

Under Threat

Egypt's Systematic Campaign against NGOs



POMED

PROJECT
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DEMOCRACY

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About the Project on Middle East Democracy (POMED)

The Project on Middle East Democracy is a nonpartisan, nonprofit organization dedicated to examining how genuine democracies can develop in the Middle East and how the U.S. can best support that process. Through research, dialogue, and advocacy, we aim to strengthen the constituency for U.S. policies that peacefully support democratic reform in the Middle East.

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Introduction

Even before its January 2011 revolution, Egypt had a strong, vibrant civil society that had emerged in spite of severe government pressure and constraints. As of 2010, there were already approximately 26,000 officially registered non-governmental organizations (NGOs) in Egypt, in addition to hundreds of other organizations that had either elected to register as private corporations or had applied for registration but not had it granted.¹ This diverse community of NGOs included a variety of organizations that aimed to address politically sensitive issues, including abuses and violations of rights by the Mubarak regime and by other governments in the region. Egypt's courageous civil society leaders managed to build several of the Arab world's leading human rights organizations amid the difficult environment of Mubarak-era repression.

Against the joyous backdrop of the unexpected success of street protests in ousting longtime dictator Hosni Mubarak from power in February 2011, there was excitement that Egypt's beleaguered yet impressive NGO community would for the first time have the opportunity to operate free of repression, intimidation, legal prosecution, or harassment. Rights-oriented NGOs were eager to transition from merely documenting the abuses of an authoritarian regime to playing a vital role in the difficult transition to a democratic society by supporting bureaucratic and institutional reform efforts, promoting transparency and good governance, encouraging citizen engagement and political participation, providing an alternative voice to counter extremism, and serving as an essential liaison between the citizens and the state. Like many other hopes from that period, such excitement was short-lived.

Instead, successive Egyptian governments under the Supreme Council of the Armed Forces (SCAF), President Mohamed Morsi, and most recently President AbdelFattah al-Sisi have all continued to view Egypt's vibrant civil society and its NGO community in particular as a dangerous threat to their hold on power. Sadly, the environment for NGOs in Egypt—and for those focused on political reform and human rights issues in particular—has steadily grown more and more closed, far exceeding the level of repression under Mubarak. By no means was the environment for NGOs at that time free or open. But a vibrant civil society led by impressive, professional rights organizations was nonetheless able to establish itself. Tragically, today it is unclear whether that community of NGOs will be able to continue to play a meaningful role in Egypt's future.

In the late summer and fall of 2014, Egypt appeared likely to be on the verge of a blatant crackdown that threatened to wipe out all remaining organizations willing to undertake politically sensitive work. Ultimatums were issued—accompanied by threats of violence and prosecution—sparking widespread fears that dozens, if not hundreds, of organizations could be formally shut down, with their staff facing life in prison or worse, by the end of 2014.

In the end, the large-scale, public crackdown that was feared did not take place in 2014. Many Egyptians credit this in large part to international attention and pressure, as well as a calculation by the Sisi government that such an overt crackdown would come at significant political cost. More importantly, it seems that the Sisi government may have decided that it can achieve the same goals using subtler, lower-profile methods. Key voices have been effectively silenced, organizations have cut back their activities or shifted away from politically sensitive work, many Egyptians have left the

1. According to Egypt's report submitted to the United Nations Universal Periodic Review in 2014, registered organizations now exceed 47,000, compared to 26,000 according to 2010 estimates. "Egypt's National Report submitted to the United Nations Human Rights Council." 22 July 2014. United Nations. <http://pomed.org/wp-content/uploads/2015/02/Egypt-UN-UPR-2014.pdf>

NGO sector for safer work, and other individuals and organizations have moved their operations outside the country. The Sisi government has not only demonstrated a willingness to target the NGO sector more aggressively than its predecessors, but it has also learned to use savvier methods that attract less international attention.

The nature of the Sisi government's approach has likely been colored by its memories of the crackdown on NGOs that began in 2011. After launching an investigation into foreign funding in the summer of 2011, armed Egyptian security forces raided the offices of four American, one German, and several Egyptian NGOs, confiscating equipment, documents, and hundreds of thousands of dollars while confining staff to their offices.^{2,3} Forty-three NGO workers, including 16 Americans, were ultimately convicted in June 2013 of operating illegal organizations and accepting illicit foreign funding. At the time, this targeting of staff of American NGOs brought with it the most serious crisis in U.S.–Egyptian relations in decades, threatening longstanding security cooperation with one of the most important U.S. allies in the region. This crisis would soon become overshadowed by the military coup that forced President Mohamed Morsi from office and the violence that followed, but actors on all sides surely remember the impact of the NGO crisis at the time.

It is also important to note that the NGO community represents only one sector of Egyptian civil society that has been targeted by the government. Independent media, syndicates, labor unions, political parties, informal activist movements and networks, and a variety of other independent groups and individuals have also faced harsh repression by the Egyptian state. The limited scope of this report is not intended to minimize the struggles of these other groups, but rather to focus on the government's strategies and techniques for attacking one particular sector. Furthermore, rights-focused NGOs play a valuable role in drawing attention to the targeting and repression of these other sectors of civil society, and eliminating them as relevant political actors would open the door to increased repression across the board.

As momentum builds in Washington toward “normalizing” U.S. relations with the Egyptian state—essentially returning to the Mubarak-era policy of overlooking domestic repression—it is important to closely examine the threats facing the NGO community and civil society writ large. The Sisi government's campaign against civil society is but one important indicator that puts into question Egypt's reliability as an ally. The Egyptian government has been working hard to push a narrative that the country is completing its democratic transition and that the international community should reward its leaders with increased political, military, and economic support. As this report aims to illustrate, Egypt's NGO community—and by extension the hopes for a democratic and stable future—is now under very serious threat, which must be a consideration when calibrating policy toward the country.

2. Beaumont, P. and Harris, P. “US ‘deeply concerned’ after Egyptian forces raid NGO offices in Cairo.” 29 December 2011. *The Guardian*. <http://www.theguardian.com/world/2011/dec/29/us-egyptian-forces-raid-cairo>

3. “The Struggle for Civil Society in Egypt: Testimony of Sam LaHood.” 24 July 2014. U.S. House Committee on Foreign Affairs.

Authorization and Registration

The Egyptian state has long used excessive legal restrictions and registration requirements as tools of repression against the NGO community. Egypt's existing NGO law, in place since 2002, has long been viewed as one of the most restrictive in the region.⁴ Nonetheless, there have been repeated efforts to replace it with an even harsher, more repressive law. The lone exception was a proposed law drafted in 2013 with some consultation with the NGO community, which was viewed by Egyptian civil society as imperfect but nonetheless a clear improvement over the existing law. But in July 2014, only weeks after Sisi formally became president, that draft was scuttled in favor of a new law even more restrictive than the existing law in several respects.⁵

This proposed legislation revived the concept of a "Coordinating Committee," originally proposed during the Mohamed Morsi presidency, which would explicitly and formally give the security apparatus broad powers to deny registration requests, including for international organizations. The committee would include representatives from several government ministries, including the Interior Ministry and general intelligence, alongside civil society representatives chosen by the state.⁶ The presence of state officials on the committee would leave "rights associations at the mercy of the security apparatus, instead of allowing these groups to monitor the performance of security bodies."⁷ After Sisi reintroduced the concept, a group of Egyptian NGOs declared that "the very existence of this committee [would be] unacceptable, especially because the security apparatus is opposed to the freedom of civic associations in principle and continues to perpetrate grave human rights violations."⁸ The committee's ability to deny licenses to such groups would represent an undeniable conflict of interest.

