



The Freedom Initiative

House Foreign Affairs Committee
Tom Lantos Human Rights Commission

Hearing on
Human Rights and U.S. Policy in the MENA Region Ten Years After the Arab Spring

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STATEMENT SUBMITTED FOR THE RECORD

Submitted by:

Todd Ruffner
Advocacy Director, The Freedom Initiative

Dear Chairman McGovern and Chairman Smith,

Thank you for your continued attention to the situation of human rights in the Middle East and North Africa and thank you for inviting comment ten years after the Arab Spring uprisings in the region. The Commission accurately describes the deterioration that has occurred in the rights environment across the region, though in some countries more than others. We focus our comments on the countries of Egypt and Saudi Arabia as two of the most abusive countries in the region (and indeed the world), and because we believe that the impunity the leaders of these countries have enjoyed has set a troubling precedent for their neighbors. We particularly underscore the detention practices of both countries, where imprisonment is not a tool used carefully in the interest of public safety and justice, but rather a cudgel wielded against any who express their rights and freedoms—including and especially those same individuals who this Commission has applauded for their bravery in 2011.

On January 25, 2011, Egyptians protested in the streets in cities and towns across the country, demanding accountability and recognition of rights abuses. As protests grew in size and intensity in the following days, and despite security forces' violent efforts to disband the protests and sow discord amongst protesters, brave citizens eventually succeeded in achieving the ouster of former president Hosni Mubarak after decades of authoritarian rule and corruption.

Since Mubarak's ouster, Egypt experienced several years of transitional governments; in July 2013, then-field marshal Abdel Fattah El Sisi and the Supreme Council of the Armed Forces hijacked popular protests against the Muslim Brotherhood government and ousted Egypt's first democratically elected president, Mohamed Morsi. Shortly after Morsi's ouster, the interim government ordered the clearing of a protest camp at Rabaa al Adaweya Square, killing hundreds

and imprisoning thousands more in one of the worst civilian massacres in modern times. Despite a period of suspended arms sales from the US, Egypt's military leadership has yet to face any accountability for this massacre, with those in decision-making positions in military enjoying promotion; this impunity set the stage for the ensuing years of abuse. Under Sisi, the government has violently reversed the short-lived democratic openings, presiding over a period of systematic human rights violations, including intimidation, mass incarceration, torture, and state-sponsored extra-judicial killings.

Estimates place the number of inmates in Egyptian detention facilities currently at around 120,000.¹ While the degradation of rule of law and legislative reforms that criminalize all forms of dissent under Sisi have severely undermined fair trial guarantees for *all* prisoners, rights groups cite 65,000 as the number of political prisoners, many of whom were present in Tahrir Square. Overcrowding, torture, medical neglect, and lack of an adequate standard of care are persistent, with some prisons at over 300 percent capacity despite the addition of 35 prisons since 2011.²

Enforced disappearance—in essence, state-sponsored kidnappings—are rampant; the Egyptian Center for Rights and Freedoms documented 2,723 enforced disappearances in Egypt from 2015 to 2020.³ Torture is similarly pervasive. The El Nadeem Center for the Rehabilitation of Victims of Torture documented 156 cases of torture from February 2017 to June 2019, including 17 minors despite their offices having been raided and closed by police.⁴ The actual figures are likely much higher, with torture cited as systematic by many prisoners, and many prisoners unwilling to speak out due to acute post-traumatic stress or fear of reprisal. Only days ago, on April 26, the parents and younger sister of a former detainee, Abdelrahman Elshweikh, were arrested when the family spoke publicly about the torture and sexual abuse he suffered in prison.

Reprisals against those who speak out publicly are common, curtailing the right to free speech even in the United States. The Freedom Initiative's president, Mohamed Soltan, has personally experienced Egypt's hostage-taking tactics, when his cousins were detained and his father disappeared from prison after he filed a lawsuit against former Prime Minister Hazem Beblawi. The Mansour family, including Sherif Mansour, the MENA Coordinator for the Committee to Protect Journalists, and Dr. Ahmed Sobhy Mansour, an Islamic scholar and a leader of the Quranist minority, both of whom are US citizens, experienced the same when nine of their family members were detained due to their religious beliefs and support for free speech; their cousin Reda Abdelrahman remains in detention. They are not the only Americans to suffer—the

¹ Arabic Network for Human Rights Information, "Waiting for you; 78 prisons, including 13 built after the January revolution," April 21, 2021: <https://www.anhri.info/?p=23376&lang=en>

² Ibid.

