



Egypt's Human Rights Crisis Deepens

March 2013



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We know that it is not enough to expose and protest injustice, so we create the political environment and policy solutions necessary to ensure consistent respect for human rights. Whether we are protecting refugees, combating torture, or defending persecuted minorities, we focus not on making a point, but on making a difference. For over 30 years, we've built bipartisan coalitions and teamed up with frontline activists and lawyers to tackle issues that demand American leadership.

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Background

In December 2012 Human Rights First released a blueprint for the new U.S. administration, [How to Make Change in Egypt a Human Rights Success Story](#). It laid out specific recommendations for the U.S. government on areas including aid, engagement with Egyptian civil society, and how the U.S. government might publicly demonstrate its commitment to human rights values.

Human Rights First visited Egypt on a fact-finding mission March 17–22, 2013, meeting with dozens of figures in civil society and foreign governments. This included representatives of the Cairo Institute for Human Rights Studies, Nazra for Feminist Studies and other nongovernmental organizations (NGOs), journalists and human rights activists, some of whom preferred not to be named, and with officials at the U.S. embassy and several other western embassies. This paper is based in part on that visit and aims to update and provide further context and specificity to the recommendations made in the blueprint.

Introduction

The U.S. government's stated commitment to support democracy in Egypt is being challenged and questioned by civil society groups and by many others in the country. Although the reasons for this may be varied, the United States must respond to this challenge if it wishes to make Egypt a human rights success story. The recommendations in this report will not by themselves reshape the perception of the U.S. government in Egypt but can help put the United States on the track to a productive [or mutually beneficial] relationship with Egyptian civil society. Establishing trust with some Egyptian human rights activists is unlikely to be easy or quick, but it is worth doing and can be done.

Part of the criticism stems from many years of U.S. support for Egyptian dictator Hosni Mubarak, and there are likely to be some in Egypt who will be suspicious of U.S. actions and motivations irrespective of what the U.S. government says or does. But others point to what they see as a top-heavy U.S. relationship with current President Morsi at the expense of engagement with other parts of Egypt's divided polity as evidence of American bad faith. They see in this U.S. policy reverting to business as usual, conducting the relationship through a single leader

regardless of that leader's adherence to human rights principles.

Egypt now has several competing centers of power, including the president, the government bureaucracy, the judiciary, the parliament (when it is reconstituted), the military, private business freed from the constraints of operating in an authoritarian climate—and the new element of public opinion. Failure to respond adequately to these new and changing realities risks the U.S. government engaging in democracy prevention in Egypt, despite its intention to the contrary.

Today's problems include an Egyptian economy on the brink of bankruptcy and increasing social and political unrest. A major challenge for the U.S. government is that it is seen by many as doing business with President Morsi in much the same way as it did business with President Mubarak—just as in the past, the U.S. government would “reward” President Mubarak for his cooperation toward U.S. foreign policy goals by ignoring his lack of progress on long-promised, but always postponed, political reforms. Political opposition and civil society groups now see their concerns underplayed or ignored by a U.S. government reverting to its old approach.

While it is welcome that President Morsi is willing to cooperate with the United States in seeking to contain the crisis in Gaza, for example, it does not follow that he should therefore be exempt from meaningful U.S. pressure to move forward with political reform.

Although Morsi was elected president, unlike Mubarak, he has failed to respect or establish other vital democratic institutions. For example, rather than building broad support for a new constitution, in November 2012, he pushed through a draft prepared by a 100-person constituent assembly dominated by representatives of Islamist groups, which was quickly approved by a referendum in which less than a third of the electorate took part. The approved constitution fails to provide adequate protections for basic rights and freedoms.

The majority of Egyptians desire a more representative government that will introduce the rule of law and provide the conditions that can produce a much-needed economic recovery. In a 2012 Pew Research Center poll of public attitudes in Egypt, 81% of respondents said that the desire for “improved economic conditions” and the need for a “fair judiciary” were equally the most important issues facing the country.

