



14.1.2015

B8-0012/2015 }
B8-0019/2015 }
B8-0022/2015 }
B8-0024/2015 }
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JOINT MOTION FOR A RESOLUTION

pursuant to Rule 123(2) and (4) of the Rules of Procedure

replacing the motions by the following groups:

S&D (B8-0012/2015)
Verts/ALE (B8-0019/2015)
ECR (B8-0022/2015)
PPE (B8-0024/2015)
ALDE (B8-0026/2015)

on the situation in Egypt
(2014/3017(RSP))

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EN

European Parliament resolution on the situation in Egypt (2014/3017(RSP))

The European Parliament,

- having regard to its previous resolutions, in particular those of 6 February 2014 on the situation in Egypt¹ and of 17 July 2014 on freedom of expression and assembly in Egypt²,
- having regard to the Foreign Affairs Council conclusions on Egypt of August 2013 and of February 2014,
- having regard to the recent statements by the European External Action Service on Egypt, including those of 21 September 2014 on the bombing at the Egyptian Ministry of Foreign Affairs and of 3 December 2014 on court rulings in Egypt,
- having regard to the statements by United Nations Secretary-General Ban Ki-moon and High Commissioner for Human Rights Navi Pillay of 23 June 2014 on the jail sentences of several journalists and the confirmation of death sentences against several Muslim Brotherhood members and supporters; having regard to the statement of UN Secretary-General Ban Ki-moon of 25 October 2014 concerning terrorist attacks in Sinai,
- 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 of 20 March 2013 on its implementation; having regard to the European Neighbourhood Policy and the most recent progress report on Egypt of March 2014,
- having regard to the Constitution of Egypt, adopted by referendum on 14-15 January 2014, and in particular Articles 65, 70, 73, 75 and 155 thereof,
- having regard to Egyptian Law 107 of 24 November 2013 on the Right to Public Meetings, Processions and Peaceful Demonstrations,
- having regard to the presidential decree Law 136 of 2014, which places all 'public and vital facilities' under military jurisdiction for two years,
- having regard to its resolution of 11 December 2012 on a Digital Freedom Strategy in EU foreign policy³,
- having regard to its resolution of 20 May 2013 on the freedom of press and media in the world⁴,
- having regard to the 2013 Special Report of the European Court of Auditors, entitled 'EU Cooperation with Egypt in the Field of Governance',

¹ Texts adopted, P7_TA(2014)0100.

² Texts adopted, P8_TA(2014)0007.

³ Texts adopted, P7_TA(2012)0470.

⁴ Texts adopted, P7_TA(2013)0274.

- having regard to the final statement of 22 July 2014 of the EU Election Observation Mission to the presidential elections in Egypt,
 - having regard to the speeches of Egyptian President Abdel Fattah al-Sisi of 1 January 2015 concerning Islamic extremism and of 6 January 2015 concerning the need for peaceful and constructive relations between Egypt’s Muslims and Christians,
 - having regard to the EU Guidelines on Freedom of Expression Online and Offline, the EU Guidelines to promote and protect the enjoyment of all Human Rights by lesbian, gay, bisexual, transgender and intersex (LGBTI) persons, and the EU Guidelines on Human Rights Defenders,
 - having regard to the International Covenant on Civil and Political Rights of 1966, to which Egypt is a party,
 - having regard to the Universal Declaration of Human Rights of 1948,
 - having regard to Rule 123(2) and (4) of its Rules of Procedure,
- A. whereas freedom of expression and freedom of assembly are indispensable pillars of a democratic and pluralist society; whereas freedom of the press and media is a vital element for democracy and an open society; whereas fundamental freedoms, including freedom of expression and assembly, are enshrined in the Egyptian Constitution adopted in 2014;
- B. whereas Egypt is a long-standing strategic partner for the European Union, with shared goals of building stability, peace and prosperity in the Mediterranean and Middle East regions; whereas Egypt has gone through several difficult political challenges since the 2011 revolution and its people are in need of support and assistance from the international community to address the country’s economic, political and security challenges;
- C. whereas since the military takeover of June 2013 the Egyptian Government has conducted a large-scale campaign of arbitrary detention, harassment, intimidation and censorship against government critics solely for exercising their rights to free assembly, association and expression, including journalists, students and human rights defenders, and against political opponents, including members of the Muslim Brotherhood; whereas reports indicate that since July 2013 more than 40 000 people have been detained following unprecedented waves of mass arrests, and an estimated 1 400 protesters killed as a result of the excessive and arbitrary use of force by security forces; whereas the freedoms of association, assembly and expression have remained areas of particular concern since July 2013; whereas Egypt is rated as ‘not free’ by the 2014 Freedom in the World report by Freedom House;
- D. whereas thousands of protesters and prisoners of conscience have been detained in Egypt since the Egyptian army seized power in July 2013; whereas arrests and cases of arbitrary detention have continued since the election of President al-Sisi in May 2014; whereas on 11 June 2014 a court sentenced Alaa Abdul Fattah, a prominent activist who played a leading role in the 2011 revolution, and others to 15 years’ imprisonment on charges of violating Law 107 of 2013 on the Right to Public Meetings, Processions and Peaceful Demonstrations

