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On Tuesday, March 17, 2015, The Project on Middle East Democracy (POMED) hosted a panel discussion at the Carnegie Endowment for International Peace entitled, “Under Threat: Egypt’s Systematic Campaign against NGOs.” The panel featured **Todd Ruffner**, Advocacy Associate at POMED; **Bahey Eldin Hassan**, Director of the Cairo Institute for Human Rights Studies (CIHRS); **Kristen McGeeney**, Senior Legal Advisor, Middle East and North Africa, for the International Center for Not-for-Profit Law (ICNL); and **Michele Dunne**, Senior Associate, Middle East Program, for the Carnegie Endowment for International Peace. The panel was moderated by **Stephen McInerney**, Executive Director of POMED. The panel was held in conjunction with the publication of a new report by POMED bearing the same title.

Mr. McInerney introduced the panel and explained that the Egyptian government’s ongoing campaign against non-governmental organizations (NGOs) should be a major concern for Western observers. While repression of civil society in Egypt is not a new phenomenon, McInerney explained, certain developments undertaken by the regime of President Abdelfattah al-Sisi in the past year, combined with lessening pressure on human rights issues from Washington, pose a very dangerous threat to the future of NGOs in Egypt. McInerney cited previous successes that international pressure on the Egyptian government regarding the treatment of NGOs has had in the prevention of a large public crackdown in Fall 2014, much like the one that occurred in late 2011. At the same time, he noted that the Sisi government has now switched to quieter and more subversive tactics to suppress civil society, posing an equal if not more dire threat to Egyptian NGOs. McInerney detailed some of the results of these subversive tactics; NGOs have had to significantly reduce their staff and activities, move their operations outside of Egypt, or even suspend their operations entirely in fear of a government crackdown. NGO partners in Egypt are extremely appreciative of the international attention and support they receive, McInerney reported, but many on the ground fear that the focus of Western attention has drifted over the past year and that the Egyptian government no longer feels restrained in its tactics. The goal of POMED’s report, McInerney concluded, is to draw attention back to these tactics undertaken by the Sisi government and to spur the conversation about what can be done by the regional and international community.

Mr. Ruffner, the author of the new publication, began his remarks by mentioning that the findings of his research on the current climate for civil society were much darker than he expected. He outlined five different tactical styles the government has employed to undermine NGO work since President Sisi came to power in June 2014. He mentioned that many of these tactics are not unique to the Sisi regime, but they have been undertaken by previous Egyptian administrations and other governments across the region. The first tactic undertaken by the government is the hindering of the NGO registration and government authorization process. Ruffner mentioned a July 2014 announcement by the Ministry of Social Solidarity in *al-Ahram* newspaper, which mandated that NGOs had to register under new guidelines within 45 days or face severe legal consequences. One of the ways in which the government derails NGO activities is by not responding to NGO application requests. Civil society groups are automatically registered if the government does not provide a response within 60 days, but they do not receive a registration number which limits the

scope of their organizational activities, such as opening bank accounts. Ruffner mentioned a women's economic rights group who tried to register with the word "empowerment" in their mission statement; their application was not accepted until that word was removed from their mission statement. A second tactic used by the Sisi regime is making issue of foreign funding received by NGOs – specifically, how private funding of NGOs has been targeted. Ruffner asserted that NGOs are afraid to take action on any project with even a "hint" of a rights component for fear of government investigation into their finances. A third tactic is direct intervention into daily operations; this includes mandating meeting agendas, shutting down meetings entirely, and sending undercover informants disguised as civil society partners to investigate organizational activities. The fourth tactic is an ongoing defamation campaign against NGOs and their employees. Civil society has long been the target of a pro-state and pro-government campaign which labels NGOs as instruments of United States and Zionist infiltration into Egyptian domestic affairs. Even POMED has been targeted in an Egyptian media campaign, Ruffner explained. The fifth tactic is coercion, including death threats issued by the Egyptian Foreign Ministry against groups who refused to speak positively about their experience in civil society at the United Nations Periodical Review in Geneva last fall. Police raids on NGO offices have been very graphic and brutal. These threats do not just affect Egypt's NGO community, Ruffner said, but they have a broader impact on the marginalized communities that NGO tries to defend as well as civil society writ large.

Mr. Hassan analyzed the conclusions of POMED's report on civil society in the context of what daily life is like for civil society employees in Egypt. Hassan asserted that in his long tenure in civil society work, the oppression that the sector faces has been by far the worst under President Sisi. Most of the laws issued under Sisi have further institutionalized the repression of human rights. More than 3,000 Egyptian citizens have been killed since the 2011 revolution. 40,000 Egyptians are currently in prison with rare access to due process trial – this is compared to 20,000 prisoners under the Mubarak regime, when legal rights were more accessible. Hassan noted a massive deterioration of the performance of the judiciary; during the Mubarak era, NGOs and the judiciary were allied in maintaining independence from the government, but now, the "front line" of defending civil society from government has collapsed. The oppression of civil society, Hassan said, reflects the oppression of the greater Egyptian populace. The new Terrorist Entities Law is a prime example. This law has much less to do with fighting domestic terrorism, Hassan argued, than the suppression of civil society, independent journalists, critical political parties, and related actors. Many of the human rights defenders that Hassan has worked with are suffering in Egyptian detention due to repressive laws and politically motivated trials. While ongoing repressive tactics are justified by a fight against terrorism, Hassan believes that these actions create an environment that is dangerously more welcoming to the recruitment of terrorism in the Sinai.

