CBM

May 19, 2011

The Honorable Chairman Ileana Ros-Lehtinen
2206 Rayburn H.O.B.
Washington, DC 20515-0918

Re: Colin Bower - Written Testimony
US House of Representatives
Committee on Foreign Affairs
Subcommittee on Africa, Global Health and Human Rights
Hearing on "International Child Abduction: Broken Laws and Bereaved Lives"
Room 2203 Rayburn House Office Building
May 24, 2011, 2.00 pm edt

Dear Chairman Ros-Lehtinen and Honorable Committee Members,

Thank you for inviting me to testify today.

In sum, my children, American citizens, were kidnapped and are being held illegally by Egypt, in Egypt. Meanwhile, the United States rewards Egypt by giving them billions of dollars in aid. This is wrong, and I call for a cessation of any aid to Egypt from the United States until they return my sons.

It is instructive to have some background information on the kidnapping of Noor and Ramsay Bower, my two sons, and then I will speak about several areas I believe should be addressed going forward to protect and honor the lives of our children, their rights, and human rights generally.

My two sons, Noor and Ramsay Bower, now aged 10 and 8, were kidnapped to Egypt in August 2009 by their mother, Mirvat el Nady. The kidnapping took place 8 months after the final Massachusetts divorce judgment - which declared me as the boys' sole legal custodian - was rendered.

In light of Mirvat el Nady's condition (outlined in H Res 193), I had always assumed the parenting responsibilities for my boys. I woke up every day with my boys, fed them, clothed them, ensured they got to school or an activity, scheduled and brought them to their play dates and parties, bathed them, read to them, and put them to bed. I changed jobs in order to simultaneously support my family financially and act as a de facto single parent. After the divorce, I remained their sole legal and primary custodial parent.

What I think of and worry about most is Noor and Ramsay's present safety and future quality of life. I wonder what they are being taught, as I believe this will materially determine what they think and what choices they will ultimately have in life. Their futures are being impacted each day they remain parented by an unfit mother who remains supported and enabled by the el Nady family, from the abduction to their ongoing support of parental alienation and child abuse, both financially (through their family company Egybelg) and otherwise. My boys are being forced to hide from the rest of the world, and I can't begin to understand what this must be like for them.

There are several notable issues involved in this tragedy.

- **This is not a custody battle -** There was a 20 month court case in Boston completed in December 2008, in which both parties participated fully from start to finish, including Mirvat el Nady being represented by six separate high powered US divorce attorneys.
- **This is a federal crime -** The FBI issued a federal warrant for the arrest of Mirvat el Nady, including the issuance of an Interpol red notice.
- **This involves national security -** Mirvat el Nady obtained Egyptian passports for the children in false last names. Passport fraud is an extraditable offense under the Mutual Legal Assistance Treaty (MLAT) between the US and Egypt, as false passports by definition are used to commit crimes in other countries - just as in this case.
- **This is child abuse -** The US Supreme court and other international bodies deem both child abduction and parental alienation child abuse. The fact that Mirvat el Nady was found to be a long term addict of schedule 2 narcotics and incapable of anticipating the boys' needs is yet another level of child abuse of and imperilment for the boys.
- **This is a state sponsored crime -** The Egyptian government issued false passports, indirectly owns the airline that ignored obvious flags by letting Mirvat el Nady kidnap the boys to Egypt, and provided el Nady security through the State Security Agency (now defunct for being corrupt). The Egyptian government shut down streets for Mirvat el Nady to travel, something they don't do for the highest level politicians.

There are many things we can do immediately to protect our children and basic human rights. Because time is limited, I will focus on five.

First, before receiving the US$2bn de facto aid package announced in President Obama's speech last week, Egypt must demonstrate through action its commitment to human rights. Even the people of Egypt, who will either benefit or suffer from this aid, have spoken about the need to make sure this money doesn't simply continue the power structure that existed under the now defunct Mubarak regime. By fact and definition, my children's rights are and have been abused for the past 21 months. Before receiving aid, I call on the US government to ensure that the new Egyptian government is protecting human rights, not violating them, and demonstrates this through the return of Noor and Ramsay.

Second, before receiving aid, we need to ensure that the MLAT is being enforced by our partners, and appropriate extradition is being carried out. This is a national security issue, and one that impacts the very safety of US citizens. We should not provide aid to countries that have enabled crimes to be committed in our country, against our citizens, and who do not implement conditions of the MLAT. Any agreement can be signed, but if is not enforced, it is worse than having no treaty at all, as it allows purveyors of deceit to fly under a false cloak of legitimacy.

Third, before they receive aid, we need countries to agree to recognize and mirror existing probate orders involving custody decisions reached in residential jurisdictions where both parties were active participants and legally represented. The country harboring the fugitive should issue a mirror order consistent with the existing order in the country of the children's primary residence.

Fourth, I call on the Republican party to stop the moratorium on Resolutions being heard this Congress, and make available the ability of House Resolutions to be heard on the floor, including and notably H Res

103, which is bi-partisan and involves the lives of my two little boys. Alternatively, I ask for exceptions to be made in cases crucial to the lives of American children, including my boys and others in a similar situation. I ask that both parties stand together to send a strong message to Egypt that we support the Egyptian people's goal of attaining democracy and human rights by ensuring their new government acts in concert with these values before receiving the financial backing of the United States. Given the relevant facts, it is not a stretch to say that H Res 193, if acted upon, could very well save the lives of Noor and Ramsay.

Fifth, there must be further controls in place to protect against the unlawful removal of our children to foreign countries.

Committee members, I thank you for your invitation to speak today and for your consideration of this most important issue.

Best regards,

Colin Bower
Father of Noor and Ramsay Bower