

# Immigration and Refugee Board of Canada

[Home](#)[> Research Program](#)[> Responses to Information Requests](#)

## Responses to Information Requests

Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the UNHCR's [Refworld](#) website. Please note that some RIRs have attachments which are not electronically accessible. To obtain a PDF copy of an RIR attachment, please email the [Knowledge and Information Management Unit](#).

12 June 2017

### EGY105804.E

Egypt: Treatment of members of the Muslim Brotherhood, including leaders, returnee members and suspected members, by authorities, following the removal of President Mohamed Morsi (2014-May 2017)  
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

#### 1. Overview

Freedom House's *Freedom in the World* 2016 report indicates that in July 2013, the armed forces led by Abdel Fattah al-Sisi overthrew elected president Mohamed Morsi [Morsy, Mursi] of the Muslim Brotherhood's Freedom and Justice Party (Freedom House 2016). A 4 July 2013 article by Al Jazeera similarly reports that the Egyptian army overthrew President Morsi and that General Abdel Fattah al-Sisi "effectively declared the removal of Morsi" in a televised broadcast (Al Jazeera 4 Jul. 2013). The same source adds that "Sisi called for presidential and parliamentary elections, a panel to review the constitution and a national reconciliation committee that would include youth movements" (Al Jazeera 4 July 2013). Sources indicate that, in a referendum, Egypt adopted a new constitution in January 2014 (Freedom House 2016) or that according to an announcement of the electoral commission "over 98 [percent] of participants ... voted in favour of approving a new constitution" (*The Guardian* 18 Jan. 2014). In May 2014, sources indicated that Sisi won the presidential election (Al Jazeera 29 May 2014; Reuters 29 May 2014).

*The Guardian* reports that on 23 September 2013, Egyptian authorities banned the Muslim Brotherhood and "a court ordered the freezing of all assets and also banned its spin-off groups" (*The Guardian* 23 Sept. 2013). Similarly, according to a document posted on the website of Egypt's State Information Service, "a Cairo court for urgent matters banned all the activities of the Muslim Brotherhood and its affiliated bodies" and "ordered freezing all the assets and funds of the group" (Egypt 23 Sept. 2013). A December 2013 Associated Press (AP) article reported that Egypt's government declared the Muslim Brotherhood a terrorist group, thereby "criminalising all its activities, its financing and even membership to the group" (AP 25 Dec. 2013). Media sources further report that the Freedom and Justice Party, the Brotherhood's political wing, was dissolved by a court on 9 August 2014 (BBC 9 Aug. 2014; *The Guardian* 9 Aug. 2014).

#### 2. Treatment of Muslim Brotherhood Leaders

Freedom House's *Freedom in the World* 2017 report states that "[l]arge numbers of Muslim Brotherhood members and supporters, including nearly all of the organization's senior leadership and [Mohammed] Morsi himself, were arrested following the coup, and arrests continued through 2016" (Freedom House 2017).

Sources indicate that the following individuals occupy leadership positions in the Muslim Brotherhood:

- Mohamed Badie, supreme guide of the Muslim Brotherhood (*Daily News Egypt* 21 June 2014) or the group's "spiritual leader" (Al Jazeera 22 Aug. 2015);

- Safwat Hegazi [Hegazy], a Muslim Brotherhood leader (Amnesty International 24 June 2014) or "conservative preacher" (*Daily News Egypt* 21 June 2014; Middle East Eye 22 June 2014);
- Mohamed El-Beltagi [El-Beltagy], a senior Freedom and Justice Party member (*Daily News Egypt* 21 June 2014; Middle East Eye 22 June 2014);
- Bassem Ouda, the former Minister of Supply and Interior Trade during Morsi's administration and member of the Muslim Brotherhood (Middle East Eye 22 June 2014);
- Essam El-Erian, the Freedom and Justice Party's deputy chairman (Middle East Eye 22 June 2014).

