

**FROM ARAB SPRING TO COPTIC WINTER:
SECTARIAN VIOLENCE AND THE STRUGGLE FOR
DEMOCRATIC TRANSITION IN EGYPT**

HEARING

BEFORE THE

**COMMISSION ON SECURITY AND
COOPERATION IN EUROPE
ONE HUNDRED TWELFTH CONGRESS**

FIRST SESSION

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November 15, 2011

COMMISSION ON SECURITY AND COOPERATION IN EUROPE
WASHINGTON, DC

The hearing was held at 2 p.m. in room 210, Cannon House Office Building, Washington, DC, Hon. Christopher H. Smith, Chairman, Commission on Security and Cooperation in Europe, presiding.

Commissioners present: Hon. Christopher H. Smith, Chairman, Commission on Security and Cooperation in Europe; Hon. Joseph R. Pitts, Commissioner, Commission on Security and Cooperation in Europe; and Hon. Robert Aderholt, Commissioner, Commission on Security and Cooperation in Europe.

Member present: Hon. Gus Bilirakis (R-12), a Member of Congress from the State of Florida.

Witnesses present: Michael Posner, Assistant Secretary for Democracy, Human Rights and Labor, U.S. Department of State; Dina Guirguis, Egyptian American Rule of Law Association; Samuel Tadros, Research Fellow, Center for Religious Freedom, Hudson Institute; and Dr. Michele Dunne, Director, Rafik Hariri Center for the Middle East, Atlantic Council.

**HON. CHRISTOPHER H. SMITH, CHAIRMAN, COMMISSION ON
SECURITY AND COOPERATION IN EUROPE**

Mr. SMITH. The Commission will come to order. And I apologize for the lateness in convening the hearing. And I would ask our witnesses and our audience to have some forbearance.

There are a series of votes on the floor of the House that will have members coming in and out. But I want to assure our distinguished Assistant Secretary Michael Posner that all of us and those who are not here will read your testimony very carefully and are very grateful that you're here to give testimony to us today.

I want to welcome all of you to our second Helsinki Commission hearing on the volatile and dangerous situation facing Coptic Christians in Egypt following the Arab Spring. And our hearing is entitled "From Arab Spring to Coptic Winter: Sectarian Violence and the Struggle for Democratic Transition in Europe." The world watched with hope and anticipation, and for some of us, with trepidation as events unfolded in Tahrir Square earlier this year.

This spring we saw Christians standing guard over Muslims during Friday prayers in the middle of the square. We saw Muslims standing guard over Christians as they celebrated Mass in Tahrir.

Sadly, much has changed since then. While many of those who came together to forge the revolution want to continue that solidarity as they support Egypt's political transition, there are many others—far too many others who do not.

The transition period has been increasing in violence against Coptic Christians. The current Egyptian government controlled by the Supreme Alliance Council of the armed forces has not adequately responded to this violence, has not protected vulnerable Coptic Christians and as we have seen on video, to our horror, has even committed acts of violence against Coptic protestors.

On Sunday, October 9th, 27 people were killed and more than 300 injured in Maspero when Egyptian military attacked a peaceful group of Coptic Christians protesting the burning of a church in Aswan and demanding the removal of the governor of Aswan who had justified the mob's destruction of the church.

In this massacre in Maspero, witnesses saw the army firing on Coptic demonstrators with live ammunition and plow through the crowd with armored vehicles. Soldiers raided and stopped the live broadcast of two independent news channels that had been covering the clashes.

At the same time, state-run television and radio reported that the Coptic demonstrators had attacked the military and called for honorable citizens to defend the army against attack, inciting violence against the Coptic minority.

Amid widespread domestic and international outrage over the events, the White House issued a statement on October 10th saying that, quote, "The president is deeply concerned about the violence in Egypt and that has led to a tragic loss of life. Now is the time for restraint on all sides so that Egyptians can move forward together to forge a strong and united Egypt."

With all due respect, the president seems to have completely missed the point. This is not a situation of equal power and equal responsibility for violence. This was not a lawless gang clash on the street or a mob marauding the streets in the absence of a government. The Coptic community was protesting the fact that the Egyptian government in Aswan failed to protect Coptic property and allowed a mob to burn down the Coptic place of worship.

When Copts called on the military government to treat the Copts as equal citizens and protect their rights, the government itself turned on them with a massacre. The time has come to ask if this government going to be better than the Mubarak thug regime. This same government is investigating itself for the incident and its assault on human rights continues.

In fact, the military has arrested at least 28 people, mostly Copts, in connection with the clashes, including prominent blogger Alaa Abd El Fattah. These individuals are being hauled before military prosecutors.

To date, despite multiple videos and eyewitnesses' accounts showing the military's use of lethal violence against peaceful protestors, the Egyptian military has yet to take responsibility for its actions or otherwise demonstrate that it will protect all Egyp-

tians, including the Coptic minority who make up more than 10 percent of its population.

According to the press reports of last week, a member of a government-backed fact-finding committee said that the Egyptian army did not use live ammunition to disperse protestors during the October 9th incident.

Yet, Hafez Abu Sayed Seada, a senior figure in the government-sponsored National Council for Human Rights, which set up the committee, also said that an independent investigation was needed to establish the full facts and that some state institutions, including the army, did not cooperate fully with the committee. Rights activists including the Arab Network for Human Rights Information and Human Rights Watch have criticized the report for a lack of detail. Tragically, the massacre at Maspero is not an isolated incident but rather a continuation of the endemic discrimination against and the marginalization of Coptic Christians in Egypt.

According to the 2010 State Department international religious freedom report for Egypt, and I quote, "The status of respect for religious freedom by the government remained poor, unchanged from the previous year." Christians and members of the Baha'i faith, which the government does not recognize, face personal and collective discrimination, especially in government employment and their ability to build, renovate or repair places of worship.

The government failed to prosecute perpetrators of violence against the Coptic Christians, according to the State Department report, and failed again to redress laws, particularly laws relating to church construction and renovation and government practices, especially government hiring that discriminates against Christians, especially allowing their discriminatory effects and their modeling effect on society to become further entrenched. The U.S. Commission on International Religious Freedom has noted that, and I quote, "In response to sectarian violence, Egyptian authorities typically conduct reconciliation sessions between Muslims and Christians as a means of resolving disputes. In some cases, authorities compel victims to abandon their claims to legal remedy. The failure to prosecute perpetrators fosters a climate of impunity," close quote.

A report by the Egyptian Initiative for Human Rights covering the period from January '08 to January 2010 documented 53 incidents of sectarian violence, about two incidents per month that took place in 17 of Egypt's 29 governorates. Most of the attacks were by Muslims on Christians and Christian churches or property. Egypt will not reach, I would submit, its democratic goals through the oppression of its minority peoples.

Democracy does not come with an iron fist. Rather, democracy springs from the belief that all people are created equal and have the right to participate in their own governance. A legitimate government is of the people, by the people and for the people, including minorities. A legitimate government submits to the rule of law.

The Egyptians demonstrated their belief in Tahrir Square but seem to be losing their way, spinning backwards into tyrannical abuses of power. If there is any hope for a democratic and peaceful Egypt, the Copts must be allowed to contribute actively to Egyptian

society and to the transformation of their country without fearing for their lives.

I'd like to now introduce our very distinguished first witness, a man I've known for many years when he used to work for the committee for legal scholars—the lawyers rights committee—as well as for other human rights organizations in the past—Human Rights First. And I'll introduce him and I understand there is another vote. It's on.

And I will have to report to the floor. So we'll be in brief recess and then Mr. Posner—Secretary Posner, we'll ask you to present your testimony. And I know some of the members will be back then. But so maybe on that point I'll just—we'll be in recess for just a few minutes. Sorry about that. The commission will resume its hearing. I'd like to yield to Commissioner Joe Pitts from Pennsylvania.

HON. JOSEPH R. PITTS, COMMISSIONER, COMMISSION ON SECURITY AND COOPERATION IN EUROPE

Mr. PITTS. Thank you, Mr. Chairman. And thank you for holding this important hearing. It is important that we continue to stand by the people of Egypt as they seek a stable and transparent democracy where all Egyptian citizens are treated equally. Recent trends in Egypt in terms of attacks against minorities are deeply disturbing.

Reports indicate that on October 16, teenager Ayman Labib was in his Arabic class when the teacher told him to get rid of the cross tattooed on his wrist. When Ayman said it was a tattoo, the teacher asked the other students, quote, “What are we going to do about this,” end quote. And he incited the students in the class to attack Ayman.

Ayman tried to flee but ultimately the students, with the support of their teachers, murdered this young man. Egyptian news media controlled by the military government, has tried to deny the sectarian reasons for this brutal murder. After the new antidiscrimination law put into place after October 9 when Egyptian security forces ran over Copts with bulldozers, will those teachers and adults and students be brought to justice for this brutal murder?

The October 9 attacks by the military against peaceful protestors do not bode well for the protection of fundamental rights for all Egyptians. The Egyptian military must bring the perpetrators of these violent acts to justice through a transparent investigation which punishes those truly responsible for those heinous acts.

I still have hope for a peaceful Egypt but that will only happen if those who care about the protection of all people are in power. I look forward, Mr. Chairman, to hearing from our guests. I look forward to hearing from administration officials about specific actions they have taken to uphold and protect the rights of minorities in Egypt. With that, I yield back.

Mr. SMITH. Thank you very much, Commissioner Pitts. I'd like to now introduce Michael Posner, who has served as assistant secretary of state for the Bureau of Democracy, Human Rights and Labor since September of 2009.

Prior to joining the State Department, Mr. Posner was the executive director and the president of Human Rights First, where he es-

tablished himself as a leader in the defense of many critical human rights issues. He holds a J.D. from the University of California at Berkeley and his full résumé will be made a part of the record without objection. But I welcome Secretary Posner to our commission. Please proceed.

**MICHAEL POSNER, ASSISTANT SECRETARY FOR DEMOCRACY,
HUMAN RIGHTS AND LABOR, U.S. DEPARTMENT OF STATE**

Sec. POSNER. Thank you, Mr. Chairman, for holding this hearing, for inviting me to testify. We've worked together for many years and I'm always appreciative and admiring of your passion, your commitment, your determination, your unflagging energy to the cause of human rights. So I appreciate your doing this today and I welcome, Congressman Pitts, your participation as well.

As you know, this is a time of substantial transition in Egypt as Egyptians strive to move their country towards democracy. It's not an easy process and it's not going to happen overnight. Egypt is only starting on the path from parliamentary elections that will begin in a couple of weeks to the process of drafting a new constitution and to presidential elections.

As part of this process, it's vital that there be a place in the new Egypt for all citizens, all religious minorities, of which the Coptic Christian community is the largest. While the focus of this hearing and my testimony is on the situation of the Copts, I want to point out there are other religious minorities that also suffer official discrimination, groups like the Baha'i, groups in the Muslim community—Shia, Ahmadiya, Quranist—as well as Jehovah's Witnesses and Mormons.

The Government continues to refuse to recognize conversions of Muslims to Christianity or other religions which constitutes a prohibition in practice. I want to set this testimony in a broader context. Last week, Secretary Clinton gave an important policy address in which, Congressman Pitts, she echoed something that you just said. She said: We support the aspirations of citizens to live in societies that guarantee freedom, including freedom of expression, assembly and religion. We strongly believe in systems that allow citizens a say in how they're governed and that they will—that they will be provided with economic opportunities.

These are the demands we heard in Tahrir Square where Copts and Muslims joined hands to protest and to pray. We've heard similar demands echoing throughout the Middle East and elsewhere. Secretary Clinton also spoke out consistently about the importance of religious freedom and religious tolerance both of which are fundamental human rights. Religious freedom is guaranteed by international human rights law.

I have a longer written statement which I ask be made part of the record. But I just want to make three broad points about the Copts in Egypt. The first is that they have faced discrimination for many years. They face personal and collective discrimination especially in government employment, the ability to build, renovate and repair places of worship.

Although they represent about 10 percent of the population, they play an important role in Egypt's economy. They've suffered widespread discrimination and remain underrepresented in prominent

positions in Egyptian politics and society. The headlines tell a disturbing story. I was actually in Egypt in January 2010 when there was the horrendous attack on the Nag Hammadi Church in Upper Egypt.

Gunmen shot and killed seven people and worshippers who were leaving midnight mass. Yesterday actually the government official news agency announced that two of the suspects in that murder who had previously been acquitted are about to be retried on December 19th, which is a positive sign. But the attacks and the violence has gone on.

About a year after the Nag Hammadi attack, on January 1st of this year, a bomb exploded at the Coptic Orthodox Church of the Two Saints of Alexandria, killing 23 people and wounding a hundred. There are, today, no suspects in custody. The second point is that the violent attacks that are historically there have actually in some ways increased numerically since February 11th, since the change of government.

We've received reports of at least 67 people killed in religious clashes, most of them Coptic Christians. This brings the total number of reported deaths this year to more than 90. There have been at least six reported major attacks of violence against the Copts. I list them all in my testimony but I just want to mention two.

On September 30th, in the Merinab village in Aswan, an estimated crowd of 3,000 Muslims looted and burned the St. George Coptic Orthodox Church in addition to some Copt-owned homes and businesses. The status of the investigation in that case is unclear.

And on October 9th, as you both have mentioned, in Cairo violence erupted in front of the Egyptian television building known as the Maspero as a demonstration by Copts protesting the government's failure to investigate the burning of the church in Merinab. At least 25 people were killed, more than 300 injured.

In these and other cases, we have made clear our deep concern about the violence against the Coptic community and the need for accountability. On October 11th, Secretary Clinton called for an immediate, credible, transparent investigation of all those who were responsible for the Maspero violence with full due process of law.

The White House issued a similar statement urging Egyptians to move forward to forge a strong and united Egypt, reaffirming our belief in religious minorities. In raising our concerns, we are aware that the government of Egypt is doing some things and I want to point them out. They have in fact initiated two investigations in response to the Maspero violence.

The first is an Egyptian armed forces review of the conduct of the military police. As you've indicated, the military police according to eyewitnesses and video evidence ran over and shot at demonstrators. Separately, military prosecutors are investigating about 30 demonstrators, including one prominent blogger, who were detained during the violence. They're accused of inciting violence and attacking security forces.

During the height of the clashes—and this is something I want to emphasize as well—one of the state TV anchors called on honorable Egyptians to defend the army against attacks by violent demonstrators. Twenty-one prominent Egyptian human rights organi-

zations have criticized the official media for what they call their inflammatory role in actually provoking greater violence.

The Coptic community is as concerned as we are about the severity and frequency of these attacks. While they recognize, as we do, that these attacks are not necessarily not the product of government provocation, they're greatly concerned, as we are, about the need to hold perpetrators accountable.

I want to make clear that most of the clashes have involved both Copts and Muslims and members of both communities have been perpetrators as well as victims. It's also important to note that many Muslims have stood up to defend members of the Coptic community against extremist violence.

I want to finish with two other things that the government's now doing which is important for us to emphasize and reinforce. One, the government has pledged to adopt a unified places of worship law which would guarantee all faiths the ability to construct and maintain places of worship. This is a debate that's gone on for years. The government—the Cabinet sent a draft law to the military council in October.

We urge strongly, and we have been in discussion with the government, the prompt adoption of this provision. That would send a very strong signal of the government's commitment to protect religious freedom. And finally, we welcome steps the government has taken to reduce discrimination in their penal code.

On October 15th, the SCAF issued a decree amending the penal code to prohibit discrimination on the basis of religion, gender, language, faith or race. This provision reinforces and will give life to Article 7 of the March 31st constitutional declaration on the same subject. We urge the government to enforce these provisions and to make nondiscrimination the order of the day.

Like Egyptian Muslims, Egyptian Copts are concerned about their country's future. In addition to security from sectarian violence and equal treatment under the law, they want equal representation in parliament, a proportional voice on the committee that will draft the new constitution. The vast majority of Egyptians support religious freedom and we support their efforts.

As Secretary Clinton said last week, and I'm quoting here, "If over time the most powerful political force in Egypt remains a room full of unelected officials, they will have planted the seeds for future unrest and Egypt will have missed an historic opportunity."

Mr. Chairman, the door for real democratic change is only beginning to open in Egypt. We hope Egyptians will walk through it together towards a more peaceful and prosperous future. Thank you.

