



Congressional Testimony

Egypt: Challenges and Opportunities for U.S. Policy

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INTRODUCTION

Chairman Ros-Lehtinen, Ranking Member Deutch, Members of the Committee, thank you for this opportunity to testify on the troubling state of affairs in Egypt. I also want to extend my personal gratitude to Chairman Ros-Lehtinen for the support that you and your staff have shown to the International Republican Institute (IRI) and our peer organizations in the Egyptian government's NGO "foreign funding trial." As you know all too well, the Egyptian government resorted to actions and procedures violating every internationally accepted standard (as well as human decency) to harass, prosecute and wrongfully convict forty-three (43) innocent staff from IRI, the National Democratic Institute (NDI), Freedom House, the International Center for Journalists (ICFJ) and the German Konrad Adenaur Foundation (KAS). Most were given long prison sentences in absentia. This outrage is still unresolved, but we are most appreciative of the steadfast efforts of Members of Congress who continue to raise the matter with top Egyptian officials.

Approximately one year ago, I had the privilege to testify before this committee on the topic of Tunisia's democratic transition. I offered my cautious optimism for the progress Tunisia was making, and suggested it merited additional U.S. support. Madam Chair, I wish I could offer a similarly optimistic opinion today on Egypt but, sadly, the opposite is true. Egypt is on an uncertain and dangerous trajectory. In short, we should all be deeply concerned about the plight of citizen rights and freedoms, the prospects for long term stability and the future of the U.S.-Egypt relationship itself.

U.S. - EGYPT STRATEGIC RELATIONSHIP

Egypt has been a valued strategic partner to the United States for much of the last five decades. It remains a vitally important country in the Middle East and North Africa region given its peace treaty with our ally Israel, control of the Suez Canal, enormous cultural influence and status as the Arab World's most populous country. All of this is reflected in the massive financial support our government provides each year to Egypt and its military. In Fiscal Year 2017, the Administration is requesting approximately \$1.3 billion in military aid and an additional \$150 million in economic assistance.¹

In the immediate aftermath of the 2011 revolution that overthrew Hosni Mubarak, elected President Mohammed Morsi and the Muslim Brotherhood were unquestionably leading Egypt in the wrong direction. This destructive course was most evident in how the Brotherhood excluded

¹ <https://www.fas.org/sgp/crs/mideast/RL33003.pdf>

the political opposition, notably minority Christians, when it revamped the Egyptian constitution. Morsi's willingness to employ street violence as a political tactic against secular civil society opponents was further evidence of the Brotherhood's repressive leadership.

Morsi's removal from power through a military coup prevented Egypt from careening down a dangerous path of combative political Islamism. However, we must also acknowledge that in the three years since, Egypt's internal situation has simply not improved under President Abdel Fatah El Sisi; to the contrary, polarization within Egyptian society and the threat of extremism are growing steadily worse both in the Sinai and within Egyptian society.

Economically, Egypt would be in a free fall right now were it not for significant financial aid from several Gulf States, including a recently announced \$22 billion oil deal and assistance package from Saudi Arabia.² This latest infusion is very unlikely to overcome the economy's significant structural challenges. The situation is compounded by declining tourism revenue, rising youth unemployment and rapid population growth.³ To date, there are few signs that President Sisi will exercise the political will needed to address these problems.

On the security front, President Sisi's concerted counter-terrorism campaign in the Sinai Peninsula shows few signs of progress in eliminating the very real extremist threat that is sadly on the rise. To the contrary, the military's tactics appear to be further alienating the local population. Increasing the pressure on both the government and its tourism sector, the country's commercial airlines have been struck by two likely terrorist attacks. There have been several assassination attempts on key Egyptian officials, including one that killed state prosecutor Hisham Barakat in 2015⁴ and another that narrowly missed then interior minister Mohamed Ibrahim in 2013.⁵ It was not so long ago that these types of attacks were unheard of in Egypt. Now there seems to be a steady drumbeat of low level attacks and bombings in major Egyptian cities, including Cairo.

