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Situation in Egypt and Syria, in particular regarding the Christian communities

Greens/EFA motion for a resolution

The European Parliament,

– having regard to its previous resolutions on Egypt in particular the one of 15 February on the situation in Egypt, and to the one of 21 January 2010 on attacks on Christian communities,

– 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 Article 18 of the Universal Declaration of Human Rights of 1948 and to Article 18 of the International Covenant on Civil and Political Rights of 1966, to which Egypt is party,

– having regard to the UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion and Belief of 1981,

– having regard to the reports of the UN Special Rapporteur on freedom of religion or belief and in particular its reports of 15 December 2010 and 18 July 2011,

– having regard to the statements by High Representative of the Union for Foreign Affairs and Security Policy/Vice President of the Commission, Catherine Ashton on Egypt and in particular the one of 10 October on the violence in Egypt,

– having regard the European Commission decision on 17 August 2011 to approve €100 million for Egypt, to help improve living conditions for the poor in Cairo, create more jobs, and make sustainable energy more widely available,

– having regard to the EU-Egypt Association Agreement from 2004 and the Action Plan agreed in 2007,

– having regard to the Joint Communication on ‘A new response to a changing neighbourhood’ of the European Commission and the High Representative to the European Parliament, the Council, the European Economic and Social Committee and the Committee of Regions of 25 May 2011,

– having regard to its previous resolutions on Syria and, in particular, to the ones of 7 July 2011 and 15

September 2011,

– having regard to the Conclusions of the Foreign Affairs Council of 10 October 2011,

– having regard to statement of the EU High Representative for Foreign Affairs and Security Policy of 13 October 2011 on EU sanctions in Syria,

– having regard to the International Covenant on Civil and Political Rights (ICCPR) of 1966, to which Syria is party,

– having regard to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1975, to which Syria is party,

– having regard to Rule 110(2) of its Rules of Procedure,

On Egypt

A. whereas following the attacks on Coptic churches in March, May and September 2011, and the absence of satisfactory response from local and national authorities to effectively prosecute the perpetrators of the attacks, in particular in the Southern Aswan Governorate, a peaceful march mainly from the Coptic community was staged in Cairo on 9 October in order to call on Egyptian authorities to take all necessary steps to arrest and prosecute the perpetrators and the instigators of the attacks on the Church, to adopt a unified law for building houses of worship, to effectively criminalise religious discrimination and to rebuild the church that was attacked; whereas this protest chanted against the regime and turned into a bloodbath that caused the death of 27 civilians and possibly up to three soldiers as well as to more than 300 hundreds wounded, the worst violence Egypt has seen since ousting of Mubarak in February;

B. whereas Egyptian authorities have responded to this tragic event by initiating an inspection of the Maspero area by the Prosecutor-General's office, and conducting an investigation under the military judicial authority and setting up a fact-finding Commission composed of members of the judiciary;

C. whereas Muslims joined with the Coptic protesters in the following days against religious sectarianism, calling for an impartial inquiry over the alleged use of lethal violence by authorities and thugs and incitation to sectarian violence by the state media; whereas Copts comprise about 10% of Egypt's population and complain of discrimination, including constant delays on authorisations to build places of worship; whereas Coptic church leader Pope Shenuda III of the Coptic Orthodox Church of Alexandria blamed the violence and religious leaders including the grand imam of Al-Azhar, Ahmed El-Tayeb are now calling for national unity and inter-faith dialogue;

D. whereas Egyptian state television Channel One called on Egyptians to take to the streets to defend Egypt's army which it said was under attack by violent Christian protesters, further exacerbating the situation and discriminating between citizens during its coverage of the events;

E. whereas political and religious leaders have a duty at all levels to combat extremism and promote mutual respect; whereas all countries have a moral and legal duty to protect freedom of religion by rooting out discriminatory laws that can lead to full-fledged conflict;

F. whereas Egyptian Finance Minister Hazem el-Beblawi has resigned to protest the government's handling of the clashes, being it rejected by the ruling military council; whereas Egyptian Tourism Minister Abdel Nour criticised Egypt's state TV for inciting violence against Copts and called the events a catastrophe in every sense and that authorities did not deal with the crisis in a courageous manner;