Mr. SMITH. Secretary Posner, thank you very much for your testimony. And I'd like to begin with a few questions. The first would be whether or not you believe and whether or not the department believes that the Supreme Council of the Armed Forces deliberately provoked a confrontation with the Coptic Christian demonstrators on October 9th.

Will they be able to credibly investigate themselves regarding that incident as they have claimed that they will? And then what steps do you believe that the government will take—proactive steps to ensure that those kinds of events don't happen again?

Sec. POSNER. Thank you, Mr. Chairman. We have—we see no evidence of deliberate provocation. What is of concern and what I highlighted in the testimony is, one, that there be a real investigation and accountability for the actions of both the military police and the security forces. That's the first and best protection against future acts of violence. There needs to be a clear demonstration that those responsible will be held accountable and that the government is fully committed to investigating these acts. The second—the piece that I talked about last I think also helps set a climate of tolerance and of official recognition of the importance of diversity.

The unified law allowing churches and mosques on the same status and all religions to build religious facilities, to repair them and the like, that's an important demonstration by the government that it is operating on the theory that all religions need to be treated the same, as well as the provisions in the penal code dealing with discrimination.

So I think those two things together—strong investigation, prosecution, accountability and affirmative steps by the government by word and deed that suggests in fact the new Egypt is one where there is no official discrimination and the government respects the ability of every religion to practice freely.

Mr. SMITH. If I could, with regards to the investigation, has the government sought the help of ourselves or any other international law enforcement asset, whether it be the FBI, Scotland Yard, any other Arab armed forces network to ensure that it's aggressive, credible and comprehensive?

You and I both remember that one of those—what helped in Northern Ireland tremendously was when international investigators were invited to be—to work in a cooperative way with the RUC to ensure that acts of violence by the paramilitaries were investigated properly.

It takes the—I would suggest—the tinge out of whether or not it's a real investigation or not or whether or not there's an effort to suppress evidence. Has anything like that happened? Have they reached out to us or any other country?

Sec. POSNER. I'm not aware of any request for our help. I will say one of the things we are very mindful of and sensitive to is that both in the political process and in the reform process these are steps that need to be led and directed by the Egyptian people themselves. We stand ready, and the government knows that, to provide assistance as it's useful and necessary.

I know there have been some discussions in a broader sense. I've been part of some of those discussions with the Ministry of Interior about ways in which there can be, you know, enhanced police reform and training. We stand ready to be helpful. But we are also mindful of the importance that these reforms need to be initiated by and directed by the government of Egypt.

Mr. SMITH. Do you think we should reach out to them purely on a technical assistance basis? I mean, some of the very advanced protocols that our law enforcement people employ certainly would ensure a more comprehensive investigation. Is it something you might take back and look and see whether or not that might be useful?

Sec. POSNER. I'm glad to take that back. I had a good conversation with Ambassador Patterson on Thursday. She is adept, as good as our diplomatic corps ever produced. She knows the scene there very well now and is in constant conversation both with the government and with the SCAF.

And I have every confidence that if there's a way in which we can be helpful, we will make the government aware of that. And we certainly—it's not lost on the government of Egypt how important their next actions are with regard to this attack. It's gotten a huge amount of attention both here and in Egypt. And they know well. This hearing is another example of the extent to which the accountability issue needs to be addressed.

Mr. SMITH. Secretary Posner, as you know, immediately prior to the revolution there was a huge cut in economic assistance for human rights and democracy building. And laying blame nowhere, whether it be on Congress or the administration, it was rather significant. Could you tell us how much U.S. economic assistance today is directed towards promoting human rights?

Sec. POSNER. Well, as you know, Mr. Chairman, for FY '10 we undertook to shift some of the economic support funds to democracy and governance.

And some combination of our offices, the Middle East partnership—MEPI—and USAID, are now funding a range of activities—support both for strengthening democratic processes, training of political parties, voter education, et cetera, but also working with independent labor unions and journalists on some of the issues we're discussing today.

The number, I think, is in the vicinity of \$50 million for FY '10. And I think we're—again, this is part of what the discussion has been internally in our government and with members of Congress. I think it's important that we now recognize, and we do, that there are a range of places we can and should be helping in sustaining and encouraging the democratic process to go forward.

Mr. SMITH. Just two final questions. How does a Coptic Christian raise a concern with the government and work to protect their own civil liberties? Who do they go to?

Sec. POSNER. Well, I think, you know, one of the—hopefully one of the signposts for the future will be the election over the next several months of a new—of a new parliament which will include members of a new political order who are going to be more open and responsive to the needs of all Egyptians, including the Coptic community.

We are certainly encouraging Egyptians of all faiths to participate actively in these elections which start on November 28th. And I would think that would be the best starting place for people in the Coptic community and all Egyptians to begin to use their democratic muscles and raise concerns of their own communities.

Mr. SMITH. But what happens—I was one of those who was skeptical and I wasn't alone in that, you know, as people were getting teary-eyed over whether or not this meant real reform or a further consolidation by groups like the Muslim Brotherhood.

And I would appreciate your thoughts on the Muslim Brotherhood, if you would, whether or not perhaps we may as a govern-

ment have underestimated their knowledge and appearing to be more moderate but now are consolidating more power.

And frankly, in terms of election muscle, I mean, minorities by definition are profoundly disadvantaged which is why, at least our country and many countries, have very strong rules protecting minorities.

And I know, you know, there are places that—so many of us are known as Democrats or Republicans, we run for election, if we're gerrymandered into a certain area, you know, you could provide the greatest service imaginable and still not get elected and still not potentially have your voice heard.

And I think when you're about 10 percent of the population and there is this governmental or very profound bias against Coptic Christians, and as you mentioned there are other ethnic or religious minorities as well, unless you have strong protections, you know, their disadvantage becomes perhaps even persecution, which I think is what's happening now.

Dina Guirguis will testify later. And when you answer that, if you could just respond to this comment because she said, or will say, one only needs to give a cursory look at SCAF's history since its assumption of power. Over 12,000 civilians have been tried in military tribunals that do not meet minimum standards of due process.

Female protestors have been subjected to degrading virginity tests. The notorious emergency law has been extended and numerous laws restricting freedom of assembly and even criminalizing criticism of the military have been opaquely passed and enforced in draconian fashion.

And then she goes on, local rights groups have already decried these abuses even more, including SCAF's pre-election conduct which observers accurately note portends to substantial fraud in the upcoming elections where Islamists are expected to win a substantial parliamentary presence. That paints an extremely ominous present and certainly a more ominous future. What's your take on that?

Sec. POSNER. You know, I would say having worked in the human rights field for 30-some years that I'm an eternal optimist. So take this comment with that in mind. I believe we are at the beginning of a transition in Egypt. Some might call it a transition to a transition. I don't think we can expect to see instantaneously the kind of a democratic foundation laid that we would all hope and expect to see over time.

Secretary Clinton in her speech last week spoke about this and I think some of the elements you've raised are exactly the things we need to be pressing on. We do believe that there ought to be and needs to be a lifting of the state of emergency.

We do believe that there needs to be an opening up of the process for, you know, there to be a real lively debate where multiple parties are allowed to function freely, where there's a free press, where state television takes on a more balanced approach, where religious freedom flourishes. Those things are going to happen over time if there's a sustained push by Egyptian people supported by governments like ours.

We don't believe—we don't—what we want to see is that parties that are committed to rejecting violence, that abide by the rule of law, that respect freedoms of speech, religion, association, that respect the rights of women are allowed to participate.

Our view is if that happens over time we're going to get a result that we like that's going to lead to a real democratic transition. We've got to hold our nerve. We've got to stay involved and engaged. But I think we all understand that there is a range of challenges that we face in the coming weeks and months that we need to be attentive to and we need to, at the same time, be patient and resolute.

Mr. SMITH. Is there concern that we might be underestimating the Muslim Brotherhood?

Sec. POSNER. I think we are. Certainly as we watch what is happening it's clear that the Muslim Brothers are well organized as a political party and that they will compete actively and aggressively in the election. Again, the decision about who to vote for is for the people of Egypt.

Our role and our goal needs to be to promote a long-term democratic transition that's based on the notion of strengthening of a political process that's going to lead to a democratic, freely elected government, a constitution that supports that and the democratic infrastructure that yields the kind of result that we're going to be—that Egyptian people are going to feel proud of and that's going to make them a good and stable ally.

Mr. SMITH. I do have one final question. And that would be a few months ago Michele Clark, who used to be number two at ODIHR and you and I did have a conversation about this, as you'll recall, she testified and said, it's no longer a matter of allegation that young Coptic teenage girls are abducted. She said the number was in the thousands.

And when they turn 18, after the kidnapping, they are given to an Islamic man, a Muslim man who then makes her his wife. Women are often subjected to a great deal of exploitation, compounding the original kidnapping itself.

And she even talked about the very awful term that this is an Islamization of the womb, Islamicizing the womb, that whatever children she bears will be Muslim, which is an absolutely outrageous human rights abuse from every way that it's looked at—the kidnapping, the trafficking, the forced conversion and then the subsequent forced conversions of any children born to her in that so-called marriage.

Have you been able to look into that as a bureau? I know the ambassador—Congressman Wolf took the information from that hearing and had a meeting in his office and asked her to, you know, aggressively look into it. Michele said—Clark said that, you know, we should no longer use the word allegation, that it's beyond that. She did the investigations herself.

And matter of fact, she said, these reports—this is her quote from July 22nd here in this room at a Commission hearing: “These reports are not allegations nor should they be disputed. Coptic women disappear.

“Coptic women are forcibly converted or converted under false pretenses. And Coptic women are forcibly married to Muslim men.”

What is your—what has your investigation or looks into this discovered?

Sec. POSNER. We are—I know that you've raised this and we had a previous conversation about it. And I have made inquiries about the particular cases. We have—let me say broadly we obviously are greatly concerned about the Egyptian government's failure to allow conversion of Muslims to Christianity and the various measures, coercive measures or discriminatory measures against those who seek to express their religious faith.

The particular cases that she raised, we have not been able to substantiate the facts, although I'd be willing or people in our office would be willing to meet with her.

But we are concerned about the broader phenomenon of the kind of coercive or discriminatory measures against people who are either trying to convert from Islam to Christianity, which the government doesn't recognize, or the kinds of coercive things that she raises. Again, the particular cases I can't speak to.

Mr. SMITH. If you could—

Sec. POSNER. But if—

Mr. SMITH. Oh, I'm sorry, Mr. Secretary. If you could, how robustly have we tried to substantiate—have foreign service officers or human rights officers gone into the field? Have they done extensive interviews to determine whether or not this is a barbaric phenomenon that's ongoing?

Sec. POSNER. We have made inquiries through the embassy. And what I can do and I will do and I promise to do is go back. I'd actually like to get a hold of her testimony and maybe have people in our office talk to her and then we can look at the specific cases that she raises. And we'd be glad to look at it in more detail.

Mr. SMITH. So just to be clear, have any of our human rights investigators gone out and done any first-person reporting on this?

Sec. POSNER. Well, I think you and others have said this is a phenomenon and the cases that have come to our attention we have gone to look to see if can we we can verify the facts. We haven't been able to do that. But that doesn't mean it's not happening.

So what I would suggest is let me take a look at the testimony that she gave to you. If there are particular cases and facts, we welcome getting them. And then we will—I will endeavor to make sure that either people in my office or people in the embassy follow up and they get to the bottom of what's happening in those cases.

Mr. SMITH. If you could, because her testimony was very, very incisive and outrageous, what she uncovered. I mean, she even went through how it's often done, the befriending of Coptic girls by Muslim girls, that it's a process and that it's just—as well as straight-up, flat-out abductions and all leading to the same consequence.

Sec. POSNER. Right. The thing that would be most helpful to us is if there are particular cases with facts, et cetera, that we can then pursue rather than the general pattern.

Mr. SMITH. Sure. But if we could also be looking to see on our own, you know, not just following up on one of her leads because it would seem to me that, you know, it's like any other kind of abuse. Unless we're really aggressively looking for it, it is so easy to conceal this.

And so I'd like to—before I yield to Commissioner Pitts, you know, Fred Grandy, a former distinguished member of the House of Representatives, is here. He's executive vice president of the Center for Security Policy. I want to welcome our former colleague for joining us today. Thank you—thank him for his work on Egypt. I'd like to yield to Mr. Pitts.

Mr. PITTS. Thank you, Mr. Chairman. Secretary Posner, thank you for your testimony. Do you have or could you provide a list of the actions such as meetings with advocacy groups, public statements, conversations with Egyptian officials or activities at the UN that this administration including the State Department has taken since January to support the rights of minorities in Egypt? And if this list is not available today, could you provide us as list in writing?

Sec. POSNER. Sure. You know, there are—you just mentioned five or six categories of things and we've done—we've taken actions in all of those areas. I can certainly—I'm not sure I can present a comprehensive list but I can certainly send you a representative list of the kinds of discussions we've had with the government, the kinds of support and discussions we've had with civil society.

I routinely meet with civil society groups when I'm in Egypt. It's most of what I do, meet with the government as well as meet with groups here. So I'd be glad to provide some representative or illustrative examples of what we're doing. We take these issues extremely seriously.

This is an extremely important area to Secretary Clinton, and to me personally. And we're very aware of the precarious state of the Coptic community. These attacks are very serious and we want to do whatever we can to put—you know, to make sure that this kind of violence and discrimination doesn't continue.

Mr. PITTS. Thank you. What actions has the State Department taken since the October 9 incident when the military directly attacked and killed Egyptian citizens? To press the Egyptian government for a transparent investigation and to press the Egyptian government to prosecute those who were actually responsible for the murders of citizens?

Sec. POSNER. As I mentioned briefly in my oral comments, and I think there's a bit more detail in the statement I submitted, both the president and Secretary Clinton have issued public statements about the attack. Ambassador Patterson has been engaged almost on a daily basis since October 9th in urging and reiterating the importance of there being a strong investigation and prosecution of those who are involved. We are very mindful of the potential for there to be an escalation of violence.

This was a tragic incident where people were killed, many more injured. And so we have been very, very mindful of it. I've talked several times to Ambassador Patterson about it and she is completely aware of all the details. There have been discussions with the military, discussions with security forces, ministry of interior and the like. We will continue to press.

As I said in the testimony, there are two investigations underway. Investigation doesn't equal results. And so our focus now is making sure that the people who were involved in these violent acts are brought to justice, that there are prosecutions and convic-

tions and that the government is clear in its public statement and its action that this kind of violence cannot be countenanced.

Mr. PITTS. We all know that if there are no prosecutions in relation to these violent acts against minority groups—the Coptic Christians—then violence is going to continue. Do you know of any successful prosecutions against violent acts against Coptic Christians?

Sec. POSNER. Yeah. And, you know, again I would come back first of all to the tragic attacks in Nag Hammadi in January of 2010. I was in Egypt literally two weeks after those people were gunned down. I met with the ministry—the head of state security. I met with people in the government to make just the point you’re making.

There has to be a serious investigation that leads to prosecutions. One of the principal perpetrators was prosecuted and convicted. Two were acquitted, and as I mentioned in my testimony, yesterday the government—the court reopened the case against those two and they will be put on trial before a military court on December 19th. So that’s one example.

There are several others. But we’re not satisfied that enough has been done. And certainly in the case of the October 9th violence, it’s critical that there be a full investigation and prosecution.

Mr. PITTS. Thank you. What role should the United States play in promoting human rights and religious freedom specifically? The chairman asked about how much economic assistance was directed towards promoting human rights. What kind of things should we be doing specifically to promote these principles?

Sec. POSNER. Well, I think in a broad sense all of the building blocks of democracy are information and we ought to do what we can to reinforce that development. There is a lively civil society in Egypt. But many of the organizations are not yet able to register. We’ve raised concerns about that. We need to be supportive of an independent media.

We need to support bloggers and activists who continue to raise concerns that are among the issues we’re discussing today. So there are a range of things that I think we’ve begun to do and we need to stay on that course. We need to make sure that there is a move away from a government that relies on an emergency law, move more towards a civilian rule of law and we need to support a political process that allows multiple views by nonviolent people—parties—that respect religious freedom, freedom of speech, association and the rights of women.

