



EUROPEAN PARLIAMENT

2014 - 2019

---

*Plenary sitting*

---

15.7.2014

B8-0015/2014

## 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))

**Marina Albiol Guzmán, Marie-Christine Vergiat, Lynn Boylan,  
Kostadinka Kuneva**  
on behalf of the GUE/NGL Group

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

*The European Parliament,*

- having regard to its previous resolutions on Egypt, in particular those of 16 February 2012 on ‘Egypt: recent developments’, of 15 March 2012 on ‘human trafficking in Sinai, in particular the case of Solomon W.’, of 14 March 2013 on the situation in Egypt, of 4 July 2013 on the crisis in Egypt and of 12 September 2013 and 6 February 2014 on the situation in Egypt,
- having regard to the Council conclusions on Egypt,
- having regard to the Internal Report of 9 January 2014 entitled ‘Egypt, Constitutional Referendum January 2014 and to the Preliminary Statement of 29 May 2014 entitled “Presidential election administered in line with the law, in an environment falling short of constitutional principles” by the European Union Election Expert Mission (EU EEM),
- having regard to the statements made by the spokesperson of the UN Secretary-General Ban Ki-moon on Egypt and to the statement by the group of 8 UN experts on mass death verdict in Egypt,
- having regard to the United Nations Declarations on Human Rights Defenders, in particular to its Article 1, 5(a), 6(a) and 12.2,
- having regard to the International Covenant on Civil and Political Rights of 1966, to which Egypt agreed to be party,
- having regard to the Universal Declaration of Human Rights of 1948,
- having regard to Rule 135 of its Rules of Procedure,

A. whereas since the military coup d'état one year ago Egyptian security forces have repeatedly used excessive and arbitrary force to disperse demonstrations, killing at least 1,400 protesters; whereas not a single police or army officer has been held accountable for these killings or other serious abuses over the last year; whereas according to official figures security forces have also detained at least 22,000 people;

B. whereas Egyptian courts have recommended the death penalty for 1,247 individuals since January most of them in mass trials; whereas recent rulings in mass trials recommended the death penalty for hundreds of persons, in clear violation of international human rights law; whereas on 28 April 729 people were condemned to death penalty, whereas 529 were prosecuted in a mass trial and not on individual basis, whereas many of them had not even access to a lawyer during the procedure; whereas the principle of due process and the right to a fair trial were not respected; whereas the death sentences for 183 alleged Muslim Brotherhood members and supporters have been confirmed in a process with procedural irregularities and in breach of international human rights law;

C. whereas freedom of expression and assembly are fundamental freedoms which need to be guaranteed in practice, whereas while the new Egyptian Constitution sets out a wide-ranging catalogue of fundamental rights, in reality these rights are violated, as Egyptian authorities makes a disproportionate use of force and of live ammunition, with general clampdown and very limited space for dissenting voices;

D. whereas, according to both domestic and international human rights organisations, arrests, the excessive use of force, arbitrary detention and extension of the period of pre-trial detention have occurred in Egypt on an almost daily basis in recent months;

E. whereas after the decision by the Egyptian interim Government to declare the Muslim Brotherhood as a terrorist group hundreds of leaders and members and thousands of alleged supporters have been detained and prosecuted; whereas the general crackdown affects not only alleged followers of this group but also secular activists, journalists, human rights defenders, students or trade unionists,

F. whereas UN High Commissioner for Human Rights Navi Pillay expressed her alarm at the increasingly severe clampdown and physical attacks on both media and civil society activists in Egypt which is hampering their ability to operate freely;

G. whereas on 24 November 2013 Law No 107 on organising the right to peaceful public meetings, processions and protests was passed by a Presidential Decree; whereas this ‘protests law’ includes measures for controls and sanctions in the event of non-compliance that can be considered disproportionate according to international standards as it gives the security forces the right to break up any gathering held without prior government authorisation and allows the use of lethal force against demonstrators; whereas the UN Secretary-General has reiterated the concerns expressed by the United Nations High Commissioner for Human Rights that the new law passed could lead to serious breaches of the right to freedom of peaceful assembly; whereas they have both urged the Egyptian authorities to consider amendments to the law;

H. whereas charges based on Egypt's anti-terrorism law have been used in the two mass and expeditious trials of more than 1,100 people in Minya where the right to defense was not respected that led to at least 220 people being handed death sentences, including the 183 whose death sentences were confirmed on 21 June;

I. whereas on 23 June in a separate mass trial a court sentenced 238 alleged Muslim Brotherhood supporters to prison, some to life, on charges stemming from violence in the Dakahlia province last summer that killed two people;

J. whereas on 26-27 May the first Presidential elections after the military coup d'état took place within an atmosphere of repression and media censorship;

K. whereas Article 19 of the International Covenant on Civil and Political Rights (ICCPR), to which Egypt is a state party, upholds the right to freedom of expression and states that “Everyone shall have the right to hold opinions without interference. Everyone shall have the right to freedom of expression, which shall include freedom to seek, receive and impart information and ideas of all kinds”,

L. whereas al-Jazeera journalists are being prosecuted on the charges of ‘airing false news’ and of ‘aiding a terrorist group’; whereas the Cairo court which tried 20 people, including 9 Al-Jazeera workers, has sentenced on 23 June Australian correspondent Peter Greste (7 years) Al-Jazeera's Cairo bureau chief Mohamed Fahmy (7 years) and Egyptian producer Baher Mohammed (10 years) to multi-year prison sentences after finding them guilty of spreading false news, harming national unity and social peace, and membership of a terrorist organization,

M. whereas the court sentenced 11 other journalists and opposition members in absentia to 10 years behind bars, whereas 4 other co-defendants in the case also received seven-years sentences, while two others were acquitted;

N. whereas the Egyptian activist and blogger Alaaa Abdel Fatah was one of 25 people sentenced to 15 years in prison for organising an illegal prison last November in front of the Shura Council, whereas his sister Thanaa Saif has been recently arrested together with a number of political activists who staged a march to Ettihadeya Presidential Palace against the law regulating protests;

O. whereas on 7 May a criminal court in the central Egyptian town of Beba sentenced land rights activist and author Karam Saber in absentia to five years in prison and a fine for contempt of religion in connection with his collection of stories on the poor farmers in Egypt,

P. whereas many other activists are in prison as Ahmad Maher, one of the founders of the 6 April youth movement is serving a three-year term or Mahienour El Masry, a human rights lawyer who helped a neighbourhood organise against forced evictions, who was recently given a two-year sentence.

