

"European Parliament Resolution on Trafficking in the Sinai" **13 March, 2014, Strasbourg**

European Parliament resolution of 13 March 2014 on security and human trafficking in Sinai (2014/2630(RSP))

The European Parliament,

- having regard to its resolutions of 15 March 2012 on human trafficking in Sinai, in particular the case of Solomon W.(1) , of 16 December 2010 on Eritrean refugees held hostage in Sinai(2) and of 6 February 2014 on the situation in Egypt(3) ,
- having regard to the statements by Vice-President / High Representative of the Union for Foreign Affairs and Security Policy Catherine Ashton concerning the security situation in Sinai of 11 September 2013, 3 and 8 October 2013, 24 December 2013, 24 January 2014 and 17 February 2014 on the terrorist attack in Sinai,
- having regard to the Europol publication of 3 March 2014 entitled 'Irregular migrants from the Horn of Africa with European sponsors kidnapped for ransom and held in Sinai',
- having regard to Article 3 of the European Convention on Human Rights of 1950,
- having regard to the ACP-EU Cotonou Partnership Agreement,
- having regard to the UN Convention Relating to the Status of Refugees of 1951 and the 1967 protocol thereto, and to the UNHCR's memorandum of understanding with the Egyptian Government of 1954,
- having regard to the Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa,
- having regard to the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment of 1984, and the Council of Europe Convention on Action against Trafficking in Human Beings of 2005,
- having regard to the 2000 UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, especially Articles 6 and 9 thereof,
- having regard to the Brussels Declaration on Preventing and Combating Trafficking in Human Beings, adopted on 20 September 2002,
- having regard to Council Directive 2004/81/EC on the residence permit issued to third-country nationals who are victims of trafficking and Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims,
- having regard to Articles 2, 6.1, 7 and 17 ('Everyone has the right to the protection of the law against such interference or attacks') of the International Covenant on Civil and Political Rights,
- having regard to the EU-Egypt Association Agreement and in particular the preamble and Article 2 thereof,

- having regard to Article 89 of the Constitution of the Arab Republic of Egypt and to Egypt’s Law No 64 of 2010 on Combatting Human Trafficking,
- having regard to Israel’s Law on Anti-Infiltration,
- having regard to the UNHCR Guidelines on Eritrea,
- having regard to Rules 122(5) and 110(4) of its Rules of Procedure,

A. whereas terrorist attacks, the proliferation of weapons, the infiltration of foreign and Egyptian jihadists and the radicalisation of a part of the local population in Sinai have created increasing security challenges for Egypt, Israel and other countries in the region; whereas the security situation in Sinai has rapidly deteriorated – with several extremist groups destabilising security conditions, and more than 250 terrorist attacks, mostly against Egyptian security forces and their installations, which killed more than 100 people, the majority of them police and military personnel – since the toppling of former president Mohamed Morsi in July 2013; whereas terrorist attacks in the Suez Canal zone and against gas pipelines are also a major source of concern;

B. whereas extremist infiltration undermines the efforts aimed at restoring security in Sinai; whereas various Al-Qaida-affiliated or -inspired terrorist groups continue to operate in the area; whereas some of these groups have extended the scope of their terrorist actions beyond Sinai; whereas other local militants operating in Sinai do not belong to any extremist group but are armed Bedouins involved in smuggling and human trafficking;

C. whereas Egyptian armed forces have recently launched military operations in Sinai in order to combat terrorist and extremist groups and to restore security; whereas the Egyptian Government and security forces seem unable to bring the security crisis in Sinai under control; whereas the lawlessness of the region enables criminal networks, human traffickers and other criminal gangs to work unhindered and unpunished; whereas trafficking appears to continue unabated in spite of the ongoing offensive of the Egyptian security forces in Sinai; whereas Sinai has long served as a smuggling route in and out of the Gaza Strip; whereas there are concerns about a media blackout on developments in Sinai;

D. whereas the socioeconomic marginalisation of the local Bedouin population is a major reason for security challenges in Sinai; whereas Sinai residents have long suffered from poverty, discrimination and limited access to health services and education, which has alienated them from official authorities that neglect their situation and ignore their demands;

