

TESTIMONY OF JOYCE BARNATHAN  
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BEFORE THE  
SUBCOMMITTEE ON MIDDLE EAST AND NORTH AFRICA  
“AMERICAN NGOS UNDER ATTACK IN MORSI’S EGYPT”  
JUNE 12, 2013

Chairman Ros-Lehtinen and Members of the Committee, thank you for inviting me to testify today about the terrible verdict in Egypt.

The International Center for Journalists’ work in Egypt and around the world is aimed at raising professional standards. We offer practical, hands-on programs using the latest digital tools. We provide today’s journalists—both professional and citizen—with the skills needed to provide responsible, ethical coverage so that citizens can make the best possible decisions in their lives.

When we first learned of the startling charges against five employees, we worked with a team of excellent lawyers to present overwhelming evidence that the allegations were false. Up until the verdict, our defense lawyers were convinced of an acquittal. The decision to convict all of the NGO workers is a politically motivated statement directed at the U.S. and German governments. In our view, it does not reflect on the work of ICFJ in Egypt.

But this move has far-reaching impact. First, it has ruined lives. What do you say to a distinguished journalist like Yehia Ghanem, who agreed to be our country director so that we could raise journalism skills in Egypt? We hired Yehia to lead the program, which hadn’t even begun, and to finish the registration process. He got a two-year sentence and cannot return home to his wife and three children – and the country he loves – without going to prison.

What do we say to his children, who cry daily because they miss their father? One of his kids had both arms broken in school as he defended his father’s honor. Yehia has also been vilified in the media. Our other Egyptian employee, Islam Shafiq, a newlywed, is now in the U.S., separated from his young wife. Though his one-year term was suspended, is it really safe for him to return?

The court labeled the three other U.S.-based defendants – Patrick Butler, Natasha Tynes and Michelle Betz – as fugitives, though they were not based in Egypt for ICFJ and were not there when the charges were filed. They got five-year terms. These are people whose livelihoods depend on travel. Labeled as convicts, will they be arrested and sent to Cairo by a nation that has an extradition treaty with Egypt?

The personal toll cannot be underestimated.

Then there’s the societal impact. Egyptian court officials say they will pursue anyone who provided help to NGOs—and these officials want to open investigations into other international and Egyptian civil society groups. The draft of a new NGO law, by many accounts, is onerously restrictive.

In a society where questioning authority is now at risk, I would advise any non-governmental group working in Egypt to think twice. All are vulnerable now. Yes, there is a chilling effect that has frozen the hopes of an Arab Spring.

The situation could get worse. Other countries, eager to crack down on civil society, may now follow the poor example set by Egypt.

For ICFJ, this decision is particularly painful. We are not a political organization. We do not take political decisions or offer political advice. We do not fund political activities, including protest movements, or support political parties. That's why a politically motivated verdict is so outrageous.

Our funding comes mainly from private sources, but we receive about a third of our budget from the U.S. government, including this Egypt grant from the State Department. We cherish our integrity and maintain autonomy in every program.

ICFJ has been working in Egypt since 2005, with the complete knowledge of the Egyptian government. We had formal partnerships with prestigious universities and news organizations. We are transparent in all of our work. We applied for registration from the start—and shortly before our offices in Egypt were raided, we gave the Egyptian government full details of all our work over the years.

We have cooperated with partner organizations, including the state-run Al Ahram newspaper, which were registered to carry out our projects. In 2011, our lawyer recommended that ICFJ open an office as this was legally required for the registration. Since we opened the office, we had conducted no activities while we waited for final approval.

At the heart of this matter is a dispute between the U.S. and Egyptian governments over funding for NGO activity. The Egyptian Minister of International Cooperation at that time was angered by a U.S. government decision to give funds to U.S.-based NGOs that she thought should go to her ministry. ICFJ and its employees were not aware of this dispute.

The verdict's loaded language makes it clear that this was a political dispute between countries. The judges claim that non-governmental organizations may appear to support human rights and democracy, but that the underlying goal is to "undermine Egypt's national security and lay out a sectarian map that serves U.S. and Israeli interests." The judges called the work of NGOs a new form of "control, predominance and soft imperialism practiced by donors to destabilize, weaken and dismantle" Egypt.

How do we even relate to any of these charges? The ICFJ defendants did nothing wrong in launching programs that would help Egyptian journalists do their work better. We are discussing with our lawyers how to appeal this verdict. But how can we be confident of success when judges make decisions not on the facts but on political grounds aimed at appeasing public opinion?

Today's Egypt is a complex place with a struggling economy and political infighting at home

and abroad. Despite our best intentions, we got caught in the middle.

As a journalists' organization, we don't pressure governments to do anything. But we urge Congress to use all means possible to get these unjust verdicts overturned.

Given the vitriol and distortions perpetrated in Egypt's media, our services are needed there more than ever. Newspapers have made groundless attacks, based on false and distorted information, about the case and the defendants. The real victims are the Egyptian people, who will likely see further backsliding in democracy and freedom of expression.

Again, we ask Congress to do everything in its power to get a pardon for the defendants or prevent the enforcement of this verdict so that good, decent people like Yehia Ghanem and Islam Shafiq can recapture their lives. It would be a shame if Egyptian citizens now fear that working to build democratic institutions such as a vibrant media or free elections would only land them in jail.