## 2.1 Court Cases against Leaders

Sources report the following sentences for Mohamed Morsi:

- in April 2015, on charges of ordering the "torture" and arrest of protesters in 2012, Morsi was sentenced to 20 years in prison (Al Jazeera 21 Apr. 2015) or to 20 years of hard labour (BBC 16 June 2015);
- on 16 May 2015, Morsi and 130 others were sentenced to death on charge of escaping prison in 2011 (*The Guardian* 16 May 2015; Human Rights Watch 16 June 2015). According to an article in *The New York Times*, the escape occurred when Morsi was a political prisoner under former president Mubarak, and the prisoners escaped "extralegal detention during the 18-day uprising ... against Mr. Mubarak's rule" (*The New York Times* 16 June 2015). Sources indicate that Morsi also faced charges of espionage (*The Guardian* 16 May 2015), or that Morsi and 35 others were tried "simultaneously" for charges of "conspiring and sharing state secrets with foreign powers, including Hamas and Iran" (Human Rights Watch 16 June 2016). On 22 November 2016, a court in Egypt overturned a life sentence for Morsi on charges of espionage for the Palestinian Hamas group, and ordered a retrial (*The Wall Street Journal* 22 Nov. 2016; Al Jazeera 22 Nov. 2016);
- in November 2016, sources report that Morsi was sentenced to 40 years in prison on charges of espionage for Qatar (*The Wall Street Journal* 22 Nov. 2016; Reuters 15 Nov. 2016).

A May 2017 Al Jazeera article cites the lawyers of Mohamed Badie as stating that Badie is being prosecuted in more than 35 trials (Al Jazeera 8 May 2017). Sources reported on court cases for Badie, including the following:

- in February 2014, Badie and 13 others were sentenced to death, on charges including "leading a group established to break the law, participating in the preparation of a scheme to spread chaos in the country, [and] arresting the president, the defense minister and a number of judges" (Al Arabiya 8 May 2017);
- on 19 June 2014, sources reported that the Giza criminal court gave Badie and 13 other leaders of the Muslim Brotherhood, including Hegazi, El Beltagi, Ouda, and El-Erian, a "preliminary death sentence" (*Daily News Egypt* 21 June 2014), or that the court "recommended the death sentence" (Amnesty International 24 June 2014). The charges were "murder, attempted murder, planning and taking part in an illegal assembly, vandalising properties and causing injuries in the vicinity of the Istiqama Mosque in Giza" (*Daily News Egypt* 21 June 2014). Amnesty International indicates that the charges were based on a 14 August 2013 protest that occurred in the village of al-Adwa, where "violence led to the deaths of a police officer and the son of an assistant police officer" (Amnesty International 24 June 2014). Al Jazeera reports that on 7 August 2014, Egypt's Grand Mufti[1] recommended commuting the death sentence of Badie and five others to a life sentence[2], citing one of the three judges in the case as stating that the Mufti had said that "in his opinion, the court relied solely in the case on investigations that were not alone enough to condemn the defendants" (Al Jazeera 30 Aug. 2014);
- Sources indicate that Badie, El-Beltagy, Hegazi, were given life imprisonment sentences on 22 August 2015 over an attack on a police station in Port Said in 2013 (Al Jazeera 22 Aug. 2015) or for "inciting Brotherhood members ... to storm Al-Arab Police Station in Port Said in order to kill its police officers, steal the station's weapons, and set detainees free" (Ahramonline 22 Aug. 2015). Egypt's Cassation Court ordered a retrial in May 2017 (*Daily News Egypt* 10 May 2017; Middle East Monitor 10 May 2017);
- on 30 May 2016 Badie and 35 others received a life sentence over "violent clashes in 2013" (Al Jazeera 30 May 2016) or for [translation] "inciting violence" (*Le Monde* 30 May 2016).

Sources report on court cases for Hegazi, including the following:

- on 11 October 2014, Hegazi, and El-Beltagi, received "15 years imprisonment with hard labour" for "torturing and sexually assaulting a lawyer during the 2011 uprising against former president Hosni Mubarak" (*Daily News Egypt* 11 Oct. 2014);

- on 22 December 2015, Hegazi received a 10-year in prison sentence from a military court "over inciting violence and rioting in Suez"; El-Beltagy and Badie received the same sentence (*Daily News Egypt* 23 Dec. 2015).

Sources further indicate that El-Beltagi, Badie and Hegazi received a 10-year prison sentence from the Ismailia military court on 30 November 2016 over inciting violence around a court complex in Ismailia in 2013 (Ahramonline 30 Nov. 2016; Mada Masr 1 Dec. 2016).

Sources further report on court cases involving Bassem Ouda, including the following:

- on 3 July 2014 a sentence to life in prison, including for Badie, El-Beltagy and Hegazy, for inciting violence in Qalyub (Mada Masr 5 July 2014) or for accusations of "blocking the Cairo-Alexandria Agricultural Road, known as 'the Qalyub Highway'" (Middle East Observer 28 Oct. 2016). Egypt's court of cassation upheld the life sentence on 28 October 2016 (Middle East Observer 28 Oct. 2016).

