Open letter from INGOs working in Egypt about the crackdown on civil society

The Egyptian revolution was hailed internationally as an admirable and justifiable act by the Egyptian people to demand social justice and freedoms that they have been denied for decades. It was therefore anticipated that, following this revolution, the interim Egyptian political authorities would prioritize urgently needed legal and procedural reforms to enhance and protect the Egyptian people’s newly won rights. However, the Egyptian government has taken no steps to lift undue restrictions on the operations of civil society organizations, despite the fact that a vibrant civil society is an essential component of a democratic state that respects human rights and the rule of law.

Recent actions by Egyptian authorities toward CSOs have violated their right to freedom of association and have imperiled their operations through increased restrictions and pressures including the ongoing investigations of NGOs operating without registration under the Associations Law of 2002. Many of these reputable NGOs have repeatedly been denied registration by the authorities without being given proper justification. In addition to the 29 December raids, NGOs and INGOs had their staff interrogated as well as financial restrictions imposed on them, which have served to hamper these organizations’ ability to continue carrying out vital programs.

We take this opportunity to highlight the vital role of development and human rights organizations in Egypt. Independent Egyptian NGOs and INGOs play a key role in the democratic transition and development process in Egypt. These are not-for-profit organizations with humanitarian, development and human rights, rather than commercial, objectives. Many aim to relieve suffering through promoting the interests of the very poor by providing basic social services and implementing community development, water, sanitation, food, health, education, and job creation programs. To do this, development organizations work both individually and alongside international aid agencies. They also work within existing frameworks with local governmental and non-governmental partners in order to outline priority areas of work and address existing gaps in meeting the basic needs of the Egyptian people. Many of these organizations also work on spreading democratic values and the rule of law and safeguarding fundamental human rights. The role of such organizations in the protection of human rights and civil liberties for every member of society is integral in ensuring that democracies are functioning and viable. It is clear that a dynamic and diverse civil society plays a critical role in a developing country and burgeoning democracy such as Egypt and the infringement on its freedom jeopardizes this essential role.

Civil society organizations, NGOs, networks, and trade unions are all entitled to the freedom of association which includes the rights to exist, to take initiatives, and to organize freely without harassment. States have a positive obligation under international law to uphold and protect these rights.

We would also like to express our concern at the way in which state-owned media has been used by the government to defame local and international CSOs in the eyes of the public and encourage the misconception that they serve foreign agendas against the interests of Egypt. Official statements have questioned both the role of CSOs and the legitimate and legal foreign funding that they receive and have failed to showcase the multitude of indispensable development and human rights programs implemented by CSOs in Egypt.
As INGOs, we uphold the highest standards of financial transparency, both internally and with our local partners, to document the ways in which funds are spent on different projects for Egypt. We recognize and respect the sovereignty of the State of Egypt and have worked as partners within this context for decades. We remain committed to providing the Government of Egypt (GOE) with any required information and are willing to respond to any relevant questions posed, in full accordance with the law. Any issues that the GOE wishes to bring up with CSOs in Egypt should therefore be raised in a transparent and cooperative manner and should be dealt with as part of a clear, consultative and non-intimidating process. As INGOs focused on the sharing of information with government counterparts, we urge the GOE to do the same by developing and sharing clear criteria for INGO and NGO registration in Egypt. It is neither just nor reasonable to deny registration for undisclosed reasons and to subsequently investigate these organizations abruptly and without explanation.

Within this context, the recent draft of the Associations Law put forth by the GOE falls short of Egypt’s obligations under international law in light of the increased restrictions placed on civil society organizations. The law threatens to jeopardize the ability of a large number of local NGOs to operate and carry out essential programs in Egypt. The convening of the new parliament on 23 January 2012 provides an opportunity for the drafting of a new Associations Law that complies with Egypt’s obligations under international human rights law and which will liberate civil society and remove unnecessary barriers so that NGOs can effectively perform their vital work. The new draft must encompass NGOs working on all areas of development and human rights, a fact overlooked by both the current Associations Law and the draft put forth by government.

Therefore, we are concerned that the current campaign against CSOs in Egypt, which includes the manner in which ongoing investigations are being carried out, negative official statements in the media, and the restrictive draft Associations Law, will undoubtedly hamper the ability of local and international NGOs to work alongside the Egyptian government in the provision of vital assistance in various developmental and human rights fields. To this end the undersigned INGOs call upon the Government of Egypt to take the necessary actions to:

- Cease raids on any offices of local or international NGOs and ensure that their staff is protected from harassment and intimidation as a result of the ongoing investigations.
- Facilitate and enable CSOs to operate freely on a regular basis and to contribute to economic and democratic change.
- Put an end to the negative government statements which have discredited CSOs in the eyes of the Egyptian public.
- Redraft a new Associations Law consistent with international human rights standards ratified by Egypt. The law should establish clear criteria for the registration of all organizations, whether development, humanitarian, or human rights NGOs, and ultimately aim to liberate civil society in Egypt.

Signatories:
1. Euro-Mediterranean Human Rights Network (EMHRN)
2. Human Rights Watch (HRW)
3. Transparency International (TI)
4. No Peace without Justice (NPWJ)
5. Project on Middle East Democracy (POMED)
6. Human Rights First (HRF)
7. Arab Program for Human Rights Activists (APHRA)
8. Arab Coalition for Darfur (ACD)
9. Alkarama Foundation
10. Article 19
11. International Alliance of Women (IAW)
12. The Observatory for the Protection of Human Rights Defenders, a joint program of the International Federation for Human Rights (FIDH) and the World Organization Against Torture (OMCT)
13. Arab Network for Human Rights Information (ANHRI)
14. Afro-Asian Peoples’ Solidarity Organization (AAPSO)
15. Amnesty International (AI)
16. The International Center for Not-for-Profit Law (ICNL)