It's the Economy, Partly

Alarmist views about the Egyptian economy are common among civil society leaders and others, with reserves believed to be fast running out and continuing uncertainty about a \$4.8 billion International Monetary Fund (IMF) loan deal to which much greater sums of foreign support and assistance are tied. Accepting the IMF loan and its conditions is politically tricky for President Morsi, both because it would be an admission of how dire the situation is and also because of the austerity measures that would accompany the loan. But there appear to be few alternatives, and a doomsday analysis of the economy is widespread. With Egypt on the brink of bankruptcy, its public might have to overcome a longstanding distrust of the motivations of foreign lenders. There is a perception, noted a Chatham House report, that "international financial institutions lavished praise on the economic policies of the previous government, despite rising poverty and inequality during this period" and that therefore they "are seen to represent Western, especially U.S., interests".

Some of this suspicion is the lack of transparency by the Egyptian government in verifying and tracking the use of public funds. This is an issue where the United States could usefully speak out more clearly. A clear, public, and consistent line from the U.S. government on budget transparency would help counter charges that the United States is willing to tolerate a resumption of the ways of the old corrupt regime. A U.S. demonstration of concern about transparency in countries other than Egypt would help dispel the suspicion that the United States was interested in being uniquely meddling in internal Egyptian affairs.

Whether speaking about its own aid to Egypt or other international financial support, the United States could also help the transition to democracy by calling publicly and regularly for the Egyptian government to be more transparent about how these funds are dealt with. For example, one of the ways the U.S. government can seek to influence the Egyptian military on the issue of transparency is through the leverage offered by annual military assistance of \$1.3 billion.

Military assistance provides an appropriate tool for the U.S. government to encourage and persuade the Egyptian military to be more transparent about its expenditures. The U.S. government should urge that the military budget come under civilian oversight, and that extensive military control over many sectors of the economy should be

reined in. Conditioning military aid is not the right tool for seeking to influence the policies of the civilian government but it can be used to push for military reform, including on economic issues that would have far-reaching impact on boosting transparency throughout the economy as a whole, and especially in the public sector.

Security Reform

The Egyptian police force enjoys little political or public support and is in dire need of an overhaul. The January 2011 revolution was sparked by calls to mark national Police Day with protests over police corruption and torture of detainees. The police have also been blamed for attacks on civilians before, during, and since the revolution. A report commissioned by President Morsi and published earlier this month held police responsible for the deaths of 900 protestors, and there is little sign of increasing public affection for the force.

The new civilian government has yet to offer meaningful plans to reform the police force, which is doing little to help itself. Earlier this month Egypt was ranked the least safe and secure tourist destination of 140 countries in a report by the World Economic Forum on the international travel industry, falling below Yemen and Pakistan.

Human rights defender Basem Fathy is one of the organizers of the original January 25, 2011 Police Day demonstrations in Tahrir Square. "In the old days, there were 1.2 million security personnel but most of these were riot police or in intelligence. Ordinary crime is now more common, with carjackings and so on, but the police still aren't there for that because the force hasn't been restructured from suppressing dissent," he said. "Basically the police is still being used politically by the new government for political purposes. This is the same behavior that Mubarak's police used to be criticized for, prioritizing political security over fighting crime, even though crime is now higher than before."

There are reports of a rise in vigilantism. March 22 newspapers carried reports of the lynching of a suspected car thief in Sharqiya province, and police claim it is the seventeenth such killing in that province alone since the 2011 revolution.

In general the social fabric is holding despite the country being barely policed. "It's sort of safe because we the public have decided that it should be," said Fathy. "But we can't last forever without a real police force."

Cars and even children are said to be stolen for ransom, with those who do report crime to the police often met with a shrug: "Isn't this what you [protestors] wanted? What did you expect from the revolution?" A women's rights activist told me that, when someone she knew reported to the local police station that she has been attacked, she was called a few hours later and told, "We've got the guy—do you want us to beat him up or do you want to come and do it yourself?"

The police face increasing social stigma and ridicule, and it is difficult to see how that will be easily overcome. Labor action by some officers this month was met with disdain by the public—they were on strike and no one noticed.

Some suggest there is debate within the police force about the urgent need to reform, with the lower ranks particularly disgruntled with the Ministry of the Interior for failing to address its image problems. There is a clear need for training, greater accountability, and a culture of professionalism to take root. It will not be easy. "It's a million-man mafia," said one diplomat, and another said "It's impossible to predict what any police officer will do at any given moment".