E. whereas thousands of asylum seekers and migrants from the Horn of Africa flee their countries of origin every month due to human rights abuses and humanitarian crises; whereas from Eritrea alone, up to 3 000 people flee every month, according to the UN special rapporteur on the situation of human rights in Eritrea; whereas it is estimated that thousands of people have been kidnapped in eastern Sudan, taken to Egypt and tortured in Sinai, more than 4 000 of whom have died since the beginning of 2008, and it is believed that around 1 000 African refugees are currently being held in captivity;

F. whereas thousands of people lose their lives and disappear in Sinai every year while others, including many women and children, are kidnapped in refugee camps or surrounding areas, especially in the Sudanese Shagarab refugee camp or on their way to family reunions in Sudan or Ethiopia, and held hostage for ransom by human traffickers; whereas victims of human traffickers are abused in the most dehumanising and brutal manner and are subject to systemic violence and torture, rape and sexual abuse, and forced labour, or are killed for organ trade; whereas torture

camps have been set up for this specific purpose, according to victims, neighbours and human rights organisations;

G. whereas there are credible reports of some Sudanese and Egyptian security forces colluding with traffickers of asylum seekers and migrants, and an almost complete failure by both Sudan and Egypt to investigate and prosecute officials responsible, thereby engaging both countries' obligations under the UN Convention Against Torture; whereas Egyptian authorities deny the existence of such cases;

H. whereas trafficking in human beings in Sinai is an extremely profitable business for organised crime; whereas, according to the UNHCR, complex trafficking networks have been set up involving people-smugglers, kidnappers such as groups of Rashaida tribesmen in Eritrea and north-east Sudan, intermediaries inside refugee camps, bribed military, police and border control staff, and criminal elements within the Egyptian Bedouin communities;

I. whereas those who are not able to collect the ransom are often killed, and even if the requested ransom is paid, there is no guarantee that the hostages will be released; whereas a new practice has arisen in the trafficking value chain in relation to hostages who are incapable of collecting the ransom;

J. whereas Sinai survivors are in need of physical and mental support; whereas most Sinai survivors, however, are detained, denied medical assistance and social services, asked to sign papers they do not understand and receive no legal assistance in destination countries, while many of them are repatriated to their home country in violation of the principle of non-refoulement;

K. whereas it is reported that the Egyptian authorities do not allow the UNHCR access to asylum seekers and migrants arrested in Sinai and do not attempt to identify potential trafficking victims among them; whereas reservations by Egypt regarding the UN Refugee Convention restrict refugees' rights to education, social security and work rights;

L. whereas many of the families of the victims live in EU Member States; whereas, according to the latest Europol publication, several EU Member States have had reports of blackmailing within the EU on behalf of Bedouin organised criminal groups in Sinai; whereas it is in the interests of the EU to know which criminal organisations are involved in the blackmailing process;

M. whereas according to UNHCR figures, Israel is home to 53 000 African asylum-seekers who have entered the country through Egypt since 2005; whereas prior to June 2012, an average of 1 500 asylum seekers entered Israel each month through Sinai while, according to the Israeli authorities, this number significantly decreased in 2013 due to the completion of the fence along the Israeli-Egyptian border; whereas the UNHCR has raised concerns over a recent amendment to Israel's anti-infiltration law that further limits the rights of asylum-seekers;

N. whereas the EU has repeatedly invited Egypt and Israel to develop and improve the quality of the assistance and protection offered to asylum seekers and refugees residing on, or transiting through, their territory; whereas on 7 November 2013 Sudanese officials sought EU help on trafficking;

1. Condemns the recent terrorist attacks against security forces and civilians in Sinai; is deeply concerned about the further deterioration of the security situation in Sinai, and calls for intensified efforts by the Egyptian interim government and security forces to restore security in line with international law and international standards on the use of force and policing, with the support of the international community; expresses concern that continuing unrest may have a destabilising effect on Egypt as a whole, in the ongoing period of transition;

2. Expresses its deep concern regarding the reported cases of human trafficking in Sinai and condemns in the strongest terms the terrible abuses to which the victims of traffickers are subjected; expresses its strong solidarity with the victims of human trafficking in Sinai and their families, and stresses again the responsibility of the Egyptian and Israeli governments to combat human trafficking in this area; notes the efforts of the authorities and underlines that any military and law-enforcing operation by Egyptian security forces in Sinai should include actions aimed at rescuing victims of human traffickers, protecting and assisting these victims, especially women and children, to ensure they do not become victims again, as well as arresting and prosecuting the traffickers, and any security officials colluding with them, in order to hold them to account;

