



Plenary sitting

B9-0430/2020

15.12.2020

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 the deteriorating situation of human rights in Egypt, in particular the case of the activists of the Egyptian Initiative for Personal Rights (EIPR) (2020/2912(RSP))

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on behalf of the Renew Group

B9-0430/2020

European Parliament resolution on the deteriorating situation of human rights in Egypt, in particular the case of the activists of the Egyptian Initiative for Personal Rights (EIPR) (2020/2912(RSP))

The European Parliament,

- having regard to its previous resolutions on Egypt, in particular the one of 24 October 2019,
- having regard to the statement by the EEAS Spokesperson for Foreign Affairs and Security Policy on recent arrests of human rights activists of 21 November 2020,
- having regard the Statement by German Ambassador Michael Freiherr von Ungern-Sternberg Ambassador on behalf of the European Union during the UNHRC 45 of 25th September 2020,
- having regard the statement by Spokesperson for the UN High Commissioner for Human Rights on Egypt of 20th November 2020, and the UN experts calls for release of Egyptian human rights defenders jailed after meeting diplomats of 27th November 2020 and the one on the decision to release on bail three senior staff from the Egyptian Initiative for Personal Rights (EIPR) of 7th December 2020,
- 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 EU Guidelines on the Death Penalty, on Torture, on Freedom of Expression and on Human Rights Defenders,
- having regard the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social, and Cultural Rights (ICESCR), the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child, which have been ratified by Egypt,
- having regard to the Constitution of Egypt, notably articles 52 (prohibition of torture in all forms and types.), 73 (on freedom of assembly) and 93 (binding character of international human rights law),
- having regard to Rules 144 of its Rules of Procedure,

- A. whereas the human rights situation in Egypt has continued to deteriorate as authorities intensify their crackdown on civil society, human rights defenders, journalists and academics, and continue to brutally and systematically repress any form of dissent;
- B. whereas following a meeting with 13 foreign ambassadors and diplomats on 3 November 2020, three activists of the Egyptian Initiative for Personal Rights (EIPR), one of the last independent human rights organisations in Egypt, Gasser Abdel Razek, Karim Ennarah, and Mohammad Basheer, were arrested by security forces and charged with terrorism and national security related offences between 15 and 19 November 2020;
- C. whereas on 3rd December 2020 they were granted bail and released while keeping the charges; whereas despite their release on 6 December 2020, an Egyptian court handling terror-related cases upheld a prosecutor's decision to freeze their assets pending investigations;
- D. whereas since 2016 the founder and former executive director of EIPR, Hossam Bahgat has been banned from travelling outside of Egypt;
- E. whereas on 7th February 2020, Patrick Zaki, gender and human rights researcher at EIPR and Erasmus Mundus' student was arbitrarily arrested and accused of terrorist and national security related crimes when he was travelling to visit his family; whereas he has been reportedly tortured by the National Security Investigations and his pre-trial detention has been prolonged again for another 45 days; whereas, as Mr Zaki's defense lawyers have reiterated, the detention was made null and void on 7th October, since it was not renewed within the legal time limits before the end of the detention previously ordered; ; whereas Erasmus Programme has been regarded as one of the most successful initiatives to promote EU core values: whereas the detention of Patrick Zaki during the course of his fellowship in Europe represents a threat to these values and the EU must do everything that is in its power to solve this case;
- F. whereas EIPR staff have reported frequent harassment by the Egyptian authorities including smear campaign against them, aimed at discrediting their work by media outlets affiliated with the General Intelligence Service; whereas Egyptian authorities continue blocking the websites of local and international news organisations and human rights organisations;
- G. whereas thousands of other human rights defenders, including women's rights activists, journalists and academics among others, remain in prison in life-threatening conditions; whereas the enforced disappearance of human rights defenders is becoming a systematic practice of the Egyptian authorities; whereas pre-trial preventive detention and precautionary measures are used in order to prevent activists and their lawyers from carrying out their legitimate human rights work in Egypt;
- H. whereas Egyptian civil society activists, human rights defenders, journalists and academics should be able to carry out their legitimate activities without any hindrance or fear of reprisals against them or their relatives;
- I. whereas the counter-terrorism legislation introduced under the rule of President al-Sisi is criticized by many human rights organisation for giving authorities a dangerously large

scope of interpretation and being misused to silence human rights defenders; whereas suspects in terror cases often do not receive fair trials, as they are referred directly to military courts; whereas since the 2013 military coup, Egyptian authorities have put around 3,000 people on terrorism lists, sentenced 3,000 people to death, and put 60,000 people in detention according to Human Rights Watch;

