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MOTION FOR A RESOLUTION

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 115 of the Rules of Procedure

by Jana Hybášková, Charles Tannock, Laima Liucija Andrikienė, Bernd Posselt, Eija-Riitta Korhola, Tunne Kelam

on behalf of the PPE-DE Group

on Egypt

European Parliament resolution on Egypt

The European Parliament,

- having regard to its previous resolutions;
 - having regard to the Barcelona Declaration of November 1995;
 - having regard to the strategic guidelines and the Communication from the Commission to the Council and the European Parliament on reinvigorating EU actions on human rights and democratisation with Mediterranean partners;
 - having regard to the first conference of the Euro-Mediterranean Human Rights Network in Cairo 26-27 January 2006;
 - having regard to the EU Guidelines on Human Rights and Art. 19 of the UN International Covenant on Civil and Political Rights ratified by Egypt in 1982;
 - having regard to the International Convention against all Forms of Discrimination against Women;
 - having regard to Article 11(1) of the Treaty on European Union and Article 177 of the Treaty establishing the European Community which establish the promotion of human rights as an objective of the common foreign and security policy;
- A. Whereas the promotion of respect for democracy, human rights and civil liberties, are fundamental principles and aims for the European Union and constitute a common ground for the development of the Euro-Mediterranean area;
- B. Whereas the EU has defined a European Neighbourhood Policy aimed at enhancing and strengthening political dialogue as well as integrating partner countries into EU policies in order to promote peace, stability and democracy in neighbouring countries;
- C. Whereas the human rights situation in Egypt is of serious concern;
- D. Whereas the respect of International Human Rights Law should be the main reference point and should outweigh any national legislation invoked by the government, particularly regarding freedom of association;
- E. Whereas the EU is calling for the repeal of the emergency legislation used to justify practices and excesses that deny or illegally restrict freedoms, in particular freedoms of expression, assembly and association;

- F. Whereas the Copts, the Baha'i, the Shi'ites, the Koranists, and members of other religious minorities are still sadly crippled by the manacles of sectarian isolation and chains of religious fundamentalism;
- G. whereas the Egyptian authorities continue to wrongfully detain Egyptian politician Ayman Nour in spite of legal processes denounced inter alia by the European Council and the US administration and urges them to recognise the injustice caused to Ayman Nour bearing in mind that in January 2006, a Vice-President of the European Parliament, was refused permission to see him on what was a family and friends visiting day;
- H. Whereas Egypt should abide by its commitments under the UN Convention Against Torture whose provisions must be translated into domestic legislation;
- I. Whereas the role of the judiciary is the cornerstone in the process of democratic reform and development of the Rule of Law and the main safeguard for human rights and fundamental freedoms;
- J. Whereas the EU has called for an end to all forms of harassment and detention against media professionals and, more generally, those human rights defenders and activists currently calling for reforms and for freedom of expression to be fully respected;
- K. Whereas the importance of protecting women from all forms of physical, psychological and sexual violence, and enact legislation which explicitly criminalises domestic violence;
- L. Whereas the European Parliament attaches great importance to relations with Egypt and considers fair and transparent elections as the established way to make progress towards a more democratic society;
- M. Having regard to the smuggling of weapons and explosives from Egypt to Gaza
1. Underlines the importance of Egypt as the most populated Arab state and EU-Egypt relations for the stability and development of the Euro-Mediterranean area and welcomes the process of political reform which the Egyptian authorities have undertaken to pursue;
 2. Stresses that respect for human rights is a fundamental value of the EU-Egypt Association Agreement and reaffirms the importance of the Euro-Mediterranean partnership for promoting the rule of law and fundamental freedoms;
 3. Stresses the positive and moderate role that Egypt plays in the Middle East Peace Process; calls on the Commission and the Council to strengthen this role;
 4. Is of the opinion that the lifting of Emergency Laws is vital if Egypt is to be a proponent of democracy; the State of Emergency should not be replaced by an already proposed new anti-terrorism law as a basis for criminalising or imposing arbitrary restrictions on the peaceful activities and freedom of expression of civil society organisations;

5. Calls for the immediate release of Ayman Nour and urges the European Commission to organise for him, in the meantime, a welfare visit including qualified medical personnel
6. Demands the end of any kind of practice of torture and ill-treatment and asks for enquiries when there is reasonable suspicion that acts of torture have occurred;
7. Underlines the importance of ensuring and strengthening the independence of the judiciary by amending or repealing all legal provisions that infringe on or do not sufficiently guarantee that independence; in particular, all nominations to the higher positions within the judiciary, including at the High Judicial Council and High Constitutional Court, should be made without discretionary interferences of the executive;
8. Stresses the need for respect and protection of freedoms of association and expression of judges in accordance with Articles 8 and 9 of the UN Basic Principles on the Independence of the Judiciary;
9. Requests for an immediate end to all defamation campaigns in public medias, harassment measures and abusive disciplinary proceedings against judges who resort to their freedoms of expression or association;
10. Demands to Abolish the possibility of referring civilians to martial courts and amend the Law on martial courts n° 25 of 1966 in order to restrict these courts' jurisdiction to the trial of military officers accused of committing martial crimes and crimes committed within military units and barracks only;
11. Calls for an end to the intervention and interference of the security services at all stages of the life of associations and in all their activities; and demands an end to harassment measures, including judicial measures, taken against human rights defenders and the members of organisations seen as hostile to the government;
12. Supports the 'campaign of non-governmental organisations for freedom of organisation' launched on 13 May 2007 by 34 NGOs as a follow-up to the first collective report on 'administrative and security harassment';
13. Invites the Egyptian Government to fully implement the principles of the Conventions through its national legislation to which Egypt is Party i.e. the 1951 UN Convention relating to the Status of Refugees (and its Optional Protocol 1967) and the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, as well as the International Convention on the Protection of the Rights of all Migrants Workers and Members of their Family in 1993 (and entered into force in 2003);
14. Stresses the allocation of financial resources from the budget to activities related to the elimination of violence against women, and coarsening penalties in the crimes classified as violence against women, such as beating and forced abortion;

15. Calls upon Egyptian authorities to lift their discriminatory practice of restricting identity to three main religions - Islam, Christianity or Judaism;
16. Expresses its preoccupation about the growing role of fundamentalism in this area and recognizes the threat posed by Islamist terrorism against the Egyptian state;
17. Welcomes Egyptian effort to secure the border with Gaza but encourages its government to intensify the fight against smugglings through tunnels into the Gaza Strip;
18. Instructs its President to forward this resolution to the Council and the Commission, the Governments and the parliaments of the Member States and the Mediterranean countries signatories to the Barcelona declaration and the President of the Euro-Mediterranean Assembly.