



“Pushing Back” on Egypt

Why Sisi’s Abuse of Press Freedom Must Draw a Stronger Response

by Jack Shenker

September 25, 2014

SUMMARY

- The suppression of press freedom has been a core part of President Abdelfattah el-Sisi’s crackdown on all forms of opposition to his rule.
- Intimidation of the press has enabled the regime to violently respond to opposition without facing the public scrutiny enabled by press coverage.
- Although the United States has condemned these abuses of press freedom on occasion, it has failed to meaningfully “push back” against such abuses, as President Obama has publicly promised.
- The U.S. administration should take a firm stand on this issue, by refusing to make necessary certifications for any additional foreign aid to be delivered unless real progress is made on issues of press freedom.

In June 2014, an Egyptian judge handed down prison sentences of between seven and ten years to several international journalists on the charge of aiding terrorists and endangering national security. Moments before he was led away to the cells, one of the defendants—Canadian-Egyptian reporter Mohamed Fahmy—shouted from his cage, “Where is John Kerry?” Given the strong language members of the United States administration had used to condemn the court case, it was a pertinent question. The answer was that Kerry had just left Cairo, having held a friendly meeting with President Abdelfattah el-Sisi the previous day in which he promised to release \$575 million of previously suspended U.S. aid to the Egyptian military.

If the U.S. is serious about supporting free speech and opposing human rights abuses in Egypt, one of Washington’s closest regional allies, then policymakers must move beyond rhetorical denunciations of high-profile

wrongdoing on the part of the Egyptian government and begin questioning how both American financial support and the articulation of a shared “war on terror” narrative helps create an enabling environment in which state repression can flourish. As Joel Simon, executive director of the Committee to Protect Journalists, argues, “Egypt cannot be allowed to normalize its international relationships so long as it continues to jail journalists.”

EGYPT’S MEDIA CLIMATE TODAY

If you are a journalist, there is almost no place more dangerous on earth to be working right now than in Egypt.¹ Although the televised arrest, absurd show-trial, and subsequent imprisonment of three Al-Jazeera English correspondents—Fahmy, an Egyptian named Baher Mohamed and an Australian named

1. The Committee to Protect Journalists currently ranks Egypt as the third deadliest country in the world for members of the press, after Syria and Iraq.

Peter Greste (three other international reporters were found guilty in absentia at the same trial)—has generated global outrage in both diplomatic and media circles, other victims of the Egyptian government’s aggressive crackdown on free speech have been afforded far less attention.

In total, eleven journalists have been killed since the beginning of the Egyptian revolution in 2011, most of them by agents of the state who have faced no legal accountability for their actions. Hundreds more have been harassed, threatened, attacked, and wounded while attempting to do their jobs. Nearly 70 reporters, both local and foreign, have been detained since President el-Sisi and his military colleagues seized power in the summer of 2013; today, 14 of them remain behind bars.

In every corner of the country, journalists who dare to question those in power, promote the voices of the marginalised, or challenge sanctioned establishment narratives are being deprived of their liberty, and in some cases their lives. This crackdown on reporters is both a constituent part of a much broader pattern of state repression, and a crucial facilitator of it; with reporters either physically prevented from covering government abuses or effectively coerced into practicing self-censorship through the threat of reprisals, institutions like the Ministry of the Interior and the Armed Forces know that any violence they use against citizens is highly unlikely to face serious public scrutiny.

While formally projecting itself as being on a transitional path to democracy, the Egyptian state has taken full advantage of this atmosphere of media fear and quietude to pursue a succession of undemocratic practices against anyone considered to be a threat to the post-Morsi military order. At the time of writing, more than a thousand anti-government protesters have been killed since July 2013, and more than 40,000 Egyptians are estimated to have been arrested on political charges. Those now languishing behind bars include many of the most prominent young revolutionary activists from the 2011 anti-Mubarak uprising, as well as several high-profile human rights defenders. NGOs are being targeted by an oppressive web of new legislation

that will make the existence of a free civil society virtually impossible; international bodies, like Human Rights Watch, have, quite literally, been turned away at the country’s door.

THE POLITICAL CONTEXT

For more than six decades since achieving independence in 1952, Egypt has been run on a highly authoritarian system whereby decisions are taken by members of a small, tightly-bound military and bureaucratic class, and political participation by ordinary citizens—“outsiders,” according to the mindset of those occupying the citadels of the state—firmly resisted. In the final years of the Mubarak regime, a parallel increase in both anti-regime activity and state violence against dissenters made it clear that the exclusionary model of the state, despite top-down attempts to adorn it with a pseudo-democratic façade, was growing vulnerable.

The revolution which erupted on January 25, 2011, has threatened to explode the old state model altogether; throughout the years of subsequent turmoil, the key priority of the Mubarak-era elite has been to discover a formula through which traditional power structures might be defended and maintained. Although much international analysis of Egypt focuses on the divide between “secularists” and “Islamists,” in reality a more useful way of conceptualising the revolution’s faultlines is to view contemporary Egypt as a struggle between those fighting to preserve the old model from above, and those seeking to undermine it from below—the latter of which includes many young Islamists, as well as secular activists.

