# EGYPT AT A CROSSROADS

## HEARING

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# EGYPT AT A CROSSROADS

**THURSDAY, FEBRUARY 16, 2012**

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
*Washington, DC.*

The committee met, pursuant to notice, at 10 o'clock a.m., in room 2172 Rayburn House Office Building, Hon. Ileana Ros-Lehtinen (chairman of the committee) presiding.

Chairman ROS-LEHTINEN. The committee will come to order.

After recognizing myself and the ranking member, my friend Mr. Berman, for 7 minutes each for our opening statements, I will recognize the chair and the ranking member of the Middle East and South Asia Subcommittee for 3 minutes each for their statements, and I would also like the members to give 1-minute opening statements if they desire.

We will then hear from our witnesses. I would ask that you summarize your prepared statements to 5 minutes each before we move to the question and answer period under the 5-minute rule. Without objection, the witnesses' prepared statements will be made a part of the record, and members may have 5 days to insert statements and questions for the record, subject to the length limitation in the rules.

The Chair now recognizes herself for 7 minutes.

On February 1, 2011, President Obama stated that a transition process in Egypt "should result in a government that is not only grounded in democratic principles but is also responsive to the aspirations of the Egyptian people."

If 1 year ago you had asked U.S. policy makers what kind of developments they were concerned about in Egypt, they might have expressed doubts as to how much real power the military would be willing to give up. They might have indicated concern about a rush to hold parliamentary elections, a rush that would benefit a well-organized radical Islamic group like the Muslim Brotherhood, while leaving fledgling secular political parties out in the cold.

And they might have said that they were worried that the new Egyptian Government would follow in the Mubarak government's footsteps by continuing to restrict the activities of domestic and foreign non-governmental organizations engaged in democracy promotion. Unfortunately, all of these fears have been realized, and then some.

In particular, the Egyptian Government's treatment of pro-democracy NGOs is in direct contradiction with the democratic principles and is not responsive to the aspirations of the Egyptian people. In fact, the Egyptian Government's politically motivated treat-

ment of these NGOs is actually worse than the way they were treated by the Mubarak regime.

The government has raided and closed their offices, seized their assets and funds, launched a media campaign against them, prohibited their employees from leaving the country, and has announced that it intends to prosecute 43 of their employees, including 16 Americans and 14 Egyptians.

Egypt's Minister for International Cooperation—a holdover from the Mubarak era—is reportedly behind many of these actions and stated that the government's announcement of charges against the NGO employees makes clear "the government's seriousness about discovering some of these groups' plans to destabilize Egypt."

But the activity of these NGOs have nothing to do with destabilizing Egypt and everything to do with offering the Egyptian people assistance in their pursuit of freedom, in pursuit of democratic governance that will uphold and protect their fundamental human rights and liberties. Hostility to democracy and human rights is why the Mubarak regime restricted the operations of these NGOs and refused to process their applications for registration.

It is the same totalitarian mind-set that is driving the current Egyptian Government to carry out this crack down. However, this is not the only issue of concern. Egyptian religious minorities are facing persecution by the very extremists that not only have assumed positions of power in the Parliament, but are now questioning the utility of the Egypt-Israel Peace Treaty. These are very concerning trends.

If the United States continues to provide assistance to Egypt, even as our own citizens are persecuted and our taxpayer dollars are unjustly seized, then we will be sending a number of unacceptable messages: That we will acquiesce in and bankroll Egypt's assault on pro-democracy forces and the isolation of secular sectors; that we will acquiesce in and bankroll other unacceptable behavior by the Egyptian Government, including backsliding on the Peace Treaty with Israel; that we will stand idly by as other foreign governments that are U.S aid recipients act in blatant contravention of U.S. values, of democratic standards, and of their international obligations.

Both the executive branch and Congress must make clear that to resolve this situation the Egyptian Government must immediately return all assets and funds that were seized in the raids of the NGOs and allow them to reopen their offices and resume their work. 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 the country. The Egyptian Government's actions cannot be taken lightly and warrant punitive action against certain Egyptian officials and reconsideration of U.S. assistance to Egypt, for even if this issue were resolved tomorrow this episode will color the way in which assistance is provided to Egypt.

While the Supreme Council of the Armed Forces bears ultimate responsibility for the strain in relations, the Minister of International Cooperation should not be exempt from punitive actions.

This is not about sovereignty but about patronage and corruption. Therefore, no further U.S. assistance should be provided to any ministry that is controlled by the Minister of International Cooperation.

I yield back the balance of my time, and it is a delight to yield to my friend Mr. Berman for his opening statement.

Mr. BERMAN. Well, thank you very much, Madam Chairman. On December 29, Egyptian police raided the Cairo offices of the NGOs represented before us today and confiscated all of the cash and materials on hand. As we know, the investigation has proceeded from there, and numerous employees of the NGOs—American, Egyptian, and third country—have been put on notice that they are likely to be prosecuted for the alleged crime of working with unregistered or "illegal" organizations.

And I should note it wasn't only U.S. NGOs that were raided. The police also went after several Egyptian NGOs as well as the German Konrad Adenauer Foundation.

The facts of this crisis and the rationale for the Egyptian action remain somewhat murky. The raids occurred at a time when by all reports pressure on the NGO community had been easing. In fact, the Egyptian Government had invited NDI and IRI to sponsor delegations of international election observers, and these delegations conducted their work largely without interference during the two rounds of voting prior to the raids, and the one round that took place after the raids.

We are here today to listen and learn from these NGO leaders, all of them experts on building civil society and democracy. In particular, I would be interested in exploring the following issues with you. What is the nature of the work that your organizations do in Egypt, and why are some Egyptian authorities so concerned about it? What is the current situation of your employees and your offices? What does the case against your employee—where does the case against your employees stand, according to your best information?

And what can you tell us about the way Egypt works that might have led to this case? In your view, who or what is driving this case? How hopeful are you that it can still be resolved without convictions and prison terms? And, lastly, what are the prospects that your organization's presence in Egypt can be normalized?

As members of the Foreign Affairs Committee, we cannot ignore the larger context in which this crisis takes place. Egypt is the largest and most important state in the Arab world. Its peace with Israel has been an anchor of stability and U.S. strategy in the Middle East. Egyptian-Israeli wars used to occur almost like clockwork once a decade. As of now, there has not been an Egyptian-Israeli war for nearly 40 years. And as a result, thousands of people are alive today who probably otherwise would not be.

The Egyptian-Israeli Peace Treaty is a boon for Egypt and for Israel, but it is also a boon for United States interests. Our close relationship with Egypt provides us with many benefits. Most notably, our ships, including vessels critical to our national security, are able to pass routinely through the Suez Canal, often on a priority basis.

Our relationship with Egypt began growing close almost immediately after the 1973 war when Henry Kissinger was negotiating a cease fire. It was foreshadowed by Sadat's summary expulsion of Soviet advisors in 1972 and sealed by the 1979 Peace Treaty.

The U.S. and Egypt have been in effect strategic partners ever since, but it wasn't always so. From the mid-1950s onward, Gamal Abdel Nasser's Egypt was stridently anti-Western and anti-U.S. and a Soviet ally. In fact, Nasser—charismatic and gifted order that he was—turned much of the Arab world against the U.S. Nasser died in 1970, and later that decade the U.S. and Egypt initiated a partnership that could have not been remotely envisioned during the Nasser years.

This NGO crisis raises the specter that there are perhaps some in Egypt who would like to see the pendulum swing back to the bad old days. Egypt is important, and its friendship cannot be taken for granted, so we have to think carefully as to how this outrageous action against U.S. NGOs and against civil society in general fits into the overall bilateral relationship.

I am a strong supporter of U.S.-Egyptian ties, but I do know this. We have no more serious responsibility in foreign policy than that of ensuring that our citizens are not abused. And one dimension of this current issue cannot be brushed aside—foreign assistance.

Current law requires that as a condition for the dispersal of military assistance to Egypt the Secretary of State must certify that Egypt is implementing policies that protect freedom of expression, freedom of religion, freedom of association, and rule of law.

And although the law allows for a waiver, I cannot imagine the Secretary could either make that certification or waive the requirement, as long as this NGO case moves forward. And I would not encourage her to do so.

I thank the chairman for holding this important hearing. I look forward to hearing from our distinguished panel of witnesses and yield back the balance of my time.

Chairman ROS-LEHTINEN. Thank you so much, Mr. Berman.

I am pleased to yield to Mr. Chabot, the chairman of the Subcommittee on Middle East and South Asia, for his opening remarks.

Mr. CHABOT. Thank you, Madam Chair, and thank you all for being here today. And thank you for calling this timely and important hearing, Madam Chair.

Just yesterday the Middle East and South Asia Subcommittee held a hearing which addressed the current challenges in the U.S.-Egyptian relations, as well as the general state of affairs on the ground in Egypt. Although the witnesses did not agree on everything, there was consensus that the current crisis surrounding the December 29 raids on several NGOs are deeply, deeply disturbing.

Moreover, since these initial raids, the Government of Egypt has taken numerous actions which have directly escalated the situation, calling into question its commitment to the principles of democratic governance. With each passing day and each additional escalation, the Government of Egypt makes it much more difficult to resolve this matter than should be.

Contrary to the belief of many in Egypt, these NGOs pursued a singular goal—to assist the people of Egypt in advocating for the

protection of their own human and civil rights at this critical time in their transition. Certain elements of the current Egyptian Government are, however, using this incident for their gain in a despicable act of political posturing.

The Minister of International Cooperation, Faiza Abou el-Naga, who initiated the investigation, has blatantly attempted to tap into Egyptian nationalist fervor. Referring to the U.S. funding of NGOs like IRI and NDI, she is reported to have said just a few days ago, and I quote,

> "Evidence shows the existence of a clear and determined wish to abort any chance for Egypt to rise as a modern and democratic state with a strong economy, since that will pose the biggest threat to American and Israeli interests, not only in Egypt but in the whole region."

It is my belief that as the chief agent provocateur in this ordeal, Abou el-Naga has shown very clearly that she cannot be trusted as the custodian of American taxpayer dollars. And, accordingly, U.S. assistance should be conditioned on her removal as the administrator of our foreign aid.

Despite the current crisis, Egypt has for decades been a critical ally of the United States in the Global War on Terror and in the pursuit of Arab-Israeli peace. Hopefully, the Government of Egypt will take the appropriate de-escalating measures in the near future.

A refusal to return all seized property, terminate its travel ban, drop all charges against American and Egyptian NGO employees, and allow these organizations to operate free of constraints, will certainly have a most negative effect on the broader U.S.-Egyptian relationship and will necessitate a strong reconsideration of U.S. assistance to Egypt.

I look forward to hearing from our witnesses here today about the status of their operations on the ground, and above all what we can do to help ensure that their staff remains safe and are freed as soon as possible.

I yield back. Thank you.

Chairman ROS-LEHTINEN. Thank you so much, Mr. Chabot, for your opening statement.

We will now hear from Ranking Member Gary Ackerman on the subcommittee. Thank you.

Mr. ACKERMAN. Thank you, Madam Chair. We are here today because of the NGO prosecution crisis in Egypt. As a friend of Egypt, I am angry, dismayed, and deeply concerned. I am angry that some parts of the Egyptian Government have behaved so shamelessly and with such blatant disregard for their country's own long-term interests.

I am dismayed that the U.S.-Egypt relationship, which has served both countries so well for more than three decades, is being used as a political football and reduced to the size of one absurdly rigged and politicized show trial. I am deeply concerned that the cynical demagoguery that has set this legal farce in motion has already done severe damage to our bilateral relationship at such an absolutely critical time.

To my friends in Egypt, some of whom seem to believe that the $1.5 billion we gave them this year alone is theirs by right, here is a newsflash: The administration will not certify that you are making progress toward democracy while this process goes on. They will not issue a waiver either, because if they did we in Congress would both remove the waiver and take our money back in record time.

And here is another fact: You are going to be broke soon, if the Egyptian currency reserves are nearly exhausted and there is little reason to believe that they could be replenished without international aid. Who do you think is going to be essential to you in convincing the international community to once again consider providing loans after you so foolishly and bruskly sent the IMF and The World Bank packing.

When you can't pay for wheat, and your public can't get bread, who do you plan to call? Russia? China? You might as well call Togo.

Two more facts. More than 10 percent of your economy comes from tourism. Direct foreign investment is the only way to rapidly create jobs for the 30 percent of your population between the ages of 15 and 29. Without the peace and stability and cooperation in fighting terrorism that have come with partnership with the United States, how many tourists do you think will come to see the Pyramids? How many big investments are you expecting for the international economy deemed to be too unsafe for American investors? To my friends in Egypt, these are plagues that you do not need.

There are also a few facts for us to consider. Egypt is big, very big. If all 22 Arab nations had one 435-seat House of Representatives, Egypt alone would occupy a quarter of them. Eight percent of all global maritime trade goes through the Suez Canal, as do a million barrels of oil every day. And for a generation, American warships—about a dozen a month—have gone to the front of the line whenever we have asked, saving us hundreds of millions of dollars.

And one last thing—prior to the Camp David Accords, and all of the aid and the special strategic relationship, Egypt and Israel, nonetheless, went to war, and quite often, too—in 1948, again in 1956, '67, '70, and hopefully for the last time in 1973, the Yom Kippur War. That war and the threat of Soviet intervention led the United States to go to DevCon 3, only one step below the level of the Cuban Missile Crisis.

Egypt is big; Egypt matters. It matters a lot to us and to our key allies in the region as well. Both nations have to get beyond this NGO crisis and focus on what really matters. I know we are really ready to work with the authorities in Egypt, but they have to be willing to work and accept responsibility for solving that problem as well.

Unto Egypt we say, "Let our people go, and do it soon."

Chairman ROS-LEHTINEN. Thank you very much, Mr. Ackerman.

Mr. Smith, the chairman of the Subcommittee on Africa, Global Health, and Human Rights, is recognized.

Mr. SMITH. Thank you very much, Madam Chair, and thank you for calling this extremely important and timely hearing and for in-

viting such true heroes of democracy and freedom to testify, especially when IRI has some 14 NDI, 15 Freedom House, 7 International Center for Journalists, 5 in the Konrad Adenauer, who are not here but here in spirit, people who are being unjustly held and subjected to prosecution.

I would just say very briefly in the minute that I have, persecuting the men and women who toil to ensure that human rights, the rule of law and democracy, are respected in Egypt is not only unconscionable, but it is absurd. The selfless people represented by their leadership here today who give of themselves, who spend countless hours trying to help birth a freer Egypt where all can participate, is not only—it is counterproductive, but it is—like I said before, it is absurd.

So, again, I look forward to your testimonies. Looking through them, as you have all pointed out, you have been open, you have been transparent in the work that you have done in Egypt, and it is time for the release of all of these very brave and courageous people to be effectuated.

Chairman ROS-LEHTINEN. Thank you very much, Mr. Smith.

Mr. Faleomavaega is recognized.

Mr. FALEOMAVAEGA. Madam Chair, thank you. And I think there is no question—we have been well over a year now—that we have expressed serious concerns about what has happened since the overthrowing of Mubarak. I do look forward to hearing from our witnesses this morning, and thank you for holding this hearing.

Chairman ROS-LEHTINEN. Thank you very much, sir.

Mr. Royce, the chairman of the Subcommittee on Terrorism, Nonproliferation, and Trade, is recognized.

Mr. ROYCE. Thank you, Madam Chair. The organizations that we have with us today have been building the infrastructure of democracy for a long time in some very hostile environments. I had an opportunity to hear Lorne Craner on the radio recently saying that the situation in Egypt, in his view, was the worst that the IRI had faced. Worse than China, worse than Venezuela, worse than Zimbabwe.

And this is about more than the predicament that these Americans find themselves in today, because this goes to the future of Egyptian civil society, and in a way perhaps the future of the entire region. Elements of the old Mubarak regime clearly drove this wedge, but leaders of the Muslim Brotherhood have been speaking out in favor of this NGO crackdown, and they will soon consider a harsher NGO law in Parliament, I understand.

So it is encouraging today that many of the 400 Egyptian NGOs now under scrutiny are stepping up to defend these American groups, but I think what we have to realize is that democracy and human rights have many determined and very ruthless enemies in Egypt.

If we look at the plight of the Coptic Christians, if we look at the plight of those in civil society struggling to bring order out of chaos, you realize that this is going to be a very, very rocky road ahead.

Thank you very much, Madam Chair, for holding this hearing today, and I yield back.

Chairman ROS-LEHTINEN. Thank you, Mr. Royce.

Mr. Connolly of Virginia.

Mr. CONNOLLY. Thank you, Madam Chairman. You know, we had a subcommittee hearing on this topic yesterday, and I guess what is particularly troubling is that somebody within the fold of the Egyptian Government, the broader government in transition, decided consciously to pick a fight with the United States. And they did it with malice of forethought. One might accuse them of doing it maladroitly, however, because they actually have finally united Republicans and Democrats by picking on both.

But it is not a trivial matter, and obviously we want to move forward with this relationship. As the ranking member said, this is a very important relationship for the United States and for Middle East peace. We have got to make it work. But we can't turn a blind eye to what has occurred with our non-governmental organizations who are doing, you know, good work in trying to build democratic institutions all over the world, including in Egypt.

And so I look forward to the testimony today, and I look forward particularly to suggestions or recommendations for how all of us can step back and retrieve the amicable relationship we must have with Egypt.

Thank you, Madam Chairman.

Chairman ROS-LEHTINEN. Thank you, sir.

Mr. Burton, the chairman on the Subcommittee on Europe and Eurasia.

Mr. BURTON. I think, Madam Chairman, that just about everything that needs to be said has been said. I would just like to add one little caveat, and that is that I am concerned not only in Egypt but throughout the entire northern tier of Africa and the Persian Gulf region we have organizations like the Muslim Brotherhood and other even more radical organizations, in my opinion, that are going to be in leadership positions.

And my colleague mentioned the Coptic Christians in Egypt and how some of them have been persecuted. And I would just to say, not only to Egypt but to the entire Muslim world in that part of the world, that tolerance for religious differences is something that really needs to be understood, because if we see religious persecution like we have seen in some parts of that region, like the Coptic Christians, it could lead to even more severe problems in the future.

So this is not confined to Egypt, but it is one of my concerns. And I yield back.

Chairman ROS-LEHTINEN. Thank you, sir.

Mr. Sires of New Jersey.

Mr. SIRES. Thank you, Madam Chair, for holding this meeting. And I want to thank you for being here today and the kind of work that you do and all of the hardships that you go through in some of these different places.

But for the life of me, I don't know whether this is a foolish move or a very calculated move to take on these NGOs at a time when Egypt is going through this transition and we are practically their best friends who can help them. They have no money, they have no food, and we will always be there to step in.

But to me, I don't know how—whether it was foolish or calculated, because of the extremes that won most of the elections

early on this—to the groups. So I thank you for being here, and I am looking forward to your comments.

Thank you, Madam Chair.

Chairman ROS-LEHTINEN. Good question.

Mr. Wilson of South Carolina.

Mr. WILSON OF SOUTH CAROLINA. Thank you, Madam Chair. And I would like to thank the four organizations for being here today, and I want to join with my colleague, Congressman Sires, in that your organizations can be so beneficial for the people of Egypt. It is to enable the people of that country to truly impact in a positive manner. I have had a son serve there in the National Guard, so we know what an extraordinary country Egypt is.

Also, I am very grateful, Madam Chair, to be an IRI alumnus. I have even seen Democrats and Republicans work together with NDI, and it has been real-world to me. I had the opportunity at the residual of observing the elections in Bulgaria, and then I had Stefan Stoyanov, a member of the National Assembly of Bulgaria, observe the elections in the United States.

And then, just 3 weeks ago, I was grateful, after lecturing in Slovakia many years ago, the Ambassador Peter Burian from the Slovak Republic accompanied me on primary day in South Carolina. We went to 11 precincts, 5 counties, break-neck speed. He never complained, and of course it was very helpful.

As we would go from precinct to precinct, he would run into people who had Slovak heritage, and so it was a really uplifting experience for him, for the people who met him, and so thank you for the residual effect of what you do.

Chairman ROS-LEHTINEN. Thank you so much.

Mr. Murphy of Connecticut.

Mr. MURPHY. Thank you very much, Madam Chair. Millions of Egyptians put their lives on the line to make a free Egypt, and so it is hard for a lot of people watching this to understand that within a year their leaders are behaving in some ways that is worse than the people that they ousted.

But it is only a year later, and so I am really intrigued and excited to have this panel before us today, because I don't think the Egyptian people have forgotten the fact that this revolution was based on a new government founded on the principles of dignity and opportunity.