The Egyptian government's response to its security challenges has been heavy handed and clumsy, amounting more to a wholesale crackdown on dissent than an effective effort to root out and interdict extremists. Particularly troubling has been the increase in state-sponsored extrajudicial forced disappearances. In 2015 alone, there were over 1,800 reported cases of

² <http://www.nytimes.com/2016/04/11/world/middleeast/egypt-gives-saudi-arabia-2-islands-in-a-show-of-gratitude.html>

³ <http://www.washingtoninstitute.org/policy-analysis/view/will-sisi-squander-his-chance-to-fix-egypts-economy>

⁴ <http://www.aljazeera.com/news/2015/06/egypt-state-prosecutor-motorcade-hit-bomb-attack-cairo-150629083650272.html>

⁵ <http://www.nytimes.com/2013/09/06/world/middleeast/egypts-interior-minister-survives-attack.html>

forced disappearances.⁶ Mass trials and collective convictions based on vague charges of “harming national interests” have become the norm in Sisi’s Egypt, including the recent conviction of 101 people in April who peacefully demonstrated against Egypt giving two Red Sea islands to Saudi Arabia.⁷

Respectfully, this Committee should also be deeply concerned about how Egypt’s practice of targeting international organizations attempting to work in Egypt is expanding. Instead of learning a lesson from the international condemnation it received for this practice in 2013, tragically, the Egyptian government appears to be doing precisely the opposite. In 2013, IRI and a select number of other international organizations were the primary focus of the Egyptian security services. The latest Egyptian news reporting suggests that the list of targeted nonprofits and civil society groups has now reached as many as 47 Egyptian and international organizations.⁸ A number of international assistance projects have been suspended or cancelled outright. Journalists and academics are routinely being denied entry upon arrival to Egypt.⁹ Meanwhile, select Egyptian civil society activists are being arbitrarily denied the freedom to travel outside of Egypt.

Considering the complex challenges the Sisi government faces, it would be tempting to rationalize some of its practices as merely an effort to stabilize the country or “buy time” for later opportunities to take on democratic and civil rights reform. However, the government’s actions and rhetoric offer not a single morsel of evidence to support that hopeful notion. Meanwhile, the security situation grows more tenuous and repressive.

RIGHTS AND STABILITY

The tension between rights and stability, an age-old debate this Committee has weighed in many different contexts, should be considered carefully in the case of Egypt. It is my strong belief that counter-terrorism and military operations alone will never be a sufficient or successful response to the genuine extremist threats the country faces. To succeed, Egypt must also enlist the help of its civil society, from the voluntary organizations that address local development issues to the nongovernmental organizations working to promote tolerance, pluralism, women’s and minority rights. These groups can help combat the potential appeal of extremist groups and serve as a conduit for citizen input in public policy on issues ranging from health care to economic reform.

⁶ <http://www.independent.co.uk/news/world/africa/egyptian-government-disappears-1840-people-in-just-12-months-ruling-by-fear-a6923671.html>

⁷ <https://www.alaraby.co.uk/english/news/2016/5/14/101-egyptian-demonstrators-given-mass-prison-sentence>

⁸ <http://www.almazryalyoum.com/news/details/913796>

⁹ <http://www.middleeasteye.net/fr/news/egypt-visa-denied-entry-researcher-husband-airport-229892418>

Vibrant civil society institutions can turn citizen frustration into citizen hope, and hope is the greatest prevention to the anger and despair that extremists so often exploit.

Unfortunately, instead of perceiving Egypt's once vibrant civil society as an ally, the Sisi government has steadily narrowed the space in which civil groups are permitted to operate. For example, a 2013 anti-protest law significantly curtails citizens' ability to participate in peaceful public meetings and assembly. It requires a permit from the Ministry of Interior for public meetings of more than 10 persons and carries punishments of up to five years in prison and fines for violations deemed to harm Egypt's broadly defined "national security."¹⁰ The 2015 counter-terrorism law provides stiff penalties for journalists who report on terrorist acts in a way that deviates from the official government narrative.¹¹ An amendment to Egypt's penal code criminalizes organizations that receive foreign funding with a possible life sentence in instances where foreign funding is being used to undermine "unity."¹² Egypt's Parliament is also drafting a draconian new cybercrime law that provides harsh punishments for similarly vague violations of national security.¹³

Egypt's intensifying crackdown on civil society in the name of stability is, in reality, a step in the opposite direction. In the long term, it will likely increase instability and tension, stifle constructive dissent and drive the desperately disaffected into the shadows -- or worse yet, into the audiences for extremist voices. It's not hard to see parallels in today's conditions to the sweeping sense of marginalization and alienation that fueled mass protests in 2011.