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(Protest Law); whereas other prominent activists, including Mohamed Adel, Ahmed Douma and Ahmed Maher, as well as leading women’s rights defenders such as Yara Sallam and Sana Seif, continue to be detained; whereas on 28 April 2014 the Cairo Court for Urgent Matters ruled in favour of banning the April 6 Youth Movement;

- E. whereas on 10 January 2015 an Egyptian court in the Nile Delta province of Baheira sentenced Karim al-Banna, a 21-year-old student, to three years in jail for announcing on Facebook that he is an atheist and for insulting Islam;
- F. whereas the Egyptian authorities have tightened the noose on freedom of expression and assembly under repressive legislation introduced, making it easier for the government to silence its critics and crack down on protests;
- G. whereas, in the absence of the parliament, a number of repressive laws have been passed by the government of President al-Sisi, such as the presidential decree Law 136 of 2014 designating all public property as military installations, the most immediate consequence of which is that any crime committed on public property can be tried in military courts and with retroactive effect; whereas the African Commission on Human and Peoples’ Rights, in interpreting the African Charter on Human and Peoples’ Rights (to which Egypt is a state party), has said that military courts should not, in any circumstances whatsoever, have jurisdiction over civilians;
- H. whereas the UN Universal Periodic Review has issued 300 recommendations, including the release of anyone arrested for exercising freedom of expression; whereas seven human rights groups based in Egypt did not take part in the UN review of their country’s performance, fearing persecution;
- I. whereas freedom of the press is still under great pressure in Egypt and journalists are still being detained on the basis of unfounded allegations; whereas a number of journalists were prosecuted in 2014 on charges related to threatening national unity and social peace, spreading false news reports and collaborating with the Muslim Brotherhood; whereas the Court of Cassation, Egypt’s highest court of law, ruled that there were procedural failings in the trial of journalists Mohammed Fahmy, Peter Greste and Baher Mohamed from Al-Jazeera; whereas, however, the three journalists are set for retrial and charges of ‘falsifying news’ and ‘involvement with the Muslim Brotherhood’ against them have not been dropped; whereas three other journalists – Sue Turton, Dominic Kane and Rena Netjes – were sentenced in absentia to 10 years in prison; whereas Egyptian journalists Mahmoud Abdel Nabi, Mahmoud Abu Zeid, Samhi Mustafa, Ahmed Gamal, Ahmed Fouad and Abdel Rahman Shaheen were convicted for merely carrying out their legitimate activities; whereas there is extreme polarisation of the Egyptian media into pro- and anti-Morsi factions, which is reinforcing the polarisation of Egyptian society;
- J. whereas on 2 December 2014 an Egyptian criminal court handed down provisional death sentences against 188 defendants in the third such mass sentencing in 2014; whereas these mass trials have principally targeted members of the Muslim Brotherhood, Egypt’s largest opposition movement, which was declared a terrorist group by the authorities in December 2013; whereas these sentences are the latest in a string of prosecutions and court proceedings that have been rife with procedural irregularities and in breach of international law; whereas

no one has been held to account for the excessive use of violence in August 2013, when security forces raided camps on Rabaa al-Adawiya Square and killed 1 150 pro-Morsi demonstrators;

K. whereas the majority, but not all, of the death sentences handed down in mass trials in March and April 2014 against Muslim Brotherhood members and alleged supporters of ousted President Morsi have been commuted to life imprisonment;

L. whereas 167 members of the lower and upper houses of the parliament elected in 2011 are currently being detained;

M. whereas former President Mubarak, his former interior minister, Habib al-Adly, and six other aides were released on 29 November 2014 after charges of murder and corruption were dropped on the basis of a technical error; whereas on 13 January 2015 the Egyptian Court of Cassation overturned the convictions of former President Hosni Mubarak and his two sons for embezzlement and ordered a retrial on the basis that legal procedures had not been followed properly;