And I don't think it is too late for this country to help its leaders and its people remember how we got to this point. The case against NDI, IRI, and Freedom House, and their Egyptian colleagues, it is not about criminal activity. It is just about picking a fight with the United States. And I look forward to this panel showing us a way that we can lead both the Egyptian Government, but also the people who helped make this moment possible, a way out.

I yield back.

Chairman ROS-LEHTINEN. Thank you, sir.

Mr. Turner of New York.

Mr. TURNER. Thank you, Madam Chair. I am interested in hearing what the witnesses have to say on this self-destructive policy under the Egyptians right now and how the military and the Salafists have found common cause in creating this chaos. They should be natural enemies, but in this they seem united.

I yield back.

Chairman ROS-LEHTINEN. Thank you, sir.

Ms. Schwartz of Pennsylvania.

Ms. SCHWARTZ. Well, thank you, and I also want to just echo some what has already been said, which is all of us watched with, you know, just intrigue and also just—enthusiasm may be too strong a word, but, you know, to see the uprising in the people in Egypt really demanding a new era and demanding freedom and democracy and opportunity, and to see a year later for the government and military to try and damp down the work you do, not only in Egypt but across the world is really—you put yourself in harm's way in some ways and seek to create a more vibrant democracy, or create a democracy.

And we know this is not easy, and a transition to democracy is not easy—establishing those institutions in a rule of law and access politically for a group of people who rose up to demand it but don't have a rich history in knowing how to do it is really difficult.

And I think as our ally, Egypt is an important—continues to be a very important ally to us. How this evolves for Egypt is just enormously important, not only for the people—not only for the Egyptians but also for the United States and for the region.

So I want to thank you for your vital work. I also want to communicate—and I think one of the reasons for this hearing is to let the Egyptian leadership understand that their alliance with our nation, being strong allies, our friendship is not unconditional, that there are consequences.

And so I think we look forward to your comments about what are appropriate—what might be appropriate in that regard, that is something you want to talk about, and how we go forward, again as allies, as friends, but also as people who want them to do this right. And we want to help them do it right.

Thank you.

Chairman ROS-LEHTINEN. Thank you, Ms. Schwartz.

And now the Chair is pleased to welcome our witnesses. We will start with the Honorable Lorne Craner, who has been the president of the International Republican Institute (IRI) since 2004. He previously served as Assistant Secretary for Democracy, Human Rights and Labor, for Secretary of State Colin Powell.

Mr. Craner joined IRI as vice president for programs in 1993, and served as president from 1995 to 2001. From 1992 to 1993, he served at the National Security Council as a Director of Asian Affairs, and from 1989 to 1992 was Deputy Assistant Secretary of State for Legislative Affairs.

Thank you, Mr. Craner.

Our next witness will be Mr. Kenneth Wollack, who is president of the National Democratic Institute since 1993. He joined NDI in 1986 as an executive vice president, and before joining NDI Mr. Wollack co-edited "The Middle East Policy Survey."

Thank you, Ken, for being here.

The Honorable David Kramer is the president of Freedom House, which he joined in October 2010. He previously served as a senior transatlantic fellow at the German Marshall Fund. He served as Assistant Secretary of State for Democracy, Human Rights and Labor, from March 2008 to January 2009. He previously served as

Deputy Assistant Secretary of State for European and Eurasian Affairs, as well as a professional staff member, in the Secretary of State's Office of Policy Planning.

And, lastly, we will hear from Ms. Joyce Barnathan, who is the president of the International Center for Journalists (ICFJ). Ms. Barnathan is also the chair of the Global Forum for Media Development. Previously, she served as the executive editor for global franchise for Business Week.

Welcome to each and every one of you, and we will begin with The Honorable Lorne Craner.

**STATEMENT OF THE HONORABLE LORNE CRANER, PRESIDENT, INTERNATIONAL REPUBLICAN INSTITUTE**

Mr. CRANER. Thank you very much. Chairman, Congressman Berman, thank you for the opportunity to testify this morning.

On behalf of IRI, I want to express my deepest appreciation to all of you. For those us under fire in Egypt, your interest—mostly recently symbolized by this hearing—has been a great source of inspiration. You are all aware of IRI's work in Egypt, our effort since our arrival in 2006 to gain registration, the Mubarak regime's tolerance of our war, our expanded democracy-building efforts after his ouster, doing the same work we have done for 30 years in a hundred other countries, and Cairo's heightened interest last fall in our work, which we decided to respond to with unprecedented transparency.

And you know the details of the armed raids on our offices, the subsequent hours-long interrogations of our staff—Egyptians and Americans—our discovery of a No Fly list confining our staff to Egypt, and now the referral of this very political case against our employees for trial.

What I want to talk about today is some of the broader context of these events. First, it is important to understand that the assaults on our organizations were just part of a general assault against Egypt's civil society. We have been on the front pages because we are Americans' organizations, but we are just the tip of the iceberg.

On December 29, it was not just American and a German organization, Konrad Adenauer, that was raided. A number of Egyptian organizations were also the subject of raids. And it is not just foreign organizations that are the subject of political investigations. Four hundred Egyptian NGOs, mostly of the liberal variety, are also having their employees questioned and likely referred to trial.

This is important not only to understand—not only to separate these raids from anti-Americanism or xenophobia, but also because it gives us an idea of the trajectory of Egypt's democratic development. Those Egyptian organizations most able to report on and to influence human rights issues for the better are being forced instead to defend themselves against a political assault.

A second part of the broader context—underlining that this is not just an Egyptian-American issue—is that your concerns about these events in Egypt are being reflected overseas. Egypt's neighbor across the Mediterranean—Europe—has been intensely interested in the transition over the past year.

For example, in 10 months of training over 12,000 Egyptians, IRI was joined by trainers and staff from Serbia, Germany, Macedonia, The Netherlands, the Czech Republic, Slovakia, and Norway. And since the raids in December, condemnation has come from across Europe in statements from the European People's Party; from the foreign ministers of Spain, Bulgaria, The Netherlands, and Georgia; the Deputy Foreign Minister of Poland; and the summoning of Egyptian Ambassadors in Slovakia and Belgium.

The point is that other nations are as concerned as we about the assault on civil society in Egypt and what it means for the future of the country's democracy.

A third element that I want to bring to your attention is what other authoritarian nations may be learning. Those of us on the front lines of helping democrats in Russia, China, Zimbabwe, Venezuela, and other authoritarian states fear what rulers in those countries are planning as they watch Cairo so far interrogate, charge, and confine our citizens on political grounds with impunity.

A fourth element—it would be hard enough to build relations with a government divided between conservative and extremely conservative Islamists, and a military alternately out of country and cowed by the Islamists in a country where Copts are being attacked and NGOs are raided. There are 20 issues more worthwhile, as has been pointed out, for our leaders to discuss than NGOs—economics and politics within Egypt, the situation with Iran, relations with Israel, events in Libya. The list goes on. But Egypt has chosen to make the NGO issue the central concern in America, Europe, and elsewhere. And the longer this issue goes on, the more difficult it becomes to unravel, and the more it poisons any new partnership we might be able to form with Cairo.

So I appreciate your initiative in calling this hearing as you consider next steps to resolve this matter. I look forward to answering your questions.

Thank you.

[The prepared statement of Mr. Craner follows:]

**TESTIMONY OF LORNE W. CRANER**
**PRESIDENT**
**INTERNATIONAL REPUBLICAN INSTITUTE**
**HOUSE COMMITTEE ON FOREIGN AFFAIRS**
**FEBRUARY 16, 2012**

Chairman Ros-Lehtinen, Congressman Berman and Members of the Committee, thank you for the opportunity to testify once again on events in the Middle East and specifically, on Egypt. It was nearly one year ago when I last appeared before the Committee to discuss monumental changes occurring across the region.

As I said then and as we are witnessing today, events in countries experiencing the degree of tumult we are seeing in the Middle East are varied and unpredictable. Democratization comes many ways – slow and fast, civic and political, revolutionary and evolutionary – and precise trajectories are difficult to predict. A number of regional powers recognize this and are actively involved in promoting the types of outcomes they desire. The United States approaches assistance to bolster development and universal values of democracy and human rights. We must continue to stand up and represent these values lest the Middle East region fall prey to other designs.

**THE ARAB SPRING, WHERE ARE WE - ONE YEAR ON?**

I'd like to start today by stepping back for a moment and taking stock of where we are right now regionally. After more than five decades of autocratic rule, the Middle East has seen one whirlwind year of political upheaval. The changes are unsettling at a variety of levels but we must begin by recognizing that five decades of undemocratic rule are not conducive to one year democratic consolidations. This was certainly true in Eastern Europe after the fall of the Iron Curtain, where Bulgaria and Romania took seven years, Slovakia nine, and Serbia 10, before one could point to true democratic transitions. In those countries, the elderly could remember short periods of democracy before or immediately after World War II. No one in an Arab country can remember a period of thriving democracy. Most Middle Eastern countries instead are characterized by decades of one-party, and often one leader rule, that have seen institutions of state wither into instruments for preserving a kleptocratic status quo. Moderate voices of reason were routinely silenced as any secular challenge to the regime was deemed more threatening than an Islamist challenge. In the process, Islamist movements were able to capture the mantle of opposition, assisted by extensive networks of charity and patronage that helped them build strong grassroots movements.

The specter of a conservative Islamist wave sweeping the region is scary for those of us committed to democratic underpinnings of pluralism, human rights, women's rights and protection of minorities. But as we have seen with other democratic transitions around the world and as I continue to believe in the Middle East, one election does not a democracy make, and by no means signals an ultimate political course. Islamists capturing power through elections now will for the first time need to prove their capabilities on the issues citizens care most about. We know from public opinion research and from the protests that mobilized mass audiences at this

time last year that those issues are the economy, creation of new jobs, and greater dignity gained through accountable governments. I often say that the second and third elections in transitional countries are more important than the first, because voters have by then had a chance to judge their satisfaction with initial winners, and the political space begins to consolidate in a manner reflective of the new democratic environment. In the Middle East, it may take even more elections to get to this point, but the course of democratic change is inevitable, and something we must cultivate it. One of the most important issues we and other democracies should focus on, therefore, is ensuring that there are additional democratic elections in Tunisia, Egypt and other countries of the region undergoing transition.

In Tunisia, where the Arab Spring began, a first election observed by the International Republican Institute (IRI) and other international observers produced a democratically elected National Constituent Assembly (NCA) in October last year. The Islamist Annahda party was the clear winner and has built a coalition of both Islamist and secular party representatives, with the Assembly's elected speaker a long-time secular opposition leader. The NCA's task of writing a new constitution is going slowly, but it is interesting that we have not seen a lurch toward ideology, or an effort to pull the NCA-appointed interim government away from the primary task of putting Tunisia's economy on track.

In Libya, IRI staff have found great receptivity to outside assistance including that of IRI's. The country is tentatively set to hold elections for a constituent assembly in June this year, but unlike Tunisia, which at least had sham elections under Ben Ali, the Libyans have no experience with democratic participation and have never organized an election. The challenges stemming from protracted conflict remain great and not all of the actors are those we'd like to see succeed in a democratic environment. However the ruling National Transitional Council has done better than most expected in keeping the country on a forward path, and the promise of elections as the means forward is widely supported by the Libyan people.

One year on, the region continues to experience dramatic upheaval with uncertain outcomes in places like Yemen and Syria. By and large, however, there is a process underway in which countries have moved on from conflict, in credible political processes characterized by democratic underpinnings.

**EGYPT**

This brings me to the topic of today's hearing. The transition in Egypt is for many reasons too important to ignore. In my testimony before the Committee last year I said that, due to the country's historical and cultural prominence, events in Egypt have great consequences for the pace of reform in the rest of the region. That remains true today.

Regrettably, those events are increasingly unsettling. After a successful referendum in March last year that altered undemocratic tenets of the constitution, Egypt appeared to be on a positive track, albeit a unique track with a military council running the country in stewardship. A long-awaited transition plan that shifted from presidential to parliamentary elections over the course of the summer months, however, produced growing polarization among civic forces demanding

civilian rule and the Supreme Council for the Armed Forces (SCAF) leadership. At times the SCAF appeared to not want to hand over power; one version of the SCAF's preferred roadmap would not have seen a full shift to a democratically elected president until as late as spring 2013.

Amid the power struggle over a transition plan, Egyptians watched as some 1,200 citizens appeared before military courts, including demonstrators and journalists critical of the SCAF. Meanwhile, a secretive "fact-finding" committee, launched with the encouragement of Mubarak hold-over Minister of International Cooperation Fayza Aboul Naga, to investigate the influences of "foreign funding," picked up steam. After a chaotic period to finalize election rules and register candidates, the situation came to a boil in late November 2011, when large numbers of protesters again returned to Cairo's Tahrir Square and to Alexandria to protest an attempted SCAF declaration of supra-constitutional principles. Spurred on by clashes that left several demonstrators dead, the protests were directed primarily at the SCAF plan to appoint most members of a constitution writing body and to place the military above civilian oversight once elections for the Egyptian parliament were completed.

Revolutions are indeed messy, but in no country in the region, and few elsewhere, has the post-revolutionary situation been as repressive as in Egypt.

**WHERE IS EGYPT HEADED?**

It is therefore vital, in examining the situation that IRI, the National Democratic Institute (NDI) and Freedom House find ourselves in today, to see it not in isolation but to understand it as just one symptom of increasingly troublesome developments in Egypt.

The conduct of Egypt's recent elections proceeded without structural flaws, but the record over the last year on other important components of democracy, such as the rule of law, freedom of expression, association and religion, is falling very much short of what we have seen in other democratic transitions, including in the region. I refer you to Human Rights Watch's February 11, 2012 report, *Egypt: A Year of Attacks on Freedom of Expression*, but let me address three of those areas – free and fair elections, freedom of association and rule of law – by talking about the experience of Egyptians and of IRI in Egypt.

*First, free and fair elections.* After much resistance from Egyptian authorities over the summer months, IRI, NDI, and others were able to observe Egypt's three phased elections for the people's assembly at the official invitation of the Egyptian Ministry of Foreign Affairs. Egypt has experienced a flourishing of political parties and rapid growth of civil society organizations and activism since February 2011. This blossoming of civil society is common in transitional contexts we have seen elsewhere and has so far served as a bulwark against the silencing of the civil society sector. The elections, as IRI noted in statements circulated after each phase, were a step forward for the country with Egypt's Higher Elections Commission (HEC) and judges making every effort to administer a credible elections process.

*In terms of freedom of association,* on December 29 – just days before the third round of elections observed by IRI and NDI – not only were five foreign organization's offices (IRI, NDI, Freedom House, International Center for Journalists and the Konrad Adenauer Stiftung) raided,

but at least five Egyptian organizations received the same treatment. These actions were carried out by Egyptian security services, at the direction of the state public prosecutor. They included security forces armed with AK-47s storming offices, kicking down the door at one IRI office, detaining staff until the raids were complete and confiscating equipment, cash resources and a significant amount of financial and program documents.

Most important, the five foreign and handful of Egyptian organizations raided are just a fraction of those now under investigation by the authorities. Today more than 400 Egyptian non-governmental organizations (NGOs) are under scrutiny, and many of their employees are being called in for questioning by authorities. Again, we are an example of what they are experiencing. Seventeen IRI expatriate and Egyptian staff have been called into the Ministry of Justice (MOJ) for "interviews" by the investigating judges overseeing the case. Some of these "interviews" have gone on for four hours of more, and at least three staff has been called back for follow-up inquiries. The questions themselves have been of a clearly political nature, and are not reflective of a real judicial process. The situation escalated on January 21 when IRI's country director Sam LaHood was prevented from exiting Egypt on a routine trip out of the country. IRI and other organizations then learned that a number of American citizens and other nationalities had been placed on a "travel ban," effectively detaining them in Egypt pending the outcome of the MOJ investigation.

Taken in total, the events we are seeing reflect not only an attack on American democracy implementers like IRI, but more importantly, are the tip of the iceberg in an ongoing effort to silence independent Egyptian civil society voices that have been under increasing assault since last fall. The rhetoric employed by Egyptian authorities in doing so is increasingly reminiscent of Mubarak-era propaganda. The narrative suggests certain Egyptian NGOs and activists such as the April 6 Movement and January 25 youth groups are undermining public order and are tools of foreign influence. I suspect you are all familiar with the negative Egyptian government reaction to Ambassador Anne Patterson's Senate confirmation hearing wherein the redirection of funds to support democracy and human rights was announced. The prevailing Egyptian narrative about Ambassador Patterson's hearing translates assistance into the distribution of funds by organizations to incite acts of vandalism and violence.

Of particular concern in the context of recent events is Egypt's Law number 84, the Law on Associations. Another holdover of the Mubarak era, Law 84 severely restricts meaningful NGO work as it was used by the Mubarak government as a means to attack organizations engaged in politically salient work. Law 84 was subject to revision by a new draft law on associations that would have been even more restrictive, and would have effectively killed the ability of international and Egyptian organizations to engage in meaningful programs. The proposed law, which the government withdrew a few days ago, would have closed a loophole on registering Egyptian organizations as civil companies, a common practice previously since only groups favored by the Mubarak regime could be registered as NGOs. The draft law would also have retained prohibitions against Egyptian groups receiving foreign funding without explicit approval from Egypt's Ministry of Social Solidarity (MOSS). Sweeping, vague language in Law 84 that prohibits activity that "threatens national unity" or "violates public order or morality" was also included in the draft NGO law. The draft law provides an insight into the mindset of those who proposed it.

Much has been made recently of IRI's registration status under Law 84. We have continuously attempted to obtain registration since first applying in 2006. In an effort to demonstrate transparency, IRI in the early fall of 2011, provided an unprecedented level of detail about program activities, the types of groups IRI works with, and our use of funding to the Egyptian authorities. Ironically, in the same week our offices were raided, and while we were observing the third round of Egypt's recent elections, we were invited by Egyptian authorities to update our 2006 registration application. We are told by Egyptian authorities that should our registration application ultimately be approved, the Institute will be required to accept permanent compliance with Law number 84. Egyptian authorities have likewise suggested that each grant accepted by IRI would require a separate and specific approval from the MOSS, which would also have the power to review finances and budgets, be notified of IRI staff changes, and be given details of planned activities in advance. Both NDI and Freedom House have been told they would only be able to "partner" with Egyptian organizations registered by the MOSS, meaning prior approvals for work and only with registered organizations just as during the Mubarak era. IRI remains very open to discussing with Egyptian authorities the terms of registration as the Institute wants to work in compliance with Egyptian law, and as we have sought to do since 2006. However, IRI cannot sign onto an agreement that would effectively kill its ability to engage in meaningful democracy assistance programs. Likewise we are concerned about the precedent setting nature of onerous registration terms for our activities in other countries.

It is critical that U.S. decision-makers speak loudly and with one voice against onerous civil society regulations on the basis that Egypt's law governing associations violates the country's obligations as a signatory to various international treaties. We recognize that authoritarian leaders in other nations are closely watching the outcome of the current standoff between civil society and Egyptian authorities with long term consequences.

*In terms of rule of law*, it appears that Egypt's judiciary once again is being used to silence opposition figures. Charges against Ayman Nour, who challenged President Hosni Mubarak in the 2005 presidential election, only to be tried and jailed, bar him from being a presidential candidate in the future. When Nour attempted to overturn the case in 2011, a court ruled there were no legal grounds for an appeal despite Nour's claim of new evidence. In January 2012, Nour was banned from travelling pending an investigation of charges that he paid thugs to carry out acts of violence in Tahrir Square in December 2011. In terms of freedom of expression, blogger Alaa Fattah provides another striking example. He was arrested in October 2011 on charges of inciting violence against the military during the Maspero demonstration that saw military police clash with Christian protesters. He was held for two months before the transfer of his case to a civilian court and was eventually released but a "travel ban" still remains in place against him. On January 3, four activists from the April 6 Youth Movement were arrested for handing out flyers calling for a rally on the revolt's first anniversary. They were charged with tarnishing Egypt's reputation, disturbing the peace and distributing flyers without permission, beaten and forced to sign fabricated statement before being released.