President Sisi himself perhaps best characterizes the crackdown on civil society as "fourth-generation" warfare¹⁴, the nonsensical idea that media and civil society organizations maliciously conspire to undermine people's trust in their government leaders. In this way of thinking, opinions deviating from the government narrative constitute warfare against the Egyptian state. An example of this mindset can be seen in recent comments from Egypt's speaker of parliament, Ali Abdel Aal, about "anti-national research centers." He suggested that such centers organize courses to disrupt state institutions as part of a foreign campaign against Egypt's parliament.¹⁵

¹⁰ <https://www.hrw.org/news/2013/11/26/egypt-deeply-restrictive-new-assembly-law>

¹¹ <https://freedomhouse.org/report/freedom-press/2016/egypt>

¹² <https://www.theguardian.com/world/2014/sep/24/egypt-human-rights-crackdown-foreign-funding>

¹³ <http://www.al-monitor.com/pulse/originals/2016/06/egypt-enacts-cyber-crime-law-preserve-national-security.html>

¹⁴ https://www.washingtonpost.com/opinions/america-gives-egypt-free-armored-vehicles-and-money-egypt-gives-america-a-slap-in-the-face/2016/05/29/b4f5376c-235b-11e6-8690-f14ca9de2972_story.html

¹⁵ [http://english.ahram.org.eg/NewsContent/1/64/217861/Egypt/Politics-/Egypt-parliaments-speaker-attacks-research-](http://english.ahram.org.eg/NewsContent/1/64/217861/Egypt/Politics-/Egypt-parliaments-speaker-attacks-research-centres.aspx?utm_content=buffer41ddf&utm_medium=social&utm_source=twitter.com&utm_campaign=buffer)

[centres.aspx?utm_content=buffer41ddf&utm_medium=social&utm_source=twitter.com&utm_campaign=buffer](http://english.ahram.org.eg/NewsContent/1/64/217861/Egypt/Politics-/Egypt-parliaments-speaker-attacks-research-centres.aspx?utm_content=buffer41ddf&utm_medium=social&utm_source=twitter.com&utm_campaign=buffer)

It might be tempting to dismiss this type of rhetoric as harmless political discourse common to Egypt. History tells us, however, that when conspiracy theory becomes official policy, it has concrete consequences for U.S. interests. For example, consider the absurdity of official statements made by government representatives during the “foreign funding trial” (case 173/2011). The court testimony of Faiza Abu Naga, now a national security advisor to President Sisi, was little more than a stream of baseless ramblings that international democracy and human rights programs were designed to improve relations with “Jewish lobbyists” and are “serving Israeli interests.”¹⁶ The judge's opinion in the case was hardly better. He contended the organizations were “a new form of dominance and hegemony, because it is a soft form of colonialism less costly as a means of resistance than the military weapons.” He also suggested that these activities are “practiced by the donor countries to disrupt the security and stability of the recipient countries for the purpose of weakening and dismantling them.” In that case, as you will recall, without any real evidence, guilty verdicts were handed down for 43 staff from IRI, NDI, Freedom House, ICFJ and KAS together with sentences of up to five years imprisonment and hard labor.

The guilty verdicts, no matter how baseless and politically motivated, continue to affect these staff. They are unable to travel to certain countries for fear of detention or extradition. Some Egyptian local staff have been separated from their families in Egypt for more than three years. Those same staff fear their families inside Egypt will be subjected to intimidation by security services. One IRI staff member was arrested while on travel in Europe, while another's asylum application has remained pending in the U.S. asylum process for more than three years.

Instead of working to resolve this blight on the U.S-Egypt bilateral relationship, the Egyptian government is doubling down on its approach. Reports suggest that Egypt is re-opening and widening the “foreign funding trial” (case 173/2011). It is now arbitrarily targeting a growing number of Egyptian nongovernmental organizations. As many as 47 Egyptian organizations may now be under investigation in this case¹⁷ and formal charges have already been brought against prominent personalities like Mohamed Zaree from the Cairo Institute for Human Rights, Gamal Eid from the Arabic Network for Human Rights Information, and Hossam Baghat from the Egyptian Initiative for Personal Rights.¹⁸ Trial delays have effectively left these individuals in a state of legal limbo and their passports have been confiscated.¹⁹ It is obvious these delays and abuses are aimed at intimidating and silencing independent civil society.