Many in the current government, when in the opposition, suffered long years of abuse at the hands of the police which adds to the current strain in relationships between political leaders and the force. But, if Egypt is to establish democratic institutions and allow the rule of law, there is little more vital than an overhaul of its civilian security.

While the U.S. government has explored supporting police reform and appears to be commendably coordinating such an effort with likeminded governments, any initiative appears currently stalled as part of a wider political impasse in Egypt. One human rights leader told Human Rights first "It's not the time for talking about restructuring the police. It was a priority immediately after the revolution but now we're back to the same demands as under Mubarak, that they stop torturing people, not that that there's a restructuring of the institution."

Gender Violence

Gender violence was cited repeatedly by human rights activists and diplomats as an increasingly serious threat. At times Tahrir Square is a dangerous place for women. On January 25, 2013, the second anniversary of the Egyptian uprising, many women reported sexual assaults, including rape. The attacks are not confined to Tahrir Square, to Cairo, or to political demonstrations, although some see them as a deliberate move to force women out of the public space, literally and metaphorically.

Although such attacks on Egyptian women are not new, there has been a sharp rise in recent months. U.N. High Commissioner for Human Rights Navi Pillay has addressed the issue: "I deplore the fact that sexual violence is permitted to occur with apparent impunity in a public square, and that the authorities have failed to prevent these attacks or to bring more than a single prosecution against the hundreds of men involved in these vicious attacks. There has also been far too little effort to grapple with the sexual harassment and sexual violence taking place in a number of Egyptian cities."

Leading women's rights NGO Nazra for Feminist Studies has suggested a number of steps the Egyptian government should take to combat the attacks. These include "impartial and independent investigations in all cases of violations committed by the armed forces and the police and insuring the right to an effective remedy, including the provision of reparations for violations; the restructuring of the security sector that has consistently relied on the practice of using violence and gender-based violations against Women Human Rights Defenders (WHRDs); and the formation of protection programs for WHRDs that include the provision of early warning systems to anticipate and trigger protective measures."

The U.S. government should continue to offer training and technical assistance to help reform the police, including in the area of addressing gender-based violence.

In the immediate future, the U.S. government should speak out publicly about human rights violations caused by the police and call for urgent and fundamental reform, while offering support in training and technical assistance, including in the areas of policing demonstrations and confronting gender violence.

Addressing Reputational Damage

After decades of support for the Mubarak regime, U.S. relations with large parts of Egyptian society are broken and in need of repair. Tear gas used by riot police against protestors during the revolution marked with “Made in the U.S.A.” were a prominent reminder of where U.S. allegiances were seen to have been. Since the revolution, despite the U.S. government’s repeated assurances on its support for the aspirations for democracy and human rights in the country, its reputation continues to fall. In a Pew Research Center study of Egyptian public opinion taken in the spring of 2012, 79% of Egyptians said they had an unfavorable view of the United States, one of the highest unfavorable ratings among the 20 nations in the survey. Most Egyptian respondents also said the United States gives little consideration to their country’s interests when making international policy decisions, with 80% saying the United States considered their interests “not too much” or “not at all”—again, one of the highest among the countries surveyed. And their confidence in President Obama to do the right thing in world affairs dropped from 42% in 2009 to 29% in 2012.

Figures released by Gallup in March 2013 suggest this antipathy is not one-way. According to the Gallup survey, 53% of Americans now hold an unfavorable view of Egypt and 40% a favorable view. “That is the most negative tilt in Americans’ views of Egypt since Gallup began measuring favorability toward the country in this format in 1991,” say the pollsters.

In more recent months, reasons cited for continued damage to U.S. reputation in Egypt is what is perceived as enthusiastic support for President Morsi despite his government’s continued efforts to suffocate democracy.

Veteran Egyptian human rights activist Bahey Eldin Hassan is the director of the Cairo Institute for Human Rights Studies and has engaged closely over many years with several U.S. administrations on the issue of democracy and human rights in Egypt. In 2010 he was one of the human rights defenders Human Rights First brought to the White House to discuss human rights issues with President Obama. In early February 2013 he wrote an open letter to President Obama which spelled out many of the frustrations expressed by civil society figures towards the U.S. administration:

“Over recent months, statements by your administration have ... failed to address violations and have even blamed protesters and victims for violence committed in the context of demonstrations. Indeed, the stances of your administration have given political cover to the current authoritarian regime in Egypt and allowed it to fearlessly implement undemocratic policies and commit numerous acts of repression.