Mr. PITTS. Now, you mentioned earlier the importance of diversity. How could the authorities involve Islamic and Christian religious establishments in a strategy to strengthen this idea of diversity, of values, of religious tolerance and coexistence?

Sec. POSNER. You know this is a process. I think we start from a premise—I start from a premise that for several decades institutions of government and nongovernmental institutions were ossified. They weren’t allowed to flourish and operate openly.

And so when I say we’re in the beginning of a transition, we’re at a place where we can encourage but Egyptian people to have to lead in creating a more open discussion both about advancing pluralistic democratic political process but as part of that encouraging

diversity of views, diversity of religions, and a diversity of perspectives as part of that mix.

We take these things for granted in a society where we've had a lot of experience dealing with it. We're in, in Egypt, in a very early stage of a transitional process where all of these elements are still being set up, as it were.

Mr. PITTS. What about training, for instance, for judges, for prosecutors, for police, teachers, whomever, those who are responsible for administering and applying the law about respecting these rights?

Sec. POSNER. I think those are critical elements. And those are very much—

Mr. PITTS. Are we engaged in encouraging that?

Sec. POSNER. Absolutely. I mean, there are discussions going on now between our governments about how can we best support a transformation, transition in the police. We have—there's a long history of the police playing a—state security playing roles that we would consider antithetical to the way in which we practice democracy.

And so it's important that there be a move towards professionalizing the police, professionalizing the courts, creating, as I say, strong civilian institutions that are the kind of foundation, the basis for a democracy. All of that's on the table. We're doing training already of some of the political parties, voter education and all of that.

But democracy isn't just elections. It's also building those strong institutions—police, prosecutors, courts, the media. All of those institutions are part of what makes sustainable democracy real. And we're very much engaged in the discussion of all those things. Again, I want to say again, though, we need to take our lead from people of Egypt.

This is their moment of transition and it's critical that Egyptians lead. We are more than willing—we're eager to be a strong partner in those efforts. But we've got to come in in a way that reinforces what Egyptians themselves are demanding and pursuing.

Mr. PITTS. Thank you. Now, I was a little surprised with your answer to the chairman about this barbaric practice of forced, you know, kidnapping and forced conversion, if you will, forced marriages and conversion of Coptic Christians. For, you know, 15 years I've talked to people in Egypt who said this is a common practice. Doesn't the State Department—aren't they aware of this? Aren't they pursuing this issue?

Sec. POSNER. As I said, Congressman, we are very aware of the discriminatory practices that make it very difficult, for example, for people to convert from Islam to Christianity. We are aware of the discrimination and some of the harassment of the Christian community. That's what this hearing is about. On the subject of abductions—

Mr. PITTS. And marriage—forced marriage.

Sec. POSNER. And forced marriage—the broad allegations are out there. What we're—what we need and what we're looking for are specific cases that we can pursue. If we get those cases, we will pursue them ourselves and raise them with the government.

We know those allegations are out there but as of this moment they're not specific cases where we've been able to substantiate what's been alleged in a broad sense. I'm not saying it doesn't happen. What I'm saying is the more information we get, I am very open—in fact eager—to get information about specific cases that we can then examine ourselves and take to the government of Egypt.

Mr. SMITH. Would my friend yield?

Mr. PITTS. Yes.

Mr. SMITH. My concern is that we're not even looking and not looking—I mean, this isn't something that's going to walk up and say, here's a forced marriage.

Because of retaliation, because of the killing of the young woman or the fact that in many cases she feels that she cannot go back to her Coptic family and all the other reasons, this is something that very aggressively, if not and covertly probably, has to be looked at which is why human rights investigators—I mean, I would hope there would be no takeaway for the Egyptian government and somehow our government in saying it has not been substantiated.

I believe that the evidence is compelling. It awaits further investigation. But we need to be, I think, as aggressive as all get out. I mean, you know, anyone who—any daughter, any young woman to be abducted and forced into what I really believe is sexual slavery and to lose her faith and her life and to be forcibly married through some level and degree of coercion is among the worst human rights abuses I can possibly think of.

So I would hope the takeaway would be to deploy our Foreign Service or human rights officers and to do a major study on this, to initiate something that is—that leaves no stone unturned. And we need to bring this up in every possible forum with the SCAF and every other official in Egypt.

Sec. POSNER. Congressman, we will—I share the concern. We will—I will make sure—I will redouble our efforts with our embassy to make sure they are pursuing this subject in the way that you suggest. It would also help us if there are particular cases that come to your attention. That makes it easier for us to pursue this in a more concrete way.

Mr. PITTS. Yeah, I thank you for that. I know that is a desire. But you have to also keep in mind you don't want to jeopardize the lives, the safety of the families, the women, you know, who are involved in this horrific practice. But thank you very much. We appreciate your willingness to look into that.

Mr. SMITH. Commissioner Pitts, thank you very much. And I'd just like to ask one final question, Mr. Secretary.

Sec. POSNER. Sure.

Mr. SMITH. And in a way, we've talked about it but just to get your reaction to this statement by Dr. Michele Dunne from the Rafik Hariri Center for the Middle East of the Atlantic Council. In her testimony, she'll say, the SCAF approach has been almost identical to that of the Mubarak era.

That is, after each sectarian incident the authorities promise to investigate and prosecute crimes vigorously and to address the underlying causes of the incident such as discriminatory laws regarding the building and the alteration of places of worship. But as

soon as public attention moves on, such efforts are either abandoned or long delayed, leaving the victims with a sense of injustice and the perpetrators with a sense of impunity, and sowing the seeds of further violence.

In cases where military government or government officials are accused of complicity in violence or at least irresponsibility in dealing with it, the SCAF has staunchly resisted accountability. Is that a true statement or a false statement?

Sec. POSNER. Well, I think I would answer that by saying we are now at a critical moment following the October 9th violence. And what I've said here and what I think this hearing has helped us amplify is the need, one, for accountability. There are two investigations going on. It's important that you and we stay the course in monitoring the progress of those investigations.

And the other piece is the government's stronger commitment to adopt a unified law of construction of new religious sites, repairs, et cetera and to amend the penal code in a way that fights discrimination in a more particular way. I want to leave this hearing with a the sense that these are priorities for the United States.

I think it's great that you've had this hearing. It helps draw attention to these issues. And there should be no doubt in anybody's mind that we are highly attentive to the need for accountability and for affirmative expressions by the government of their desire to end practices of discrimination.

Mr. SMITH. We're joined by Gus Bilirakis from Florida. Mr. Bilirakis, do you have any statements or comments you'd like to make?

Mr. BILIRAKIS. I do have a statement, if that's all right?

Mr. SMITH. Absolutely.

**HON. GUS BILIRAKIS (R-12), A MEMBER OF CONGRESS FROM
THE STATE OF FLORIDA**

Mr. BILIRAKIS. Thank you. But anyway, I'm sorry that I'm late. I commend, of course, Chairman Smith and Chairman McGovern for holding this very important hearing. I've been heartsick over recent tragic events that have taken place in Egypt against the Coptic Christians. It is devastating what is happening to them under the current military regime in Egypt.

The United States should contemplate defunding the Egyptian military until they can guarantee the religious freedom of all minority faiths, specifically the Coptic Christians. Christians are dying or being displaced as we speak. Perpetuating religious freedom for all minority religions, and especially Christians, in the Middle East will continue to be a top priority of mine.

I look forward to meeting with your brothers and sisters here in faith later this week and I have some constituents coming up, Mr. Speaker, as well. But we need to do everything we can on behalf of religious freedom throughout the world, particularly in the Middle East. Thank you very much for giving me the opportunity.

Thank you, Mr. Secretary. I appreciate you being here. Thank you for your testimony. We're having a little trouble with the microphone. I apologize. And then I'd like to introduce the next panel.

Mr. SMITH. Thank you very much.

Mr. BILIRAKIS. OK, I'd like to introduce the second panel. Welcome. First, we have Dina Guirguis—I hope I pronounced that correctly. She's an Egyptian-American democracy activist and attorney and member of the Egyptian-American Rule of Law Association.

Formerly, she was the Keston Family research fellow in The Washington Institute for Near East Policy's Project Fikra. She founded and was editor of a near real-time Arabic English blog called Fikra Forum, connecting Arab activists with U.S. policy-makers on issues of regional political reform.

Prior to joining the institute, Ms. Guirguis was the executive director of Voices for Democratic Egypt. She holds a J.D. from Vanderbilt University Law School. Welcome.

Next, we have Samuel Tadros. Samuel is a research fellow with the Center for Religious Freedom at the Hudson Institute. Before joining Hudson in 2011, Mr. Tadros was a senior partner at the Egyptian Union of Liberal Youth, an organization that aims to spread the ideas of classical liberalism in Egypt.

He previously interned at the American Enterprise Institute and worked as a consultant for both the Hudson Institute on moderate Islamic thinkers and the Heritage Foundation on religious freedom in Egypt. He holds a master's degree from Georgetown University.

Next, we have Michele Dunne. She is the director of the Atlantic Council Rafik—I don't know if I'm pronouncing this right—but Rafik Hariri Center for the Middle East. Dr. Dunne has served in the White House on the National Security Council staff, on the State Department's policy planning staff and its bureau of intelligence and research and was a diplomat in Cairo and Jerusalem.

Prior to joining the Atlantic Council, she was a senior associate at the Carnegie Endowment for International Peace where she edited the Arab Reform Bulletin and carried out research on Arab politics and U.S. policies. She holds a doctorate in Arabic language and linguistics from Georgetown University. Welcome.

And now we'll begin the testimony. Ms. Guirguis, you're recognized for five minutes. Thank you.

**DINA GUIRGUIS, EGYPTIAN AMERICAN RULE OF LAW
ASSOCIATION**

Ms. GUIRGUIS. Thank you. Good afternoon. Can you hear me? Can you hear me now? Great. Good afternoon and thank you to Chairman Smith for organizing this timely hearing. Thank you, Congressman Bilirakis. I'm especially pleased to have the opportunity to give testimony on Egypt's not only continuing, but growing, sectarian problem. I would even characterize it as a crisis at this point.

To begin with: If I die, take me to Tahrir. These were the last words uttered by Mina Daniel, a young man in Maspero who eventually succumbed to a sniper bullet that entered his chest and exited through his lower back on October 9th, which has come to be known as "Bloody Sunday." Mina's story is only the most recent example of the plight of Egypt's Christians, a tragic manifestation of Egypt's sectarian crisis, a matter in which I testified earlier this year in January.

At that time, I began my testimony by quoting 22-year-old Miriam Fekry, who had posted a New Year's prayer for 2011 on her Facebook page, just hours before she was killed in a heinous attack on the Two Saints Church in Alexandria on New Year's eve which left at least 21 people dead.

Then, I stated that Miriam's hopes, and ultimate fate, and now joining her, Mina Daniel's, even after Egypt's promising revolution, so tragically and poignantly illustrated the plight of the Coptic people, Egypt's native Christians, who represent 10 to 15 percent of Egypt's 83 million people. I stated that while the Copts are the Middle East's largest Christian minority, they have faced an alarming escalation of violence as state protection has dwindled.

I explained that for at least three decades, we, the Copts, have been offered an authoritarian compact of sorts. The Copts, as all Egyptians, were to live under a draconian emergency law suspending basic constitutional protections, in exchange for the delivery of stability and protection from terrorism.

In those three decades, however, Egypt failed to make adequate progress on key developmental indicators, and Egypt's human rights record fared no better. Egypt's record on religious freedom went from bad to worse, placing it on the U.S. Commission on International Religious Freedom's watch list since 2002.

After Egypt's revolution, the Commission recommended, for the first time, the further downgrade of Egypt's status, designating Egypt as a, quote, "country of particular concern," or, for the CPC, quote, "engaging in and tolerating egregious violations of freedom of religion or belief."

While religious freedom conditions in Egypt had been deteriorating during the last years of the Mubarak regime, the Commission stated, "since Mubarak's ouster on February 11th, conditions have further deteriorated," end quote. In the Commission's view, this deterioration has warranted Egypt's ranking alongside China, Iran and Afghanistan.

I last testified on Egypt's sectarian problem on January 20th, only five days before the Egyptian revolution broke out. Back then, I described the authoritarian pact offered by the Mubarak regime as an illusory Faustian bargain. I argued the real answer to Egypt's sectarian crisis is progress toward a democratic state that respects human rights, applies the rule of law and extends equal constitutional protections to all citizens.

I also noted that the Egyptian regime will avoid doing so at all costs. But we soon learned that Egyptians' frustration with decades of tyranny could not be indefinitely contained, and on January 25th, Egyptians of all stripes took to the streets to demonstrate precisely that.

Somewhat cautiously, Christians regarded the revolution as a potential turning point and joined their fellow Muslim citizens in demanding fundamental change which they hoped would entail a new Egypt based on principles of equal citizenship, rule of law and individual freedoms. Instead, Egypt's current trajectory highlights not just substantial challenges to democratic transition, but the absence of political will from the current military regime to affect that transformation.

In the process, Egypt's vulnerable groups, including the Copts, women and others, are more susceptible than ever to unprecedented violence and insecurity. In 2011 alone, Copts have been the target of 33 sectarian attacks, 12 of which involved an attack on a church. The combined casualties, even before the latest Maspero massacre, include 72 dead, as well as a substantial number of Christian homes, property and churches destroyed.

With the Maspero massacre, the death toll rises to 97, and the number of those injured exceeds 400. Compared to 2010, these statistics represent more than a six-fold increase in Christian casualties in 2011.

While some may blame the revolution for this serious escalation and praise the relative stability of the Mubarak days, I submit that the same societal ills, and more significantly the insidious state role in inciting sectarian violence, plague Egypt more than ever today.

And that responsibility lies in no small measure squarely at the foot of the military dictatorship, represented by the Supreme Council of the Armed Forces, or SCAF, which has adopted the old authoritarian tactics while proclaiming itself, quote, "the revolutionary government."

For decades, the regime encouraged and capitalized on the growth of a culture of discrimination against religious minorities, and eventually sectarian crimes became crimes of impunity. We've already heard about that from Assistant Secretary Posner. Substituting the extension of the rule of law and equal protection, the state always insisted on, quote, "reconciliation sessions," where victims and perpetrators were coerced into extrajudicial settlements by the state security apparatus.

In March of 2011, after Mubarak's ouster, when a Christian man had his ear severed by hardline Islamists known as Salafis in Upper Egypt, SCAF very powerfully conveyed the message of impunity by forcing the victim, that man, not to bring legal charges and failing to investigate or bring the perpetrators to justice.

Perceiving the continuation of the status quo, this and similar incidents strengthened extremists' convictions that not only would the state tolerate blatant persecution of Christians and minorities, but it would do so with a nod and wink for its own interests, much like the days of the Mubarak era.

Capitalizing on an environment of police absence from Egyptian streets following the Egyptian revolution—a massive security failure on the interim government's part which itself requires investigation and accountability—the Salafis—hardline Islamists—once again lashed out at Christians in May, when they accused the Coptic church of holding alleged Christian converts to Islam against their will.

Incitement by the Salafis in a poor, crowded neighborhood of Cairo resulted in an all-out war between Muslims and Christians which lasted for hours, with absolutely no police or military intervention, leaving 12 dead and two churches burnt to the ground at the end of the day.

The response of SCAF to the incident was to send in a Salafi preacher known as Mohamed Hassan to the neighborhood to pacify the situation. This preacher has long been known for his incite-

ment against Christians and calls for their second-class citizenship. He is also the same man that was granted a podium and allowed by the military regime to preach from Tahrir Square in the weeks following Mubarak's ouster, where he was given free rein to express hate speech.

I refer you specifically to this example because I think Chairman Smith had asked Assistant Secretary Posner whether the government was in any way involved in provoking sectarian incidents. And these are some very minor examples and examples abound.

While the churches were rebuilt, no one was held to account for the day's heinous violence, and when interviewed about this in the independent media, SCAF General Hassan El-Reweiny stated that it was, quote, "preposterous" to demand further action on the matter, including an investigation and arrests, since the churches were, after all, rebuilt.

Once again, taking their cue from the SCAF's Mubaracist treatment of Egypt's vicious sectarianism, extremist Muslim youths in an Upper Egyptian town called Edfu took it upon themselves in September to destroy a church because it allegedly lacked the necessary permits, even though the church was an ancient one and had been operating for years. Rather than hold the youth to account, the region's governor praised them.

