

# Detention Review Panel For President Mohamed Morsi

Chair: Crispin Blunt MP

Members: Lord Edward Faulks QC, Dr. Paul Williams MP

Legal Adviser to the Panel: Tim Moloney QC

## **Egyptian Consulate General**

His Excellency Ambassador Nasser Kamel

26 South Street

London

W1K 1DW

*First by email*

5 March 2018

Your Excellency,

## **Detention Review Panel President Dr. Mohamed Morsi**

I was invited by ITN solicitors on behalf of the family of Dr Mohammed Morsi, elected and effective President of the Republic of Egypt 2012-13, to put together a panel of suitable parliamentarians to review the conditions of Dr Morsi's detention. Having considered the request and having identified panel members that should collectively command confidence from your government as well as the family I have accepted the invitation.

I am therefore writing to you as Chair of the Detention Review Panel for former President Mohamed Morsi who has been detained and imprisoned by the authorities in Egypt. The Panel has made clear to the family through ITN Solicitors that our terms of reference are exclusively restricted to Dr Morsi's conditions of detention and health.

## **The Panel Members**

I would like to take this opportunity to introduce the members of the Panel that we propose will visit Dr Morsi in Egypt

## **Chair: Crispin Blunt MP**

I will chair the Detention Review Panel. As you know from our acquaintance during your time as Ambassador to the Court of St James I am the Conservative Party Member of Parliament for Reigate, served as Chair of the Foreign Affairs Select Committee 2015-17, was

Parliamentary Under-Secretary in the Ministry of Justice with particular responsibility for Prisons and Probation 2010-12. Of further relevant experience I served as Chairman of the Conservative Middle East Council (CMEC) 2003-8 and as co-chair of the Council for the Advancement of Arab British Understanding (CAABU).

### **Lord Edward Faulks QC**

Lord Faulks QC is a barrister and Queen's Counsel. He is a Conservative member of the House of Lords and was a Minister of State in the Ministry of Justice between 2014 and 2016.

### ***Dr Paul Williams***

Dr Paul Williams MP is a Labour Party Member of Parliament, a family physician and a member of the Health and Social Care Select Committee. Dr Williams acted as a Forensic Medical Examiner working with the Medical Foundation for the Care of Victims of Torture, documenting injuries from refugees who alleged mistreatment and torture.

### ***Dr. Tim Moloney QC***

Mr Moloney QC is the Deputy Head of Doughty Street Chambers and a leading British lawyer. He has been appointed as independent legal advisor to the Panel.

### **The Mandate**

The Panel has been convened by ITN Solicitors on behalf of family members of Dr Morsi. The Panel will conduct an independent review and have been requested to inquire into the conditions of Dr Morsi's detention and treatment since his arrest in 2013.

### **Matters to be Reviewed**

We are in the process of reviewing information and evidence provided to us. We hope to visit Dr Morsi in Egypt and through you formally request the advice and assistance of your government in facilitating our Panel to travel to Egypt to visit with Dr Morsi.

You will be aware that Dr Morsi was elected as President of Egypt in June 2012. Following his removal from office by the Egyptian military Dr Morsi has been detained in Egyptian prisons and is subject to criminal proceedings which are being pursued in the Egyptian Courts. We are instructed that there is concern with regards to the impact of Dr Morsi's detention on his health.

It has been alleged that Dr Morsi's detention is not in accordance with standards expected by Egyptian and International Law. In particular, this may include denial of medical treatment for serious medical conditions. As a result of these concerns the Panel have been requested to review the following:

***Inadequate provision of care and denial of medical treatment***

The Panel will review whether Dr Morsi's treatment meets international and Egyptian standards concerning the detention of individuals and the adequate provision of medical treatment.

*Concern:* We have been told that the circumstances of Dr Morsi's detention and his accommodation may be having a severe impact on his health. It is reported that the Prison authorities have extended prohibitions to prevent Dr Morsi from receiving medicine, medical treatment or food from outside of the prison. This is something that, we understand, is ordinarily allowed and deemed customary in Egyptian prisons.

