



President Barack Obama
The White House
Washington D.C.

August 13, 2009

Dear Mr. President:

In advance of your meeting with Egyptian president Hosni Mubarak, we write to urge that you press the Egyptian government to make good on its promises of political reform and respect for human rights. In particular, we believe it is critical that you raise with President Mubarak two issues of particular urgency: the conditions in which forthcoming elections in 2010 and 2011 will take place and the situation of Egypt's religious minorities. Both are issues that you raised in your speech in Cairo in June.

President Mubarak's visit comes at a crucial time for the promotion of human rights and democracy in Egypt. The visit also provides an opportunity for your administration to demonstrate that it will stand by the pledge you made in Cairo: to support the rights of people to have a say in how they are governed, and to have confidence in the rule of law and the equal administration of justice. In Cairo you argued that "governments that reflect the will of the people" and protect human rights "are ultimately more stable, successful and secure." And in Accra, you observed that "Africa doesn't need strong men, it needs strong institutions." We agree. We hope that in your meeting with President Mubarak you will make clear that you expect Egypt to make measurable progress on human rights and democracy in the coming months; that such progress would be in the best interests of Egypt and its people; and that the protection and promotion of human rights will be a central part of the U.S.-Egypt bi-lateral relationship throughout your administration.

Egypt's forthcoming elections

Egypt is scheduled to hold parliamentary elections in 2010 and a presidential election in 2011, when President Mubarak will be completing thirty years in office. There is much speculation that the next presidential election could be the occasion for President Mubarak to hand off power to a successor, putting an end to paralyzing uncertainty about the succession that has clouded Egyptian politics for many years.

In 2005, when Egypt last held national elections, the Egyptian government promised progress towards more competitive, open contests. In accordance with a ruling of the Egyptian Supreme Constitutional Court, the judiciary was given powers to supervise the elections, and voting was spread over several days to enable judges to travel around the country to be present at all polling places. Egyptian civil society organizations were granted permission to carry out independent election monitoring and, for the first time, Egyptians were given the chance to vote directly for their president in a multi-candidate election.

HEADQUARTERS
333 Seventh Avenue
13th Floor
New York, NY 10001
Tel: 212.845.5200
Fax: 212.845.5299

WASHINGTON D.C. OFFICE
100 Maryland Avenue, N.E.
Suite 500
Washington, DC 20002
Tel: 202.547.5692
Fax: 202.543.5999

www.humanrightsfirst.org

These improvements were not fully implemented, and the 2005 elections were marred by numerous irregularities and credible allegations of vote rigging and voter intimidation. Judges sent to observe polling were sometimes obstructed or even physically assaulted, and judicial reports of irregularities—which should have nullified declared results—were sometimes disregarded by the government. Civil society observers were often obstructed and were subject to threats and official harassment. Nevertheless, the 2005 elections represented important progress in establishing the institutions necessary to give the Egyptian people a meaningful say in the way they are governed.

We are concerned that, instead of building on the precedents of 2005, the Egyptian government has taken some steps backward that will make the upcoming elections less free and fair, thereby weakening the institutions of an elected legislature and of a presidency that reflects the will of the people. For example, constitutional amendments passed by the Egyptian government in 2007 have severely restricted the powers of the judiciary to oversee elections. The revised constitution has placed the responsibility of overseeing the elections in the hands of an electoral commission whose composition and precise powers is to be determined by legislation.

Moreover, the integrity of the electoral process as a whole depends on respect for basic freedoms of assembly, association and expression not only for the political opposition, but also for independent civil society organizations that may wish to monitor and comment on them. Given the importance of the upcoming elections in Egypt, with the real possibility that they will set the tone for a new presidential administration in Egypt, we believe that the degree of pluralism and of respect for human rights throughout the electoral process should be seen as vital benchmarks by which to evaluate the government's human rights performance. The more credible the elections, the firmer foundation for Egypt to move forward with an agenda of political reform and improved respect for human rights and the rule of law.

Therefore we urge you to make clear to President Mubarak that the United States expects Egypt's forthcoming elections to build on the progress of 2005, especially with respect to independent supervision of the electoral process, the basic rights of independent civil society activists to monitor and comment on the elections and the rights of opposition candidates to contest the elections free from harassment and official obstruction. Specifically, we urge you to:

- Seek assurances from President Mubarak that the electoral commission provided for under the amended Article 88 of the Egyptian Constitution will include representatives of the political opposition and of independent civil society organizations.
- Seek assurances that independent civil society organizations will be free to carry out election monitoring without being subject to obstruction or official harassment.
- Urge President Mubarak to invite reputable international election monitoring organizations to conduct evaluations in Egypt that would assist in identifying problems and lay the groundwork for improvements in Egyptian elections in the years ahead.

Religious Minorities

In your speech in Cairo you explicitly spoke about the importance of protecting the rights of religious minorities. The situation of Coptic Christians, the Middle East's largest Christian population and Egypt's largest religious minority, as well as that of other religious minorities including Baha'is, continues to worsen. During the Mubarak era, Copts have been the target of more than 240 documented incidents of sectarian violence against their persons, homes, businesses and churches. The perpetrators of these attacks are rarely brought to justice; suspects who are arrested are seldom

convicted. Sectarian violence is on the rise in Egypt; since your visit to Cairo in June, there have been more than 20 documented cases.

The Egyptian government's response to this rise in sectarian violence is inadequate. Copts continue to suffer from discrimination in public employment and are underrepresented in influential leadership positions in government, particularly in the military and security apparatus. Conversion to Christianity is forbidden, and discovered converts, as well as any Christians perceived to be associated with such conversion, are often subject to harassment and torture by the security apparatus. And the government continues to stall on the passage of a law that would alleviate the difficulties that Christians currently face in obtaining permits to build new churches or to repair or expand existing ones. The Unification of Construction of Houses of Worship Law would replace an antiquated Ottoman decree requiring a presidential decree for construction and permits from governors for repairs to churches.

The importance of religious freedom and preserving religious pluralism in this critical area of the world cannot be overstated, as it directly impacts the stability of Egypt and the broader region. We urge you to raise these critical issues with President Mubarak. Specifically, we urge you to:

- Seek assurances that President Mubarak will press for ratification of the law to ease restrictions on construction and repair of churches that has been before the parliament since 2004, and which would contribute to the alleviation of much sectarian tension.
- Call on President Mubarak to ensure that equal protection of the law is extended to all religious minorities; that principles of religious freedom to which Egypt is committed under international law are observed and that incidents of violence are fairly and fully investigated with perpetrators brought to justice.
- Call on President Mubarak to take other measures that would alleviate sectarian tension, such as reforming educational curricula to include Coptic history and the principles of tolerance and religious pluralism, as well as encouraging increased and positive representations of religious minorities in the media and in statements from government-backed religious institutions.

We believe it is in the interest of the United States for the government of Egypt to move forward with genuine political reform and improved respect for human rights. Such progress would improve the lives of ordinary Egyptians, contribute to regional stability, and enhance the reputation and credibility of the United States in the Arab region.

Thank you for your attention to our concerns.

Sincerely,

A handwritten signature in black ink that reads "Elisa Massimino". The signature is written in a cursive, flowing style.

Elisa Massimino
Chief Executive Officer and Executive Director