Ms. McGeeney placed the current situation that NGOs in Egypt face into a larger global context. She explained that while the laws governing civil society activity in Egypt have not changed since 2002, different approaches to implementation of the laws have resulted in a more hostile civil society climate. Since 2012, 150 draft laws to replace the current legislation governing civil society activity in Egypt have been proposed since 2012. Seventy-five percent of those laws have been negative in terms of their intended impact on NGO activity. An additional 46 percent of those negative laws have been focused directly on limiting civil society organizations' operational capacities – including registration processes and funding restrictions. 34 percent of the negative laws called for further government oversight in funding, and 17 percent dealt with the right to public assembly. McGeeney said that while the crackdown against civil society in Egypt was intensifying, other countries in the Middle East and North Africa have taken important steps towards preserving the integrity of their NGO sectors. There is a rising global fear of foreign interference and

terrorist infiltration that has served as justification for the curtailment of civil society. McGeeney said the legal community is worried that penalties against NGO workers will only increase in severity, a threat which will detour groups from working. Unfortunately, McGeeney concluded, Egypt has served as a model for a growing global trend to curtail civil society work. She asserted that the international community must stay engaged on the issue to increase the visibility of rights encroachments, as well as to advocate for societal and legal reforms.

Ms. Dunne explained the scope of US policy towards Egypt's treatment of civil society. She highlighted two misconceptions in the American policy debate. The first is the idea that the US has to strike a balance between promoting stability in the Middle East and North Africa and promoting democracy or freedom, both of which are destabilizing. The second misconception is widespread confusion about the size and nature of US influence in Egypt. Some think that President Sisi will do whatever the US wills him to, while others think the United States no longer has any influence in Egypt. Dunne believes these conversations are not binary. She cited President Obama's remarks at the recent Countering Violent Extremism summit in Washington, D.C. as the signaling of a realization that the United States' is struggling to address terrorism concerns. She said it has not recognized that the larger problem of radicalization cannot be suppressed with military and financial action. The United States is used to working bilaterally with governments to fight terrorism, but this will not work in the Middle East because many of those governments, with Egypt being a prime example, are implementing policies in their countries which exacerbate the threats of extremism – such as the crackdown on civil society. Many would think that civil society organizations would be a natural government ally in the fight against terrorism because they have similar social agendas, but this is not the position of the Sisi regime. Dunne asserted that the United States needs to distance itself from the either/or question of fighting terrorism or upholding human rights and instead focus on ways to fight radicalization by promoting freedom, pluralism, and diversity, which will eradicate the issues that draw Middle Eastern populations to radicalism. On the second point of United States' influence in Egypt, Dunne pointed out that public opinion has shifted from believing the idea that the United States can accomplish anything it wants in Egypt to the idea that the country can have no influence or impact on Egyptian policies. She claimed the reality is somewhere in the middle.

There has been tension between the US and Egypt in the last few years, especially since the ousting of President Mohamed Morsi in July 2013, which has been exacerbated by the partial withholding of U.S. military aid. Secretary of State John Kerry recently remarked that a decision on whether to resume military aid to Egypt will be made “soon,” but nothing is for certain. The United States has sent a lot of mixed signals to Egypt regarding civil society in the past few years. In the case of the raids on U.S. organizations and the detention of American NGO workers in late 2011, the reaction of the United States was much weaker and ambivalent than it should be. Dunne noted that a similar crackdown on civil society in the Arab Gulf states has begun, modeled off of Egypt's tactics, and encouraged the United States to respond more vocally. She stated that the United States has recently tried to bring up the issue of civil society in Egypt more consistently, which is a move in a positive direction. For example, in November 2014, around the time the Egyptian government threatened to close NGOs for a second time, the United States made a statement at the Geneva Periodical Review of Egypt by the United Nations Human Rights Council Review calling for the repealment of the controversial civil society and assembly laws--much to the surprise of the Egyptian government. Dunne praised the trend imposing more conditions related to democratic reform on American aid to Egypt in the last few fiscal years. She reiterated the severity of the current threat against civil society organizations; while the Mubarak government did not want NGOs to engage in “edgy” or controversial work, the Sisi government does not want NGOs to engage in any work at all, and is hoping to eliminate

them quickly and quietly. The United States needs to seriously consider what the impact of the disappearance of civil society would have on Egypt's dynamic, young, and restive population.