The U.S. State Department's latest Human Rights report notes that, "Egypt's constitution provides for an independent judiciary, but in practice the judiciary was subject to executive influence and corruption." IRI's experience to date with Egypt's judiciary reflects these shortcomings. We have watched dissidents deal with Egypt's judicial system for many years,

and now have a much clearer understanding of the challenges they have faced. With respect to due process of law, IRI has already noted that the ongoing investigation and charges against IRI and other organizations, "reflects a politically motivated assault as opposed to a legitimate judicial process." Most recently, the situation became yet more severe with a statement circulated by the investigating judges on February 6 and a press conference on February 8 that lists 43 persons to be charged under the penal code, including 19 Americans. The primary charges are operating without registration, which I have addressed, and unauthorized use of foreign funding, meaning the U.S. foreign assistance funding authorized by Congress which supports IRI's program in the form of grants.

In IRI's experience to date, the Egyptian Ministry of Justice and investigating judges leading the investigation are not even following their own legal standard, as none of the 43 persons implicated in the investigation and now facing charges has ever been provided with the investigative report that precipitated legal actions being undertaken as per the law. In fact, no legal document pertaining to charges or reflecting the scope of the investigation against civil society groups has ever been shared with anyone at IRI. IRI through legal counsel has made repeated attempts through formal legal actions to unseal IRI's offices, lift the travel ban on staff, and obtain official charging documents in defense of IRI. All of these actions have either been ignored or rejected. Likewise, the announcement of evidence against those implicated in the investigation by the judges and public statements made by Egyptian decision-makers including the Minister of Justice and Minister of International Cooperation Aboul Naga, appear to be a direct violation of Egyptian law. Trial with the possibility of prison time for our staff appears the most likely outcome at present.

**IMPLICATIONS FOR U.S. ASSISTANCE TO EGYPT**

The United States and Egypt have enjoyed a longstanding strategic partnership that has benefitted both countries for more than three decades. Given the country's size as the most populous Arab country and its cultural and historical influence in the Arab world, the U.S. can ill afford to let the alliance unravel, especially at a time of momentous political upheaval across the region. For the alliance to persevere, however, the United States must have a willing partner in Egypt. Regrettably, actions of the past several months raise serious questions about whether the partnership is as important to Cairo.

The Obama Administration, prior to events of the last year, had accepted Mubarak sign off requirements on democracy assistance leaving it with few options and fewer friends from civil society at the moment demonstrations against the regime gained critical mass. To overlook or work around the current assault on democracy in the interest of maintaining relations with only the Egyptian government would send an equally wrong minded message at a moment when the need to support moderate forces is more urgent than ever. We are dangerously close to a slide back to the days when Egyptian authorities presented options in terms of undemocratic leaders versus the Muslim Brotherhood. The United States cannot afford to let this threat again define our options as it would amount to a significant setback to Egypt's long term democratic development.

The United States must strongly and consistently support popular demands for transparency, accountability and freedom at this critical crossroads in Egypt if the U.S.-Egypt relationship is to be successful in the new Middle East being built. American decision-makers in the Administration and Congress must be steadfast in providing an enabling environment for political parties and civil society to build democratic societies. We are only at the beginning of an epoch of change in the Middle East. After decades of autocratic rule when little seemed to change, the coming years will see many twists and the changes will not always look like progress. Nonetheless, and as we have seen in democratic waves previously sweeping Latin America, Eastern Europe and Southeast Asia, the move away from one party autocratic rule in the Arab world has started, and the United States must be engaged and persevere if we are to eventually reach the democratic and human rights standards we hold dear.

Chairman ROS-LEHTINEN. Thank you very much.
Mr. Wollack.

**STATEMENT OF MR. KENNETH WOLLACK, PRESIDENT, NATIONAL DEMOCRACY INSTITUTE**

Mr. WOLLACK. Madam Chairman, Congressman Berman, and members of the committee, thank you for the opportunity to testify today about the source of the disagreements between the United States and Egypt that have embroiled a group of non-governmental organizations in a political maelstrom not of our own making.

Egypt is a key leader in the region, and reasons remain for a strong partnership between the government and peoples of Egypt and the United States. Egypt's democratic transition, which was advanced by three successful rounds of parliamentary elections, will be important not only for its own people but will no doubt influence democratic development far beyond its borders.

NDI has been proud to have played a small role in supporting Egyptian efforts in this regard. We recognize that this is a very complicated period in the Egyptian transition process, and the outcome is not assured. At the same time, we remain optimistic about prospects for the country's democratic future. For the international community, we have to exercise patience and remain engaged.

As experience has shown elsewhere, overcoming years of autocratic rule is not always quick or automatic. This has been an extraordinarily difficult and perplexing 7 weeks, since on December 29 Egyptian investigative officials, accompanied by armed men, entered 17 offices of 10 non-governmental organizations and took computers, documents, and money.

Since then, the situation has regrettably deteriorated rapidly and markedly. None of our property has been returned. A number of our employees are forbidden to leave the country, some have been subjected to hours of interrogation, and investigative judges have recommended that charges be brought against 15 of our Egypt-based employees—five Americans, four Egyptians, three Serbians, two Lebanese, and one Romanian.

It is our understanding that some 400 Egyptian organizations are also under investigation. The charges are that we "received and accepted funds and benefits from a non-Egyptian organization," that being USAID and the Department of State, and that we established and operated without a license from the Egyptian Government.

One of the supporting pieces of evidence is that we draft the reports that were sent to our Washington office. These, of course, were the program reports required of all grantees. Many other sensational and false accusations have appeared in the media and are recorded in testimony by government officials and used as evidence.

NDI believes our non-partisan activities were actually authorized. We fulfilled all of the legal requirements for registration through the Ministry of Foreign Affairs in 2005, shortly after we opened an office in Cairo. And I was personally told by the then-Foreign Minister that our registration would be granted in a matter of weeks.

Clause 6 of the relevant Egyptian law states that if a registration application is not formally rejected within 60 days, it will be considered approved. NDI's application has never been rejected. While we are still waiting for formal recognition, I believe that we are making some progress. On February 13, our renewed registration application was approved by the Ministry of Foreign Affairs. It now moves to the Ministry of Social Affairs for the issuance of a license.

We have always been open and transparent, informing officials of our activities and updating our paperwork. Not once were we asked to cease work or close our office until December 29.

In fact, NDI and IRI were invited by Egyptian authorities to witness the country's parliamentary polls for which our institutes organized international delegation, with observers from more than 19 countries. We have maintained a bank account, and its staff members are legally employed and pay their taxes.

Our non-partisan programs have supported participation in the very political process designed by Egyptian authorities and approved in last year's national referendum. Since April we have conducted some 700 training sessions from more than 13,000 participants across the country. And more details are included in an attached statement, attachment document to my statement.

These programs have included the sharing of international experiences on democratic transitions, working on political party development with participants from parties that are now represented in the new Parliament, and assisting civil society groups conducting election monitoring, civic education, and non-partisan border education.

Egypt Government has said repeatedly that the investigation is being conducted by the country's independent judiciary and cannot be influenced by the government, yet the actions to date from the armed raids and the nature of the interrogations to public pronouncements by Egyptian authorities have not resembled a normal or fair judicial process.

While the motivations for the investigation remain unclear, one issue may be a conflict over who controls U.S. foreign assistance. The Egyptian view is that such assistance should be used only for programs and groups sanctioned by the government.

By providing assistance more directly and widely to support the aspirations of the Egyptian-led revolution, the U.S. has sought to assist the emergence of a vibrant civil society and political parties to help lay the foundation for a functioning Egyptian democracy.

Since NDI's founding nearly 30 years ago, our staff members have repeatedly overcome the challenges of working in difficult and sometimes hostile environments. But the challenges we have faced in Egypt are unprecedented, where many of our staff face possible trial, fines, and a prison sentence.

We have also received many expressions of concern and support from friends and partners inside Egypt. They want to make sure our staff is safe, want to speak on our behalf, ask what else they can do to defend us. We also care deeply for their safety and their ability to contribute freely to Egypt's democratic process.

I would like to thank the many Members of Congress, including those on this committee and officials in the administration who have worked tirelessly to help resolve the current crisis. We also

appreciate those on the Egyptian side who would also want to diffuse tensions over these issues.

Thank you, Madam Chairman.

[The prepared statement of Mr. Wollack follows:]

**STATEMENT BY KENNETH WOLLACK**
**PRESIDENT, NATIONAL DEMOCRATIC INSTITUTE**
**BEFORE THE HOUSE COMMITTEE ON FOREIGN AFFAIRS**
**"EGYPT AT A CROSSROADS"**
**FEBRUARY 16, 2012**

Madam Chairwoman and members of the committee. Thank you for this opportunity to testify today about the implications of the disagreements and misunderstandings between the United States and Egypt that have embroiled the National Democratic Institute and other nongovernmental organizations in a political maelstrom not of our own making.

Egypt is a key leader in the region and there remain reasons for a strong partnership between the government and peoples of Egypt and the United States. Egypt's democratic transition, which was advanced by three successful rounds of parliamentary polls, will be important not only for the people of Egypt but will no doubt influence democratic development far beyond its borders. NDI has been proud to have played a small role in supporting Egyptian efforts in this regard. We recognize that this is a very complicated period in the Egyptian transition process. We hope that we can resume a constructive dialogue with the appropriate authorities about our work and legitimate efforts to support the democratic process in Egypt.

This has been an extraordinarily difficult and perplexing seven weeks since, on December 29, Egyptian investigative officials accompanied by armed men, entered 17 offices of 10 nongovernmental organizations, including the National Democratic Institute, the three organizations represented by the other panelists here today, and the Konrad Adenauer Foundation, which is affiliated with Germany's ruling party and which has worked in Egypt for 30 years. During the raids on our offices in Cairo, Alexandria and Assiut, the officials refused to identify themselves; they provided no warrant, explanation for the search or inventory of the items seized.

Since then, the situation has regrettably deteriorated rapidly and markedly. None of the equipment, documents and money confiscated by security forces has been returned. A number of our employees are forbidden to leave the country; some have been subject to hours of interrogation. And we received confirmation on February 6 that investigative judges have recommended that charges be brought against 15 of our Egypt-based employees – five Americans, four Egyptians, three Serbians, two Lebanese and one Romanian. It is our understanding that some 400 Egyptian organizations are also under investigation.

The charges are that we, "received and accepted funds and benefits from a non-Egyptian organization in order to commit the crime prescribed under Article 98(C)/1 of the Egyptian Penal Code, being the direct receipt, from NDI's headquarters in the USA, of the sum of eighteen million US Dollars, of which fourteen million US dollars were received in April 2011" and that NDI, "established and operated, without a license from the Egyptian government, branches of an international organization, by having three locations as branches to the National Democratic Institute ("NDI") having its headquarters in the US. Branches were located in the governorates of Alexandria, Giza, and Assiut."

Putting aside the inflated size of our grants and the illogic of being charged with the "crime" of receiving congressionally notified grants from the United States Agency for International Development (USAID) and the State Department's Bureau of Democracy Human Rights and Labor (DRL), one of the supporting pieces of evidence is that our Cairo office "drafted reports of the outcomes of carrying out said activities in Egypt, and sent same to NDI's headquarters in the USA." These reports, of course, are the quarterly program reports required of all grantees.

Other allegations against NDI are false. Media reports have claimed that the Institute possessed maps in its office that purport to divide Egypt, when in fact the maps showed where parliamentary elections would be held and on which date; that payments were made to individuals to undermine the sovereignty of Egypt; and that money was given to certain political parties. Having read the charges and the many press reports, I hardly recognize the organization with which I have worked for 26 years and our program work in Egypt.

NDI, which has cooperated with the investigation, will vigorously defend accused personnel.

NDI believes its nonpartisan activities were actually authorized. NDI fulfilled all legal requirements for registration through the Ministry of Foreign Affairs in 2005, shortly after we opened an office in Cairo. I was personally told at the time by the Minister of Foreign Affairs that our paperwork was in order and that registration would be granted in a matter of weeks. And clause six of the relevant Egyptian law states that if a registration application is not formally rejected within 60 days, it will be considered approved. NDI's application has never been rejected, verbally or in writing.

While we are still waiting, I believe that we are making progress in the registration process, even during this challenging period. On February 13, our renewed registration

application was approved by the Ministry of Foreign Affairs. It now moves to the Ministry of Social Affairs for the issuance of a license.

Throughout this so-called "unregistered" period, we have been open and transparent about our work, informing officials of our activities on a regular basis and updating our paperwork regularly. Not once were we asked to cease work or close our office – until December 29. In fact, NDI was invited by Egyptian authorities to witness the country's three phases of parliamentary polls last November, December and January. Our Institute organized international delegations for those elections with observers from 19 countries. It was sadly ironic that our Cairo office was raided as the third delegation was arriving; and the funds seized from that office was to support the delegation's observation mission.

In three separate statements, the NDI election observers were generally complimentary of the process and concluded that the newly elected assembly reflected the will of the people. Some of the delegations' recommendations on election logistics made during early rounds were ultimately implemented for subsequent polls.

In the weeks since the raids, Egyptian media have reported a number of false and misleading accusations against our organization. Let me state unequivocally that NDI has never trained protest movements or provided them with any support, financial or otherwise. We have never provided funds to political parties. And we do not take a position on, or support a particular outcome in any election. Our goal is to support a transparent, democratic process that gives people the freedom to make choices.

We have been completely open and transparent and have, on an ongoing basis, provided written and verbal reports of our activities to the Egyptian authorities. The Institute has maintained a bank account, and its staff members are legally employed and pay their taxes. Instead of undermining Egyptian sovereignty, our nonpartisan programs have supported public confidence and participation in the very political process designed by the Egyptian authorities – both civilian and military – and approved in last year's national referendum.

As we have done in more than 100 countries worldwide, NDI has responded to local requests for information sharing and technical assistance. Since April, with grant funds from USAID and DRL, NDI has conducted some 700 training sessions for more than 13,000 participants across Egypt. More details on these programs are included in an attachment to my statement. But, in brief, these programs have included the sharing of international experiences on democratic transitions by leaders who were instrumental in their own transitions in diverse places such as Chile, Indonesia and Poland. We have conducted programs on the development of political parties with participants from all

parties that are now represented in the new parliament; and we have assisted civil society groups conducting election monitoring, civic education and nonpartisan voter education.

Egypt's government has said repeatedly that the investigation is being conducted by the country's independent judiciary and cannot be influenced by the government. Yet the actions to date – from the armed raids and the nature of interrogations to public pronouncements by Egyptian authorities – have not resembled a normal and fair judicial process.

While the motivations for the investigation and charges remain unclear, one issue may be a longstanding conflict over who controls U.S. foreign assistance. The Egyptian view has been that such assistance should be used only for programs and groups sanctioned by the government. By providing assistance, often through people-to-people programs, more directly and widely to support the democratic goals and aspirations of a revolution led by Egyptians, the U.S. has sought to assist the emergence of a vibrant civil society and political parties whose participation in Egypt's evolving political, social and economic development can lay the foundation for a functioning democracy. This is the same way that these groups have played positive roles in successful political transitions around the world and throughout history.

Since its founding nearly 30 years ago, NDI has worked with 13,000 civic organizations, 720 political parties and organizations, 10,000 legislators and 1,300 women's organizations, and monitored more than 300 elections. Many of our staff members, who represent 88 nationalities, have repeatedly overcome the challenges of working in difficult and sometimes hostile environments. But the challenges we have faced in Egypt are unprecedented – where many of our staff members are being interrogated, unable to leave the country, and are facing possible trial, fines and a prison sentence.

We have been asked frequently in recent weeks whether this serious controversy has adversely complicated our work in other countries. In fact, we have received an outpouring of support from political leaders, civic groups, political parties and government officials around the world.

One such endorsement came from an interesting source – a government that has not always been receptive to outside assistance. Two weeks ago, this government, pointing to NDI's "excellent reputation and rich experience…in the field of election monitoring and promotion of democracy," invited the Institute to observe its upcoming elections.

We also have received many expressions of concern and support from friends and partners inside Egypt. They want to make sure our staff is safe, want to speak on our

behalf, ask what else they can do to defend us – and in the next breath, they want to know when we will be resuming our programs. We also care deeply for their ability to contribute freely to Egypt's democratic process. The semi-governmental National Commission on Human Rights, an official advisory council to the Supreme Council of the Armed Forces, a coalition of 43 democracy and human rights NGOs, and several political parties are among the Egyptians who have issued public statements supporting the affected organizations or criticizing the actions against them.

Finally, I would like to thank the many members of Congress and officials in the Administration who have worked tirelessly to help resolve the current crisis. We also appreciate those on the Egyptian side who also seek to defuse tensions over these issues.

Thank you, Madam Chairwoman and members of the committee. I hope that my full statement could be included in the record.

## NDI PROGRAMS IN EGYPT

The National Democratic Institute (NDI) began its work in Egypt in 1995, and opened an office in Cairo in 2005. Since then, NDI has provided technical assistance to political parties and civil society organizations participating in the country's political process. These activities, which are described below in more detail, have included election observation, constituent outreach, voter registration and education, political party strengthening, and community development initiatives.

Between April and December 2011, NDI conducted 739 training sessions for 13,671 participants. Sessions were conducted in each of Egypt's 27 governorates.

**Programs**

***Transition Experiences:*** While recognizing that Egypt's cultural and political traditions are unique, NDI, in the months following the January 2011 revolution, facilitated opportunities for Egyptian political and civic leaders to exchange ideas and lessons learned with senior leaders in countries that have experienced a transition to democracy. Since February, NDI, along with Egyptian partners, has hosted in Cairo delegations of Chilean, Polish, and Indonesian transition experts who played central roles in guiding democratic transitions in their respective countries. Visitors included:

- Janusz Onyszkiewicz, former Minister of Defense from Poland;
- Gen. Agus Widjojo (ret.), Indonesian Army
- Sergio Bitar, former Chilean Senator and Minister
- Genaro Arriagada, former Chilean Minister of State

During discussions, the experts addressed how to build democratic institutions, as well as election systems and political party development.

***Political Party Strengthening***: Before the 2011 parliamentary elections, participants from 49 registered political parties, including all those represented in the new parliament, took part in NDI programs. Activities helped assess internal structures and capacity to participate effectively in the country's evolving political process and address citizens' concerns. The Institute uses a dual approach of in-country consultations with experts and out-of-country events, including multiparty study missions and regional workshops. At

the beginning of the country's democratic transition, NDI brought a series of experts to Egypt to host individual and multiparty consultative sessions focused on the needs of parties to participate in the evolving process.

NDI programs for political parties have focused on grassroots organizing, poll watching, media relations, survey research, door to door canvassing, women's candidate training, management training, message development, volunteer recruitment, fundraising, communications, voter outreach, new media, comparative electoral systems, research and budgeting, fundraising, party poll watcher training, and coalition building. From April 1 through December 31, 2011, NDI conducted more than 300 multi-party sessions and 220 individual party consultations/trainings. Approximately 7,700 party leaders, activists, and candidates attended these sessions.

NDI does not provide funding or any other materiel assistance to parties but operates through technical assistance only.

***Civic Education and Electoral Reform:*** The Institute complemented its party program by working with civic groups to promote the values of participating in the democratic process through a nationwide voter awareness and civic education curriculum. Programming for civic groups has focused on election monitoring, parallel vote tabulations, advocacy, strategic planning, youth engagement, voter education, communications, new media, public opinion research, organizational development, proposal writing, and financial management.

NDI convened a working group of 15 NGOs to develop a civic education toolkit and corresponding curriculum that was tested among an audience of 200 participants. The Institute hopes to print 10,000 copies of the toolkit for use by more than 115 NGOs currently engaged in civic education activities.

NDI provided assistance with materials development and strategic planning sessions on an as-needed basis with each organization, while conducting skills-training workshops with participating civic groups. NDI is also building the capacity of its civic partners to monitor the transition, thus promoting confidence and participation in the democratic process. The Institute convened a discussion group to examine electoral reform models in countries with political situations similar to Egypt's, and to examine the role of Egyptian civic organizations in electoral reform.

In 2011, NDI conducted more than 100 workshops and training of trainers sessions for more than 2,600 participants from 12 civil society organizations interested in citizen engagement and education. Since September, NDI has added an additional 320 NGOs to its network of NGO partners through the conduct of advocacy trainings, reaching 26 of the 27 governorates in Egypt. These trainings inspired participants to engage parliamentary candidates on issues impacting their communities. In total, 642 candidates from 24 governorates signed pledges on issues such as education, jobs, health care and the environment. In addition to the basic advocacy trainings, NDI has conducted core

capacity building sessions, such as financial management and strategic planning, for 20 NGOs in three governorates.

