



Plenary sitting

B9-0496/2022

21.11.2022

MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Commission

pursuant to Rule 132(2) of the Rules of Procedure

on the human rights situation in Egypt
(2022/2962(RSP))

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on behalf of The Left Group

B9-0496/2022

**European Parliament resolution on the human rights situation in Egypt
(2022/2962(RSP))**

The European Parliament,

- having regard to its previous resolutions on Egypt,
 - having regard to the Universal Declaration of Human Rights of 10 December 1948, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child and the UN Declaration on Human Rights Defenders of 1998,
 - having regard to the joint statement of 18 November 2022 by UN rights experts on Egypt, where they expressed their alarm at the harassment of civil society actors at COP27 climate summit, to the joint statement of 11 November 2022 by UN rights experts, calling for immediate release of Alaa Abdel Fattah, and to the joint statement of 7 October 2022 by UN rights experts on Egypt, where they expressed alarm at restrictions on civil society ahead of climate summit,
 - having regard to the Constitution of Egypt, in particular Articles 52 (on the prohibition of torture in all forms and types.), 73 (on freedom of assembly) and 93 (on the binding character of international human rights law) thereof,
 - having regard to the African Charter on Human and Peoples' Rights of 1981,
 - having regard to the Arab Charter on Human Rights,
 - having regard to the EU Foreign Affairs Council conclusions on Egypt of August 2013 and February 2014,
 - having regard to Rule 132(2) of its Rules of Procedure,
- A. whereas the Egyptian authorities have been using the United Nations' 27th Climate Change Conference (COP27) as an opportunity to rebrand their image and deflect criticism; whereas, however, COP27 took place amid the Egyptian authorities' relentless assault on the rights to freedom of expression, association and peaceful assembly and failure to address discrimination and sexual and gender-based violence against women, girls and LGBTI people;
- B. whereas since President Abdelfattah al-Sisi came to power, the Egyptian authorities have launched an crackdown on civil society and continue to brutally and systematically repress any critical voices; whereas the Egyptian authorities have increasingly employed repressive tactics that range from asset freezes and travel bans to prolonged and arbitrary pre-trial detention, enforced disappearance, torture and judicial harassment, including through unfounded investigations into national security and counter-terrorism related charges;

- C. whereas while hosting COP27 tens of thousands of human rights defenders, journalists, peaceful protesters, lawyers, opposition politicians and activists have been imprisoned solely for exercising their right to freedom of expression and are being kept in inhuman prison conditions where torture, sexual assault, denial of access to adequate medical care and deaths in detention are prevalent;
- D. whereas Alaa Abdel Fattah is an Egyptian-British political prisoner, democracy activist and human rights defender who has spent over nine years behind bars for his peaceful activism in the last decade; whereas UN experts have repeatedly expressed their concerns regarding Fattah's multiple arrests, detention, sentencing in absentia, ill-treatment and prolonged pre-trial detention; whereas Alaa still has had no consular access to UK officials and whereas his lawyer was not allowed to visit him; whereas he was on a hunger strike for over 200 days to protest at his unjust imprisonment and denial of consular visits;
- E. whereas Alaa Abdel Fattah is just one of thousands of political prisoners unjustly detained; whereas in spite of the welcome release of limited numbers of prisoners in 2022 ahead of COP27, the authorities' practice of abusing pre-trial detention for repressive and punitive purposes has continued; whereas international civil society organisations have recorded 796 releases and 1 953 new politically motivated arrests in the last six months alone; whereas a new wave of arrests and detentions began in October 2022; whereas civil society organisations have reported enforced disappearances and arrests of hundreds of people for their suspected support for calls to demonstrate on November 11;
- F. whereas since 2013 the right to peaceful assembly has been effectively suspended; whereas the rare protests that did take place in recent years have been met by the unlawful use of force and mass detention and imprisonment and enforced disappearances; whereas to date no security or military official has been held accountable for the deaths of at least 900 people during the dispersal of sit-ins in Rabaa al-Adawiya and al-Nahda squares in Greater Cairo on 14 August 2013;
- G. whereas the Egyptian authorities have been relying on repressive laws, criminal investigations and other repressive tactics to shut down work by civil society; whereas the Egyptian authorities require all NGOs to register by April 2023 or face closure under a repressive NGO law; whereas the decade-long criminal investigation into the legitimate work of civil society organisations in Case 173/2011, continues and at least 15 civil society workers remain under investigation and travel bans; whereas in separate cases, another eight human rights defenders, including lawyers Mohamed El-Baqer, Ezzat Ghoneim and Hoda Abdelmoniem, remain arbitrarily detained for their legitimate human rights work;
- H. whereas there is continuing repression of civil society, including environmental groups, and unjustifiable restrictions to their participation in COP27-related consultations and activities; whereas according to UN experts, Egyptian and non-Egyptian human rights and environmental defenders have been subjected to intimidation, harassment and surveillance during COP27 and their rights to freedom of peaceful assembly, expression and effective participation have been violated; whereas many groups have expressed concern about the need to self-censor in order to ensure their safety and security;

