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## **BACKGROUND: THE CAMPAIGN AGAINST NGOS IN EGYPT**

**February 10, 2012**

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## TIMELINE

**July 12, 2011:** After several months of escalating threats against civil society organizations, Minister of Planning and International Cooperation Fayza Aboul Naga announces the formation of a fact-finding committee commissioned by the Ministry of Justice and headed by former state security prosecutors Ashraf Ashmawy and Sameh Abu Zeid to investigate foreign funding of non-governmental organizations (NGOs) and unlicensed NGOs operating in Egypt. Aboul Naga—one of the few holdovers from the Mubarak regime—has overseen foreign assistance to Egypt since 2004 and has long viewed Western efforts to support democracy in Egypt as an affront to the country's sovereignty.

**September 26, 2011:** *Al-Fagr* newspaper publishes a summary of the Justice Ministry's report of the investigation. The report was not made public but was leaked to *Al-Fagr*. According to the article, the report identifies 39 Egyptian and foreign organizations that are operating without a license, 28 Egyptian organizations that are receiving illegal foreign funds, and several foreign organizations that are engaging in political activity limited to political parties. While many of the listed organizations suspected that they would be investigated, the *Al-Fagr* article is the first time these organizations are informed of the findings of the investigation.

**November 19, 2011:** *Akhbar El Yom* newspaper publishes additional excerpts from the Justice Ministry's report—which is still not publicly available—detailing the amount of foreign funds that Egyptian organizations received from Gulf foundations as well as the United States. The report finds that the \$30 million from Qatar and the \$19 million from Kuwait that the Salafist Ansar El-Sonna association received were the two largest donations received by any Egyptian NGO in 2010 and 2011.

**Late November/Early December:** The Ministry of Justice summons staff from Egyptian and foreign NGOs for interrogation on charges of operating without a license and receiving funding without prior authorization.

**December 12, 2011:** The Ministry of Justice releases a statement about the ongoing investigation (the ministry's full report has still not been made public). According to the statement, 400 civil society organizations received foreign funding over the past six years. The investigators stress that foreign financing is not considered a violation as long as the funds are obtained legitimately through officially sanctioned channels.

**December 29, 2011:** Egyptian security forces raid the offices of Egyptian and foreign civil society organizations including the Arab Center for the Independence of the Judiciary and the Legal Profession (ACIJLP), Budgetary and Human Rights Observatory (BAHRO), Future Center for Judicial Studies, National Democratic Institute (NDI), International Republican Institute (IRI), Freedom House, International Center for Journalists (ICFJ), and Konrad Adenauer Stiftung. After seizing computers, documents, and tens of thousands of dollars in cash, police shut down the offices and have not allowed them to reopen despite assurances from Field Marshal Tantawi, Prime Minister Ganzouri, and Foreign Minister Amr that the raids would cease and property would be returned immediately.

**January 21, 2012:** Immigration officials at Cairo's airport bar Sam LaHood, Country Director of IRI and son of Transportation Secretary Ray LaHood, from boarding a plane to Dubai.

**January 26, 2012:** NDI and IRI receive verbal notification from Egyptian authorities that six of NDI's employees (three Americans) and five of IRI's employees (three Americans), are barred from leaving the country.

**January 27, 2012:** In an email to *Politico*, former Congressman Robert Livingston confirms that the lobbying firms the Livingston Group, the Moffett Group, and the Podesta Group which together represented the Egyptian government's interests in Washington, had terminated their contract with the Egyptian government after coming under intense criticism for circulating talking points defending the raids on NGOs.

**January 29, 2012:** American employees of targeted NGOs take shelter at the American Embassy in Cairo amid fears that they could be detained as part of the Justice Ministry's investigations.

**February 5, 2012:** The Justice Ministry informs the Egyptian state news agency, MENA, that it has recommended that 43 employees (including 19 Americans) from the NDI, IRI, Freedom House, International Center for Journalists, and Konrad Adenauer Institute face trial before the Cairo Criminal Court.

**February 6, 2012:** Judges Abu Zeid and Ashmawi, who headed the NGO investigation, release the names of the 43 suspects. It has been recommended that they be charged with "accepting funds and benefits from an international organization" to pursue an activity "prohibited by law" and carrying out "political training programs."

**February 7, 2012:** Victoria Nuland, Spokesperson of the U.S. Department of State, clarifies in a press briefing that the number of Americans to be charged is 16, not 19 as previously reported by media sources. Nuland reports that, by State Department count, fewer than half of these Americans are currently in Egypt.

**February 8, 2012:** Egyptian Prime Minister Kamal el-Ganzouri tells reporters he is "saddened" by the pressure Egypt is facing but insists that authorities "can't back down or won't change course because of some aid." In a televised press conference, the investigating judges, Abu Zeid and Ashmawi, present evidence against the NGOs, which includes funding an Egyptian NGO that tracks the number and locations of churches and military bases, inquiring about people's religion in opinion polls, possessing maps of Egypt divided into four zones, and maintaining piles of cash worth hundreds of thousands of dollars.

**February 8, 2012:** State Department spokesperson Victoria Nuland states in a press briefing that the U.S. government has received a 100-plus paged "formal charging document" in Arabic and is in the process of reviewing the report to understand the legal implications for affected individuals.

**February 9, 2012:** State Department spokesperson Victoria Nuland corrects her statement from the previous day stating that neither the U.S. government nor the attorneys working with affected individuals and their organizations have received a formal charging document. However, the charging document has been transferred from the investigative magistrate to the public prosecutor, which Nuland understands to be the equivalent of a formal filing of the charge. Nonetheless, the accused parties have only been informed that their case has been referred to the public prosecutor through the public statements made by investigative judges Abu Zeid and Ashmawi at the February 8 press conference.

## NUMBER OF INDIVIDUALS/AMERICANS FACING CHARGES

There have been inconsistencies in the number of individuals cited who are facing charges. Most sources inside and outside of Egypt have reported the number to be 43, while several others have reported the number to be 44, and a widely circulated list included 44 names. It appears however that one of these names is inaccurate and that the number of individuals being charged is in fact 43. The total number of individuals being charged from each organization breaks down as follows: NDI (15), IRI (14), Freedom House (7), International Center for Journalists (5), and Konrad Adenauer Institute (2).

In addition, it has been inaccurately reported that the number of Americans to be charged is 19. State Department spokesperson Victoria Nuland [clarified](#) on February 7 that the number of Americans charged is actually 16.

## CHARGES BROUGHT AGAINST NGO STAFF

Until February 8, it was assumed that Egyptian and foreign organizations would be charged under the 2002 [Law on Associations \(84/2002\)](#) with the following violations:

***Operating without a license:*** Egyptian organizations must obtain a license from the Ministry of Social Solidarity, while foreign organizations must obtain a license from the Ministry of Foreign Affairs (Preamble 4, Article 76).

***Receiving unauthorized foreign funding:*** Although civil society organizations may receive funds from local sources and from foreign organizations that operate in Egypt under agreement with the Ministry of Foreign Affairs, these funds must be reviewed and approved by the Ministry of Social Solidarity, which is officially required to respond within sixty days (Article 17, Article 58 of Implementing Regulations, Article 17).

***Engaging in political activity:*** Organizations are not allowed to practice any political activity exclusively restricted to political parties (Article 11, Article 25 of Implementing Regulations).

However, at a [press conference](#) on February 8, investigative judges Abu Zeid and Ashmawi stated that the charges are actually in line with the Egyptian penal code, and not the associations law because the targeted organizations are not civil society organizations or associations, but international organizations whose headquarters are located in foreign countries. In addition to the aforementioned charges of operating without a license, receiving unauthorized foreign funding, and engaging in political activity, the judges stated that the organizations are charged with establishing, running, and operating premises as branches of international organizations in Egypt as well as violating tax codes. The judges explained that the penalty for these charges includes up to five years imprisonment, fines, and dissolution of the organization, but because no formal charges have been made public or presented to the accused or their attorneys, it is not clear under which articles of the penal code they will be charged.

