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MOTION FOR A RESOLUTION

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 122 of the Rules of Procedure

on Egypt: recent developments

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on behalf of the ALDE Group

European Parliament resolution on Egypt: recent developments

The European Parliament,

- having regard to its previous resolutions on Egypt in particular of 17 February 2011 on the situation in Egypt, of 27 October 2011 on the situation in Egypt and Syria, in particular of Christian communities, and of 17 November 2011 on Egypt, in particular the case of blogger Alaa Abdel-Fattah,
- having regard to its annual reports on the situation of human rights in the world, and in particular to its resolution of 16 December 2010 on the Annual Report on Human Rights in the World 2009,
- having regard to the Universal Declaration of Human Rights of 1948 and in particular its Article 18 and to Article 18 of the International Covenant on Civil and Political Rights of 1966, to which Egypt is party,
- having regard to the statements by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) on Egypt, in particular those of 26 November 2011, 14 December 2011, 23, 25 January 2012, and 1 and 2 February 2012,
- having regard to the Foreign Affairs Council Conclusions of 10 October 2011 and 1 December 2011, having regard to the European Council Conclusions on Egypt on 23 October 2011,
- having regard to the EU-Egypt Association Agreement from 2004 and the Action Plan agreed in 2007,
- having regard to the Joint Communication on ‘A new response to a changing neighbourhood’ of the European Commission and the HR/VP to the European Parliament, the Council, the European Economic and Social Committee and the Committee of Regions of 25 May 2011,
- having regard to the European Union Guidelines on Human Rights Defenders,
- having regard to Rule 122(5) of its Rules of Procedure,

A. Whereas the current human rights situation in Egypt is alarming and has not improved after the departure of President Mubarak, especially regarding the excessive use of force by the army and security forces against peaceful protestors, the targeted violence against women and the recent government crackdown of civil society organisations;

B. Whereas human rights organisations report that almost 40 people died and 2000 others were injured in clashes with security forces before the parliamentary elections, on 28th of November 2011; whereas, according to the human rights organisations, serious human rights violations occurred during these clashes, with the military police and riot police beating unarmed protesters, using live ammunition, indiscriminately firing tear gas into crowds, and firing rubber bullets and pellets at protesters' heads;

C. Whereas parliamentary elections have taken place between November 2011 and January 2012;

D. Whereas on 23 January 2012 the first session of the People's Assembly took place, with Dr. Saad Al-Katatny being appointed Speaker of the House; whereas Shura Council elections are being held from 29 January 2012 to 22 February 2012;

E. Whereas no governmental institutions, including the EU, had been invited to observe the parliamentary elections, except for several local NGOs and the Carter Centre; whereas the international community pointed out some shortcomings and some observers reported problems outside the polling stations, but the elections were internationally accepted as having taken place in a democratic way;

F. Whereas the NGOs situation in Egypt is alarming, with the offices of 10 foreign funded organisations having been searched, investigated and banned by the Supreme Council of the Armed Forces (SCAF) on 29 December 2011, including internationally well respected US-funded NGOs as Freedom House, the International Centre for Journalists, the National Democratic Institute (NDI), and also the German Konrad Adenauer Foundation; whereas Egypt's military-led government announced on 5 February 2012 that it would put 19 American citizens and 24 others on trial in a criminal investigation into the foreign financing of non profit organizations active in Egypt;

G. Whereas clashes between supporters of two rival soccer teams, the Cairo based al-Alhy and the local Al-Masry took place after a match in the Port Said soccer stadium on the 1st of February 2012 which resulted in the death of at least 71 civilians and over 200 injured, whereas the indifference and lack of action by the security forces allowed for an escalation of the lethal violence; whereas in the days after the soccer violence demonstrations demanding an end to military rule by the SCAF spread throughout Cairo and other major cities in Egypt for several days, resulting in new victims and injured; whereas the police continues firing tear gas at protestors, and also birdshot and rubber bullets;

H. Whereas the EU has urged an end to the violence in Egypt and has stressed the necessity of the immediate transfer of the supreme power to civilian rule and a democratically elected government as soon as possible;