This committee would be extremely powerful, effectively giving the security apparatus broad veto power over the registration and activities of local and foreign NGOs. Like previous efforts, this iteration would prevent the establishment of organizations undertaking activities that "threaten national unity or contravene the public order or morals" as determined by the committee. It also puts forth a penalty of at least one year in prison and/or a fine of at least LE 100,000 (approximately 13,000 USD) for the establishment of an association in violation of the law.⁹ Any group deemed not to be in compliance with the registration requirements of this law would be dissolved within one year of its enactment.¹⁰

When the Morsi government introduced the idea of the Coordinating Committee, it defended the body as a way "to facilitate registration and limit any bureaucratic complications," but under both governments it has been a clear effort to exercise additional control.¹¹ The committee would

4. Kausch, K. "Defenders in Retreat: Freedom of Association and Civil Society in Egypt." April 2009. FRIDE. http://fride.org/download/WP82_Egypt_Defenders_Retreat_ENG_may09.pdf

5. Hamed, A. "Civil Society at a Crossroads." 16 October 2014. *Al-Ahram Weekly*. <http://weekly.ahram.org.eg/News/7482/32/Civil-society-at-a-crossroads.aspx>

6. Chick, K. "Is the Muslim Brotherhood seeking to kill Egypt's NGOs?" 22 February 2013. *Christian Science Monitor*. <http://www.csmonitor.com/World/Middle-East/2013/0222/Is-the-Muslim-Brotherhood-seeking-to-kill-Egypt-s-NGOs>

7. "Proposed Government Law Makes NGOs Subordinate to Security and Ministry Control." 9 July 2014. Egyptian Initiative for Personal Rights (EIPR). <http://eipr.org/en/pressrelease/2014/07/09/2154>

8. *Ibid.*

9. *Ibid.*

10. "Egypt: 40K NGOs registered as deadline approaches." 25 October 2014. NSNBC International. <http://nsnbc.me/2014/10/25/egypt-40k-ngos-registered-deadline-approaches/>

11. Al-Qazzaz, K. "We're Not Building a Police State." 11 June 2013. *Foreign Policy*. <http://www.foreignpolicy.com/2013/06/11/were-not-building-a-police-state/>

essentially give Egypt's security apparatus a formal tool to stifle the work of NGOs without the inherent risks of a public crackdown.

It is important to remember that this proposed law would in many respects formally legalize and institutionalize current practice. The security and intelligence services have exerted extensive de facto control over NGOs through close alliances with and control over the Ministry of Social Solidarity and the judiciary—the goal of a new law would be to legalize these practices and remove any grounds for targeted NGOs to legally challenge such tactics.

The Sisi government soon postponed consideration of the new law until after parliamentary elections to allow legislative debate, though this provided little comfort for NGOs.¹² The director of one Egyptian NGO remarked that he expects the new parliament, likely to contain a strong pro-regime and pro-military presence, to “seek revenge” against NGOs for the “trouble” they caused with the revolution in 2011. Analyst Heba Morayef suggested that discussion of the new draft was intended to “divert attention from an imminent crackdown based on repressive Mubarak-era NGO Law 84.”¹³

On July 18, 2014, the government released an announcement requiring all NGOs to register under the existing Mubarak-era Law 84/2002 within 45 days or face harsh consequences, including possible dissolution.¹⁴ Law 84 stipulates that once a registration request is submitted, the government must make a decision within 60 days, after which registration is considered “effective under law.” Registration may be refused on a number of grounds, including vague proscriptions against groups that “threaten national unity” or “violate public order or morality.”¹⁵ If registration is refused, the founders may challenge the rejection in court.¹⁶ The International Center for Not-for-Profit Law describes the registration language as “overly vague,” which may “[invite] the exercise of excessive government discretion.”¹⁷ Egyptian critics maintain that the law violates Article 75 of Egypt's 2014 Constitution, which asserts the right of Egypt's citizens to freely establish nongovernmental organizations simply through notification.¹⁸

Due to the constraints of the law, organizations have frequently registered as civil companies or law firms to bypass the onerous registration process, as is the case with numerous human rights groups and research institutes.¹⁹ Minister of Social Solidarity Ghada Wali has named these organizations in particular as targets of the ultimatum, saying, “We will start asking different authorities to tell us what [these entities are] because we don't know them all... [These organizations] will be contacted one by one with the forms and requested to come forward and comply with the law.”²⁰ The ministry

12. “NGO Law Monitor: Egypt.” 25 November 2014. International Center for Not-for-Profit Law. <http://www.icnl.org/research/monitor/egypt.html>

13. Morayef, H. Twitter account @hebamorayef. 23 October 2014. <https://twitter.com/hebamorayef/status/525423416170782721>

14. “23 Rights Organizations Demand that the Government Stop Fighting Civil Society and Review Its Policy towards NGOs.” 24 July 2014. Cairo Institute for Human Rights Studies (CIHRS). <http://www.cihrs.org/?p=8976&lang=en>

15. Drafts under the SCAF, the Freedom and Justice Party-led parliament, and the Morsi government all maintained similar restrictions relating to national unity and public order or morals.

16. For a full English translation of Law 84/2002, see: <http://www.bu.edu/bucflp/files/2012/01/Law-on-Nongovernmental-Organizations-Law-No.-84-of-2002.pdf>

17. “NGO Law Monitor: Egypt.” 25 November 2014. International Center for Not-for-Profit Law. <http://www.icnl.org/research/monitor/egypt.html>

18. “Ministry Won't Extend Nov 10 Deadline for NGO Registration.” 2 October 2014. *Mada Masr*. <http://www.madamasr.com/news/ministry-wont-extend-nov-10-deadline-ngo-registration>

19. Kausch, K. “Defenders in Retreat: Freedom of Association and Civil Society in Egypt.” April 2009. FRIDE. http://fride.org/download/WP82_Egypt_Defenders_Retreat_ENG_may09.pdf

20. Kalin, S. and Noueihed, L. “Don't prejudge Egypt's new draft NGO law, says minister.” 23 October 2014. Reuters. <http://www.reuters.com/article/2014/10/23/us-egypt-ngos-idUSKCN0IC1WP20141023>

has said it aims to create a database of registered NGOs and that approximately seven percent of them were likely to be closed.²¹ When speaking of the registration deadline, the head of NGO administration at the Ministry of Social Solidarity framed the NGO issue in security terms: “Egypt’s national security is more important than any rights group in this country.”²²

Concerted international pressure and criticism followed the announcement and the deadline was soon extended an additional 45 days to November 10, 2014.²³ One U.S. official interviewed for this report noted that private pressure from the United States and multilateral institutions likely led to this extension and helped prevent a large scale crackdown like that which occurred in 2011. Several Egyptian NGO staff members concurred, though they stressed that such pressure simply forced the Sisi government to reassess and adapt its tactics, rather than abandon its attack on civil society. Some groups chose to register under the law; the Egyptian government said eight Egyptian and nine international groups had registered at the time of the deadline.²⁴ “You register and you survive, but under very difficult conditions of work,” said the head of one Egyptian rights group.²⁵



