



Plenary sitting

B8-0112/2018

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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 Executions in Egypt
(2018/2561(RSP))

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on behalf of the Verts/ALE Group

**European Parliament resolution on Executions in Egypt
(2018/2561(RSP))**

The European Parliament,

- having regard to its previous resolutions on Egypt, in particular of 9 March 2016, 15 December 2015 and 15 January 2015,
 - having regard to the EU Foreign Affairs Council conclusions on Egypt of August 2013 and February 2014,
 - having regard to the EU-Egypt Association Agreement,
 - having regard to the EU-Egypt Partnership Priorities 2017-2020, adopted on 16 June 2017 and to the Joint statement following the EU-Egypt Association Council of 25 July 2017,
 - having regard to the EU Guidelines on the Death Penalty, on Torture and Ill-treatment, Freedom of Expression and on Human Rights Defenders,
 - having regard to the statement by the Office of the UN High Commissioner for Human Rights on the execution of 15 Egyptian men on 5 January 2018,
 - having regard to the Constitution of Egypt, notably article 93 (the binding character of international human rights law),
 - having regard to the International Covenant on Civil and Political Rights and the UN Convention against Torture to which Egypt is a party,
 - having regard to Rule 135 of its Rules of Procedure,
- A. whereas 26 Egyptian civilians were executed between 26 December 2017 and 30 January 2018, a toll unprecedented in Egypt's recent history; whereas 22 of these individuals were civilians sentenced in military courts; whereas all recent executions were carried out without prior notification to the victims or their families; whereas 24 other Egyptians would be in danger of imminent execution, having exhausted all appeals processes;
- B. whereas all recent and imminent executions reportedly resulted from trials that failed to uphold fair trial and due process rights; whereas the UN Safeguards Guaranteeing Protection of the Rights of Those Facing the Death Penalty strictly prohibit the application of the death penalty following unfair trials;
- C. whereas since January 2014, at least 2,116 individuals have reportedly been sentenced to death in Egypt, including 186 persons in 2017; whereas 846 of these sentences were reportedly handed down without the defendant even appearing in court; whereas no death sentences were approved under former Presidents Mohamed Morsy and Adly

Mansour; whereas at least 81 executions have been carried out since 1 January 2014;

- D. whereas at least 38 individuals who were under the age of 18 at the time of their alleged offence have been tried alongside adult co-defendants on charges that carry the death penalty; whereas courts have recommended initial death sentences for at least seven such individuals; whereas this practice violates Article 111 of Egypt's Child Law, as well as the UN CRC;
- E. whereas the practice of military trials against civilians has drastically increased under the current leadership in place since the coup d'Etat of June 2013; whereas from October 2014 to September 2017, over 15,000 civilians were referred to military prosecutors, including dozens of children; whereas military courts have issued over 60 death sentences against civilians since July 2013;
- F. whereas Egyptian civil society organizations and United Nations monitors have repeatedly expressed their concern at the use of enforced disappearance, torture and military trials in cases that ended in death sentences, yet which manifestly did not meet fair trial standards; whereas the UN Committee against Torture stated in June 2017 that "torture is a systematic practice in Egypt";
- G. whereas, according to the Office of the UN High Commissioner for Human Rights, more than 160 UN member states, with a variety of legal systems, traditions, cultures and religious backgrounds, have either abolished the death penalty or do not practise it;
- H. whereas serious security challenges exist within Egypt, particularly in the Sinai; whereas a number of devastating terrorist attacks have occurred within the country, including the recent attack on a Sufi mosque that killed 305 civilians and injured at least 128 others;
- I. whereas the overall human rights situation in Egypt remains deeply problematic; whereas the crackdown on terrorism has also been used as justification by the Egyptian authorities to conduct a large-scale and relentless campaign of arbitrary detention, harassment, intimidation, enforced disappearance and censorship against government critics, including journalists, human rights defenders, lawyers and political opponents; whereas perpetrators enjoy a climate of near-total impunity;
- J. Whereas the EU is Egypt's first economic partner and its main source of foreign investment; whereas in line with its revised European Neighbourhood Policy after the so-called Arab Spring, the level and scope of the EU's engagement with Egypt is to be dependent on progress with regard to the country's respect of its commitments on democracy, rule of law and human rights; whereas on 21 August 2013 the Foreign Affairs Council (FAC) tasked the High Representative to review EU assistance to Egypt; whereas the Council decided that the EU's cooperation with Egypt would be readjusted according to developments on the ground;
- K. whereas the EU and Egypt adopted Partnership Priorities in June 2017 that aim to enhance cooperation in a wide-range of areas, including in the area of security, counter-terrorism and judiciary reform; whereas EU bilateral assistance to Egypt under the European Neighbourhood Instrument for 2017-20 is around EUR 500

million; whereas the total amount of ongoing EU aid commitments to Egypt channelled through the bilateral envelope amounts to €1.3 billion;