## THE LAW ON ASSOCIATIONS

Until the investigative judges' press conference on February 8, this investigation appeared to have been conducted under the provisions of Egypt's repressive [Law on Associations](#) (84/2002), which international human rights groups and the United Nations have said violates Egypt's obligations as a signatory to various international treaties. In 2010, Egypt accepted a recommendation by the United Nations Human Rights Council in its Universal Period Review of the country that it [amend the law](#), but has yet to do so. Article 11 of the Law on Associations bars organizations from activity that "threatens national unity" or "violates public order or morality," [vague language](#) that has been used broadly and disproportionately to deny registration, particularly to those organizations working on politics or human rights. Even worse, under the Mubarak regime the notorious State Security Investigations unit of the Ministry of Interior [vetted all applications](#)—despite the fact that they had no legal authorization to do so—and regularly rejected organizations or delayed authorization without providing an explanation. For those organizations that were granted registration, the associations law provides wide-reaching authority to governmental authorities to interfere in their internal affairs, discouraging many NGOs from applying in the first place. In short, Egypt's highly restrictive regulations as well as the extra-legal role of the Interior Ministry in vetting applications has forced many NGOs to operate without registration or to register as civil corporations or law firms, which are not subject to the same restrictions.

## NEW DRAFT ASSOCIATIONS LAW

As the investigation into NGOs was underway, the Ministry of Social Solidarity [drafted a new associations law](#) to replace the current legislation (law 84/2002). The new draft law is even [more restrictive](#) than the previous one—it closes loopholes for NGOs that register as civil corporations and authorizes the Ministry of Social Solidarity to actively monitor organization's funding and expenditures as well as to remove candidates running for the board of directors. Egyptian NGOs have [rejected the draft law](#), arguing that it is essentially the same legislation that was circulated in March 2010 and eventually shelved because of public opprobrium. During the first session of the Human Rights Committee in the Egyptian parliament on February 7, a representative from the Ministry of Social Solidarity, after coming under heavy criticism about the draft law, [suggested](#) that it is not in its final form and will be open to discussion with parliamentarians.

## FAYZA ABOUL NAGA

Fayza Aboul Naga, seen to be the mastermind of the judicial investigation, has headed the Ministry of Planning and International Cooperation since 2004, but only recently has she been thrust into the public eye. Her [close friendship](#) with former first lady Suzanne Mubarak, along with her unwavering ambition and [political savvy](#), helped her rise quickly through the ranks of the Ministry of Foreign Affairs where she served in [several high level posts](#) including as legal advisor to Secretary General of the United Nations Boutros Boutros Ghali and as Egypt's first female Permanent Representative to the United Nations in Geneva and the World Trade Organization, and as the first female Minister of State for Foreign Affairs. Despite her experience working with and representing Egypt at various multilateral organizations, Aboul Naga has hardly been a champion of international laws and norms and remains suspicious of foreign meddling in Egypt's internal affairs. As the Minister of Planning and International Cooperation, Aboul Naga oversees the allocation of international aid and sets Egyptian investment and economic development policy, but she has resisted U.S. efforts to help foster more

democratic and accountable governance. As a result, she has had tense relations with her American counterparts, making her the subject of several diplomatic cables from the U.S. Embassy in Cairo:

#### February 2009:

*In conversations with GOE officials last year on the future of the ESF program, Egyptian ideas focused on minimizing the profile of U.S. assistance and utilizing funds for non-project purposes. They sought to eliminate U.S. "meddling" in their internal affairs by trying to persuade us to apply ESF to debt relief or to an "endowment" that once established would be more hands off.*

*The second challenge will be convincing the GOE of the need to focus on project assistance. Moving away from programs such as cash transfers, commodity purchases or the Egyptian proposals for debt relief and an endowment presents an additional political challenge. The Ministry of International Cooperation (MIC), and MIC Minister Fayza Abounaga herself, have considerable vested interest in continuing to manage the programs as they have been doing. Previous efforts to implement even minor reforms have met with considerable resistance, and Abounaga, using her connections with the Egyptian Presidency, has been able to fend them off. Our plan will likely require a presidential-level endorsement to be successful.*

#### February 2010:

*Minister of International Cooperation (MIC) Fayza Abounaga has told us that the GOE seeks to end all ODA programs for Egypt within ten years based on their projections of economic growth. Abounaga has been the most vocal and unrelenting advocate of restructuring the U.S.-Egyptian assistance relationship. (We note that most of the line ministries in the government continue to seek and appreciate the traditional role that USAID has played.) She is the originator of the mega-endowment proposal (\$3.6 billion over ten years), that would eliminate ESF over ten years, and, in her view, significantly limit the likelihood of political conditions being placed on endowment funding. She will argue that the proposal reflects a more mature U.S.-Egypt relationship that would set the stage for the eventual closure of the USAID Mission to Egypt.*

*Although the Egyptians are aware that their ambitious multibillion dollar endowment concept has found no support in Washington, they will likely pursue the concept even if a scaled down version. The Minister of International Cooperation may press the case for directing current Egyptian ESF-loan repayments to the endowment, noting that it is "not right" that ESF appropriations are less than GOE debt repayments to the U.S. She has been told clearly and repeatedly that debt repayments to the U.S. will not be part of discussions on assistance but continues to pursue this goal. Abounaga has also led the campaign to halt all USG-funding of non-registered NGOs and may possibly raise with you the DRL and MEPI funding of such organizations. Egypt has also steadfastly refused to register NGOs such as IFES, ABA, NDI, and IRI, though the GoE tolerates their activity here.*

After the 2011 revolution that overthrew President Mubarak, tensions between the U.S. and Aboul Naga escalated over the U.S. government's decision to reprogram \$165 million of economic assistance to support economic growth and democratic development in Egypt without her consent, as well as its reversal of a controversial 2009 policy to fund only registered Egyptian NGOs. Aboul Naga was reportedly incensed when dozens of organizations lined up outside the USAID office in Cairo to apply for direct U.S. grants. She responded by sending a letter of complaint to the U.S. Embassy.

Despite her notoriety among diplomatic circles, Aboul Naga was relatively unknown within Egypt, which may explain why she survived several cabinet shuffles that removed remaining regime elements. Since the spring of

2011, however, she has steadily escalated her campaign against foreign meddling and become the public face of the government's [assault on civil society](#). In July, it was Aboul Naga who announced the formation of the fact-finding committee that would investigate NGO violations. And throughout the process it has been Aboul Naga who has reaffirmed the government's commitment to the investigation, even as the SCAF and Foreign Ministry have quietly downplayed the crackdown to U.S. officials. For example, following the raids on NGO offices in December, the SCAF reassured both Defense Secretary Leon Pannetta and U.S. Ambassador Anne Patterson that the raids would cease and property would be returned immediately, but Aboul Naga [publicly defended](#) the raids as a legitimate investigation into organizations suspected of operating without permits and receiving "political funding" against the law. Similarly, after the Ministry of Justice charged the 44 employees of foreign NGOs, Aboul Naga [insisted](#) that the case would continue and accused organizations operating without a license as undermining the stability of Egyptian society. Aboul Naga's escalating attacks on civil society has drawn the ire of Egyptian activists as evidenced by the first session of the [parliament's Human Rights Committee](#) on February 7 where Aboul Naga was heckled by Egyptian NGO groups and parliamentarians.

