Shehab for Human Rights, Justice for Human Rights, Salam International organization for the Protection of Human Rights, and other organizations have announced the start of legal action to demand an international investigation into the death of Mohamed Mursi.

Legal and Human Rights

Violations against the former President Mohamed Mursi

Legal and Human Rights Violations against the former President Mohamed Mursi

On July 3, 2013, the provisions of the Constitution and laws were violated, state institutions and public authorities were prevented from carrying out their work and the regime was forcibly changed, punishable in accordance with the Egyptian Penal Code, in its articles 86 bis, 87, 92.

Several violations against President Dr. Mohamed Mursi were monitored, in violation of the Constitution, covenants and international covenants, which are summarized as follows:

- Abduction of the president and his presidential team in an arbitrary arrest, and preventing them from contacting their families or lawyers by forcibly evicting them, especially since the abduction is recognized and confirmed by the investigating judge in the case papers, in addition to leaked telephone calls, which were confirmed through specialized technical reports, which are invalid and confirm the abduction.
- His trial on cases of flimsy, delusional, and politicized, in which the death sentences and life sentences, the court stated that the court has failed to respond to many of the fundamental requests that prove the untrue facts on which the cases were based.
- Putting him in a glass cage in isolation from what happens inside the courtroom and not allowing him to speak.
- Detaining him in solitary confinement for four full years and depriving him from all his legal rights.
- His visits were banned; his family stated that they visited him twice in four years.
- He was prevented from meeting with his lawyer since January 2015
- Endangering his life through deliberate medical negligence and poor health care. In two sessions during his trial he stated that he was "Ill-treated and malnourished, he announced that he was twice for diabetic coma and was not cured and that he abstained from eating and eat only canned foods, according to his son, and may not find anything to eat in the prison.
- His son said that the life of President Mohamed Mursi was in danger.

Listing on terrorist lists and reserving funds

- On 18 May 2017, Dr. Mohamed Mursi was placed under the number 1223 and included in the names of terrorist entities for a period of three years from the date of the issuance of this resolution with the consequences thereof in accordance with Article 7 of Law 8 of 2015.
- On 11 September 2017, the funds of Dr. Mohamed Mursi were seized and a committee was set up to manage these funds.

Historical overview

Historical overview

Dr. Mohamed Mursi, the first elected civilian president, was inaugurated in June 2012 for a four-year term ending June 30, 2016 (in accordance with article 29 of the Military Constitutional Declaration of March 30, 2011).

On 30 June, 2013, President Mohamed Mursi was kidnapped and arbitrarily detained, along with the head of the Presidential Office, Ambassador Rifaa al-Tahtawi, and his office director, in an unknown location without legal basis (until he and his presidential team were brought to criminal trial on several charges).

On July 3, 2013, then-Defense Minister Abdel Fattah al-Sisi, in flagrant violation of the Constitution and the law, declared:
- Temporarily suspending the constitution.
- The President of the Supreme Constitutional Court is sworn in before the General Assembly of the Court.
- Early presidential elections to be held by the President of the Supreme Constitutional Court to manage the affairs of the country during the transitional period and until the election of a new president.
- The President of the Supreme Constitutional Court has the power to issue constitutional declarations during the transition.
- Forming a strong and capable national talent government with all the powers to manage the current phase.

Note:

By extrapolating the constitutional and legal texts governing the country at the time, we did not find a single text supporting this military declaration, but rather a waste of the concept of "state", in constitutional systems, as how can a prime minister appoint an someone to rule the country in the presence of the elected president!

On July 16, 2013, an investigating judge named Hassan Samir went to the military zone where Mursi was kidnapped, which later turned out to be a naval base in Alexandria.

On October 11, 2014, Mohamed Mursi appeared at the first session of the trial in Al-Ittihadyia case.

Sentences against President Mohamed Mursi

Sentences against President Mohamed Mursi

He was sentenced in five cases as follows:

1- A final sentence of 20 years in prison in Al-Ittihadyia case.

2- Life imprisonment with labour in Communication with Qatar case.

3- Life imprisonment in Communication with Hamas case.

4- Death sentence in Escaping prisons case.

5- Three years of prison in Insulting Judiciary case.

