

Brussels, 20 January 2021

Open letter to the EU and its member states on Egypt

Dear High Representative,
Dear Foreign Ministers,

We are writing ahead of the January 25th Foreign Affairs Council discussion on Egypt to raise our serious concerns, once again, about the human rights crisis unfolding in the country, and to urge the EU and its member states to take the long overdue steps needed to signal that Egypt's disregard for human rights will no-longer be tolerated.

As we near the 10th anniversary of Egypt's 2011 revolution, the hopes for freedom and human rights-oriented reform that led Egyptians to take to the streets almost a decade ago, have been shattered by years of brutal repression and a relentless crackdown on any form of dissent. In a [letter](#) sent to you nearly one year ago, international human rights NGOs urged the **EU to undertake a comprehensive review of its relations with Egypt** given the sustained and unprecedented crackdown on human rights in the country. This request echoed previous calls by the European Parliament, most recently reiterated in a December 2020 urgency [resolution](#) responding to Egypt's spiralling levels of repression and the arrests of prominent human rights activists. These repeated calls and the authorities' increasingly brazen disregard for EU concerns on human rights, illustrate the urgent need for a thorough review of EU-Egypt relations.

2020 was a year marked by unprecedented challenges associated to the pandemic and the economic and political fallout that it created. Yet not much has changed in EU policy towards Egypt since 2019 and recommendations from human rights groups and the European Parliament remain largely unheeded.

Over the past year, the Egyptian authorities have [used](#) COVID-19 as pretext to grant further abusive powers to the President and to deepen restrictions on rights and freedoms. The authorities continued to arbitrarily arrest human rights defenders, peaceful activists, politicians and journalists – including some in reprisal for meeting with Western diplomats – added some to the [terrorists list](#); brutally [crushed](#) the mostly peaceful demonstrations in September 2019 and September 2020; detained [doctors, other medical workers, social media users](#) and [journalists](#) for criticising the handling of the pandemic; detained and prosecuted [women](#) over morality charges, including rape victims and witnesses; subjected detainees and prisoners to inhumane conditions of detention, medical negligence and deliberate denial of medical care, leading or contributing to the [death](#) of dozens, if not hundreds, of prisoners in custody; continued to arrest members of the LGBTI community because of their sexual orientation and to forcibly subject them to [torture and degrading treatment](#) including "anal tests" and "sex determination tests"; and continued to arrest and prosecute members of religious minority groups over blasphemy charges. The year 2020 saw an unprecedented hike in the number of judicial executions, while courts continued to hand down death sentences, often in trials that failed to meet basic international standards of due process, including mass trials. Due to a loophole in Egypt's Child Law that allows children to be tried in adult courts, children are sometimes caught up in these mass trials and sentenced to death.

You are fully aware of the seriousness of the human rights crisis in the country, as shown by the [item 4 statement](#) at the 45th session of the UN Human Rights Council. Nonetheless, EU and member states have failed to collectively take any meaningful and sustained action to address the situation, preferring instead to compartmentalise the different aspects of the EU's relations with Egypt while narrowing in on short-term

policies geared at stemming migration and enhancing security cooperation. This has translated into occasional, yet often timid, EU statements on human rights, while leaders of EU member states continue to support Egypt's deeply-abusive government by selling weapons, bolstering cooperation, and even conferring prestigious [awards](#) on President Abdel Fattah al-Sisi.

This lack of policy coherence undermines the EU's credibility and prevents EU actions from addressing the core drivers of instability in the region, generated among other things by the brutal suppression of space for expression and dissent as well as the widespread impunity for human rights violations. Moreover, by signalling that Egypt's human rights abuses will trigger at most minimal consequences, the EU's approach risks further emboldening the Egyptian authorities' sense of impunity for their abuses. This was clear in the brash confidence with which the Egyptian authorities clamped down on well-known human rights defenders including the leaders of the Egyptian Initiative for Personal Rights in November 2020 and the government's continued efforts to hinder investigations into the abduction, torture and killing of Giulio Regeni.

We urge you to have a thorough discussion on these issues and give them the full attention that they deserve, starting at your January 25th meeting. Business cannot continue as usual with Egypt as long as the Egyptian authorities maintain their brutal crackdown on human rights.

