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*Plenary sitting*

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**B9-0141/2019**

22.10.2019

## **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 144 of the Rules of Procedure

on Egypt  
(2019/2880(RSP))

**Petras Auštrevičius, Atidzhe Alieva-Veli, Malik Azmani, Phil Bennion, Izaskun Bilbao Barandica, Sylvie Brunet, Olivier Chastel, Anna Júlia Donáth, Laurence Farreng, Valter Flego, Luis Garicano, Barbara Ann Gibson, Klemen Grošelj, Christophe Grudler, Bernard Guetta, Svenja Hahn, Martin Hojsík, Karin Karlsbro, Elsi Katainen, Ilhan Kyuchyuk, Nathalie Loiseau, Karen Melchior, Jan-Christoph Oetjen, Urmas Paet, Maite Pagazaurtundúa, Frédérique Ries, María Soraya Rodríguez Ramos, Susana Solís Pérez, Viktor Uspaskich, Hilde Vautmans, Marie-Pierre Vedrenne**  
on behalf of the Renew Group

**B9-0141/2019**

**European Parliament resolution on Egypt  
(2019/2880(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Egypt, in particular that of 13 December 2018 on the situation of human rights defenders,
  - 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 of 2001, which entered into force in 2004, strengthened by the Action Plan of 2007; having regard also to the EU-Egypt Partnership Priorities 2017-2020, adopted on 25 July 2017, to the joint statement issued following the 2017 EU-Egypt Association Council, and to the joint statement on the 6th meeting of the EU-Egypt Subcommittee on Political Matters, Human Rights & Democracy in June 2019,
  - having regard to the Constitution of Egypt,
  - having regard the statement by UN High Commissioner for Human Rights Michelle Bachelet on the protests in Egypt of 27 September 2019,
  - having regard to the African Principles and Guidelines on the Right to a Fair Trial and Legal Assistance, which prohibit military trials of civilians under all circumstances,
  - having regard to the new EU Strategic Framework and Action Plan on Human Rights, which aims to place the protection and surveillance of human rights at the heart of all EU policies,
  - having regard to the EU Guidelines on the Death Penalty, on Torture, on Freedom of Expression and on Human Rights Defenders,
  - having regard to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child, and the Arab Charter on Human Rights, which have been ratified by Egypt,
  - having regard to the International Covenant on Civil and Political Rights (ICCPR), to which Egypt is party,
  - having regard to Rules 144 of its Rules of Procedure,
- A. whereas in the past weeks, the Egyptian authorities have carried out the most brutal crackdown in the last 5 years, arbitrarily arresting over 4,000 people (of which almost 300 are still in pretrial detention) including at least 114 women—and at least 111 minors according to Amnesty International and Belady Association—in response to peaceful demonstrations that started on 20

September 2019; whereas reportedly excessive force was used by police and security services to disperse demonstrators including beating, tear gas and rubber bullets;

- B. whereas this is part of a larger crackdown on civil society and fundamental democratic rights in Egypt, notably on freedoms of expression both online and offline, of association and assembly, political pluralism and the rule of law;
- C. whereas the Egyptian authorities have cracked down on peaceful democratic opposition parties in Egypt in 2019 in violation of rights to participate in public affairs and to freedom of expression by the arbitrary detention of dozens of citizens in the “Hope Case”, including human rights defenders Zyed el-Eleimy, Hosssam Moanis and Ramy Shaath, and the arrest of dozens of other members of peaceful political parties since Sept, 2019;
- D. whereas human rights lawyers, journalists, activists and members of the opposition have been jailed under grave charges including terrorist related ones, “joining an illegal organisation”, “demonstration without a permit,” and “spreading false news”; whereas peaceful dissenters, pro-democracy activists and human rights defenders are put at risk as they are labelled as terrorist; whereas these arrest are solely motivated by their peaceful and legitimate work in defence of human rights;
- E. whereas enforced disappearances of human rights defenders is becoming a systematic practice of the Egyptian authorities, before most re-appear in the hands of the State Prosecution such as Alaa Abdel-Fattah, Asmaa Daabes, Esraa Abdel Fattah, Eman Al-Helw, Mohamed Ibrahim, Abdelrahman Tarek, Ezzat Ghoneim, Haytham Mohamadeen, Ibrahim Metwally Hegazy; whereas some have still not re-appeared including Ibrahim Ezz El-Din;
- F. whereas pre-trial preventive detention and precautionary measures are being excessively used in order to prevent human rights defenders and their lawyers such as Mahienour El-Masry, Mohamed El-Baqer, Esraa Abdel Fattah, Mohamed Ramadan to carry out their legitimate human rights work in Egypt;
- G. whereas there are serious reports of systematic use of torture and ill treatment, as well as deprivation of food, medicine, and medical care, including urgently needed cancer treatment and psychiatric medications while the detainees are in custody; whereas many detainees are banned to family and lawyer visits;
- H. whereas no serious investigations have been launched into the many recent torture reports and allegations, including against recently arrested human rights defenders, and due process for victims of torture is still absent, even in cases which led to death such as that of Giulio Regeni;
- I. whereas international organisations have documented the blocking of news media websites including BBC and Al-Horra TV, and the blocking or restriction of access to online messaging applications, in particular during the last weeks; whereas, respect for civil liberties – including freedom of expression and media freedom - is an essential part of the foundations of a democratic society, and journalists should be free to exercise their profession without fear of prosecution or imprisonment;

