

European Parliament resolution of 17 January 2008 on the situation in Egypt

The European Parliament,

- having regard to its previous resolutions on the Euro-Mediterranean partnership,
- having regard to its resolution of 15 November 2007 on serious events which compromise Christian communities' existence and those of other religious communities,
- having regard to the Barcelona Declaration of November 1995,
- having regard to the communication from the Commission to the Council and the European Parliament of 21 May 2003 Reinventing EU actions on human rights and democratisation with Mediterranean partners – strategic guidelines (COM(2003)0294),
- having regard to the first conference of the Euro-Mediterranean Human Rights Network held in Cairo on 26 and

27 January 2006, – having regard to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984,

– having regard to the EU Guidelines on Human Rights Defenders, – having regard to Article 19 of the UN International Covenant on Civil and Political Rights, as ratified by Egypt in 1982,

– having regard to the International Convention on the Elimination of all Forms of Discrimination against Women,

– having regard to the work programme adopted at the Barcelona Summit of Heads of State and Government in November 2005,

– having regard to the conclusions of the 5th European Conference of Presidents of Parliaments, adopted on 26 November 2005 in Barcelona, – having regard to the resolutions adopted by the Euro-Mediterranean Parliamentary Assembly (EMPA) on 27 March 2006 and the declaration by its President,

– having regard to its resolution of 19 January 2006 on the European Neighbourhood Policy,

– having regard to Rule 115(5) of its Rules of Procedure,

– A. whereas an EU-Egypt Action Plan was signed in March 2007 within the Association Council set up by the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part; whereas that Action Plan sets out priorities among which particular attention should be given to enhancing the effectiveness of institutions entrusted with strengthening democracy, the rule of law and the promotion of human rights in all their aspects, B. whereas the promotion of respect for democracy, human rights and civil liberties are fundamental principles and aims of the European Union and constitute common ground for the development of the Euro-Mediterranean area,

C. whereas it attaches great importance to relations with Egypt and considers fair and transparent elections as the – only way to make progress towards a more democratic society and underlines the importance of Egypt and EU Egypt relations for the stability and development of the EU-Mediterranean area,

D. whereas the Egyptian authorities have promised to put an end to the imprisonment of journalists, but this promise has so far gone unfulfilled, E. whereas the opposition presidential candidate Ayman Nour is still serving a five-year prison sentence following an unfair trial in 2005 on politically motivated charges, and whereas his health is deteriorating as a consequence of this imprisonment,

F. having regard to the closure of the Centre for Trade Union and Workers' Services and its branches, this being the first closure of an advocacy NGO by an executive decision, and the closing down of the Association for Human Rights Legal Aid (AHRLA) and the ensuing verdict against the human rights activist Kamal Abbas, the general coordinator of the centre, for committing libel against Mohammed Mostafa, following his publication of an essay in the periodical Kalam Sanya,

G. whereas the Copts, the Baha'i, the Shiites, the Koranists and members of other religious minorities are still severely disadvantaged by sectarian isolation, 1. Recognises the role that Egypt plays in the Middle East peace process and the importance that EU-Egypt relations have for the entire Euro-Mediterranean area and in the fight against international terrorism and fundamentalism, but points out that respect for human rights is a fundamental value of the EU-Egypt Association Agreement and reaffirms the importance of the Euro-Mediterranean Partnership for promoting the rule of law and fundamental freedoms;

2. Considers that the recent arrests and action against NGOs and human rights defenders undermines the commitments entered into by the Egyptian Government concerning fundamental rights and freedoms and the democratic process in the country; supports the campaign by non-governmental organisations for freedom of organisation launched on 13 May 2007 by 34 NGOs as a follow-up to the first collective report on administrative and security harassment; 3. Calls on the Egyptian Government to end all forms of harassment, including judicial measures, the detention of media professionals and, more generally, human rights defenders and activists calling for reforms and to fully respect freedom of expression, in conformity with Article 19 of the UN International Covenant on Civil and Political Rights;

4. Encourages the Egyptian Government to honour its undertaking to lift the state of emergency on 31 May 2008; asks the Egyptian authorities to amend law No 25 of 1966 on martial courts, which is one of the major obstacles to the full enjoyment of fundamental freedoms, and to ensure that all measures and legislation adopted to combat terrorism are fully in accordance with international human rights law; 5. Strongly supports measures to guarantee academic freedom, freedom of the media and freedom of private religious belief; in that connection, calls for arbitrary administrative measures, such as those taken against the Centre for Trade Union and Workers' Services and the Association for Human Rights Legal Aid to be rescinded; calls for the release of Kamal Abbas and other activists; urges that the law on associations should not impose arbitrary restrictions on the peaceful activities of civil society organisations;

6. Calls for the immediate release of Ayman Nour, in the light of the reports of his deteriorating state of health, and calls for an immediate welfare visit, including a visit by qualified medical personnel;
7. Stresses the need to fully implement the principles of the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa and the 1993 International Convention concerning the rights and the protection of migrant workers and their families; supports the concluding observations of the UN Committee on Migrant Workers of May 2007 which called for the re-opening of the investigations into the killing of 27 Sudanese asylum seekers in December 2005;
8. Calls for an end to all forms of torture and ill-treatment and calls for investigations when there is reasonable suspicion that acts of torture have occurred; calls on the Egyptian Government to allow a visit by the United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment;
9. Emphasises the importance of ensuring and strengthening the independence of the judiciary by amending or repealing all legal provisions that infringe or do not sufficiently guarantee its independence; stresses the need for respect for and protection of the freedoms of association and expression for judges, in accordance with Articles 8 and 9 of the UN Basic Principles on the Independence of the Judiciary;
10. Welcomes the efforts made by Egypt to secure the border with Gaza and encourages all sides concerned to step up the fight against smuggling through tunnels into the Gaza strip;
11. Urges the EU to put human rights developments very high on its agenda during the forthcoming meeting of the EU-Egypt Subcommittee on Political Matters; calls on the Council and the Commission to report back to it and to closely involve it in the evaluation process;
12. Instructs its President to forward this resolution to the government and parliament of Egypt, the governments and parliaments of the Member States and the Mediterranean third countries which are signatories to the Barcelona Declaration, to the President of the Euro-Mediterranean Parliamentary Assembly and to the Council and Commission.