



EUROPEAN PARLIAMENT

2014 - 2019

Plenary sitting

15.7.2014

B8-0009/2014

MOTION FOR A RESOLUTION

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

pursuant to Rule 135 of the Rules of Procedure

on freedom of expression and assembly in Egypt
(2014/2728(RSP))

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on behalf of the ALDE Group

**European Parliament resolution on freedom of expression and assembly in Egypt
(2014/2728(RSP))**

The European Parliament,

- having regard to its previous resolutions, in particular that of 6 February 2014 on the situation in Egypt,
 - having regard to its resolution of 15 November 2012 on a digital freedom strategy in EU foreign policy,
 - having regard to its resolution of 13 June 2013 on the freedom of press and media in the world,
 - having regard to the statements by Vice-President / High Representative Catherine Ashton on Egypt and in particular her remarks after the Foreign Affairs Council meeting of 23 June 2014 concerning the sentences against Al Jazeera journalists and the death sentences against more than 180 people in Minya,
 - having regard to the statements by United Nations Secretary-General Ban Ki-moon and High Commissioner for Human Rights Navi Pillay on 23 June on the jail sentences to several journalists and the confirmation of death sentences against several Muslim Brotherhood members and supporters,
 - having regard to the EU-Egypt Association Agreement of 2001, which entered into force in 2004, strengthened by the Action Plan of 2007, and to the Commission's progress report on its implementation of 20 March 2013,
 - having regard to the Constitution of Egypt, drafted by the Constitutional Committee and adopted by referendum on 14 and 15 January 2014,
 - having regard to Egyptian Law 107 on the Right to Public Meetings, Processions and Peaceful Demonstrations of 24 November 2013,
 - having regard to the International Covenant on Civil and Political Rights of 1966, to which Egypt is a party,
 - having regard to the Universal Declaration of Human Rights of 1948,
 - having regard to Rule 122 of its Rules of Procedure,
- A. whereas on 23 June 2013 20 Egyptian and foreign journalists, including three Al-Jazeera journalists - Australian Peter Greste, Canadian-Egyptian Mohamed Fahmy and Egyptian Baher Mohamed, and in absentia the Dutch Rena Netjes- were given between

seven and ten year jail sentences; whereas they were accused of "falsifying news" and of belonging to or assisting a terrorist cell; whereas journalists are being locked up and branded criminals or "terrorists" simply for doing their jobs; whereas Rena Netjes was falsely accused of working for Al Jazeera;

- B. whereas according to numerous witnesses several irregularities and examples of ineptitudes during the trial proceedings were observed; whereas in 12 sessions, the prosecution failed to produce a single shred of solid evidence linking the journalists to a terrorism organization or proving they had "falsified" news footage;
- C. whereas press, media, and digital freedoms have been repeatedly and increasingly under attack from the Egyptian government; whereas journalists and news outlets, social media and the internet have been attacked or been censored;
- D. whereas freedom of the press and media are vital elements for democracy and an open society and as such,
- E. whereas the article 19 of International Covenant on Civil and Political Rights, ratified by Egypt in 1982, states that "Everyone shall have the right to hold opinions without interference. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice";
- F. whereas violence, incitement and harassment against political opponents, journalists, civil society and minorities has further increased during the last months; whereas many political and civil society activists, including Alaa Abdel Fattah, Mohamed Abdel from the Egyptian Centre for Economic and Social Rights, the well-known political and human rights activist Mahinour El-Masry, and Ahmed Maher and Ahmed Douma, leaders of the April 6 movement were arbitrarily arrested and convicted over the past months; whereas many of those detained were rounded up solely for peacefully exercising their rights to free assembly, association and expression;
- G. whereas Law 107 on the Right to Public Meetings, Processions and Peaceful Demonstrations of 24 November 2013 provoked widespread and strong criticism in Egypt and beyond; whereas Vice-President / High Representative Catherine Ashton, in her statement of 23 December 2013, said this law was widely seen as excessively limiting freedom of expression and assembly; whereas peaceful protests were dispersed and many protesters were arrested and detained under this law over the past months;
- H. whereas in September 2013 the Egyptian interim authorities banned the Muslim Brotherhood, imprisoned its leaders, seized its assets, silenced its media, and criminalised its membership; whereas on 21 June an Egyptian court confirmed the death sentences for 183 Muslim Brotherhood members and supporters, including Mohamed Badie, convicted in an earlier mass trial; whereas these sentences are the latest in a string of prosecutions and court proceedings that have been rife with procedural irregularities and in breach of international law;