## **RESPONSES FROM TARGETED AMERICAN ORGANIZATIONS**

### **[Freedom House in Egypt](#) (January 31, 2012)**

#### ***Registration***

As part of a broad campaign against free civil society in the country, the Egyptian government last December 29 raided the offices of three U.S.-based organizations whose activities in Egypt are funded by the U.S. government— Freedom House, the International Republican Institute, and the National Democratic Institute. Each of these groups had shared extensive information about their activities with Egyptian authorities and had attempted to undergo the registration process. The offices of seven other organizations were also raided.

#### ***Political Activity***

Freedom House supports activities that encourage civic engagement, free expression, free association, and free assembly—freedoms enshrined in the Universal Declaration of Human Rights, to which Egypt is a signatory. Freedom House does not choose sides. We do not get involved in any country's politics or partisan competitions and we don't push for specific political outcomes. Participation in Freedom House activities is open and available to people of all political persuasions, faiths, and ideologies who want to work in support of human rights and an open political process.

### **[Facts on NDI's Presence and Programs in Egypt](#) (January 2, 2012)**

#### ***Registration***

In November 2005, NDI opened an office in Egypt and applied for registration with the Ministry of Foreign Affairs. In a meeting with NDI, the then-Minister assured the Institute that all of its papers were in order and that the registration would be approved within four to five weeks. ([See registration application](#)). Since that time, NDI has maintained open, transparent and constructive relationships with the government of Egypt, sharing with the authorities all major program activities conducted by the Institute. NDI was repeatedly told that registration would eventually be granted. At no time was NDI asked to stop its work or close its office. Periodically, and most recently in June 2011, NDI inquired of the Foreign Ministry as to the status of the

application for registration and whether or not additional paperwork was required. The Institute was verbally notified that the papers were in order, and that the registration was still pending.

### ***Political Activity***

Since April, NDI's programs have included the sharing of international experiences on democratic transitions, training for the long-term development of political parties, and assistance to civil society organizations engaged in election monitoring, civic education, and non-partisan voter education. At no time has NDI funded any political party or protest movement. The Institute does not seek particular electoral outcomes; and does not align itself with any political party, ideology or candidate. All programs are designed to support public confidence and participation in key political processes as defined in the constitutional referendum.

### **[IRI Refutes Continued Misrepresentation about its Works in Egypt \(January 2, 2012\)](#)**

#### ***Registration***

IRI applied for registration with the Ministry of Foreign Affairs in June 2006 and was told its application was complete at the time it was submitted. In the period from 2006-2011, IRI has repeatedly sought to work with Egyptian authorities to acquire registration and in the process has kept authorities fully informed of its activities.

#### ***Political Activity***

IRI does not provide monetary or material support to Egyptian political parties or civic groups, and the Institute's work is carried out in an open and transparent manner. As IRI has repeatedly shown the Egyptian government, its program provides technical skills trainings, based on a wide range of international experiences, on the long-term development of political parties and civil society. IRI's work with Egyptian civil society supports nonpartisan voter education and civic engagement with the goal of enhancing democratic participation and does not interfere with or influence the outcome of elections.

## **STATEMENTS OF U.S. OFFICIALS**

### **White House**

*Below are highlights of White House statements regarding the NGO issue. For all relevant White House statements since the raids on December 29, 2011 [click here](#).*

### **[Press Briefing with Press Secretary Jay Carney \(6 February 2012\)](#)**

Q What would it take to trigger a cutoff of the \$1.5 billion of U.S. aid?

MR. CARNEY: I don't want to speculate about what that would be. We've made clear that we take this very seriously, that it could have consequences -- these actions could have consequences for our relationship, including our assistance programs. But I don't want to speculate about what actions might precipitate a response on our part along those lines, except to say that we take this very seriously.

It is important to remember that these institutions have been over there for a number of years, they're all over the country promoting democracy, and that the individuals here have done nothing wrong.

Q Does the Egyptian government know what would affect U.S. aid? Has it been made clear to them?

MR. CARNEY: I think we have made clear, both in our public statements and in our private communications, how seriously we take this and that these actions could have consequences for our relationship and for our assistance programs.

[Press Briefing by Press Secretary Jay Carney \(30 January 2012\)](#)

Q Is the President, more broadly, growing frustrated with the pace of change in Egypt, particularly in the military council's hold on power there?

MR. CARNEY: Well, I think it is important to step back and noted -- and note, rather, that Egypt has achieved several historic milestones in its transition to democracy in recent days, including the first seating of democratically elected representatives of the People's Assembly since the revolution, the transfer of legislative authority to those representatives by the Supreme Council of the Armed Forces, and the SCAF's announcement that it was taking steps to lift the state of emergency that has existed in Egypt for several decades. There was also the peaceful commemoration of the revolution that made these steps possible.

So we congratulate the Egyptians on these important steps toward fulfilling the promise of Egypt's revolution, which, as we all remember, inspired the world. There are challenges that remain, but it's important to remember that Egypt has come a very long way. As regards the issue that you talked -- that you started this round of questions with, we are concerned about it and we are in discussions with Egyptian authorities about it.

[Readout of the President's call with Egyptian Field Marshal Tantawi \(20 January 2012\)](#)

The President reinforced the necessity of upholding universal principles and emphasized the important role that civil society, including non-governmental organizations, have in a democratic society. He underscored that non-governmental organizations should be able to operate freely.

**Defense Department**

*Below are highlights of Defense Department statements regarding the NGO issue. For all relevant Defense Department statements since the raids on December 29, 2011 [click here](#).*

[Media Availability with Secretary of Defense Leon Panetta \(1 February 2012\)](#)

Q: If I could change subjects, quickly, about Egypt. As you know, there's an Egyptian military delegation that's in the country, and -- your department, as part of the long-standing partnership with that country. At the same time, we have a number of Americans holed up in our embassy from pro-democracy groups, including the son of another Cabinet member. I know you've spoken with Field Marshal Tantawi on this subject a couple of times, but the Egyptians still don't seem to want to let go.

Do you have any concerns in your mind about, on one hand, you asking the Egyptians to take it easy on these pro-democracy groups, and at the same time them not responding, and meeting with folks in the Pentagon and elsewhere?

SEC. PANETTA: I did have -- I did have a discussion with General Tantawi and conveyed to him the concerns that we have with regards to the treatment of these individuals and the whole NGO issue. At the same time, you know, I said, look, we -- you're making progress in Egypt, you've gone through the elections, you've taken off the emergency law, you're on a path towards establishing a democracy there, it's extremely important that we maintain the relationship and continue to work together to provide for your security, but our ability to maintain that relationship is being impacted by how this matter is being handled, and so for that reason urged him to do everything in his power to try to allow these individuals the opportunity to be able to leave the country.

He -- you know, he indicated his concern, that he'll do everything he can to try to help on this issue. He obviously has to deal now with the parliament. He has to deal with what is an independent judiciary. And he indicated that. And I said I have the same -- I said, welcome to democracy, because I have the same responsibility to deal with the Congress, and they're concerned about this issue.

So bottom line is I think they're working this issue. I'm hopeful that hopefully it can be resolved soon.

#### [Panetta Asks Egypt to Lift U.S. Citizen Travel Ban \(30 January 2012\)](#)

In a weekend call to Egyptian Field Marshal Mohamed Hussein Tantawi, Defense Secretary Leon E. Panetta applauded recent elections, asked him to help in lifting a travel ban on U.S. citizens and expressed concern over restrictions on nongovernmental organizations, Pentagon Press Secretary George Little said this morning.

“In a discussion covering a range of topics,” Little said, “the secretary asked that Field Marshal Tantawi take steps to lift the travel ban on American citizens wishing to leave Egypt, and expressed concern over restrictions placed on [nongovernmental organizations] operating in Egypt.”