- J. whereas Egypt's 2019 NGO Law threatens to restrict civil society significantly; whereas the law cancels jail sanctions and goes away with the security-heavy agency previously designated to approve and monitor foreign funding, it furthers problematic restrictions on the right to freedom of association as it conceives of a narrow role for civil society, relegating it to the field of development, significantly constrains the activities of both domestic and foreign NGOs, particularly under the pretence of national security and it empowers authorities with expansive monitoring authority and broad discretion to regulate and dissolve NGOs;
- K. whereas grave violations of the right to life continue in Egypt through the judiciary, which has issued and implemented an unprecedentedly high number of death sentences against many individuals—even sentencing children—including following military and mass trials that lacked the minimum guarantees for fair trials;
- L. whereas accountability remains almost entirely absent for serious human rights violations, and there is no proper investigation of corruption allegations against the military;
- M. whereas there has been an ongoing state of emergency in Egypt, in place since April 2017 and extended for three months from 25 July 2019 onwards; whereas according to state media the state of emergency was introduced to help tackle the “dangers and funding of terrorism”; whereas the President and those acting on his behalf are granted the power to refer civilians to State Security Emergency Courts for the duration of the three-month period;
- N. whereas Egypt's Universal Periodic Review (UPR) process before the UN Human Rights Council, beginning in November 2019 brings a unique opportunity for the international community to scrutinise Egypt's human rights record and put forward recommendations for improvement; whereas full, free and genuine participation by Egypt's independent human rights NGOs and defenders based in-country must be essential to this process; whereas its legitimacy, credibility and effectiveness would otherwise be seriously undermined;
- O. whereas many human rights activists are subject to repressive measures, some in reprisal for participating in Egypt's 2014 Universal Periodic Review (UPR); whereas 10 human rights defenders and 7 NGOs named in the case 173/2011 (the “Foreign Funding Case”) have suffered asphyxiating asset freezes; whereas travel bans remain imposed on at least 31 defenders and staff of independent Egyptian human rights NGOs within the case 173/2011, though 43 staff of foreign civil society organisations convicted in 2013 in the same case, have since been acquitted;
- P. whereas companies based in several EU Member States have continued to export surveillance technology to Egypt facilitating hacking and malware as well as other forms of attacks on human rights defenders and civil society activists on social media; whereas this activity has led to the repression of freedom of expression online;
- Q. Whereas Egypt has gone through several difficult developments since the 2011 revolution and the international community is supporting the country in addressing its economic, political and security challenges; whereas the EU should pursue its cooperation with Egypt in the fight against terrorism; whereas serious security challenges exist within Egypt, particularly in Sinai, where terrorist groups have staged attacks on security forces; whereas a number of devastating terrorist attacks have occurred within Egypt notably against Coptes;

- R. whereas no official, strong and united public response has been forthcoming from the EU and its Member States to the September-October 2019 crackdown in Egypt; whereas the 2017-2020 EU-Egypt Partnership Priorities adopted in July 2017 are guided by a shared commitment to the universal values of democracy, the rule of law and respect for human rights, and constitute a renewed framework for political engagement and enhanced cooperation, including on security, judicial reform and counter-terrorism, on a basis of due respect for human rights and fundamental freedoms; whereas European efforts to engage Egypt to address the severest aspects of human rights violations have not yielded perceptible results;
- S. whereas the EU is Egypt's first economic partner and its main source of foreign investment; whereas EU bilateral assistance to Egypt under the European Neighbourhood Instrument for 2017-2020 amounts to around EUR 500 million; whereas on 21 August 2013 the Foreign Affairs Council tasked the High Representative to review EU assistance to Egypt; whereas the Council decided that the EU's cooperation with Egypt would be readjusted in accordance with developments on the ground;
- T. whereas the EU Foreign Affairs Council 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 the Foreign Affairs Council has to date failed to issue an implementing act following the decision and the persistent non-compliance of EU Member States with these commitments;
1. Strongly condemns the new crackdown and the continuous restrictions on fundamental democratic rights, notably freedom of expression both online and offline, association and assembly, political pluralism and the rule of law in Egypt; condemns the excessive use of violence against protesters and reminds Egypt that any response by the security forces should be in line with international norms and standards regarding the rights to freedom of expression and peaceful assembly as well as fair trial;
  2. Calls for an end to all acts of violence, incitement, hate speech, harassment, intimidation, enforced disappearances and censorship directed at human rights defenders, lawyers, protesters, journalists, bloggers, trade unionists, students, children, women's rights activists, LGBTI people, civil society organisations, political opponents and minorities, by state authorities, security forces and services and other groups in Egypt; calls an independent and transparent investigation into all human rights violations and for those responsible to be held to account; calls on the Egyptian authorities to uphold the rights of children
  3. Calls on the Egyptian government to immediately and unconditionally release all those ones detained for exercising their right to freedom of association, expression, and peaceful assembly, and the right to democratic participation in public affairs by joining a peaceful opposition party, or planning to stand for election, including those who participated in September demonstrations, those in pretrial detention within the "Hope Plan" case, and members of the Bread and Freedom Party, El Dostour party and the Egyptian Social Democratic Party; pending their release, calls on Egypt to disclose their location, to allow them full access to their families, lawyers of their choice and adequate medical care, and to conduct credible investigations into any ill-treatment or torture allegations;

