

P7_TA-PROV(2014)0100

Situation in Egypt

European Parliament resolution of 6 February 2014 on the situation in Egypt (2014/2532(RSP))

The European Parliament,

- having regard to its previous resolutions on Egypt, in particular that of 12 September 2013 on the situation in Egypt¹,
- having regard to its resolution of 23 October 2013 on ‘the European Neighbourhood Policy: towards a strengthening of the partnership. Position of the European Parliament on the 2012 reports’²,
- having regard to its resolution of 23 May 2013 on asset recovery by Arab Spring countries in transition³,
- having regard to the statements by Vice-President / High Representative Catherine Ashton of 24 January 2014 on the recent violent attacks in Egypt, of 19 January 2014 on the constitutional referendum in Egypt, of 11 January 2014 on the situation in Egypt ahead of the constitutional referendum, of 24 December 2013 on the car bombs in Mansoura, Egypt, and of 23 December 2013 on the sentencing of political activists in Egypt,
- having regard to the European Council conclusions of 8 February 2013 on the Arab Spring,
- having regard to the Foreign Affairs Council conclusions of 22 July and 21 August 2013 on Egypt,
- 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 Universal Declaration of Human Rights of 1948,
- having regard to the International Covenant on Civil and Political Rights of 1966, to which Egypt is a party,
- having regard to the Constitutional Declaration issued in Egypt on 8 July 2013, proposing a roadmap for constitutional amendments and new elections,
- 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 the Egyptian interim Government’s ‘Programme to Sustain the Path to Democracy’,

¹ Texts adopted, P7_TA(2013)0379.

² Texts adopted, P7_TA(2013)0446.

³ Texts adopted, P7_TA(2013)0224.

- having regard to Egyptian Law 107 on the Right to Public Meetings, Processions and Peaceful Demonstrations of 24 November 2013,
 - having regard to Rule 110(2) and (4) of its Rules of Procedure,
- A. whereas on 1 December 2013 interim President Adly Mansour approved the new Egyptian constitution agreed by the Constitutional Committee, composed of 50 experts, including a wide range of political and religious representatives but with no representative of the Muslim Brotherhood;
- B. whereas on 14 and 15 January 2014 the referendum on the constitution took place, with a 38,6 % turnout and 98,1 % support for the constitution; whereas the run-up to the referendum was marred by acts of violence and the harassment and arrest of activists campaigning for a ‘no’ vote, which led to a one-sided public debate ahead of the referendum; whereas according to a statement by Vice-President / High Representative Catherine Ashton ‘while the EU is not in a position to make a thorough assessment of the conduct of the referendum or verify alleged irregularities, these do not appear to have fundamentally affected the outcome’;
- C. whereas the new constitution of Egypt has many positive elements, in the fields of fundamental freedoms and human rights, the protection of minorities, and women’s rights in particular, but also includes articles that exempt the armed forces from civilian oversight and their budget from parliamentary scrutiny, and allow military judges to try civilians, while another article restricts the freedom of practising religious rituals and establishing places of worship to the followers of the Abrahamic religions;
- D. whereas political tensions and the deep polarisation of society continue to provoke terrorist attacks and violent clashes in Egypt; whereas since July 2013 more than a thousand people have lost their lives and many more have been injured in clashes between protesters and security forces and between opponents and supporters of former President Morsi; whereas the security forces have reportedly been using excessive force against protesters and thousands have been arrested and detained, while the practice of impunity continues to prevail; whereas on 12 November 2013 the state of emergency was lifted in the country;
- E. whereas the constitutional declaration of 8 July 2013 defined a political roadmap for Egypt; whereas, contrary to the roadmap, Egyptian interim President Adly Mansour has since called for presidential elections to take place first; whereas the programme of the interim government affirmed its commitment to working towards building a democratic system which guarantees the rights and freedoms of all Egyptians, and to completing this roadmap with the full participation of all political players and a referendum on the new constitution, to be followed by free and fair parliamentary and presidential elections to be held in due time in accordance with all legislative rules;
- F. whereas violations of fundamental freedoms and human rights remain widespread in Egypt; whereas violence, incitement and harassment against political opponents, journalists and civil society activists further increased in the run-up to the referendum; whereas many political and civil society activists, including Alaa Abdel Fattah, Mohamed Abdel from the Egyptian Centre for Economic and Social Rights, and Ahmed Maher and Ahmed Douma, leaders of the April 6 movement, as well as members of various political parties, were arrested and convicted over the past weeks; whereas on 12 January 2014 the Egyptian National Council for Human Rights released a report after having visited the