#### **State Department**

*Below are highlights of State Department statements regarding the NGO issue. For all relevant State Department statements since the raids on December 29, 2011 [click here](#).*

#### [Daily Press Briefing \(Victoria Nuland\) \(8 February 2012\)](#)

**MS. NULAND:** Our view remains that this is not fundamentally a judicial issue. This is an issue between the two governments, between the two executives, about the appropriate role – and frankly, between the Egyptian executive and other countries around the world – about the appropriate role that foreign NGOs, and frankly, that Egyptian NGOs should play in supporting a democracy, and in ensuring that the environment for their operation is clear, is well understood, and that we have an agreement among us.

...

As we have said for more than a week now, as the Secretary said in Munich very clearly, and as the White House has also said – my colleague Jay Carney just yesterday – we have been saying to the Egyptian authorities that we are concerned that this could have implications for the whole relationship, including our ability to deliver the assistance that we have planned for Egyptian – to support Egypt in its democratic transition and the

traditional assistance that we provide for security purposes. We do not want that to happen. That is why we want to get this solved and why we continue to work it very, very hard at all levels.

...

Well, as we have been saying also for days and days and days, it is our view that these people have not done anything wrong, that they have been endeavoring to demonstrate that by cooperating with judicial authorities on the tax side in terms of being transparent about their records, in terms of asking for clear ability to register for – even in the Mubarak times, we wanted to have these groups registered and they have been denied registration. So from that perspective, there is something more going on here than a purely judicial process. We have to – the extent that this – this is a dispute, obviously, about the appropriate role for U.S. assistance in today's Egypt, and we believe that a dispute like that can really only be addressed government-to-government. We've been asking to resolve it government-to-government, and we are just not getting the traction that we need for a long-term settlement of these issues. This is how we work with governments around the world, that the rules of the road are clear so that our people who want to support democratic transitions can do so in a way that is understandable, and that's not where we are right now.

[Daily Press Briefing \(Victoria Nuland\) \(6 February 2012\)](#)

**QUESTION:** Who can you speak to in Egypt about this? You tried with the justice minister; he turned you down. It doesn't seem like anybody you've spoken to so far has really been able to influence the process in a positive way, from your perspective. Where do you go now in trying to somehow alleviate or kind of fix the situation?

**MS. NULAND:** Well, we're continuing to talk to everybody that we can, from the justice ministry to the – all members of the executive who might have authority here, whether it's the SCAF, whether it's the civilian government. As you know, the President has spoken to General Tantawi on this issue over the past number of weeks. The Secretary has seen Foreign Minister Amr repeatedly, including again in Munich. Our Embassy and our Ambassador Anne Patterson has been working tirelessly with the Justice Department, with the NGOs, with all the authorities in Egypt who ought to be able to manage this situation.

So we are very concerned, but we're just going to continue to try to find a way forward on this that gets us back to a normal situation that – where we can all support the democratic transition in Egypt. And I would say that this is not just about American NGOs. This is also about our concerns about Egyptian NGOs who play a very vital role.

**QUESTION:** Are you insulted that all of these efforts, these entreaties, have been kind of brushed aside so far?

**MS. NULAND:** We are concerned. It is not a good situation and it's not a good situation, as the Secretary said in Munich, with regard to the work that we want to do together because it could have implications. We have worked very hard with the U.S. Congress, with individuals in the Egyptian Government. We just had Bill Taylor, our special advisor for economic transitions in the broader Middle East, in Cairo talking to Egyptians about how we might be able to support the reform effort. But all of these initiatives could be affected if we can't solve this problem.

[Remarks at the Munich Security Conference \(Sec. Hillary Rodham Clinton\) \(4 February 2012\)](#)

**SECRETARY CLINTON:** Well, I did meet with Foreign Minister Amr today. I had a chance to once again express our deep concerns about what is happening to our NGOs, and Americans and others who work for them, as well as the Konrad Adenauer Foundation that is based here in Germany. We do not believe there is any basis for these investigations, these raids on the sites that the NGOs operate out of, the seizure of their equipment, and certainly no basis for prohibiting the exit from the country by individuals who have been working with our NGOs.

We are very clear that there are problems that arise from this situation that can impact all the rest of our relationship with Egypt. We do not want that. We have worked very hard the last year to put into place financial assistance and other support for the economic and political reforms that are occurring in Egypt, and we will have to closely review these matters as it comes time for us to certify whether or not any of these funds from our government can be made available under these circumstances.

[Statement by Assistant Secretary Michael H. Posner \(26 January 2012\)](#)

At the same time, we see several ongoing challenges. The first is the difficult environment in which civil society groups are operating, especially those groups advocating for human rights and democracy. A strong and independent civil society is an essential element of a sustainable democracy. As Secretary Clinton said in Krakow, "Citizens must be free to come together, to advocate and agitate, to remind those entrusted with governance that they derive their authority from the governed."

For years, Egyptian and international NGOs working on human rights and democracy issues have been constrained by laws and administrative practices that restrict the universal freedoms of association, assembly, and speech. In December, Egyptian security forces raided the offices of seven NGOs, including four U.S.-based organizations, confiscating files and computers, and subsequently subjecting their employees to investigation. We strongly urge the government to redress this situation. It is time for Egyptians to create an environment where members of social organizations of all kinds, including human rights and democracy advocacy organizations, are able to operate freely, consistent with universal human rights standards.

[Remarks in Cairo, Egypt \(Asst. Sec. Michael Posner\) \(26 January 2012\)](#)

I very much view the situation of the four American organizations as part of the broader discussion about the role of NGO's (Non-Governmental Organizations) in this society. There are international NGO's like those four and there are local Egyptian organizations. All need to have the ability to operate openly, freely without constrain on the basis of the content of their work.

[Interview with Lamis el Hadidi \(Dep. Sec. William Burns\) \(11 January 2012\)](#)

**QUESTION:** How did you manage through your meetings to overcome the tensions in relations between Egypt and the U.S. that has occurred recently, due to the raid on the NGOs, what you have called a raid and the Egyptian government called legal investigations? Have you managed to overcome the tension?

**DEPUTY SECRETARY BURNS:** We are certainly trying. The recent actions which you have described against NGOs -- which weren't just American-supported NGOs or American-based NGOs, but also European

foundations, and Egyptian NGOs – are very troubling. We have expressed our concerns directly to the Egyptian authorities, and we are very hopeful that we will be able to reach a quick and fair resolution. More broadly, what I would stress is when we support NGOs around the world, we are determined to try to support the growth of healthy civil societies because a healthy civil society is an essential ingredient in any healthy democratic system. We don't interfere in the politics of any other country. Political choices in Egypt are the business of Egyptians, not Americans. We don't support individual political candidates, we don't support individual political parties. What we do, is to make available the benefits of America's experience with democracy to those civil society groups that might be interested in taking advantage of it. That is consistent with our practice in many countries around the world and it is consistent with international standards.

**QUESTION:** Trying means it is not over yet, and to my knowledge, the information is still stored. They are still under investigation, accused of illegal funding and many of the computers are not back yet. Did you talk to the Egyptian authorities about that?

**DEPUTY SECRETARY BURNS:** We certainly did, and as I said, we expressed our concerns quite directly. We are hopeful for a quick and fair resolution, and we will keep working at this.

**QUESTION:** Although they have not been explicit threats from the U.S. government to stop or suspend the assistance especially the military assistance, there have been calls recently in the Congress that it should, especially after the recent raids?