- I. whereas recent judicial practices cast serious doubts on the independence of the judicial system and on its ability to ensure accountability; whereas particularly those sentences resulting in the imposition of the death penalty risk to undermine prospects for long-term stability in Egypt;
- J. whereas the rule of law, fundamental freedoms and human rights, as well as social justice and a higher standard of living for citizens, are crucial dimensions of the transition towards an open, free, democratic and prosperous Egyptian society; whereas independent trade unions and civil society organisations have a crucial role to play in this process, and free media form a crucial part of society in any democracy; whereas Egyptian women continue to be in a particularly vulnerable situation in the current period of political and social transition in the country;
- K. whereas, in line with its reviewed European Neighbourhood Policy and notably the ‘more for more’ approach, the EU’s level and scope of engagement with Egypt should be incentive-based and therefore dependent on the country's progress towards, including those on democracy, the rule of law, human rights and gender equality;
1. Expresses its deepest concern over a series of recent court decisions in Egypt, including the lengthy jail terms verdicts handed down to three Al Jazeera journalist and 11 other defendants, who were tried in absentia, on 23 June 2014 as well as over the confirmation of death sentences for 183 people.
 2. Expresses its alarm at the increasingly severe clampdown and physical attacks on both media and civil society in Egypt, which is hampering their ability to operate freely; condemns the harassment, detention and prosecution of national and international journalists and civil society actors, including bloggers, for simply doing their job; Calls for an immediate end to all acts of violence, harassment, arbitrary detention or intimidation – by state authorities, security forces or other groups – against political opponents, peaceful protesters, trade union representatives, journalists, minorities, women’s rights activists, and other civil society actors in Egypt; calls for serious and impartial investigations in such cases and for those responsible to be brought to justice.
 3. Regrets the existence of media and web censorship and the fact that access to some blogs and social networks is limited; condemns the harassment suffered by a number of newspapers and other audio-visual media outlets.
 4. Calls on the Egyptian authorities to immediately and unconditionally release all those detained, convicted and/or sentenced solely for peacefully exercising their rights to freedoms of expression and association; stresses the importance of free and fair trials; calls on the Egyptian authorities to order independent and impartial investigations into all allegations of ill-treatment and ensure all detainees have access to any medical attention they may require.
 5. Stresses that Egypt’s anti-terrorism law have also been used to bring convictions in a number of trials, including the two mass trials of more than 1,100 people in Minya earlier in the year that led to at least 220 people being handed death sentences, including

the 183 whose death sentences were confirmed on 21 June; Urges the Egyptian authorities to revoke these death sentences and order fair trials without recourse to the death penalty, for those who have been convicted; Calls on the authorities to immediately establish an official moratorium on executions, as a first step towards abolition.

6. Recalls its concern about Law 107 of 2013 on Regulating the Right to Public Gatherings, Processions and Peaceful Protests, and urges the Egyptian interim authorities to reform or repeal this law in order to guarantee the right to freedom of association and peaceful assembly under the International Covenant on Civil and Political Rights and abidance by international standards and obligations; stresses that participation in peaceful protests or criticism of the Government should not be grounds for detention or prosecution.
7. Reaffirms that freedom of the press and media are vital elements for democracy and an open society and as such they should be among the focal points of EU action concerning Egypt, as part of a broader and coherent EU strategy which should be focused on improving the rights, freedoms and opportunities of Egyptians as the EU develop relations with the country;
8. Reminds the Egyptian Government that freedom of expression, press freedom and digital freedoms, as well as the right to participate in peaceful demonstrations are fundamental human rights in a democracy, as recognized in the new Egyptian Constitution;
9. Calls on President El-Sissi to respect and develop the rule of law and to abide by the national laws and international treaties on human rights and fundamental freedoms to which Egypt is a party.
10. Calls on the Egyptian authorities for full and effective implementation of the provisions on fundamental freedoms – including the freedoms of assembly, association and expression – and human rights in the new constitution, as well as for all existing and future legislation in these fields to be in compliance with these principles.
11. Urges the Egyptian interim authorities and security forces to ensure the security of all citizens, irrespective of their political views, affiliation or confession, to uphold the rule of law and respect human rights and fundamental freedoms, to guarantee and protect the freedoms of association, of peaceful assembly, of expression and of the press, to commit to dialogue and non-violence as well as to inclusive governance.
12. Recalls that respect for the principle of separation of powers is fundamental in a democracy and that the justice system cannot be used by the authorities as a means of political persecution and repression of the democratic opposition and suggests reforming the judicial authority law to ensure a genuine separation of powers.
13. Calls on a common strategy among Member States towards Egypt; Urges again the Council, the VP/HR and the Commission to actively work according to the principle of conditionality ('more for more') and the serious economic challenges faced by Egypt in

its bilateral relations with, and its financial support for, the country; reiterates its call for clear and jointly agreed benchmarks in this regard; reaffirms its commitment to assisting the Egyptian people in the process of moving towards democratic and economic reform.

14. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the parliaments and governments of the Member States, and the President of the Arab Republic of Egypt and its interim government.