4. Urges the Egyptian authorities to remove the block on more than 513 websites, including those of local and international news organisations and human rights organisations and to amend or abolish the Media laws (numbers 178, 179 and 180 of 2018) and the Cybercrime law (number 175 of 2019) in accordance with the guarantees of freedom of expression and freedom of the press in Egypt's Constitution and international human rights commitments;
5. Expresses grave concern at the reprisals against persons who cooperate or seek to cooperate with international rights organisations or the United Nations human rights bodies; calls on the Egyptian authorities to close case 173/2011 ( the “Foreign Funding Case”) and lift all travel bans imposed on at least 31 human rights defenders and staff of human rights NGOs within the case—as well as all other arbitrarily-imposed travel bans—and allow Egyptian human rights defenders based inside Egypt to travel to participate in person in Egypt’s Universal Periodic Review beginning 13 November 2019 before the UNHRC;
6. Encourages the Egyptian government to issue an open invitation to the relevant UN Special Rapporteurs to visit the country;
7. Calls on the authorities to repeal Article 50 of the counterterrorism law, which is the legal basis for the establishment of special terrorism circuits in the criminal court system, as well as Law 136 of 2014 on the protection of public facilities, which allows for the military trial of civilians for a vast range of offences; stresses the need to refer all civilian cases still pending before these tribunals to the competent civil court, and retry any civilians convicted by military courts, in the competent civil court;
8. Urges the Egyptian authorities to enact an immediate moratorium on executions with a view to abolishing the use of the death penalty in Egypt; calls on the President Abdelfattah Al-Sisi to use his legal powers under Article 470 of the Code of Criminal Procedure to commute death sentences; reiterates its call on Egypt to sign and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights aimed at the abolition of the death penalty;
9. Supports the aspirations of the majority of Egyptian people who want to establish a free, stable, prosperous, inclusive, and democratic country which respects its national and international commitments on human rights and fundamental freedoms; reminds that the respect for peaceful expression of opinion and of criticism is important;
10. Sends its most sincere condolences to the families of victims of terrorism; stands in solidarity with the Egyptian people and reaffirms its commitment in fighting the spread of radical ideologies and terrorist groups;
11. Calls on the VP/HR and Members States to respond in a unified and resolute manner to the current crackdown and human rights violations in Egypt; reminds the need to use all means of influence at their disposal to pressure Egypt to improve its human rights situation, stop imminent executions, call for the prompt release of those in detention and encourage the Egyptian authorities to respect their commitments to international norms and laws;
12. Calls on the VP/HR and the Commission to review provided support and its structure to Egypt.

13. Strongly urges for the respect of the commitments made in the 2017-2020 EU-Egypt Partnership Priorities and their full and proper implementation; in view of the negotiation of the new partnership priorities, calls on the EU to establish clear benchmarks making further cooperation with Egypt conditional to progress in reform of democratic institutions, the rule of law and human rights, and to mainstream human rights concerns in all talks with Egyptian authorities; reiterates that human rights should not be undermined by migration management or counter-terrorism actions;
14. Recall its call to urge the HR/VP to articulate clear consequences Egypt's government will face should it fail to revert its abusive trend, such as targeted sanctions against individuals responsible for human rights violations;
15. Reiterates its calls on the EU Member States to halt exports of surveillance technology and security equipment to Egypt that can facilitate attacks on human rights defenders and civil society activists, including on social media; calls on the EU to implement in full its export controls vis-à-vis Egypt, with regard to goods that could be used for torture or capital punishment;
16. Instructs its President to forward this resolution to the Council, the Commission, the VP/HR of the Union for Foreign Affairs and Security Policy, the parliaments and governments of the Member States, and to the Egyptian government and parliament.