aforementioned prominent activists in Tora prison, criticising their conditions of detention and calling for an end to their mistreatment; whereas the Committee for the Protection of Journalists has reported that since July 2013 at least five journalists have been killed and 45 assaulted, 11 news outlets have been raided, and at least 44 journalists have been detained without charge under lengthy pre-trial procedures; whereas on 29 January 2014, 20 Al-Jazeera journalists, of whom eight are now in detention and three are Europeans, were charged with belonging to a 'terrorist organisation' or 'spreading false news';

- G. whereas the Muslim Brotherhood has repeatedly refused to participate in the political process announced by the interim government and called for a boycott of the referendum, while several of its leaders continue inciting to violence against state authorities and security forces; whereas the Egyptian interim authorities have banned the Muslim Brotherhood, imprisoned its leaders, seized its assets, silenced its media, and criminalised its membership, while the movement's Freedom and Justice Party continues to exist; whereas former President Morsi has been detained since 3 July 2013 and faces multiple criminal charges;
- H. whereas 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;
- I. whereas tensions between jihadists and Coptic Christians have increased in Egypt since the removal from power of President Morsi last summer and have led to the destruction of scores of Coptic Christian churches; whereas 2013 in Egypt saw the highest number of incidents involving Christians in the world, with at least 167 cases reported in the media; whereas there were nearly 500 attempts to close or destroy churches in the country and at least 83 cases of religiously motivated killings of Christians;
- J. whereas the security situation has further deteriorated and acts of terrorism and violent attacks against security forces have further intensified in Sinai; whereas, according to official data, at least 95 security personnel have died in violent attacks since 30 June 2013;
- K. whereas thousands of people, mainly refugees from Eritrea and Somalia, including many women and children, are losing their lives, are disappearing, or are being kidnapped and held hostage for ransom, tortured, sexually exploited or killed for organ trade by human traffickers in this area;
- L. 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 weeks;
- M. whereas Egypt's economy is in great difficulty; whereas since 2011 the unemployment rate has risen and poverty rates worsened; whereas economic prosperity in the country requires political stability, sound economic policies, action to fight corruption, and international

support; whereas political, economic and social developments in Egypt have significant implications for the whole region and beyond;

- N. 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 is incentive-based and therefore dependent on progress with regard to the country’s respecting its commitments, including those on democracy, the rule of law, human rights and gender equality;
1. Expresses again its strong solidarity with the Egyptian people and continues to support their legitimate democratic aspirations and efforts to secure a peaceful democratic transition towards political, economic and social reforms;
 2. Strongly condemns all acts of violence, terrorism, incitement, harassment, hate speech and censorship; urges all political actors and security forces to show the utmost restraint and avoid provocation, with the aim of avoiding further violence in the best interests of the country; extends its sincere condolences to the families of the victims;
 3. 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 protect the freedoms of association, of peaceful assembly, of expression and of the press, to commit to dialogue and non-violence, and to respect and fulfil the country’s international obligations;
 4. Takes note of the new Constitution of Egypt, approved by the referendum held on 14 and 15 January 2014, which should be an important step forward in the country’s troubled transition to democracy; welcomes the new Egyptian constitution’s reference to a civilian government, freedom of belief and the equality of all citizens, including the improvement of women’s rights, the provision on children’s rights, the ban on torture in all its forms and manifestations, the prohibition and criminalisation of all forms of slavery and the commitment to abide by international human rights treaties signed by Egypt; calls 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 it;
 5. Expresses, however, its concern over certain articles in the new Constitution, with special regard to those related to the status of the armed forces, including the following: Article 202, which declares that the Minister of Defence, who is also the Commander-in-Chief, shall be appointed from among the armed forces’ officers; Article 203 on the budget of the armed forces; Article 204 allowing the trial of civilians by military judges in case of crimes of direct assaults against military installations, military zones, military equipment, military documents and secrets, public funds of the armed forces, military factories, and military personnel, as well as in case of crimes pertaining to military service; and Article 234 declaring that the Minister of Defence shall be appointed upon the approval of the Supreme Council of the Armed Forces, which provision shall remain in force for two full presidential terms, with no indication on how and by whom the minister can be removed from office;
 6. Underlines the fact that the constitutional referendum constituted an opportunity to build national consensus, reconciliation and institutional and political stability for the country; takes note of the overwhelming majority support for the new constitution, the relatively low

turnout and the reports of alleged irregularities during the vote; strongly regrets the violent clashes before, during and after the referendum, which lead to deaths and injuries;