N. whereas these recent judicial practices cast serious doubts on the independence of the judicial system and on its ability to ensure accountability; whereas, in particular, these sentences resulting in the death penalty risk undermining the prospects for long-term stability in Egypt;

O. whereas Egypt is facing significant economic challenges, including an exodus of foreign money, rising inflation, unemployment and a ballooning public debt, as well as security challenges embodied in the global threat represented by terrorism; whereas the security situation in Sinai is critical, with hundreds of soldiers being killed by jihadist groups operating in the area; whereas on 24 October 2014 at least 33 soldiers were killed in a terrorist attack; whereas acts of terror are taking place in this region almost on a daily basis; whereas the state has ordered the eviction of thousands of residents of Rafah and established a 500-metre buffer zone along the Gaza border, and whereas a state of emergency has been declared in the peninsula since 24 October 2014; whereas criminal networks are still operating on the human trafficking/smuggling routes within and towards Sinai;

P. whereas Article 75 of the Egyptian Constitution declares that all citizens shall have the right to form non-governmental associations and foundations on a democratic basis; whereas proposed new legislation would further restrict the work of domestic and foreign NGOs, which are concerned in particular at a new draft law aimed at stopping money and material from reaching terrorists and other armed groups, but which could prevent NGOs from receiving foreign funds, on which many of them depend; whereas a presidential decree of 21 September 2014 amending the penal code places severe consequences, including life sentences, on NGOs receiving foreign funding for the vaguely formulated purpose of ‘harming the national interest’;

Q. taking note of the speech given by President al-Sisi at Cairo University about the need for modernisation and reformation in Islamic thought;

R. whereas violence against women is reported to be worsening, in spite of the adoption of a

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new law on sexual harassment, whose application remains to be observed, according to Egyptian women's rights NGOs; whereas Egyptian female activists are in a particularly vulnerable situation and are often subject to violence, sexual assaults and other forms of degrading treatment in relation to their peaceful activities; whereas despite the issuance of a law in 2008 criminalising the practice of female genital mutilation (FGM), it remains widespread and there have been no successful prosecutions of those who have administered it to girls;

S. whereas in recent months arrests of gay men have escalated; whereas there has been a series of police busts at suspected meeting places of homosexuals across Egypt; whereas the LGBT community is being persecuted and publicly shamed; whereas the Egyptian Initiative for Personal Rights estimates that at least 150 people have been arrested over the past 18 months on charges of debauchery; whereas on 12 January 2015 an Egyptian court acquitted 26 men who had been arrested a month earlier in a raid on a bathhouse in Cairo and charged with 'inciting debauchery';

T. whereas the 2014 presidential elections in Egypt took place in a context where room for freedom of expression had been severely restricted, and all forms of dissent and criticism, including those of human rights organisations, stifled; whereas parliamentary elections have been officially announced for 21 March and 25 April 2015;

U. whereas the oil sector has historically been the biggest investment attraction for foreign investors in Egypt, and whereas oil is the biggest commodity Egypt exports; whereas Egypt was given free oil shipments from the Gulf states in order to support the new government; whereas the government is adopting a declared plan to get rid of energy subsidies within five years starting from July 2014, and whereas it aims to implement a plan for fuel distribution through smart cards in April 2015 in order to control oil smuggling to neighbouring countries and find out the exact fuel requirements;

V. whereas Egypt entered into negotiations with the IMF more than once after the January 2011 revolution, wherein it pursued a USD 4.8 billion loan, but whereas negotiations stopped after 30 June 2013; whereas renewed contacts took place and IMF experts visited Egypt in November 2014 to conduct Article IV consultations, an assessment by IMF experts of a country's financial and economic state of affairs;

W. whereas the EU's level of engagement with Egypt should be incentive-based, in line with the 'more for more' principle of the European Neighbourhood Policy, and should depend on progress in reform of democratic institutions, the rule of law and human rights;

X. whereas the EU is traditionally Egypt's main trading partner, covering 22.9 % of Egypt's trade volume in 2013 and ranking first as both Egypt's import and export partner; whereas, following the EU-Egypt Task Force, the Commission committed to providing additional financial support to Egypt for an overall amount of nearly EUR 800 million; whereas this is made up of EUR 303 million in the form of grants (EUR 90 million from Spring funds and EUR 50 million as a grant component of the micro-financial assistance operation, with the balance coming from the Neighbourhood Investment Facility) and EUR 450 million in the form of loans (macro-financial assistance); whereas, however, the EU will deliver on its financial support only if the necessary political and democratic conditions are met, with the

