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Egypt, notably the case of blogger Alaa Abdel Fattah

Greens/EFA motion for a resolution

The European Parliament,

- having regard to its previous resolutions on Egypt in particular of 17 February 2011 on the situation in Egypt, and of 27 October 2011 on the situation in Egypt and Syria, in particular of Christian communities,
- having regard to the Universal Declaration of Human Rights of 1948,
- having regard to the International Covenant on Civil and Political Rights of 1966 and in particular its Articles 14 and 9, to which Egypt is party,
- having regard to the European Union Guidelines on Human Rights Defenders,
- having regard to the Joint Communication on ‘A new response to a changing neighbourhood’ of the European Commission and the HR/VP of 25 May 2011,
- having regard to the Foreign Affairs Council Conclusions of 10 October 2011,
- having regard to the European Council Conclusions on Egypt on 23 October 2011,
- having regard to Rule 122 of its Rules of Procedure,

A. whereas on 30 October prominent Egyptian blogger and activist Alaa Abdel Fattah appeared before the military prosecutor in response to an official summons and was questioned about his involvement in the protests at Maspero; whereas Alaa Abdel Fattah refused to answer questions because of his opposition to civilians being tried before military courts and because the military itself was party to the violence which occurred during the Maspero protests while leading the investigation into the deaths of protesters;

B. whereas on 2 November the Egyptian Shorouk newspaper and British Guardian newspaper published a letter written by Alaa Abdel Fattah at Bab el-Khalq jail with the title "After Egypt's revolution, I never expected to be back in Mubarak's jail"; whereas Abdel Fatah spoke about his 2006 imprisonment experience and the injustice of military trials;

C. whereas on 3 November the military prosecutor charged Alaa Abdel Fatah with theft of a military

weapon, the destruction of military property, incitement to the assault of military officers, illegally demonstrating as well as use of force against members of the armed forces and ordered his detention for 15 days which was renewed on 13 November for 15 days pending further investigation;

D. whereas Egyptian human rights NGOs confirmed Alaa Abdel Fattah's statements that he was not even present at the place of the Maspero protests, as he went to the Coptic Hospital on October 9 to see the victims of the attacks;

E. whereas at least 28 other civilians are believed to have been detained and charged in connection with the demonstrations;

F. whereas imprisoned blogger and prisoner of conscience Maikel Nabil Sanad, currently into his third month of a hunger strike, continues to refuse cooperation with the military tribunal as he did not recognize military's authorities to try civilians ; whereas the military appeal court decided to annul his sentence of three years of imprisonment and ordered a re-trial on 11 October 2011; whereas, at the second hearing of this procedure which took place on 1 November 2011, his trial has been postponed to the 13th of November and further postponed at this date until the 27th of November;

G. whereas human rights organizations have reported that, since the crackdown, more than 12 000 civilians have been tried before military courts which deprive defendants of fair trial and deny them the right to appeal; whereas the great majority of Egyptian human rights NGOs, lawyers associations and political figures from all political groups have insisted civilians must be tried in civilian courts to ensure due process;

H. whereas according to international human rights organisations, the National Council for Human Rights, Egypt's Government-appointed human rights commission, said members of the military were responsible for killing demonstrators; whereas Egypt's military authorities must allow an independent investigation into the killings of the 9 October Maspero events if they are serious about bringing those responsible to justice;

I. whereas social media have played an important role in Arab Spring events including in Egypt; whereas Alaa Abdel Fatah's detention is only the latest example of the systematic targeting, harassment and intimidation against bloggers, journalists, political activists and human rights defenders in Egypt;

1. Expresses once again its solidarity with the Egyptian people in this critical and difficult period of democratic transition in the country and reaffirms its support to their legitimate democratic aspirations; calls on the Egyptian authorities to ensure full respect of all fundamental rights, including freedom of expression and of internet, freedom of peaceful assembly and freedom of association;

2. Strongly regrets that Egypt's treatment of bloggers, human rights defenders and political activists seems to have changed little since the stepping down of the former president; urges the Egyptian authorities to put an end to the unjust and appalling persecution of Alaa Abdel Fattah and Maikel Nabil Sanad and calls for their immediate and unconditional release as well as of all other persons unduly imprisoned for having peacefully expressed their views in Egypt;

3. Stresses the importance of civil society in any democratic society as well as of freedom of expression and media plurality;

4. Points out that the widespread use of military courts contribute to increasing concerns regarding Egyptian authorities and represents an obstacle to the democratic transition of Egypt; calls for the lifting of the Emergency Law in accordance with the first demands of the January 25 revolution and with announcements made by the SCAF and the government before elections are held; urges the Egyptian authorities to end the referring of civilians to military courts and to guarantee them a just and fair trial;

5. Stresses again the importance that an independent, thorough and transparent, investigations into the events of Maspero be conducted by an independent civil judiciary, in order to hold all those responsible to account;
6. Instructs its President to forward this resolution to the Council, the Commission, the High Representative of the Union for Foreign Affairs and Security Policy/Vice President of the Commission, the governments and parliaments of the Member States, and the Government of the Arab Republic of Egypt;

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