SCAF subsequently refused an independent commission's recommendation that the governor be removed. With these successive tragedies in mind and years of societal intolerance, institutionalized discrimination and state complicity and incitement continuing with the SCAF's blessing, Christians took peacefully to the streets on October 9th, as they had alongside other Egyptians during the 18-day uprising, to protest the military regime's denial of basic civil liberties.

Muslim activists and sympathizers joined them in their call. They were, as we all know now, met with disproportional violence, culminating in live shootings and the crushing of unarmed civilians by armored personnel carriers, or APCs.

Meanwhile, the corpses of civilians, most of whom were Christian, were being taken to hospitals, while Egyptian state television misrepresented the facts, stating that, quote, "Coptic gangs," had killed three soldiers and were attacking the military in a manner, quote, "not even the Israelis would dare," end quote, even going so far as to exhort, quote, "honorable Egyptians" to come to the defense of their military against these elements.

This incitement directly led to vigilante acts—this incitement directly led to vigilante acts of sectarian violence in Cairo's streets, where some Muslims sought out Christians—sought out and targeted Christians for retribution and beatings or worse.

Unsurprisingly but no less tragically, the SCAF's ensuing press conference addressing the tragedy blamed the victims and exhorted Egyptians to, quote, "put themselves in the place of the soldier driving the armored—the armored carrier, who was understandably confused and panicked."

Adding insult to injury, the SCAF praised the role of Egyptian state TV and when asked about the names of the alleged military casualties, refused to release them for, quote, "security reasons." Again, when we're talking about provocation of the state, this is a

very, very blatant example. Egypt state TV does not act independently of the government.

Thus, in the aftermath of the revolution, the state itself has continued institutionalized discrimination and encouraged the growth of a culture of sectarianism and impunity to act on that sectarianism. During the last days of the Mubarak era, a Cairo-based human rights organization had described Egypt as a, quote, "police state infused increasingly with theocratic elements."

I would submit that if you substitute the words "police state" with "military state," this would be an accurate description of the state of things today. The military regime continues to count on divide and conquer tactics to consolidate its power.

It continues to scapegoat the Copts to defect from its own governance failures. It continues to sow instability and simultaneously present itself as the sole solution to that instability, justifying along the way the continuation or institution of new repressive practices and laws.

One need only give a cursory look at SCAF's history since its assumption of power. As the chairman quoted, over 12,000 civilians have been tried in military tribunals that do not meet minimum standards of due process.

Female protesters have been subjected to degrading virginity tests. The notorious emergency law which Egyptians were ruled by for three decades and were looking forward its removal, as soon as Mubarak left, was extended and numerous laws restricting freedom of assembly and even criminalizing criticism of the military have been opaquely passed and enforced in draconian fashion.

Local rights groups are already decrying these abuses and more, including the SCAF's pre-election conduct which observers accurately note portends substantial fraud in upcoming elections where Islamists are expected to win a substantial parliamentary presence.

This parliament, according to the SCAF's transition plan, will be responsible for the drafting of Egypt's new constitution, raising doubts about whether such a document will embody the aspirations of Egyptians, as expressed through their revolution, which rejected notions of both autocracy and theocracy but rather expressed a desire for a civil, meaning nonmilitary and nonreligious, state.

Attempts by the SCAF to issue, quote, "guiding principles" for the constitution are little comfort. While the U.S. government may be banking on SCAF to turn Egypt into a pre-Erdogan Turkish model, what is actually unfolding is more analogous to models such as the Pakistani one, entailing greater collusion between military authorities and Islamists at the expense of all other political forces. This is clearly a dangerous situation.

Avoiding this outcome requires that the U.S. not fall into the trap it previously did with Mubarak, placing as it did all its bets on the authoritarian partner and a police state, which is what we have today.

This means that the U.S. must insist that its support during and for Egypt's transition be contingent on a prompt and genuine democratic transition to a civilian authority which represents the aspirations of all Egyptians and guarantees the equal rights of all, starting with the immediate cessation of sectarian incitement and elimination of all forms of discrimination.

And including, but not limited to, immediate security sector reform entailing the prompt return of police to the streets, the conduct of free and fair and monitored elections, an inclusive and transparent constitutional drafting process, the elimination of laws that repress basic rights and the expansion of the political space to allow a greater role for civil society, nonreligious political parties and ultimately a free civilian presidential race which represents a true handoff of power from the military.

Egypt's civilian president must then go about undoing decades of the disease of pernicious sectarianism which has infiltrated society through undertaking substantial legal, institutional, educational and media reform, all vast tasks which only a person entrusted and vested with the faith of Egyptians and the interests of Egypt, and not the interests of a few privileged generals, could assume.

We owe it to those who sacrificed to herald a new era of freedom in the Middle East. We owe it to a young Mina Daniel, who while anticipating being killed by Mubarak's police forces while camped out in Tahrir Square during Egypt's courageous 18-day uprising, survived then, only to be massacred a few months later at the hands of Mubarak's successors, who represent more of the same. Thank you.

Mr. SMITH. Ms. Guirguis, thank you very much for your very powerful testimony and for previous testimonies you've provided to this Commission. I'd like to yield to Mr. Aderholt, distinguished member of this Commission, for any comments he might have.

**HON. ROBERT B. ADERHOLT, COMMISSIONER, COMMISSION
ON SECURITY AND COOPERATION IN EUROPE**

Mr. ADERHOLT. Thank you. I came in late so I apologize for my tardiness. But the—you know, the SCAF is certainly disconcerting about a lot of the reports that we've heard. But I guess my question would be just, in your opinion do you think that they have deliberately provoked confrontation with Coptic Christians, basically going back to that date of October 9th?

Ms. GUIRGUIS. This question is directed at me, I assume? OK, just didn't—the specific events in terms of who started shooting when and where are still being parsed out. And I suspect that will remain unclear for some time given that the military has undertaken to investigate itself whereas it is the accused party in all of this, which truly undermines the independence of any such investigation.

What is clear, however, is one thing, which is the incitement of the state or official TV on that day. I, as most Egyptians living abroad, was glued to Egyptian TV on that day and following the independent media as well. And the vast differences in reporting were quite stunning. As I stated before, official Egyptian TV can never act independently, would certainly never release numbers of military casualties and actually name an aggressor party without direct orders from the SCAF.

In fact, after the incident when there was a lot of criticism regarding the conduct of the official media in covering the massacre, a group of anchors that were working for official TV resigned in protest. And they explicitly in their statement stated that they had

received explicit orders from the SCAF in terms of what to report and how to report that incident.

And as I mentioned, the reporting led to direct violence. And as a lawyer, I can tell you that this rises to the level of criminal incitement, which is—should be punishable by law. So clearly in that instance, the instance of the incitement of the official media, the SCAF can be the only responsible party.

Mr. ADERHOLT. OK, thank you. Thank you, Mr. Chairman. And I may have some more questions after the rest of the testimony. Thank you.

Mr. SMITH. Mr. Aderholt, thank you so very much. I'd like to now recognize for purposes of receiving his testimony, Samuel Tadros, research fellow, Hudson Institute Center for Religious Freedom. Please proceed as you would like.

**SAMUEL TADROS, RESEARCH FELLOW, CENTER FOR
RELIGIOUS FREEDOM, HUDSON INSTITUTE**

Mr. TADROS. Thank you, Mr. Chairman. Thank you for holding this timely and important hearing and for inviting me to testify today on the plight of Egypt's Christians and what it signifies for the prospects of a democratic transition in Egypt.

The title of today's hearing suggests a correlation and a linkage between religious freedom, or more precisely the lack thereof, and democracy and the prospects of a democratic Egypt. Unfortunately, for many policymakers, this linkage has been absent. The modern debasement of the concept of a free society to essentially mean the holding of elections has led to people ignoring the religious freedom as a foundation for a truly free society.

The recent massacre of Copts while significant in terms of the number of people that were killed has to be viewed as part of an ongoing pattern that has taken its effect for many years. That pattern is a continuation of events and attacks that had been conducted during the Mubarak regime and before that and continued after the revolution. The three main parties that influence and take part in this pattern of discrimination are the Islamists, the Egyptian government and the general population.

Instead of naming the specific incidents that my colleague has mentioned, I think it's important to look at how those three elements work together to create this culture of intolerance and attacks on Christians. The first party in that regard, the Islamists, have conducted numerous attacks on Christians. We've seen a number of those attacks, most recently before the revolution, the Alexandria church bombing on New Year's Eve.

The state, for its part, has a number of very discriminatory laws against Christians, limiting the number of Christians in government service and putting restrictions on the building of churches.

On the other hand, the government also participates in encouraging this culture through its impunity that it provides to the people conducting the attacks. The undersecretary mentioned the latest incident where someone was, for the first time, punished for one of those incidents in the Nag Hammadi attack.

Unfortunately, this is the first time that such action is taken. We've seen a long number—a long list of attacks where no one has

ever been punished for them, creating the impression that attacking Christians was unpunishable and encouraged.

The third element, and the most problematic for the future of Christians in Egypt, is the general intolerance amongst their Muslim countrymen. This increase in number of attacks by ordinary Muslims encouraged at certain moments by Islamists, whether the Salafis or others, or driven by their own feelings of—or their opinions about Copts, this number of attacks has been very problematic.

If we can think that the government can be stopped or restrained by certain actions, that the U.S. can take or pressure applied, if we can think that the Islamists can be contained somehow, it is the fact of being attacked by one's neighbors that is very problematic for the future of Christians in the Middle East.

As Egyptians took to the streets in January and February, there were huge hopes that this was about to change. Powerful images of Christians and Muslims praying together and protesting together in Tahrir Square led to this belief that democracy would bring with it religious freedom. Unfortunately, reality has started to hit very soon.

We've seen a continuation and an increase in—substantial increase in the number of attacks and the continuation of those patterns that we had witnessed before the revolution. The Islamists, now emboldened by the complete lack of control with the absence of the state security, have now started to take more drastic attacks against the Copts, whether in terms of attacks on specific Coptic churches or attacks generally in their TV channels on Copts and inciting people to act against them.

The government, for its part, has not taken any action to stop this and has not punished anyone for those attacks. Again, as was mentioned, while the government—the Supreme Council of the Armed Forces—has built that one church that was burned in Otabia [ph] to the south of Cairo, they have not punished anyone for that specific attack.

They have also not, until this moment, although the trial has been ongoing, offered any speedy trial for the people that have conducted the Imbaba attacks. As was mentioned also, they have continued to hold this pattern of reconciliation meetings whereby Christians and Muslims are expected to kiss each other and that would be the end of the affair.

Those reconciliation councils have encouraged again this feeling that the local Muslim population can then put its demands on its Christian neighbors. The last element is that ongoing sectarian increase or the intolerance increase among the general Muslim population. We've seen a number of incidents where Christian girls are required to wear the hijab by government-appointed headmasters in schools.

It was mentioned by the distinguished member before, during the opening remarks, the very disturbing incident of Ayman Nabil Labib, a 17-year-old kid—student in the school in Egypt, being killed by his very own colleagues and students in his classroom. The increased level of attacks by the ordinary Muslim population is the most alarming factor for the future.

Again, governments can be restrained and pressured. Islamists can be contained. This level of intolerance is the most drastic element in the whole process. Those—we also see a continuation in terms of the government arresting a number of Christians and holding them as a bargaining chip with the church leadership where the pope and the various bishops are pressured to agree to the government's lack of action in exchange for getting their members out of the Egyptian jails.

This pattern of arresting a number of Christians—we've seen it again with the Maspero incident, with around 25 Christians arrested and that remain in jail as we speak today. This level has—this increased level has raised the question for Christians, not whether Egypt that might be democratic in its future or might not, but whether Egypt will be a place for its Christian minority.

Like their Jewish counterparts years ago, 60, 70 years ago, they are beginning to realize that their countries might be a place that is not welcoming for them anymore. Unfortunately, unlike the Jews who had a place to go to, these people do not. The facts of demography and geography pose limitations on any attempt to provide safe havens or any other such notions.

The remaining prospect of immigration is problematic in and of itself. While we've seen waves of immigration before of Iraqi Christians and perhaps in the future Syrian ones, the numbers that are involved in Egypt are much larger. Simply put, neither the West nor anywhere in the region is a good place for 8 to 10 million refugees.

This, again, creates the problem that while the richest elements of the Coptic community might be willing and capable of leaving the country, the poorest ones, the ones that face daily discrimination in their lives, will not find a place to go and will be living under this, what is becoming a very, very cold and long winter.

For those that are concerned with Egypt's future, it is also becoming very clear that elections will not provide a solution to religious freedom. I do not have a crystal ball but I am willing to predict that the Muslim Brotherhood will win a majority in the next Egyptian elections. This will change a culture of impunity into a culture of encouragement, whether by the Muslim Brotherhood or the more extremist Salafi groups.

The prospects for the Christians in Egypt are becoming darker. Egypt remains a key ally and friend of the United States and cooperation between the two countries takes place on various issues, most importantly the military.

However, the prospect of a democratic Egypt and one that is based on religious freedom is important to the U.S. national security and will have its effects on that cooperation with Egypt in the long-term. I have a number of policy recommendations or comments in that regard. I perhaps believe that might be better left to questions, or should I continue?

Mr. SMITH. Sure.

Mr. TADROS. The first element that we should understand is punishment for those that have conducted those attacks. There has been a good development in that regard last week with the military judges announcing for the first time that there are military per-

sonnel that have been arrested and will be tried for the Maspero attack.

This is the first time that the military actually acknowledges, even unofficially, that they did something wrong during that attack. An encouragement for that process to continue and for punishment to be provided for those responsible is something that the U.S. should work on.

Secondly, we understand now that the Muslim Brotherhood will take a majority in the next parliament and the Christians will continue to be underrepresented. We must make sure that underrepresentation in terms of electoral votes does not result in underrepresentation in terms of the writing of the constitution.

Making sure that the next Egyptian constitution will be one that protects religious freedom and provides equal citizenship for all of Egypt's people is something that we need to definitely work on.

Thirdly, while the wrong electoral timetable that the SCAF has suggested, provides us with an understanding that they will remain involved in running, ruling and governing the country. With the collapse of the police force, it is likely that the army will continue to provide basic law and order services in Egypt for some time in the future.

The U.S. military has built a tremendous cooperation with the military and the U.S. military provides trainings for the Egyptian army on a variety of issues including trainings on basic law and order which the U.S. has perfected in conflict zones—in various conflict zones. This should be something that the U.S. can help the army deal with better.

Fourthly, while the U.S. Department of State and USAID and MEPI have provided a variety of funding to strengthen democracy in Egypt, there have been very disturbing reports of a lot of this money, or at least some, going to Islamist parties whose commitment to religious freedom is, to say the least, questionable.

Making sure that religious freedom is one of the key elements whereby those seeking help, those groups and parties seeking help are recognized and judged upon is an important step.

Lastly, this money is being provided in order to strengthen various groups looking for having a sounder or voice in their country's future. As a minority, the Copts are facing numerous challenging—challenges in organizing themselves.

Whether any of that money provided by State goes specifically to minority groups to help them, like other Egyptians, to organize themselves and bring their voices to building their country's future is something that needs to be looked into. Again, thank you very much for organizing this session and inviting me to testify. Thank you.

Mr. SMITH. Mr. Tadros, thank you very much for your testimony, for your incisive analysis of the current, near-term and long-term situation and your policy recommendations, which will be most helpful going forward. Dr. Dunne, if you would proceed?

DR. MICHELE DUNNE, DIRECTOR, RAFIK HARIRI CENTER FOR THE MIDDLE EAST, ATLANTIC COUNCIL

Dr. DUNNE. Mr. Chairman, distinguished members, thank you for the honor of testifying before the Commission. As you noted in

your opening statement, Mr. Chairman, it is quite disappointing that the unity between Muslims and Christians that we saw in Tahrir Square just earlier this year has deteriorated and sectarian tensions have escalated dangerously in the intervening months.

But the violence is not, unfortunately, particularly surprising because it's expected in a post-revolutionary climate that the tensions and conflicts that were beneath the surface are going to emerge more openly. And these sectarian tensions—sectarian tensions have been present for decades.