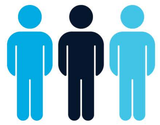
Cases

That President Mohamed Mursi was accused in

1
Case

Case No. 10790 of 2013, Misr Al Gadida Criminals

(known in media as Ittehadyia Events)



Number of accused: 15

- Show of force and threat of violence.
- Premeditated murder.
- Arrest, detention without legal basis, and torture.
- Possession of firearms and ammunition without a license.
- Incitement by agreement and assistance.

Date of the incident: 5/12/2012, Heliopolis Police station area, Cairo Governorate.

The Case referred to Chamber 23 crimes north of Cairo

The first hearing on 4/11/2013

1
Case

Case No. 10790 of 2013, Misr Al Gadida Criminals

(known in media as Ittehadyia Events)

Indictments

1. Criminal Code articles 39 - 40 - 41/1 - 43 - 86 - 171 - 230 - 231 - 234 - 235 - 241 - 242 - 280 - 282 - 375 - 375 bis from Criminal Code.

2. Articles: 1/1 - 6 - 26/1 - 4 - 6 Of Law No. 394 on Arms and Ammunition Amended by Law No. 26 of 1978 and 165 of 1981 and Schedule No. 2 annexed to Decree Law No. 6 of 2012

3. Article 116 bis of Law No. 12 of 1996 on the Child amended by Law No. 126 of 2008.

Case No. 10790 of 2013, Misr Al Gadida Criminals

(known in media as Ittehadyia Events)

1
Case

A decision was issued by the Public Prosecution in no way to establish the criminal case, and then the prosecution circumvented this decision and referred it to the Criminal Court and omitted to mention eight of the supporters of the President were killed and only mention three others.

On 21 April 2015, Cairo Criminal Court sentenced President Mursi to 20 years' imprisonment with 12 others, after being convicted on charges of show force, violence, arrest, detention and torture, and other two were sentenced to 10 years' imprisonment on the same charges.

On 22/10/2016, the Egyptian Court of Cassation upheld the 20-year prison term for President Mohamed Mursi

Case No. 56460 Criminal Nasr City

(known in media as Escape from Wadi Al Natroun Prison)

Number of accused: 131, including 71 Palestinian Nationals, 2 died and one prisoned.

2
Case

Accusations:

First:
Prosecutors accuse defendants 1 to 76 of committing acts that would prejudice the independence of the country and its territorial integrity coincided with the outbreak of demonstrations 25/1/2011.

- Intentional murder and breaking into prisons.
- Attempt to kill.
- Theft of movable property owned by the Prison Service
- Destruction of buildings and public properties fixed and movable.
- Enabling more than 20,000 prisoners to escape.
- Possession of firearms and ammunition.

Second: 1:71
Infiltrated into the eastern border illegally through the tunnels (Gaza).

Third: 77:121
Agreement, assistance and training of armed elements to commit acts of hostility and military within the country and create chaos.

Forth: 131
He himself hid two rigorous imprisonment-sentenced and provided shelters to hide them and facilitated their escape abroad.

Fifth:
From 81 to 113 and from 120 to 130: -
Escaped from El-Marg, Wady Alnatroun and Abo Zaabal prisons accompanied by force and other crimes.

Case No. 56460 Criminal Nasr City

(known in media as Escape from Wadi Al Natroun Prison)

2
Case

Indictments:

1. 39, 40 second and third, 41\1,43,45\1,46,86,88 bis, 88 bis A\1,3, 88 bis C,90,138,142,230,231,234,235 and 252\1 of the criminal code.

2. Article 2\2 of presidential order no298 of 1995 about the security of Eastern borders of the Arab Republic of Egypt and articles 1\2 – 6 – 26/1- 2, 3,5,6,7 from Law No 394 of 1954 on Amended Arms and Ammunition No. 26 of 1978 and 165 of 1981 and Section II of Schedule III attached to the First Law and amended by Decree of the Minister of Interior No. 13354 of 1995.

3. President Mohamed Mursi is defendant No. 83 in the case; The Public Prosecution accuses him of an agreement and assistance with the Political Bureau of Hamas and Hezbollah to create chaos in order to overthrow the Egyptian state and to escape from prison if he is imprisoned in the Wadi al-Natroun prison.