“Statements that ‘Egypt is witnessing a genuine and broad-based process of democratization’ have covered over and indeed legitimized the undemocratic processes by which the Constituent Assembly passed the new constitution, an issue which has in turn led to greatly heightened instability in the country. Calls for ‘the opposition [to] remain non-violent’ and for ‘the government and security forces [to] exercise self-restraint in the face of protester violence’ have allowed the police and the current Egyptian administration to shirk their responsibilities to secure demonstrations and to respond to the demands of the Egyptian people, and have allowed them to place the blame for violence and instability on protesters themselves. Urging ‘the opposition [to] engage in a national dialogue without preconditions’ undermines the ability of the opposition to play a real role in the decision-making processes of the country, as these ‘dialogues’ seldom result in anything more concrete than a photo-op with the president.

“Is it a coincidence that the statements issued by your administration reflect the same political rhetoric used by the new authoritarian regime in Egypt?” Hassan asked, and concluded with a request: “that spokespeople and officials in your administration stop commenting on developments in Egypt. This will no doubt spare your administration much time and effort, but more importantly, it may spare more bloodshed in Egypt, as the current regime will no longer enjoy the political cover that the U.S. administration now offers them...further American statements supporting the current Egyptian regime will only lead to more Egyptians being beaten, raped, tortured, and killed. Please, ask officials with your administration to stop talking about Egypt for a while....”

The charges in Hassan’s emotional plea are not uncommon among Egyptian civil society. Human rights activists echo the sentiment that unless the U.S. government speaks out forcefully on behalf of human rights and criticizes violations by the Egyptian government it should not speak at all. Key elements of civil society

appear convinced that the U.S. government is more than happy with the Morsi presidency and willing to turn a blind eye to its excesses in return for guarantees of Sinai security and other key U.S. interests. However unjustified that assessment appears to Washington, it is an analysis commonly cited by members of civil society, and the United States needs to address it seriously.

Terms of Engagement

This suspicion of U.S. government intent in turn makes it more difficult for the United States to extend the hand of friendship to an often suspicious civil society, and complicates U.S. government funding for democracy and human rights projects. Apart from current Egyptian government's attack on foreign funding for NGOs and other projects, the poor U.S. reputation makes it politically challenging for some parts of civil society to receive money from the U.S. government or to be associated with it in other ways.

A Gallup poll from the summer of 2012 found that 76% of Egyptian men and 72% of Egyptian women were opposed to U.S. aid to civil society groups. One prominent activist told Human Rights First, "Taking money from USAID makes you a leper."

There is even a reluctance among some to be publicly associated with the U.S. government at all. "We don't take U.S. government money, or any government money," said one leading human rights activist. "We wouldn't appear on a panel hosted by, say, USAID either, but we probably would if it was hosted by the Swedish government."

Several human rights figures spoke of a common calculation they have made about the governments they'd be prepared to be openly associated with—a kind of continuum of acceptability with the United States at one end and the Scandinavian and Dutch governments often at the other. Partly this is due to an historical legacy, reflecting years of U.S. unpopularity in the country and region, but is also said to be about contrasting current tones of engagement with civil society. Activists respond better and are more likely to be openly cooperative with foreign government officials that engage in a genuine sharing of information with them, rather than a one-way taking of information. All too often, the United States is seen as adopting the latter approach.

"Going to meet an American government official visiting Cairo is just a waste of time," said one human rights defender. "We sit there and tell them what's happening—they listen, don't usually engage or ask many questions. It's not a conversation, they just take the information. We don't hear anything back afterward, it's just for them to tick their boxes that they met six bloggers and four human rights activists, or whatever. There's no point anymore."

Others complained that some embassies—including the U.S. embassy—appeared more interested in going through the motions of meeting, or saw encounters as primarily "information-gathering" exercises. "The calls to meet come when they want to be seen listening to us. There's no reciprocity," said one human rights activist. "It's not a give and take—they don't share ideas or information they have that we don't. If they said, 'let's meet and collaborate on how we work together on a strategy for this or that,' it might be worth it, but we just tell them our information and away they go." Another suggested, "We get no explanation of what the military to military contacts are between the U.S. and the Egyptian military, we just get asked to give our facts and that's it."