***Cooperative Community Development (CCD) and Civil Society Capacity Building:*** Since 2007, NDI has provided technical support to a network of civic groups with a broad geographical distribution across Egypt. The network fostered effective and constructive relationships between municipal governments and their constituents. NDI's partners held public roundtables with municipal councilors and their constituents, published interviews with councilors, and conducted public opinion research to determine the effectiveness of the councils and hold them accountable to citizens. Member organizations of the CCD network hosted Egypt's first candidate debates ahead of the June 2010 Shoura Council elections, and broadened these debates to include voter education presentations ahead of the November 2010 parliamentary elections. NDI complements this program by providing its partner organizations with training and technical assistance on financial management, human resources, and strategic planning.

NDI has conducted more than 100 workshops for 56 NGOs and more than 3,000 participants on these issues.

***Election Monitoring***: NDI provided a coalition of Egyptian organizations with support on international best practices for monitoring every aspect of the election process, including the pre-election period, election-day voting, and the tabulation of results. The Institute worked with local partners to develop a comprehensive domestic monitoring and observer deployment strategy, and helped build their partners' capacity to draft and disseminate detailed reports analyzing election administration and the overall electoral climate.

NDI worked with four coalitions of Egyptian NGOs representing 194 smaller community-based organizations to field nearly 10,000 domestic election monitors for the parliamentary elections. The Institute also, with accreditation from the Egyptian government, conducted three international observation missions during those elections. NDI fielded 84 short-term observers from 19 countries, including 12 long-term observers from eight countries, who visited approximately 750 polling stations across Egypt.

***Voter Education:*** NDI supported a multi-media, multi-dimensional voter education campaign in partnership with 44 Egyptian NGOs. Printed materials, such as posters, flyers, and brochures, videos, a website and Facebook page were developed to explain the election process and encourage people to vote. These materials were nonpartisan and non-ideological. Organizers of the campaign opened voter education centers across Egypt and held more than 651 events attended by nearly 72,000 Egyptians. The campaign's public service announcements were broadcast free on six television and four radio stations in Egypt. In addition, 1,300 volunteers canvassed door to door before the election and then worked at polling centers, where they helped almost 650,000 voters find their polling center locations and key voter information needed to cast ballots. The campaign's web site has had more than 400,000 page views and its Facebook page has grown to 124,718 "likes."

***Women and Youth Political Participation*:** Although women and youth were on the frontlines of the January 25 revolution, they have been less visible in the transition process. NDI worked with women and youth organizations to increase their representation in the transition process, focusing its assistance on ways to build clear channels of communication to relay views to political parties and elected officials. NDI also worked with youth from political parties and local civic groups seeking to play a greater role in politics and civil society through training sessions focusing on new media, leadership skills, grassroots organizing, and advocacy.

The Institute has also initiated a series of videoconference discussions that connect women activists in Egypt with women experts from around the world. Through these discussions, Egyptian activists ask questions directly to women who have campaigned for, and experienced transitions themselves, and are able to provide advice on the first steps to making women's voices heard. Egyptian participants have thus far represented political parties and women's organizations. Prior to the November 2010 parliamentary elections, NDI provided advice to women candidates. It continued to assist women candidates and encourage political parties to feature women on their electoral lists.

In 2011, NDI conducted candidate training for 284 women who were considering running for the parliament in Alexandria, Aswan and Cairo. The Institute also conducted focus group research among women and youth to explore voter attitudes toward the elections and constitutional processes. This information was widely shared among political parties and civil society to assist them in their voter outreach efforts. In addition, NDI worked with a network of 12 women's NGOs on the development of a unified platform for women in advance of the parliamentary elections.

No funds were provided nor training activities conducted that were related in any way to protest movements. All activities were designed to support participation in a transition process designed by Egyptians and approved in last year's referendum.

Chairman ROS-LEHTINEN. Thank you, sir.
Mr. Kramer.

**STATEMENT OF THE HONORABLE DAVID J. KRAMER, PRESIDENT, FREEDOM HOUSE**

Mr. KRAMER. Madam Chair, Ranking Member Berman, members of the committee, thank you very much for holding today's hearing. I know for a fact that there are many Egyptians watching this hearing today, and the concern and interest that you are showing is extremely important. I appreciate that.

What happened on December 29 constituted an unprecedented assault by Egyptian security forces and government agencies on international civil society organizations and our local counterparts. Not even under Hosni Mubarak did we and our partners face such attacks. Nowhere else in the world have any of our offices been treated the way they have been and continue to be, as they are right now in Egypt.

Our organizations and staffs of course are the ones in the headlines these days, but we can't forget that there are hundreds of Egyptian organizations that are facing similar pressure and charges, but have no Americans or foreigners on their payroll. Some 400 Egyptian organizations have been under investigation and face relentless pressure from the government.

And in seeking a resolution to the current stalemate, it is critically important that we not forget about those many Egyptians and their organizations that are facing similar harassment, persecution, and pressure from the government.

I, too, as many of you have said, am endlessly impressed by the determination and commitment and courage of our Egyptian staff members under extraordinarily adverse conditions, and want to support their country's transition to democratic rule and the fight against these spurious charges.

Let me state clearly that we do not view this situation as a legal matter involving rule of law, nor do 29 Egyptian organizations who issued a statement yesterday in Cairo. And if I may, I would like to refer to it. They refer to this whole harassment against human rights organizations as politically motivated.

They talk about the raids that were conducted as a crime for which the law was sacrificed. They talk about even before the trial has begun, the Ministry of Justice, other government parties, and the two investigating judges have been conducting a one-sided trial in the media for the last 5 months, making vague accusations against groups and persons via press leaks, with the goal of smearing civil society, especially human rights organizations, and painting them as collaborators with foreign agendas and conspirators against the country's stability.

These organizations say that this is a flagrant violation of the law and investigation rules which require investigators and others connected to the case to maintain the confidentiality of the proceedings and findings.

They go on to say, of the lies told by the government, perhaps the biggest is the claim that the funding of human rights groups is political, similar to funding given to political parties during elec-

tions in the U.S. and elsewhere. Yet as is all well known, rights organizations do not support one political party over another.

During elections or at any other time, their activities in this field are limited to raising citizens' awareness of the political rights without discrimination based on political or partisan affiliation, as well as monitoring elections to ensure transparency, fairness, and freedom of parties in the process.

They conclude by saying the unethical conspiring against Egyptian civil society is in no way a national objective or in the national interest. Countries around the world advance by emancipating civil society, not by suppressing it. Parliament should make it a priority to achieve this goal by adopting NGO law proposed by civil society organizations.

Madam Chair, we have been fully transparent with Egyptian authorities about our activities. We have cooperated fully with officials in the Egyptian Government, including when we submitted our registration application 3 days before the raids were conducted. We have made every effort to conduct our activities in line with Egyptian law and in a transparent manner.

We don't fund or support political parties or politicians. Instead, we work to strengthen civil society and bolster human rights activists. Freedom House and similar organizations are in Egypt—and this is critically important—to respond to the indigenous demand and interest for the kind of trading and expertise that we provide.

If there were no local interest in what we do, we would not be there. There are Egyptians and organizations that want to benefit from the kind of support and training that Freedom House and other organizations represented here today offer.

The main accuser, as has been mentioned, is the Minister for Planning and International Cooperation—Faiza Abou el-Naga, who is a holdover from the Mubarak days. But at the same time, the Military Council has created an environment of distrust and of attacks against so-called foreign hands, and they cannot be absolved of responsibility in this current situation.

Each day that passes in which our offices remain closed only makes the situation worse. We need to be allowed to reopen. We need to get our confiscated equipment back. We need to be allowed to register with no strings attached. And we need to see a state campaign in the media brought to a halt, so that people's lives are not put in danger. We cannot be given special treatment—"we," American organizations—while Egyptians are left to fend for themselves.

There are major implications for the United States. And let me close by offering a few suggestions on a way forward, because how we respond, as Lorne Craner said, will have an impact not just on the situation in Egypt but elsewhere around the world.

The United States cannot certify Egypt under the current circumstances, and it seems to me that we need to take a strong stand and make it clear to the Egyptian authorities that certification is not possible, nor would a waiver be tenable. It is, indeed, hard to understand how the United States could provide taxpayer assistance to an Egyptian military leadership that prevents NGOs from implementing democracy and human rights projects supported by the same U.S. taxpayers.

Beyond that, as some have suggested, we should immediately end any relationship with the Ministry for Planning and International Cooperation. Minister Abou el-Naga has lost any credibility to handle any assistance funds in a constructive or an accountable manner and forfeited any right to oversee those funds. Moreover, I would recommend an audit of the funds that she has overseen, so that we can find out how those monies have been spent.

Senior U.S. officials, including President Obama and on down, as well as many Members of Congress, have weighed in with authorities in Cairo, so far, unfortunately, without success. That leads me to think that, unfortunately, we don't have an option but to suspend military aid to the Egyptian authorities, so that this current situation does not get worse.

In closing, let me just say that it has been very heartening to see the response we have from people inside Egypt, including from those who signed the statement that I made mention of. We are there to help provide support to Egypt to move in a democratic direction.

We, of course, cannot want this more than Egyptians do. But I do want to say that it is Egyptians whom we want to support that are moving in a democratic direction, and we have an obligation to continue working with them as they strive for a better future for their country.

Thank you.

[The prepared statement of Mr. Kramer follows:]

**Testimony of David J. Kramer**

President of Freedom House

before the

**United States House Committee on Foreign Affairs**

"Egypt at a Crossroads"

February 16, 2012

Madame Chairwoman, Members of the Committee, it is an honor to appear before you here today to discuss recent developments in Egypt. I'm also pleased to appear with my colleagues, Ken Wollack, Lorne Craner, and Joyce Barnathan from NDI, IRI and ICFJ, respectively.

As the title of today's hearing states, Egypt is indeed at a crossroads, and the future of Egypt's transition is at stake. The smothering of civil society will obstruct Egypt's ability to develop accountable and independent institutions, combat corruption, and create economic opportunities Egyptians desire and have fought for over the course of the past year. In short, recent developments will frustrate Egyptians' hopes for a better, brighter future.

We are here today because of the events of and since December 29, when Egyptian armed forces raided our offices and seized files, laptops, and cash. The situation since the raids has only gotten worse. What happened on December 29 constituted an unprecedented assault by Egyptian security forces on international civil-society organizations and our local counterparts. Not even under Hosni Mubarak did we and our partners face such attacks. Despite promises made by Egyptian authorities to the highest levels of the U.S. Government, we remain closed, our computers, files, and cash still in the possession of the Ministry of Justice, and our staffs face hostile interrogations by investigating judges, and now the prospect of arrest and imprisonment. Nowhere else in the world has any of our offices been treated as they are in Egypt.

Our organizations and staff are the ones in the headlines, but we must not forget about the hundreds of Egyptian organizations that are facing similar pressure and charges but have no Americans on their payroll. Of the 10 organizations raided on December 29 by armed Egyptian forces, five were foreign (our four organizations plus the Konrad Adenauer Foundation) and five were Egyptian; 17 offices in total were raided. Some 400 additional Egyptian non-governmental organizations have been under investigation and face relentless pressure from the government. In seeking a resolution to the current stalemate in which members of our staff are on a travel ban and face charges that may lead to prison sentences and fines, any deal that is limited to our organizations and leaves Egyptian civil society groups and individuals to fend for themselves would be wholly unacceptable. I am endlessly impressed and inspired by the determination and courage of my Egyptian staff members who, under very adverse conditions, want to continue to support their country's transition to democratic rule and fight against the spurious charges against them. They and their Egyptian colleagues are true heroes in this saga.

Lest we get caught up in a discussion about the legal merits of the charges looming over us and other organizations in Egypt, let me state clearly that we do not view this situation as a legal matter involving rule of law. And since we have yet to be formally charged with any crimes, we are left with press conferences, news leaks, insinuations, and rumors to inform us of the charges against us and the nature of the so-called evidence supposedly substantiating

allegations of illegal foreign funding, operating without permission, and trying to destabilize the political situation in Egypt. The charges are clearly political in nature and without foundation.

For Freedom House, the problems did not suddenly appear with the raids of December 29. Members of our staff, all of whom are Egyptian (we have no expats working for us in Egypt) were interrogated several times before, and Freedom House was the object of unwanted and negative state-media attention in the weeks leading up to the raids. This, despite the fact that we were fully transparent with various government ministries about our activities, cooperated fully with officials as we submitted our application for registration, and met with the authorities as the investigation unfolded. We never did anything illegal or improper. As part of the registration process, we were told by authorities that to seek registration, we were required to have an office and a staff, and we complied with those requirements. We have made every effort to conduct our activities in Egypt in a transparent manner and to comply with the terms of Egyptian law. We were repaid with an armed raid, legal threats, and closure of our facilities, which are funded, I might add, by U.S. taxpayers.

Freedom House was founded in 1941 in support of freedom and democracy around the world. We don't support or fund political parties or politicians; instead we work to strengthen civil society and bolster human rights activists. Freedom House and similar organizations are in Egypt to respond to the indigenous demand for help in promoting civil society, rule of law, election observation, human rights, and people-to-people exchanges — assistance that we provide in many other places around the world. We would not be in Egypt were there not local interest in and demand for the kinds of support, training, and expertise we provide. Around the world, our organizations have decades of experience in helping countries going through transitions. We are independent institutions, albeit with significant U.S. Government funding, with missions and mandates to promote greater freedom, democracy, pluralism, and human rights.

Pursuant to Egyptian law, each of our organizations has attempted to register with the Ministries of Foreign Affairs and Social Solidarity. Ken and Lorne can address their organizations' applications and the fact that they are still awaiting an answer nearly a half dozen years after submission. Freedom House, which opened an office only after last year's uprising, submitted its final registration papers just three days before the raid. But registration, to be clear, is not the magic solution. If accompanied by various conditions and strings attached, it could give the Egyptian authorities greater control over our activities and even veto power over the areas in which we can work. This is certainly the case under existing NGO law, Law 84, which is used to repress civil society rather than assist it, as we have seen in our case.

We have no interest in operating under such terms. Nowhere else do we endure such smothering control, and yet that seems to be the authorities' main goal — to control us and in turn scare Egyptian organizations and activists who wish to work with us. Moreover, recently

proposed legislation on NGOs, if passed into law, would do even greater damage to civil society activity in Egypt. There were reports on Tuesday that this law had been withdrawn and will be reworked.

**How did things reach this point?**

The protests last January and February that led to the resignation of Hosni Mubarak reflected Egyptians' pent-up frustration with endless human rights abuses, rigged elections and lack of real economic opportunity; they offered hope to the Egyptian people for the first time in decades. The Supreme Council of the Armed Forces (SCAF) assumed control of the country and earned early praise for its relative restraint amid the massive protests in downtown Cairo. The high regard in which the military was held in Egypt gave hope that it would empower civilian rule and oversee a transition to genuine democracy. Its close relationship with the U.S. military gave us confidence that we could assist this process.

It was not long, however, before human rights abuses became commonplace once again with brutal attacks against demonstrators; increased religious tensions between Muslims and Coptic Christians; prosecution of regime critics in military tribunals; and assaults on female protesters, including through the infamous "virginity tests." The SCAF also maintained the much-hated "emergency law" under which Mubarak had ruled for three decades and even when they suspended parts of it, they left in provisions against "thuggery", whatever that means.

Essentially, in the minds of many Egyptians, the military has hijacked the revolution and what it represented. Protests in Tahrir Square have continued over the past year against the SCAF, and in turn the military leadership has sought to blame foreign forces — particularly civic groups that support civil society and free and fair elections — for the continued opposition and accused us of trying to foment further revolutionary activity. Freedom House is among the favorite targets of these absurd accusations.

The main accuser in public has been Minister for Planning and International Cooperation Faiza Aboul Naga, a Mubarak holdover. At the same time, the military council has created an environment of distrust of and attacks against so-called "foreign hands" through the state-controlled media and through public statements. Any claims by the military that the situation is out of their hands do not stand up under scrutiny. They have been in charge in Egypt since Mubarak's resignation but have shown little respect for judicial processes or independent branches of government unless it suits their needs. There is no doubt, though, that Minister Aboul Naga has taken the lead on the attacks against our organizations; she has been a longstanding opponent. She has insisted on full control over the funding for all non-military assistance going to Egypt and resented the decision by the Obama Administration last year to shift nearly $20 million directly to IRI and NDI for purposes of helping Egypt with its elections.

(Freedom House, by the way, has yet to receive any new directed funding from the U.S. Government for activities in Egypt.)

At the same time that NGOs are being blamed for Egypt's problems, Egypt's military rulers are blocking the accountability and transparency that Egyptian society fought for and that was integral to ending Mubarak's rule. Meanwhile, amid the current unstable environment, the Muslim Brotherhood's Freedom and Justice Party (FJP) did well in elections for the lower house of parliament, and the Salafist Nour Party far exceeded expectations, winning close to a quarter of the parliament's seats. While the more moderate, liberal parties deserve some criticism for not preparing adequately for the elections, they also were handicapped by the interim government's efforts to neuter and neutralize them in the hope that voters would be faced with a false choice between the SCAF and the extremists. Indeed, the SCAF's repression over the past year was directed almost entirely at liberal political forces and civil society, as the SCAF has attempted to continue the Mubarak line that they are the only viable alternative to Islamist extremism. This approach perpetuates the instability produced under the Mubarak regime and will lead to an inability to meet the needs of the Egyptian people. The results of the election have raised concerns that extremist forces will take over Egypt. While somewhat overblown, these fears would best be allayed by allowing civil society to play an active role in shaping the country's future. The crackdown on civil society represents a clear effort to block a democratic transition in Egypt.

**Implications for the U.S.**

Each day that passes in which our offices remain closed only makes the situation worse. We need to be allowed to reopen; have our confiscated equipment and cash returned; see an immediate end to the investigations; be allowed to register with no strings attached; and see an end to a negative campaign in state-owned media against us, our staff, and those with whom we work. This applies for us and all Egyptian NGOs. We cannot be given special treatment while Egyptian civil society remains under attack. More importantly, all civil society organizations need to be allowed to operate freely. We are encouraged that the Human Rights Committee of the new Egyptian parliament has taken an interest in this and would encourage this Committee's engagement with them. The future of Egypt's democracy, after all, lies among other things in active and engaged lawmakers accountable to and representative of the people.

The implications for U.S. interests are significant and extend beyond the American-Egyptian relationship. That is because regimes around the world are following very closely what the Egyptian authorities are able to get away with in their efforts to rein in civil society and go after American-funded non-governmental organizations. How we respond will have an impact on the ability of organizations like mine to operate elsewhere, and we already are starting to see signs of this. If we essentially are shut down or left in a state of legal limbo in Egypt, we could face similar fates in other countries. Thus, it is critical that we do all we can to protect and

preserve civil society in Egypt and the possibilities for Egyptian organizations and foreign ones like Freedom House to maintain a presence and conduct effective programs that Egyptians want.

The international community — the United States in particular — must respond aggressively to the Egyptian authorities' human rights abuses and appalling treatment of civil society. U.S. assistance to Egypt — which totals $1.3bn to the military alone, about a fifth of Egypt's military budget — depends on the Administration's being able to certify to Congress that the Egyptian government is taking steps to move toward civilian government and protect civil liberties; recent developments simply make such certification impossible. Absent a waiver by the Administration (and one seems unlikely), this will trigger a suspension in American military aid to Cairo. It is hard to understand how the United States could provide taxpayer assistance to an Egyptian military leadership that prevents NGOs from implementing democracy and human rights projects supported by those same U.S. taxpayers.

Beyond that, the U.S. should immediately end any relationship with the Ministry for Planning and International Cooperation and cease running any non-military assistance through that ministry. In calling for investigations and armed raids against our organizations, Minister Aboul Naga has lost all credibility to handle any U.S. assistance funds in a constructive or accountable manner and forfeited any right to oversee or handle these monies. Additionally, an audit of the funds that have gone through her ministry in the past would be well-advised. In the absence of accountable governing structures and a political system based on the rule of law and the free flow of information and ideas, the government is unlikely to be able to produce economically in ways that meet the material aspirations of the Egyptian people.

Senior U.S. officials, including President Obama and many Members of Congress, have weighed in with their Egyptian counterparts in an effort to persuade the authorities in Cairo to change course, so far without success. Unfortunately, I believe that only the suspension of U.S. military assistance will get the Egyptian government's attention. Suspending aid is not meant to punish the Egyptian people and if done correctly, it won't; instead, it will make clear to the authorities that attacks against civil society and against U.S.-funded NGOs do not come without a serious price.

Egypt has been a strategic partner of the United States for over thirty years. Stability in this important country depends on moving forward in the transition to democracy. The alternative — reversion to authoritarianism and resurgent radicalism — poses a serious threat of deepening political turmoil and increased economic stress, with potential regional repercussions. This is in no one's interest.