Case No. 56460 Criminal Nasr City

(known in media as Escape from Wadi Al Natroun Prison)

2
Case

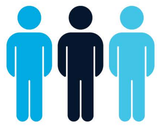
On 16 June 2015, the Court sentenced the execution of President Mohamed Mursi and 98 others in the same case.

On November 15, 2016, the Egyptian Court of Cassation overturned the death sentence against President Mohamed Mursi in the case and referred it to the Criminal Court in a different constituency for reconsideration.

Case No 124 of 2013 Criminal Supreme State Security

(Known in media as Communication with Hamas)

3
Case



Defendants: 38

Accusations:

- Communicating with those who work for the benefit of an organization based outside the country (the International Muslim Brotherhood and its military wing, the Islamic Resistance Movement Hamas) to carry out terrorist acts within the Arab Republic of Egypt
- Sneaking out of the country illegally (Gaza Strip to receive military training), attacking police and military installations and killing officers and soldiers.
- Have deliberately committed acts that would prejudice the independence, unity and territorial integrity of the country.
- Handed over to a foreign state and those who work for its benefit and disclosed to it a secret of the defense of the country.

Handed over to the IRGC numerous confidential reports from the National Security Agency on private confidential information).

- Extend a group established against the law with material and other aid (weapons and money).
- They took leadership in a group established contrary to the provisions of the law. They joined a group established contrary to the provisions of the law

Case No 124 of 2013 Criminal Supreme State Security

(Known in media as Communication with Hamas)

3
Case

Indictments:

1. Article 2/1st, 2nd (a) - 41/1 - 77 - 88 - 80b - 83a - 85/1,4- 85a, b
2. 86 bis 1 and 2- 86 bis c- 86 bis of the Penal Code
3. Article 2/2 of the Presidential Decree No. 298 of 1995 concerning the securing of the eastern borders of the Arab Republic of Egypt

Case No 124 of 2013 Criminal Supreme State Security

(Known in media as Communication with Hamas)

3
Case

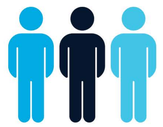
On June 16, 2015, the court sentenced Mohamed Mursi and others to life imprisonment in addition to the death sentence of 16 others in the same case.

On November 22, 2016, the Egyptian Court of Cassation issued a ruling to accept the appeal and to cancel the ruling issued in this case and to refer it to the Criminal Court in a different circle for consideration again, and is still being deliberated.

Case No. 1045 of 2014 6th of October criminal circuit II

(Known in Media as Communicating with Qatar)

4
Case



Defendant: 11,
7 in presence and 4 in absentia

- On 30 March 2014, Supreme State Security prosecution started investigations in "communicating with Qatar case"

- On 28 August 2014, the late Attorney-General Hisham Barakat ordered the detention of President Mursi for 15 days in custody. He also referred the accused to a criminal trial on September 6, 2014, and considered it "the biggest case of treason and espionage in the history of the country."

- On 15 February 2015, the first session of the trial of those accused of "communication with Qatar" was held under the chair of Chancellor Mohammed Sherin Fahmy. The minutes of the hearings included about 1055 papers, in which ten lawyers participated.

- On March 23, 2016, the court reserved the case for the April 23, 2016 ruling and decided to extend the sentence to the May 7, 2016 session to complete the hearing.

Case No. 1045 of 2014 6th of October criminal circuit II

(Known in Media as Communicating with Qatar)

4
Case

After 99 sessions, Cairo Criminal Court on 19 June 2016 sentenced to death, life imprisonment and a fine fined to the 11 defendants in the case, including President Mohamed Mursi and two journalists working for Al Jazeera.

The court did not announce the charges against the defendants in the hearing of the verdict in the communication case with Qatar, but merely referred to the "first, second, third and even tenth clauses" of the referral order without clarifying the charge or the defendant acquitted.