Figure 1—A copy of the Ministry of Social Solidarity’s announcement posted in Al-Ahram newspaper in July 2014 requiring NGOs to register. Source: Yanair.net

21. Lehmann, E. “Egypt aims to throttle its civil society.” 20 December 2014. *Deutsche Welle*. <http://www.dw.de/egypt-aims-to-throttle-its-civil-society/a-18144172>

22. Howeidy, A. “Rights groups: Our time has come.” 24 July 2014. *Al-Ahram Weekly*. <http://weekly.ahram.org.eg/News/6840/17/Rights-groups--our-turn-has-come.aspx>

23. “Egypt delays deadline for criticized NGO registry.” 31 August 2014. Yahoo News. <http://news.yahoo.com/egypt-delays-deadline-criticized-ngo-registry-170854137.html>

24. Tayeb, I. “Ministry of Social Solidarity: Nine Foreign and Eight Egyptian Organizations Update Their Status (Arabic).” 10 November 2014. *Almasry Alyoum*. <http://www.almasryalyoum.com/news/details/569038>

25. Abdel Kouddous, S. “Egypt Escalates Repression Against Human Rights Groups and NGOs.” 14 November 2014. The Nation Institute. <http://bit.ly/1Eu82XU>

Notably, the head of one organization that elected to register (and is still awaiting response at the time of this report's publication) noted a further complication: If an organization receives registration by default after the expiration of the 60-day waiting period without a government response, the group would technically be registered but would not have received a corresponding registration number given with an approved license. Because a registration number is required to utilize an organization's bank account for any purpose, this would present additional complications and require a potentially lengthy appeal.

The November deadline came and went without a swift public campaign to close NGOs, but many prominent rights NGOs have reported continued—and in many cases increasing—interference by the government, as illustrated in the forthcoming sections. It seems likely that the Sisi government recalled the strain that the overt crackdown in 2011 caused with the United States and the West and wished to avoid repeating that scenario.

That memory has not prevented the Sisi government from denying registration to groups working on sensitive issues. Since the deadline, the Foundation of the Victims of Abduction and Forced Disappearance, a nonprofit that provides legal aid, material support, and other assistance to victims of violence, assault, abduction and enforced disappearance, has been denied registration due to “security concerns.”²⁶ In a bizarre example cited by an NGO employee, the government refused to approve the registration of an NGO that sought to work on women's economic issues because its mission statement included the word “empowerment.” A license would only be considered if that word was removed from the text, the government said. Several groups interviewed have opted to maintain a low profile in the near term in order to avoid additional government scrutiny.

Additionally, the Muslim Brotherhood's status as an NGO was stripped soon after its terrorist designation in late 2013.²⁷ In January 2014, the government froze the assets of over 1,000 charities and organizations with apparent links to the Brotherhood, many of which provided public and social services.²⁸ In February and March 2015, nearly 300 additional NGOs accused of having ties to the Brotherhood were summarily dissolved, with their assets confiscated.²⁹ An Egyptian NGO staffer familiar with the list of recently dissolved groups said some were indeed tied to the Brotherhood, but many simply had links to relatives of Brotherhood members or had no discernible affiliation at all. Meanwhile, many other organizations await their fate.

26. “Egypt – Denial of registration of Foundation of the Victims of Abduction and Forced Disappearance.” 23 January 2015. Front Line Defenders. <http://www.frontlinedefenders.org/node/27958>

27. King, L. and Hassieb, I. “Egyptian Court Bans Muslim Brotherhood, Orders Its Assets Confiscated.” 23 September 2013. *Los Angeles Times*. <http://articles.latimes.com/2013/sep/23/world/la-fg-wn-egypt-muslim-brotherhood-banned-20130923>

28. “EIPR Criticizes Government Decision to Freeze Charity Funds” 21 January 2014. *The Cairo Post*. <http://www.thecairopost.com/news/76944/news/eipr-criticizes-government-decision-to-freeze-charity-funds>

29. The government has claimed that those assets will be distributed to other NGOs. See: <http://www.egyptindependent.com/news/social-solidarity-minister-dissolves-169-ngos-9-governorates> and <http://english.alarabiya.net/en/News/middle-east/2015/03/01/Egypt-dissolves-112-more-NGOs-affiliated-with-Muslim-Brotherhood.html>

Funding Restrictions

Targeting NGO funding, especially that which comes from abroad, is another common tactic of authoritarian regimes to undermine civil society, and Egypt is no exception. Foreign funding remains a key lifeline to support rights groups as domestic private and public sector funding options are limited. Government officials often claim that funding approval is simply an issue of transparency or of combatting “foreign plots.” Under these auspices, the Egyptian government has made it extremely risky for groups to pursue foreign funding, which undermines groups’ ability to maintain staff, continue daily operations, and carry out activities.

Article 17 of Law 84/2002 denies the right of associations to accept contributions from abroad—and in some cases from Egyptian sources—unless specifically authorized by the government. Government approval is often slow or never comes at all.³⁰ Many NGOs have reported being required to conduct interviews with security services when seeking foreign funding approval.³¹ Notably, unlike in the case of registration, the law does not delineate whether a nonresponse to a funding request after a prolonged period indicates tacit approval.³² This ambiguity works in favor of the government in an obvious way. If the ministry extends a formal rejection of funding, the affected group may challenge the decision in court. However, ignoring the request leaves the organization with no legal recourse to secure the funds.³³

Not content with existing monetary restrictions under Law 84/2002, Sisi’s June 2014 draft law would give the aforementioned Coordinating Committee broader explicit powers over NGO funding. The committee, with the oversight of security forces and ministry members, would be allowed to deny foreign funding requests within 60 days without explanation. It would also restrict domestic fundraising abilities, requiring a permit from the state in order to do so.³⁴

Meanwhile, the Sisi government has denied it is cracking down on foreign funding, claiming instead it merely seeks to “organize” the funds.³⁵ It asserts that hundreds of organizations have received over 116 million USD in funding since July 2013.³⁶ Yet nearly every organization interviewed for this report described extreme difficulties in securing approval for foreign funding or internal decisions to no longer seek such funds to avoid the inherent risks.