Finally, Madame Chair, let me reiterate a point with which I started. This issue is about the future of Egyptian civil society. What happened to our organizations is extremely serious; only two other scenarios could have been worse: our staff could have been arrested (and still

might be) or someone could have been injured during the raids. But at the end of the day, Freedom House and similar organizations play a minor role in supporting rule of law, election monitoring, and human rights. We cannot want these things for Egypt more than Egyptians do. The reaction of the Egyptian NGO community to the raids and subsequent campaign has been uniformly critical toward the regime and reassuringly supportive of our efforts. Our partnerships are important, and our Egyptian colleagues want them to continue. This heartening response shows that many Egyptians are eager to see their country move in a more democratic direction, with civil society playing a strong role. It is those Egyptians whom we want to support and who want our help. We have an obligation to continue working with them as they strive for a better future for their country.

Chairman ROS-LEHTINEN. Thank you very much.

Ms. Barnathan.

**STATEMENT OF MS. JOYCE BARNATHAN, PRESIDENT, INTERNATIONAL CENTER FOR JOURNALISTS**

Ms. BARNATHAN. Chairman Ros-Lehtinen, Congressman Berman, and members of the committee, thank you for the opportunity to testify today on our distressing situation in Egypt.

The International Center for Journalists runs programs in Egypt—and around the world—that are aimed at accomplishing two key goals—raising professional standards and skills.

Journalists, media managers, and, increasingly, citizen journalists worldwide say they benefit from what we have to offer, which is practical, hands-on journalism training. We aim to marry the best professional standards with the latest digital innovations.

ICFJ is a non-governmental and non-profit journalism organization, no more, no less. We do not take political positions. We do not fund political activities, including protest movements, or support political parties or candidates running for Parliament or the Presidency. Of course, the journalists we train may cover such events.

We are not an advocacy group, except to advocate for good journalism. For nearly three decades, we have helped journalists provide accurate, contextual, responsible reports whether on government, business, the arts, or health. We are funded mainly through private funds, but we receive about a third of our funding from the U.S. Government. We cherish our integrity and maintain autonomy in every program. If there are strings attached, we aren't interested.

Our view is that no matter who produces the news, or what platform is used to disseminate it, journalists must uphold the highest standards. And our role is increasingly important as the players and channels for news multiply.

In this cacophony of information, we arm today's journalists—both professional and citizen—with the skills needed to provide responsible, ethical coverage, so that citizens can make the best decisions in their lives. This is the case in Egypt. This is the case everywhere we work.

For this reason, we are dismayed by recent events. We have never faced charges like this anywhere—and we have worked in 180 countries. We have always been transparent with the Egyptian Government about our activities. As recently as November, we informed the Ministry of Foreign Affairs about all our programs as part of the registration process. Last year, our local lawyer told us that to get registered Egyptian law required us to open an office and show activity, which we did.

Now we are faced with indictments that charge five individuals—three Americans, who work in the U.S., and two Egyptians—with opening an office and sending in funds without being registered. The charges falsely claim that funds were used for conducting political activities in a manner affecting Egypt's sovereignty and national security.

We are especially concerned about the welfare of the two Egyptians who work with us. Our recently hired, young program officer, who simply does clerical work, is facing the most serious charges

of all. Both Egyptians are falsely accused of accepting nearly $1 million from us. In fact, they received a total of $74,000 to cover salaries, office rent, furniture, and laptops.

The indictment against us says nothing specifically about our programs. Right now, we have two U.S. Government-funded programs in Egypt. One is an initiative to help citizen journalists produce quality local news, and the other program helps journalists throughout the region develop multimedia, public-service reporting projects.

We are proud of our programs in Egypt. Journalists we have mentored have produced award-winning stories on the environment, health, and corruption. We have developed a guide to the best practices for blogging and a handbook on how U.S. and Arab journalists can improve coverage of one another's society. The Egyptian Government has even officially registered a National Association of Citizen Journalists that formed as a result of our recent program.

In Egypt, we signed contracts with strong partners for all our programs. These partners ranged from the state-run newspaper, Al-Ahram, to Ahram Canadian University. The vast majority of our trainers are highly regarded Arab journalists, and we are very heartened by the strong support we have received from many of the journalists we have worked with in Egypt and beyond.

As always, we will refrain from engaging in politics over this or any issue. We don't tell governments, political parties, or candidates what to do in Egypt, the U.S., or anywhere.

Of foremost concern is our staff in Egypt, while not arrested, as you can imagine they are under tremendous duress. We want to make sure that any resolution includes the most vulnerable people on the ground, and we hope that a resolution can be found as quickly as possible.

Thank you.

[The prepared statement of Ms. Barnathan follows:]

TESTIMONY OF JOYCE BARNATHAN
PRESIDENT
INTERNATIONAL CENTER FOR JOURNALISTS
BEFORE THE
HOUSE COMMITTEE ON FOREIGN AFFAIRS
"EGYPT AT A CROSSROADS"
FEBRUARY 16, 2012

Chairman Ros-Lehtinen, Congressman Berman and Members of the Committee, thank you for the opportunity to testify today on our distressing situation in Egypt.

The International Center for Journalists is one of four American non-governmental organizations that have been indicted by the Egyptian authorities. Our programs in Egypt—and around the world—are aimed at accomplishing one key goal: raising professional standards. Journalists, media managers and citizen journalists worldwide say they benefit from what we have to offer—practical, hands-on journalism training. We aim to marry the best professional standards with the latest digital innovations.

ICFJ is a non-governmental and non-profit journalism organization, no more, no less. We do not take political positions. We clearly do not fund political activities, including protest movements or support political parties or candidates running for parliament or the presidency. (Of course, the journalists we train may cover such events.) We are not an advocacy group except to advocate for good journalism. We don't tell governments what to do. We help journalists provide accurate, contextual, responsible reports, whether on government, business, the arts or health.

For nearly three decades, we have cultivated teams of seasoned journalism experts on almost every continent with in-depth knowledge of all media platforms. We are funded mainly through private funds, but we receive about a third of our funding from the U.S. government. We cherish our integrity and maintain autonomy in every program. If there are strings attached, we aren't interested.

Now, more than any time in recent history, we are redefining what journalism means. Now, more people are participating in the news process than ever before, with consumers playing an active role in the new media ecosystem. Now, there are more digital tools for disseminating news, from cell phones to ipads to satellite TV. Now, there are more fascinating new ways to showcase information, from three-D graphics to crowd-sourced maps.

Our view is that no matter who produces the news or what platform is used to disseminate it, journalists still must uphold the highest professional standards. For that reason, our role—and that of other media development organizations—is increasingly important as the players and channels for news increase. In this

cacophony of information, people want trustworthy, credible news and we make that happen. We arm today's journalists—both professional and citizen—with the skills needed to provide responsible, ethical coverage so that citizens can make the best possible decisions in their lives. That is the case in Egypt. That is the case everywhere we work.

For this reason, we are dismayed by recent events. We have always been extremely transparent with the Egyptian government about the activities carried out in Egypt. As recently as November, we informed the Ministry of Foreign Affairs about all our programs in the country as part of a long registration process. Last year, our local lawyer advised us to register in Egypt as a branch of an international NGO. He told us that to get registered, Egyptian law required us to open an office and show activity, which we did.

Now, we are faced with indictments that charge five individuals—three Americans (working in the U.S.) and two Egyptians—with opening an office and sending in funds without being registered. The charges claim that funds were used for conducting political activities in a manner affecting Egypt's sovereignty and national security. We are especially concerned about the welfare of the Egyptians who work with us. Our young program officer, who simply does administrative work such as booking hotels and making travel arrangements, is facing the most onerous charges of all.

The indictment against us says nothing specifically about our programs. Right now, we have two U.S. government-funded programs in Egypt. One is an initiative to help citizen journalists produce quality local news coverage. The participants are reporting on everything from women's health to immigrant communities to local businesses. The other program helps journalists throughout the Middle East develop multimedia, public-service reporting projects.

We are proud of our programs in Egypt. We have helped journalists develop the country's first voters' guide for both print and broadcast media. Journalists we have mentored have produced award-winning stories on the environment, health and corruption. We have developed a guide to the best practices for blogging and a handbook on how U.S. and Arab journalists can improve coverage of one another's society. The Egyptian government has even officially registered a national association of citizen journalists that formed as a result of our recent program.

We always work with strong local partners who want to deepen their expertise or share resources. In Egypt, we signed contracts with established news media organizations and universities for our current programs. In these programs, the vast majority of trainers and media consultants are Arab journalists.

Of foremost concern is our staff in Egypt, whom we hired in the second half of last year. We have a strong legal team representing them, and we remain in constant

touch with them. We are heartened by the strong support we have received from many of the journalists we have trained in Egypt and beyond.

As always, we will refrain from engaging in politics over this or any other issue. We hope that a resolution for all concerned parties can be found as quickly as possible.

Chairman ROS-LEHTINEN. Thank you very much. Excellent testimony. We thank each and every one of you for being here today.

I wanted to ask you a few questions to anyone who would care to answer. Was the crackdown initiated by one person within the government? Is it now a state-sanctioned initiative in your view?

Also, some excused the crackdown by saying it was spearheaded by holdovers of the Mubarak regime. Do you agree? And does this justify the crackdown?

And, lastly, yesterday the Muslim Brotherhood released a statement praising the crackdown, stating that it supported their nationalist position, and yet also stated that USAID should continue to flow to Egypt unconditionally. What is your reaction to this statement? Anyone who would care to make a comment.

Mr. KRAMER. Madam Chair, if I may, there is certainly—the Ministry for Planning and International Cooperation, and the Minister, Faiza Abou el-Naga, has certainly been the most public face for the campaign against civil society.

There are various theories about whether the Military Council knew about the raids. Most indications suggest they were surprised, but there are clear indications that they were able to end the raids on that day. They made a phone call to the raiding party at one of our offices, and it put an end to the raid, and, accordingly, NDI's office was not sealed. Our offices were waxed and sealed.

To me that suggests that if the Military Council wishes to flex its muscles in a positive way, and wishes to bring this campaign and these investigations to an end, it can do so. So far it has chosen not to do so.

Faiza Abou el-Naga has been front and center in a number of press conferences and public statements. You have seen I think the charges that have been leveled against us in which he makes some pretty outlandish accusations. And as many Egyptians, as well as we all believe, these charges don't stand up under scrutiny.

So I do think that there is one person who has certainly been the most public about this, but this isn't about one person. This is about a more concerted campaign against civil society that is either being condoned by or allowed by the military leadership to take place, and it is not healthy for Egypt, as many civil society organizations have made clear.

Thank you.

Chairman ROS-LEHTINEN. Lorne?

Mr. CRANER. I think we can safely said that Faiza Abou el-Naga started this, but I think it has gotten out of control since then. I think she has managed to whip up nationalism. And with her lies about our activities, she has managed to convince some in the military that we were doing nefarious things. I don't think, obviously, that the Brotherhood's buying into this is at all helpful.

I did want to just quote. We have an unofficial translation. You ought to ask the State Department for the official. But from the Government of Egypt, Ministry of Justice, Office of the Investigating Judge, list of prosecution evidence.

Chairman ROS-LEHTINEN. We shall do so.

Mr. CRANER. This is Faiza Abou el-Naga talking. She is talking about promoting democracy. "Such issues have always been linked to Israeli interest, since the U.S.A. has been and is still managing

Egyptian-American relations to satisfy Israeli interests in the area." And then, she goes on to talk about funding for democracy-building. She said, "The U.S. could pedal the fact that direct funding was given to American-Egyptian civil society organizations," et cetera, et cetera, "to improve its relations with the U.S. Congress, Jewish lobbyists, and American public opinion."

She continues: "The U.S.A. employed all of its capacities to contain the developments in Egypt and steer them toward serving U.S. and Israeli interests for the purpose of thwarting the historical chance for Egypt and the Egyptian people by creating chaos in order to give time to international and regional anti-Egyptian powers to allow for rearrangement with post-revolution Egypt," including, by the way, we are apparently guilty of inciting religious tensions between Muslims and Copts. So you get a sense of her rational.

Chairman ROS-LEHTINEN. Thank you. Lorne, let me just go to Mr. Wollack a second.

Mr. WOLLACK. I would say, too, when you look at the judicial proceedings thus far, which began with a number of interrogations before the raid on December 29, when they came in with AK–47 rifles, they huddled everybody in one room for about 6 hours, they refused to issue warrants, they refused to identify themselves, and they refused to take inventory for the equipment, the cash, and the documents that they seized.

It was sadly ironic that the cash that was removed from the Cairo office was to support the international observer delegation that was arriving the next day.

Then, when you go into looking at the questions that were asked during the interrogations, many of these were highly political questions. They had very little to do with legal issues—questions to the effect that, do you realize, based on the charges by government officials, including the Minister, that you are depriving the poor of Egypt of development assistance through your programs?

And then, when we look at the press conferences that have been held, the individuals that have been charged have not received officially yet any charging documents, and yet press conferences have been held, "evidence" has been revealed. I put "evidence" in quotes. And the press has been given a great deal of information and inflammatory accusations and false accusations.

So when one looks at an impartial and fair judicial process, this has been anything but, up until this point.

Chairman ROS-LEHTINEN. Thank you very much. Thank you for those questions.

Mr. Berman is recognized.

Mr. BERMAN. Just a few—get the specifics of the current situation. No indictments have yet issued, either Americans or Egyptian nationals or third country people. Is that correct?

Mr. KRAMER. As far as we know, that is correct.

Mr. BERMAN. Right. But none have been served or publicized at this point.

Mr. KRAMER. Sorry. Not formally, but through press leaks.

Mr. BERMAN. A statement of intention to indict is pretty clear.

Mr. KRAMER. Exactly right.

Mr. BERMAN. Yes. What is the current status of your offices and other facilities in Egypt? Are all your facilities closed? What percentage of your U.S., Egyptian, and third country staff have not been indicted but are facing these criminal charges? Can you——

Ms. BARNATHAN. Our office remains closed. We are not—and we have two employees on the ground right now who are free to operate, but, as I said, under tremendous duress.

Mr. KRAMER. Congressman, our office also remains closed, waxed, and sealed. Nothing has been returned that was confiscated on December 29. We have five Egyptian staff on the ground, four of whom have been mentioned as facing possible charges. I am sorry. We also have three others. None of those three is in Egypt. One is in Jordan, and two are here in the United States.

Mr. WOLLACK. We have three offices in Egypt—one in Cairo, the second in Alexandria, and the third in Assiut in upper Egypt. The Assiut and the Alexandria offices were sealed. The Cairo office, those who raided the office left before sealing it, so people can come and go into the office, but the office is not operating.

We have 15 people who have been charged—supposedly charged, but it is an opaque process—including both local, third country nationals, and Americans.

Mr. CRANER. All of our offices remain sealed. We have 14 people who are being charged—10 are foreign and 4 are Egyptian.

Mr. BERMAN. In my remaining two, 2½ minutes, could you describe the kinds of things you think would constitute a satisfactory solution, and in addition to what has been done up until now, and the chairman scheduling this hearing, ways in which Congress could be helpful? Actually, Mr. Kramer has made a few suggestions on that issue.

But what would be, given where we are now, a satisfactory solution in your mind?

Mr. WOLLACK. I would just make two points. First and foremost, we care about the safety of our staff members—their physical safety, the dangers of arrests, of a trial and imprisonment. And so their personal safety is paramount, and this includes the Americans, the third country nationals, as well as the Egyptians.

And, second, we have in good faith resubmitted our registration. We have been meeting frequently with the Foreign Ministry, our lawyers, and our staff, and we are trying to seek, again, something we began in 2005—to be legally registered in Egypt.

And so, therefore, we are going through that process once again, so hopefully we are working to try—and I think the administration has been working to try—to maintain the safety of the staff, and secondly to begin about a process that would allow us to continue these non-partisan activities and legitimate programs to support Egyptian efforts to sustain a democratic system in the country.

Mr. BERMAN. Anything to add to that, Mr. Craner?

Mr. CRANER. No, I would like my people to be able to leave, and I would like to operate in Egypt without being hog-tied.

Mr. KRAMER. Could I just add, dropping of all charges, ending of all investigation? Not just against our four organizations, but against all Egyptian organizations that have this Sword of Damocles hanging over them, and allowing us to operate in an unfeddered manner.

Thank you.

Mr. BERMAN. Thank you.

Chairman ROS-LEHTINEN. Thank you very much. Good questions, Mr. Berman.

Mr. Smith, chairman of the Subcommittee on Africa.

Mr. SMITH. Thanks very much, and thank you for your extraordinary testimony on behalf of those that you care, and we all care so deeply, for.

Let me just say at the outset, one of the conditions in the foreign aid budget for this year is religious freedom. And both sides of the aisle, we are all deeply concerned about minority religions, especially and including the Coptic Christians.

I chaired a hearing in July, and we heard from Michele Clark, who used to be the OSCE Director for Trafficking, who has chronicled—and the protection project at Johns Hopkins, who has chronicled, beyond any reasonable doubt, that thousands of women, young teenagers, Coptic girls, are abducted and forced into Islamic marriages. And I would call on the U.S. administration to investigate this, all human rights-concerned parties to do so. It is an absolute outrage.

Now, to the concerns that you have raised so ably today. Let me just ask you, since your computers and contacts have been confiscated, are there any reports of participants at training sessions, for example, or the network of NGOs with whom you have worked with being interrogated and arrested? Secondly, do you have any information whatsoever as to whether or not other people with whom you have networked with, to just have free and fair elections, and do election monitoring, have been tortured or degraded or treated cruelly, as would be defined in the Torture Convention?

As you know, Egypt is a signatory to the Torture Convention. My hope is that that expert treaty body will be very vigilant, hopefully sending one of its representatives to investigate. Has the Human Rights Council done anything? Has it been raised at the Human Rights Council?

All of your individual members who have been arrested, coupled with others who you work with, indigenous Egyptians? And has the Security Council done anything either? Have we in the United States, or any of the members of the Security Council, raised this issue?

It seems to me that with the Arab League and others, the OIC having such influence, particularly on the Human Rights Council, that would be a very, very important place. If it has not been raised, it ought to be raised immediately on behalf of your personnel and those with whom you have worked so well with.

Mr. CRANER. Sir, we are very, very careful with our lists of trainees, and so I don't think that very much was recovered in that raid in terms of the contacts we had had over the years. I do know the people who work with us have been questioned, but I cannot tell you they have been tortured. And no, as far as I know, this has not been raised in any U.N. organ.

Mr. SMITH. Would you call on the administration to do so?

Mr. CRANER. I think every effort that can be exerted would be helpful.

Mr. WOLLACK. I think throughout the interrogations people were treated well, although the interrogations went on for many, many hours, and oftentimes employees were called back for a second and third round of interrogations.

What was most disturbing was not the treatment of people, because they were treated well, but it was the questions that were being asked—that these employees somehow were being charged with undermining the sovereignty of the country, charged with depriving the poor of Egypt of needed development assistance.

So it was the types of questions that were being asked that were not particularly relevant to a fair and normal legal proceeding, but they were treated quite well.

Mr. SMITH. Was there any difference between how U.S. and international personnel were interrogated and locals?

Mr. WOLLACK. No.

Mr. SMITH. Okay.

Mr. KRAMER. Congressman Smith, on your point about religious freedom, which I think is critically important, civil society, as you know, can play a very important role in trying to prevent conflict between different religious or ethnic groups. And the smothering of civil society is only bound to stir up religious conflict in Egypt, or anywhere else for that matter.

Our partners, I, too, am not aware of any who have been tortured. The questioning hasn't been the friendliest, though. And when reminders are dropped pretty regularly that the people being interrogated could be in jail doesn't create a very hospitable environment. I, too, am not aware that the HRC or the U.N. has taken this up.

I agree that this would be a very appropriate issue for the Human Rights Council. The Security Council, I can't imagine, would ever take this up. The Russians and the Chinese would not allow it.

But there is also another mechanism that Freedom House is part of, which is the embattled NGO Fund, or the Lifeline Fund, where there are 13 governments that provide funding. That is also supposed to be an advocacy effort as well, and this is something I think that is prime for the NGO Fund to take on.

Thank you.

Ms. BARNATHAN. The people affected are the two individuals that I mentioned earlier, and that seems to be the scope of the interrogation. As far as we know, none of our participants have been interrogated or involved in this.

Chairman ROS-LEHTINEN. Thank you very much, Mr. Smith.

Mr. Ackerman is recognized.

