Resolution on Ibrahim Halawa, potentially facing the death penalty

2015/3016(RSP) - 17/12/2015 - Text adopted by Parliament, single reading

The European Parliament adopted by 566 votes to 11, with 46 abstentions, a resolution on Ibrahim Halawa, potentially facing the death penalty.

The text adopted in plenary was tabled by the EPP, S&D, ECR, ALDE, GUE/NGL, Green/EFA and EFDD groups.

Parliament recalled that Irish citizen Ibrahim Halawa has been detained for more than two years on charges of attending an illegal protest on 16 and 17 august 2013 while on a family holiday in Cairo, during which protesters allegedly caused deaths and criminal damage. It also recalled that Ibrahim Halawa was 17 years old – and therefore still a juvenile under Egyptian and international law – at the time of his arrest. Ibrahim Halawa was arrested along with his three sisters, having sought refuge in the Al-Fateh mosque when violence erupted during a demonstration. His three sisters were subsequently released by the authorities.

Faced with the **unacceptable breach of basic human rights** arising from the arbitrary detention of Irish citizen Ibrahim Halawa, Parliament called on the Egyptian authorities to immediately and unconditionally release him to the Irish authorities pursuant to a presidential decree issued in November 2014 under Egyptian Law 140.

It expressed its deepest concern at the deteriorating condition of Ibrahim Halawa due to his hunger strike and his alleged poor conditions in prison and called on the Egyptian authorities to ensure, as a matter of priority, that the good health and well-being of Ibrahim Halawa are maintained while he remains in prison.

Respect for international texts: Parliament remined the Egyptian authorities that Egypt is bound by indisputable international obligations under the Convention on the Rights of the Child as they apply to Ibrahim Halawa. It demanded that the Egyptian authorities categorically rule out the threat of the death penalty should Ibrahim Halawa be convicted, given that he was arrested as a juvenile. It reiterated in addition the EU's absolute opposition to the use of the death penalty under all circumstances and called for a full moratorium on the issuance of capital punishment in Egypt.

Defence of Ibrahim Halawa: Parliament remained convinced that it will be extremely difficult for Ibrahim Halawa's lawyers to mount an individual defence in the event that his case is heard as part of a mass trial of all defendants arrested in connection with the August 2013 protests. It strongly condemned the use of a mass trial in the judicial process and called on the Egyptian authorities to abide by international law and safeguard the highest international standards with regard to the right to a fair trial and due process.

Parliament called on the European External Action Service (EEAS), via the EU Delegation in Cairo, and the Member States, notably Ireland, to monitor all hearings in the trial of Ibrahim Halawa and his co-defendants. It expects the EEAS to raise this case at the highest level of its dialogue with Egypt and to report back regularly to Parliament on the trial monitoring.

Lastly, the Irish authorities, as well as the EU Delegation, are called upon to continue providing their full legal, consular and other forms of support to Ibrahim Halawa. The Egyptian authorities, in regard to Ibrahim Halawa's European citizenship, are urged to continue to facilitate consular access for the Irish Government.