There has also been direct intervention in undermining groups’ ability to conduct standard banking practices. One group reported the forced closure of accounts that were used for foreign currency, making it difficult to receive funding from abroad, as many funders require such accounts. Another group said it had not been permitted to open a new bank account, as the bank had been instructed

30. “2011 CSO Sustainability Index: For the Middle East and North Africa.” 2011. USAID. http://www.usaid.gov/sites/default/files/documents/1866/2011_MENA_CSOSI.pdf

31. Elagati, M. “Foreign Funding in Egypt after the Revolution.” 3 April 2013. FRIDE. <http://fride.org/publication/1117/foreign-funding-in-egypt-after-the-revolution>

32. Kausch, K. “Defenders in Retreat: Freedom of Association and Civil Society in Egypt.” April 2009. FRIDE. http://fride.org/download/WP82_Egypt_Defenders_Retreat_ENG_may09.pdf

33. Hamed, A. “Civil Society at a Crossroads.” 16 October 2014. *Al-Ahram Weekly*. <http://weekly.ahram.org.eg/News/7482/32/Civil-society-at-a-crossroads.aspx>

34. “Proposed Government Law Makes NGOs Subordinate to Security and Ministry Control.” 9 July 2014. EIPR. <http://eipr.org/en/pressrelease/2014/07/09/2154>

35. “Ministry Won’t Extend Nov 10 Deadline for NGO Registration.” 2 October 2014. *Mada Masr*. <http://www.madamasr.com/news/ministry-wont-extend-nov-10-deadline-ngo-registration>

36. “Egypt: 40K NGOs registered as deadline approaches.” 25 October 2014. NSNBC International. <http://nsnbc.me/2014/10/25/egypt-40k-ngos-registered-deadline-approaches/>

by the government to obtain copies of the funding contracts and ministry approval for the related activities.

The threat against foreign funding escalated in September 2014 when President Sisi amended Article 78 of the penal code to raise the penalties for accepting foreign money. The amendment stipulates a life sentence and enormous pecuniary fines for an individual requesting or receiving funding from a foreign country or a foreign or local private organization with the intent of harming “national interests” or performing “acts that breach Egypt’s independence, unity, or territorial integrity.”³⁷ Those offering the funding will face the same punishment, and civil servants found guilty of such actions face the death penalty.³⁸

Officials insist that the law does not pertain to the NGO community. Social Solidarity Minister Ghada Wali said that she has received assurances from Egypt’s judiciary that the law would not be applied to civil society and would only be relevant to “terrorist activities.”³⁹ A lawyer for the judiciary dismissed the concerns of civil society, insisting that “imposing harsher sanctions [on foreign funding] is necessary at this time to preserve public peace and security against the threat of terrorist organizations and individuals.”⁴⁰

The NGO community disagrees. One NGO leader interviewed for this report insisted that Article 78 had very effectively discouraged numerous rights NGOs from working for fear of reprisals, noting that regime officials still have “accounts to settle with NGOs for helping in the 2011 revolution.” Human rights lawyer Ahmed Ezzat decried the inadequate definitions of what constitutes harm of national interests, saying they could be easily turned to target individuals in “opposition parties, in civil society, or in journalism.”⁴¹ Mohamed Lotfy, Executive Director of the Egyptian Commission for Rights and Freedoms, said, “[T]he broad scope of the article could easily be misused by prosecutors and police to arrest human rights defenders, on the basis that their work harms national interest.” He added, “Making a film about poverty or writing a report about a protest or attacks on Copts or human rights abuses in Sinai could be deemed harmful to national unity.”⁴² Already, two journalists were arrested and charged with accepting foreign funds to harm national interests in February 2015, illustrating the potential broad application of such laws.⁴³

Worryingly, in November 2014 President Sisi brought longtime civil society adversary Fayza Aboul Naga back into his inner circle as a national security advisor. A holdover from the Mubarak regime, Aboul Naga’s suspicion of foreign funding is well-documented. While she was Minister of International Cooperation during the rule of the Supreme Council of the Armed Forces (SCAF), the Ministry of Justice launched an investigation into foreign funding of NGOs in July 2011.⁴⁴ At the

37. Gehad, R. “Egypt amends penal code to stipulate harsher punishments on foreign funding.” 23 September 2014. *Ahram Online*. <http://english.ahram.org.eg/NewsContent/1/64/111488/Egypt/Politics-/Egypt-amends-foreign-funding-law-with-harsher-puni.aspx>

38. Hamed, E. “Egyptian activists fear new penalties for foreign funding.” 10 October 2014. *Al-Monitor*. <http://www.al-monitor.com/pulse/originals/2014/10/egypt-president-decree-counter-terrorism.html>

39. Kirkpatrick, D. “Human Rights Groups in Egypt Brace for Crackdown Under New Law.” 26 December 2014. *New York Times*. <http://www.nytimes.com/2014/12/27/world/middleeast/human-rights-groups-in-egypt-brace-for-crackdown-under-new-law.html>

40. Hamed, E. “Egyptian activists fear new penalties for foreign funding.” 10 October 2014. *Al-Monitor*. <http://www.al-monitor.com/pulse/originals/2014/10/egypt-president-decree-counter-terrorism.html>

41. “President amends law to include life sentence for receiving funds, arms.” 23 September 2014. *Mada Masr*. <http://www.madamasr.com/news/president-amends-law-include-life-sentence-receiving-funds-arms>

42. Kingsley, P. “Egypt’s human rights groups ‘targeted’ by crackdown on foreign funding.” 24 September 2014. *The Guardian*. <http://www.theguardian.com/world/2014/sep/24/egypt-human-rights-crackdown-foreign-funding>

43. Nader, A. “TV journalists detained for airing alleged government leaks.” 25 February 2015. *Daily News Egypt*. <http://www.daily-newsegypt.com/2015/02/25/tv-journalists-detained-airing-alleged-government-leaks/>

44. Maher, H. “Justice minister to form fact-finding committee over NGO funding in Egypt.” 12 July 2011. *Ahram Online*. <http://english.ahram.org.eg/NewsContentP/1/16254/Egypt/Justice-minister-to-form-factfinding-committee-ove.aspx>

time, Aboul Naga justified the investigation as a response to the Egyptian public's refusal to allow foreign involvement in the country's affairs. The next month, the Minister of Justice commissioned two judges to investigate the allegations and emphasized that any organization found guilty of the practice would be charged with "betraying Egypt by deliberately promoting political strife."⁴⁵

This investigation culminated in the previously mentioned NGO raids and ensuing crisis, in which foreign funding was central. Aboul Naga's appointment was a move that analyst Michael Wahid Hanna described as demonstrating the regime's "unbridled hostility" toward civil society.⁴⁶ In an anecdote that illustrates the anxieties felt by the government about foreign funding, one SCAF Cabinet source told an NGO head that Minister Aboul Naga said, "If the January 25 revolution erupted amid restrictions on U.S. funding of pro-democracy NGOs, what would happen when the restrictions are removed?"⁴⁷

Building on efforts originally launched in 2011 to identify and prosecute NGO workers who had accepted funding from abroad,⁴⁸ the Sisi administration has again pursued investigations against groups accused of accepting illegal foreign funding. An investigation has been revived against several figures from the Egyptian Democratic Academy (EDA) and at least one other NGO.⁴⁹ Notably, while EDA was smeared after initial foreign funding investigations in 2011,⁵⁰ it was otherwise not swept up in the ensuing legal battle, suggesting that this case may be a new, troubling effort to revive these types of cases. Several Egyptian contacts reported that pursuit of the case was likely being quietly delayed until after the March 2015 investment conference. Other investigations into funding sources have also been reportedly launched since the coup against religiously oriented NGOs, in at least one instance by a judge involved in the original NGO trials that began in 2011.⁵¹

Private foundations that provide funding have also increasingly drawn the attention of the Sisi government. Many organizations in Egypt have made the decision to rely on private funds to support their work, hoping to avoid the inherent risks of accepting foreign government money. Yet this channel is also now at risk. One NGO worker interviewed for this report said a number of foundations that have been involved in Egypt for many years are now shying away from grants with even a "hint of a rights component." The government is showing growing hostility toward such private grants and delaying their approval, and foundations are growing more reticent to commit to rights projects they view as "risky." Other foundations have cited their desire to maintain good relations with the Egyptian state, thus they avoid any projects that might be perceived negatively by the government. Several rights organizations have been severely undermined by this trend. As private funding dries up, one group reported having to close an entire department of its organization and lay off a significant number of staff, while another said it would not be able to offer even modest stipends to its volunteers as it had in the past.