³ Egyptian Commission for Rights and Freedoms, "Continuous violation and absent justice Forced Disappearance – A five-year report," September 8, 2020: <https://www.ec-rf.net/3509/>

⁴ Al Nadeem Center website (Arabic): <https://elnadeem.org/>

Freedom Initiative has documented the cases of eleven US citizens or legal permanent residents detained throughout 2020, with many more cases of US residents with family members detained.

The environment on the ground in Egypt has made protected freedoms of expression, association, and assembly nearly impossible to exercise. Yet, whether in diaspora or under difficult conditions, Egyptians have continued to advocate, demonstrate, and organize on behalf of their rights throughout the past decade, with significant protests occurring in April 2016, September 2019, and September 2020.

Since 2011 and before, the United States has maintained a friendly relationship with the government of Egypt; President Trump was especially fond of Sisi, referring to him as his “favorite dictator.” Congress as well has appropriated \$1.3 billion annually in foreign military financing, though we welcome the increasingly stringent human rights conditions placed on this assistance in the past years’ appropriations legislation.

Saudi Arabia, a country notorious for its absolute monarchy and draconian, patriarchal law, did not see the same vibrant protest movements as its neighbors; rather, the country has continued a practice of rights abuse unabated. Despite the best efforts of Crown Prince Mohammed Bin Salman to court the image of a reformer, which he has done through glitzy propaganda efforts and investments into key economies (including in the US), the brutal murder and dismemberment of journalist Jamal Khashoggi belie reality.

Khashoggi is only one of the many Saudi dissidents, rights defenders, and others who have been targeted with surveillance, harassment, and violence, no matter where they reside. Despite the Saudi government’s narrative of reform, since MBS took power public beheadings hit a record high, peaceful women’s rights activists have been detained, and even high-ranking members of the royal family and government officials have been harassed, arbitrarily detained, and tortured to death. Amnesty International has documented “hundreds of untried detainees”⁵ sentenced to long prison terms and the 2019 U.S State Department human rights report on Saudi Arabia identified well over a hundred cases that were politically motivated with the purpose of silencing dissent;⁶ several of those cases resulted in death by public beheading.

And yet, Saudi Arabia also has benefited from the close relationship with the US, which remained as strong as ever under President Trump. The Kingdom was the world’s largest arms importer from 2015 to 2019, despite using these weapons in Yemen, where it has contributed to the world’s largest humanitarian crises; nearly three quarters of these weapons came from

⁵ Amnesty International, “Saudi Arabia’s ACPRA: How the Kingdom Silences its Human Rights Activists,” October 2014: <https://www.amnesty.org/download/Documents/8000/mde230252014en.pdf>

⁶ United States Department of State, “2019 Country Reports on Human Rights Practices: Saudi Arabia:” <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/saudi-arabia/>

American arms manufacturers.⁷ Congressional efforts to halt these exports fell short in recent years, with a number of bills failing to pass both Houses.

The rest of the region has watched closely as Saudi and Egyptian leadership continue to imprison, torture, and kill any who are brave enough to speak truth to their power. The Kingdom of Morocco has increasingly targeted journalists and human rights defenders, holding them in detention in violation of their due process rights. Algeria, which experienced its own popular uprisings in 2019, fell in press freedom scores and saw attacks on protestors as a new government sought to wrest control of public and digital space. Other Gulf countries, particularly the United Arab Emirates, have sought to mimic Saudi efforts to use words like “happiness” to cover up the reality of the state’s abuse of rights.

The year 2021, ten years after the Arab Spring, brought hope to many in the region that they may find an ally in Washington. The campaign promises of President Joe Biden—not to give any more “blank checks” to dictators—were celebrated by those who believe in freedom and justice across the Middle East and North Africa. A newly seated Congress issued strict conditions on military aid to Egypt that required release of political prisoners. Continuing this momentum is critical to demonstrate that the United States stands on the side of liberty and justice: liberty for the brave individuals who have sacrificed for our shared ideals, and justice for those who stand in the way of them.

It is our hope that both the new administration and Congress will work to strictly enforce existing law designed to curtail these worsening abuses, including against US persons on US soil; cease the sale of US-manufactured weapons to Egypt and Saudi Arabia absent any genuine effort to improve their human rights records; and continue to publicly call out both governments for their awful abuses. If our government cannot or will not stand up for universal values and basic human rights to our closest allies, then the United States will continue to erode its standing around the globe.

⁷ Stockholm International Peace Research Institute, “USA and France dramatically increase major arms exports; Saudi Arabia is largest arms importer,” March 9, 2020: <https://www.sipri.org/media/press-release/2020/usa-and-france-dramatically-increase-major-arms-exports-saudi-arabia-largest-arms-importer-says>