I. Whereas the SCAF has largely lifted the emergency laws, however still allowing for its application in cases of "thuggery" which is open to wide interpretation and arbitrary application;

J. Whereas there has been no improvement in the transparency and independence of the judiciary system since the end of the Mubarak regime;

K. Whereas the SCAF has failed to conduct an investigation into the reports of targeted sexual assault of female protestors, including the ‘virginity tests’ and death threats against female protestors; whereas civilians arrested under the emergency law continue being tried before military courts, which fall short of the minimum international standards of fair trial and the right to defence;

L. Whereas the Egyptian economical situation is in a desperate state, with foreign currency reserves at a low level; whereas the country's economic improvement will depend on the outcome of the current political transition;

M. Whereas Egypt is going through a critical period of democratic transition and faces considerable challenges and difficulties in this process; whereas economic development and a higher standard of living of the population are essential for long-term political and social stability in the country;

N. whereas on 24 January 2012 approximately 3 000 political prisoners were pardoned;

1. Reiterates its solidarity with the Egyptian people in this crucial period of democratic transition in the country and continues to support its legitimate democratic aspirations; recalls on the Egyptian authorities to fully ensure respect for human rights and fundamental freedoms, including women’ rights, freedom of religion, conscience and thought, freedom of association and peaceful assembly, and freedom of expression and speech, as these rights are essential components of deep democracy;

2. Welcomes the release of political prisoners, yet reiterates that they should not have been tried by military courts in the first place; believes that prisoners should therefore have been acquitted instead of pardoned;

3. Strongly condemns the killing of protestors by security forces in Egypt; express its sincere condolences to the families of the victims; calls on the SCAF to ensure that security forces do not use excessive and disproportionate force; emphasizes the importance of citizens’ rights to demonstrate freely and peacefully, under due protection from law enforcement authorities;

4. Condemns the continuing assault on civil society organizations in Egypt, in particular by raiding and closing offices of various NGOs on 29 December 2011 and calls on the Egyptian government to allow NGOs to continue their work;

5. Recalls on the Egyptian authorities the importance of giving civil society organizations the opportunity to play their role in building a sustainable democracy and encourages the Egyptian authorities to facilitate and allow international organisations to continue their work on the ground without arbitrary restrictions;

6. Calls for an independent, transparent investigation on the Port Said stadium clashes that took place on the 1 February 2012, which should be conducted by an independent and impartial judiciary, in order to hold all those responsible to account;

7. Takes note of the results of the Parliamentary elections; calls on the SCAF to organize presidential elections as soon as possible, in order to transfer its power to civilian rule as quickly as possible; Calls on the SCAF to allow independent observers to witness and monitor the upcoming higher house and presidential elections;

8. Calls on a clarification of the constitutional process, its timeline and its principles; calls on the Egyptian authorities to ensure that each constitutional provision is inclusive and leaves no possibility for discrimination of anyone in Egyptian society;
9. Repeats its call to the SCAF to fully lift the emergency laws and to end all military trials of civilians, and to immediately release all civilians and political prisoners held by military courts; stresses that civilians should not be prosecuted before military courts, which do not meet basic due process standards;
10. Welcomes the release of blogger Maikel Nabil and other prisoners on 24 January 2012;
11. Underlines that, considering that the relations between the EU and Egypt are based on the respect of human rights and fundamental liberties, the EU reserves the right to adopt appropriate measures against the SCAF in the case of continued violations of basic human rights and fundamental freedoms in Egypt;
12. Calls on the Commission to certify that Egypt is making progress towards democracy and the SCAF shows ongoing respect fundamental rights and freedoms before additional aid or financial support can be distributed and closer cooperation or partnership with the EU can be brokered;
13. Instructs its President to forward this resolution to the Council, the Commission, the High Representative of the Union for Foreign Affairs and Security Policy / Vice-President of the European Commission, the Governments and Parliaments of the Member States and the Government of the Arab Republic of Egypt.