

Thursday 17 November 2011

16. Calls on the Iranian authorities to repeal or amend all legislation that provides for, or could result in, discrimination against and prosecution and punishment of people on account of their sexual orientation or gender identity, and to ensure that anyone held solely on account of consensual sexual activities or sexual orientation is released immediately and unconditionally;
17. Calls on the Member States to provide safe haven for Iranian citizens who have fled their country, such as through the Shelter City initiative;
18. Calls on the Iranian authorities to accept peaceful protest and to address the numerous problems facing the Iranian people; expresses particular concern at the pending ecological catastrophe in the Lake Urmia region and calls for decisive government action to try to stabilise the regional ecology, on which millions of Iranians depend;
19. Calls on EU representatives and the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy to encourage the Iranian authorities to re-engage in human rights dialogue;
20. Urges the European External Action Service (EEAS) to focus on EU citizens in Iranian prisons and to do everything possible to ensure their well-being and release;
21. 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 Secretary-General of the United Nations, the Office of the Supreme Leader, the President of the Iranian Supreme Court and the Government and Parliament of Iran.

Egypt, in particular the case of blogger Alaa Abdel Fatah

P7_TA(2011)0518

European Parliament resolution of 17 November 2011 on Egypt, in particular the case of blogger Alaa Abd El-Fattah

(2013/C 153 E/22)

The European Parliament,

- having regard to its previous resolutions, in particular those of 17 February 2011 ⁽¹⁾ on the situation in Egypt and of 27 October 2011 ⁽²⁾ on the situation in Egypt and Syria, in particular of Christian communities,
- having regard to the EU-Egypt Association Agreement and in particular Article 2 thereof,
- having regard to Articles 10, 18 and 19 of the Universal Declaration of Human Rights of 1948,
- having regard to Articles 14(1) and 18 of the International Covenant on Civil and Political Rights of 1966, to which Egypt is a party,
- having regard to Articles 6 and 9 of the European Convention on Human Rights (ECHR) of 1950,
- having regard to the UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion and Belief of 1981,

⁽¹⁾ Texts adopted, P7_TA(2011)0064.

⁽²⁾ Texts adopted, P7_TA(2011)0471.

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- having regard to the European Union Guidelines on Human Rights Defenders,
 - having regard to the statement by the High Representative, Catherine Ashton, of 10 October 2011, on the violence in Egypt,
 - having regard to the Foreign Affairs Council conclusions of 21 February 2011 in which High Representative Catherine Ashton was asked to report about the measures adopted and the concrete proposals to strengthen further the European Union actions concerning the promotion and the defence of religion and freedom of belief,
 - having regard to the Foreign Affairs Council Conclusions of 10 October 2011 and the European Council Conclusions on Egypt of 23 October 2011,
 - 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 Rule 122(5) of its Rules of Procedure,
- A. whereas on 30 October 2011, the Military Prosecutor called for interrogation the blogger Mr Alaa Abd El-Fattah, subsequently ordering his provisional detention for 15 days in the appeals prison of Bab El Khalq in Cairo, after charging him with ‘inciting violence against the Armed Forces’, ‘assaulting military personnel and damaging military property’ during the recent Maspero clashes, which started with a peaceful demonstration for the rights of Coptic Christians that took place on 9 October 2011 in Cairo, where at least 25 Egyptian citizens were killed and more than 300 injured; whereas 30 other civilians have been detained in the same court case;
- B. whereas on 3 November 2011, the Military Appeal Court confirmed the detention of Mr Alaa Abd El-Fattah for a period of 15 days, after which he was transferred to Tora prison and on 13 November his detention was renewed for 15 days pending further investigation;
- C. whereas Mr Alaa Abd El-Fattah refused to answer any questions from the Military Court relating to the events, stating that he would only answer to an impartial civil court and arguing that the Military Court did not have the legitimacy and jurisdiction to interrogate civilians;
- D. whereas everyone must be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law;
- E. whereas Alaa Abd El-Fattah was previously detained under the Mubarak regime for 45 days in 2006 after participating in a protest in support of an independent judiciary;
- F. whereas imprisoned blogger Maikel Nabil Sanad continues his hunger strike and is in a critical condition; whereas on 11 October 2011 the Military Appeal Court decided to annul his sentence of three years’ imprisonment and ordered a retrial; whereas, at the second hearing of this new procedure on 1 November 2011, his trial was postponed until 13 November 2011 and then on that date further postponed until 27 November 2011 as he refused again to cooperate with the military tribunal on the basis of his opposition to civilians being tried before military courts;
- G. whereas Egypt is going through a critical period of democratic transition and faces considerable challenges and difficulties in this process;
- H. whereas the social media have played an important role in Arab Spring events, including in Egypt; whereas bloggers, journalists and human rights defenders continue to be targets of harassment and intimidation in Egypt;

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- I. whereas human rights organisations report that more than 12 000 civilians have been tried before military tribunals since March 2011 in Egypt; whereas civilians arrested under the emergency law continue to be tried before military courts, which fall short of minimum standards of fair trial and the right to defence, in the country; whereas the great majority of Egyptian human rights NGOs, lawyers' associations and political figures from all political groups have insisted that civilians must be tried in civilian courts to ensure due process;
 - J. whereas the European Union has repeatedly expressed its commitment to freedom of expression, freedom of thought, freedom of conscience and freedom of religion and has stressed that governments have a duty to guarantee these freedoms all over the world;
1. Urges the Egyptian Authorities to immediately release Mr Alaa Abd El-Fattah, who is in prison for refusing to answer questions relating to the events of 9 October 2011 put by the Military Court, which he does not consider to be an impartial and legitimate court; calls on the Egyptian authorities to guarantee that no blogger, journalist or human rights defender is subject to direct or indirect harassment or intimidation in the country;
 2. Strongly condemns the judicial harassment of Mr Alaa Abd El-Fattah by the military judicial authorities; repeats its call upon the SCAF to put an end without delay to the emergency law and to military trials of civilians, and to immediately release all prisoners of conscience 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;
 3. Calls on the Egyptian authorities to guarantee impartial tribunals as referred to in Article 10 of the Universal Declaration of Human Rights of 1948: 'Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him';
 4. Reiterates its call for an independent, thorough and transparent investigation into the Maspero clashes which started with a peaceful demonstration for the rights of Coptic Christians on 9 October 2011 in Cairo, which should be conducted by an independent and impartial civil judiciary, in order to hold all those responsible to account, and again expresses its condolences to the victims and their relatives; urges the Egyptian authorities to guarantee the independence and impartiality of the various investigations by allowing proper oversight;
 5. Reiterates its solidarity with the Egyptian people in this critical period of democratic transition in the country and continues to support their legitimate democratic aspirations; calls on the Egyptian authorities to ensure full respect of all fundamental rights, including freedom of thought, freedom of conscience and freedom of religion, freedom of expression and of internet, freedom of peaceful assembly and freedom of association;
 6. 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 Governments and Parliaments of the Member States and the Government of the Arab Republic of Egypt.
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