- I. whereas a UN Secretary-General report of September this year concluded that Egyptians can face ‘reprisals’ and ‘intimidation’ for cooperating with the UN on human rights, including detention and both online and offline surveillance;
- J. whereas the authorities have continued to prosecute, harass and intimidate women human rights defenders who criticise the government’s failure to protect women from sexual and gender-based violence; whereas since 2020, the authorities have also arrested and prosecuted at least 10 women TikTok influencers for violating Law 175/2018 on cybercrime and other overly vague legal provisions criminalising ‘indecenty’ and ‘inciting immorality’; whereas the authorities also continue to arrest and prosecute individuals on the basis of their real or perceived sexual orientation or gender identity and carry out anal examinations, an intentional, discriminatory and punitive practice that amounts to rape and torture;
- K. whereas refugees, asylum seekers and people on the move in Egypt are constantly exposed to risks of arbitrary threats, detentions and fundamental rights violations by the authorities; whereas in detention facilities, Egyptian authorities routinely ill-treat and commit violations against detained asylum seekers and violate the principle of non-refoulement; whereas despite this critical situation, on 30 October 2022 the EU signed the first phase of a EUR 80 million border management programme to ‘support Egypt in maintaining its capacity to prevent irregular migration by sea, as well as to strengthen the control of its border with Libya and Sudan’;
1. 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 activists, LGBTIQ+ people, civil society organisations, political opponents and minorities;
 2. Demands that President Abdelfattah al-Sisi immediately pardons Alaa Abdel Fattah and to release him without delay so as to ensure that he receives urgent medical treatment; calls for him to be allowed to promptly depart for the UK or for him to be directly transferred to the UK in accordance with Egyptian law;
 3. Condemns the dramatic number of political prisoners and prisoners of conscience; reiterates its calls for the immediate and unconditional release of all the people arbitrarily detained for exercising their rights to freedom of expression and assembly, including but not limited to Mohamed ‘Oxygen’ Ibrahim, Mohamed Adel Fahmy, Ezzat Ghoneim, Alaa Abdel Fattah, Ibrahim Metwally Hegazy, Mohamed El-Baqer, Hoda Abdelmoniem, Ahmed Amasha, Abdel Moneim Aboul Fotouh, Mohamed El-Kassas, Ziad Abu El-Fadl, Aisha El-Shater, Mohamed Abo-Houraira, Manal Agrama, Marwa Arafa, Hala Fahmy, Safaa El-Korbagy, Tawfik Ghanim, Seif Thabit, Safwan Thabit, Sherif al Roubay, Anas El-Beltagy, Ahmed Douma, Nermin Hussein, Haneen Hossam, Mawadda el-Adham, Ismail Iskandarani, Seif Fateen, Hisham Genena, Omar Mohammed Ali, Aymen Moussa, Omar el Hout, Ahmed Moussa Abd el-Khaleq, Yehia Helwa, Sayed Moshageb, Ahmed Fayez, Mohamed Mostafa Moussa, Amr Shnin, Mahmoud Saad Diab, Aya Kamal Aldin Hussein Sayed and Abdelmoniem Abouelfotoh;