- J. whereas according to civil society organisations Egypt has executed at least 110 people in 2020, with 66 of those happening since 3rd October 2020, meaning more people in the last two months than it did for the whole of 2019; whereas at least 39 people are at risk of imminent execution; whereas reportedly these sentences follow grossly unfair trials marred by forced “confessions” and other serious human rights violations including torture and enforced disappearances; whereas children continue to be sentenced to death
- K. whereas mass trials continue to proceed despite widespread international condemnation that they are simply unfit to meet the basic requirements of international law on due process and fair trial rights; whereas more civilians are being tried in military courts than ever before;
- L. whereas sexual violence and harassment against women have plagued Egyptian society in recent decades as survivors are often blamed, and authorities have done little to prosecute suspects or to challenge discriminatory norms that underpin such violence; whereas abusive practices such as virginity testing are still widespread, including by Egyptian authorities; whereas the law on violence against women stalled in Egyptian Parliament since 2017 is still to be ratified; whereas existing policies and laws against FGM are not well enforced and the practice continues; whereas women rights defenders and feminist activists continue to face repression;
- M. whereas on 10th December 2020, and after a four-year judicial investigation, Italians prosecutors in Rome announced to have unequivocal proofs of the involvement of four Egyptian state security officers - Tariq Saber, Athar Kamel Mohamed Ibrahim, Uhsam Helmi, and Magdi Ibrahim Abdelal Sharif- on the aggravated kidnap, aggravated injury and murder of the Italian research assistant Giulio Regeni; whereas the lawyers of the Egyptian Commission for Rights and Freedoms (ECRF) continue to provide their support to the Regeni legal team in Italy being the legal representatives in Egypt; whereas the Egyptian authorities have constantly hindered progress in investigating and revealing the truth around the kidnapping, torture and killing of Giulio Regeni and the death of French teacher Eric Lang, in detention in Cairo in 2013, preventing the possibility for those responsible to be held accountable;
- 1. Is outraged at the recent arrests of senior EIPR activists Gasser Abdel Razek, Karim Ennarah and Mohammad Basheer in retaliation for their legitimate meeting with European diplomats in Cairo; welcomes their provisional release, but urges authorities to drop all charges against them, end all forms of harassment and intimidation against them and the EIPR founder and acting director Hossam Bahgat, and revoke any restrictive measures, including travel bans and asset freezes, adopted against them and the EIPR; regrets that the releases weren't followed by further ones, including in particular that of EIPR researcher and Erasmus student Patrick Zaki. who remains behind bars since his arrest in early 2020

and who's detention order was renewed for another 45 days on 6 December 2020 on the basis of 'terrorism' charges;

2. Deplores once again and in the strongest possible terms, Egypt's continuing and intensifying crackdown on fundamental rights and on human rights defenders, lawyers, protesters, journalists, bloggers, trade unionists, students, children, women's rights and gender equality activists, LGBTI people, political opponents, including their family members, civil society organisations and minorities by state authorities, security forces and services and other groups in Egypt; calls for an independent and transparent investigation into all human rights violations and for those responsible to be held to account.
3. Reiterates its calls for the immediate and unconditional release of those arbitrarily detained, in particular Mohamed Ibrahim, Mohamed Ramadan, Abdelrahman Tarek, Ezzat Ghoneim, Haytham Mohamadeen, Alaa Abdel Fattah, Ibrahim Metwally Hegazy, Mahienour El-Massry, Mohamed El-Baqer, Esraa Abdel Fattah, Ramy Kamel, Ibrahim Ezz El-Din, Zyad el-Elaimy, Hassan Barbary, Ramy Shaath, Sanaa Seif, Solafa Magdy, Hossam al-Sayyad, Mahmoud Hussein and Kamal El-Balshy.
4. Stresses that the ongoing arrests and detentions are part of a broader pattern of intimidating organizations defending human rights as well as the increasing restrictions on freedom of expression both online and offline, association and peaceful assembly in Egypt; deplores Egypt's continued use of counter-terrorism legislation to target and criminalize the work of human rights defenders, which is inconsistent with the rule of law and Egypt's obligations under international human rights law; urges Egyptian authorities to amend or repeal any abusive legislation.
5. Calls on the Egyptian authorities that the treatment of any detainee adheres to the conditions set out in the 'Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment', adopted by UN General Assembly resolution 43/173 of 9 December 1988 and that pending their release, to allow them full access to their families, lawyers of their choice and adequate medical care, and to conduct credible investigations into any allegations of ill-treatment or torture.
6. Expresses its deep concern for the fate of detainees and prisoners held in overcrowded places of detention, in abysmal conditions during the COVID-19 pandemic and calls on the authorities to urgently decongest places of detention; calls on authorities to provide unrestricted access to the Tora maximum security prison, the so-called 'Scorpion prison', to an independent organisation to monitor the conditions of detention; denounces the arbitrary arrests, harassment and repression of medical workers for speaking out about the COVID-19 situation or the State response in 2020; calls on the Egyptian authorities to cease this practice and release any medical personnel still in arbitrary detention.
7. Deplores the rise in executions in Egypt and rejects the use of death penalty; calls on the Egyptian authorities to declare a moratorium on the death penalty with a view to abolition, and to take all steps to ensure strict adherence to due process guarantees and all possible safeguards to ensure a fair trial.
8. Calls on the Egyptian authorities to adopt a comprehensive law on violence against women and a national strategy to enforce the approved laws against sexual violence; urges the