### **3. Treatment of Muslim Brotherhood's Members and Suspected Members**

#### **3.1 Mass trials**

Al Jazeera reports that since the overthrow of Morsi, "hundreds of [Muslim Brotherhood] members and supporters have been put on trial and given harsh sentences in multiple cases. Rights advocates have repeatedly criticised the mass prosecutions, saying they lack guarantees for a fair trial" (Al Jazeera 22 Aug. 2015). Middle East Eye, an "online news organisation" focused on the Middle East (Middle East Eye n.d.), similarly indicates that "[s]ince the army deposed Morsi...hundreds of [Morsi's] supporters have been sentenced to death" (Middle East Eye 24 Feb. 2017).

Sources report that the Minya Criminal Court sentenced 529 men to death on 24 March 2014 (Human Rights Watch 24 Mar. 2014; *The Guardian* 24 Mar. 2014). Human Rights Watch stated that the trial lacked "basic due process protections," that "the vast majority of the defendants were tried in absentia" and that the trial took place "in under an hour" (Human Rights Watch 24 Mar. 2014). The same source cited "three of the defense lawyers" in the case as stating that "the prosecution did not put forward evidence implicating any individual defendant... and the court prevented defense lawyers from presenting their case or calling witnesses" (Human Rights Watch 24 Mar. 2014). According to *The Guardian*, the 529 men were found guilty of "lynching a policeman in Matay [Mattay], in Minya province" (*The Guardian* 28 Apr. 2014). Human Rights Watch cited the official court judgment as stating that "specific charges [included] killing a police officer and attempting to kill two others, damaging public property, seizing weapons, illegal public assembly, and membership in a banned organization" (Human Rights Watch 24 Mar. 2014). According to *The Guardian*, the death sentences of 37 of the 529 people condemned to death in the earlier case of March 2014 were upheld on 28 April 2014, and "the remaining 492 had their sentences commuted to 25-year jail terms" (*The Guardian* 28 Apr. 2014).

Sources report that on 28 April 2014, 683 people were sentenced to death (*The Guardian* 28 Apr. 2014; Amnesty International 1 May 2014), by the Minya Criminal Court (Amnesty International 1 May 2014). *The Guardian* reports that the death sentences were for "killing a policeman" in August 2013 in the town of Adwa (*The Guardian* 28 Apr. 2014). Amnesty International indicates that the sentence was for charges of being involved in deadly violence around the police station in al-Adwa, and that "more than 50 witnesses and 74 defendants" were heard in the "hearing that lasted just a few hours" (Amnesty International 1 May 2014). The same source further indicates that lawyers were absent during the trial, and cites a defence lawyer as stating that "no defendants were present in court" (Amnesty International 1 May 2014). A BBC article states that in June 2014, the court confirmed 183 of the death sentences, including Badie's, 4 people were given "lengthy prison sentences" and 496 were acquitted (BBC 11 Feb. 2015).

According to Human Rights Watch, on 11 April 2015, "51 alleged supporters of Egypt's Muslim Brotherhood" were tried in a mass trial, where a judge sentenced "37 people to life in prison and confirmed the death penalties of 14 others" (Human Rights Watch 19 Apr. 2015). According to the same source, "[t]he charges ranged from publishing false news to conspiring to overthrow the interim government installed ... after the removal of [Morsi]" (Human Rights Watch 19 Apr. 2015). The defendants included ten journalists and seven people who worked as "Brotherhood spokesmen or for Brotherhood owned news outlets," and an American-Egyptian "who volunteered to arrange news coverage of the sit-in, and was sentenced to life in prison" (Human Rights Watch 19 Apr. 2015). According to Human Rights Watch, who reviewed the case file, "the state presented little evidence that the defendants did anything but spread news about a mass sit-in opposing the coup or organize and publicize peaceful opposition to [Morsi's] removal" (Human Rights Watch 19 Apr. 2015). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Amnesty International reports that on 29 May 2016, "an Egyptian military court sentenced eight civilian men to death and 18 others to prison terms" on charges of "belonging to a banned group (the Muslim Brotherhood), [of] being in possession of firearms and explosives, and obtaining classified military information without authorization" (Amnesty International 18 Jan. 2017). Amnesty International states the men were held incommunicado before their trial and cites "the men's families and lawyers" as stating that "the men had wounds that included burns and bruises to their bodies, as well as injuries to their hands" (Amnesty International 18 Jan. 2017). Further and corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Middle East News Agency (MENA), described by BBC Monitoring as the "Egyptian state-run news agency" (MENA 24 Apr. 2017), reports that on 23 April 2017, the Alexandria criminal court "sentenced 126 members of the terrorist Muslim Brotherhood... group to 10 years in jail for committing acts of violence" (MENA 24 Apr. 2017). The same source reports that 3 other defendants were sentenced "to three years each, while 30 defendants were acquitted" (MENA 24 Apr. 2017). They were accused of "murder, attacking citizens and joining a banned group" (MENA 24 Apr. 2017). The same source reports that on 26 April 2017, the Zagazig criminal court sentenced 13 members of the Brotherhood to "three years rigorous imprisonment" on charges of protesting, rioting and inciting violence in Abu Hammad city (MENA 27 Apr. 2017). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