Some say the amount of engagement they have with senior embassy officials is less than it was three or more years ago, although embassy officials say they have made a conscious attempt engage with activists in the last year or more and it seems that "non-engagement" is sometimes due to activists not wanting to meet rather than U.S. officials not inviting them.

Whether the criticism aimed at the U.S. government is fair or not, it will have to work harder to establish a reputation with parts of Egyptian civil society as a credible partner.

Secretary Kerry's Cairo Visit

Establishing trust with Egyptian civil society is likely to be a long process, but one which the United States must invest in if it is to meaningfully support a successful transition to democracy. It needs to be seen to be more transparent about why it wants to engage with human rights activists and how it intends to use their information. When opportunities arise to build trust with civil society beyond the day-to-day expectations of condemning human rights violations by the Morsi government, they should be taken.

For example, the U.S. embassy was right to organize a meeting between U.S. Secretary of State John Kerry and civil society figures when he visited Cairo earlier this month, even if parts of the meeting were tense and Kerry's motivations for making the trip were questioned by some human rights activists.

Secretary Kerry was also right to point out that further support for Egypt from the United States, the international community, and from private sector investors will be linked to progress made by Egypt in advancing "political unity and justice," although he and the administration need to be much clearer in saying how it will react if progress in these areas continues to lag.

In his public remarks in Cairo, Secretary Kerry rightly referred to issues of advancing protection for women's rights, the rights of religious minorities, and security sector reform in his public remarks in Cairo. Other U.S. officials should consistently and publicly reinforce U.S. support for these principles in the weeks ahead. This could eventually help exert a positive influence on Egypt's troubled transition process and begin slowly to rebuild the trust and credibility it has lost.

The U.S. government may have to accept that such trust will take a long time to take root. Feeding back to the group of civil society activists how their information was used, and if it was raised in Secretary Kerry's subsequent meeting with President Morsi, might aid that process.

Restrictive NGO Law

Another test of U.S. government resolve on civil society issues will be how it is seen to react to the prospect of restrictive new legislation on NGOs. Most Egyptian and international analysts see the law as suppressing fundamental freedoms for the functioning of a healthy civil society—drafts of the law include bringing all NGOs and their funds under government control, and subjecting their work to the approval of a committee which includes the security services.

Although some activists are wary of the U.S. government making statements on human rights, acknowledging that they can be counterproductive and can be exploited by those who want to accuse the United States and other foreign powers as interfering in Egyptian domestic affairs, there appears to be general agreement that in this case the U.S. government should speak quickly, forcefully and publicly against the proposed law. This is an opportunity for the United States to show that it is prepared to criticize President Morsi and stand with civil society despite the risks of its messages being distorted for political gain by others. It is a chance to collaborate with NGOs to coordinate a plan to stop the law which would be against the interests of the United States and of civil society. "They need to work with us on the NGO law while there is still an 'us,'" said one activist.

The United States is not the only country regarded as not being critical enough of President Morsi's human rights record. Civil society views on the approach to human rights in Egypt by E.U. and other countries are mixed and sometimes critical. However, E.U. Foreign Policy Representative Catherine Ashton gave some encouragement to activists fighting the proposed NGO legislation in a statement on March 13, 2013. "We have stressed the importance of ensuring a favorable environment for civil society and encouraged the adoption of a new NGO law that ensures NGO transparency while respecting the independence of civil society from government control, that eliminates burdensome registration procedures, that does not subject NGO activities to prior government approval on the basis of their alleged 'usefulness to society,' and that does not limit or demonize NGO funding."

The United States should urge the adoption of a new NGO law that complies with international human rights standards and enables NGOs to receive financial support from sources independent of the government, including international sources. It should encourage the draft legislation proposed by 56 NGOs several months ago as the starting point for this process.

The United States should also join international partners in offering support to the Egyptian authorities in establishing a regulatory framework for NGOs that protects the right of freedom of association while ensuring that organizations are transparent and accountable. It should issue a public statement from the U.S. embassy in Cairo making clear that the U.S. government is committed to offering political and financial support to human rights defenders, consistent with U.S. policy globally and universal values.