**DEPUTY SECRETARY BURNS:** First, it is natural for the U.S. Congress to monitor the way in which assistance programs operate around the world. The U.S. administration is accountable to Congress for how those monies are spent. So there is a process of scrutiny that goes on which is important in our system. Second, I do think there is a widespread understanding in the U.S. Congress and in the administration of the importance of Egypt's transition and Egypt's economic recovery and what is at stake, not just for Egypt but for the whole region today. So we want very much to continue our assistance programs as well as the new initiatives I described on debt relief, for example, to provide the kind of urgent support that we think really can be helpful to Egyptians, as they cope with all the challenges before them.

**QUESTION:** So the administration has not used the aid weapon as a means to threaten the Egyptian government?

**DEPUTY SECRETARY BURNS:** We don't see aid as a weapon. We see aid as a way of providing much-needed support to Egyptians as they cope with an enormous array of challenges, but also as they try to realize the promise of the Egyptian revolution. A successful transition in Egypt is deeply in the interests of the United States, and we want to do everything we can to help.

[Assistant Secretary of State for Near Eastern Affairs Jeffrey Interview With Al Masree Al-Yom \(6 January 2012\)](#)

**A/S FELTMAN:** In the bilateral meetings with the Egyptians, we obviously discussed the issue of the NGOs, which has provoked headlines in both of our countries. I think that all of us had a shared sense of wanting to make sure that this issue could be managed in a way that did not distract us from the overall importance of the bilateral relationship between Egypt and the United States. But I also wanted to take the opportunity to talk about some of the basics behind this issue. I wanted to put the NGO issue in the context of what has been really

a remarkable transformation over the past year inside Egypt. Almost a year ago, Egyptians started to take to the streets to demand their basic rights, to demand dignity and respect and opportunity to affect how they're governed. Egyptians started on a path to democracy. This was accomplished by the Egyptian people themselves. It is obviously something that captivated the world. I know that Americans were watching the dramatic events in Cairo on TV with great enthusiasm to see what the Egyptian people themselves were doing. But the goal that the Egyptians have as I understand it is a functioning, healthy democracy where the Egyptian citizens are treated with respect and dignity, where they are shaping how they're governed. Where there is accountability on the part of the government to the people. And in any healthy democracy that you see anywhere in the world, whether you're talking about countries far away like Indonesia or countries in Europe or in North America, NGOs play an important role. They play an important role in providing some accountability. They play an important role in things like voter education and training and protecting free media. So I think there's a basic principle here, which is that in any healthy democracy, the NGO sector is extremely important. And as for the NGOs that were subject to the investigative raids just over a week ago, what they were doing was trying to help provide some skills and accountability to the Egyptian people to help them achieve their goals. I wanted to make sure there was sort of an understanding about what we're talking about. We're talking about a really important sector in any healthy democracy.

**QUESTION:** With whom did you speak about the NGO raids?

**A/S FELTMAN:** We had a series of meetings here, including with the Foreign Minister and some of his advisors, including with members of the SCAF. We had some other meetings as well. And basically in all of the bilateral meetings with Egyptians we discussed the NGO issue, given the headlines this has created and given the importance that we in the United States place on this sector in a democracy. I didn't discuss the NGO issue in the Arab League because it's not an issue with the Arab League. It's an issue right now that's bilateral.

**QUESTION:** Any information about the reopening of the NGOs and the return of the documents?

**A/S FELTMAN:** I was encouraged by what I heard in terms of trying to manage this issue in a way that doesn't damage the bilateral relationship, in a way that would allow these organizations to resume their work quickly. We really want these organizations to resume their work quickly because it is important. I got the sense from the bilateral meetings we had that the government officials here want to resolve this in a way that allows these organizations to reopen. We want them to reopen quickly. And I have to say that I did express some concern about the process in which these raids were conducted. The Egyptian officials told us that these raids were done under judicial authority, by the independent judiciary. Of course, all of us support an independent judiciary. That's another pillar of a healthy democracy, just like the NGO sector is a pillar of a healthy democracy. In some cases, there were no inventories done of what was taken out of the offices. So one never knows for sure if something that was said to be taken from an office really was. It's just hard to have accountability in how these raids were conducted. But the important thing here I think is to keep the focus on Egypt's transition to democracy, on the tools that the Egyptian people need to see that their government is accountable to them, as in any democracy, and to recognize that NGOs are really an important sector in any democracy.

**QUESTION:** A lot of people say there's been a change in the U.S.-Egypt relationship. Did you see such changes?

**A/S FELTMAN:** Certainly, we follow the Egyptian media coverage of the NGO issue quite closely. And not only of the NGO issue but of the U.S. –Egypt relationship in general. I know that there is a great sensitivity among Egyptians that Egyptians be responsible for Egypt’s future, that Egyptians be picking Egypt’s leaders. Not through some process of foreign intervention. I want to assure you that we recognize that. That Egypt’s leaders are accountable to the Egyptian people. Egypt’s leaders in democratic Egypt will emerge from Egyptian votes, from all those voters that went out there. When we talked about Egyptian officials, I want to underscore that we recognize that it’s to the Egyptian people that these officials must answer. That’s the same in any democracy. It’s not to us. Now we think the bilateral relationship is mutually beneficial. We certainly see the U.S. has interests in a strong partnership with Egypt, given Egypt’s leadership role in the Arab world, Egyptian skills in many fields. We hope the Egyptian people also see it in their interests in maintaining a strong relationship with the United States going forward. But we also have to recognize that for us we have to be much more sensitive to Egyptian public opinion than we were before because you have an Egyptian government that will be accountable in a far more profound way to Egyptian public opinion, to Egyptian voters, than the previous Egyptian government. And obviously that’s going to have to influence how we manage the bilateral relationship, how we talk to the Egyptian people. But in terms of if the Egyptian partnership with the United States is any more or less important to us than it was before, it’s as important to us as it ever was. It’s just that how we manage it will have to take into account the change in circumstances of this democratic transformation.

**QUESTION:** Yesterday, Mr. Cramer from Freedom House said he’d been working here for 5 years without registration. How can an American NGO work here for that length of time without registration?

**A/S FELTMAN:** Well, we’ve been transparent with the GOE about what these organizations are doing. These are American organizations, after all. And as I said, they are supporting the skills that the Egyptian people themselves need to achieve the goals that the Egyptian people set out for themselves. So there’s nothing under the table or nefarious about what these groups are doing. We’ve been transparent from the beginning. There’s been some misinformation here. For example, I’ve heard it reported in the Egyptian media that since NGOs operating in the United States are prohibited under U.S. law to receive foreign funding, therefore it’s perfectly acceptable that Egyptian NGOs should not have relationships with foreign NGOs and receive foreign funding. But the fact is that statement is simply not true. U.S. NGOs are permitted to receive foreign funding, have relations with foreign organizations because we recognize the role that NGOs should play. I wouldn’t want the registration process to distract people from that basic principle that we talked about earlier which is the positive role that NGOs play in any healthy democracy worldwide.

**QUESTION:** How much funding is the U.S. providing?

**A/S FELTMAN:** We’ve provided funding information to the GOE at the GOE’s request so we’ve been transparent with the GOE. I won’t talk about specific numbers except to say that some of the numbers that have been reported to the media have been greatly exaggerated.

**QUESTION:** There have been some reports saying that there has been \$200 million to support political parties in Egypt.

**A/S FELTMAN:** But the thing to note is that U.S. NGOs that are working to provide the skills, the voter education, things like that, are working in a non-partisan way. We do not fund political parties. We support NGOs and civil society. We want to help create the space for civil society to be able to operate freely but we do not fund political parties. That’s something that needs to be understood. In other words, we’re not picking

winner or loser in Egypt. The winners and losers in Egypt will be picked by the Egyptian voters, and that's the way it should be. We may not always agree with the results but that's fine because it's the Egyptians who have to pick who's going to be in parliament, and who's going to be in the government and so we are NOT funding political parties.