But it was noticeable for the last couple of years that they were—that they were rising and especially in the months leading up to the January revolution, the attack on the church in Alexandria at the beginning of January has been mentioned a number of times. And even leading up to that, there were a number of anti-Christian riots, particularly by Salafi Muslim groups that have become much more active in Egypt in the last couple of years.

And I would suggest that the increasing activity of these Salafi groups is one of the reasons why we have seen these kind of tensions and anti-Christian violence on the rise.

Now, these clear and disturbing trends that were apparent even before the revolution make it all the more difficult to understand why the Supreme Council of the Armed Forces, the SCAF, that was entrusted by Egyptians with the authority upon the forced resignation for former president Mubarak has failed to address sectarian violence in any effective manner.

The SCAF's approach has been almost identical to that of the Mubarak era; that is, after each sectarian incident, the authorities promise to investigate and prosecute crimes vigorously and to address the underlying causes of the incident such as discriminatory laws.

But as soon as public attention moves on, such efforts are either abandoned or long delayed, leaving the victims with a sense of injustice and the perpetrators with a sense of impunity and sowing the seeds of further violence.

As has already been noted during this hearing, the investigations of several serious incidents of large-scale anti-Christian violence leading to the deaths of almost a hundred people and the injuries of hundreds more are ongoing. And they might well be inconclusive if we look at what has happened in previous instances going back even to the al-Kush massacre a decade ago.

What typically happens in these events is that the investigations are botched, either deliberately or through negligence, and there is very little, if any, effective prosecution after the fact. And in the case where military or government officials are—I'm sorry—accused of complicity or at least irresponsibility, and also today we've discussed this October 9th incident in Maspero extensively.

The SCAF has staunchly resisted accountability. I would note that the SCAF's seeming inability to carry out these investigations and prosecutions in an expeditious fashion contrast very much with their speed in prosecuting bloggers and others who are critical of the military.

Also, I will skip through this but the transitional authority supervised by the SCAF also has been very slow to make the promised legal changes, especially these laws regarding the building and

renovation of places of worship which over and over again for years and decades now have been at the root at some of the sectarian tensions.

Now, anti-Christian violence is one of several serious Egyptian issues that the SCAF has shown itself to be unwilling or unable to deal with. Others include rising crime, lack of needed police reforms and a deteriorating economy. As a military organization, the SCAF is not equipped to address such issues. And it shouldn't be called upon to do so, particularly for a prolonged period.

That's why it's essential that the SCAF agree to a clear, realistic timetable to turn over not only legislative but also executive authority to elected civilians. The problem right now is that the SCAF is trying to postpone the transfer of executive authority until it secures guarantees of its status post-elections.

And the status the military is seeking is not simply a continuation of the extensive political influence and economic perquisites it enjoyed during the Mubarak era but actually more than that. The SCAF has sponsored a document of super-constitutional principles that would give it the implicit right to intervene in politics and the explicit right to overrule legislation as well as freedom from civilian supervision or budgetary oversight.

What this would produce, as Ms. Guirguis noted, is a political system similar to that of Pakistan where elected civilian institutions are relatively powerless while unelected and unaccountable military and intelligence services actually run the country.

And as we know from Pakistan as well as from Egypt's own history and current situation, in that kind of a system, military and intelligence organizations often manipulate sectarian tensions and extremist tendencies within the country in order to serve narrow agendas.

That would be a very unhappy outcome of the January 25th revolution for all Egyptians, including Egyptian Christians, and, I would also note, for the United States because the United States cannot escape partial responsibility for the actions of the SCAF due to the tens of billions of dollars in U.S. military assistance that it has provided over the decade and continues to provide now.

The United States should stand unambiguously on the side of the development of a real democratic system in which the rights of all citizens, including the right to religious freedom, will be protected in a climate of free political competition and the rule of law. Only in the democratic system will difficult issues such as anti-Christian violence and discrimination be able to be addressed openly. This will not happen overnight.

Building a strong Egyptian democracy will be a many-year project. But it would be a serious mistake to now create large new obstacles to real democratization by acquiescing to the expansion and formalization of military control out of fear that Islamists might gain a plurality or even a majority in the parliament which will be elected over the next few months.

There are many uncertainties involved when freely elected civilian institutions have real power. But one thing we know for certain is that military rules—rulers will fail to protect all citizens and enforce laws without discrimination. Thank you very much.

Mr. SMITH. Dr. Dunne, thank you as well for your excellent testimony. Let me just begin the questioning. You know, Mr. Tadros, you mentioned in your testimony that the growing number of threats is no surprise. The Copts are questioning whether or not there's a future.

And you said, isolated and ignored by the West, the Copts can only wonder today whether after 2,000 years the time has come for them to pack their belongings. If you could—and the other panelists—speak to the issue of being isolated and ignored by the West. Does that include the United States?

Have we been—has there been a dereliction on our part, our duty to promote democracy and freedom there? Does that include the administration, the Obama administration, the U.S. House and Senate and the EU and others who at least in theory support democracy? I do believe that our intentions are right. But very often our intentions are not matched with deeds and with a seriousness about what the threat actually is.

And your point that a ruler can be bought or constrained by international pressure but with the mob there are no constraints—we saw mob rule in history time and time again played out, and recently in the former Yugoslavia, where neighbor against neighbor committed unspeakable atrocities because—not just impunity but because a sense of hatred that was otherworldly took over.

So I wonder if you might speak to that issue of being isolated and ignored by the West. How well are we doing? Are we being serious?

Mr. TADROS. By isolated and ignored, I was referring to more of a historical story. The first is that Copts were historically isolated from Western Christendom by theological differences and were very skeptical about missionaries and what the West would offer them. The second is their experience under the British occupation was not a very pleasant one.

Unlike the French and the Levant that favored religious minorities, the British in Egypt tried to undermine the Copts and exclude them from government service. Lord Cromer, the famous ruler of Egypt, was no friend to Copts and had very harsh opinions about them.

This pattern of lack of a friend in the West as compared to the Maronite community in Lebanon, for example, has made the Copts very skeptical about any real offers of help or the willingness of any Western power to help them.

As to the specific actions of the United States, as the statement from the president that he made after the Maspero attack, it's a very disturbing statement to say the least. The attitude of equating both the victim and the victimizer and asking both sides to show restraint is, again, very troubling. One wonders how Copts should show restraint. Restraint from dying perhaps? One fails to understand the logic behind such actions.

The president in his Cairo speech mentioned the Copts and the importance of their plight. But we have not seen any action in that regard. Again, the very distributing of reports from Islamist groups and parties getting money from the U.S. State Department, through its policy of not looking at parties' ideologies but whether

they are committed to nonviolence is very disturbing and undermines the positions of the Copts in the country.

So if I am to judge this administration in terms of its interest and actions, I would view it completely as a failure. Thank you.

Ms. GUIRGUIS. Sir, I'd like to add to that. Just adding my voice, the statement indeed after the massacre from the White House was extremely disappointing. The very notion of equating victim with aggressor is an insult to unspeakable tragedy already.

And I think that there has been a little too many U.S. concessions to the U.S.—to the Egyptian security solution for the Coptic problem which ruled the day during the Mubarak era and which continues. It is sort of this blackmailing relationship where as long as you stay out of our sensitive files, including our treatment of religious minorities, you will continue to gain our cooperation on strategic interests.

And I think that that argument has held way too much sway for way too long. Egypt has its own interests in cooperating with the United States and they are compelling reasons. And there is no reason to think that Egypt will run to China tomorrow and turn away from the United States.

One other comment that I have to make, major disappointment—SCAF delegations have been coming on a routine basis since February to visit Washington. They make their rounds in the Pentagon, on the Hill, at the White House. Only days after the latest Maspero massacre, there was a new SCAF delegation that came in town, mostly actually to protest the attempts at conditioning foreign assistance that the House and the Senate were attempting to undertake.

Well, who was assisting them in their lobbying efforts? Well, it's very disappointing for us to discover that CENTCOM was a part of that lobbying team. I myself have spoken to Pentagon officials in the aftermath of the Maspero massacre and the statements that I heard were incredibly disappointing.

I heard and was told directly that the military acted with restraint, that they were actually pleased that the outcome, you know, was as it was, that it could have been much worse and so certainly the military-to-military relationship I think is really skewing what the larger perspective on all of this should be and what this entails for U.S. longer term strategic interests, not just in cooperating with Egypt but in the region as a whole.

Mr. SMITH. Dr. Dunne?

Dr. DUNNE. I agree that there has been a tendency on the side of the U.S. administration to accept the SCAF's—the SCAF's narrative which is that, you know, we're just simple military men, we're doing our best, it's a difficult situation. And remember, it's us or the Islamists. That's your choice.

And that of course is the—you know, is right out of the old Mubarak playbook. I think though that the actions of the SCAF recently in, this October 9th Maspero incident and their absolute failure to accept accountability for that, the super-constitutional document that I mentioned, the harassment and persecution of non-governmental organizations, especially those receiving assistance from the United States, have really begun to make people here

wake up a little bit as to what the SCAF's real intentions might be.

So I hope we will not continue to fall victim to this, you know, binary choice. It's either authoritarianism with all the ugliness that comes with that or Islamism.

Mr. SMITH. In questioning Michael Posner, the assistant secretary for democracy, human rights and labor, I asked him a series of questions about Michele Clark's testimony at our previous hearing.

And he did indicate that he would take it back and hopefully robustly and very aggressively get the department to investigate forced marriages of Coptic Christian women and obviously the abductions that precede the forced marriage. Were you satisfied with his answers? Any of you—any of you want to comment on that?

Mr. TADROS. On the specific issue, it's disturbing that those allegations have been there for a number of years. They've been reported without comments in the various State Department-issued religious freedom reports. So it's a bit surprising that if those have been there why didn't anyone investigate them before.

The more disturbing elements perhaps in the narrative that is accepted from SCAF is this issue that the military and the Egyptian government will pass a new law governing the houses of worship. I'm not sure if people at State have read that law or not. But I have, and it in no way supports religious freedom. The law requires that an area of a minimum of 500 meters be available between any other religious building or mosque.

I don't know if anyone has visited Cairo, but I doubt there is any 500 meters between any two mosques in Cairo. So the idea that this law will somehow help Christians, make it easier for them to build churches, is debatable to say in the least.

Mr. SMITH. Any other witnesses like to respond?

Ms. GUIRGUIS. No, I just—I do agree with that. I don't think it's a solution at all. I think the bottom line is that there continues to exist no political will to address the root causes of this problem.

I think if the sectarian problem of Egypt—I think the solutions are there. everybody knows them. We've been talking about them and offering them for years now. They've been on the books collecting dust in the Egyptian parliament for years now.

But I think if you deprive any authoritarian government of that card, of the card to manipulate society in that way, to be able to use the divide-and-conquer card, to be able to sow instability and create these explosive events and justify their own existence, I think they would be gone.

And that's the most powerful—in my view, one of the most powerful sorts of evidentiary proofs there is of the intentions of the SCAF and what the SCAF actually represents.

Mr. SMITH. Other—yes, Dr. Dunne?

Dr. DUNNE. I have not seen Ms. Clark's testimony and I don't know anything about the specific cases that she raised there. I would say that having looked into some of these cases in the past—and I would say this is sometime in the past. This is, you know, 10 years ago or so when I was at the U.S. embassy in Cairo.

What I found in some of these cases where I was able to find out what happened was that a member of one religious community had

eloped with a member of another religious community. And this gets to the problem that religious conversion and intermarriage are completely unacceptable. And I believe they're unacceptable to both communities, to both the Muslim and the Christian communities in Egypt. It is true that certainly Egyptian law discriminates in favor of the Muslim in this case, that conversion to Islam is permitted and from Islam not so much.

But I would say on the level of society, there is a deep issue here and Dina was just alluding to it, that somehow cannot be addressed openly in a situation in which you have authoritarian governments that are manipulating these tensions for political advantage.

Mr. SMITH. Is there anything else any of you would like to add before we conclude this hearing?

Mr. TADROS. If I can add, going back to the assistant secretary's statement where he writes on page six: I want to make clear that most of these clashes have involved both Copts and Muslims and members of both communities have been the perpetrators and victims of the violence.

I'm not sure if State Department has seen any evidence of Copts attacking Muslims. At least I am not aware of any such incident. So it's a very interesting statement to put, to say the least.

Mr. SMITH. Anything further? Thank you so much for your testimony. This will be part of an ongoing series of hearings I've planned in my subcommittee. It's called "Africa, Global Health, Global Human Rights," sometime in probably January or February to hold another hearing. And it's my understanding that the Lantos Commission for human rights might be planning one as well. While I don't chair it, Frank Wolf does. I am a member of that and certainly will be at it.

And I think now more than ever we need to bring maximum scrutiny and I hope for some very wise interventions on the part of the U.S. government and our European Union friends and everyone else who is concerned about religious persecution as well as democracy and good governance because there is a window of opportunity, it seems to me, and a window that is closing so fast and things, as you pointed out, Mr. Tadros, that could get—you know, it won't just be impunity.

It will be—it'll encourage mob action. And in some cases, they may already be there. So I—and for the record, when a delegation from Egypt came through and visited members of the House foreign affairs committee, I did join in meeting with them and had with me a catalog of human rights abuses directed against Coptic Christians for which I got—you know, that's been fixed and that's OK, we're working on that, always some kind of that's always in the past.

And I certainly was not convinced. And so I hope the wool is not being pulled over the eyes of the Congress or the administration. With that, the hearing is adjourned. [Applause.]

[Whereupon, at 4 p.m., the hearing was adjourned.]

APPENDIX

PREPARED STATEMENTS

PREPARED STATEMENT OF HON. CHRISTOPHER H. SMITH, CHAIRMAN, COMMISSION ON SECURITY AND COOPERATION IN EUROPE

Good afternoon and welcome to this, our second Helsinki Commission hearing on the volatile and dangerous situation facing the Coptic Christians in Egypt following the Arab Spring.

The world watched with great hope and anticipation as events unfolded in Tahrir Square earlier this year. We saw Christians standing guard over Muslims during Friday prayers in the middle of the square. We saw Muslims standing guard over Christians as they celebrated mass in Tahrir.

While I believe that many of those who came together to forge the revolution want to continue that solidarity as they support Egypt's political transition, sadly, there are those who do not. Indeed, the transition period has seen increasing violence against Coptic Christians. The current Egyptian government, controlled by the Supreme Council of the Armed Forces (SCAF), has not adequately responded to this violence, and as we have seen on video, has perpetrated violence against Coptic protestors.

On Sunday, October 9, 2011, twenty-seven people were killed and more than 300 injured in Maspero when the Egyptian military attacked a peaceful group of Coptic Christians protesting the burning of a church in Aswan. The protestors were also demanding the removal of the governor of Aswan, who had justified the mob's destruction of the church by saying that it had been built without a permit.

In what has been deemed the "Massacre at Maspero," witnesses say the army fired on the demonstrators with live ammunition and plowed into the crowd with armored vehicles. Military officers raided and stopped the live broadcast of two independent news channels that had been covering the clashes. At the same time, State-run television and radio reported that the Coptic demonstrators had attacked the military and called for "honorable citizens" to "defend the army against attack"-inciting violence against the Coptic minority.

Amid widespread domestic and international outrage over the events, the White House issued a statement on October 10 saying that: "The president is deeply concerned about the violence in Egypt that has led to a tragic loss of life . . . Now is the time for restraint on all sides so that Egyptians can move forward together to forge a strong and united Egypt."

With all due respect, the President seems to have completely missed the point. This is not a situation of equal power and equal responsibility for violence. This was not a lawless gang clash on the street, or a mob marauding the streets in the absence of a government. The Coptic community was protesting the fact that the Egyptian government in Aswan failed to protect Coptic property and allowed a mob to burn down the Coptic place of worship.

When Copts called on the military government to treat the Copts as equal citizens and protect their rights, the government itself turned on them with a massacre.

How is this government any different from the Mubarak thug regime? Had this occurred under Mubarak, we would have called for his removal.

This same government is investigating itself for the incident. And the assault on human rights continues.

In fact, the military has arrested at least 28 people—mostly Copts—in connection with the clashes, including prominent blogger Alaa Abdel Fattah. These individuals are being hauled before military prosecutors.

