

June 11, 2013

The Honorable Barack Obama
President of the United States of America
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

We are deeply troubled by the inadequate American response to the Egyptian judiciary's June 4 criminal convictions of 43 employees of four U.S. nongovernmental organizations (NGOs) and a German foundation working in Egypt. We are writing to urge a more robust public response on the part of the United States.

An Egyptian court sentenced sixteen U.S. citizens (along with Egyptians, a German, and others) to prison terms for using U.S. and German aid funds to conduct democracy seminars and election trainings. The court also closed the organizations' offices and confiscated their property. This politically-motivated case has had a chilling effect on civil society in Egypt and set back Egyptians' hoped-for transition to democracy. It calls into question whether President Mohamed Morsi, whose government receives more than \$1 billion in U.S. aid each year, values good relations with the United States. Moreover, the case has troubling implications for the treatment of non-governmental organizations all over the world. Taken together, these actions by Egypt demand a firm response by the United States.

First, we ask you to convey directly to President Morsi, in public and in private, that this matter has harmed relations with the United States and to insist that he clearly demonstrate his commitment to international standards and norms for civil society freedom. Specifically, you should ask President Morsi to pardon the defendants, who did nothing wrong; return the NGOs' confiscated US-taxpayer funded assets; register the organizations so they may operate legally in Egypt; and shelve his repressive draft NGO law, which would empower the Egyptian government to take similar actions against Egyptian and foreign NGOs in the future.

Second, we recommend that you begin a bottom-up review—a long-overdue step—of the Egypt-U.S. relationship. All forms of U.S. assistance (including economic aid, military aid, and support for an International Monetary Fund loan sought by Egypt) should be on the table should President Morsi refuse to address U.S. concerns. The United States was wrong to have waived human rights and democracy conditions on Fiscal Year 2013 Foreign Military Financing (FMF) in May, knowing that verdicts in this case were due shortly, particularly in light of the fact that it was a military-led government that initiated the case against NGOs in late 2011. The United States should also review whether cash flow financing for FMF (a generous financing system provided only to Egypt and Israel) remains a wise investment for the United States, given the inflexibility it imposes.

Third, we urge you to direct Secretary of State John Kerry and his team of diplomats to make coordination of these efforts with European countries, particularly Germany, a top priority in the transatlantic dialogue. The United States and our European allies have a clear joint stake in doing all we can together to ensure a successful transition to democracy in Egypt. Egypt's civil society is essential to that transition, and thus standing up firmly for civil society freedoms must be central to our approach.

Egypt's criminal conviction of NGO workers, especially as its government claims to be leading a transition to democracy, is shocking and contradicts universal democratic values and international human rights norms. Until President Morsi takes meaningful steps to rectify the harm caused by this and other actions against independent civil society, he should not receive the full support of the United States.

Thank you for your consideration.

Sincerely,

The Working Group on Egypt:

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