G. whereas the emergency law, which has been broadened by the Supreme Council of the Armed Forces (SCAF) after the clashes between demonstrators and security forces at the Israeli embassy last September, has now reverted to its original scope, covering offenses that includes disturbing traffic, blocking roads, broadcasting rumours, possessing and trading in weapons, and 'assault on freedom to work' according to official statements;

H. whereas civilians arrested under the emergency law are tried before military courts which violate the right to a fair trial and deny defendants the right to appeal; whereas human rights organisations have reported that, since the crackdown, more than 12 000 civilians have been tried before these special courts, 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;

I. whereas the 25 year-old blogger and prisoner of conscience Maikel Nabil Sanad who was arrested on 28 March, tried before a military court on 10 April and sentenced to three year's imprisonment for allegedly spreading lies and rumours about the armed forces on his blog, has been on hunger since August 23; whereas his health has greatly deteriorated since prison authorities took away vital heart medication;

J. whereas a committee to review civil institutions and NGOs aimed at tightening legal control on foreign funding of civil society organizations was recently announced and, as a consequence, a request was issued to the Central Bank to monitor all bank transitions of NGOs; whereas at the same time the state security prosecutor accused organisations that have illegally received funding from foreign sources of 'grand treason' and 'conspiracy against Egypt' through foreign agendas aimed at harming Egyptian national security; whereas, furthermore, the threats levelled at NGOs, especially those involved in the defence of human rights, in an intensive defamatory campaign launched by the state-owned press, served to de-legitimise and stigmatise them in the eyes of the public as actors acting against the interest of Egypt,

K. whereas the Supreme Council of the Armed Forces reaffirmed, in an official public statement issued on 12 October 2011, its commitment to upholding the right of all citizens to peaceful protest and to freedoms of assembly, belief and expression, as constitutionally protected rights, as well as to uphold the rule of law regardless of who the culprit is;

L. whereas the European Union has repeatedly expressed its commitment to freedom of religion, freedom of conscience and freedom of thought, and has stressed that governments have a duty to guarantee these freedoms all over the world; whereas the development of human rights, democracy and civil liberties is the common base on which the European Union builds its relations with third countries and has been provided for in the agreements between the EU and third countries;

M. whereas the transitional period after the January 25th revolution in Egypt has been characterised by a tendency towards marginalisation of women who were excluded from the Constitutional Committee and the abolishment of women quota in the review of law on political rights as well as rising calls for moving back from women's legal gains in past decade;

On Syria

N. whereas since March 2011, according to UN estimates issued recently, more than 3000 people have lost their lives, including at least 187 children, and thousands more have been injured, arrested, tortured or disappeared as a result of the brutal repression by the Syrian regime against its population; whereas, despite widespread international condemnation, violent crackdowns and human rights violations and abuses by security forces against civilians and their families continue and further increase in Syria;

O. whereas the uprising and the popular resistance against the Assad regime seem not to be weakened or intimidated by the violent repression but, on the contrary, looks like it is gaining ground in some of the

main cities of the country heading towards a civil war that could destabilise the whole region;

P. whereas Turkish and Arab League efforts to broker a peaceful resolution to the uprising have so far failed;

Q. whereas the UN High Commissioner for Human Rights urged the international community to act to protect civilians from the regime crackdown; whereas on 17 October the UN Secretary General called on the Syrian regime to stop killing civilians and accept an international investigation into human rights abuses;

R. whereas, despite these calls and international efforts, the Syrian regime continues to pursue a military solution to the revolt thus contributing to the militarisation of the conflict the regime claims it is trying to prevent; whereas the reforms and amnesties announced and promised by Bashar al-Assad have never been put into practice;

S. whereas, in its conclusions of 10 October 2011, the Council welcomed the efforts of the Syrian political opposition to establish a united platform, called on the international community also to welcome these efforts, noted the creation of the Syrian National Council (SNC) as a positive step forward, and welcomed the SNC's commitment to non-violence and democratic values; whereas Members of the European Parliament have exchanged views with representatives of the Syrian opposition in exile on several occasions in the past months;

On 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 association, freedom of peaceful assembly and freedom of expression;

2. Strongly condemns all acts of violence and deplores the so-called Maspero events which resulted in the death of more than 20 people and 300 injured and expresses its solidarity and sympathy to the families of all the victims; is shocked about the scenes of the brutal attacks, including by military tanks, and the disproportionate use of force by the Egyptian army on the demonstrators;