- L. Whereas the EU FAC conclusions of 21 August 2013 stated that, "Member States also agreed to suspend export licenses to Egypt of any equipment which might be used for internal repression and to reassess export licenses of equipment covered by Common Position 2008/944/CFSP and review their security assistance with Egypt"; whereas these conclusions were reiterated by the FAC in February 2014; whereas the HR/VP confirmed in a written reply dated 27 October 2015 that these conclusions constituted "a political commitment against any military support to Egypt"; whereas almost half the EU member states flout these conclusions by supplying such arms to Egypt;
1. Expresses its alarm at the recent executions in Egypt, following trials which manifestly flouted due process and fair trial guarantees; condemns the use of capital punishment and calls for a stay of all imminent executions;
 2. In line with its firm opposition to the cruel and inhumane practice of capital punishment, calls on the Egyptian authorities to introduce an immediate moratorium on the use of the death penalty as a step towards abolition; calls for a review of all death sentences to ensure that these trials adhered to international standards binding upon Egypt;
 3. Regrets that Egypt remains one of the very few countries worldwide that still allows death sentences of civilians in military trials; calls on Egyptian authorities to cease trying civilians in military courts; expresses its deep solidarity with the Egyptian people suffering from regular terrorist attacks; remains convinced that capital punishment does not constitute an effective means to combat the scourge of terrorism;
 4. Pays tribute to the Egyptian lawyers who continue to seek to uphold the right to a fair trial for their clients in Egyptian courts, in spite of threats, arrests, travel bans and other restrictions on the practice of their profession;
 5. Calls on the Egyptian government to issue an immediate and open invitation to the UN Special Rapporteurs on Torture, on Extrajudicial, Summary or Arbitrary Executions and on the Promotion and Protection of Human Rights while Countering Terrorism to conduct a country visit;
 6. Remains deeply concerned by the overall human rights situation in Egypt, notably the generalized crackdown against civil society organisations, the continued police and military brutality, the harassment, the mass arrests, systematic torture and abuse in places of detention and the sham criminal proceedings against hundreds of individuals, from all political backgrounds, solely as a response to their peaceful exercise of their fundamental freedoms or their expression of dissent; calls on the Egyptian authorities to strictly uphold the unequivocal constitutional guarantees in relation to these freedoms;
 7. Calls, once again, for the immediate and unconditional release of all persons detained and sentenced solely for exercising their right to freedom of expression and peaceful assembly, including human rights defenders Ibrahim Metwally Hegazy, Dr Ahmad Amasha and Ms Hanan Badr el-Din, as well as Nubian rights defenders Mohammed

Azmy and Maysara Abdoun;

8. Notes with further dismay the concerted efforts by the Egyptian authorities to prevent even a semblance of a competitive environment for the forthcoming presidential elections on 26-28 March; denounces the intimidation against and arrest of potential opposition candidates and their supporters; calls on the EU to strictly refrain from providing any form of legitimacy to this charade of a consultation;
9. Recalls its continued outrage at the savage torture and killing of Italian researcher Giulio Regini and denounces, once again, the lack of progress in the investigation into this brutal murder; stresses that it will continue to press the European authorities to engage with their Egyptian counterparts until truth is established on this case and the perpetrators are held accountable;
10. Is dismayed by the lack of reaction of the EU High Representative for Foreign Affairs to the recent executions, but also more broadly by the demure public response of the EU to the systematic crack-down on the entire Egyptian human rights community, which falls short of the EU's commitments, notably under the EU Guidelines on the Death Penalty and on Human Rights Defenders; expects the EU, notably the HR/VP and the EU Delegation in Cairo, to step up their public response to further executions, and to assaults against human rights defenders, including through a statement at the forthcoming session of the UN Human Rights Council;
11. Deplores the decision of the EU to adopt Partnership Priorities with Egypt in June 2017 given the blatant disregard of the regime to basic human rights, including the right to life and to a fair trial; calls on the EEAS and the EU Member States to cease their short-sighted and delusive approach to Egypt's leadership as a guarantor of stability and a partner to fight violent extremism and terrorism in the region; calls for a profound and comprehensive review of its relations with Egypt; in light of the grave and systemic shortcomings of the judiciary and its direct complicity in the current repression, calls for the immediate suspension of the EUR 10 million project of the Commission on legal and judicial development in Egypt;
12. Deplores the continued security cooperation and arms deals by EU Member States, notably France, Germany and the United Kingdom, with Egypt, which run counter to the EU Common Position on Arms exports; calls for an EU-wide ban on export of any form of security equipment and military aid to Egypt; urges EU Member States, notably France and Italy, to immediately suspend all licenses granted for the export of surveillance technology to Egypt;
13. 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, the President and Government of the Arab Republic of Egypt and the African Commission on Human Rights and Peoples' Rights.