¹⁶ http://www.nytimes.com/2014/11/06/world/middleeast/egypt-elevates-fayza-abul-naga-an-official-hostile-to-us.html?_r=1

¹⁷ <http://www.almasryalyoum.com/news/details/913796>

¹⁸ <http://af.reuters.com/article/commoditiesNews/idAFL5N18N4P6>

¹⁹ <http://af.reuters.com/article/commoditiesNews/idAFL5N18N4P6>

EGYPTIAN PERSERVERENCE

Despite the bleak situation existing inside Egypt, IRI and other international organizations remain committed to advancing democratic principles in that once-great country. This is true even though the 2013 guilty verdicts have forced us to take training and skills building programs with Egyptians offshore to third country locations.

Despite the obvious difficulties we face, you might be surprised to learn that these programs remain highly desired by Egyptian reformers. IRI continues its activities to empower Egyptian civil society and political party leaders, though training participants have become accustomed to harassment and on occasion have been outright prevented from attending IRI's workshops. Though the project design is different, the focal point of IRI's approach to Egypt remains unchanged: to assist Egyptian civil society and political party democratic reformers to take part in Egypt's democratic processes. We work to teach skills in coalition-building, participating in public policy debates and issue advocacy to relevant decision makers within formalized institutions. Citizen interaction with formalized institutions like parliament and government ministries is paramount if Egypt is to achieve stability and combat the appeal that extremism feeds on when individuals, especially youth, feel alienated.

We are heartened that, despite the challenges facing democratic actors in Egypt, a recent independent evaluation of IRI's program found promising results that provide a strong impetus for continued engagement. Egyptian participants perceive the offshore model as effective, especially in terms of creating a safe and neutral space for interaction and learning, a model that they believe is not presently feasible inside Egypt. Participants view the skills they learn as support for their efforts at incremental democratic reform. The external evaluation also verified that the safe learning environment has engendered collaboration amongst participants, and that participants have shared their experiences and newfound skills with colleagues in Egypt upon their return.

For these reasons, IRI aims to continue its efforts to assist democratic development in Egypt, despite how unlikely a democratic breakthrough may seem in the foreseeable future.

RECOMMENDATIONS

Madam Chairman, I respectfully offer the following recommendations for the Subcommittee to consider as they pertain to Egypt.

First, a significant backlog of U.S. foreign assistance funds tied to Egypt exists, primarily due to Egyptian obstinacy. I have heard from knowledgeable stakeholders that Egypt's refusal to permit U.S. programming in a wide variety of development sectors has caused a backlog of between \$500 and \$700 million in unspent or unobligated funds. In the current budget environment where resources are constrained, a significant portion of these funds can be better utilized elsewhere. In Tunisia, for example, significant democratic strides are being made and deserve additional support. This is especially true with respect to programs designed to build democratic institutions and deliver good governance.

Second, continued support for democratic development in Egypt is best accomplished through programs that engage democratic actors and build their skills to make notable contributions in a future democratic breakthrough. These efforts should be consistent with U.S. Law as stipulated in the Brownback Amendment and should be undertaken without pre-approval from the Egyptian government. Given the recent history, it is imperative that U.S. democracy assistance is not subject to an Egyptian government veto.

Finally, U.S. Administration officials, Members of Congress and their staff at every level should raise the "foreign funding" case 173/1000 in every engagement they have with Egyptian officials. These U.S. leaders should deliver a consistent message: insist that re-opening the case and expanding it to include other organizations is unconditionally and unreservedly unacceptable and must be stopped; and, insist that the only solution to the 2013 verdict that convicted 43 staff from international organizations is a full pardon by President Sisi. IRI has carefully examined the president's legal authority to grant pardons and has determined under advisement from legal counsel that no constitutional or legal impediment exists to prevent Sisi from issuing full pardons to IRI and the other NGO staff.

CONCLUSION

Chairman Ros-Lehtinen, Members of the Committee, I offer my sincere thanks for the opportunity to testify on this timely and consequential topic before you today. I wish I could offer a more optimistic testimony, but the importance of Egypt in the region, the significance of the U.S.-Egypt relationship, and the depressing state of affairs within Egypt right now demands that I present this sobering picture. A recent *Economist* article suggested that if Egypt does well, it can lift the region, whereas its collapse would represent a threat to the entire Middle East and Europe.²⁰ I would add the United States to that list, too.

²⁰ <http://www.economist.com/news/special-report/21698436-endless-obstacles-political-freedom-remain-what-arabic-democracy>