3. Stresses that the Maspero events are in blatant contradiction of the Tahrir spirit and stresses 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; stresses that reports of disinformation and hatred speech by media are particularly worrying and need to be fully addressed;

4. Calls on the Egyptian authorities to adopt a proper policy and legal framework to fight all forms of discrimination and ensure equality between all Egyptian citizens; welcomes in this regard the amendment to the penal code criminalising acts of discrimination on the ground of sex, race, language, religion or creed; stresses nevertheless the need to adopt a comprehensive legal framework and policy to fight all forms of discrimination, in conformity with international human rights standards;

5. Takes note of the announcements concerning the authorities' intentions to review the legal framework on the construction of places of worship and examine the legalisation of already existing ones; stresses in this regard the importance that a unified code be applied to all places of worship regardless of the religion to which they belong in order avoid further discriminations;

6. Regrets that the Government has still neither adopted nor amended the unified places of worship and

anti-discrimination draft-laws, which it vowed to amend in the aftermath of the attack of the church of Imbaba;

7. Expresses its concern at the fact that the emergency law gives security forces unrestrained powers of search, arrest and detention; calls for the lifting of the state of emergency in accordance with the first demands of the January 25 revolution and in accordance with announcements made by the SCAF and the Government on the lifting of the emergency law 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; points out that the renewal and full enforcement of the emergency law and the expansion of its jurisdiction of military courts to the whole of Egypt to justify the widespread use of military courts contribute to increasing concerns regarding the government and the SCAF's genuine commitment to the demands of the January 25 revolution, and represents an obstacle to the democratic transition of Egypt towards legislative elections scheduled for November 28 and January 23;

8. Regrets that Egypt's treatment of human rights defenders and political activists seems to have changed little since the stepping down of the former president; expresses its concern about the repeated attacks by the Egyptian authorities against civil society organisations benefiting from foreign funding; calls on the authorities to make public the report of the Commission of Inquiry, set up under the authority of the Minister of Justice, to investigate foreign funding to Egyptian NGOs; expresses its concern at reports that a number of NGOs, including human rights defenders, are currently being investigated for this matter and subject to a smearing campaign by the Government in media;

9. Underlines the importance of civil society in any democratic society and calls in this regard on the Egyptian authorities to fully associate and consult with civil society organisations in the process of democratic transition, including on the electoral process and to stop all forms of harassment or intimidations to which civil society organisations are currently subjected whether direct or indirect, especially to drop all criminal charges and to end the media campaign against NGOs; calls on the Egyptian authorities to adopt a new association law in accordance with International Human Rights Standards and in close consultation with NGOs and human rights groups;

10. Condemns all kinds of discrimination and intolerance based on religion and belief against religious people, apostates and non-believers, as well as based on gender, ethnic origin and, language or on grounds of disability, sexual orientation and gender identity; stresses once again that the right to freedom of thought, conscience and religion is a fundamental human right;

11. Reiterates its support for all initiatives aimed at promoting dialogue and mutual respect between religious and other communities; calls on all religious authorities to promote tolerance and to take initiatives against hatred and violent and extremist radicalisation;

12. Regrets the reestablishment of a Ministry of Media after it had been abolished, threatening freedom of expression and freedom of the press; is deeply worried by the ongoing pressures on prominent TV anchor Yosri Fouda who decided to suspend his political talk show from October 21 to protest against the authorities' efforts to stifle free expression; is very worried that the delivery of licenses to progressive political channels have been frozen by the Government since September 7;

13. Calls for the reform of security in Egypt and to pay increased attention to the subject of the freedom of religion and to the situation of religious minorities in the agreements and cooperation with third countries as well as in human rights reports and identify concrete and immediate steps to support the work of NGOs and human rights defenders in line with its EU guidelines on human rights defenders and to adopt an EU Human Rights strategy on Egypt based on consultation with independent Egyptian NGOs;

14. Stresses the importance of freedom of expression and media plurality; is concerned, in this respect,

about increasing reports of censorship and pressure against journalists and bloggers; urges the Egyptian authorities to put an end to the unjust and appalling persecution of Maikel Nabil Sanad and calls for his immediate and unconditional release as well as of all other persons unduly imprisoned for having peacefully expressed their views in Egypt;