To date, despite multiple videos and eyewitness accounts showing the military's use of lethal violence against peaceful protestors, the Egyptian military has yet to take responsibility for its actions, or otherwise demonstrate that it will protect all Egyptians, including the Coptic minority that make up more than 10% of its population.

According to press reports last week, a member of a government-backed fact-finding committee said that the Egyptian army did not use live ammunition to disperse protestors during the October 9 incident.

However, Hafez Abu Saeda, a senior figure in the government-sponsored National Council for Human Rights which set up the committee, also said that an independent investigation was needed to establish the full facts and that some state institutions, including the army, did not cooperate fully with the committee. Rights

activists, including the Arab Network for Human Rights Information and Human Rights Watch, have criticized the report for a lack of detail.

Tragically, the Massacre at Maspero is not an isolated incident, but rather a continuation of the endemic discrimination against, and marginalization of, Coptic Christians in Egypt.

According to the 2010 State Department International Religious Freedom Report for Egypt:

“The status of respect for religious freedom by the government remained poor, unchanged from the previous year. Christians and members of the Baha’i Faith, which the government does not recognize, face personal and collective discrimination, especially in government employment and their ability to build, renovate, and repair places of worship. The government failed to prosecute perpetrators of violence against Coptic Christians and again failed to redress laws—particularly laws relating to church construction and renovation—and governmental practices, especially government hiring that discriminates against Christians, effectively allowing their discriminatory effects and their modeling effect on society to become further entrenched.”

The US Commission on International Religious Freedom notes that, “In response to sectarian violence, Egyptian authorities typically conduct ‘reconciliation’ sessions between Muslims and Christians as a means of resolving disputes. In some cases, authorities compel victims to abandon their claims to legal remedy. The failure to prosecute perpetrators fosters a climate of impunity.”

A report by the Egyptian Initiative for Human Rights (EIPR) covering the period from January 2008 to January 2010 documented 53 incidents of sectarian violence—about two incidents per month—that took place in 17 of Egypt’s 29 governorates. Most of the attacks were by Muslims on Christians and Christian churches or property.

Egypt will not reach its democratic goals through the oppression of its minority peoples; democracy does not come with an iron fist. Rather, democracy springs from the belief that all people are created equal and have the right to participate in their governance. A legitimate government is of the people, by the people, and for the people—including minorities. A legitimate government submits to the rule of law.

The Egyptians demonstrated this belief in Tahrir Square, but seem to be losing their way-spinning backward into tyrannical abuses of power.

If there is any hope for a democratic and peaceful Egypt, the Copts must be allowed to contribute actively to Egyptian society and to the transformation of their country without fearing for their lives.

In order to further discuss this critical juncture in Egypt’s history, we have with us today a distinguished panel of witnesses who will help us more fully understand the plight of the Coptic Christians and what their status portends for peaceful and democratic political transition in Egypt.

Michael Posner has served as Assistant Secretary of State for the Bureau of Democracy, Human Rights and Labor since September 2009. Prior to joining the State Department, Mr. Posner was the Executive Director and the President of Human Rights First. He played a key role in proposing and campaigning for the first U.S. law providing for political asylum, which became part of the Refugee Act of 1980. Mr. Posner also has been a prominent voice in support of fair, decent, and humane working conditions in factories throughout the global supply chain. Before joining Human Rights First, Mr. Posner was a lawyer in private practice in Chicago and also lectured at Yale Law School and at Columbia University Law School. He holds a J.D. from the University of California, Berkeley Law School and a B.A. with distinction and honors in history from the University of Michigan.

Dina Guirguis is an Egyptian American democracy activist and attorney and member of the Egyptian American Rule of Law Association (EARLA). Formerly, she was the Keston family research fellow in The Washington Institute for Near East Policy’s Project Fikra. She founded and was editor of a near real time Arabic-English blog called Fikra Forum connecting Arab activists with U.S. policymakers on issues of regional political reform. Prior to joining the Institute, Ms. Guirguis was the executive director of Voices for a Democratic Egypt. She has been active in the struggle for democracy and human rights in Egypt beginning with her work at the Ibn Khaldun Center for Development Studies in Cairo, where she remained until the center’s closure by the Egyptian government in 2000. In the United States, Ms. Guirguis has practiced criminal and corporate law. She holds a J.D. from Vanderbilt University Law School and a B.A. from Wellesley College.

Samuel Tadros is a Research Fellow with the Center for Religious Freedom at the Hudson Institute. Before joining Hudson in 2011, Mr. Tadros was a Senior Partner at the Egyptian Union of Liberal Youth, an organization that aims to spread the ideas of classical liberalism in Egypt. He previously interned at the American enter-

prise Institute and worked as a consultant for both the Hudson Institute on Moderate Islamic Thinkers and the Heritage Foundation on Religious Freedom in Egypt. In 2007 Mr. Tadros was chosen by the state Department in its first Leaders for Democracy Fellowship Program in collaboration with Syracuse University's Maxwell School. He holds an M.A. from Georgetown University and a BA from the American University in Cairo.

Dr. Michele Dunne is Director of the Atlantic Council's Rafik Hariri Center for the Middle East. Dr. Dunne has served in the White House on the National Security Council staff, on the State Department's Policy Planning staff and in its Bureau of Intelligence and Research, and as a diplomat in Cairo and Jerusalem. Prior to joining the Atlantic Council, she was a senior associate at the Carnegie Endowment for International Peace, where she edited the Arab Reform Bulletin and carried out research on Arab politics and U.S. policies. She holds a doctorate in Arabic language and linguistics from Georgetown University, where she has served as a visiting professor of Arab Studies. She co-chairs the Working Group on Egypt, a bipartisan group of experts established in February 2010 to mobilize U.S. government attention to the forces of change in that country.

PREPARED STATEMENT OF HON. BENJAMIN L. CARDIN, CO-CHAIRMAN, COMMISSION
ON SECURITY AND COOPERATION IN EUROPE

I thank Chairman Smith for holding this important and timely hearing. As the exhilarating events of the Arab Spring move forward into the reality of day to day transitional governance, election planning and the challenges of creating participatory democracy, the principles that sparked the revolutions must not be forgotten. Respect for the rights of minorities and women, free speech and freedom of assembly are critical building blocks for open and accountable governance.

We condemn the violence perpetrated on Coptic Christians during their peaceful march to Maspero last month. This was certainly not the first time Copts have experienced violence. The past year has seen increased attacks on Coptic churches, homes and businesses, and the people in them. The brutality of the October 9 attacks by the Egyptian army—the supposed “protectors of the revolution”—is an outrage. Even more outrageous, and dangerous in my view, is the army’s denial that they were involved in the killing spree and the current government’s refusal to conduct an independent and transparent investigation of the events.

I understand that most of the people who have been arrested thus far in connection with October 9 are Copts and that all will be brought before military courts. According to yesterday’s Washington Post, Egypt’s military has ordered that Alaa Abdel-Fattah, a well known blogger and leader from Tahrir Square, be held in custody for another fifteen days. Abdel-Fattah was arrested on October 30 after he refused to answer questions about his alleged role in the October 9 events. He has not been charged, denies the allegations against him, and refuses to speak with military prosecutors because he insists they should have no role in trying civilians. More than 12,000 Egyptians have been brought before military tribunals this year—evidence of the dangers of the Supreme Council of the Armed Forces’ (SCAF) continuation of the decades old emergency law.

Another dark cloud on the horizon of Egypt’s political transition is the SCAF’s increasing attacks on Egyptian civil society. The government has promoted stories in the state-run media accusing Egyptian NGOs of working on behalf of “foreign agendas” and began investigating them. The government’s report on the investigation, published in September, declared 39 NGOs to be “illegal,” including many of Egypt’s oldest and most respected human rights organizations such as the Cairo Institute for Human Rights Studies, the El-Nadeem Center for Rehabilitation of Victims of Torture, the Egyptian Initiative for Personal Rights, and the Hisham Mubarak Law Center.

Substantial public doubt has emerged regarding the capacity of the SCAF to appropriately manage the political transition following the January 2011 revolution. The first elections of the post-Mubarak Egypt are scheduled for November 28. The military’s brutal attack on Coptic Christians last month, its broadening imposition and extension of the emergency law, and attacks on Egyptian civil society challenges the notion that the SCAF is incorporating the diverse expectations of the Egyptian people. Egypt is a Mediterranean partner for Cooperation in the Organization for Security and Cooperation in Europe (OSCE) and is expected to aspire toward OSCE norms.

In her recent keynote address at the National Democratic Institute’s 2011 Democracy Awards Dinner, Secretary of State Hillary Rodham Clinton remarked. “If-over time-the most powerful political force in Egypt remains a roomful of unelected officials, they will have planted the seeds for future unrest, and Egyptians will have missed a historic opportunity.”

We stand in solidarity with the international community and the Egyptian people as we urge a return to the principles of tolerance and pluralism that inspired the movement in Tahrir square. The future of Egypt rests with a political transition that respects the fundamental freedoms and the rights of all Egyptians.

I look forward to the testimony of our distinguished witnesses.

PREPARED STATEMENT OF MICHAEL POSNER, ASSISTANT SECRETARY OF STATE,
BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR, U.S. DEPARTMENT OF STATE

Thank you, Mr. Chairman, for conducting this important hearing on the situation faced by Coptic Christian community in Egypt, and for inviting me to testify.

As you know, this is a time of substantial transition in Egypt as Egyptians strive to move their country towards democracy. This is not an easy process and it will not happen overnight. Egypt is only starting on a path from the temporary stewardship of the Supreme Council of the Armed Forces (SCAF), through parliamentary elections that will begin in two weeks, then the process of drafting of a new constitution and finally presidential elections. As they move toward these milestones, millions of Egyptians hope to see the emergence of a democratic civilian government that respects the universal rights of all of its citizens.

As part of this vision, it is vital that there be a place in the new Egypt for all citizens, including all religious minorities, of which the Coptic Christian community is the largest. President Obama and Secretary Clinton have made clear their deep concern about violence against Coptic Christians, most recently during the October 9 tragedy in front of the Egyptian radio and television building in the Maspero area of Cairo. At least 25 people died and more than 300 were injured. We have urged the Egyptian government to investigate this violence, including allegations that the military and police used excessive force that was the cause of most of the demonstrator deaths. We also have urged that those responsible for these deaths and injuries be held accountable.

While the focus of my testimony is on the situation of the Copts, I would like to point out that other religious minorities also suffer official discrimination. While non-Muslim religious minorities officially recognized by the government—namely Christians and the tiny Jewish community—generally worship without harassment, members of the Bahai Faith, which the government does not recognize, face personal and collective discrimination. The government also sometimes arrests, detains, and harasses Muslims such as Shia, Ahmadiya, and Quranist, converts from Islam to Christianity, and members of other religious groups, such as Jehovah's Witnesses and Mormons. The Government continues to refuse to recognize conversions of Muslims to Christianity or other religions, which constitutes a prohibition in practice.

I would like to set this testimony on the Copts in a broader context. Last week Secretary Clinton gave an important policy address in which she outlined our overall policy on democratization in the Middle East and beyond. She described the US government's principled engagement in the Middle East. We support the aspirations of citizens to live in societies that guarantee freedom, including freedom of expression, assembly and religion. We also believe strongly in systems that allow citizens a say in how they are governed and that will provide economic opportunities for all. These are the demands that we heard in Tahrir Square, where Copts and Muslims joined hands to protest and to pray in the weeks leading up to the downfall of the Mubarak regime. We have heard similar demands echoing throughout the Middle East and even far beyond that region in the ensuing months.

Secretary Clinton also has spoken out consistently about the importance of religious freedom and religious tolerance, both of which are fundamental to human dignity and peaceful transitions to democracy. Religious freedom is a human right, guaranteed by international human rights law. At the release of the State Department's report on International Religious Freedom in September, Secretary Clinton emphasized the role that religious freedom and tolerance play in building stable and harmonious societies. She said:

"Hatred and intolerance are destabilizing. When governments crack down on religious expression, when politicians or public figures try to use religion as a wedge issue, or when societies fail to take steps to denounce religious bigotry and curb discrimination based on religious identity, they embolden extremists and fuel sectarian strife. And the reverse is also true: When governments respect religious freedom, when they work with civil society to promote mutual respect, or when they prosecute acts of violence against members of religious minorities, they can help turn down the temperature. They can foster a public aversion to hateful speech without compromising the right to free expression. And in doing so, they create a climate of tolerance that helps make a country more stable, more secure, and more prosperous."

This is the basis for our belief that in order to succeed and prosper, Egypt, and its neighbors, must protect the rights of all citizens and all minorities, including its Coptic population. The corollary is also true: successful democratic transitions are the best way to safeguard those rights.

Mr. Chairman, the Copts in Egypt have faced discrimination for many years. Christians face personal and collective discrimination, especially in government employment and the ability to build, renovate, and repair places of worship.

Although they represent about 10% of the population and play an important role in Egypt's economy, Copts have suffered from widespread discrimination and remain underrepresented in prominent positions in Egyptian politics and society.

The headlines—and the trend lines—continue to tell a disturbing story.

I was in Egypt just days after the January 2010 attack on the Nag Hammadi Church in Upper Egypt, when gunmen shot and killed seven people as worshippers were leaving a midnight Christmas mass. At that time, I called for an end to impunity for such crimes and full accountability for those who attacked this holy place. One suspect, Hamam al-Kamouny was tried under the emergency law in a state security court, convicted on January 16 and executed on October 10. The other two defendants, Qoraishi Abul Haggag and Hendawi El-Sayyed, were acquitted by the court, angering many Coptic activists. Yesterday, November 14, Egypt's official news agency announced that Abol-Haggag and El-Sayyed are to be retried on December 19 under the Higher Emergency State Security Court, for crimes including premeditated murder and terrorism with the use of force and violence. We applaud the pursuit of accountability in this case, although we would prefer that these types of crimes be dealt with in civilian courts with full due process of law.

Almost exactly a year after the Nag Hammadi attack, on January 1, 2011, a bomb exploded at the Coptic Orthodox Church of the Two Saints in Alexandria, killing 23 people and wounding around 100. There are no suspects in custody for that crime, although the Government of Egypt reports that its investigation is ongoing.

These two incidents, and others like them, took place before the fall of President Mubarak on February 11. We have since received reports of an increase in sectarian violence and tensions, including at least 67 people killed in religious clashes—most of them Coptic Christians. This brings the total number of reported deaths this year to more than 90. There have been at least six recent major incidents of violence against Copts:

- On February 23, the Army used live ammunition, including rocket propelled grenades, against unarmed Copts during a land dispute at a monastery. A monk, one of the six shot, later died. To our knowledge, no one has been held accountable for these attacks.
- On March 4, in the village of Sol, a large group of Muslim villagers destroyed the Church of Saint Mina and St. George after the army failed to stop them. To our knowledge, there has been no investigation and no one has been charged despite videos of the perpetrators.
- On March 8, 13 people were killed when Muslims and Copts clashed in the Mukkatum area of Cairo. Some of the Copts had been protesting the slow government response to the destruction of the church in Sol. One Coptic bishop claimed that though news reports listed seven Christians and six Muslims. To our knowledge, there has been no investigation and no one has been charged in the deaths.
- On May 8 in Imbaba, a poor neighborhood of Cairo, two churches were attacked and one burned during sectarian riots. The clashes resulted in 23 deaths and 232 injuries. That month, the official media reported that the government referred 48 suspects to trial. Approximately half of these suspects have been arrested, including a prominent Salafist leader, while half remain at large. The High State Security Court in Giza has adjourned the trial until December 4, when it expects to hear testimony from the remaining witnesses.
- On September 30, in Merinab village in Edfu, Aswan governorate, an estimated crowd of 3,000 Muslims looted and burned the St. George Coptic Orthodox Church, in addition to some Copt-owned homes and businesses, following reported incitement by village imams. Local media reported that a Ministry of Justice fact-finding committee traveled to Aswan on October 12, in the aftermath of the Maspiro violence, to investigate the church burning. The status of this investigation is unclear.
- And finally, on October 9 in Cairo, violence erupted in front of the Egyptian television building known as Maspiro, at a demonstration by Copts protesting the government's failure to investigate the burning of the church in Merinab in Aswan governorate. At least twenty-five people were killed and more than 300 injured.

