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Egypt: Violence against Sudanese refugees - Egypt

European Parliament resolution on Egypt: Violence against Sudanese refugees

The European Parliament,

- having regard to its previous resolutions on human rights in Egypt,
 - having regard to its resolution of 16 September 2004 on the humanitarian situation in Sudan¹ and the ACP-EU Joint Parliamentary Assembly resolution of 21 April 2005 on the situation in Sudan²,
 - having regard to all relevant UN Security Council resolutions, including Resolution 1593 (2005) on the situation in Sudan and resolution 1564 (2004), pursuant to which the report of the International Commission of Inquiry on Darfur to the UN Secretary-General of 25 January 2005 was presented,
 - having regard to the EU-Egypt Association Agreement³ signed in Luxembourg on 25 June 2001 and in force since 1 June 2004, and in particular Article 2 thereof,
 - having regard to the resolution adopted by the Euro-Mediterranean Parliamentary Assembly on 15 March 2005 in Cairo highlighting the importance of human rights,
 - having regard to the Barcelona Declaration of 28 November 1995 and the Commission communication (COM(2005)0139) concerning the tenth anniversary of the Barcelona Process and the objectives for the next 5 years, especially the aim to focus on issues such as the protection of human rights,
 - having regard to the United Nations Convention relating to the Status of Refugees of 28 July 1951 and the UN Code of Conduct for Law Enforcement Officials,
 - having regard to Article 11(1) of the Treaty on European Union and Article 177 of the Treaty establishing the European Community, which establish the promotion of human rights as an objective of the common foreign and security policy,
 - having regard to the Universal Declaration of Human Rights of 1948,
 - having regard to Rule 115(5) of its Rules of Procedure,
- A. whereas, on 30 December 2005, the Egyptian security forces evacuated by force more than 2 500 Sudanese migrants, refugees and asylum seekers who were settled in Moustafa Mahmoud Square, in the Mohandessin district of Cairo, in front of the United Nations High Commissioner for Refugees (UNHCR) Headquarters, requesting to be relocated to third countries since 29 September 2005,

¹ OJ C 140 E, 9.6.2005, p. 153.

² OJ C 272, 3.11.2005, p. 43.

³ OJ L 304, 30.9.2004, p. 39.

- B. whereas, reportedly, 2 000 police officers surrounded the improvised encampment, fired water cannons into the crowd and beat individuals with clubs in order to end the sit-in,
 - C. whereas eyewitnesses, the international press and human rights organisations reported over 200 deaths, whilst, according to official information from the Egyptian authorities, only 27 people, all Sudanese and most of them women, children and elderly people, were killed; whereas others were imprisoned and many others were injured following the Egyptian security forces' attack,
 - D. whereas a large number of refugees were arrested and brought to detention centres outside the capital following the incident,
 - E. whereas, following the signing of the Peace Agreement between North and South Sudan in 2005, the Egyptian Government claimed that the Sudanese refugees residing in its country were no longer entitled to refugee status,
 - F. whereas the Egyptian authorities announced on 4 January 2006 that the deportation of 650 Sudanese nationals was to be delayed by 72 hours so that the UNHCR could identify refugees or asylum seekers,
 - G. whereas the signatory countries, and particularly the governments of the Member States, are obliged to honour their international obligations under the Geneva Convention when requests are received from individual asylum and refugee status seekers, as well as from third countries to host refugees,
 - H. whereas the situation in Sudan as a whole remains extremely unstable, with continuing violence in Darfur and tentative peace between North and South,
 - I. whereas the European Union and the international community should commit to a global strategy aimed at promoting peace and stability, and social and economic reconstruction, especially in those regions of Africa ravaged by civil war,
 - J. whereas human rights violations in Egypt have increased in the past months; whereas, for instance, the leader of the secular El Ghad party and former member of parliament Ayman Nour and other defendants were arrested after the last elections; whereas Ayman Nour has been sentenced to 5 years' imprisonment for allegedly falsifying some of the 50 signatures needed to register his party,
1. Condemns the violence of the Egyptian police that resulted in deaths and injuries, and insists that the situation could and should have been resolved peacefully;
 2. Calls on the Egyptian authorities to ensure that police officers act in compliance with international standards and to put an end to the disproportionate use of force;
 3. Welcomes the decision of the Egyptian authorities to start an investigation into the tragic events of 30 December 2005 and urges the Egyptian Government to involve UN human rights experts and members of independent Egyptian human rights organisations;
 4. Recalls that Egypt is a state party to the Convention against Torture and other

international agreements which expressly prohibit the forcible return of anyone to a country where they would be at risk of torture or ill-treatment;

5. Asks the Egyptian authorities to halt the forced deportation to Sudan of the remaining 462 Sudanese nationals, as the group is believed to include asylum seekers and refugees recognised by the UNHCR, and to respect the principle of non-refoulement;
6. Calls on the Egyptian authorities to provide information on the places where arrested Sudanese migrants and refugees have been settled or detained since 30 December 2005 and to release all Sudanese nationals detained during or following the events, unless they are to be charged with a recognisable criminal offence and, moreover, to ensure that all those held have full access to lawyers and to their families, and receive adequate medical treatment when necessary;
7. Expresses its concern at the allegation of torture and ill treatment and appeals to the Egyptian authorities to guarantee the physical and psychological integrity of all migrants and refugees and to adopt a law on the protection of refugees, asylum seekers and migrants which complies with international law, in particular the Convention relating to the Status of Refugees;
8. Recognises the mandate of the UNHCR and the importance of its efforts to protect and promote durable solutions for refugees and other uprooted people who are its concern, and expresses its support for the UNHCR's work;
9. Criticises the UNHCR, however, for having been too slow in finding a solution for the Sudanese refugees and asylum seekers, and calls on the UNHCR to clarify the procedure used in considering the requests submitted by Sudanese asylum seekers and the various initiatives taken to break the deadlock;
10. Calls on the Commission and the Member States to establish a true partnership with the UNHCR by offering both political and financial support to assist the work of the UNHCR in Cairo, in order to maintain a constant dialogue with the Egyptian authorities, emphasising that the situation of the Sudanese migrants and refugees needs to be resolved peacefully and in accordance with the 1951 Geneva Convention and international humanitarian law;
11. Stresses 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;
12. Takes the view that the incidents which took place in Cairo on 30 December 2005 represent a serious violation of Article 2 of the Association Agreement and calls on the Council and the Commission to emphasise this issue at the next meeting of the EU-Egypt Association Council and when continuing the EU-Egypt discussions towards a national Action Plan;
13. Calls on the Council and the Commission to make provision in the European Neighbourhood and Partnership Instrument (ENPI) for a specific programme to combat the use of torture and degrading and inhuman treatment;

14. Calls on the international community, and the governments of the Member States in particular, to support the programmes for the resettlement of Sudanese refugees, in compliance with the Geneva Convention;
15. Expects the EU's partner countries to ensure that all people submitting applications for asylum at their borders are guaranteed safety and a fair procedure in accordance with international conventions and accepted principles of international refugee law;
16. Welcomes and supports the worldwide calls to release Ayman Nour, and strongly urges the Egyptian authorities to ensure that the Ayman Nour is well treated and not subjected to torture or other forms of ill-treatment and that he is given prompt, regular and unrestricted access to his lawyers, doctors (as he is diabetic) and family;
17. Instructs its President to forward this resolution to the Council, the Commission, the Government and Parliament of Egypt, the Government of Sudan and the UN High Commissioner for Refugees.