### 3.2 Incidents of Violence Involving Members of the Muslim Brotherhood

Sources reported the following incidents of violence involving Muslim Brotherhood members:

- on 9 March 2015, a member of the Muslim Brotherhood was killed in a shootout with police "in the Giza town of Kirdasah"; the Interior Ministry stated that the man was "wanted for burning 16 cars of an ice cream company last year" (MENA Mar. 2015);
- on 23 April 2015, a "security source" stated that security forces killed a Muslim Brotherhood's member of the Specific Operations Committee in Qalyubiyah in a shootout (MENA 23 Apr. 2015);
- on 25 January 2016, a statement from the Interior Ministry indicated that a member of the Muslim Brotherhood was killed by security forces in Giza in a shootout (MENA 25 January 2016). MENA cites a statement from Egypt's Ministry of Interior as stating that "security forces searched the terrorist's house and found two bombs" (MENA 25 Jan. 2016);
- on 26 February 2016, a "security source" stated that "[t]wo Muslim Brotherhood members were killed in a firefight with policemen in Damietta" (MENA 26 Feb. 2016);
- on 4 October 2016, The Canadian Press reported that a senior leader of the Brotherhood, Mohammed Kamal, and Yasser Shehata, "another leader," were killed in a shootout with the police in Cairo on 3 October 2016 (The Canadian Press 4 Oct. 2016). The Canadian Press cited a statement from the Muslim Brotherhood as stating that Kamal was arrested by authorities "suggesting he was killed after being taken into custody" (The Canadian Press 4 Oct. 2016);
- on 3 November 2016, "a senior Brotherhood commander" was killed in a shootout with the police in Madinet el-Salam, on the outskirts of Cairo; four police officers were also injured (Al Arabiya 3 Nov. 2016);
- on 7 March 2017 a "militant of the terrorist Muslim Brotherhood was killed in a shootout in Ismailia governorate" (MENA 7 Mar. 2017). MENA indicates that Egypt's Interior Ministry stated that the militant, "a student of Al-Azhar University, was wanted upon an arrest warrant over being involved in MB armed attacks" (MENA 7 Mar. 2017);
- on 8 April 2017, according to the Interior Ministry, two members of the Muslim Brother were killed in "an exchange of fire with security forces during a raid on a farm allegedly used to make explosives in the Nile Delta province of Beheira" (The Peninsula 9 Apr. 2017).

### 3.3 Arrests

A February 2017 Reuters article states that "[h]uman rights groups estimate [that] about 40,000 people have been detained for political reasons" since Morsi was deposed (Reuters 5 Feb. 2017). Freedom House's *Freedom in the World* report for 2017 similarly indicates that civil society organizations "estimate that as many as [40,000] people were being detained for political reasons as of 2016, most of them for real or suspected links to the Muslim Brotherhood" (Freedom House 2017).

Sources reported the following arrests of Muslim Brotherhood members:

- on 3 January 2016, eleven members of the Muslim Brotherhood were arrested by "[s]ecurity bodies ... over charges of inciting riot acts and possessing leaflets and fireworks" in Al-Sharqiyah

- (MENA 3 Jan. 2016). MENA reports that "[t]he arrestees were wanted by the Prosecution for violating the protest law, inciting riot acts and joining a terrorist group" (MENA 3 Jan. 2016);
- on 13 January 2016, a statement from the Interior Ministry stated that Egyptian police arrested two Muslim Brotherhood members for managing Facebook pages that called for protests (APANEWS 14 Jan. 2016);
  - on 24 March 2017, security forces arrested nineteen people "affiliated with the armed wing of the Muslim Brotherhood" (MENA 25 Mar. 2017). MENA cites a statement from the Interior Ministry as stating that thirteen of them were arrested after being "targeted" and six others were "arrested in an apartment in the city where they were planning to trigger panic and confusion among citizens through circulating leaflets claiming that the Interior Ministry was urging citizens to be alert against being kidnapped" (MENA 25 Mar. 2017);
  - on 17 April 2017, the Interior Ministry announced that 13 members of the Muslim Brotherhood were arrested; MENA cites an Interior Ministry statement as stating that this was because they were planning "to commit violent acts against the country institutions, public figures and policemen" (MENA 17 Apr. 2017).