15. Underlines that respect of women's rights, gender equality and women's political participation is crucial to real democratic development in Egypt; urges the authorities to promote gender equality, contribute to eliminate discriminations against women, to combat gender based violence and to promote equal participation of women in public economic and political life;

On Syria

16. Firmly condemns the disproportionate and brutal use of force against peaceful protesters and the systematic persecution of pro-democracy activists, human rights defenders and journalists;

17. Calls for the stepping down of Bashar al Assad whose regime has lost any legitimacy after the ongoing persistent ruthless crack-down on the Syrian population; takes the view that his resignation would pave the way and facilitate the transition process which should be based on a credible and inclusive dialogue involving all democratic forces and components of Syrian society with a view to launching a process of deep democratic reforms;

18. Expresses once more its solidarity and its firm support to the struggle of the Syrian people for freedom, democratic changes and the end of the authoritarian regime; urges the EU HR/VP to provide the organised Syrian democratic opposition forces within and outside Syria with the necessary strong political and technical support so that their non violent struggle is successful;

19. Reiterates its deepest concern at the gravity of the human rights violations perpetrated by Syrian authorities, including mass arrests, extrajudicial killings, arbitrary detention, disappearances and torture; believes that these widespread and systematic violations of Syria's obligations under the international human rights law may amount to crimes against humanity; takes the view that the UNSC should refer Syria to the International Criminal Court (ICC) with the aim to bring justice to Syrian population and avoid more victims;

20. Underlines the call made by Syrian opponents and demonstrators for the sending of international observers to deter attacks against civilians and full access of international humanitarian and human rights organisations as well as of international media to the country;

21. Deplores the growing number of cross-border incursions by Syrian troops into Lebanese territory where killings and abductions have been widely reported; calls, in this respect, on the EU HR/VP to urge the Lebanese authorities to guarantee the protection and the security of all Syrian citizens fleeing their country, including humanitarian law;

22. Encourages the EU HR/VP, the Council and the Member States to continue cooperating closely with Turkey and neighbouring countries of Syria, the Arab League and other international actors in order to find a common position for the solution of the crisis at the UNSC and step up the pressure on the Syrian regime in order to stop the military escalation on its own people;

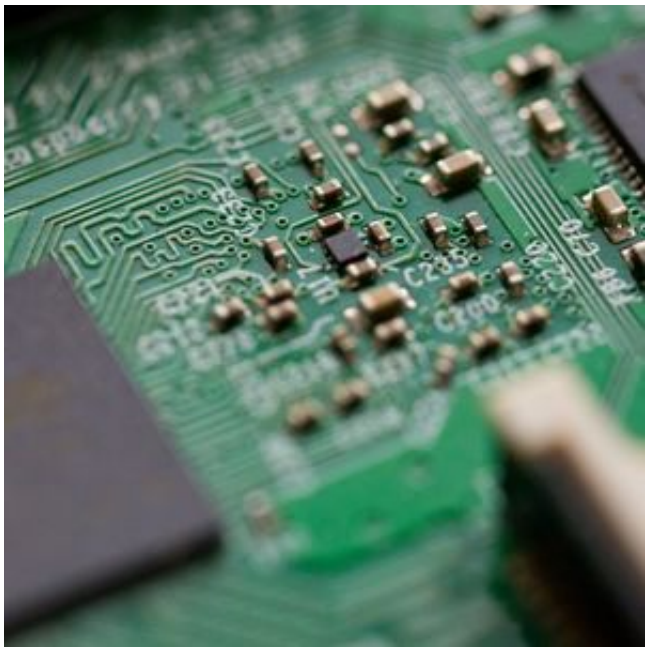
23. Welcomes the new set of sanctions adopted by the EU on Syria; calls, on the Council, nevertheless, to find ways so that these sanctions are better targeted and do not hit or affect directly or indirectly the civilian population whose daily life has been deeply deteriorating over the last months; takes the view that those individuals that have committed crimes must be held accountable;

24. Instructs its President to forward this resolution to 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, the Government and Parliament of Egypt, the Government and Parliament of Syria, the Secretary-General of the Arab League and the Secretary-General of the United Nations.

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