[Statements to the Press by Assistant Secretary of State for Near Eastern Affairs Jeffrey Feltman following his meeting at the Arab League \(5 January 2012\)](#)

**A/S FELTMAN:** I had the opportunity to discuss the issue of the NGOs with Egyptian officials. Since this is a bilateral issue between United States and Egypt, we didn't discuss it here but I did have the opportunity to talk with his Excellency the Foreign Minister of Egypt, for example, about the question of NGOs. There is a very exciting transition underway in Egypt that has been going on throughout 2011 when Egyptian people went out into the streets and demanded some basic rights and dignity, to have a say in how they are governed, to be able to play a role in how Egypt is governed in the future. We see this taking place now in the elections in Egypt, for example. It was exciting for those of us in the United States, to watch Egyptian voters go out, in such force, with such enthusiasm, to cast their ballots for parliament, but what these NGOs have been doing is helping provide some of the basic tools, for the Egyptians to meet some of their own aspirations, things like voter education, media training. It was an opportunity today to compare notes with Egyptian officials, on what are the facts in dealing with the NGOs.

[Statements to the press by Assistant Secretary of State for Near Eastern Affairs Jeffrey Feltman following his meeting with Egyptian FM Amr \(5 January 2012\)](#)

**QUESTION:** Do you think that the relations between the United States and Egypt has been affected seriously after the NGO issue?

**A/S FELTMAN:** This is a strong relationship, this is a historic relationship. As I was saying earlier, we believe that there are benefits for both of our countries and I am absolutely convinced -- at least from the side of Washington -- that we are committed to working through whatever issues may arise between our two countries because the mutual benefits of maintaining a strong partnership are so great.

[Daily Press Briefing \(Victoria Nuland\) \(4 January 2012\)](#)

**QUESTION:** Do you know who -- exactly made the pledge to Ambassador Patterson that these raids would stop and that the harassment would stop? Secretary Panetta in his phone call with a Field Marshal Tantawi referenced this and said he thanked the -- or he expressed his appreciation for this pledge, which now seems to have been just a tissue of lies. Who was it that made this pledge? Was it someone who -- I'll just leave it at that. Who was it that made the pledge to the ambassador?

**MS. NULAND:** I mean, my understanding and the conversations that we had before New Year's Eve was that we had had these pledges on all sides, from the head of the SCAF, from the head of the civilian government, the prime minister, from the foreign minister. So that's why it is concerning, not only that the issue hasn't been resolved, but that we also seem to have some Mubarak holdovers in the government who don't seem to understand how these organizations operate in a democratic society and are putting out lots of disinformation about them.

[Emailed Comments to Reporters \(Victoria Nuland\) \(30 December 2011\)](#)

"The ambassador has sought and received Egyptian leadership assurances that the raids will cease and property will be returned immediately," U.S. State Department spokeswoman Victoria Nuland said in emailed comments.

[Daily Press Briefing \(Victoria Nuland\) \(29 December 2011\)](#)

**MS. NULAND:** The second issue is on Egypt. The United States is deeply concerned that Egyptian judicial and police officials raided the offices of a number of nongovernmental organizations today, including the National Democratic Institute and the International Republican Institute. This action is inconsistent with the bilateral cooperation we have had over many years. Ambassador Anne Patterson has been in touch today with the Egyptian prime minister on this matter, and Assistant Secretary of State Feltman has also been touch with the Egyptian ambassador here. We call on the Egyptian Government to immediately end the harassment of NGOs, NGO staff, return all property, and resolve this issue immediately.

**Congress**

*Below are highlights of Congressional statements regarding the NGO issue. For a more extensive list of relevant Congressional statements since the raids on December 29, 2011 [click here](#).*

[Sen. Paul to Introduce Amendment Cutting Foreign Aid to Egypt](#)

**WASHINGTON, D.C.** - Sen. Rand Paul today took to the Senate floor to announce his intention an introduce an amendment to the upcoming surface transportation bill that would cut off the \$1.3 billion given to Egypt annually in foreign aid until illegally detained American citizens are released.

...

This past weekend, Egyptian prosecutors have filed criminal charges against these innocent American citizens.

This must not be allowed to stand. The American people should be concerned. We are subsidizing the behavior taxpayer foreign aid Egypt, we are subsidizing behavior that is leading and allowing for the injustice detainment of American citizens in Egypt.

Egypt is one of the largest recipients of foreign aid, totaling over \$70 billion over the last half-century. Egypt's ruling military has itself received 3 billion in foreign aid every year since 1987 and they have the gall to hold American citizens hostage. This must end.

Not everyone in this body agrees on foreign policy or on the role foreign assistance, but the reckless actions of Egyptian authorities in this matter should bring us together to form one undeniable conclusion -- American foreign assistance dollars should never be provided to any country that bullies our citizens.

Recklessly seeks to arrest them on imaginary charges or denies them access to their most basic right.

Egypt must immediately stop the detainment and prosecution of these American citizens. If they fail to do so, then Congress, we have the moral obligation to immediately end their foreign aid.

The time for action is now. I will offer an Amendment to suspend Egypt's foreign aid until our American citizens are released.

It is our duty as our people's representatives to ensure no more American taxpayer dollars will flow to Egypt until they rescind the charges against innocent Americans and allow them to peacefully leave the country.

The American people are behind this, and I advise the Senate to consider that we should no longer send foreign aid to a country that is illegally detaining our citizens.

#### [Statement by Senators McCain, Lieberman and Ayotte on the Situation in Egypt \(7 February 2012\)](#)

Washington, D.C. – U.S. Senators John McCain (R-AZ), Joe Lieberman (I-CT) and Kelly Ayotte (R-NH) today released the following statement on the situation in Egypt:

“The current crisis with the Egyptian government has escalated to such a level that it now threatens our long-standing partnership. There are committed opponents of the United States and the U.S.-Egypt relationship within the government in Cairo who are exacerbating tensions and inflaming public opinion in order to advance a narrow political agenda. At the same time, there are people of good will in both countries, civilian and military, who are working hard to resolve this crisis. This cannot happen soon enough.

“A resolution must be reached that ends the harassment and prosecution of the employees of U.S. non-governmental organizations operating in Egypt, returns their confiscated property, enables their American and foreign personnel to leave the country, ensures the safety and human rights of their Egyptian staff members and civil society partners, and registers these U.S. groups in a way that will enable them to operate without undue restrictions in Egypt. We continue to believe that a solution to this crisis is achievable, and it is clearly in both Egypt’s and America’s national interests to do everything we can to bring it about as soon as possible. If such a resolution is not reached soon, however, we are concerned that consequential damage could be done to the U.S.-Egypt partnership. Congressional support for Egypt – including continued financial assistance – is in jeopardy. A rupture in relations would be disastrous, and the risks of such an outcome have rarely been greater.”

#### [Chairman Kerry Statement at Nomination Hearing for Nancy Powell to be Ambassador to India \(7 February 2012\)](#)

**Washington, DC** – This afternoon, Senate Foreign Relations Committee Chairman John Kerry (D-MA) delivered the following statement at the nomination hearing for Nancy Powell to be Ambassador to India. Thank you all for coming. Before we begin, let me say a few words about recent events in Egypt. I am alarmed by the attacks against civil society in Egypt, including American organizations like NDI, IRI, the International Center for Journalists, and Freedom House. Yesterday’s prosecutions are a slap in the face to Americans who have supported Egypt for decades and to Egyptian individuals and NGOs who have put their futures on the line for a more democratic Egypt. This is a dangerous game that risks damaging both Egypt’s democratic prospects and the U.S.-Egyptian bilateral relationship.