Absence of the right medical treatment may have resulted in a significant deterioration in Dr Morsi's health and wellbeing particularly in light of the fact that we are advised that Dr Morsi suffers from:

- a. Diabetes;
- b. High blood Pressure;
- c. Gradual loss of vision in the left eye, which may result from a lack of regular treatment for diabetes, including the lack of insulin, and an inappropriate diet;
- d. Recurrent diabetic coma;
- e. Bone and muscular pain, including an injury to the neck and spine, which may result from sleeping on a cement floor;
- f. Suspected deterioration of liver and kidney function, which may be due to malnutrition, and the lack of follow-up assessment of his medical conditions;
- g. Injuries sustained as a result of Dr Morsi losing consciousness, including a wound to his hand which required stitching (which was possible not received); and
- h. Tooth decay and gum infections.

We have been presented with concerns that these health complaints may be further exacerbated by the provision of food that is unfit for consumption.

We are led to understand that whilst a physician examined Dr Morsi approximately 6 months ago, the physician was poorly equipped, having only a stethoscope and blood pressure monitor. The doctor may not have adequately assessed Dr Morsi's needs.

In order to ensure adequate treatment Dr Morsi would require as a minimum:

- a) Physical and psychological assessment by an independent physician;

- b) Blood analysis;
- c) Digital photography of injuries.

### ***Solitary confinement and inadequate cell***

The Panel wish to review Dr Morsi's accommodation conditions and ability to meet with other prisoners. It will report whether International and Egyptian legal standards are being complied with.

*Concern:* Dr Morsi has been held in solitary confinement, and generally, incommunicado, for almost 3 years in Tora prison. He has been denied family visits (other than on one occasion) and visits from his lawyers (other than on two occasions).

Dr Morsi is not allowed to mix with the general population of the prison and it follows that Dr Morsi has little contact with any individual, including the guards.

We are told that in order for Dr Morsi to raise an issue he has to shout at the top of his voice in the hope that someone hears him and when he tries to communicate with the Guards they are non-responsive.

There has been no independent review or oversight of the cell in which Dr Morsi is detained, but it is believed to be wholly inadequate in terms of size and ventilation. We understand that the cell does not contain a bed and that Dr Morsi has been given two blankets and has to sleep on the floor.

We are told that Dr Morsi's own complaints have not been met with an adequate response.

### ***Denial of Visits and Access to Lawyers and Family***

The Panel will review Dr Morsi's ability to receive visits and communicate with his family and his legal team

*Concern:* Dr Morsi's location was secret and he was denied communication with all outside persons including lawyers and family. Dr Morsi's whereabouts only became known to his family on the first day of his trial in November 2013.

We understand that all legal visits have been prohibited, and having had no contact with his legal team, Dr Morsi was unable to provide his lawyers with instructions or receive advice from them. He was only able to speak to his lawyer whilst in the Courtroom and not in private consultation.

Visits to Dr Morsi have been prohibited in the past 3 years other than:

- June 2017 - when a member of the defence team and Dr Morsi's wife and daughter were permitted to see him. This is the only time Dr Morsi was able to be visited by his wife and daughter.
- November 2017 - when two members of the defence team were allowed to visit Dr Morsi following a Court Order.

The two visits took place in the presence of either an officer from National Security or a prison officer. Dr Morsi and his lawyers have been denied the usual right to communicate in private.

In addition to visiting with former President Morsi we would like to meet with and interview officials who are responsible for and tasked with the detention and treatment of Dr Morsi.

We hope that you are able to assist the Panel in arranging visit to see Dr Morsi in Egypt. We would be happy to attend the Embassy to meet with you to discuss this matter in person.

Should you have any queries with regards to this matter please feel free to contact me or the Secretary to the Detention Review Panel. We would prefer that communication is conducted by email to the address [detention@detentionreviewpanel.org](mailto:detention@detentionreviewpanel.org).

We kindly ask that you provide an urgent written response to this letter confirming that you will assist in facilitating the Panel's access to Dr Morsi. In light of the urgency of this matter, we ask that you provide a written response within 10 days.

Yours sincerely



**Crispin Blunt MP**

Chair to the Detention Review Panel