Standing firmly and publicly against a poor NGO bill would also show that U.S. interest goes beyond its own NGOs, and beyond the particular interest of the “foreign funding” trial—a case where the offices of several democracy groups were raided in December 2011. The main groups were the US government-funded International Republican Institute (IRI) and National Democratic Institute (NDI), and Germany's Konrad Adenauer Foundation. Most of the employees arrested were foreign nationals who fled the country before the trial began, but more than a dozen remained, either Egyptian nationals or foreigners who decided to stay anyway. They are charged with operating illegally—the NGOs never received technical approval to function in Egypt, though had been working openly there for some time. A verdict is expected in June.

Parliamentary Elections

It is unclear if parliamentary elections will go ahead in the coming months as scheduled, and if they do whether they will be boycotted by the opposition. A court has suspended the elections, at least temporarily, while a controversial electoral law is reviewed by a higher court.

President Morsi currently appears electorally vulnerable. Public frustration with a declining economy, increased lawlessness, and attacks on freedoms of expression and assembly are uncomfortable indicators for government candidates. The Muslim Brotherhood, Morsi's political base, also polled poorly in elections over the last few

weeks in student and syndicate (labor union) elections, with independent candidates proving big winners.

A promised boycott by liberal and leftist parties of the parliamentary elections aims to undermine the legitimacy of the vote and could mean an election fought mostly between Morsi's Muslim Brotherhood and more hardline Islamist groups such as the Salafi Nour Party. The National Salvation Front (NSF)—a collection of liberal and leftist parties struggling to compete with the Islamists—says there should be no elections for the lower house of parliament without a law guaranteeing fair polls.

Speaking in Cairo on March 3, Secretary Kerry said, “The upcoming parliamentary elections are a particularly critical step in Egypt's democratic transition. We [President Morsi and Secretary Kerry] spoke in depth about the need to ensure they are free, fair and transparent.” This is good as far as it goes, but it would be more effective if the U.S. government were to address explicitly some of the opposition's concerns about unfair electoral process if it wants to encourage broader electoral participation.

For example, it could publicly urge a review of the more controversial elements of the electoral laws, particularly the independence of the electoral commission and the drawing of constituency districts. Public calls for these arrangements to be reviewed would also help counter the notion that the United States is happy enough to let President Morsi's political supporters win unfair elections.

An elected legislature is a vital element for a stable Egyptian democracy in the longer term. In the shorter term, credible elections are probably necessary as part of an IMF financing deal. It is in the U.S. government's interests to support a credible, fair election process that includes wide political participation, and to be seen to do so.

The Constitution

The constitution drafting process and the sometimes vague and internally contradictory document that resulted from it is one of the major causes of Egypt's current political crisis. The U.S. government should be much more forceful in expressing doubts about the feasibility of the document forming the basis of a democratic state in which the rights and freedoms of all Egyptians will be protected. It should urge President Morsi to take steps both to amend the document and to gather support for it from a much broader section of Egyptian society than the 22% of the electorate who approved its passage in December 2012.

Multilateral Approaches

The only way Egypt can hope to meet its challenges is by rooting its policies in respect for universal values and by building and strengthening the institutions that will protect basic rights and freedoms. These are not conditions set by the U.S. government; they are the universally recognized foundations of social peace and prosperity everywhere, and the United States should consistently talk about them in those terms.

The U.S. government needs to take every opportunity to be seen to broaden its bilateral relationship beyond President Morsi and thereby to dissipate its reputation as primarily interested in dealing with the Egyptian presidency. It can do this in two ways. First, it can unilaterally expand and deepen its ties with other parts of Egyptian government and society. Second, it can work publicly wherever appropriate with likeminded governments to push for human rights reform.

On the first, a new approach should start by reaching beyond familiar relationships with the military and security establishments; avoid replicating an overreliance on the super-empowered presidency and, instead, recalibrate the relationship to reflect the plurality of emerging centers of power, including civil society and human rights defenders, the parliament (when it is reconstituted) and other government bureaucracies. Treating Egypt like a pluralistic democracy will assist in the process of encouraging it to become one.

The U.S. government can also publicize and promote, including in Arabic, the State Department's useful, newly released policy on engaging with human rights defenders worldwide. This will reaffirm that it has a commitment to engage with civil societies and human rights activists across the world, and that there is nothing special or sinister about its engagement with Egyptian civil society.