Case No. 1045 of 2014 6th of October criminal circuit II

(Known in Media as Communicating with Qatar)

4
Case

First: Execution

According to the text read by the adviser Mohammed Sherin Fahmy, who chaired the hearing, the court unanimously condemned six deaths by hanging, namely:

Ahmed Ali Abdu Afifi (prisoned – documentary films director)

Mohamed Adel Hamed Kelani (prisoned - Air host at EgyptAir)

Ahmed Ismail Thabet (prisoned - Lecturer at Egypt University of Science and Technology)

Asmaa Mohamed Al Khatib (escapee – Reporter at Rassd Network)

Alaa Omar Mohamed Saballan (escapee – Jordanian National - programme producer at Al Jazeera)

Ibrahim Mohamed Helal (escapee- news department director at Al Jazeera Channel)

Case No. 1045 of 2014 6th of October criminal circuit II

(Known in Media as Communicating with Qatar)

4
Case

- **Second: Lifetime imprisonment:**

The punishment of President Mohamed Mursi, the director of his office, Ahmad Abd al-Ati, and Amin Abdel Hamid al-Sirafi, who was appointed by Mursi as secretary of the republic to life imprisonment for the charges of taking leadership in a group he did not call, established contrary to the law

- **Third: 15 years' imprisonment:**

For President Mohamed Mursi, Amin Abdel Hamid Al Serifi and his daughter Karima Serifi with the charge of embezzlement of documents.

- **Fourth: 15 years rigorous imprisonment and ten thousand dollars fine:**

For Khalid Hamdy Abdul Wahab.

- **Fifth: to 15 years' rigorous imprisonment for:**

Ahmed Ali Afifi, Khalid Hamdy Abdul Wahab, Mohamed Adel Hamed Kilany, Karima Abdelhamed Al Sirafi, Asmaa Mohamed AL Khatib, Alaa Omar Saballan, and Ibrahim Mohamed Helal what was assigned to them in the 10th term of indictments?

- **Sixth: Acquit**

Ahmed Abdel Ati, Amin Abdelhamid Al Sirafi, Khalid Hamdy Abdul Wahab, Mohamed Adel Hamed Kilany, Ahmed Ismail Thabet, KArima AL Sirafi, Asmaa Mohamed AL Khatib, from a term of indictments, and acquit President Mohamed Mursi in his charge of leaking documents.

Case No. 1045 of 2014 6th of October criminal circuit II

(Known in Media as Communicating with Qatar)

4
Case

On 16 September 2017, the Court of Cassation, headed by Counselor Hamdi Abul-Khair, Vice-President of the Court, a final ruling support three death sentences hanging against three defendants (Ahmed Ali Abdu Afifi - Mohamed Adel Kilani - Ahmed Ismail Thabet) and support lifetime imprisonment against President Mohamed Mursi

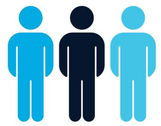
Lifetime imprisonme

3
Execution

Case No 478 of 2014 EL Sayeda Zainab felonies

(known in Media as contempt the judiciary)

5
Case



Accusations:

The investigative commission, headed by Judge Ayman Abbas, president of the Cairo appeals court, referred the defendants to the criminal court for "insulting the judiciary, insulting its men, and harassing them with the intent of spreading hatred."

The case includes representatives of various political orientations in Egypt, including President Mohamed Mursi, 14 of his supporters, and 10 of his opponents in the dock.

Indictments:

The case dates back to 7 September 2013, when the investigating judge decided to imprison President Mursi for 15 days on charges of insulting the judiciary, after the investigations said that he addressed in his speech on 26 June 2013, a judge by name, the adviser Ali al-Nimr, where he accused him of rigging the 2005 parliamentary elections. According to the Prosecution's claim, the investigations conducted by the Court of Cassation and the investigating judge who initiated the investigation into the case and its communications proved that President Mursi's statements were incorrect and that there were no fraudulent facts attributed to the adviser Ali Al-Nemer. An exhibition of him as one of the judges of the trial and singled out in his speech, a lawsuit known as a media case "land pilots".

Case No 478 of 2014 EL Sayeda Zainab felonies

(known in Media as contempt the judiciary)

5
Case

Then Attorney General Hisham Barakat referred President Mursi and 24 others to trial, on charges of insulting the judiciary, in early 2014. The defendants were accused of "expressing their personal opinion in separate positions in a way that insulted the judiciary and its men and assaulted them, and attempts by some to interfere in the course of justice and affairs," according to the decision of referral.