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democratic transition being pursued, strengthened and fully inclusive, with full respect for human and women's rights;

- Y. whereas on 16 June 2014 Stavros Lambrinidis, the EU Special Representative for Human Rights, visited Cairo and held meetings with the Presidency, the Shoura Council and civil society representatives; whereas discussions focused on preparations for a new NGO law, and the importance the EU attaches to the crucial role of civil society in Egypt was stressed;
1. Underlines the importance that the EU attaches to its cooperation with Egypt as an important neighbour and partner; stresses the important role of Egypt for stability in the region; stresses its solidarity with the Egyptian people and is committed to continuing to support Egypt in the process of building its democratic institutions, respecting and defending human rights and promoting social justice and security; urges the Government of Egypt to fulfil its international commitments as an important player in the southern Mediterranean region;
 2. Reminds the Egyptian Government that the long-term success of Egypt and its people depends on the protection of universal human rights and on the establishment and anchoring of democratic and transparent institutions also engaged in protecting citizens' fundamental rights; calls, therefore, on the Egyptian authorities to fully implement the principles of international conventions;
 3. Expresses grave concern at the ongoing restrictions of fundamental rights, notably the freedoms of expression, association and assembly, political pluralism and the rule of law in Egypt; calls for an end to all acts of violence, incitement, hate speech, harassment, intimidation or censorship against political opponents, protesters, journalists, bloggers, students, trade unionists, women's rights activists, civil society actors and minorities by state authorities, security forces and services, and other groups in Egypt; condemns the excessive use of violence against protesters;
 4. Calls for the immediate and unconditional release of all prisoners of conscience, all those detained for peacefully exercising their right to freedom of expression, assembly and association, as well as those detained for their alleged membership of the Muslim Brotherhood; calls on the Egyptian authorities to ensure the right to a fair trial in accordance with international standards; urges the Egyptian authorities to take concrete steps to ensure that the provisions of the new Constitution on fundamental rights and freedoms, including freedom of expression and assembly, are fully implemented;
 5. Emphasises that respect for freedom of the press, information and opinion (online and offline) and political pluralism are fundamental to democracy; calls on the Egyptian authorities to guarantee that those freedoms can be exercised in the country without arbitrary limitations or censorship, and calls on the authorities to ensure freedom of expression; believes that all journalists must be allowed to report on the situation in Egypt without fear of prosecution, imprisonment, intimidation or restrictions on their freedom of speech or expression;
 6. Urges the Egyptian authorities to conduct prompt, impartial and independent investigations into allegations of excessive use of force, ill-treatment and other human rights violations,

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including sexual abuse, by law enforcement forces during protests, to punish those responsible, to grant redress to the victims and to establish an independent mechanism for monitoring and investigating the behaviour of security forces; calls on Egypt to ratify the Rome Statute and to become a member of the ICC;

7. Calls on the Egyptian authorities to reverse the death sentences handed down without consideration for due process which respects the rights of the defendants, to repeal repressive and unconstitutional laws that severely restrict basic human rights and freedoms, in particular the presidential decree Law 136 of 2014; calls on the authorities to annul all verdicts against civilians handed down by military courts since July 2013; calls for the release of the 167 members of the parliament elected in 2011 who are currently in detention; calls on the authorities to establish immediately an official moratorium on executions, as a first step towards abolition;
8. Calls on the Egyptian authorities to revoke the Protest Law of November 2013 and to engage in a genuine dialogue with civil society organisations and legal experts in order to enact legislation on associations and assembly in line with international standards, and to safeguard the right to form an association enshrined in Article 75 of the Egyptian Constitution, including the right to receive and impart funding; calls on the competent authorities to review the new draft law for non-governmental organisations presented by the Ministry of Social Solidarity; urges that the proposed new law should be in line with the Egyptian Constitution and with all international treaties to which Egypt is a signatory;
9. Reminds the Egyptian Government of its responsibility to ensure the security and safety of all citizens irrespective of their political views, affiliation or confession; insists that only building a truly pluralist society which is respectful of the diversity of views and lifestyles can ensure long-term stability and security in Egypt, and calls on the Egyptian authorities to commit to dialogue and non-violence, as well as to inclusive governance;
10. Welcomes and encourages the steps taken by the Egyptian Government in support of respect for the rights and freedoms of religious communities; recalls the provision included in Article 235 of the Egyptian Constitution which stipulates that the newly elected parliament, during its first legislative term, must issue a law to regulate the construction and renovation of churches in a manner that guarantees the freedom of religious practices for Christians; welcomes the fact that President al-Sisi became the first president to attend mass at a church in Cairo, on the Coptic Christmas Eve, and believes this is an important, symbolic statement in the efforts to build unity within Egyptian society;
11. Highlights the importance of Egypt as an international actor and hopes that it will continue to play an active role in the launch of genuine peace negotiations that will put an end to the Israel-Palestine conflict, and to make its constructive contribution to the search for stability in the Mediterranean region, in particular, at present, in Libya and in the Middle East; calls for the immediate and unconditional release of all kidnapped Egyptian citizens currently held in Libya, including the 20 Egyptian Copts abducted on 3 January 2015; reiterates the willingness of the EU to work with Egypt as a partner in the region to address these serious threats;
12. Strongly condemns the recent terrorist attacks in the Sinai Peninsula and all other acts of