The U.S. government should prioritize engaging opinion leaders in Egypt to explain its policies and the principles that underpin its relationships with Egypt, including an unequivocal and clearly discernible commitment to human rights. It should also make a new commitment to greater transparency in its dealings with the Egyptian government and public figures, including providing human rights activists with information on how it is using their advice and information.

The U.S. embassy in Cairo appears to be making a conscious effort to reach out to human rights groups, an effort it should be encouraged to continue and expand. It should also seek opportunities to work with embassies from likeminded countries to show consistent and public support for independent civil society, and to explain to the Egyptian public how and why it is supporting democratic values—not as some conspiracy to undermine Egypt's sovereignty and harm Egypt's interests as many Egyptians believe, but as part of a global commitment to promoting and protecting universal values of human rights.

On the second point, working in tandem with other countries who have less historical baggage and a better human rights reputation in Egypt might help build trust in U.S. intentions. Shared statements and joint events with other likeminded governments on appropriate issues could help address some issues of U.S. isolation. Coordinating private visits to NGO offices or the homes of activists with diplomats from other countries could help repair relations.

A defendant in the “foreign funding” trial working for one of the U.S. government-funded NGOs told Human Rights First, “It was the guy from the Dutch embassy who called me every night after the trial hearing to check how I was. It was a great show of support, a small thing that really mattered to me. Or he'd call to explain why he couldn't be at the next hearing.”

Conclusion

In the current highly-charged political climate the United States should not be seen to be picking political sides, but should be visibly supporting the values it claims to stand for and standing with those in Egypt who struggle to advance these values every day. This is the strategy that will ensure stability in the U.S.-Egyptian relationship, and strengthen the U.S. position in the region.

The responsibility for this public explanation of U.S. support for human rights in Egypt should not be confined to the U.S. embassy in Cairo, nor should the U.S. embassy be solely blamed for widespread frustration and suspicion with U.S. policy. There is no quick fix to establish U.S. government reputation or trust; its image problems are deep and should not be underestimated.

Nonetheless, political changes in Egypt provide an opportunity to make a clean break with the mistakes of the past. An overall shift in attitudes toward the United States will take time, but there are specific and immediate steps it can take.

Recommendations

- The U.S. government should urge that the military budget come under civilian oversight, and that extensive military control over many sectors of the economy should be reined in.
- In the immediate future, the U.S. government should speak out publicly about human rights violations caused by the police and call for urgent and fundamental reform and accountability, while offering support in training and technical assistance, including in the areas of policing demonstrations and confronting gender violence.
- The U.S. government needs to be seen to be more transparent about why it wants to engage with human rights activists by explaining to them why it values their input and how it intends to use their information.
- U.S. officials should share information with human rights defenders and discuss strategies to improve human rights conditions, in addition to gathering data from them.
- U.S. officials should feed back to the group of civil society activists how their information was used, and if it was raised in Secretary Kerry's subsequent meeting with President Morsi.
- In his public remarks in Cairo Secretary Kerry rightly referred to issues of advancing protection for women's rights, the rights of religious minorities, and security sector reform. Other U.S. officials should consistently and publicly reinforce U.S. support for these principles in the weeks ahead.
- On the proposed NGO law the U.S. government should speak quickly, forcefully and publicly against any proposed law that falls short of international standards.
- The U.S. government should speak publicly for NGO law reform using as a starting point the draft endorsed by 56 Egyptian civil society organizations.
- On the elections, the U.S. government could publicly urge a review of the more controversial elements of the electoral laws, particularly the independence of the electoral commission and the drawing of constituency districts.
- On the constitution, the U.S. government should be much more forceful in expressing doubts about the feasibility of the document forming the basis of a democratic state and in urging President Morsi to take steps both to amend the document and to gather support for it from a much broader section of Egyptian society.
- The U.S. embassy should translate into Arabic, and publicize and promote the State Department's newly released policy on engaging with human rights defenders worldwide.
- Senior U.S. officials in Egypt should issue statements and hold events with other likeminded governments on human rights issues of shared concern in order to counter the idea that the United States is undermining Egyptian sovereignty but rather upholding universal principles.
- The U.S. embassy should coordinate private visits to NGO offices or the homes of activists with diplomats from other countries.