### 3.4 Enforced Disappearances

In its 2016 report entitled *Egypt: 'Officially, You Do Not Exist': Disappeared and Tortured in the Name of Counter-terrorism*, Amnesty International states that a "pattern of abuse" that includes arbitrary arrests, arbitrary detention and enforced disappearances by state agents became "particularly evident since March 2015" (Amnesty International 13 July 2016, 7). According to a *Daily News Egypt* article, "[n]ational and international rights organisations and groups, along with ... NGOs, have documented hundreds of enforced disappearance cases over the past few years in Egypt" (*Daily News Egypt* 11 Dec. 2016). Amnesty International's report explained that

those subjected to enforced disappearances by the [National Security Agency (NSA)] were perceived supporters of Mohamed Morsi and/or the [Muslim Brotherhood]. They were mostly males ranging from adults in their fifties to boys aged 14. They include students, academics and other activists, peaceful critics and protesters, and family members of government critics. According to lawyers involved in their cases, around 90% of those who are subjected to enforced disappearance are subsequently processed through the criminal justice system on charges such as planning or participating in unauthorized protests or attacking members of the security forces. (Amnesty International 13 July 2016, 20)

In an annual report documenting cases of enforced disappearances in Egypt from 1 August 2015 to 15 August 2016, the Stop Enforced Disappearances Campaign of the Egyptian Commission for Rights and Freedoms (ECRF), "an advocacy group based in Cairo" (*The New York Times* 26 Jan. 2016), stated that "victims [of enforced disappearances] are usually forced to admit that they committed crimes related to their belonging to extremist groups... most notably belonging to the Muslim Brotherhood" (ECRF 30 Aug. 2016). ECRF indicates that it documented a total of 912 cases of enforced disappearances: 20 cases in 2013, 16 in 2014, 530 in 2015 and 346 in the period of January 2016 to August 2016 (ECRF 30 Aug. 2016). The same source indicates that, of the 912 cases documented, "[t]here were 891 males and 21 females" and that 321 were students, 192 had "other occupations" (such as "freelancer, marketer, accountant, physician, engineer, translator, technician, lawyer, pharmacist and researcher"), 86 were government workers, 16 were unemployed, and 2 were conscripts of the armed forces (ECRF 30 Aug. 2016). The same source stated that "sometimes some of the victims of the enforced disappearance appear in videos published by [Egypt's] Ministry of the Interiors [*sic*] or the Ministry of Defense confessing that they committed crimes of overthrowing the regime, belonging to terrorist groups, and other charges" (ECRF 30 Aug. 2016).

A news article published on 13 July 2016 in the *Daily News Egypt* cites a statement from the Egyptian Foreign Ministry as stating that Amnesty International was "'not impartial. Distorting Egypt's image is in its personal interests'" (*Daily News Egypt* 13 July 2016). According to the same source the Foreign Ministry's statement further stated that, "anyone who read the report will promptly know that the organisation is biased, tackling issues from only one point of view and talking with people who are hostile towards Egypt" (*Daily News Egypt* 13 July 2016). The *Daily News Egypt* indicates that Egyptian authorities have responded to the accusations of enforced disappearances by stating that "all allegedly disappeared people are either detained pending trials or by deny[ing] knowing any information regarding their whereabouts" (*Daily News Egypt* 11 Dec. 2016). In January 2016, *The New York Times* reported that "after months of flatly denying that anyone had disappeared in Egypt, the [Ministry of the Interior of Egypt] in early January said it was investigating the cases of 101 missing people. Last week, officials raised that tally to 130" (*The New York Times* 26 Jan. 2016).

Further and corroborating information on cases of enforced disappearances of members of the Muslim Brotherhood could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Information about treatment of returnees affiliated with the Muslim Brotherhood could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

### Notes

[1] The Grand Mufti is Egypt's official Muslim religious authority" (*The New York Times* 16 June 2015). He needs to review death sentences and provide advice (Amnesty International 16 June 2015; *The New York Times* 16 June 2015).

[2] A life sentence in Egypt amounts to 25 years in jail (*The New York Times* 16 June 2015).

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[Top of Page](#)

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