authorities to use available UN guidance, such as the UN Handbook for Legislation on Violence against Women, to set out components on combating violence against women, including protection of survivors and witnesses through trained officers and providers; calls on Egyptian authorities to cease any type of persecution against women on the grounds of ‘violation of moral’;

9. Holds the Egyptian authorities the responsibility for any retaliation against the witnesses or the Egyptian Commission for Rights and Freedoms (ECRF) and its lawyers;
10. Reminds Egyptian authorities that respect for human rights and fundamental freedoms constitutes an essential element of EU-Egypt relations and that providing space to civil society is a joint commitment enshrined in the EU-Egypt Partnership Priorities, as stipulated in the Egyptian Constitution; stresses that no human rights defender should face financial restrictions, criminalization, travel bans, bail conditions or be imprisoned for their legitimate human rights work; urges the VP/HR to publicly express concerns over the human rights situation in Egypt and on any high level meeting with Egyptian authorities.
11. Reiterates its call on the VP/HR and the Member States to respond in a unified and resolute manner, also in coordination with other likeminded partners, to the crackdown and human rights violations in Egypt, and to use all tools at their disposal to secure concrete progress in Egypt’s human rights record; in particular, urges the EU and its member states to take the lead at the upcoming session of the UN Human Rights Council to set up a long overdue monitoring and reporting mechanism on grave human rights violations in Egypt; welcomes the adoption by the Council of a global human rights sanctions regime/EU Magnitsky Act and reiterates its call on the VP/HR and Member States to consider targeted restrictive measures against high-level Egyptian officials responsible for the most serious violations in the country.
12. Reiterates its call for a profound and comprehensive review of the EU’s relations with Egypt; considers that the human rights situation in Egypt requires a serious revision of the Commission’s budget support operations, which should be restricted to primarily supporting democratic actors and civil society; calls for more transparency for all forms of financial support or training provided by the EU to Egypt.
13. Urges the EU and its Member States to make use of all foreign policy instruments available to call for the immediate and unconditional release of the Erasmus student and researcher Patrick George Zaki and to continue monitoring Mr Zaki’s pre-trial hearings from the delegations in Egypt.
14. Calls for the EU, with a view to negotiating new partnership priorities, to establish clear benchmarks that make further cooperation with Egypt conditional on progress in the reform of democratic institutions, the rule of law and human rights, and to mainstream human rights concerns in all talks with Egyptian authorities; urges the Commission and EEAS to put the need for tangible improvements on the human rights situation, in particular the release of arbitrarily detained human rights defenders and journalists at the centre of the next EU-Egypt Association Council meeting; reiterates that cooperation in the areas of migration management or counter-terrorism, but also geopolitical considerations, should not come at the expense of continued pressure for human rights compliance and accountability for human rights abuses;

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 Vice-President / High Representative of the Union for Foreign Affairs and Security Policy, the parliaments and governments of the Member States, the Egyptian government and parliament, and the African Commission on Human and Peoples' Rights.