3. Recalls that one of the root causes of the crises is the marginalisation of the Bedouins in Sinai; evokes that any possible solution to the crisis should include a comprehensive development programme aimed at improving the socioeconomic status and conditions of the local Bedouin population, including their access to the police and the military, as well as their participation in the political process;

4. Calls on the Egyptian authorities to respect their own anti-trafficking laws, which guarantee trafficking victims immunity from prosecution and access to assistance and protection, as well as Article 89 of the new constitution, forbidding slavery and all forms of oppression and forced exploitation against humans, and to fully implement, through their national legislation, the principles of the conventions to which Egypt is party; notes the decree to establish a national coordinating committee for combating irregular migration, issued on 9 March 2014 by the Egyptian Prime Minister; calls on the Egyptian authorities to collect and publish statistics on the victims of trafficking;

5. Stresses the importance of the protection of and assistance to Sinai survivors, with special regard to medical, psychological and legal support; calls on all destination countries concerned to prevent the detention of Sinai survivors, to put in place improved systems to identify victims, to provide them with access to fair and effective asylum procedures and to the UNHCR, to assess all cases on an individual basis and to avoid the deportation of Sinai survivors in violation of the principle of non-refoulement; calls for full access of UN agencies and human rights organisations to the areas affected by human smuggling and trafficking in Sinai and for full and unimpeded access to be provided to detention facilities used for holding asylum-seekers and refugees;

6. Welcomes the decision of Israel's Supreme Court of 16 September 2013 to repeal the provision of the Prevention of Infiltration Act that mandated automatic detention, but calls on Israel to rescind its law of 10 December 2013 which allows for indefinite detention of asylum seekers; calls on destination countries' authorities to treat asylum-seekers in line with international refugee and human rights law;

7. Recalls that systematic and pervasive violations of human rights in Eritrea cause thousands of Eritreans to flee their country every month; reminds the Sudanese authorities of their obligation to ensure the security of refugees and asylum seekers and the priority to immediately develop and implement sustained and adequate security measures in the Shagarab refugee camp;

8. Underlines the importance of coordinated regional action in restoring security and combating human trafficking in Sinai, and calls for increased international support and more cooperation in this field among the governments of Egypt, Israel, Libya, Ethiopia, Eritrea and Sudan, as well as with relevant organisations, including the UN Multinational Force and Observers;

9. Encourages the EU and its Member States to support all efforts aimed at combating the human trafficking cycle in Sinai in line with their international obligations to combat trafficking in persons; calls on the Commission to emphasise respect for human rights in its relations with the Eritrean Government; emphasises once again the EU's offer to assist the authorities in developing and

improving the quality of the assistance and protection offered to asylum seekers and refugees residing on, or transiting through, their territory; welcomes the Sudanese Government's call for EU support;

10. Calls on the VP/HR and the Commission to make this a high-priority topic on the agenda of political dialogue with Egypt, Israel and Sudan, as well as to actively work together with the UNHCR to set up an action group with states involved in the various stages of the trafficking chain, including sources, transit, and destination;

11. Is very concerned about the reports of blackmailing taking place from within the EU; reminds the EU authorities, therefore, of their responsibility to act and calls on EU Foreign Ministers and Ministers of Justice to take appropriate measures; calls on the EU institution to put pressure on Israel and Egypt to take steps to tackle trafficking in Sinai and to drive forward the implementation of Europol's forthcoming recommendations;

12. Applauds the efforts by some Bedouin community leaders and the activities of human rights organisations in Egypt and Israel, who are providing help, assistance and medical treatment to victims of human traffickers in Sinai, and urges the international community and the EU to continue funding NGO-led projects in the region;

13. Instructs its President to forward this resolution to the High Representative / Vice-President, the Council and the Commission, the governments and parliaments of the Member States, the Egyptian, Israeli, Eritrean and Sudanese Governments, the Egyptian Parliament, the Israeli Knesset, the Sudan National Assembly, the Eritrean National Assembly, the Secretary-General of the United Nations and the United Nations Human Rights Council.