Mr. ACKERMAN. Thank you. I am trying to look at the bigger picture, the implications of our relationship and U.S. foreign policy and our successes and failures. In the general scheme of things, with the size of our relationship with Egypt, you are but a very tiny, tiny, tiny piece.

But I was thinking, if you take a little 10-foot roadblock on a 1,000-mile highway, and look at it from a birds-eye view, it is really a small piece, but it is a heck of a showstopper. That is what we are looking at here.

I am trying to understand the implications of, with all of the aid and assistance that we have provided, with all of the help that we have given, why is our image so bad? We used to have a joke in part of my community that went something like "Israel is the only country in the world that likes us, despite the fact that we give them money."

You know, I mean, even Scrooge, Ebenezer Scrooge, looked a lot more friendly when he was helping, you know, Bob Cratchit. You know, why aren't we looking any better to the people in Egypt? And I think as politicians we understand what is happening here with one political player and others falling in line trying to throw red meat to the crowd that has a predisposition not to be fond of us, and everybody is trying to get to the right or left, depending on your perspective of each other, and falling in line and feeding into this thing.

And then, I started to think about it as I was thinking about it, and I said to myself, "This is happening almost all over the world." We had a big relationship with a lot of countries, financial relationship, including Iran at one point, including a lot of other countries, especially with Egypt, which gets a lot of our largesse.

Why is not the good collateral happening? A lot of good stuff is happening. A lot of important stuff has happened. We have gotten a lot for our investment. But why aren't we liked at the same time? And I think part of the answer is the people in those countries aren't the beneficiaries of our largesse. And, ironically, they are the direct beneficiaries of what you are trying to do with your tiny budgets compared to the billions of dollars that we have given.

We have given so much money to the military, but the military is seen as the Mubarak regime that has been the oppressor. You know, gosh, why didn't we see that before? The people don't like us because we are propping up a regime. The people in Iran, my God, why are we surprised that we were shocked when we are in business with the Shah and he was overthrown? We were his ally.

So it is a natural thing to look at it—to how can we do a better job with our help? It is not that we were buying off the military and should have been buying off somebody else. We have had a good, important relationship that has helped to fight terrorism, preserve the peace in an important part of the world, and benefitted us tremendously in so many ways.

Maybe if we reverse the budget and how much we spent where, the people would have a direct understanding of what we are trying to do. You are the good guys. We have been propping up somebody that they didn't like, and yet you are taking the brunt of it because you are the point of the spear representing us in the eyes and minds of the street. How do we fix that?

Mr. KRAMER. Congressman Ackerman, both the Bush administration and the Obama administration have acknowledged that the policy pursued by the United States for decades in the Middle East—not just in Egypt—where we counted on authoritarian regimes without looking at human rights issues or promotion of democracy, actually wound up hurting us. It hurt our interest, it hurt our reputation, it hurt our standing in the region.

I was in Cairo in December 2010, so right before the revolution happened. I was struck by the level of frustration among Egyp-

tians, both toward the Mubarak regime but also toward the United States. Then, when the uprising occurred, I was equally struck that the United States had nothing to do with it. What happened in Egypt and in Cairo was not about the United States. It also wasn't about Israel, by the way. It was about Egypt and the way that the Mubarak government had treated its own people.

What has happened since then is you rightly pointed out that the assistance we provided did not go to the people of Egypt. It went to a small group that benefitted. And for some very good legitimate reasons. I am not suggesting that it was wasted money, but to the average Egyptian it didn't have any impact.

What we are seeing now is certain Egyptian politicians playing the anti-American card. And as you rightly point out, this is not unique to Egypt. We are seeing this in Russia with Vladimir Putin playing the anti-American card as he leads up to the March 4 election there.

This is a problem, and we do need to push back on it, I would say, aggressively and not let it stand, because if we do then certain regimes view that as weakness on our part. And we also leave in danger people on the ground with whom we work and with whom we try to support.

Mr. ACKERMAN. It seems that the world's super power also bears the burden of being the world's super scapegoat. And we have been puzzled by that, and I think we should be aware that there is an inadequacy on our part. I mean, I think, you know, if we look at the words of the Scottish poet Robert Burns, who said in a very beautiful stanza, "O would a gift the giftie gie us to see ourselves as others see us."

We don't understand why people are viewing us in this way while we are trying to do the best thing that we see possible and maybe we are not.

Chairman ROS-LEHTINEN. Thank you, Mr. Ackerman.

Mr. Burton, the chairman of the Subcommittee on Europe and Eurasia, is recognized.

Mr. BURTON. First of all, I appreciate all of the hard work that you folks do. My questions deal with the religious intolerance that is taking place. I started reading through my notes here, and the elections that took place recently, the Freedom and Justice Party, the Muslim Brotherhood, won a great many seats. And the Salafist Party won a number of seats. And so the majority of the Parliament that has been elected is the Muslim Brotherhood or those who have a more radical view of Islam.

And as a result, they are committed, from everything I have seen, to Sharia law. And the Coptic Christians in Egypt have suffered greatly over the past several years, and I have got example after example after example where they have blow up churches, killed or injured a couple hundred people, burned their houses, cut off a fellow's ear because of something that he said or did, just a whole host of things. And they are too numerous for me to go into right now.

And I guess my concern is, under Mubarak and prior to that, we had the Camp David Accords where there was peace between Egypt and Israel and some stability in that part of the world. Now we have more radical elements who believe in Sharia law that are

obviously at some point in the future going to take over that government, in my opinion.

And I am concerned about what that portends for the future. There are between 8 and 12 million Coptic Christians and other minorities in Egypt, and I just wonder, is this kind of religious persecution going to continue? Is there any chance that the new government will be more tolerant? And you can also talk about the Camp David Accords, whether or not those will be supported, and whether there will be peace between Israel and Egypt in the future with the new government.

Now, I know these are questions that you probably normally don't deal with, because you deal with other things regarding democracy. But the thing that concerns me about democracy here is we got rid of a bad guy in Mubarak. We really don't know what we have got yet because of the elections and because they are moving toward Sharia law.

And I would just like to get your assessment on what the situation is now and what it looks like in the future, any one of you.

Mr. WOLLACK. Could I, if I could, Congressman, offer a little more hopeful view of the situation.

Mr. BURTON. I am always looking for hope.

Mr. WOLLACK. And I think if one looked at the political constellation that exists in the Parliament, I think there is room for hope. The last Parliamentary elections were in 2010, November 2010, in which the ruling party, the NDP, virtually swept the Parliament in a fatally flawed election process that did not reflect the will of the people.

Today you have a Parliament of which 30 percent of the popular vote went to so-called liberal secular political parties, that today have 100 seats in a nearly 500-seat assembly. And if somebody would have said that those political parties between the Islamist parties and the NDP would secure 30 percent of the popular vote, and 100 seats in a 498-seat assembly, in 2010, that would have been seen as a revolution.

Secondly, I think the Freedom and Justice Party is not made up solely of Muslim Brotherhood adherence. There is a percentage that joined that coalition that does not necessarily adhere to the Muslim Brotherhood.

And, third, the Brotherhood and the Freedom and Justice Party have sought to seek coalitions with many of those other political parties. So I think that there are real opportunities when it comes to issues where coalitions have to be formed between the Freedom and Justice Party and many of the other more liberal secular parties—that there will be grounds for cooperation. And certainly that is what the Brotherhood has been saying.

Mr. BURTON. You don't anticipate that government will be moving toward Sharia law and that there will be more radical approaches to governance.

Mr. WOLLACK. Well, I think that ultimately in a more open, democratic process, people—parties want to be reelected. And ultimately they will try to pursue policies that the majority of the people want.

Mr. BURTON. I know my time has expired, but that really didn't answer my question. I just wanted to get your assessment. Do you

think that the future Governments of Egypt will be governed by those who support and want Sharia law?

Mr. WOLLACK. Not necessarily, because of coalitions that have to be formed.

Mr. BURTON. Okay. Thanks.

Chairman ROS-LEHTINEN. Thank you, Mr. Burton.

Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Thank you, Madam Chairman. And I do want to thank our witnesses for their testimony this morning.

I want to follow up on the—I thought it was a very insightful observation by my colleague, Congressman Ackerman, with his understanding also of the situation. It seems to me that, if I read the supplements of the information here, that this Military Council is in coalition with the Islamic political parties. And I have a list here of 26 political parties. All had representation at this 500-member Parliament.

We can't even get—you know, we make sure that there are only two political parties in our system. We make it so difficult that to allow a third party, even in our Presidential elections, there is still a question about whether there is validity that we should have a third party candidate running into this.

But we have 26 political parties involved here, and I happen to agree that the—I think the NGOs have become pawns as Egypt struggles to find its soul. Now, what I mean by "soul" is that after 30 years of Mubarak's authoritarian rule, I think we have to understand or appreciate the perception I think among many different factions within Egyptian society.

The so-called elections, as you all know, Mubarak has held for the last 30 years, is a sham. A hundred percent of the people vote for him because there was only one candidate for President. I think we all understand that. And then, for 30 years, our country has given the aid supposedly to help the Egyptian people. And if I am correct, actually all of these billions and billions of dollars that we keep giving to the Egyptian Government actually went to the benefit of Mubarak and his family and his close friends and associates.

At the same time, we have also established a very close working relationship with Egypt's military structure, to the extent that we trained them, we provided them with all of the equipment and everything that was necessary, and this very close relationship.

At the same time, for 30 years, there is now—what happened, Twitter comes along. And because of the high unemployment, as I understand it, was the cause that gave rise to the Arab Spring situation in Egypt, the fact of the high unemployment.

Correct me if I am wrong on this, in what I have read in the observation here, but I also note here the supplement saying that both groups—and I assume this is the coalition between the Military Council and the 26 political Islamic parties—both groups oppose Western concepts of democracy. And you come along and here the situation is, ah, they are all pro-Western, pro-American, and in every way or form.

What about understanding and appreciating these Egyptian people who have been ruled so terribly by Mubarak for the last 30 years? It seems that this is part of the frustration, as I would

sense, why we are having this situation now, as we are faced with in Egypt.

And I would—please, if any of you care to comment, if my observation has been totally inaccurate and tying along with what my friend from New York has just shared with us, the big picture. And as you have said, yes, the NGOs and involvement is actually a very small part, and actually going into the real heart of the matter that we are discussing this morning.

Mr. KRAMER. Sir, if I may, military groups and organizations aren't very good at running countries, and the sooner Egypt turns power over to a citizen government, accountable government, representative government, the better I think things will be. That is number one.

Number two, I don't particularly care whether the Egyptians move toward a Western model of democracy. My interest is that they respect the fundamental elements of democracy that are universal in nature, that aren't necessarily Western.

And those include freedom of expression, freedom of association, freedom of assembly, freedom of religion, freedom of the press, independent institutions, rule of law. Those are the elements that I think we need to see develop. Whether it is based on a Western model or any other model, those are fundamental in nature in the universal declaration of human rights. And I think that is the criteria that we need to judge Egypt's development as it hopefully moves in a more democratic direction.

When Mubarak was there, there was no hope or possibility for Egypt to move in a democratic direction. The same was true with Ben Ali in Tunisia, with Qaddafi in Libya. The same is true——

Mr. FALEOMAVAEGA. Well, I am sorry, because my time is running, but this is——

Mr. KRAMER. I am sorry.

Mr. FALEOMAVAEGA [continuing]. This is also what was noted by Congressman Ackerman's earlier statement. It is part of our legacy of the Cold War efforts that we made that we actually went and supported these dictators, including the Shah of Iran. We didn't care about democracy, as long as they were pro-Western. At the height of the Cold War, you are either with us or you are with the Soviet Union Bloc. I mean, that was basically what was going on.

And I think this is also what happened as part of the situation among the Arab countries. And I think my time is up.

Chairman ROS-LEHTINEN. Thank you very much Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Thank you, Madam Chair.

Chairman ROS-LEHTINEN Mr. Wilson of South Carolina.

Mr. WILSON OF SOUTH CAROLINA. Thank you, Madam Chairman. Thank you for your extraordinary leadership of this committee. And it is, again, exciting for me personally that all four of you are here. Because of my experience, particularly working with IRI, I know this can be so mutually beneficial for where you are hosted by encouraging people around the world to become involved in the democratic process, to learn other cultures.

It has been so exciting for me out at my visits with IRI to Bulgaria and Slovakia that I have had a number of students, I have had mayors, I have had government officials, visit here in Wash-

ington, visit my home state of South Carolina. I have had the opportunity to visit a number of times, back in Bratislava also, and Sofia and Brno.

It is just extraordinary what you do and the opportunities you provide, and of course to see it evolve from the Cold War of the Warsaw Pact to now, countries that are significant and very important allies of the United States and friends. And that is why it is so disappointing to me that there has been these detentions. Of all things, whether it be NDI or IRI, just know that what is being done is positive for the people of Egypt.

And so the question I would have for each of you, have any of your employees been detained in similar manner in other countries where your organizations exist? And we will begin with Ms. Barnathan.

Ms. BARNATHAN. No.

Mr. WILSON OF SOUTH CAROLINA. Wow.

Mr. KRAMER. No.

Mr. WOLLACK. There have been instances in one country in Eurasia and one country in Southern Africa. A local employee of ours was imprisoned in the Eurasian country for working with civil society organizations and served for 6 months. And in southern Africa, an employee, for helping civic organizations verify the official results through what is called a parallel vote tabulation, was detained for nearly a week and interrogated. Those were the only two incidences before this, but that certainly was not on the scale of what is happening in Egypt.

Mr. CRANER. No, never had an office raided over 30 years, never had people hauled in for questioning like this, never had people on a no fly list, and never had people charged for a trial.

Mr. WILSON OF SOUTH CAROLINA. And that is startling information you have just provided, how tragically unique this is. For each of you, what kind of messages would be sent within Egypt and abroad if persecution of domestic and foreign NGOs continue?

Mr. CRANER. If it continues without any consequence, it is open season, I think, on all of our organizations in places like China and Russia and Ukraine and Zimbabwe and Venezuela, and many other places around the world, on those who advocate for democracy.

Mr. KRAMER. Can I just add, folks elsewhere around—or governments elsewhere around the world are watching this very closely. And they are wondering if Egypt, a country that gets such a significant amount of money, assistance from the United States, can get away with this kind of behavior and treatment, then I am sure they are calculating they can, too. And so how we respond to this is critically important.

Ms. BARNATHAN. All I can say is right now it clearly has a chilling effect.

Mr. WILSON OF SOUTH CAROLINA. And those of us in Congress also have a personal interest in that it is the son of our former colleague Ray LaHood, who so many of us have such a high regard for, and I just know the LaHood family has only the best interest for the people of Egypt. I can't imagine.

Mr. Kramer, your written testimony discusses the fact that the Supreme Council of the Armed Forces aimed their oppressive tactics toward the most liberal political forces in civil society. Can you

discuss which of those tactics have affected the party's ability to participate successfully in the electoral process?

Mr. KRAMER. Sure. There have been restrictions imposed on the more liberal-minded candidates for the parliamentary elections or who might even be thinking about running for the Presidential election coming up. And what worries me is that we have seen a situation where the Military Council has neutralized the more liberal moderate parties, leaving what I would argue is a false choice between them, the military, representing stability and security, versus the more extremist parties.

And I don't think we should—we should try to avoid falling into a trap that that is the only future that Egypt holds. So there has been—the pressure has been applied much more strongly against the more liberal-minded parties.

Mr. WILSON OF SOUTH CAROLINA. And as you conclude, that is sad, too, because the military has a reputation, and the people who serve in the military, a reputation of being professionals.

Thank you.

Chairman ROS-LEHTINEN. Thank you very much, Mr. Wilson.

Mr. Connolly.

Mr. CONNOLLY. Thank you, Madam Chairman.

Chairman ROS-LEHTINEN. Oh, sorry. Let us give the gentleman an opportunity.

Mr. CONNOLLY. I would yield, certainly.

Chairman ROS-LEHTINEN. Thank you.

Mr. WOLLACK. I would just like to make one comment with regard to your question, Congressman. And undoubtedly there could be negative consequences in a number of countries. But, again, something Lorne said earlier, we have received an outpouring of support from government officials, political party leaders, civic activists, all around the world.

And one such endorsement came from a very interesting source. A government that has not always been receptive to outside assistance sent a letter to me 2 weeks ago noting NDI's excellent reputation and rich experience in the field of election monitoring and the promotion of democracy, and invited us to observe their upcoming elections.

So in some places people have rallied around the work of our organizations, and so we are seeing sort of a mixed reaction to what has taken place.

Mr. BERMAN. Was that Venezuela?

Mr. WOLLACK. No.

Chairman ROS-LEHTINEN. Thank you. Thank you very much. So Mr. Connolly is now recognized.

Mr. CONNOLLY. Thank you, Madam Chairman. And, again, welcome to our panel. Let me ask Mr. Wollack and Mr. Craner first, I said in my brief opening remarks somebody made a decision consciously to do this. This was not an accident. They didn't stumble into it.

And I would be interested in your views, having been, both of you, representing organizations that have been in Egypt for awhile, I would assume, why? What is going on here? Is this purely domestic politics in Egypt? Mr. Craner?

Mr. CRANER. Every Egypt analyst I talk to has a different answer. I think there is a couple of things going on here. I think there was an amount of money withdrawn from Faiza Abou el-Naga's check that she had gotten annually for 10 years with very little oversight. That was given to us and NDI in 2003. It was put back into her account in 2009. And then, with the elections coming up, it was taken back out of her account. So I think that is one of the issues she is having.

I don't want to personify this, but clearly she is a ring leader. But I think it has gone way beyond her, and now you have—the military will not fix this, the Brotherhood has expressed support for her, so now it has become a much bigger problem. But I do think she started it in the beginning, and I read earlier some of her statements to the judge about her outlook on the world.

I have to question, given the chairman's thought about withdrawing money from any ministry she heads, if this is the kind of person you want receiving hundreds of millions of U.S. taxpayer dollars.

Mr. CONNOLLY. Mr. Wollack?

Mr. WOLLACK. I have to believe that it began over this notion of who controls U.S. assistance. And I think that for the 6 years in which we had been operating in Cairo, carrying out programs, communicating with the Egyptian authorities, including state security which we would meet periodically, nobody ever said, "What you are doing is wrong." What they said was, "The approval of your registration application is forthcoming, it is pending, it will happen soon."

The only criticism we had received last year was in a meeting with the Egyptian authorities in which they said we are to tell you that you are not supposed to work so hard, but you are doing important work. And so there were many friends in the Government of Egypt who knew what we were doing.

Our institute submitted written documents to them detailing all of the activities and all of the programs that we are conducting, demonstrating that these were non-partisan activities, and, ironically, supporting the very process that they had designed.

I think, however, because of the sums that were probably larger than they were in the previous years, that this notion of who controlled U.S. money going into the country reached a level in which some people in the government felt that they had to intervene to establish their control.

Mr. CONNOLLY. It reminds of the expression, you know, when they say it is not about the money, it is always about the money.

If I can ask one more question of you to in particular, and I wish I had more time to engage the other members of the panel, and maybe they would like to comment. But pivoting to a more political science question, particularly for you two, one of the concerns sometimes about U.S. foreign policy is that we align with a particular strong leader for various reasons.

Let us take the Shah of Iran. He was going to be our surrogate in the Persian Gulf. He was going to be a stalwart against Soviet encroachment. And, yes, we had to turn a blind eye to certain civil liberty niceties, but, you know—but, as a result, we acquiesced in

turning—no new political space created, and what happens after him.

And it looks like here we are again in Egypt, post-Mubarak, critical for Camp David, critical for Middle East peace process, critical ally, military alliance, and so forth, but post-Mubarak we now face this chaotic space, because we didn't sort of tend to the store a little more carefully, delicate though that is.

Just wondering from your respective vantage points, how far is that critique?

Mr. CRANER. Extremely fair. I think in a sense history repeated itself. In Egypt, I think the government decided to go after the more liberal middle, and then they were able to say to us, "Look who is coming, if not me." We weren't able to work as we would have liked to have done with that middle, and this is what you see.

I think the question moving forward is, are we going to be able to do that? And are there going to be future fair elections in Egypt where those people can compete?

Mr. WOLLACK. I think that there was a time where U.S. policy pursued the issues the way you describe them, Congressman. I think that there were two important events, though, that took place. The first was the snap elections in the Philippines in 1986, and then the presidential plebiscite in Chile in 1988.

And there I think a realization came about that the two extremes—Marcos and the Communist insurgencies, Pinochet and the Communist insurgency in Chile—had a symbiotic relationship, and they both needed each other and they drew strength from each other. And the democratic middle, from conservative to left, were squeezed out in that process.