45. Fathi, Y. and Samak, D. "Egypt authorities raid and close 17 NGO offices in Cairo." 30 December 2011. *Ahram Online*. <http://english.ahram.org.eg/NewsContent/1/64/30517/Egypt/Politics-/Egypt-authorities-raid-and-close--NGO-offices-in-C.aspx>

46. Kirkpatrick, D. "Egypt Elevates an Official Hostile to U.S." 5 November 2014. *New York Times*. http://www.nytimes.com/2014/11/06/world/middleeast/egypt-elevates-fayza-abul-naga-an-official-hostile-to-us.html?_r=0

47. Hassan, B. "Beyond NGOs: The battle for Egypt." 7 March 2012. CIHRS. <http://www.cihrs.org/?p=1757&lang=en>

48. "Egypt: Government Moves to Restrict Rights and Democracy Groups." 26 September 2011. Human Rights Watch. <http://www.hrw.org/news/2011/09/26/egypt-government-moves-restrict-rights-and-democracy-groups>

49. "Egypt – Travel ban imposed on prominent human rights defender Ms Esraa Abdel Fattah." 14 January 2015. Front Line Defenders. <http://www.frontlinedefenders.org/node/27917>

50. "Official Report to the Prosecutor Uncovers Names and Amounts: 1.34 Billion Egyptian Pounds Given from the United States, Europe and the Gulf to Egyptian Organizations in the Last Four Months." 26 September 2011. *El Fagr*. <http://www.pomed.org/wordpress/wp-content/uploads/2011/09/El-Fager-article.pdf>

51. Aggour, S. "Tracking Financial Assistance in Egypt." 25 November 2014. *Daily News Egypt*. <http://www.dailynewsegypt.com/2014/11/25/tracking-financial-assistance-egypt/>

The foreign funding issue is particularly puzzling considering how dependent the Egyptian government has been on assistance from abroad. Since 1948, the United States has provided Egypt with approximately 75 billion USD in military and economic assistance (providing nearly 30 percent of the military's budget annually),⁵² placing it behind only Israel in top regional aid recipients.⁵³ There is an inescapable irony that the state apparatus, led by a former military leader and beholden to the armed forces, is targeting the NGO community for accepting foreign funding when the military itself is by far the largest recipient of outside money. Additionally, the Egyptian government has recently boasted publicly of the more than 23 billion USD provided by its Gulf patrons in Kuwait, Saudi Arabia, and the United Arab Emirates.⁵⁴

52. McInerney, S. "SCAF's Assault on Egypt's Civil Society." 28 September 2011. *Foreign Policy*. <http://foreignpolicy.com/2011/09/28/scafs-assault-on-egypts-civil-society/>

53. Sharp, J. "Egypt: Background and U.S. Relations." 3 March 2015. Congressional Research Service. <http://fas.org/sgp/crs/mideast/RL33003.pdf>

54. "Saudi Arabia pledges \$5 billion in aid to Egypt." 9 July 2013. CBS News. <http://www.cbsnews.com/news/saudi-arabia-pledges-5-billion-in-aid-to-egypt/>

Direct Government Intervention into Operations

Even if an organization manages to overcome registration requirements and secure funding, the Egyptian state has consistently attempted to insert itself into the affairs of NGOs to exert additional control. Methods have varied drastically, ranging from attempting to control meeting agendas to exerting control over board decisions and elections.⁵⁵ These efforts belie the government's stated desire "to support and develop cooperation with Egyptian civil society in the field of human rights."⁵⁶

Under existing law, the Sisi government maintains strong oversight of day-to-day NGO activities. Law 84/2002 requires onerous financial record keeping requirements, 60 days' notice prior to the election of board members, and the submission of full minutes of annual general meetings. The government also holds extensive discretion over the number of board members and their terms, procedures for meetings, fundraising requirements, and organizational record-keeping, among other things.⁵⁷

Like previous drafts,⁵⁸ the 2014 draft proposed under Sisi sought to maintain oversight by the government and security services over internal affairs of the NGO community. Again, the Coordinating Committee was given the ability to deem whether NGO activities may "threaten national unity or contravene the public order or morals," with stiff penalties to be handed down to violators.⁵⁹ Like previously proposed laws, it would also allow the state to "object to or annul association resolutions, or object to and disqualify potential members of any association's administrative board."⁶⁰ Proposed changes to the NGO statutes would also allow the state to dissolve an organization for "failure to achieve its objectives," require explicit permission to "affiliate" with any foreign organization, and forbid companies from performing work similar to that of an NGO.⁶¹

This latest draft law would also remove any hope of legal recourse against such interference. As a group of 29 Egyptian NGOs said of this proposal,

"In the past, the absence of a statute sanctioning the obstruction of civic action helped NGOs to challenge the security apparatus before the Administrative Court. If the new

55. "Draft Law for the Nationalization of Civil Society and Transforming it into a Government Institution!" 11 April 2012. CIHRS. <http://www.cihrs.org/?p=1985&lang=en>

56. "National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21 – Egypt" 22 July 2014. UN General Assembly Human Rights Council. <http://pomed.org/wp-content/uploads/2015/02/Egypt-UN-UPR-2014.pdf>

57. "Egypt: Margins of Repression – State Limits on Nongovernmental Organization Activism." 4 July 2005. Human Rights Watch. <http://www.hrw.org/sites/default/files/reports/egypt0705.pdf>

58. For example, the interim SCAF government's effort to replace Law 84/2002 included numerous impingements on internal NGO activity. Article 12 required notification of 30 days in order to hold any activities with a foreign organization, and only for purposes "not contradicting [an association's] purposes." The government also reserved the right to force an organization to reverse any decision deemed in violation of the law or its articles of incorporation; if a decision were not reversed in 15 days, the state was permitted to take "necessary action" to prevent its implementation. Additionally, the draft incorporated numerous articles that regulated board memberships, agendas, and meeting schedules.

59. A penalty of at least one year's imprisonment and/or a minimum LE 100,000 (approximately 13,000 USD) fine was stipulated for performing NGO activities in violation of the law, at the discretion of the committee.

60. "Proposed Government Law Makes NGOs Subordinate to Security and Ministry Control." 9 July 2014. EIPR. <http://eipr.org/en/pressrelease/2014/07/09/2154>

61. "Proposed Government Law Makes NGOs Subordinate to Security and Ministry Control." 9 July 2014. EIPR. <http://eipr.org/en/pressrelease/2014/07/09/2154>

bill is adopted in its current form, however, security interference in the activities of civic associations will be entirely legal, making the work of civic associations even more difficult.”⁶²

Local NGOs report continued interference by the state. One telling example was the confiscation of an issue of a magazine published by the Arab Network for Human Rights Information (ANHRI) in June 2014. Security forces raided the printing office as it printed *Wasla* and confiscated nearly 1,000 copies. Police arrested an employee of the print shop and elected to bring charges against him, including printing and possessing a publication inciting the overthrow of the regime, joining a terrorist group, and administering and printing a newspaper without notice.⁶³

Additionally, the Mubarak regime popularized the practice of sending security members to NGO conferences and meetings, a practice that has continued.⁶⁴ One NGO member described the presence of security forces as feeling “natural” to them now, with individuals often attending conferences under the names of fictitious NGOs, inquiring about other NGOs’ members, leadership, registration status, management structure, and funding.