4. Urge the the Vice-President / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) to take a firm public position on the need for Egypt to release political prisoners en masse and abandon the massive use of abusive pre-trial detention to clamp down on real or perceived dissent; in particular, calls on the VP/HR to publicly demand the release of Alaa Abdel Fattah;
5. Condemns the intimidation, harassment and surveillance by the Egyptian authorities during COP27 and urges them to abstain from reprisals against civil society, human rights defenders and indigenous peoples' representatives who attended COP27;
6. Calls once again on the Egyptian authorities to permanently cease abusive investigations against human rights organisations, to close Case 173/2011 and to lift all travel bans and asset freezes imposed on human rights defenders;
7. Urges the Egyptian authorities to take concrete steps to guarantee the rights to freedom of expression, association and peaceful assembly, to amend or repeal abusive legislation, abandoning repressive practices and lift the censorship of websites;
8. Demands that the authorities amend, adopt and effectively implement legislation to eliminate all forms of discrimination and demands that they criminalise all forms of violence against women and girls; calls on the authorities to end the practice of arresting and prosecuting women for posting videos on social media platforms on 'morality' charges and to adopt an effective law against early and forced marriage;
9. Calls on the Egyptian authorities to end arrests and prosecutions for adult consensual sexual relations, including same-sex relations or relations based on gender expression, and to immediately release LGBTIQ+ people who remain arbitrarily detained, often in inhuman conditions;
10. Calls for an immediate moratorium on the use of the death penalty with a view to its abolition;
11. Calls on the Egyptian authorities to cease the systematic practice of enforced disappearances and reveal the location of all forcibly disappeared persons; calls for an immediate end to the systematic torture occurring in places of detention and for the implementation of prison regulations on visitation, access to medical care, exercise and communication with the outside world;
12. Regrets once again that the EU and its Member States have not responded in a resolute manner to the egregious human rights violations committed under President al-Sisi's rule; calls on the EU and its Member States to finally heed multiple resolutions and statements by Parliament and recommendations by civil society, and to take a clear position on the human rights crisis in Egypt;
13. Urges the EU and Member States to denounce Egypt's abuses in national and joint statements at the UN Human Rights Council and to spearhead the adoption of a resolution setting up a long-overdue UN monitoring and reporting mechanism on Egypt;
14. 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 and requires the restriction of EU aid to primarily supporting democratic actors and civil society; calls for more transparency and the inclusion of *ex ante* human rights impact assessments for all forms of financial support or training provided by the EU to Egypt, whether directly or indirectly;

15. Urges the Commission and the European External Action Service to put the need for tangible improvements in the human rights situation, in particular the release of arbitrarily detained human rights defenders and journalists, at the centre of their relations with Egypt;
16. Encourages EU and Member State ambassadors and diplomats to attend the trials of journalists, bloggers, trade unionists, human rights defenders and civil society activists in the country, to visit them in detention, to urge their immediate and unconditional release both publicly and privately and, pending their release, to ensure that their rights in detention are respected and that they are allowed visits by their lawyers and families and healthcare as needed;
17. Deeply regrets the Egyptian authorities' failure to genuinely cooperate with the Italian authorities to establish the truth and secure justice for the kidnapping, torture and murder of Italian student Giulio Regeni;
18. Reiterates that human rights should not be undermined by migration management or counter-terrorism actions; stress that any involvement of the EU with Egypt on migration should focus on the protection of the fundamental rights of people on the move; calls for the suspension of the border management programme and any bilateral readmission agreements between Member States and Egypt;
19. Deplores the continued security cooperation and arms exports from EU Member States, in particular France and Germany, to Egypt, which run counter to the EU Common Position on Arms exports and the Council conclusions of 21 August 2013; calls for Member States to comply with international and EU law by monitoring the use of weapons and equipment exported, and to immediately end the direct or indirect delivery, sale, transfer, transit or transshipment of any equipment where there is a substantial risk that it will be used by the Egyptian security forces to commit serious human rights violations or facilitate their commission; encourages national parliamentarians in the EU Member States concerned to investigate, monitor and exert appropriate parliamentary scrutiny on this matter; calls on the VP/HR to report on the current state of military and security cooperation by Member States with Egypt; calls on the EU and its Member States to implement an EU-wide ban on export of any form of military and surveillance technology and equipment supplies to Egypt; insists that any conversion in this sector should be carried out in line with the principles of a just transition, without loss of employment for workers; reiterates the importance it attaches to a greater human rights focus in the control of exports of dual-use items, including cyber-surveillance items;
20. Insists, further, that Common Position 2008/944/CFSP should be revised, in accordance with Article 7 of the Arms Trade Treaty, in order to clarify the legal obligation to refuse an export licence where there is a risk that military technology or equipment will be used to commit or facilitate serious violations of human rights or international

humanitarian law (Article 2.2 of the Common Position), and to include a formal mechanism to monitor Member States' compliance with the Common Position in order to ensure its rigorous and consistent application;

21. Calls on the EU and the Member States to suspend counter-terrorism cooperation with Egypt and to unequivocally condemn the misuse of counter-terrorism legislation and policies to silence civil society and human rights defenders; calls on the EU and the Member States to promote human rights as central elements of international counter-terrorism efforts; deplores the fact that the Egyptian authorities have arbitrarily listed nearly 7 000 people on their 'terrorists list', including human rights defenders, activists and opposition politicians;
22. Reiterates its strong support for the call by UN experts for the UNFCCC Secretariat to develop human rights criteria that countries hosting future COPs must commit to meeting as part of the host agreement;
23. 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 President and Government of the Arab Republic of Egypt, the African Commission on Human Rights and Peoples' Rights, the UN Secretary-General and relevant UN bodies.