Having taken advantage of popular discontent against former president Mohamed Morsi to maneuver the military back into direct power in the summer of 2013, President el-Sisi has now tried to legitimise his position through an election process widely perceived to be neither free nor fair, and has set about once again bolstering the traditional contours of *haybat el-dawla* (the “prestige of the state”), within which the authority of elites goes unquestioned and citizen resistance is never tolerated. To this end, the current government has set about constructing a powerful and polarising narrative

about the state of the country and the threat to it posed by “terrorism.” Under this configuration, all patriotic Egyptians are duty-bound to search out renegades in their midst, both internal and external—and to support any and all actions taken by the state to preserve order.

The result has been not only a repressive crackdown on political activists, Islamist and secular alike, under the rubric of fighting “terrorists,” but also a wider backlash against social minorities, including migrant communities, homosexuals and ethnic groups, and the stigmatization of any people who, for whatever reason, appear to be placing themselves in opposition to the state—be they villagers resisting forced eviction by the army, trade unions insisting on better employment rights for workers, or indeed journalists who refuse to acquiesce to the dominant establishment narrative.

THE ROLE OF THE UNITED STATES

When the most egregious of state abuses against the press have hit the headlines, senior American politicians have denounced them; the Secretary of State himself labelled the Al-Jazeera English sentences “chilling” and “draconian,” and the White House said that the trial outcome “flouts the most basic standards of media freedom and represents a blow to democratic progress in Egypt.” At the end of this year’s Africa Summit, President Obama declared that he was troubled by laws which restricted the ability of journalists to pursue stories, and vowed that the U.S. would “continue to push back against these efforts.”

But the thrust of statements like these is fatally contradicted by the ongoing direct U.S. financial support to the Egyptian military, more than half a billion dollars of which was unlocked in June 2014. That forms part of a \$1.5 billion annual aid package to Egypt, larger than the American aid package to any other foreign nation, bar Israel—the vast majority of which is controlled by the ruling generals.

Certification of the next tranche of support for this fiscal year is legally dependent on the Egypt government taking steps to govern democratically, protect human rights and respect

the rule of law. Despite the Egyptian authorities clearly flouting those conditions, John Kerry—in comments widely interpreted both in Egypt and the U.S. as being a strong endorsement of the el-Sisi government—has declared that he is “confident” that the remainder of this year’s aid will be released. Alongside financial support, a freeze on American arms exports to Egypt, first imposed by the State Department in October 2013, is gradually being lifted—in part because of the Egypt government’s involvement in ceasefire efforts during the recent conflict between Gaza and Israel. Ten Apache helicopters are expected to be delivered imminently; agreement on M1-A1 tank parts, F16 jets, and Harpoon missiles is yet to be confirmed.

This dynamic—public rhetoric on human rights, alongside private willingness to turn a blind eye to abuse as long as regional strategic co-operation is proceeding smoothly—bears all the hallmarks of the old U.S. approach to Egypt during the Mubarak era, and it remains just as flawed. The transfer of both money and arms to a regime that has so clearly demonstrated its determination to ignore democratic practice and perpetuate human rights abuses is not just hypocritical in an abstract sense; rather, it explicitly helps facilitate state violence against citizens, including journalists. The Apache helicopters, for example, are destined to be used by the Egyptian army in the Sinai Peninsula, where the government has imposed a media blackout over its fight against what it calls a terrorist insurgency. There are undoubtedly cells active in the Sinai that are hostile to the Egyptian state, but this does not apply to every citizen living in the region and does not absolve the responsibility of the Egyptian authorities to use force reasonably and proportionately and comply with the rule of law. From the little information that has emerged from the region, it appears that the military is falling well short of these standards. Multiple reports have emerged of civilians being targeted indiscriminately by soldiers, and civil liberties being severely restricted; details of such abuses are almost impossible to obtain, however, as non-military communication networks in the Sinai are routinely cut by the authorities, and reporters are effectively barred from the area altogether.

“We don’t know how Egypt’s military campaign is being conducted in the Sinai,” Joe Stork, deputy director of Human Rights Watch’s Middle East and North Africa division, has observed. “Journalists don’t have access, and Egyptian journalists are put in jail or threatened with jail if they report anything.” Stork went on to point out that to date, even the U.S. military attaché at the American embassy in Cairo has been refused permission to visit the Peninsula. The U.S. must be able to conduct monitoring of the end-use of military equipment; clearly restrictions on access to the Sinai—on journalists, human rights activists and US government officials themselves—are a major impediment to this. Yet the U.S. administration appears intent on continuing to supply the Egyptian army with Apache helicopters, even though it has little knowledge of how they are being used.

Press freedom is one of the most important indicators of a country’s democratic credentials. A government’s ability to abuse its own citizens and flout the rule of law is constrained by the scrutiny of independent journalists—and enhanced when such journalists are absent or silent. It is clear that if the U.S. is to be consistent in its message to international allies on human rights and freedom of speech, any future injections of financial or military support—including the rest of this year’s aid package—must be contingent upon a genuine tolerance on the part of the Egyptian state of critical and enquiring voices. This tolerance must extend to journalists, both domestic and foreign, who must have a right to access sensitive regions like the Sinai, report on government activities and publish news which undermines official claims without fear of arrest, injury or harassment. In line with the guidance already laid down by the law, an immediate precondition of any certification of military aid must be the release of all journalists currently in Egyptian custody.