Egypt faces an array of critical challenges—a pending fiscal crisis, a worsening security environment, and a difficult political transition. The Egyptian government cannot continue to undermine civil society and persecute

the very talent seeking to bring Egypt security and prosperity. America stands as an eager partner in supporting Egypt's democratic transition and economic stabilization, but this requires an atmosphere in which Egyptian civil society—and its American friends—are protected.

[Egypt Campaign Against U.S. NGOs Politically-Motivated, Ros-Lehtinen Says U.S. Aid Cutoff Should Be Considered \(7 February 2012\)](#)

Washington, DC – U.S. Rep. Ileana Ros-Lehtinen (R-FL), Chairman of the House Foreign Affairs Committee, released the following statement regarding the decision of Egypt's Ministry of Justice to investigate 43 non-governmental organization (NGO) employees, including 19 Americans, who will face charges in a politically-motivated investigation over foreign funding:

“I am deeply disturbed by the Egyptian government's crackdown on U.S. citizens and NGOs providing critical democracy assistance and programming to the people of Egypt.

“It is unacceptable that U.S. taxpayer dollars, taxpayer-funded equipment, and, most-importantly, U.S. citizens are the target of a politically-motivated investigation.

“To resolve this situation, the Egyptian government must immediately return all assets and funds seized in the raids to the NGOs, and allow them to reopen their offices. It must also end the politically-motivated investigations and prosecutions of these NGOs and end the media campaign against them. The Egyptian government must also comply with international human rights standards and provide these organizations with freedom of operation throughout Egypt.

“The Egyptian government's actions cannot be taken lightly and warrant punitive actions against certain Egyptian officials, and consideration of a cutoff of U.S. assistance to Egypt.”

[House Appropriations State and Foreign Operations subcommittee Ranking Democrat Nita Lowey \(D-NY\) \(7 February 2012\)](#)

Congresswoman Nita Lowey (D-NY): Continuing down this path will make it increasingly difficult for Congress to provide military and economic assistance to Egypt and for the Administration to certify legal requirements necessary for aid to move forward.

[Cardin Says US-Egypt Relationship Should be Reviewed in Light of NGO Harassment and Persecution \(6 February 2012\)](#)

Washington – U.S. Senator Ben Cardin (D-MD), a member of the Senate Foreign Relations Committee, and Chairman of the International Development and Foreign Assistance Subcommittee, expressed his outrage over the latest developments in Egypt and he issued the following statement:

“I find today's news about the Egyptian government's decision to prosecute American and local NGO workers totally unacceptable. These organizations, which have supported Egyptian citizens' own struggle for representative democracy and freedom, have been targeted by those in the holdover regime who fear change.

“When I heard that these organizations were not allowed to register, and then had their offices sealed during the course of an “investigation” by the regime, I wrote to the regime leaders urging them to stop this dangerous behavior. Instead, they have escalated, and some of those individuals most committed to Egyptian freedom, including several prominent Americans, are not allowed to leave the country, and are facing criminal charges. “This is not the way an ally should be treated. I believe that we should re-evaluate the status of our bilateral relationship during this transition period.”

[Leahy Ties Egyptian Government’s NGO Raids to US Aid \(3 February 2012\)](#)

Mr. LEAHY:

During the past 12 months, Egypt has been governed by a group of senior military officers, each of whom held positions of leadership and privilege in the repressive and corrupt Mubarak government. To their credit, for the most part they did not attempt to put down the revolution by force, and they pledged to support the people’s demand for a democratically elected civilian government that protects fundamental freedoms.

The transition process is a work in progress. On the positive side, two democratic elections have been held and a new Parliament has been seated. On the negative side, civilian protesters have been arrested and prosecuted in military courts that do not protect due process, and in December Egyptian police raided the offices of seven nongovernmental organizations, including four U.S.-based groups whose work for democracy and human rights has for years been hindered by laws and practices that restrict freedom of expression and association. Files and computers were confiscated and some of their employees have been interrogated.

There are also reports that as many as 400 Egyptian nongovernmental organizations are under investigation, allegedly for accepting foreign donations. Apparently, to the thinking of Egypt’s military rulers, there is nothing wrong with the Egyptian government receiving billions of dollars from U.S. taxpayers, but private Egyptian groups that work for a more democratic, free society on behalf of the Egyptian people, and that cannot survive without outside help, do so at their peril.

...

This is a spurious charge, since registration applications were submitted and deemed complete by the government years ago; because the organizations regularly reported to officials on their activities; and since, while registration was pending, they were permitted to operate. Ironically, while the previous regime did not seek to expel them for their pro-democracy work, Egypt’s current authorities, whose responsibility it is to defend and support the democratic tradition, are attempting to do just that.

There is abundant misinformation about the work of the American-based organizations, with some Egyptian officials accusing them – without offering any evidence – of trying to subvert Egypt’s political process. Without belaboring the point, their work was no secret as they had nothing to hide. They were helping to build the capacity of Egyptian organizations engaged in peaceful work for democracy and human rights, supporting the development of political parties, and working with Egyptian groups to provide non-partisan voter education.

The military argues that since these groups were not registered they were in violation of Egyptian law, but this is a transparently specious excuse for shutting them down. Their repeated applications for registration were neither granted nor denied. The government simply chose to ignore them.

Egyptian officials also insist that this is simply a matter of upholding the rule of law, but the complaint against these organizations was issued by a minister with no direct authority over legal matters, and a negative

propaganda campaign was unleashed in the state-controlled media. The conduct of the raids, seizure of the files and computers, interrogation of the employees, and the no-fly order have not been conducted consistent with legal standards but instead seem to be politically motivated. No warrants have been issued, no charging documents made public, and no inventory of seized property made available.

Many suspect that the force behind this crackdown is Minister of International Cooperation, Faiza Aboul Naga, who was described in a Washington Post editorial this week as “a civilian holdover from the Mubarak regime” and “an ambitious demagogue [who] is pursuing a well-worn path in Egyptian politics – whipping up nationalist sentiment against the United States as a way of attacking liberal opponents at home.” Given Minister Aboul Naga’s recent statements, I strongly believe that no future U.S. Government funds should be provided to or through that ministry as long as she is in charge. As the chair of the Appropriations Committee’s Subcommittee on the State Department and Foreign Operations, I am confident there is strong support in Congress for this position.

A related issue is the Egyptian military’s continued use of vaguely worded emergency laws to silence dissent. While it is encouraging that the head of the military, General Tantawi, announced plans to lift the 30-year state of emergency, that is only a first step.

Mr. President, as I have mentioned, for decades the United States and Egypt have been friends and allies. While we have differed over issues of democracy and human rights, our two countries have worked together in pursuit of common goals. Our partnership needs to be strengthened and broadened to respond to the interests and aspirations of the Egyptian people themselves. Our longstanding legacy of cooperation with the Egyptian government is now in jeopardy, and it is the interests of both countries that this crisis is promptly and satisfactorily resolved and that we focus instead on moving forward to build an even stronger and enduring relationship.

In December, President Obama signed into law the Consolidated Appropriations Act for 2012. Section 7041(a)(1) of division I of that Act provides that prior to the obligation of \$1.3 billion in fiscal year 2012 U.S. military aid for Egypt, the Secretary of State shall certify that “the Government of Egypt is supporting the transition to civilian government including holding free and fair elections; implementing policies to protect freedom of expression, association, and religion, and due process of law.

