

**Testimony of Sarah Leah Whitson**  
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**Tom Lantos Human Rights Commission**

Thank you to the Chairman for organizing this hearing and inviting me to comment.

We are on the heels of the first phase of elections for Egypt's new parliament, an exercise that Cairo has promoted as the final step on a "road map" that guides its so-called transition to democracy. The blessing that Secretary of State John Kerry bestowed on this road map shortly after the military's removal of former president Mohamed Morsy in 2013 regrettably reinforced its international legitimacy. But the transition's true nature has since revealed itself: It is the re-emergence of a military-led authoritarianism that has rolled back Egyptian public life to a state of repression that has not been seen in decades.

The facts of the repression that followed Morsy's removal are probably known to this committee but worth stating again here for the public record:

- In its efforts to crush those who resisted the military takeover, the Egyptian government planned and executed a systematic, violent incursion of two sit-ins of over 100,000 people in Rabaa and Al-Nahda Squares, leaving at least 1,150 dead, likely the gravest mass killing of demonstrators in world history and crimes against humanity. The government did not prosecute a single officer, much less a senior official, for these killings, instead erecting a statue to honor the police at the site of the main protest dispersal in Raba'a Square and renaming it after a slain prosecutor general involved in implementing the plan.
- In the wake of the coup, Egyptian security forces have detained, charged or sentenced at least 41,000 people between July 2013 and April 2014, mostly because of their alleged support for or association with the Muslim Brotherhood, according to the most thorough research undertaken by activists on the ground. They have faced a laundry list of generically applied charges in large part relating to their participation in demonstrations.
- At least 670 people have received death sentences in cases connected to political opposition or alleged violence since Morsy's removal, most of them following mass trials that relied solely on the testimony of officers in the security services and made no effort to establish individual guilt.
- Egyptian military courts have charged or sentenced at least 3,700 civilians, including students, professors and children, since October 2014, when al-Sisi decreed an expansion of military court jurisdiction to cover all public space in Egypt for a period of two years. Egypt's military courts typically deny defendants the rights to be informed of the charges against them, access a lawyer and be brought promptly before a judge following arrest.
- At least 124 people died in the custody of the security services between July 2013 and June 2015, including lawyers and former members of parliament. Prisons and police holding cells are incredibly overcrowded, creating lethal conditions, especially for inmates with medical problems.

- The Interior Ministry's National Security Agency, notoriously known as State Security until its rebranding following the 2011 revolution, has disappeared suspects for days or months at a time. A local human rights group has documented at least 164 cases of enforced disappearance between April and June alone.
- Local human rights groups continue to allege the regular use of torture by police and National Security agents. In January of this year, a major human rights law firm said that its lawyers had handled 465 cases of torture between October 2013 and August 2014, including 129 beatings that led to death.
- Nearly two-dozen journalists are behind bars, a record number according to the Committee to Protect Journalists. A law decreed by al-Sisi provides for life imprisonment for any NGO member who receives foreign funding with the vaguely defined goal of harming the nation's interests. Several major NGOs are currently under investigation. Other Egyptian and international NGO's have shut down their offices, and some activists not already jailed have fled the country.
- The new counter-terrorism law, decreed by al-Sisi, grants the government authority to prosecute crimes under a definition of terrorism that is so broadly worded it could encompass civil disobedience. It makes it a crime to publish or promote news about terrorism if it contradicts the Defense Ministry's official statements and would allow the courts to ban journalists from practicing their profession for a year for doing so. It makes anyone judged to have facilitated, incited, or agreed to a vaguely defined terrorist crime – whether in public or in private – liable for the same penalty as if they had committed the crime, even if the crime does not occur.
- Egypt has arbitrarily banned scores of lawyers, scholars, politicians and activists from traveling abroad, providing no opportunity for them to challenge the basis of the ban against them. The authorities have prevented Khaled al-Qazzaz, a former foreign policy adviser to Morsy, from traveling outside Egypt; his family members are here today attending this hearing in hopes of drawing attention to this unjust situation and his urgent medical condition. The military arrested al-Qazzaz, along with other Morsy aides, on July 3, 2013, and held them incommunicado for more than five months. Egyptian authorities never charged Al-Qazzaz with a crime, and finally released him in January 2015 on medical grounds after the Prosecutor General's Office cleared all the charges, his family said. Nevertheless, the government has blocked him from leaving the country.
- In the Sinai Peninsula, the government has mostly demolished the town of Rafah at the Gaza border, destroying thousands of homes and forcibly evicting thousands of families after declaring a staggering 79-square-kilometer buffer zone. The government's dubious counter-terrorism strategy appears to be making little progress against the growing threat of the Islamic State affiliate in the area. The absence of independent monitoring and reporting makes it almost impossible to know just what's going on. It's a particularly dangerous moment as the Egyptian government plays politics with the facts, attempting to connect the Muslim Brotherhood to the violence of the Islamic State and other extremist groups, with no evidence whatsoever.

What makes this dire reversal of the 2011 uprising more discouraging is that it has unfolded in full view of world powers that claim to hold human rights in high esteem, and has been met by their

acquiescence. The United States flouted a key law aimed at punishing military takeovers by refusing to label Morsy's removal a coup. Rather than condemn the usurpation of power from the Egyptian people, Secretary Kerry bizarrely lauded the coup as "restoring democracy." In 2011, President Obama promised to shift US policies away from standing with dictators and towards supporting people's aspirations for freedom and democracy, even assuring in 2013 that we would not return to "business as usual" with a post-coup Egypt. Yet these promises have been broken, and we have very much returned to business as usual.

Administration diplomats insist that they raise human rights concerns with al-Sisi's government at every level, that criticizing Egypt in public is counter-productive, and that the United States lacks leverage over Egypt. Some of this might be true, but the public record suggests that this administration views the rights of Egyptian citizens as an afterthought in its pursuit of an outdated regional security methodology. As recently as October 29, as Egypt received four American F-16s, the US ambassador in Cairo stated that the delivery was "another step forward in U.S.-Egyptian cooperation on fighting terror, bringing stability to the region, and strengthening our historic relationship."

The ongoing military and political support for the al-Sisi government should not be seen merely as a tool of leverage; the United States should recognize that this support acts as an endorsement for the Egyptian government and its unjust and inhumane repression, and to many in the Middle East, makes the administration appear complicit in that government's abuses. This too is a national security threat that the US should take into consideration.

In order to refocus its Egypt policy on basic principles that support the rule of law or at the very least mitigate its support for a government engaged in serious human rights abuses, the United States should take the following steps:

- Continue the progress made in March, when President Obama announced changes to Egypt military aid policy, by reducing the dollar amount of military aid and increasing support to civil society, exchange programs, and other non-governmental initiatives. These changes could also include new, targeted economic aid and be conditioned on human rights progress, specifically the release of political detainees and freedom for journalists and independent organizations to do their work without harassment.
- Support action at the United Nations Human Rights Council to hold Egyptian authorities accountable, including an international commission of inquiry into the mass killings of 2013. The complete impunity of security forces only fuels grievances and further violence.
- Ensure that the US government, specifically the Cairo embassy's defense attaché, has wider access to the northern Sinai Peninsula, where the Egyptian military has used US equipment in its opaque counterterrorism campaign, including to destroy civilian homes. This access should go beyond visits to the main North Camp of the Multinational Force and Observers, which do not satisfy Leahy Law requirements that the State Department periodically update procedures to identify units that might be involved in human rights violations.

Thank you for your attention.