

111TH CONGRESS
2D SESSION

S. RES. 586

Supporting democracy, human rights, and civil liberties in Egypt.

IN THE SENATE OF THE UNITED STATES

JULY 20, 2010

Mr. FEINGOLD (for himself and Mr. MCCAIN) submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

Supporting democracy, human rights, and civil liberties in
Egypt.

Whereas the Governments of the United States and Egypt
have long shared a strong bilateral working relationship;

Whereas the people and the Government of Egypt play an
important role in global and regional politics, including
with respect to the Middle East peace process, as well as
in North and East Africa;

Whereas Egypt has been and continues to be an intellectual
and cultural center of the Arab world;

Whereas respect for democracy, human rights, and civil lib-
erties are fundamental principles of the United States
and critical to our national security objectives;

Whereas, in his June 4, 2009, speech in Cairo, Egypt, Presi-
dent Barack Obama noted, “[G]overnments that protect

[human] rights are ultimately more stable, successful and secure. Suppressing ideas never succeeds in making them go away.”;

Whereas the United States National Security Strategy, released in May 2010, states, “And we reject the notion that lasting security and prosperity can be found by turning away from universal rights—democracy does not merely represent our better angels, it stands in opposition to aggression and injustice, and our support for universal rights is both fundamental to American leadership and a source of our strength in the world.”;

Whereas the authorities in Egypt continue to harass, intimidate, arbitrarily detain, and engage in violence against peaceful demonstrators, journalists, human rights activists, and bloggers;

Whereas, despite President Hosni Mubarak’s pledge in 2005 that Egypt’s controversial emergency law would only be used to fight terrorism and that he planned to abolish the state of emergency and adopt new antiterrorism legislation as an alternative, in May 2010, the Government of Egypt again extended the emergency law, which has been in place continuously since 1981, for another two years, giving police broad powers of arrest and allowing indefinite detention without charge;

Whereas, in renewing the emergency law, the Government of Egypt asserted that the law would be used only in drug and terrorism cases and it would release all emergency law detainees in other cases, a pledge it has made in the past but failed to fulfill;

Whereas, in response to the emergency law extension, Secretary Hillary Clinton released a statement noting, “This

extension is regrettable given the pledge made by the government to the Egyptian people in 2005. We are confident that Egypt can draft and adopt effective counter-terrorism legislation that conforms to international standards for civil liberties and due process. And the United States urges Egypt to complete this legislation on an urgent basis and to rescind the State of Emergency within the coming months.”;

Whereas opposition lawmakers and human rights and democracy activists have protested the extended emergency law because of concerns that it would continue to be used to silence critics and stifle dissent;

Whereas the Department of State’s 2009 Human Rights Report notes with respect to Egypt, “The government’s respect for human rights remained poor, and serious abuses continued in many areas. The government limited citizens’ right to change their government and continued a state of emergency that has been in place almost continuously since 1967.”;

Whereas Human Rights Watch reports that “Human rights violations in Egypt are widespread and routine, including arbitrary detention, torture, and unfair trials before state security and military courts. . . . State Security Intelligence (SSI), a bureau of the Ministry of Interior, polices the political sphere and considers any exercise of freedom of assembly a security threat, frequently beating and arresting peaceful demonstrators.”;

Whereas the independence of the judiciary in Egypt continues to be undermined through exceptional parallel court systems, executive administrative orders overriding judicial decisions, and politically motivated lawsuits;

Whereas past elections in Egypt, including the June 2010 elections to the Shura Council (the lower house of parliament), have seen irregularities at polling and counting stations, security force intimidation and coercion of voters, and obstruction of peaceful political rallies and demonstrations;

Whereas excessive use of force by security forces in Egypt is occurring in violation of Egypt's obligations to protect fundamental human rights and may undermine the country's long-term stability;

Whereas political reform in Cairo would significantly enhance the leadership of Egypt throughout the Middle East and Africa and could help ensure constructive political engagement in these regions for years to come; and

Whereas, in April 2010, a bipartisan "Working Group on Egypt" wrote in a letter to Secretary of State Clinton, "[W]ith three sets of elections coming up over the next eighteen months, Egypt now has the opportunity to energize a process of political, economic, and social reform. If the government responds to demands for responsible political change, Egypt can face the future as a more democratic nation with greater domestic and international support. If, on the other hand, the opportunity for reform is missed, prospects for stability and prosperity in Egypt will be in doubt.": Now, therefore, be it

1 *Resolved*, That, the Senate—

2 (1) reaffirms that respect for basic human
3 rights is a fundamental value of the United States
4 and that providing unconditional support for govern-
5 ments that do not respect those basic human rights

1 undermines the credibility of the United States and
2 creates tensions, including in the Muslim world, that
3 can be exploited;

4 (2) recognizes that, while the Government of
5 Egypt faces legitimate security threats, genuine po-
6 litical reform in that country will help to counter ex-
7 tremism while also solidifying prospects for stability
8 and prosperity;

9 (3) encourages the Government of Egypt to
10 promptly honor its commitment to permanently re-
11 peal the state of emergency, which is a significant
12 obstacle to consolidation of the rule of law in Egypt;

13 (4) calls on the Government of Egypt—

14 (A) to take all steps necessary to ensure
15 that upcoming elections are free, fair, trans-
16 parent, and credible, including granting inde-
17 pendent international and domestic electoral ob-
18 servers unrestricted access to polling and count-
19 ing stations and instructing its security forces
20 not to engage in violence;

21 (B) to end all arbitrary detention, torture,
22 and other forms of harassment against media
23 professionals, human rights defenders and ac-
24 tivists, and opposition figures, fully respect
25 freedom of expression and association, and re-

1 lease all individuals detained for peaceful ex-
2 pression as well as those detained under the
3 emergency law for issues unrelated to drug or
4 terrorism allegations; and

5 (C) to lift legislative restrictions on free-
6 doms of assembly, association, and expression
7 in advance of the 2010 elections;

8 (5) urges the President and the Secretary of
9 State—

10 (A) to make respect for basic human rights
11 and democratic freedoms a priority in the ongo-
12 ing relationship and dialogue between the Gov-
13 ernments of the United States and Egypt, and
14 to focus on the importance of these issues, in-
15 cluding free and fair elections, during all bilat-
16 eral meetings; and

17 (B) to broaden the engagement of the
18 United States Government with the people of
19 Egypt and support efforts in the country to
20 help promote human rights and democratic re-
21 form, including by providing appropriate fund-
22 ing to international and domestic election ob-
23 servers, as well as to civil society organizations
24 for democracy and governance activities;

1 (6) emphasizes the importance of ensuring and
2 strengthening the independence of the judiciary in
3 Egypt; and

4 (7) recalls that pursuant to the laws of the
5 United States, organizations implementing United
6 States assistance for democracy and governance ac-
7 tivities, and the specific nature of that assistance,
8 shall not be subject to the prior approval of the Gov-
9 ernment of Egypt.

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