62. Brudzinska, K. “Storm over Foreign Funding Continues in Egypt.” Policy Paper No. 33 (81). December 2013. PISM. https://www.pism.pl/files/?id_plik=15772

63. “The Confiscation of Wasla: A Dangerous Escalation in the Harassment of Human Rights Organizations and Freedom of Opinion and Expression.” 16 June 2014. CIHRS. <http://www.cihrs.org/?p=8778&lang=en>

64. Kausch, K. “Defenders in Retreat: Freedom of Association and Civil Society in Egypt.” April 2009. FRIDE. http://fride.org/download/WP82_Egypt_Defenders_Retreat_ENG_may09.pdf

Defamation

The Egyptian state and its supporters relentlessly target NGOs in public, accusing them of acting as agents for various nefarious actors. At different times the bogeyman colluding with NGOs has taken various shapes: Israel and the Zionists, Hezbollah and other Shia militias, counterrevolutionary movements, remnants of the Mubarak regime, the Muslim Brotherhood, Coptic Christians, the CIA, and of course, the U.S. government. These attacks are, to be certain, thinly veiled attempts to discredit critics and justify heavy-handed responses. While the Sisi government is hardly the original architect of such rhetoric, its goals are clearly the same: create a hostile climate that discourages the pursuit of sensitive NGO work.

Sustained propaganda campaigns by the government and its affiliates have manufactured a real and dangerous public suspicion of the NGO community. Indeed, the government frequently depicts its targeting of NGOs as an ostensible public service to protect Egyptians from “foreign plots.” The investigation that precipitated the 2011 NGO raids was done “to meet the requests of the Egyptian public who refuse such foreign funding, as it is considered an intervention in our internal affairs,” according to then Minister of International Cooperation, Fayza Aboul Naga.⁶⁵ This narrative has gained ground in the broader population, feeding into strong xenophobic and nationalistic sentiments that have emerged at different times—and are as strong as ever today.

Pro-Sisi print media takes the lead in portraying the NGO community as an enemy of the state. NGO workers report almost-daily articles smearing them as beholden to foreign interests or seeking to harm the country. One recent article warned of “lurking” foreign agendas, indicting Egypt’s most prominent rights groups as complicit in the plot. It called the Cairo Institute for Human Rights Studies (CIHRS) an organization designed to “obstruct” the state, and said its executive director was allied with “terrorists.” The same article claimed the Egyptian Center for Economic and Social Rights seeks to “ignite sedition.”⁶⁶ In one piece, an author suggests some NGOs act as a “Trojan horse” to help the American government undermine the region, including a “project” that aims to break up the region and re-divide it based on ethnicity, religion and sectarian identity.⁶⁷ NGOs that receive foreign funding are labeled as “tools” used to destroy the country and bring about chaos.⁶⁸ Others make an effort to link a number of rights organizations to Brotherhood plots to “spread chaos” ahead of the anniversary of the January 25 revolution.⁶⁹ Unsurprisingly, linking these groups to the Brotherhood has become the conspiracy *du jour*.

International organizations have also been subjected to such vitriol. One telling instance in the security service-aligned *Al Fagr* newspaper likened the National Endowment for Democracy to a “revised version of the CIA.”⁷⁰ The Project on Middle East Democracy (POMED) has also been

65. Maher, H. “Justice minister to form fact-finding committee over NGO funding in Egypt.” 12 July 2011. *Ahram Online*. <http://english.ahram.org.eg/NewsContentP/1/16254/Egypt/Justice-minister-to-form-factfinding-committee-ove.aspx>

66. Kasban, Y, and Salah, K. “A foreign agenda lurks in Egypt and deliberately offends the state apparatus, demanding the right to demonstrate and refusing to condemn terrorism (Arabic).” 1 February 2015. *Albawaba News*. <http://www.albawabhnews.com/1086769>

67. Alrayes, A. “Civil society organizations are the American Trojan horse to penetrate the walls of the deep state (Arabic).” ANNTV. <http://www.annntv.tv/new/showsubject.aspx?id=98972>

68. Abu Zaher, M. “Tabakh: Civil society organizations are a danger to Egypt and a tool to destroy the nation (Arabic).” 8 June 2014. *Albawaba News*. <http://www.albawabhnews.com/625499>

69. Kamel, K. and Arefah, A. “Documents publish the Brotherhood’s plan to spread chaos on January 25, notably with terrorism against police officers, judges, journalists, and threatening the personal security of their families, targeting banks and the stock market... and they claim the group has returned stronger. (Arabic)” 22 January 2015. *Youm7*. <http://bit.ly/1bbcNJV>

70. Abdallah, H. “On documents and names of intermediaries: 90 ‘rights organizations’” 17 May 2014. *Al Fagr*. <http://www.elfagr.org/600808>

targeted. An article in *al-Ahram al-Arabi* criticized a past advocacy effort signed by POMED leadership (and dozens of others) as an attempt to install Islamists in the Egyptian government. Coverage even labeled the organization's name as the "Project to Impose American Democracy and Divide the Region." Such attacks are hardly surprising in a media landscape that once called then-Ambassador Anne Patterson the "ambassador from Hell" after she confirmed U.S. support for civil society organizations.⁷¹

The ad hominem attacks are perhaps even more vicious on pro-government television than in print. Television guests frequently allege that NGOs function as spies, placing both domestic and international rights groups among Egypt's greatest threats, along with the Brotherhood and youth movements.⁷² A number of pro-government channels also hailed the recent registration campaign against NGOs as a victory for the country, saying that the groups had been cowed and would no longer be a threat to take stances against the state. Another NGO reported regular smear campaigns coloring it as a pro-Muslim Brotherhood group, despite the fact that it was founded and is run entirely by Coptic Christians. One NGO member interviewed for this report spoke of pro-government news anchor Ahmed Mousa, who regularly accuses NGOs of aligning with an array of actors, including the Islamic State, Iran, Israel, and the CIA.⁷³ "Mousa has built his career by attacking NGOs, and the public is very receptive," thanks to the xenophobic mood cultivated largely by the state, the same source said.

Even government officials have appeared on television supporting such conspiracy theories, saying that the NGO community is actively working against the country.⁷⁴ In one telling incident, Social Solidarity Minister Ghada Wali went on television saying, "Absolute freedoms eventually lead to chaos and pose serious threats to national security. No one can doubt that Egypt has been a target of foreign interference for the last three years and NGOs provided fertile ground for this."⁷⁵



Figures 2 & 3—A cover of October Magazine from July 2011 portraying Ambassador Anne Patterson as “the Ambassador from Hell who lights the fire in Tahrir.” An illustration from a July 2014 article in Al-Ahram titled “Civil society organizations between discord and virtue.”