But once the political system opened, and allowed for that broad democratic center to emerge, it provided some hope for stability for the people of those countries. And so, therefore, the notion that an authoritarian ruler provided stability is short sighted. They always provide stability until stability ends. And those two events, I think, changed a lot of minds—that there was something in the middle between these two extremes.

Mr. CONNOLLY. I thank the chair.

Chairman ROS-LEHTINEN. Thank you very much.

Mr. Bilirakis.

Mr. BILIRAKIS. Thank you, Madam Chair. I appreciate it very much. Thanks for calling this very important hearing, and I want to thank, of course, the presenters for doing an outstanding job. Thank you for your public service. And also, we have a better appreciation of your staffs, what they do around the world to make the world a better place, the risks that they take. So please thank them for me.

The crisis in Egypt has hit home with me because my former communications director, John Tomaszewski, is over there. He is one of the 16 Americans. I am outraged and have spoken to the Ambassador about this, at least a couple times, expressing my alarm. So I do have a couple questions.

Please tell me what you think we can do to not only protect these staffers but enhance the ability of the NGOs to operate freely and safely. What can we do to ensure that their activities will not be

constrained by the current or transitional government? For the entire panel.

Mr. CRANER. I have said a couple of times, if the Egyptians are able to do this without consequence, clearly that is going to be bad for my staff, including JT. And it is not going to be good for my programming.

I am not going to talk about cutting off military and all that, but I do—again, I do like the chairman's idea of redirecting assistance, should we continue it; and, secondly, I would add auditing what has already gone through would be viewed in Egypt as a price they are paying.

Mr. BILIRAKIS. Please.

Mr. KRAMER. Congressman, I mentioned earlier we need to have these investigations closed down. We need to have the charges dropped, even though they haven't been formally leveled against us. We need to be allowed to register without any strings attached.

And we need to be able to engage with Egyptians who want to engage with us. That is why we are there—because there is local interest and demand for the kind of support, training, and advice that we provide, so that none of them worries that they might wind up in jail because they are associated with us.

Mr. BILIRAKIS. Okay. Thank you. Next question, I have spoken out, again, about the plight of the Coptic Christians and the heightened persecution that they have been facing. Can you say specifically if your groups were working to help the plight of the Coptics? If so, do you believe you were targeted because of your assistance?

Mr. WOLLACK. We were not involved in those programs, but there is an interesting anecdote about this. One of the pieces of evidence that has been released is that—and this does not have to do with any of these groups—that photographs were taken of churches and mosques, and so this was evidence that somebody was trying to divide the country between Muslims and Christians.

In fact, the pictures that they referred to were pictures from another organization that used them in their religious tolerance programs in the country, showing that there is a long history in Egypt of religious tolerance. They show slides of churches and mosques that are located nearby. That was the purpose of those pictures, and yet in the release of the evidence they tried to portray them in some nefarious manner.

Also, maps have been released claiming that we have divided the country in different parts, when in fact those maps were the electoral maps showing the three stages of the Egyptian election process. And these were not maps that were produced by our organizations. These were maps that were produced by the High Election Commission.

Mr. BILIRAKIS. Anyone else? Please.

Mr. KRAMER. I don't think we were targeted because of any work we do with the Coptic community. But certainly civil society can play a critical role in trying to facilitate dialogue between the Muslim community and the Coptic community.

And whether our organizations do that directly or not, civil society in Egypt, there are a number of organizations who are focused on trying to promote better understanding and better dialogue, so

that we don't see the kind of outbreak of violence that we saw last fall.

Mr. BILIRAKIS. Thank you.

Mr. CRANER. Well, I don't think like David that we were targeted because of the work we do, because of work we would have done with Copts, but I do think we are getting blamed in part for religious strife in Egypt, ironically.

Mr. BILIRAKIS. Yes, please.

Ms. BARNATHAN. Similarly, I don't think that is an issue that we deal with. We are a journalism training group. I can say that we have a wide variety of participants who are in our programs, but this is—we have nothing to do with that issue in particular.

Mr. BILIRAKIS. Okay. Well, thank you very much, and I yield back, Madam Chair.

Chairman ROS-LEHTINEN. Thank you, Mr. Bilirakis.

Mr. Sherman, the ranking member on the Subcommittee on Terrorism, Nonproliferation, and Trade.

Mr. SHERMAN. Just about all of the mainstream questions have been asked, so I am going to go a bit outside the mainstream and focus on, why are we giving aid to Egypt, particularly to the Egyptian military?

Now, it is said that this is some sort of obligation of the United States out of Camp David, but I believe you gentlemen are as dedicated to the rule of law in the United States as you are to the rule of law abroad. Are any of you aware of any treaty ratified by the Senate that commits us to spend over $1 billion a year in aid to the Egyptian military? I assume there is not.

And so the Egyptians may believe that somehow they have a right, never existed under U.S. law, to tax the people in my district, and others, for the benefit of their military. Even if that were true, it may have been terminated by this latest outrage.

The Egyptian army is not always a force for good in the world. Does anybody have a comment on what would happen if it received, say, about $1.3 billion less from the United States? Mr. Craner? I realize you focus here on democracy, and the rule of law, and there are other aspects to this as well.

Mr. CRANER. I think one of the things we need to recognize is we had a partner in Egypt, and he is gone. And the partnership was based, not unlike some—you know, as some people have noted here, we have had with other countries.

So our policy was based on having that particular partnership, and I think that using old templates to guide our new relationship may not work for the very reasons Mr. Ackerman cited. They have not earned us gratitude in Egypt, neither for our military nor our civilian ESF assistance.

Mr. SHERMAN. Now, if we were to cut the military aid, is money fungible and that cost would be spread over the entire cost of the Egyptian Government? And would this pretty much be a reduction in the resources available exclusively in the military? Does anyone here have enough insight into the current opaque Egyptian Government to see what the effect would be on its various ministries?

Mr. KRAMER. Congressman, the $1.3 billion, as I understand it, constitutes about 25 percent of Egypt's military budget. So it is a significant sum of money.

Mr. SHERMAN. Yes.

Mr. KRAMER. I will be honest with you—and I am the one perhaps who has been most vocal and outspoken about suspending aid in light of the situation—I would not be issuing such a call if there weren't this attack on civil society. I would say that Egypt is critically important for what happens in the region, in the Arab world, the relationship with Israel, and for the United States.

We all—and this is why the charges against us are so absurd—we want to see Egypt succeed. We want to see——

Mr. SHERMAN. I think we all want to see Egypt succeed. I just don't know whether giving $1.3 billion to their military enhances the chance of that success. The military's sole actions over the last decade have been on the streets of Cairo and other Egyptian cities, not always for good.

It is hard for me to identify what I want the Egyptian army to be able to do that they need $1.3 billion of U.S. taxpayer money to do. Does anybody else have a task, an idea, a reason that a reduction in the capabilities of the Egyptian army would be harmful?

Mr. KRAMER. Well, I would just say I think one thing they could do, and hopefully they will move in this direction, which is getting out of the business of running the country. Militaries aren't good at running countries, and the Egyptian military——

Mr. SHERMAN. I am not at all sure that the $1.3 billion pushes them in the right or the wrong direction on that, although you could say that they run economic enterprises for the purpose not only of lining their own pockets perhaps but also of taking care of the military.

So I would hate to think that we are giving them $1.3 billion because otherwise they would go get it from corruption. But other than that, I haven't heard anybody in the room come up with a reason why that $1.3 billion is helping the United States.

I yield back. But I think this takes a lot more thought than what we can give it in 5 minutes.

Chairman ROS-LEHTINEN. Thank you very much, Mr. Sherman. Excellent question.

Mr. Royce, chairman of the Subcommittee on Terrorism, Nonproliferation, and Trade.

Mr. ROYCE. Thank you, Madam Chair, very much for holding this hearing. I want to ask a question of Mr. Craner.

We often hear the leaders of the Brotherhood movement in Egypt argue that they are no different than the ruling party, the AKP, in Turkey. But Turkey is a far different country than Egypt. We had a columnist last week point out that the AKP inherited a situation where Western reforms had been instituted in the 1920s in Turkey, and we are going to see I guess how much longer those reforms last in Turkey.

But, you have a situation there where the military and the press and the judiciary have been checks against the more radical Islamist leanings of the AKP. And in the Arab world you have a situation where these checks and balances are largely absent.

And so you don't have those balances; you don't have the prerequisites for engendering economic success and economic growth. And without those checks, and without a stronger civil society, the question is, will we be in a situation where we see Islamist parties

make certain argument to the voters about their intentions? But then, once they are in government, see them sort of morph into the type of governance that we have seen in Gaza, or the types of governing that we have seen in Iran? Is there that risk? Let me just get your perspective on it.

Mr. CRANER. I think you listed a couple of reasons why the Islamist government in Turkey has governed relatively well, though you also noted some of the freedoms they have cut back on. One thing you didn't mention that I also think was important was the magnet of the EU, and that especially over the last 10 years a lot of their laws and practices have been changed out of a desire to get into the EU.

You do not find that in Egypt. You don't find any of the things you were talking about about their founding, about the original ideas behind how the country would be ruled. And you certainly don't find an EU for the Egyptians to wish to get into.

So it remains to be seen how they will govern the country, but none of the elements you are talking about exist. I repeat what I said before that if there are not—if we do not push very, very hard for future elections in Egypt, what you are talking about, the possibility of it going badly, it goes much higher.

Mr. ROYCE. I have another concern, and that goes to the issue that people say U.S. aid to Egypt is going to be leverage. It will be leverage for us to move things forward. But in the budget released this week, the administration proposed another $770 million for something called the Middle East Incentive Fund.

We don't have a lot of details on this, but it essentially seems to be cash to encourage reforms. Is it really the case that we need to place money in front of these regimes, in front of these governments? Is that the takeaway from this? Because I have got sort of the opposite observation, but I will ask you for your thought on this.

Mr. CRANER. I think that is a very good question. I think in this case, with Egypt, if our current level of aid to them is insufficient to work into their calculations about 16 Americans, you have to ask if on issues that are much, much bigger, which have been raised at this hearing this morning, whether our assistance would then provide sufficient leverage.

Mr. ROYCE. And, lastly, about the Copts, I met recently—I have had a series of meetings with Copts. I see the U.S. Commission on International Religious Freedom has recommended that Egypt be put on the Country of Particular Concern List because of the religious—well, it goes mostly to the Salafists and the type of pain that they are inflicting on the Coptic Christian community.

I just wanted to ask you, what has been the engagement on this issue by the administration?

Mr. CRANER. I can't speak to the administration, what they have done. I can tell you that the Copts in Egypt are a lot more fearful than they were under Mubarak, and they were fearful at that time.

Mr. ROYCE. My time has expired, Madam Chair. Thank you.

Chairman ROS-LEHTINEN. Thank you very much, Mr. Royce, for those questions.

Mr. ROYCE. Thank you, Mr. Craner.

Chairman ROS-LEHTINEN. Mr. Meeks, the ranking member on the Subcommittee on Europe and Eurasia.

Mr. MEEKS. Thank you, Madam Chair. First, let me thank all of you for your testimony. I was in my office trying to do some other things, but got riveted to listening to your answering questions and your statements and decided that I had a need to come down and just make some further inquiries.

But I want to say at the outset, the work that NDI, IRI, and Freedom House is doing in helping democracy, in helping government and institutions stand on its feet, you know, you all need to be applauded for that. And the work that you do I think is just so valuable to all of us as this globe gets as small as it is getting. So I want to thank you.

And in listening, the first thing I heard Mr. Sherman—some of Mr. Sherman's questions to you in regards to the amount of money that we give, and giving to the military, et cetera. And I don't know if I missed it or not, but my first question would be, what happens if we didn't give? I mean, and I hear—and I have heard most say that we shouldn't cut off aid, et cetera. And I don't believe that we should either.

But just to answer the question, what kind—you know, what do you think would take place if we did cut off aid? Would that help us or hurt us? And how so?

Mr. KRAMER. Congressman Meeks, I would—the only reason I am arguing for suspension—and I would use the word "suspension," to put it on hold until the current situation is fixed—the only reason I am suggesting that is because of the attack that we are seeing against civil society, including against our organizations, but against many Egyptian organizations.

I am, frankly, not in a position to say whether the U.S. should continue the $1.3 billion in assistance to the military or not. As an observer, I would be—unless there was a reason beyond the civil society issue that we have been talking about, I would be mindful of what the implications could be of such a step and the reaction that we could see from the military, if we did not have something that we were asking for in return.

I am suggesting that this is the price to be paid for treating civil society organizations, including those of our own organizations, the way that they have been.

Mr. MEEKS. Part of my—and I don't know whether—I know a lot of our money is military, but it seems to me, from what I have heard, their institutions are weakening, because even—and maybe you could tell me—I know when you were—there were two investigative judges in their judicial system who seemed to be—made political statements to the press, for example, showing that there is no independency between the judicial system and the politics weakening the institutions.

And I don't know, suspending money, cutting off money, does that further weaken the institutions, or what we can do to further engage to strengthen institutions? Because democracy is messy. I mean, they have had elections. I agree that we need to make sure that there continue to be elections.

But can you—about their institutions, judicial in particular, what is your thoughts on that?

Mr. CRANER. You know I used to work for Colin Powell. I was looking at his old autobiography the other night, and I ran across something. He was talking about Iran. He had been a colonel who visited Iran in 1979, and he said, "All our investment in an individual, rather than in the country, came to naught. When the Shah fell, our Iran policy fell with him. All of the billions we had spent there only exacerbated conditions and contributed to the rise of the fundamentalist regime implacably opposed to us."

I mentioned before that our policy in Egypt was similar in that it was based on a person. And the policy being based on a person, I think the aid decisions probably flowed from them. And without arguing for lessening money or increasing money, or whatever, to Egypt, I don't think a review of the money that is going to Egypt would be misplaced, given that we will have to have a different policy because there is a new—not only a new government, a new type of government in Egypt. But a review of the type you are talking about would not be out of place.

Mr. Ackerman raised, why are people so essentially ungrateful in Egypt? And the answer is, because they never saw any of the money. It was going to the military, and it was going through Faiza Abou el-Naga's international cooperation ministry. When they do see the money, as Africans have with HIV/AIDS money, thanks to Presidents Clinton and Bush and Obama, then they think much more highly of the U.S. And maybe because our policy is changing that should occasion a review of our aid to Egypt.

Mr. WOLLACK. I would say, Congressman, that when you have one center of power in a country, whether it is in Egypt or any other country, decisions are made between officials of that center of power and our Government in a more democratic and more open Egypt. There is already the emergence of other centers of power in the country, and this is why it is a very complicated period in the transition process.

You have a Parliament now that was elected and reflects the will of the people. You will have a President being elected at the end of May. And so today you will have a military relationship that I assume will continue because of certain interests. You will have a Parliament that will have enhanced powers; it will no longer be a rubber stamp Parliament. And you will have a President and a Cabinet.

And so, therefore, I think all of the issues on aid will be debated and discussed by these varied centers, different centers of power. And I think it will influence the type of assistance, and it complicates, obviously, the relationship. Sometimes it is easier to deal with one center of power, but ultimately I think it will reflect the views of the people.

Chairman ROS-LEHTINEN. Thank you very much, Mr. Meeks.

Mr. Fortenberry.

Mr. FORTENBERRY. Thank you, Madam Chair, for calling this hearing. I am going to ask a simple question. I would like a yes or no.

I understand there is complexities, we are not sure of the trajectory, depends on certain—changing of fluid circumstances. Should we suspend aid to the Egyptians? Yes or no.

Mr. KRAMER. If they don't resolve the current situation, yes. Yes.

Mr. FORTENBERRY. Everybody, please.

Ms. BARNATHAN. We are an organization that helps journalists. We tell them to be fair and balanced. We tell them not to make political statements, and that is in our DNA is just not to take political sides, whether here or in Egypt.

Mr. FORTENBERRY. I understand. Here is the problem——

Ms. BARNATHAN. This is not something we would comment on.

Mr. FORTENBERRY [continuing]. We have a decision to make that could potentially benefit you, yes or no. So we have to make a decision, yes or no, not depending upon fluid circumstances and all of that.

Mr. WOLLACK. We have been greatly appreciative of efforts, both public and private, to resolve these issues. And hopefully those efforts can continue. But as an organization that is dedicated to democracy and human rights overseas, we have avoided taking a position on U.S. legislation in specific. So, you know——

Mr. FORTENBERRY. All right. Let me get to the next——

Mr. WOLLACK [continuing]. We won't take a position on those specific issues.

Mr. CRANER. And my board has asked the same of me.

Mr. FORTENBERRY. All right. All right. I figured I had put you in an—all of you in an unworkable position. I may have answered the same.

Let me point to you a potential conspiracy theory here in regards to this outrageous detention of Americans who are actually there to try to simply help the Egyptian people, that it might lead to the suspension of American aid, which then gives those who have a decided preference for undoing the Israeli-Egyptian Peace Treaty a context for doing so, in that the United States is no longer living up to its obligation.

Would you place some credibility in that type of theory?

Mr. CRANER. I think the way this started I would not. I would not——

Mr. FORTENBERRY. It is too random?

Mr. CRANER. Yes. It is——

Mr. FORTENBERRY. Well, that is inconsistent, though, with what Mr. Connolly was suggesting, that this just didn't happen by somebody's outage, that there seems to be forethought and planning.

Mr. CRANER. Well, I think it started over money, but it was much smaller amounts of money. And I think it has gotten much, much bigger. But I wouldn't buy that theory, that it started because of that reason.

Mr. FORTENBERRY. Will it then be used, though, for those purposes? Will the incident then be used by those who may have such considerations in mind?

Mr. CRANER. If somebody would start a war for $1.3 billion, they would probably start it for a lot less. That is not much money to start a war over.

Mr. FORTENBERRY. Well, you see the dilemma with the aid, and I have been one who has been firm in advocating for the continuance of Egyptian aid up to this point, because it always occurred to me that if you—there was tremendous sacrifice on both sides that went—on three sides—the Israeli, the Egyptian, and the

United States—to get a peace treaty in order that has held. It has been sort of a cold peace, but it has held.

So to let go of the hand of friendship of the Egyptians, at certain points a few years when this was more dynamically being debated, seemed to me to be imprudent for the reasons that you want to work through the periods of transition and give rise to some new, emerging stability that is rooted in human rights.

And without our ability to leverage anything in that regard, you may end up with worsening consequences, such as the unraveling of a peace treaty. But now here we are, and can you condone, as you are suggesting, Mr. Kramer, by—can you in effect condone the behavior by continuing the current status of the relationship?

Mr. KRAMER. Well, Congressman, if I could, we have—by "we," the United States, the President of the United States, the Secretary of State, Secretary of Defense, Chairman of the Joint Chiefs of Staff, the U.S. Ambassador, have done everything they can to try to persuade their Egyptian counterparts that this course they are on with civil society is a mistake.

The reason I am suggesting that we look at suspension of military aid—and I want to be clear, military aid—is because I fear whoever is making these decisions in Egypt believes there is not a price for the actions we are taking.

Mr. FORTENBERRY. Well, you may be interested, a high-ranking military delegation was in the United States a week or 2 ago. We were trying to meet with them, as I normally do each year. Apparently, they got up and left town pretty quickly, because their reception here was that cold, that rugged. So there is very strong sentiment here that this behavior cannot be gone, cannot be condoned in some sort of passive way by continuing the relationship as normal.

With that, though, there come complexities here that go beyond just reacting to this tragic circumstance and this deep injustice that has been inflicted upon Americans that impact the geopolitical situation that has been held onto for 30 years.

Chairman ROS-LEHTINEN. Thank you, Mr. Fortenberry.

Mr. FORTENBERRY. Thank you.

Chairman ROS-LEHTINEN. Our former committee colleague, Ms. Jackson Lee, joins us today, and I ask unanimous consent that she be allowed to question our presenters. Ms. Jackson Lee, 5 minutes.

Ms. JACKSON LEE. Madam Chair, I thank you for your courtesy, and that of the ranking member and members of this committee, and to the members that have made their presentation. Thank you very much for long-standing service. I have seen you in places throughout the continent of Africa, and it has been a valuable contribution to democracy.

First, I would like to just ask Ms. Barnathan about, how vigorous is the Egyptian Press Corps or the journalist community in Egypt? And are they writing about this story, of the incarceration of foreign nationals?

Ms. BARNATHAN. I would say that Freedom House does a huge job of looking at the state of the Egyptian media, and they do lots of studies on this in particular. So you might want to direct your question to him.

