|  |  |
| --- | --- |
| European Parliament  2014-2019 |  |

Plenary sitting

<NoDocSe>B8‑0568/2018</NoDocSe>

<Date>{11/12/2018}11.12.2018</Date>

<TitreType>MOTION FOR A RESOLUTION</TitreType>

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

<TitreRecueil>pursuant to Rule 135 of the Rules of Procedure</TitreRecueil>

<Titre>on Egypt, notably the situation of human rights defenders</Titre>

<DocRef>(2018/2968(RSP))</DocRef>

<RepeatBlock-By><Depute>Jordi Solé, Ana Miranda, Margrete Auken, Jakop Dalunde, Bodil Valero, Barbara Lochbihler</Depute>

<Commission>{Verts/ALE}on behalf of the Verts/ALE Group</Commission>

</RepeatBlock-By>

B8‑0568/2018

European Parliament resolution on Egypt, notably the situation of human rights defenders

(2018/2968(RSP))

*The European Parliament*,

* having regard to its previous resolutions on Egypt, in particular of 8 February 2018,
* 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 Constitution of Egypt, notably article 93 on 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,

1. Whereas throughout 2018, the Egyptian authorities have intensified their crackdown on Egyptian civil society, with continuous and widespread cases of politically-motivated prosecution, arbitrary detention and harassment of human rights defenders, journalists, lawyers, and political opposition activists;
2. Whereas many human rights defenders have been subjected to enforced disappearance before reappearing after having being charged, while others remain disappeared; whereas human rights lawyer Ezzat Ghoneim, head of the Egyptian Commission for Rights and Freedoms (ECRF), has been in pretrial detention since March 2018, charged with “human rights terrorism”; whereas his whereabouts remain unknown since a court ordered his release on 4th September 2018; whereas human rights lawyer Ibrahim Metwally Hegazy, co-founder of the League of Families of the Disappeared, was subjected to enforced disappearance and tortured, then ordered into arbitrary preventive detention and remains in solitary confinement;
3. Whereas since late October 2018, at least 40 human rights workers, lawyers, and political activists were arrested, and some forcibly disappeared; whereas those arrested included many who provided humanitarian and legal support to families of political detainees;
4. Whereas the United Nations Committee against Torture reported in June 2017 that torture by security forces is “a systematic practice in Egypt”; whereas Egyptian NGOs and activists documenting and denouncing torture, enforced disappearances and capital punishment have been particularly targeted through repressive measures, such as the closure of the El Nadeem Centre in 2017;
5. Whereas the ECRF reported the enforced disappearance of at least 1,520 people by State Security forces in Egypt between July 2013 and August 2018; whereas according to Amnesty International, victims often face torture and ill-treatment during their enforced disappearance;
6. Whereas Reporters Without Borders documented at least 38 media workers currently in detention in Egypt for their work, on the basis of politically-based prosecution and multiple due process violations; whereas foreign media workers are also targeted, with several international media correspondents deported or denied entry into Egypt; whereas photojournalist Mahmoud “Shawkan” Abu Zeid was sentenced to five years for his legitimate professional activities and is still serving an additional 6 months sentence for non-payment of a substantial fine;
7. Whereas the NGO Law severely restricts the independent work of civil society in Egypt and threatens the very existence of a human rights community in Egypt, as highlighted by the former UN High Commissioner for Human Rights; whereas President al-Sisi recently recognized that the NGO law was drafted in a spirit of mistrust and suspicion against independent civil society organizations; whereas he tasked Parliament with reviewing the law;
8. Whereas international and Egyptian NGOs and human rights defenders have been subject to persistent judicial harassment through case 173/2011, also known as the foreign funding case; whereas 43 foreign and local NGO workers were sentenced to one to five years suspended prison terms in 2013, whereas the Prosecution reopened the case in 2016 by summoning and interrogating Egyptian NGO workers and human rights defenders, issuing at least 30 travel bans and 17 asset freezes, notably causing the closure of Nazra for Feminist Studies last March;
9. Whereas women human rights defenders in Egypt continue to face various forms of state-led harassment, notably in the form of defamatory campaigns and judicial prosecution; whereas activists defending the rights of LGBTQI people and women face continuous repression, including under the guise of the preservation of “public morals”;
10. Whereas woman human rights defender [Amal Fathy](https://euromedrights.org/human-rights-behind-bars-in-egypt/?profile=amal-fathi#defenders) was handed a two-year prison sentence in September 2018 for spreading false news with intent to harm the Egyptian state and public indecency for publishing a video on social media criticising the government’s failure to combat sexual violence; whereas Ms Fathy is held in pre-trial detention pending investigation in a second case on national-security related accusations;
11. whereas labour rights defenders and trade unionists face intimidation, judicial harassment and arbitrary detention, notably in military-owned companies; whereas labour rights defenders are reported to face intimidation from the Egyptian Trade Union Federation;
12. Whereas under the rule of President el-Sisi, Egyptian courts have recommended at least 2,443 preliminary death sentences--including for at least 12 children--and confirmed at least 1,451 death sentences; whereas at least 926 confirmed death sentences occurred in mass trials of 15 or more people simultaneously; whereas during the same period, Egypt has carried out at least 144 executions; whereas the death penalty, particularly in mass trials, has frequently been applied against persons exercising their fundamental rights, including the right to assembly;
13. Whereas Egypt’s 2015 Counter-terrorism Law uses a broad definition of terrorism that includes ‘infringing the public order, endangering the safety, interests, or security of society, obstructing provisions of the constitution and law, or harming national unity, social peace, or national security’, putting peaceful dissenters, pro-democracy activists and human rights defenders, at risk of being labelled a terrorist and being sentenced to death;