7. Condemns all acts of violence and intimidation, and calls on all actors and the security forces to show restraint, with the aim of preventing further loss of life or injury and in the best interests of the country; urges the Egyptian interim government to ensure that there are prompt, independent, serious and impartial investigations in all such cases and that those responsible are held accountable; reminds the interim government of its responsibility to ensure the security of all Egyptian citizens, regardless of their political views or religious affiliation, as well as the non-partisan accountability of those responsible for violence, incitement to violence, or human rights violations;
8. Stresses again that reconciliation and a civilian-led inclusive political process, with the participation of all democratic political actors, are crucial elements of the democratic transition in Egypt, and that holding free and fair parliamentary and presidential elections within the timeframe defined by the new Constitution – leading to adequate representation of different political views and of women and minority communities – is another crucial step in this process; encourages all political and social actors, including the supporters of former President Morsi, to avoid any act of violence, incitement to violence, or provocation, and to contribute to reconciliation efforts; calls for the release of all political detainees held for peacefully exercising their right to freedom of assembly, association and expression; stresses the importance of free and fair trials for all those detained; suggests reforming the judicial authority law to ensure a genuine separation of powers;
9. Calls for an immediate end to all acts of violence, harassment or intimidation – by state authorities, security forces or other groups – against political opponents, peaceful protesters, trade union representatives, journalists, 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; calls again on the interim government to guarantee that domestic and international civil society organisations, independent trade unions and journalists can operate freely, without government interference, in the country;
10. Is concerned 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 abide by international standards and obligations;
11. Condemns the recent terrorist attacks against security forces in Egypt; is deeply concerned about the further deterioration of the security situation in Sinai, and calls for intensified efforts by the Egyptian interim government and security forces to restore security, in particular by fighting human traffickers, in this area; recalls, in this context, that Article 89 of the new Constitution declares that all forms of slavery, oppression, forced exploitation of human beings, sex trade, and other forms of human trafficking are prohibited and criminalised by law in Egypt;
12. Strongly condemns the violence against the Coptic community and the destruction of a large number of churches, community centres and businesses throughout the country; expresses concern that the authorities failed to take adequate security measures to protect the Coptic community in spite of many warnings;

13. Requests that the Council place Ansar Bayt al-Maqdis, the group which claimed responsibility for several recent attacks and bombings in the Sinai as well as in Cairo and elsewhere, on its list of designated terrorist organisations;
14. Calls on the Egyptian interim authorities to develop, adopt and implement legislation to combat all forms of gender-based violence, including marital rape and sexual violence against women participating in protests and demonstrations; calls, furthermore, on the Egyptian interim authorities to ensure effective and accessible reporting channels and protection measures that are sensitive to victims' needs and confidentiality; urges for an end to be put to impunity and for appropriate criminal sanctions against perpetrators to be ensured;
15. Welcomes the willingness that has been announced on the part of the Egyptian interim Government, following the recommendation by the Egyptian National Council for Human Rights, to open a regional office of the UN High Commissioner for Human Rights in Cairo, and urges the Egyptian interim Government to do the necessary to speed up the opening of this office;
16. Welcomes and supports the efforts of Vice-President / High Representative Catherine Ashton and Special Representative Bernardino León to mediate between the parties with the aim of brokering a way out of the current political crisis; urges again the Council, the VP/HR and the Commission to take into consideration both 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;
17. Calls on Vice-President / High Representative Catherine Ashton to make public the report of the EU Expert Electoral Mission that monitored the constitutional referendum in Egypt on 14 and 15 January 2014;
18. Invites the Egyptian Government to request the deployment of an EU Election Observation Mission to monitor the upcoming presidential elections;
19. Stresses again that facilitating the return of assets stolen by former dictators and their regimes is a moral imperative for the EU and is a highly political issue, by reason of its symbolic value, in the Union's relations with its southern neighbourhood;
20. 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 interim government of the Arab Republic of Egypt.