But I will say that there are different types of media in play in Egypt right now. We have the state-run media, we have the privately-run media, and we have citizen journalism and the whole internet——

Ms. JACKSON LEE. So they are vigorously—there is a media——

Ms. BARNATHAN. There is a vigorous media.

Ms. JACKSON LEE [continuing]. Body politicking. Have you any knowledge of whether they are reporting on this incident publicly?

Ms. BARNATHAN. Oh, they certainly are, and there are a diversity of voices, but——

Ms. JACKSON LEE. They are.

Ms. BARNATHAN [continuing]. We think that in Egypt the strongest voice is probably being heard by the state-run media.

Ms. JACKSON LEE. Thank you.

Let me—to the gentlemen in particular who have representatives from their organization, let me indicate to you our great concern. And I am going to ask the question, are they in good health? Is there anything, aside from the negotiations that we are involved in, that we should be concerned about? Or not concerned about, because I know that will be a private matter, but that we should be dealing with in terms of their status? Both gentlemen.

Mr. WOLLACK. From our perspective, the staff is in good health. I will say that they have a range of emotions at any given moment, at any given hour in a given day. But they are I think very courageous. They are very determined. They know they have done nothing wrong, and so they are committed to defend themselves and to maintain the relationships with thousands of Egyptians that they have developed over the past 6 years.

Ms. JACKSON LEE. Okay. Mr. Craner?

Mr. CRANER. I think the most important thing, the most important encouragement for all of them, is what you have done, what the Congress has done, and what the administration is doing. They feel a great deal of backing. And, therefore, they feel that this will be resolved favorably.

Ms. JACKSON LEE. I am going to say a few words, and then yield to you for an answer. First of all, I feel a great deal of pain for many of us who have engaged with Egypt. Beyond the very positive relationship with Israel, I feel a great deal of pain. I won't characterize it as anger, but dismay, disappointment, sadness.

I, too, spoke to the Egyptian Ambassador because many of our friends are there, from staff members to family members of Cabinet members, and we want to be sensitive to that. We know that they raided non-foreign but Egyptian organizations, NGOs, some 400. They are under pressure.

So, frankly, this makes—it is very difficult for me, but I do call for the suspension of funds. I think it is very good to isolate those as to military funds.

But what I would ask is you have said it over and over again, but I would ask—I would like to go to each of the three gentlemen for a succinct, pointed, immediate response. We have spoken to the Ambassador. He says that he is conveying his words to whatever the government is. I am looking for a positive response.

The President has said, as early as February 2011, we want to see the transition to be democratic and fair and just. I am con-

cerned that we are in the worst collapse that we could ever see for Egypt that had the greatest potential because of the great exposure of their military to the U.S. exchange that we have had with them for a number of years.

So we are stymied, and I don't like being stymied, not because we are large, but because our values are such that we believe in democracy.

So, gentlemen, if you would quickly say one pointed thing that you think that we should leave this hearing with and on our mind that we could be doing. Mr. Craner?

Mr. CRANER. If there is something between the President and Secretary of State, Secretary of Defense, et cetera, calling and suspending assistance, as has been called for, I would love to see it.

I think two good ideas have come out today—I think the idea, again, of moving assistance away from Ms. Faiza Abou el-Naga's ministry, and I would say have an audit of the billions that have gone through her ministry for the last 10 years, find out why the Egyptian people, by and large, didn't see any benefit from that.

Ms. JACKSON LEE. Mr. Wollack?

Mr. WOLLACK. Well, all I would say is I think beginning on January 26, after the revolution, and after the departure of President Mubarak, there was a great hope that a new Egypt was emerging. And I think in the long term a new Egypt will emerge from a number of crises that have beset the country.

And we have seen over the past year a proliferation of political parties, civic organizations, and citizens who for the first time are talking to one another and engaging——

Chairman ROS-LEHTINEN. Thank you.

Mr. WOLLACK [continuing]. In the country's political process. And I think we have to understand and recognize that there are tens of thousands of Egyptians who believe deeply in their country's future, and want to work with the international community, believing there is something——

Chairman ROS-LEHTINEN. Thank you very much.

Thank you, Ms. Sheila Jackson Lee.

Ms. JACKSON LEE. Thank you.

Chairman ROS-LEHTINEN. And we are out of time. Thank you so much to excellent panelists, and I am sure that when they say "gentlemen" they meant it in a generic way. Gentlelady as well. Twice that happened.

And the hearing is adjourned. Thank you.

[Whereupon, at 12:21 p.m., the committee was adjourned.]

# APPENDIX

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## Material Submitted for the Hearing Record

**FULL COMMITTEE HEARING NOTICE**
**COMMITTEE ON FOREIGN AFFAIRS**
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515-0128

**Ileana Ros-Lehtinen (R-FL), Chairman**

February 10, 2012

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs, to be held in Room 2172 of the Rayburn House Office Building **(and available live, via the WEBCAST link on the Committee website at http://www.hcfa.house.gov)**:

**DATE:** February 16, 2012

**TIME:** 10:00 a.m.

**SUBJECT:** Egypt at a Crossroads

**WITNESSES:** The Honorable Lorne Craner
President
International Republican Institute

Mr. Kenneth Wollack
President
National Democratic Institute

The Honorable David J. Kramer
President
Freedom House

Ms. Joyce Barnathan
President
International Center for Journalists

**By Direction of the Chairman**

*The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.*

# COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF FULL COMMITTEE HEARING

**Day** *Tuesday* **Date** *02/16/12* **Room** *2172 RHOB*

**Starting Time** *10:00 a.m.* **Ending Time** *12:22 p.m.*

**Recesses** ____ (____to ____) (____to ____) (____to ____) (____to ____) (____to ____) (____to ____)

**Presiding Member(s)**

*Rep. Ileana Ros-Lehtinen*

*Check all of the following that apply:*

**Open Session** ☑
**Executive (closed) Session** ☐
**Televised** ☑
**Electronically Recorded (taped)** ☑
**Stenographic Record** ☑

**TITLE OF HEARING:**

*Egypt at a Crossroads*

**COMMITTEE MEMBERS PRESENT:**

*Attendance sheet attached.*

**NON-COMMITTEE MEMBERS PRESENT:**

*Rep. Jackson-Lee (TX)*

**HEARING WITNESSES: Same as meeting notice attached? Yes** ☑ **No** ☐
*(If "no", please list below and include title, agency, department, or organization.)*

**STATEMENTS FOR THE RECORD:** *(List any statements submitted for the record.)*

*Rep. Turner*
*Rep. Connolly*
*Rep. Carnahan QFR*

**TIME SCHEDULED TO RECONVENE** _____
**or**
**TIME ADJOURNED** *12:22 p.m.*

**Jean Carroll, Director of Committee Operations**

Hearing/Briefing Title: Egypt at a Crossroads

Date: 02/16/12

| Present | Member |
|---|---|
| X | Ileana Ros-Lehtinen, FL |
| X | Christopher Smith, NJ |
| X | Dan Burton, IN |
| X | Elton Gallegly, CA |
| | Dana Rohrabacher, CA |
| | Donald Manzullo, IL |
| X | Edward R. Royce, CA |
| X | Steve Chabot, OH |
| | Ron Paul, TX |
| | Mike Pence, IN |
| X | Joe Wilson, SC |
| | Connie Mack, FL |
| X | Jeff Fortenberry, NE |
| | Michael McCaul, TX |
| X | Ted Poe, TX |
| X | Gus M. Bilirakis, FL |
| | Jean Schmidt, OH |
| | Bill Johnson, OH |
| X | David Rivera, FL |
| | Mike Kelly, PA |
| | Tim Griffin, AK |
| X | Tom Marino, PA |
| | Jeff Duncan, SC |
| | Ann Marie Buerkle, NY |
| | Renee Ellmers, NC |
| X | Robert Turner, NY |

| Present | Member |
|---|---|
| X | Howard L. Berman, CA |
| X | Gary L. Ackerman, NY |
| X | Eni F.H. Faleomavaega, AS |
| | Donald M. Payne, NJ |
| X | Brad Sherman, CA |
| | Eliot Engel, NY |
| X | Gregory Meeks, NY |
| | Russ Carnahan, MO |
| X | Albio Sires, NJ |
| X | Gerry Connolly, VA |
| X | Ted Deutch, FL |
| | Dennis Cardoza, CA |
| | Ben Chandler, KY |
| | Brian Higgins, NY |
| X | Allyson Schwartz, PA |
| X | Chris Murphy, CT |
| | Frederica Wilson, FL |
| | Karen Bass, CA |
| | William Keating, MA |
| | David Cicilline, RI |
| | Sheila Jackson-Lee, TX |

PREPARED STATEMENT OF THE HONORABLE ROBERT TURNER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

**Opening Remarks MESA Subcommittee Hearing**

**Reflections on the Revolution in Egypt, Part I**

**February 15th, 2012**

Thank you, Chairman Chabot. I would like to join you, Ranking Member Ackerman and my other colleagues on this committee in welcoming the witnesses to this hearing. As a member of the Subcommittee on the Middle East and the Committee on Homeland Security, I have a particular interest in the subject of Egypt and the increasingly ominous tone of the Egyptian Revolution.

The Egyptian Revolution started out with promise, with the Egyptian people rising up and demanding democracy after decades of dictatorship dating from Nasser's 1956 coup. They demanded freedom of speech, freedom to elect their own government, and freedom from decades of corruption and mismanagement. Like I said, the Revolution started out with promise.

However, that promise has been considerably dimmed in recent months and weeks. The military council which replaced President Mubarak has continued many of the deposed leader's harsh security measures, such as holding protestors without trial – or, worse, sending them before kangaroo military courts. Protestors are beaten in the streets by police, with no regard for age or gender. The world was treated to images of policemen stripping and beating a young woman in the streets of Cairo. We cannot and will not tolerate this brutal and disgraceful behavior. Worse, the generals have cracked down on American NGOs, and seem hell-bent on prosecuting Americans whose sole crime was the promotion of democracy and democratic values.

Additionally, many Americans – myself and many of my constituents included – have been made deeply uncomfortable with the rise of Islamist parties in Egypt. Recent parliamentary elections have seen the election of diehard Salafists and members of the Muslim Brotherhood who are on the hard, ultra-Islamist right of their party.

In short, liberal democratic voices in Egypt run the risk of being squeezed between unelected generals on the one side and Islamist radicals on the other. Egypt and the Egyptian people face a trying time, and I appreciate the help that today's witnesses will give this committee and the American people in trying to understand the situation on the ground.

The Honorable Gerald E. Connolly (VA-11)

**HCFA Full Committee Hearing: Egypt at a Crossroads**
**Thursday, February 16, 2012**
**10am**

One year after Hosni Mubarak's resignation, an area expert succinctly described the situation of unrest in post-revolution Egypt. He said to me, "It's typical in this type of situation; everyone is in charge." The angst caused by the post-revolution fog has manifested itself through riots, protests, and even violent crackdowns on minority groups. One example of this muted chaos was the December 29 series of raids Egyptian forces carried out against American and non-American NGOs; events quickly escalated from there. To date, the public response from U.S. policymakers and nongovernmental organization (NGO) heads has been measured and prudent. But American patience for the treatment of all NGOs in Egypt is wearing thin.

During the raids Egyptian forces seized records, electronic equipment, and hard currency from NGO offices. Egyptian authorities, after every event and escalation, have assured the American NGOs that the situation would be resolved, only to renege on their word. For example, three days after the raids, U.S. NGOs were waiting for the return of their confiscated property as promised by Field Marshal Tantawi. Simultaneously, another Egyptian official—Fayza Abou Naga—was holding a press conference saying the property would not be returned. She also accused the NGOs of illicitly funneling money to the April 6th Youth Movement.

A few days after this press conference, after consulting with his NGO head and U.S. Ambassador to Egypt Anne Patterson, a high profile NGO staffer attempted to leave Egypt. Authorities at the airport stopped him, ordered his luggage off the plane, and informed him he was on a no-fly list. This staffer was of course Sam LaHood, and his encounter was how the International Republican Institute (IRI) and National Democratic Institute (NDI) found out that five and seven of their staffers, respectively, were on no-fly lists. Not all twelve of these staffers are American, and any discussions the United States has with Egypt ought to keep in mind the fate of all NGOs and all staffers—regardless of political or national background.

As for why the raids occurred in the first place, there has been ample speculation. Some say that certain factions in Egypt are not dedicated to democratic reform, despite the fact that NDI, IRI and Freedom House were invited as election observers. Others say the raids were the muscle flexing of a Mubarak holdover that has presidential aspirations. This holdover is the aforementioned Minister of International Cooperation Fayza Abou Naga. According to a January *Wall Street Journal* article:[1]

> In recent months, Ms. Abul Naga has emerged as one of the interim government's most visible faces. Her growing popularity has led to speculation that she could be considering a presidential bid in the June election. Under former President Hosni

[1] Both block quotes taken from Charles Levinson & Matt Bradley, "Egypt Seeks to Smooth ties with U.S." *Wall Street Journal*, January 30, 2012.

The Honorable Gerald E. Connolly (VA-11)

> Mubarak, she carved out a power base by cultivating close ties with the military, according to people close to the former regime.

The article goes on to say:

> Ms. Abul Naga, who has been a minister since 2001, has pressed for a wholesale restructuring of Western aid to Egypt, and has lobbied the U.S. to shift the $250 million in American economic aid into an endowment wholly controlled by the Egyptian government. She has been particularly critical of U.S. attempts to dole out money directly to human-rights and pro-democracy groups critical of the government.

Whatever the motivations for the raids, U.S. law with regard to this issue is clear. Regarding the $1.3 billion in military aid for Egypt, the FY2012 Consolidated Appropriations Act (PL 112-74) states:

> Prior to the obligation of funds appropriated by this Act under the heading 'Foreign Military Financing Program,' the Secretary of State shall certify to the Committees on Appropriations 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.

With the current state of affairs in Egypt, such a certification would be a farce. It is in the United States' interest for Egypt to be a free and fair society where all NGOs—regardless of their nation of origin—be allowed to operate freely. Absent such an atmosphere, the U.S. cannot in good conscience release $1.3 billion in military aid. I hope that Egyptian officials will come this same realization and return confiscated property to the NGOs, remove their staff from the no-fly list, and permit them to continue their work supporting a fair and open election process. Only then can we begin to consider the conditions necessary for the certification laid out in U.S. law.

Thank you, Madam Chairman.

**QUESTIONS FOR THE PANEL**
**THE HONORABLE RUSS CARNAHAN (MO-03)**
**COMMITTEE ON FOREIGN AFFAIRS**
**U.S. HOUSE OF REPRESENTATIVES**

**Hearing on**
***Egypt at a Crossroads***
**Friday, February 17, 2012, 10:00 A.M.**
**2172 Rayburn House Office Building**

- I would like to get each of your perspectives on the status of women in Egypt. In fact, Mr. Wollack, you testified a year and a half ago at our hearing on women's inclusion in governance and transitional processes, and Mr. Craner, the Executive Vice President of IRI, Judy Van Rest, did as well. Over the course of the past year, we have witnessed the enormous role women played in the democratic uprisings, on one hand. Yet, numerous incidents and trends since the fall of the Mubarak regime have alerted the international community to the plight of Egyptian women, such as the administration of so-called virginity tests on activists and the horrific scenes of abuse against women demonstrators that surfaced this past December. Women have also been widely excluded from the decision-making and transitional process. No women were selected to the Constitutional Committee, and the quota law in parliament has again been abolished. I believe the absence of women's inclusion, in part, has allowed for increased abuses and contributed to instability in the process.

    - Please give your assessments of the rights and role of women in post-Mubarak Egypt, and how the U.S. and international community should address this issue.

    - How do the recent crackdowns on NGO's impact efforts to support women and other minorities in civil society?

**Questions for the Record Submitted to**
**IRI President Lorne W. Craner by**
**The Honorable Russ Carnahan (MO-03)**
**House Committee on Foreign Affairs**
**February 16, 2012**

**Question:**

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- How do the recent crackdowns on NGO's impact efforts to support women and other minorities in civil society?

**Answer:**

In the politically fluid environment following the January 25 revolution, discussion regarding political transition (including selection of candidates and elections processes) focused less on the rights and role of women in comparison to other issues. For the recently held parliamentary elections, political parties concentrated on winning seats rather than prioritizing female candidates on party lists. The People's Assembly elections resulted in only nine women winning seats from party lists and no woman winning a seat as an individual candidate. Including the three female Members of Parliament appointed by Egypt's Supreme Council of the Armed Forces, a total of 12 women are represented in the People's Assembly – a stark contrast to the more than 40 million female Egyptians, comprising approximately half of the country's

population. With the political emergence of more conservative Islamist views, the role of women may also deteriorate further.

The United States and international community can assist by helping women increase their capacity to participate professionally and politically. Political advocacy and professional development training for women, including those in parliament and political parties, could empower them to become leaders and role models for future generations.

Unfortunately, the opportunity for non-governmental organizations (NGOs) to provide assistance supporting civil society, including for women and other minorities, is being severely restricted by the Egyptian government's current investigation of NGOs. The recent actions taken against U.S. and European NGOs are just a small part of what appears to be a broader crackdown on Egyptian civil society organizations. With the repression of civil society occurring during an important period for Egypt's political transition, there is concern of potentially longer term consequences for civil society advocacy for the rights of women and other minorities.

RESPONSES FROM THE HONORABLE DAVID J. KRAMER, PRESIDENT, FREEDOM HOUSE

**QUESTIONS FOR THE PANEL**
**THE HONORABLE RUSS CARNAHAN (MO-03)**
**COMMITTEE ON FOREIGN AFFAIRS**
**U.S. HOUSE OF REPRESENTATIVES**

**Hearing on**
***Egypt at a Crossroads***
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    - How do the recent crackdowns on NGO's impact efforts to support women and other minorities in civil society?

Answer:

While women did in fact play very significant roles in the uprising that toppled Mubarak, their ability to continue to play a role in the new Egypt is under challenge. There remains significant opposition by entrenched elements of government and society to expanding the civil, social and political rights of women, many of whom have been harassed and abused during peaceful political protests in the last year. Helping women achieve these rights should be a top priority for international civil society, and is essential to a successful democratic transition in Egypt.

The crackdowns on NGOs have had a broad impact on the Egyptian civil society generally, not just on women. But it may have a disproportionate effect on the ability of women's groups and advocates to organize and carry out their work, given that many of them are relatively new and lack the capacity to deal with disruptions being caused by the Egyptian government.

**QUESTIONS FOR THE PANEL**
**THE HONORABLE RUSS CARNAHAN (MO-03)**
**COMMITTEE ON FOREIGN AFFAIRS**

**RESPONSE FROM KENNETH WOLLACK, PRESIDENT**
**NATIONAL DEMOCRATIC INSTITUTE**

In Egypt's recent parliamentary elections, nine women won seats and two were appointed, leading to only 2 percent representation for women in the People's Assembly. This was a significant decrease from the 68 women in parliament in 2010. After the departure of President Hosni Mubarak, a constitutional committee abolished the existing parliamentary quota for women in favor of a nomination quota for political party lists. Each party was required to include a woman on its list, although the quota did not stipulate where the woman should be placed on the list. While this meant that hundreds of women ran as candidates, most parties placed them at or near the bottom of their lists, where they had little chance of winning.

There have been recent calls to abolish recent gains in women's rights, including more progressive divorce laws. With so few women in the People's Assembly, there is concern that the committee it appoints to draft the new constitution could further marginalize women's status and weaken their rights.

Despite the recent electoral setbacks for women, Egyptian women were at the forefront of the revolution and are generally eager to play visible roles in public life. Many of the hundreds of women who ran as candidates participated in training sessions conducted by NDI and other nongovernmental organizations (NGOs). With ongoing support from the United States and the international community, these women represent a pool of potential candidates for future municipal and parliamentary elections. Young women participated in the recent campaigns in unprecedented numbers and supporting their political participation will also build women's leadership for the next generation.

The newly-elected women MP's need support in constituent and media relations, and policy development to help them succeed in their positions and serve as role models for Egyptian women and men. It will also be critical to support advocacy efforts to ensure that women participate in the drafting of the new constitution. Finally, while women voted in high numbers during the past election, high rates of illiteracy meant that many of them did not understand the process and could not decipher the complicated ballots. There is a clear need to expand gender-focused civic and voter education programs to raise political awareness among Egyptian women.

In the wake of the recent NGO crackdowns, groups working to promote women's political participation have had to put their programs on hold.

○