On October 11, Secretary Clinton addressed the October 9 violence at Maspiro and called for an immediate, credible, and transparent investigation of all who were responsible for the violence, with full due process of law. The White House issued a statement urging Egyptians to move forward together to forge a strong and united

Egypt and reaffirming our belief that the rights of minorities—including Copts—must be respected, and that all people have the universal rights of peaceful protest and religious freedom.

The government of Egypt has stated publicly that they are conducting two investigations. The Egyptian Armed Forces are reviewing the conduct of Military Police, who eyewitnesses and video evidence suggest ran over and shot at demonstrators. The Ministry of Justice has been tasked by the Egyptian Cabinet with a full investigation of the incident. Separately, military prosecutors are investigating about 30 demonstrators, including one prominent blogger, who were detained during the violence. They are accused of inciting violence, stealing firearms, and attacking security forces. They will be tried in military courts.

On November 2, a fact-finding committee established by the National Council for Human Rights issued an initial report on the Maspuro violence. (NCHR is a quasi-governmental watchdog body, but the committee was led by respected human rights advocates). The report found that the march by Copts and their Muslim allies began peacefully at Shubra and moved toward Maspuro in downtown Cairo. According to the report and several corroborating accounts, as the marchers approached Maspuro, they were attacked by civilians throwing rocks and chanting Muslim extremist slogans. According to the same sources, military police then confronted the marchers and attempted to keep them from reaching the building. The MPs used shields and batons, and fired blanks. Marchers began fighting back against the violent civilians and military police. The NCHR report acknowledged that 12 or more civilians were killed when they were run over by military vehicles. The committee said it could not determine who fired the bullets that killed at least seven demonstrators.

During the height of the clashes, state TV anchor Rasha Magdy called on “honorable Egyptians” to defend the Army against “attacks by violent demonstrators.” Twenty-one prominent Egyptian human right organizations criticized the “inflammatory role played by the official state media,” charging that a “direct link can be traced between the outright incitement against demonstrators by state media and the events at Maspuro.”

On October 13, the head of Egypt’s military justice system, Adel al-Morsi, said that the military would lead the official investigation into the events. According to Human Rights Watch and local media, the military has arrested approximately 30 individuals. The government has said it will try suspects in military courts, since the crimes involved attacks on military personnel and equipment.

The Coptic community is concerned, as we are, about the severity and frequency of sectarian attacks against their community, and while they recognize that the government has nothing to do with most of these attacks, they are greatly concerned about the need to hold perpetrators accountable. I want to make clear that most of these clashes have involved both Copts and Muslims, and members of both communities have been the perpetrators and victims of the violence. It also is important to emphasize that many Muslims have stood up to defend members of the Coptic community against extremist violence.

The United States Government condemns this sectarian violence and continues to urge the Government of Egypt to take all necessary and available measures to reduce these tensions.

In raising our concerns about the Coptic community, we are also aware and very supportive of the positive steps the Egyptian government has taken on behalf of the Copts. On March 8, by order of the Prime Minister, Coptic priest Mitaus Wahba was released from prison where he was serving a five year sentence for officiating at a wedding of a Christian convert from Islam. On April 14, the SCAF fulfilled its commitment to rebuild a church in Sol that had been destroyed on March 4 by mob violence. And as I noted earlier, the government also took steps in response to the May 8 Imbaba violence; in addition to re-opening dozens of churches, the government is prosecuting 48 individuals charged with murder, attempted murder, and a variety of other crimes. The trial is scheduled to resume on December 4.

The government also has pledged to adopt a Unified Places of Worship Law, which would guarantee all faiths the ability to construct and maintain places of worship. The Cabinet sent the draft law to the military council in October. We urge the SCAF to endorse this provision as soon as possible. The Government of Egypt has promised to consider this measure for several years, including twice in the last five months. Numerous cases of sectarian violence in recent years have stemmed from disputes over church construction. The prompt adoption of this provision now would send a very strong signal of the government’s commitment to protect religious freedom. It would recognize the right of all Egyptians to freely build places of worship they need to conduct religious activities. As the government reviews this proposal it should take into account the concerns expressed over earlier drafts that the suggested multi-stage process of applying for permits to construct and repair

churches is too convoluted, cedes too much authority to governors to grant permits, and imposes onerous restrictions on the number and location of houses of worship.

Finally, in the aftermath of the Maspuro violence, we welcome steps that are being taken by the Government of Egypt to reduce discrimination in the penal codes. On October 15, the SCAF issued a decree amending Egypt's penal code to prohibit discrimination on the basis of religion, gender, language, faith, or race. The decree also delineated prison sentences and specific fines for acts of discrimination, as well as failure to prevent discrimination. These included more severe penalties for government officials found to be complicit in discrimination.

The new penal code provisions bolster the Egyptian constitution's ban on discrimination. Article 7 of the March 31, 2011, constitutional declaration states that "all citizens are equal before the law. They have equal public rights and duties without discrimination on the grounds of race, ethnic origin, language, religion, or creed." We urge the government to *enforce* these and other anti-discrimination laws and hold violators accountable so that all minorities, including Copts, can enjoy equal protection.

Like Egyptian Muslims, Egyptian Copts are concerned about their country's future and their own place in it. In addition to security from sectarian violence and equal treatment under the law, they want equal representation in parliament and a proportional voice on the committee that will draft Egypt's new constitution. Like moderate Egyptian Muslims, the vast majority of whom support religious freedom, Copts and other religious minorities consider themselves full partners in a new Egypt.

As Secretary Clinton said last week, "If—over time—the most powerful political force in Egypt remains a roomful of unelected officials, they will have planted the seeds for future unrest, and Egyptians will have missed a historic opportunity." The door to real democratic change is only beginning to open. We hope Egyptians will walk through it together to a more peaceful and prosperous future.

Thank you.

MICHAEL H. POSNER

Michael H. Posner was sworn in as Assistant Secretary of State for the Bureau of Democracy, Human Rights and Labor on September 23, 2009.

Prior to joining State Department, Mr. Posner was the Executive Director and then President of Human Rights First. As its Executive Director he helped the organization earn a reputation for leadership in the areas of refugee protection, advancing a rights-based approach to national security, challenging crimes against humanity, and combating discrimination. He has been a frequent public commentator on these and other issues, and has testified dozens of times before the U.S. Congress. In January 2006, Mr. Posner stepped down as Executive Director to become the President of Human Rights First, a position he held until his appointment as Assistant Secretary.

Mr. Posner played a key role in proposing and campaigning for the first U.S. law providing for political asylum, which became part of the Refugee Act of 1980. In 1998, he led the Human Rights First delegation to the Rome conference at which the statute of the International Criminal Court (ICC) was adopted.

Mr. Posner also has been a prominent voice in support of fair, decent, and humane working conditions in factories throughout the global supply chain. As a member of the White House Apparel Industry Partnership Task Force, he helped found the Fair Labor Association (FLA), an organization that brings together corporations, local leaders, universities, and NGOs to promote corporate accountability for working conditions in the apparel industry. He also was involved in the development of the Global Network Initiative, a multi-stakeholder initiative aimed at promoting free expression and privacy rights on the internet.

Before joining Human Rights First, Mr. Posner was a lawyer with Sonnenschein, Nath & Rosenthal in Chicago. He lectured at Yale Law School from 1981 to 1984, and again in 2009. He was a visiting lecturer at Columbia University Law School since 1984. A member of the California Bar and the Illinois Bar, he received his J.D. from the University of California, Berkeley Law School (Boalt Hall) in 1975, and a B.A. with distinction and honors in History from the University of Michigan in 1972.

PREPARED STATEMENT OF DINA GUIRGUIS, EGYPTIAN AMERICAN RULE OF LAW
ASSOCIATION

Good afternoon. Thank you Mr. Chairman for organizing this timely hearing. I'm especially pleased to have the opportunity to give testimony on Egypt's not only continuing but growing sectarian problem. I would like to state that my testimony here today represents my individual views and not necessarily the views of any organization with which I'm affiliated, including the Egyptian American Rule of Law Association (EARLA).

Last time I testified on Egypt's sectarian problem, specifically the plight of the Copts, Egypt's Christian population, back in January this year, I began my testimony by quoting 22 year old Mariam Fekry, who had posted a prayer for a wonderful new year in 2011 on her facebook page, just hours before she was killed in a heinous attack on the Saints Church in Alexandria, Egypt on New Year's eve which left 21 dead. When I last testified, I stated that Mariam's hopes, and ultimate fate, so tragically and poignantly illustrate the plight of the Coptic people, Egypt's native Christians, who represent 10-15% of Egypt's 83 million people. I stated that while the Copts are the Middle East's largest Christian minority, they have faced an alarming escalation of violence as state protection has dwindled.

I explained that for at least three decades, we, the Copts, have been offered an authoritarian compact of sorts. The Copts, as all Egyptians, were to live under a draconian emergency law, namely martial law suspending basic constitutional protections, in exchange for the delivery of stability and protection from terrorism. In those three decades, however, Egypt failed to make adequate progress on key developmental indicators, and Egypt's human rights record fared no better: Freedom House consistently classified Egypt as "not free," and Egypt's record on religious freedom went from bad to worse, placing it on the US Commission on International Religious Freedom's (USCIRF's) "watch list" since 2002, for "serious problems of discrimination, intolerance, and other human rights violations against members of religious minorities." After Egypt's revolution, the commission recommended, for the first time, the downgrading of Egypt's status, designating Egypt a "country of particular concern," or CPC, for "engaging in and tolerating egregious violations of freedom of religion or belief. While religious freedom conditions in Egypt had been deteriorating during the last years of the Mubarak regime," USCIRF stated, "since Mubarak's ouster on February 11, conditions have further deteriorated." In USCIRF's view, this deterioration has warranted Egypt's ranking alongside China, Iran, and Afghanistan.

Last time I testified on Egypt's sectarian problem was January 20, only 5 days before the revolution broke out. Back then, I had described the "authoritarian pact" offered by the Mubarak regime as an illusory Faustian bargain, and instead stated that the real answer to Egypt's sectarian crisis is progress toward a democratic state that respects human rights, applies the rule of law and extends equal constitutional protections to all citizens. I also noted that the Egyptian regime will avoid doing so at all costs. But we soon learned that Egyptians' frustration with decades of tyranny would and could not be indefinitely contained, and on January 25, Egyptians of all stripes took to the streets to determinedly but nonetheless peacefully demonstrate that.

Somewhat cautiously, Christians regarded the revolution as a potential positive turning point and joined their fellow Muslim citizens in demanding fundamental change which they hoped would entail a new Egypt based on principles of equal citizenship, rule of law, and individual freedoms. Instead, Egypt's current trajectory highlights not just substantial challenges to democratic transition, but the absence of political will from the current military de facto regime to affect that transformation. In the process, Egypt's vulnerable groups are more susceptible than ever to unprecedented violence and insecurity.

In 2011 alone, Copts have been the target of 33 sectarian attacks, 12 of which involved an attack on a church. The combined casualties, not counting the latest Maspero massacre, include 72 dead, as well as a substantial number of Christian homes, property, and churches destroyed. With the Maspero massacre, the death toll rises to 97, and the number of those injured exceeds 400. Compared to 2010, these statistics represent more than a 6 fold increase in Christian casualties in 2011.

While it may be alluring to blame the revolution for this serious escalation and praise the relative stability of the Mubarak days, I submit that the same societal ills and perhaps more significantly the insidious state role in inciting sectarian violence plague Egypt more than ever today, and that responsibility lies in no small measure squarely at the foot of the military dictatorship, represented by the Supreme Council of the Armed Forces (SCAF) which has taken hold and adopted the

old authoritarian tactics, while representing and proclaiming itself the “revolutionary government.”

For decades, the regime encouraged and capitalized on the growth of a culture of discrimination against religious minorities, and eventually sectarian crimes became crimes of impunity. Substituting the extension of the rule of law and equal protection of the law, the state always insisted on “reconciliation sessions” where victims and perpetrators were brought together and coerced into extrajudicial settlements by the state security apparatus. In March of 2011, when a Christian man had his ear severed by hardline Islamists known as Salafis in Upper Egypt, SCAF very powerfully continued the message of impunity by forcing the victim not to bring legal charges and failing to investigate or bring the perpetrators to justice. Perceiving the continuation of the status quo, this and similar incidents strengthened extremists’ convictions that not only would the state tolerate blatant persecution of Christians and minorities, but it would do so with a nod and a wink for its own interests, much like the days of the Mubarak era. Capitalizing on an environment of literal police absence from Egyptian streets following the revolution—a massive security failure on the interim government’s part which itself requires investigation and accountability—the Salafis once again lashed out at Christians in May, when they accused the Coptic church of holding alleged Christian converts to Islam against their will. Incitement by the Salafis in a poor, crowded neighborhood of Cairo resulted in an all out war between Muslims and Christians which lasted for hours, without police or military intervention, leaving 12 dead and 2 churches burnt to the ground.

The response of SCAF to the incident was to send in a Salafi preacher known as Mohamed Hassan to the neighborhood to “pacify the situation.” This “preacher” has long been known for his incitement against Christians and calls for their second class citizenship. He is also the same man that was granted a podium and allowed, by the military regime, to preach from Tahrir Square in the weeks following Mubarak’s ouster, where he was given free rein to express hate speech.

While the churches were rebuilt, no one was held to account for the day’s heinous violence, and when interviewed about this in the independent media, SCAF General Hassan El-Rewiny stated that it was “preposterous” to demand further action on the matter, including an investigation and arrests, since the churches were rebuilt.

Once again, taking their cue from the SCAF’s eerily Mubarakist treatment of Egypt’s vicious sectarianism, extremist Muslim youths in an Upper Egyptian town called Edfu took it upon themselves in September to destroy a church because it allegedly “lacked the necessary permits,” even though the church was an ancient one that had been operating for years. Rather than hold to account the youths who lacked any authority to act on any such claim, the region’s governor instead praised the youths who committed this act, and then SCAF refused to fire the governor.

With all these successive tragedies in mind, and compounded by years of societal intolerance, institutionalized discrimination, and state complicity and incitement, which was clearly continuing with the SCAF’s blessing, Christians took peacefully to the streets on October 9, as they had alongside other Egyptians during the 18 day uprising, to protest the current military regime and to demand basic civil liberties. Muslim activists and sympathizers joined them in their call. They were, as most of us now know and as is and was documented widely across international media, met with disproportional violence, culminating in live shootings and the crushing of unarmed civilians by armored personnel carriers (APC’s). Meanwhile, while the corpses of civilians, most of whom were Christian, were being taken to hospitals, Egyptian state television misrepresented the facts, stating that “Coptic gangs” had killed three soldiers and were attacking the military in a manner “not even the Israelis would dare,” even going so far as to exhort “honorable Egyptians” to come to the defense of their military. This incitement directly led to vigilante acts of sectarian violence in Cairo’s streets, where some Muslims sought out and targeted Christians for beatings or worse.

Expectedly but no less tragically, the SCAF’s ensuing press conference addressing the tragedy blamed the victims and exhorted Egyptians to “put themselves in the place of the soldier driving the APC, who was understandably confused and panicked.” Adding insult to injury, the SCAF praised the role of Egyptian state tv, and when asked about the names of the alleged military casualties, refused to release them for “security reasons.”

Thus, in the aftermath of the revolution, the state itself has continued institutionalized discrimination and encouraged the growth of a culture of sectarianism and impunity to act on that sectarianism. During the last days of the Mubarak era, a Cairo based human rights organization had described Egypt as a “police state infused increasingly with theocratic elements.” I would submit that if you substitute the word “police state” with “military state,” this would be an accurate description of the state of things today. The military regime continues to count on a divide and

conquer tactic to consolidate its power, to scapegoat the Copts to deflect from its own governance failures, and to sow instability and simultaneously present itself as the sole solution to that instability, justifying along the way the continuation or institution of new repressive practices and laws. One need only give a cursory look at SCAF's history since its assumption of power: over 12,000 civilians have been tried in military tribunals that do not meet minimum standards of due process, female protesters have been subjected to degrading "virginity tests," the notorious emergency law has been extended, and numerous laws restricting freedom of assembly and even criminalizing criticism of the military have been opaquely passed and enforced in draconian fashion. Local rights groups are already decrying these abuses and more, including the SCAF's pre-election conduct which observers accurately note portends to substantial fraud in upcoming elections, where Islamists are expected to win a substantial parliamentary presence. This parliament, according to the SCAF's transition plan, will be responsible for the drafting of Egypt's new Constitution, raising doubts about whether such a document will embody the aspirations of Egyptians, as expressed through their revolution, which rejected notions of both autocracy and theocracy.