14. Whereas military operations are ongoing in North Sinai since late 2013, and the government has reportedly conducted mass demolitions and forced evictions of tens of thousands of residents and prevented independent reporting, imposing a near-absolute media blackout and restrictions on the movement in and out of Sinai;
15. Whereas the Egyptian authorities have failed to identify and bring to justice the perpetrators of the murder of Italian researcher Giulio Regini in February 2016; whereas lawyers supporting the family of Regini have faced harassment; whereas the Italian prosecutors have included five officials of the Egyptian security apparatus as suspects for the kidnapping, torture and killing of Mr Regini; whereas the Italian Parliament has suspended its cooperation with the Egyptian Parliament in relation to the lack of progress on the investigation of the case;
16. 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;
17. 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;
18. 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;
19. Expresses its profound concern at the human rights situation in Egypt, notably the generalized and relentless crackdown on civil society organisations, human rights defenders, lawyers, trade unionists and media workers;
20. Denounces the continued police and military brutality, the harassment, the enforced disappearance, the mass arrests, systematic torture and abuse in places of detention and the sham criminal proceedings against hundreds of individuals, 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;
21. Expresses grave concern at the judicial harassment and smear campaigns against women rights defenders and their organizations;
22. Calls, once again, on Egyptian authorities to end their crackdown on independent civil society and to immediately and unconditionally release all persons detained or sentenced solely for exercising their right to freedom of expression and peaceful assembly, including human rights defenders Ahmad Amasha, Hanan Badr el-Din, Amal Fathy, Ezzat Ghoneim, Ibrahim Metwally Hegazy,and media workers Mahmoud “Shawkan” Abu Zeid, Hisham Gaafar, Mohammed “Oxygen” Ibraim, Ismail Iskandarani, Adel Sabri and Ahmed Tarek Ibrahim Ziada.
23. Calls for the repeal of the liberticidal NGO law and its replacement by a new legislative framework, drafted in genuine consultation with civil society organizations, that conforms with the Egyptian Constitution and international standards and that nurtures rather than stifles the peaceful expression of civil society; also, calls on the Egyptian authorities to review the deeply restrictive bills on Media Regulation and Cybercrime of July 2018 and on Trade Unions of December 2017;
24. Calls on the Egyptian authorities to close definitely the “foreign funding case”, to drop all related charges and to withdraw all associated pre-trial measures, such as travel bans, asset freezes and tax investigations;
25. 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 by the Egyptian authorities; calls for the suspension of all its institutional ties with the Egyptian parliament, pending tangible progress on this case; 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;
26. Is dismayed by the demure public response of the EU, notably the EU High Representative for Foreign Affairs Frederica Mogherini and the EU Delegation in Cairo, to the systematic crack-down on the entire Egyptian human rights community, which falls short of the EU’s commitments, including under the EU Guidelines on Human Rights Defenders; expects the EU to step up its public response;
27. Calls on the EU High Representative to identify a list of individuals with direct responsibility in the current crackdown on human rights defenders and in the lack of progress on the case of Giulio Regini, and to seek the adoption of EU targeted measures against them;
28. Expects the EU to prioritise the situation of human rights defenders in Egypt during the forthcoming EU-Egypt Association Council and to report back to Parliament on the outcome of its discussions, including on the individual cases raised in this resolution; also expects the EU side to raise the continued refusal of the Egyptian authorities to authorize a visit of the Subcommittee on Human Rights of the European Parliament to Egypt; calls also on the EU to issue a firm statement at next session of the UN Human Rights Council;
29. 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; 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, including of its assistance programmes which should exclude the disbursement of direct budget support funds and be restricted to supporting civil society;
30. Stresses the importance to ensure that any arrangement between the EU and Egypt on migration must strictly comply with international human rights standards and ensure adequate levels of transparency and accountability;
31. 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 on the VP/HR to report on the current state of military and security cooperation by Member States with Egypt; calls for an EU-wide ban on export of any form of military and surveillance technology and equipment supplies to Egypt;
32. Expresses its continued alarm at the practice of the death penalty in Egypt, including death sentences handed out in the context of mass trials and executions following trials which manifestly flouted due process and fair trial guarantees; calls on the Egyptian authorities to introduce an immediate moratorium on the use of the death penalty as a step towards abolition; remains particular concerned at the continued handing down of death sentences against individuals under the age of 18 at the time of their alleged offence, including the case of Admed Saddouma, in contravention to international law;
33. 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;
34. Expresses grave concern at the reprisals against persons who cooperate or seek to cooperate with international rights organizations or United Nations human rights bodies, such as most recently the United Nations Special Rapporteur on Adequate Housing; reminds the Egyptian authorities of their UN obligations to refrain from such acts;
35. 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;
36. Calls on the Egyptian authorities to ensure that their ongoing military operations in Sinai are conducted in line with international human rights standards, to thoroughly investigate all abuses and to immediately open North Sinai to independent relief organizations and to independent observers and journalists;
37. 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.