These unprecedented requirements, which I wrote, were included for two reasons. First, we want to send a clear message to the Egyptian people that we support their demand for democracy and fundamental freedoms. Second, we want to send a clear message to the Egyptian military that the days of blank checks are over. We value the relationship and will provide substantial amounts of aid, but not unconditionally. They must do their part to support the transition to civilian government. If the assault against international and Egyptian nongovernmental organizations continues, several of the requirements for certification could not be met.

...

I hope the Egyptian authorities fully appreciate the seriousness of this situation and what is at stake. They need to permit these organizations to reopen their offices, return the confiscated property, end investigations of their activities and the activities of Egyptian groups, and register them without conditions so they can continue to support the democratic transition.

[Letter from 40 Members of Congress to Field Marshal Tantawi \(2 February 2012\)](#)

Dear Field Marshal Tantawi:

We write to express our serious concerns regarding the December 29, 2011, raids and ongoing investigations by Egyptian authorities aimed at civil society organizations in Egypt. As you know, the 17 raids on nongovernmental organizations (NGOs) included U.S.-based Freedom House, the National Democratic Institute (NDI), and the International Republican Institute (IRI). These raids are completely unacceptable and constitute an attack on Egyptian civil society writ large. These organizations have been carrying out important and legitimate programs to help support citizen participation in the transition process – a process approved by the Egyptian people in last year’s referendum.

Egypt has been an important U.S. ally in the Middle East. We support your efforts to transition to a democratic government and recognize the challenges that you and a new government will face. In countries all over the world, including here in the U.S., independent civil society organizations are integral to the creation and maintenance of vibrant and strong democratic systems. It is our hope that your government recognizes their important role and will allow these groups to actively participate in the democratic process, freely and without interference, as they work to expand respect for human rights and help the Egyptian people in their efforts to form a more just, open, and equitable political system.

The absence of a quick and satisfactory resolution to this issue will make it increasingly difficult for congressional supporters of a strong U.S.-Egypt bilateral relationship to defend current levels of assistance to Egypt – especially in this climate of budget cuts in Washington. We hope the Egyptian government will immediately allow these offices to reopen, return all confiscated property, end the investigations into these organizations and other civil society groups, and allow NGOs to carry out their activities in an unfettered manner.

We wish to see a strong and mutually beneficial U.S.-Egyptian relationship. In order for this to happen, we must have confidence in your efforts to support a transition to a democratic system under civilian control, where the freedoms of assembly, association, religion and expression are protected.

Frank R. Wolf  
Member of Congress

John W. Olver  
Member of Congress

Jb Bonner  
Member of Congress

Steny H. Hoyer  
Member of Congress

Member of Congress  
Charles W. Dent

Gus M. Bilirakis  
Member of Congress

James P. McGovern  
Member of Congress

Michael M. Honda  
Member of Congress

Jeff Duncan  
Member of Congress

Peter T. King  
Member of Congress

James. P. Moran  
Member of Congress

Michael T. McCaul  
Member of Congress

John R. Carter  
Member of Congress

Betty McCollum  
Member of Congress

Lloyd Doggett  
Member of Congress

Robert J. Dold  
Member of Congress

William R. Keating  
Member of Congress

Mike Kelly  
Member of Congress

Gerald E. Connolly  
Member of Congress

Ted Poe  
Member of Congress

Anne Marie Buerkle  
Member of Congress

Dan Burton  
Member of Congress

Tim Walberg  
Member of Congress

Leonard Lance  
Member of Congress

Joseph R. Pitts  
Member of Congress

Keith Ellison  
Member of Congress

Randy Hultgren  
Member of Congress

Michael E. Capuano  
Member of Congress

Trent Frank  
Member of Congress

Raul M. Grijalva  
Member of Congress

Spencer Bachus  
Member of Congress

Earl Blumenauer  
Member of Congress

Ken Calvert  
Member of Congress

Louise McIntosh  
Slaughter  
Member of Congress

Daniel Lungren  
Member of Congress

Janice D. Schakowsky  
Member of Congress

James F. Sensenbrenner  
Jr.  
Member of Congress

John Shimkus  
Member of Congress

Chellie Pingree  
Member of Congress

Jared Polis  
Member of Congress

Maxine Waters  
Member of Congress

[Levin and McCain: Egypt's military aid really is in jeopardy \(1 February 2012\)](#)

Committee chairman Carl Levin (D-MI) and ranking Republican John McCain (R-AZ) both said on Tuesday that a withholding of military aid to Egypt was now on the table due to the Egyptian military's role in the Dec. 29 raids on several NGO groups in Cairo, including three U.S. government-funded organizations: the International Republican Institute (IRI), the National Democratic Institute (NDI), and Freedom House.

...

"They should know that this action on their part jeopardizes a normal relationship between us," Levin said in a brief interview on his way out of the Democratic caucus lunch. "They know that, and that includes the impact it could have on aid."

McCain, who happens to be the chairman of the board of IRI, said in his own after-lunch interview that U.S. military aid to Egypt is "certainly a topic that [the Egyptians] have put on the table." "It's hard to believe. IRI and NDI worked throughout Eastern Europe after the fall of the Soviet Union and we helped them with democracy. They're like mechanics. They come in and tell you how to organize voters, how party registration works, and that kind of stuff. They're not advocates of anybody," McCain said.

McCain has been exchanging letters with his contacts in Egypt but there's been no progress yet, he said. "I've known [SCAF leader Field Marshal Mohamed Hussein] Tantawi for years, and many of the other members of the Egyptian military. It's one of the few benefits of old age," he said.

[Letter from 11 Senators to Field Marshal Tantawi \(18 January 2012\)](#)

Dear Field Marshal Tantawi:

We write to strongly condemn the recent raids undertaken by your government's security forces on the offices of Egyptian and foreign non-governmental organizations (NGOs), including the United States-based National Democratic Institute (NDI), the International Republican Institute (IRI), and Freedom House. We urge that they be able to return to their nonpartisan democracy and human rights activities immediately and without new conditions.

As you know, these NGOs have been working with the Egyptian people to support free and fair elections and build democratic capacity to implement the goals of the transition process that was approved in last year's referendum. The Supreme Council of Armed Forces that you lead has pledged to transition swiftly to a civilian government. Raids on the very organizations working to support that transition severely contradict the stated goals of the Supreme Council.

We ask that you take steps to immediately reopen all affected Egyptian and foreign NGO offices, return all confiscated property, bring the investigation of their activities to an immediate close, and register them without conditions so that they can continue their operations. Further, it is crucial for their safety that these organizations and their staff are no longer subjected to undue hostile treatment from state-run media. Continued restriction of their activities and harassment of international and Egyptian staff will be looked at with great concern, particularly in light of Egypt's considerable U.S. assistance.

In the Fiscal Year 2012 appropriations bill, Congress requires the U.S. State Department to certify that, “the Government of Egypt is supporting the transition to civilian government including holding free and fair elections; implementing policies to protect freedom of expression, association, and religion, and due process of the law.” Clearly, the manner in which these actions against NGOs are resolved will be a factor in the certification process.

We urge you to stand by your pledge to the people of Egypt and to work with them, including through civil society organizations, to consolidate democracy and the rule of law, and protect basic human rights of all Egyptians.

Sincerely,

Senator Richard J. Durbin

Senator Benjamin L. Cardin

Senator Mark S. Kirk

Senator Marco A. Rubio

Senator Patrick Leahy

Senator Robert P. Casey, Jr.

Senator Barbara Boxer

Senator Tom R. Harkin

Senator John N Boozman

Senator Jeanne Shaheen

Senator Robert Menendez

CC: The Honorable Hillar Rodham Clinton, United States Secretary of State

The Honorable Anne Woods Patterson, United States Ambassador to the Arab Republic of Egypt

His Excellency Sameh Shoukry, The Ambassador of the Arab Republic of Egypt to the United States