71. Hosnein, M. “The Ambassador from Hell that Ignites Tahrir Square.” 31 July 2011. *October Magazine*. <http://pomed.org/wordpress/wp-content/uploads/2011/08/October-Magazine-translation.pdf>

72. “Live from Cairo - Civil Society Organizations and the Mystery of Finance, with Professor Amr Sinbel (Arabic).” 24 September 2014. Azhari TV Youtube channel. https://www.youtube.com/watch?v=_H2gldw6QUA

73. “Ahmed Mousa: Qatar Funds Youth and Civil Society in Egypt under the Auspices of America (Arabic).” 9 November 2014. Sada Elbalad Youtube channel. <https://www.youtube.com/watch?v=tUOYzPXHims>

74. “Deputy Foreign Minister: Civil Society Organizations Work against the State.” 31 October 2014. Ossama Kamal Youtube channel. <https://www.youtube.com/watch?v=f1M36leUUs>

75. Howeidly, A. “Rights groups: our turn has come.” 24 July 2014. *Al-Ahram Weekly*. <http://weekly.ahram.org.eg/News/6840/17/Rights-groups---our-turn-has-come.aspx>

There are countless other examples, and the corrosive effects of such propaganda cannot and should not be dismissed. Egypt's media is notoriously provocative and prone to incitement, encouraging viewers to direct anger at the very groups trying to serve the population. Gamal Eid, director of the Arabic Network for Human Rights Information, was recently quoted as saying that Egyptian media is "like a knife. It can either be used for cooking or for killing."⁷⁶ Worse yet, the government's continued public crackdown on independent media prevents any alternative voices from balancing out anti-NGO rhetoric.

Prominent rights NGOs have decried the Sisi government's "climate of suspicion and threats currently characterizing [the] relationship with independent human rights organizations,"⁷⁷ and the resulting social stigma. Suspicion of rights NGOs makes carrying out their work exceedingly difficult. Amr Abdelrahman of the Egyptian Initiative for Personal Rights said that efforts to defame the NGO community have "a morally damaging effect and that's more difficult to deal with."⁷⁸ Some NGO employees emphasized how media "hate speech" amplifies their already difficult positions and makes their work increasingly dangerous. It's an environment in which NGO workers interviewed for this report told of regular threats of violence from Egyptian citizens in the streets during public activities.

76. Leila, R. "Local news broadcasts criticised." 5 February 2015. *Al-Ahram Weekly*. <http://weekly.ahram.org/News/10367/17/Local-news-broadcasts-criticised-.aspx>

77. "EIPR: We Will Continue Our Human Rights Work in Egypt." 21 December 2014. EIPR. <http://eipr.org/en/pressrelease/2014/12/21/2307>

78. Howeidy, A. "Rights groups: our turn has come." 24 July 2014. *Al-Ahram Weekly*. <http://weekly.ahram.org/News/6840/17/Rights-groups---our-turn-has-come.aspx>

Coercive Tactics

In addition to the various tactics outlined above, the Egyptian state has also shown a willingness to use more coercive measures to stifle the work of NGOs, including threats, raids, violence, and arrests. These methods are part and parcel of an effort to intimidate NGO staff and discourage them from continuing their work.

In the aftermath of the 2013 coup, rights organizations again began to witness raids of their offices and arrest of staff, a tactic that gained infamy in the December 2011 attacks. One striking example came in December 2013 when the office of the Egyptian Center for Economic and Social Rights (ECESR) was ransacked just before midnight by 50 armed officers.⁷⁹ ECESR deputy director Heba Khalil reported that the raid targeted a media and documentation room, with the head of the documentation unit arrested and computers confiscated.⁸⁰ One of those arrested described an officer placing his gun in a colleague's mouth, before being stripped, blindfolded, and bound.⁸¹ Six were arrested, all later released except prominent activist Mohamed Adel, a well-known April 6th member and freelancer with the NGO,⁸² who has since been sentenced to three years in prison.⁸³ While Adel was later identified as the target, the tactics were clearly intended to intimidate all of the organization's staff.⁸⁴ Just days before the May 2014 presidential election, ECESR offices were again raided, with more than a dozen individuals arrested while it held a press conference in support of a jailed activist.⁸⁵

Security services have also resorted to travel restrictions to undermine the work of rights groups and tamp down criticism. Two current members and one former member of the Egyptian Democratic Academy's staff were banned from leaving Egypt in January 2015, reportedly due to the aforementioned investigation regarding foreign funding.⁸⁶ Numerous rights NGO workers interviewed for this report spoke of fears of attempting to leave Egypt, since individuals are rarely notified of such bans prior to travel.

In August 2014, Human Rights Watch (HRW) Executive Director Kenneth Roth and Middle East and North Africa Director Sarah Leah Whitson were prevented from entering Egypt for "security reasons" when they traveled to release an HRW report on the 2013 massacres against Morsi supporters.⁸⁷ Further, prominent Egypt analyst Michele Dunne of the Carnegie Endowment for

79. AbdAllah, A. "Rights groups outraged by the raid on ECESR." 19 December 2013. *Daily News Egypt*. <http://www.dailynewsegyp.com/2013/12/19/rights-groups-outraged-by-the-raid-on-ecesar/>

80. "Egypt NGO says office raided by police." 19 December 2013. SBS. <http://www.sbs.com.au/news/article/2013/12/19/egypt-ngo-says-office-raided-police>

81. AbdAllah, A. "Rights groups outraged by the raid on ECESR." 19 December 2013. *Daily News Egypt*. <http://www.dailynewsegyp.com/2013/12/19/rights-groups-outraged-by-the-raid-on-ecesar/>

82. Al-Youm, A. "April 6 Movement's Mohamed Adel arrested for involvement in Shura Council incidents." 19 December 2013. *Egypt Independent*. <http://www.egyptindependent.com/news/april-6-movement-s-mohamed-adel-arrested-involvement-shura-council-incidents>

83. Fahim, K. "In Blow to Leadership of '11 Revolt, Egypt Activists Are Given 3 Years in Prison." 22 December 2013. *New York Times*. <http://www.nytimes.com/2013/12/23/world/middleeast/egyptian-activists-sentenced-to-3-years-in-prison-for-protests.html>

84. This intimidation has been well documented. One NGO worker interviewed by the author noted that she and her colleagues closed their offices within hours of the 2011 raids; she and dozens of other workers would quit their rights work within weeks out of fear.

85. "ECESR Raided for the 2nd Time Under Current Regime, The Regime's Atrocities Escalate." 22 May 2014. ECESR. <http://ecesar.org/en/?p=421886>

86. "Egypt – Travel ban imposed on prominent human rights defender Ms Esraa Abdel Fattah." 14 January 2015. Front Line Defenders. <http://www.frontlinedefenders.org/node/27917>

87. "Human Rights Watch director barred from Egypt." 11 August 2014. BBC News. <http://www.bbc.com/news/world-middle-east-28738953>

International Peace, who has been critical of successive Egyptian governments, was also turned away at the airport in December 2014, allegedly for having an improper visa.⁸⁸ Staff of several other international organizations—including at least one organization legally registered to operate inside Egypt—have also been denied entry to the country in recent months.