COMPETING NARRATIVES

Beyond cash and military hardware, the el-Sisi regime also relies on U.S. policymakers accepting its narrative that Egypt is transitioning to democracy in the face of a terror threat that requires a strong response. Soon after announcing the latest release of aid money to

Egypt, Secretary Kerry publically “thanked” the Egyptian people for “transitioning to democracy,” explicitly endorsing the official Egyptian narrative on the country’s democratic progress, despite all evidence to the contrary, and acknowledged the “counterterrorism efforts” being made by the Egyptian state. In September 2014, a delegation of members of the U.S. Congress, headed by the chair of the Armed Services Committee, Howard McKeon, met with President el-Sisi in Cairo and—according to the official Egyptian account of the meeting—said that fighting “terrorism and extremist thought is a joint battle that should be confronted through cooperation between Egypt and the United States.”

The biggest perpetrator of violence against civilians in Egypt is, by a wide margin, the Egyptian state—and specifically the Egyptian military that receives extensive resources from the U.S. Although Egypt has now signed agreements with Russia regarding future arms supplies and is receiving large amounts of aid money from Gulf countries such as Saudi Arabia, its armed forces remain built around U.S.-supplied capabilities and its government remains reliant in the international arena on the moral legitimacy provided by American financial aid. This puts the U.S. in a unique position to exercise leverage over the Egyptian authorities. The Egyptian regime desperately needs the U.S. to endorse its fiction that it is on a democratic path and is a vital partner in the continuing ‘war on terror,’ because it is seeking to persuade the Egyptian people that their only choice is between their own authoritarianism and an ever-present Islamist threat.

Unfortunately, despite the isolated condemnations of the Al-Jazeera English jail sentences, U.S. policymakers are, by and large, helping the Sisi regime in these efforts—and in the process helping to build an environment in which many more journalists in Egypt can, and will, be targeted for reprisals in the future. The U.S. must begin to leverage its mammoth aid package to provide support for the people of Egypt rather than its generals alone. Washington should make it clear that its own definition of counterterrorism, unlike the Egyptian government’s, does not encompass the blanket

repression of any form of political dissent, and in the process stop providing moral cover for the narrative of a counter-revolutionary regime which is assaulting its own citizens and repressing all those seeking to shine a light on such injustices.

POLICY RECOMMENDATIONS

- 1. Without clear progress on the issue of press freedom, the U.S. cannot and should not certify the next tranche of FY14 aid to Egypt.** For the next \$576.8 million to be released, the law requires the Secretary of State to certify that Egypt’s “newly elected government is taking steps to govern democratically”; the explanatory statement attached to that law defines this as including “steps taken by the newly elected Government to protect human rights and the rule of law.” Senator Leahy has expanded on those conditions on the floor, and stated that if the military continues its “repressive tactics”, certifications “will not be possible and U.S. aid will be cut off.” The ongoing arrest and imprisonment of journalists in Egypt, including the Al Jazeera English staff, are a clear violation of these conditions.
- 2. The U.S. administration should draw up a detailed checklist of press freedom indicators that the Egyptian government must conform to if future aid tranches are to be certified.** These should include the release of currently imprisoned journalists, the lifting of suspended sentences from convicted journalists, and a transition towards a more permissive media environment in which reporters are allowed to go about their business without fear of abuse or harassment by the authorities. The Secretary of State should communicate this checklist privately to his counterpart, Egyptian Foreign Minister Sameh Shoukry, and make it clear that the U.S. government considers press freedom a priority.
- 3. Independent access to regions in which American military hardware is being deployed must be permitted if arms exports to Egypt are to continue.** This must include the ability of journalists, human rights activists and U.S. government officials to travel around and report from areas like the Sinai Peninsula without fear of harassment. End-use monitoring agreements for previous exports must be respected.
- 4. President Obama must make good on his promise that the U.S. is “going to continue to push back” against efforts to repress journalists in Egypt and elsewhere.** There has been little evidence so far of the U.S. doing this; by making or supporting a strong statement on the subject of media freedom at the UN Human Rights Council, the administration would add a public element of pressure to its private communications with the Egyptian government, and indicate to Cairo that rather than provide blanket cover for the el-Sisi regime in international forums, it is willing to use its leverage to force change. The same message should be delivered at President Obama’s meeting with President Abdelfattah el-Sisi today.
- 5. The U.S. should stress to the Egyptian government that economic development—and foreign investment—is closely tied to international perceptions of transparency and accountability in the country, and that the repression of journalists is fatally damaging to both.** A Saudi-hosted donor conference for Egypt is scheduled for February 2015; in the run-up to the conference, the U.S. must communicate a message to Egyptian officials that foreign direct investment from American companies will depend on investor confidence in Egypt’s legal framework. The maintenance of an open media environment and a fair judicial system is central to building such confidence.



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