Attempts by the SCAF to issue "guiding principles" for the Constitution are no comfort. While the US government may be banking on SCAF to turn Egypt into a pre-Erdogan Turkish model, what is actually unfolding is more analogous to more insidious models such as the Pakistani one, entailing greater power for Islamists and the marginalization of all other political forces. Avoiding this outcome requires that the US not fall into the trap it previously did with Mubarak, placing as it did all its bets on an authoritarian partner and a police state, which SCAF represents. It means that the US must insist that its support during and for Egypt's transition be contingent on a prompt and genuine democratic transition to a civilian authority which represents the aspirations of all Egyptians and guarantees the equal rights of all, starting with the immediate cessation of sectarian incitement and elimination of all forms of discrimination, and including but not limited to: immediate security sector reform entailing the prompt return of police to the streets; the conduct of free and fair elections; an inclusive and transparent constitutional drafting process; the elimination of laws that repress basic rights and the expansion of the political space to allow a greater role for civil society and nonreligious political parties; and a free civilian presidential race which represents a true handoff of power from the military. Egypt's civilian president must then go about undoing decades of the disease of pernicious sectarianism which has infiltrated society through undertaking substantial legal, institutional, educational, and media reform, all vast tasks which only a person entrusted and vested with the faith of Egyptians and the interests of Egypt—and not the interests of a few privileged generals—could assume. We owe it to those who sacrificed to herald a new era of freedom in the Middle East. We owe it to Mina Daniel, who while anticipating being killed by Mubarak's police forces while camped out in Tahrir Square during the 18 day uprising, survived, only to be killed a few months later at the hands of Mubarak's successors, who represent more of the same.

PREPARED STATEMENT OF SAMUEL TADROS, RESEARCH FELLOW, CENTER FOR
RELIGIOUS FREEDOM, HUDSON INSTITUTE

Thank you Mr. Chairman for holding this timely and important hearing and for inviting me to testify today on the plight of Egypt's Christians and what it signifies for the prospects of a democratic transition in Egypt.

The title of today's hearing suggests a linkage between religious freedom, or more precisely the lack thereof and the prospects of democracy in Egypt. Unfortunately this linkage has been often ignored by policy makers. The modern debasement of the concept of a free society to mean, essentially, the holding of elections has blinded many to the importance of religious freedom to the health and survival of free societies.

The recent massacre of Copts on the 9th of October, while certainly significant in terms of the number of victims and the manner of their deaths, should not blind us to the fact that it is only a continuation of a previous pattern. Attempting to deal with the massacre and propose solutions without recognizing that pattern, would limit our understanding and as a result our proposed remedies.

Previously, before the revolution, Copts were facing three distinct threats, from Islamists, the government and the general population. Each entity has its own internal considerations and goals that help to diminish religious freedom, but it is the dynamic relationship between them that creates ongoing cycles of intolerance and discrimination.

The Islamist threat took the form of direct violent attacks on Copts conduct by terrorist organizations. The recent Alexandria Church bombing on New Year's Eve is a stark reminder of the threat that they pose.

The government itself engaged in rampant discrimination. Ottoman-era laws restricting the building of churches remained in force. Christians were excluded from important government positions. Egypt's Christian heritage was not mentioned in schoolbooks, and Copts were almost completely absent from the political landscape. Attacks against Copts almost always went unpunished.

Most worrisome of all, in recent years, has been the spate of attacks by ordinary Muslims on their Christian neighbors. Starting with the massacre in El-Kosheh in January 2000, recent attacks usually have not been orchestrated by Islamist groups, but have been the result of ordinary Muslims' anger at something they see as an affront to Islam's domination and supremacy in the land of Islam: the resumption of work on an old church, the building of a new one, a rumor of a sexual relationship between a Christian man and a Muslim woman, or a report of a suspected lack of respect for Islam shown by a Christian. The incident usually involves a Muslim mob's attacking Christian homes and shops, ransacking, burning, and, in some cases, killing.

The Mubarak government's reaction to such attacks only encouraged them further. The police never arrived in time to stop the violence, and when they did, they usually simply arrested a couple of dozen local residents, Christians and Muslims alike. The arrested Christians would serve as a bargaining chip that the government would use to force the church to keep quiet. Faced with possible harsh sentences for their people, the clergy felt that their hands were tied. They were made to participate in government-organized reconciliation sessions that gathered local Christian and Muslim clergymen and other notables, the result of which was to force the Christians to drop all charges. These gatherings would also, usually, pass some sentence on the Christian community for its apparent affront—e.g., the family of a Christian man rumored to be involved sexually with a Muslim woman might be forced to emigrate from the village and pay compensation, or the Copts might be forced to abandon building a church and instead conduct their worship in an unmarked house.

As Egyptians took to the streets in January and February of this year, calling for an end to the regime's authoritarian grip on power, some observers were hopeful that the fall of a regime would bring about a change in the sectarian problem in Egypt. Egypt seemed headed to a transition to democracy and images of Christians and Muslims protesting together as well as praying in Tahrir Square created a false optimism on the direction that Egypt was taking.

Reality soon became hard to ignore.

Instead of bringing about change, the past few months have shown a reinforcement of pattern of religious discrimination and a substantial increase in the number of attack on Christians. These new attacks involved the same three responsible parties. Islamists, freed from any restraining check of the police, are now free to enforce their vision on Egyptian society at large and Copts in particular. This enforcement takes the shape both of planned attacks led by Salafis and joined by the local mob, such as the May attacks on churches in the Imbaba neighborhood of Cairo, and of

daily persecutions that though mostly escaping the attention of the press, represent the most alarming aspect the threats facing Copts. Increasingly, Copts living in poorer neighborhoods find themselves forced to abide by certain Islamic practices or face possible punishment. In some cases, Christian girls in government schools have been forced to wear the hijab by the Islamist headmasters, who are now free from government control. In a very disturbing incident, on October 16th, Ayman Nabil Labib, a 17-year-old Christian student was asked by his teacher to remove the cross tattooed on his wrist and the one he was wearing around his neck. When he refused, the teacher was angered and started beating him; his Muslim classmates joined in the beating, which resulted in his death.

The government, meanwhile, evinces a continued lack of interest in protecting Christians. The solution of the Supreme Council of the Armed Forces to the burning of a church in Atfih in March was to invite Salafi preacher Mohamed Hassan to try to cool down the local Muslims. Appearing on national TV later, however, he explained that the attack was not sectarian in nature, but was driven by the discovery of black magic conducted in the church. No attackers were ever punished. After an attack on a church in Aswan on September 30, the local governor actually encouraged the attackers: He declared on TV that the Christians were to blame for a building violation and that "our boys" had corrected the wrongdoing. As a result, a culture of impunity has been created. Realizing that they will never be punished for their actions, people are emboldened to attack Christians.

When international and local pressure for action becomes high, the government resorts to the old tactic of arresting Christians and using them as a bargaining ship with the Church leadership. Following the recent attack at Maspero, the government arrested a number of young Christians. They remain jailed as we speak.

Most worrisome for the future of Christians in Egypt is the participation of the general Muslim population in these attacks. It is important to note here that those attacks are not driven by a desire to kill Christians. The goal remains for Christians to live, permanently, as second-class citizens. Any attempt by the Copts to break the chains of Dhimmitude and act as equals is seen as an affront to the supremacy of Islam in its own land. What fueled the attack on the Aswan church, for example, was not that Christians wanted to pray; they can do so, as long as the building in which they do so is not a church. The local Muslims' demands were that the building have no bells, no microphones, no crosses, and no domes. What instigated the attacks on the Christians during their march, before they were killed by the army, was their chants of "Raise your head up high, you are a Copt" and their raised crosses. In the new Egypt, you can exist as a Copt, but you are not allowed to be proud of that fact. You will be allowed to survive, but you must show your submission to the religion of the majority and recognize your inferior status.

Faced with these growing threats, it is no surprise that the Copts are questioning whether there is a future for them in the new Egypt. Isolated and ignored by the West, the Copts can only wonder today whether, after 2,000 years, the time has come for them to pack their belongings and leave, as Egypt looks less hospitable to them than ever. Like the Jewish communities scattered in Europe during the Middle Ages, the Copts are realizing the eternal lesson of minorities' survival: Better the persecuting ruler than the mob. A ruler can be bought off or constrained by international pressure; with a mob there are no constraints.

Most importantly elections are not likely to provide any remedy to their predicament. The rise of the Muslim Brotherhood and the more extremist Salafists poses an unprecedented threat to the Copts. With the Islamists all but guaranteed to control the next Egyptian Parliament, a culture of impunity is about to become a culture of encouragement.

As recent events have shown, the Copts refuse to accept the inferior status. They refuse simply to disappear, as many ancient communities in the Middle East have done in the last century. They will continue to raise their heads up high with their crosses, but they will not succeed. Neither is Egypt's geography or demographic distribution in their favor.

Neither is immigration. While the intensified pressure and attacks are likely to result in a large wave of emigration, the sheer numbers involved make the complete immigration of the community unfeasible regardless of its undesirability. The most fortunate will take the first planes to the U.S., Canada, and Australia, but a community of 8-10 million people cannot possibly emigrate en masse in a short time. The poorer Copts, the ones who face daily persecution, will be left behind. For them, the winter has already arrived, and it will be cold and long.

For those concerned about Egypt's future and the prospect of a transition to democracy, defending religious freedom remains the only solution. The ballot box offers no magical solution. It is merely a tool. Building a truly free society is like Ed-

mund Burke wrote no easy task, for a free society is one where religious freedom and free enterprise provide the foundation on which democracy can be built.

Egypt remains a key ally and friend of the United States. The direction that Egypt will take will have ramifications on the surrounding countries and as such is of vital importance to the United States national security. There is no question that the United States has at its disposal numerous tools to positively affect the transition in Egypt. The real question is whether it is willing.

The following steps are essential to take:

- Last week's announcement by the head of the military courts that both civilians and military personal are being tried for the Maspero massacre offers the first admission by the Military that something went wrong at that incident and that they lost control of their soldiers. Punishment for those responsible for the massacre should be a first step in dealing with the incident.
- The parliamentary elections in Egypt will not result in any significant Christian representation. Nevertheless Christian participation in the Constitution writing process should be stressed. The new Egyptian Constitution must offer religious freedom for its citizens and equality for all Egyptians regardless of their religion.
- As according to the existing electoral timetable, the Supreme Council of the Armed Forces will continue to rule and govern Egypt for at least 1 year, and with the collapse of the police, the army is likely to continue being used for basic policing and law and order for some time to come. Not having gone through any policing training, they have shown a lack of ability to deal with such tasks. The US military has developed excellent manuals and built tremendous experience in providing law and order in conflict zones. With its strong ties to the Egyptian military, the U.S. Army can help provide them with necessary trainings.
- While the United States through the State Department and the USAID is providing numerous grants to strengthen democracy in Egypt, there have been disturbing reports recently that some of this money is being provided to Islamist parties and groups, whose commitment to religious freedom is doubtful. Oversight of this funding should ensure that this money is only given to groups committed to religious freedom.
- Copts, like their fellow countrymen are discovering democracy for the first time. They are challenged to organize quickly to be able to have a voice in their country's future. The U.S. must ensure that amongst the groups that it funds, adequate attention and funding is provided to Coptic groups that attempt to organize politically.

Thank you once again for organizing and chairing this hearing and for inviting me to testify.

PREPARED STATEMENT OF DR. MICHELE DUNNE, DIRECTOR, RAFIK CENTER FOR THE
MIDDLE EAST ATLANTIC COUNCIL

Mr. Chairman, Senator Cardin, distinguished members:

Thank you for the honor of testifying before the Commission.

After the celebrations of Muslim-Christian unity that Tahrir Square witnessed during the 18 days of the Egyptian revolution early this year, it is disappointing to see that sectarian tensions have escalated dangerously in the intervening months, leading to dozens of deaths, hundreds of injuries, and a spreading sense of fear among Egyptian Christians. The violence is not, unfortunately, particularly surprising, because it is to be expected that in a post-revolutionary climate all of the tensions and conflicts that were beneath the surface will emerge more openly. Sectarian tensions have been present for decades and were already rising noticeably in the months before the January 25 revolution. One of the most disturbing sectarian attacks in years—the bombing of a church in Alexandria in which 23 people died—took place on January 1, following weeks of escalating anti-Christian demonstrations by Salafi Muslims.

This clear and disturbing trend makes it all the more difficult to understand why the Supreme Council of the Armed Forces (SCAF), entrusted by Egyptians with authority upon the forced resignation of former President Hosni Mubarak, has failed to address sectarian violence in any effective manner. The SCAF's approach has been almost identical to that of the Mubarak era; that is, after each sectarian incident the authorities promise to investigate and prosecute crimes vigorously and to address the underlying causes of the incident, such as discriminatory laws regarding the building and alteration of places of worship. But as soon as public attention moves on, such efforts are either abandoned or long delayed, leaving the victims with a sense of injustice and the perpetrators with a sense of impunity, and sowing the seeds of further violence.

Investigations of several incidents of large-scale anti-Christian violence (the January 1 Alexandria bombing as well as clashes in March and April in Cairo, and the October 9 Maspero incident) are ongoing and might well be inconclusive. With more than 75 people dead in these and other incidents in 2011, there has not as yet been a single conviction on charges of murder or manslaughter. In cases where military or government officials are accused of complicity in violence or at least irresponsibility in dealing with it—such as the October 9 incident in which Egyptian state media incited citizens to confront peaceful demonstrators and soldiers ran over them in armored vehicles—the SCAF has staunchly resisted accountability.

The transitional authority supervised by the SCAF also has been slow to make promised legal changes to address the causes of violence. After a May 2011 attack on a church in Cairo, the authorities promised to pass a new law on construction of places of worship. The draft has languished in various forms for months, while many new instances of violence (including the Maspero incident in October) have broken out due to inter-communal tensions surrounding the building or renovation of church facilities. An anti-discrimination law was finally issued in the aftermath of the October violence; it is yet to be seen whether it will be applied.

Anti-Christian violence is one of several serious internal Egyptian problems (rising crime, for example, and a deteriorating economy) with which the SCAF has shown itself to be unwilling or unable to deal. As a military organization, the SCAF is not equipped to address such issues and should not be called upon to do so, particularly for a prolonged period. That is why it is essential that the SCAF agree to a clear, realistic timetable to turn not only legislative but also executive authority over to elected civilians.

The problem now is that the SCAF is trying to postpone the transfer of executive authority until it secures guarantees of its status post-elections; and the status it is seeking is not simply a continuation of the extensive political influence and economic perquisites it enjoyed during the Mubarak era, but more than that. The SCAF has sponsored a document of supraconstitutional principles that would give it the implicit right to intervene in politics and the explicit right to overrule legislation, as well as freedom from civilian supervision or budgetary oversight. What this would produce is a political system similar to that of Pakistan, where elected civilian institutions are relatively powerless while unelected and unaccountable military and intelligence services actually run the country. And as we know from Pakistan as well as from Egypt's own history and current situation that in such a system military and intelligence organizations often manipulate sectarian tensions and extremist tendencies within the country in order to serve narrow agendas.

That would be a very unhappy outcome of the January 25 revolution for all Egyptians, including Egyptian Christians, and also for the United States, which cannot escape partial responsibility for the actions of the SCAF due to the tens of billions

in military assistance it has provided. The United States should stand unambiguously on the side of development of a real democratic system in which the rights of all citizens are protected in a climate of free political competition and the rule of law.

Only in a democratic system will difficult issues such as anti-Christian violence and discrimination be able to be addressed openly. This will not happen overnight; building a strong Egyptian democracy will be the project of many years. But it would be a serious mistake to create large new obstacles now by acquiescing to the expansion and formalization of military privileges out of fear that Islamists might gain a plurality, or even a majority, in the parliament to be elected over the next few months. There are many uncertainties involved when freely elected civilian institutions have real power; one thing that is already known for certain is that military rulers will fail to protect all citizens and enforce laws without discrimination.



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