The judicial investigation committee headed by Judge Tharwat Hammad said that the accused insulted and insulted the judiciary and judges by publishing and making speeches in television channels, radio stations and electronic social networking sites, through expressions of abuse, contempt and hatred of the courts and the judiciary, and in the same way, by the judges and their prestige, by means of statements and media statements that incite hatred and contempt of the judiciary.

Referral is also attributed to the lawyers Amir Salem and Ahmed Abu Baraka; they were published by way of giving interviews in public television and satellite channels, different, things that will influence their judges assigned to adjudicate a case on the table in front of them.

Case No 478 of 2014 EL Sayeda Zainab felonies

(known in Media as contempt the judiciary)

5
Case

The case was adjudicated to the judgment of 30 September 2017 and the same hearing was extended for the judgment of 30 December 2017.

Conclusion and Executive summary

President Mohamed Mursi, 68 years old, died on June 17, 2019, in the afternoon, when he appeared before an Egyptian "court." The Egyptian prosecutor said That President Mursi died in hospital at 4:50 p.m. local time (02:50 GMT).

Mohamed Mursi was one of some 60,000 political prisoners since the Events of July 2013, which was overthrown by the defense minister, General Abdel Fattah al-Sisi.

He faced several trials of a political nature. These cases were heard by special incompetent courts, with the aim of political repression. The hearing is held in prisons and judges are not independent. President Mursi has denied all charges and received five sentences in five cases - he was sentenced to death and various other prison sentences.

President Mursi got the right to address the court for five minutes from his glass box, and the judges ordered him to shut up. He fell unconscious and was taken to Tora prison hospital after more than 20 minutes, according to eyewitnesses - after which he was announced dead.

Mursi had a long history of health problems, including diabetes, liver and kidney diseases.

During six years in prison, he was allowed only three visits from his family. He publicly complained that he was not getting medicine and stated that he was threatened.

According to Egyptian authorities, the medical report did not show any recent injuries to Mursi's body.

Mursi was buried on Tuesday, June 18, in eastern Cairo, in the early morning.

The burial was attended by family members in Nasr City, Cairo, after authorities refused to grant permission to bury in his hometown in The Sharkia governorate.

In March 2018, a committee was convened at the request of the Mursi family by British politicians and lawyers led by Christian Blunt, the conservative Parliament member and former British army officer, and concluded that he was receiving inadequate medical care, particularly the lack of diabetes and liver disease treatments.

Poor medical care is likely to have led to the rapid deterioration of his long-term health conditions, which likely lead to premature death. The Committee said that the circumstances of his detention could amount to torture in Egyptian and international law.

Conclusion and Executive summary

The abnormal death of Dr. Mohamed Mursi makes the International Human Rights Law competent and applicable as follows:

- Article (5) of the Universal Declaration of Human Rights of 1948 stipulates that: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." Torture and other cruel, inhuman or degrading treatment or punishment is expressly prohibited under a number of international treaties, which are legally binding on those states that have ratified them.
- Under both the United Nations Convention against Torture (UNCAT) and the International Covenant on Civil and Political Rights, States parties have a duty to investigate allegations of torture and cruel, inhuman or degrading treatment.
- Article (7) of the International Covenant on Civil and Political Rights stipulates that: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation."
- Article 10(1) of the International Covenant on Civil and Political Rights stipulates that: "All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person". Article 10, for those deprived of their liberty, complements the prohibition of torture and ill-treatment. Detainees may not only be subjected to treatment contrary to Article 7, but also have a positive right to be treated with respect. This provision means that "detainees may not be subjected to any hardship or obstruction other than those resulting from deprivation of liberty; the dignity of these persons must be ensured under the same conditions as the dignity of persons".

Recommendations

- The need for an international investigation into the death of Mohamed Mursi by an international medical team, with high-level professionals in Egypt, to conduct further medical investigations, including the study of medical records.

- Organizing a visit to prisons, under the auspices of the International Red Cross, allowing, in accordance with international standards, to make the necessary checks respect the fundamental rights of every human being.

- The formation of a UN fact-finding committee and another of the African Commission on Human and People's Rights to investigate prison conditions, torture, medical negligence, and all human rights violations in Egypt.

JHR

SHR

LONDON
2019 July