Q. whereas 18-year old Irish citizen Ibrahim Halawa has been detained in an Egyptian jail without charge or trial since August of last year;

R. whereas hundreds of students have been arrested during protests and clashes, whereas in November 19-year-old student Mohamed Reda was shot dead at Cairo University by police inside the university grounds, whereas many other Egyptian students are being prosecuted, among them Sohaib Saad Mohamed, Khaled Mohamed Abdel Raouf, Shady Abdelhamid, Ahmed Abdelazim and Anas Mohamed El Belgagy; whereas among the thousands of arrested children are frequently detained together with adults and exposed to the same kind of detention and treatments,

S. whereas on 21 June 23 activists were arrested in Cairo as they protest calling for the revocation of the assembly law and the release of anyone convicted under it; whereas among those held is Yara Sallam a researcher of an Egyptian human rights organization; whereas they are accused of illegal assembly, possessing fireworks and damaging public property;

T. whereas while Article 64 of new Egyptian Constitution affirms that “freedom of belief is absolute”, Article 65 “guarantees every person the right to express his or her opinion verbally, in writing, through imagery, or by any other means of expression and publication”, Article 98 of the Egyptian Penal Code sets out the punishment of prison sentences of between 6 months

and 5 years for those convicted of “exploiting religion in spreading extreme ideas for the purposes of inciting strife, ridiculing or insulting (the Abrahamic faiths) or a sect following it, or damaging national unity”, whereas since 2011 there have been dozens of judicial prosecutions for blasphemy and showing contempt for religion and 27 defendants have been convicted on those charges;

1. Is deeply concerned about the general clampdown on democratic rights in Egypt as freedom of expression and of assembly; considers that no political groups should be excluded or banned on the bases of its principles, recalls that participation in peaceful protests or criticism of the Government should not be grounds for detention or prosecution;

2. Calls the Egyptian authorities to put an end to all acts of harassment, including at judicial level, against activists, journalists, political opposition, human rights defenders and trade unionists; urges them to release prisoners of conscience and to promptly release all the journalists and other media employees imprisoned for carrying out legitimate news reporting activities; as well as individuals in jail without charges such as Ibrahim Halawa;

3. Believes that the law regulating protests is leading to serious breaches of the right to freedom of peaceful assembly; calls Egypt to fulfil its international human rights obligations in this sense;

4. Expresses deep concern on the deliberate use of mass death sentences as an instrument for the arbitrary and politically motivated prosecutions by the State to clamp down on political dissent;

5. Reiterates its strong opposition against the use of the death penalty in all cases and under any circumstances and its call on the Egyptian authorities to introduce a moratorium on executions as a first step towards abolition of capital punishment;

6. Calls the Egyptian judiciary to conduct a review of the handling of these cases and to ensure the defendants' rights to a fair trial based on clear charges and proper and independent investigations, as well as the right of access and contact to lawyers and family members, in line with international standards;

7. Reiterates its condemnation of the military coup d'état and the brutal repression by the Egyptian army; deeply deplores the loss of lives, injuries and destruction in Cairo and other parts of Egypt; reiterates its opinion that the leaders and generals of the Egyptian army cannot offer a way forward to advance the rightful demands of the Egyptian people, as the army's leadership holds powerful economic positions within Egypt and represents different economic and political interests from those of the workers, the poor and young people who demand social justice and higher living standards;

8. Reiterates its support for the demands made by the Egyptian people for freedom, human dignity, social justice, democracy, respect for human rights, better living conditions and a secular state, and in particular for their demands for wage increases to match price increases, and for housing, health and job creation;

9. Insists that the future of Egypt must rest firmly in the hands of the Egyptian people, without any external interference; is opposed to any external interference, namely by the US, Israel or

Saudi Arabia; is convinced that neither the Egyptian military, the Muslim Brotherhood nor a return of elements from the former Mubarak regime can represent a step towards addressing the rightful aspirations of the Egyptian masses;

10. Calls for an independent and impartial committee of inquiry to be set up to investigate breaches of human rights committed during Mubarak's regime, Morsi's presidency and following the military coup d'état, including cases of extrajudicial execution and arbitrary arrest, and for those responsible to be identified and, where appropriate, brought to justice, with compensation offered to victims and their families; - arbitrary arrests, human right violations committed by security forces, including the arrest of media professionals and activists and their ill-treatment in detention;

11. Calls the EU Member States for a ban on export of security equipment and military aid to Egypt that could be used to suppress peaceful protest and dissent:

12. Reiterates its call to the Egyptian authorities to urgently re-open the Rafah border to alleviate the suffering of the Palestinian people that is being attacked by Israel and expresses deep concern about the situation of the Palestinian people in the Gaza Strip; condemns the on-going massacre by the Israeli army that has killed in the last days at least 172 Palestinians, among them at least 133 civilians, 36 children and 26 women;

13. Instructs its President to forward this resolution to the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the Parliamentary Assembly of the Union for the Mediterranean, the African Union and the Government and Parliament of Egypt.