The EU recently recommitted to advance human rights in foreign policy, as reflected in the new [EU Action Plan on Human Rights and Democracy](#) and the adoption of the new [global human rights sanctions regime](#). Staying true to their human rights commitments, the EU and its member states should devise a unified, coherent and strategic policy towards Egypt, using all instruments at their disposal to address the human rights crisis in the country. This would be in line with the European Parliament's [call](#) "on the VP/HR and the member states to respond in a unified and resolute manner, also in coordination with other likeminded partners, to the crackdown and human rights violations in Egypt, and to use all tools at their disposal to secure concrete progress in Egypt's human rights record." More specifically, the EU and its member states should:

- 1) **Firmly and unequivocally condemn the crackdown on any form of dissent.** Public statements of concern have remained rare, exceedingly modest, and confined to the spokesperson level, while engagement with Egypt on counter-terrorism, migration management and arms sales have continued to be priorities for the EU and member states – at times with explicit disregard for the violations of human rights documented in this context and red carpet treatment for President al-Sisi.
- 2) **Establish clear benchmarks for negotiating new partnership priorities with Egypt, making measurable progress in human rights and the rule of law central in EU cooperation with Egypt,** insisting on tangible commitments from the Egyptian authorities towards:
 - Immediately and unconditionally releasing peaceful **activists, human rights defenders and politicians**, including Patrick Zaki, Mohamed Ibrahim, Mohamed Ramadan, Abdelrahman Tarek, Ezzat Ghoneim, Haytham Mohamadeen, Alaa Abdel Fattah, Ibrahim Metwally Hegazy, Mahienour El-Massry, Mohamed El-Baqer, Hoda Abdelmoniem, Ahmed Amasha, Islam El-Kalhy, Abdel Moneim Aboul Fotouh, Esraa Abdel Fattah, Ramy Kamel, Ibrahim Ezz El-Din, Zyad el-Elaimy, Hassan Barbary, Ramy Shaath, Sanaa Seif, Solafa Magdy, Hossam al-Sayyad, Mahmoud Hussein and Kamal El-Balshy.
 - **Closing case 173/2011**, which targets NGOs directors and some of their staff members for their legitimate work.
 - **Removing arbitrary travel bans and asset freezes** against human rights defenders.

- **Ending the use of prolonged pre-trial detention over unfounded terrorism-related charges and release all those detained solely for peacefully exercising their rights.**
 - **Guaranteeing a safe and enabling environment for human rights organizations** including by amending NGO Law no 149/2019 in order to bring it in line with international human rights law and standards.
 - **Allowing independent international monitors into places of detention.**
 - **Ensuring full cooperation with Italian judicial authorities in the ongoing prosecution for the abduction, torture and killing of Giulio Regeni**, including by credibly prosecuting or extraditing suspected security officials and discharging them from duty in the meantime.
 - **Ending the crackdown on women's rights and the LGBTI community and "morality" policing of women and gay people.**
 - **Establishing an official moratorium on executions with a view to abolishing the death penalty.**
 - **Committing to amending the Child Law to close the loophole in Article 122 to ensure that no child under the age of 18 is tried as an adult**, and receives the full protection of the special provisions of juvenile justice, and identify all juveniles tried in adult courts and overturn those verdicts.
- 3) **Ensure that respect for human rights and the involvement of independent civil society are key components in all areas of the EU's cooperation with Egypt:** This includes trade negotiations as well as lending strategies of the European Bank for Reconstruction and Development (EBRD) and the European Investment Bank (EIB), and other international financial institutions in which the EU and member states have a voice. These should be used to encourage Egypt to adopt policies that protect and advance human rights.
 - 4) **Ensure more transparency and *ex ante* human rights impact assessments for all forms of financial support or training provided by the EU to Egypt, both directly and indirectly**, in order to ensure that EU support does not in any way facilitate or contribute to human rights violations in Egypt. This includes EU-Egypt cooperation in the field of migration which should strictly comply with international human rights standards.
 - 5) **Step up engagement on Egypt at the UN Human Rights Council, including by supporting the establishment of a UN monitoring and reporting mechanism on Egypt** and confronting Egypt's attempts to undermine the effectiveness and independence of UN human rights mechanisms.
 - 6) **Put high-ranking Egyptian officials on notice that the EU stands ready to consider all tools at its disposal** to address and promote accountability for serious and systemic human rights violations.
 - 7) **Suspend export licences for any equipment which might be used for internal repression, in line with Common Position 2008/944/CFSP, and halt all exports to Egypt of arms, surveillance technology and other security equipment that can facilitate attacks on human rights defenders or other forms of repression.**
 - 8) **Press the Egyptian authorities to allow unhindered access for journalists to report on the situation in North Sinai, and to adequately compensate all residents who had their homes demolished since 2013.**
 - 9) **Proactively press both publicly and privately for the release of detained human rights defenders and for the improvement of conditions in detention**, including granting detainees access to family, lawyers of their choice, adequate healthcare and decent sanitary conditions, whilst also requesting trial observation and prison visits, in line with the EU's Guidelines on human rights defenders and the new EU Action Plan on Human Rights and Democracy.

We stand ready to meet you any time in order to discuss these issues further, and remain at your disposal to provide any further information.

Best regards,

EuroMed Rights
ACAT-France
Amnesty International
Cairo Institute for Human Rights Studies
Front Line Defenders
Global Focus
Human Rights Watch
International Federation for Human Rights (FIDH)
Reporters Without Borders
Relieve
SOLIDAR
World Organisation Against Torture (OMCT)