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terrorism against Egypt; expresses its sincere condolences to the families of the victims; underlines the fact that the EU and the international community must stand firm and cooperate with Egypt in its fight against terrorism; calls on the Egyptian authorities to do their utmost to stop criminal networks that are still operating on the human trafficking/smuggling routes within and towards Sinai;

13. Reminds the Egyptian authorities of their national and international legal obligations, and calls upon them to prioritise the protection and promotion of human rights and to ensure accountability for violations of human rights, including through the independent and impartial administration of justice;
14. Notes that the decline in oil prices will lead directly to lower allocations of energy subsidies, which is the biggest challenge that post-revolution regimes have faced since the 25 January Revolution; is concerned that this decline may have a huge impact on many government plans, the most important of which are efforts to maintain a safe margin on foreign currencies;
15. Urges the Egyptian Government to fully implement national strategies for combating violence against women and eliminating all forms of discrimination, ensuring the effective consultation and involvement of women's organisations and other civil society organisations throughout the process;
16. Expresses its outrage at the intensifying clampdown against the LGBT community in Egypt urges the Egyptian authorities to cease criminalising LGBT people, on the basis of the 'debauchery law', for expressing their sexual orientation and for assembling, and to release all LGBT people arrested and imprisoned under this law;
17. Calls on the Egyptian authorities to cooperate fully with UN human rights mechanisms, including by approving pending visit requests by several UN special rapporteurs, and to act upon Egypt's commitment to the opening of a regional bureau of the UN Office of the High Commissioner for Human Rights;
18. Reiterates, in line with the findings of the EU Election Observation Mission to the presidential elections of 2014, that the elections fell short of applicable international standards and did not fully respect the fundamental rights set out in the newly adopted Constitution, as there were, notably, limits to freedom of expression and assembly and insufficient regulation of campaign financing, the right to stand and the right to vote; calls on the Egyptian Government to address the shortcomings in the presidential elections in the preparations for the parliamentary elections announced for 21 March and 25 April 2015; notes that in the current circumstances it would not be opportune to send an Election Observation Mission, as this could seriously undermine the credibility of the election observation instrument;
19. Calls for a common strategy among Member States towards Egypt; again urges the Council, the VP/HR and the Commission to work actively in accordance with the principle of conditionality ('more for more') and to take into consideration the serious economic challenges faced by Egypt in its bilateral relations with, and its financial support for, the

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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;

20. Encourages representatives of the EU Delegation and the embassies of EU Member States in Cairo to attend politically sensitive trials of Egyptian and foreign journalists, bloggers, trade unionists and civil society activists in the country;
21. Reiterates its calls on the VP/HR to clarify the specific measures taken in response to the Foreign Affairs Council's decision to review EU assistance to Egypt, also referring to the Court of Auditors report of 2013; requests, in particular, clarification of the status of: (i) the planned justice reform programme; (ii) the EU budget support programmes; (iii) the trade and domestic enhancement programme; and (iv) Egypt's participation in EU regional programmes such as Euromed Police and Euromed Justice; calls on the Commission to clarify the safeguards established within the programmes funded under the Neighbourhood Investment Facility, in relation to corruption risks as well as to economic and financial entities controlled by the military;
22. Calls for an EU-wide ban on the export to Egypt of intrusion and surveillance technologies which could be used to spy on and repress citizens; calls, in line with the Wassenaar Arrangement, for a ban on the export of security equipment or military aid that could be used in the suppression of peaceful protest or against the EU's strategic and security interests;
23. 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 President of the Arab Republic of Egypt and his interim government.