Additionally, in February 2015 President Sisi issued an anti-terror law that can also be used to target members of NGOs and broader civil society. The law stipulates harsh penalties for “any association, group, organization, gang, or cell [...] that attempts to or calls for, by any means in or outside the country, harming or terrorizing individuals or undermining their life, rights, liberties, or safety; or that jeopardizes national unity[.]” It also designates individuals accused of the above crimes as terrorists. Such provisions could be used to target groups calling for constitutional reform, legal changes, or institutional accountability. A statement issued by 21 Egyptian NGOs denounced the law as “a tool to target political actors and all independent voices that criticize the performance of the government and express their opinions peacefully.”⁸⁹

Leadership of NGOs and their staff have also been targeted under the controversial demonstrations law, which gives the Ministry of the Interior full authority to ban public protests at will, disperse them forcefully, and impose draconian sentences on those participating in demonstrations. One prominent example is that of Yara Sallam, an officer at the Egyptian Initiative for Personal Rights, who was sentenced to two years in prison for participating in illegal protests.⁹⁰ During her initial interrogation, Sallam was reportedly asked repeatedly about the nature of her rights work and the organization’s management.⁹¹ She is well known for her work documenting political violence against protestors,⁹² and her incarceration not only aims to stop her work but also to discourage others from undertaking similar work. Countless other rights defenders, often without formal NGO affiliations, have been jailed for extended periods under questionable circumstances.

Meanwhile, CIHRS moved its regional and international programming abroad in December 2014 citing “pressure and threats” despite being legally registered in Egypt.⁹³ Two other organizations announced their closures in November 2014, with one officially citing a “bad public environment” as the reason.⁹⁴ Leaders of one Egyptian rights organization cited three prominent rights groups who have elected to quietly “freeze” their rights activities and legal defense work after receiving threats of reprisals from intelligence officials. In many instances, these threats came through phone calls from members of the security apparatus and even notes left on car windshields.

Several NGO board members reported receiving death threats via phone calls for their affiliation with rights groups. Additionally, just days before Egypt’s Universal Periodic Review (UPR) at the United Nations in November 2014, seven outspoken rights groups elected “not to participate in

88. Kirkpatrick, D. “Egypt Says It Rejected American Over Visa.” 15 December 2014. *New York Times*. <http://www.nytimes.com/2014/12/16/world/middleeast/american-scholar-egypt-michele-dunne-visa.html>

89. “Law on terrorist entities allows rights groups and political parties to be designated terrorists.” 28 February 2015. CIHRS. <http://www.cihrs.org/?p=11031&lang=en>

90. “Egypt: Ms. Yara Sallam and 23 other protestors sentenced to two years in appeal.” 29 December 2014. FIDH. <https://www.fidh.org/International-Federation-for-Human-Rights/north-africa-middle-east/egypt/16717-egypt-ms-yara-sallam-and-other-protesters-sentenced-to-two-years-in-appeal>

91. “EIPR shocked by continued detention of 23 defendants including an awarded human rights defender.” 30 June 2014. EIPR. <http://eipr.org/en/pressrelease/2014/06/30/2140>

92. Boutros, M. “Yara Sallam: Optimist against All Odds.” 28 June 2014. TIMEP. <http://timep.org/commentary/yara-sallam-optimist-odds/>

93. “After 20 years: CIHRS moves its regional and international programs outside Egypt.” 9 December 2014. CIHRS. <http://www.cihrs.org/?p=10298&lang=en>

94. Magdi, N. “NGOs halt Egypt activities as registration deadline approaches.” 6 November 2014. *The Cairo Post*. http://www.thecairopost.com/news/128502/inside_egypt/ngos-halt-egypt-activities-as-ngo-registration-law-deadline-approaches

any of the UPR's proceedings out of fear that their participation might result in reprisal or possible persecution." The statement added, "This fear is especially pertinent in the context of the hostile climate in which they work."⁹⁵ One Egyptian source said that the Ministry of Foreign Affairs offered some NGOs "better treatment" if they did not attend the UPR session. Unsurprisingly, these tactics have been successful in intimidating a number of NGOs to the extent that they feel unsafe conducting their work.

International NGOs have felt this pressure as well. The Carter Center closed its Egypt office in October 2014, with a statement urging the government to rescind the registration ultimatum and enable local and international NGOs "to conduct operations without restrictions that limit their access, effectiveness, and credibility."⁹⁶ Human Rights Watch also closed its Egypt office in 2014, citing "deteriorating security and political environment."⁹⁷

95. "After Threats, Egyptian Human Rights Organizations Decide Not to Participate in UPR." 5 November 2014. ECESR. <http://ecesr.org/en/?p=422058>

96. "Carter Center Closes Egypt Office; Calls for Stronger Protections for Democratic Rights and Freedoms." 15 October 2014. Carter Center. <http://www.cartercenter.org/news/pr/egypt-101514.html>

97. Fick, M. "Human Rights Watch says Egypt gagging dissent as chiefs denied entry." 11 August 2014. Reuters. <http://www.reuters.com/article/2014/08/11/us-egypt-humanrightswatch-idUSKBN0GB0FN20140811>

Conclusions

Egypt's NGO community is now under threat to an unprecedented degree. Many organizations that emerged and were able to function despite the repression of the Mubarak era have now been forced to reduce their activities, cease operations, or move outside the country. International donors and supporters of civil society have become extremely reluctant to take the risks required to continue work with Egyptian partners. The Sisi government has shown a willingness to use more brutal tactics in attacking NGOs, while also learning to diversify its methods to include lower-profile techniques that may be just as effective while drawing less international reproach.

The U.S. administration has repeatedly professed its support for civil society abroad. In September 2014, President Obama issued a Presidential Memorandum on Civil Society, which directs all U.S. agencies engaged abroad “to take actions that elevate and strengthen the role of civil society; challenge undue restrictions on civil society; and foster constructive engagement between governments and civil society.”⁹⁸

There is no better test of the U.S. government's commitment on these issues than Egypt: a close U.S. ally that has been a pioneer and a model for authoritarian governments wishing to combat civil society as a dissenting political voice. Egypt's raids in 2011 resulting in the conviction of dozens of NGO staff and the expulsion of several international organizations from the country were soon emulated by other governments in the region and around the world. And as the Sisi government now seeks to escalate the intensity of its attacks on civil society while diversifying its tactics for doing so, other repressive regimes will again be watching the results as well as the international response.

The environment for civil society is an important bellwether for the political health of the country—as President Obama correctly noted, “the strength and success of nations depend on allowing civil society to function without interference.”⁹⁹ For this reason, Egypt's current campaign against NGOs should be viewed as a serious threat to basic stability in the region. International policymakers in Egypt and elsewhere must resist the urge to overlook the repression of civil society for the sake of security or stability, neither of which is sustainable in such an environment. As Sisi and his government increase their focus on combating independent NGOs, the international community should strengthen its opposition to such moves, draw additional attention to these issues, and show a commitment to overcoming the growing risks, difficulties, and obstacles in order to support Egypt's embattled civil society.

98. President Barack Obama, “Presidential Memorandum – Civil Society,” September 23, 2014. <https://www.whitehouse.gov/the-press-office/2014/09/23/presidential-memorandum-civil-society>

99. *Ibid.*

