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Did 25 Years of Foreign Funding Help Promote Democracy in Egypt?

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Introduction

The role played by international donors in supporting democracy and human rights in Egypt has been subject to debate for over five years. Some believe that international donors play an important and effective role that helped and still helps direct society, even if to a limited extent, towards democratic development. Others believe that they didn't help in any way. Some even say that international donors hindered democratic growth in Egypt and transformed institutions struggling for democracy into a group of "publishing houses" or conference organizing centers at best. Many fall between these two opinions due to the lack of serious research, studies and data which render any objective analysis of the matter unfeasible.

This topic currently acquired both a realistic and a dramatic dimension with relation to the following two aspects:

- I : One of the founders of the democracy and human rights movement in Egypt, Dr. Saad Eddin Ibrahim, is now on trial for the second time before the State Security Court, on various charges, foremost of which is the charge of having "received funding from the European Union" to encourage citizens to register in election lists. According to Military Order 4 of 1992, this charge involves a minimum prison sentence of seven years if the defendant is convicted.
- II: Discussions of the new Civil Associations Law demonstrated that the Egyptian government is circulating incorrect information about the volume of funding received by groups defending human rights and democracy. The government uses the lack of available information to imply that these groups receive millions of dollars from European and American institutions to harm national security. This encouraged many members of the People's Assembly to approve the numerous restrictions imposed by the new Associations Law on civil society institutions in general, particularly those related to accepting foreign funds and joining international networks and institutions. The law now grants the minister of social affairs the right to dissolve an association without obtaining a judiciary ruling if the association accepted foreign funds or joined an international network without the ministry's approval.

We have to admit that any society's move towards democracy is governed by a number of factors, starting with the prevalent political culture on the one hand, and awareness of the importance of such a move towards democracy on the part of the government and/or the opposition. Then there are the political, financial and other forms of external support, which can not be the sole basis for moving towards democracy, but may help or hinder the process.

This paper is divided into three chapters:

Chapter I: An overview of the conditions of democracy and human rights in Egypt. It includes a summary of current democratic developments in Egypt through enforced legislation and the provisions of the Constitution.

Chapter II: General tendencies of foreign aid in Egypt. A presentation of the motives behind foreign aid to Egypt, with a particular emphasis on the projects fund donors are interested in.

Chapter III: The obstacles facing human right institutions when funding is received and whether the funding is sufficient to help Egypt's shift towards democracy.

Chapter IV: This chapter attempts to answer the question posed by the paper of whether donor countries were successful in helping Egypt in its peaceful transformation towards democracy. The chapter offers a number of general conclusions and recommendations.

I hope this study and its results form part of large-scale discussions within the Egyptian society concerning foreign funding and the role it plays in promoting the transformation towards democracy not only in Egypt, but in the Middle East in general.

Chapter I

Overview of Democracy and Human Rights Conditions in Egypt

The Egyptian government has been receiving large sums of aid from the US and its partners in Canada, Western Europe and Japan since 1975. The aim of the aid programs is to guarantee--one way or another--a peaceful shift towards democracy and improve the condition of human rights in Egypt in general. Thus, it is important to give an idea of this condition after over 25 years of support to a country aspiring to promote freedom.

In my opinion, Egypt's political and legal climate does not help improve the conditions of human rights or effect a serious shift towards democracy. Human rights observers in Egypt realize that the situation cannot improve unless effective measures are taken towards amending the Constitution and the set of complementary laws which govern relations within society, starting with the Political Parties Law, the Penal Code, the Press Law, etc. through to the Associations Law. We could point out some of the general characteristics of the condition of democracy in Egypt after over 27 years of receiving foreign aid, one of the aims of which is to guarantee Egypt's shift towards simultaneous political and economic liberalization.

I : Broad competencies vested in the president and the apparent weakness of various government institutions

The Constitution of the Arab Republic of Egypt issued on 11 September 1971 and amended by the People's Assembly Decree issued at the 30 April 1980 session grants the president broad competencies and authorities compared to other government entities, which practically increases the power of the Executive Authority compared to other institutions.

The president is the head of state. He is the one who draws the lines between different authorities. He is responsible for preserving national unity, safeguarding the nation's security, ensuring that state institutions perform their constitutional roles and preserve socialist gains.¹ The head of state has the right to dissolve the Shura Council and the People's Assembly when necessary.² He has the right to issue and object to laws both under normal and exceptional circumstances³, is in charge of the Executive Authority⁴, and sets

¹ Article 37 of the permanent Constitution of the Arab Republic of Egypt and its main complementary laws, General Authority for Amiriya Print Houses, 1998, Cairo.

² Articles 204 and 136 of the permanent Constitution of the Arab Republic of Egypt and its main complementary laws, General Authority for Amiriya Print Houses, 1998, Cairo.

³ Articles 112 and 147 of the permanent Constitution of the Arab Republic of Egypt and its main complementary laws, General Authority for Amiriya Print Houses, 1998, Cairo. These articles grant the president all of the People's Assembly main competencies/authorities.

⁴ Article 137 of the permanent Constitution of the Arab Republic of Egypt and its main complementary laws, General Authority for Amiriya Print Houses, 1998, Cairo

the state's general policy with the participation of his cabinet⁵. The head of state also appoints and dismisses the prime minister and other ministers⁶, enjoys the sole authority to declare a state of emergency⁷, heads the supreme council for judiciary authorities⁸, declares war, concludes cease-fire treaties and agreements, in addition to being the head of the National Defense Council in charge of issues related to the country's security⁹. He also heads the Police Authority¹⁰.

The above paragraph demonstrates the scope of competencies and authorities vested in the head of state, who heads the Executive Authority.

The Constitution contains 55 articles concerning competencies and authorities, of which the president alone enjoys 35 (63%), while ministers enjoy only four competencies (2%), the Judiciary enjoys another four (2%), the two Legislative Authority councils enjoy 14 competencies (25%), and the Socialist Attorney General and the Supreme Press Council each enjoy one competency.¹¹

The Egyptian state suffers from structural incoherence, in addition to the fragmentation of institutional forms in society.¹² Within the context of this interaction, the Executive Authority is the strongest because it monopolizes the right to make and enforce, as well as violate, laws.

II : The Emergency Law: When the Temporary becomes Permanent

Egyptian policy is characterized by the fact that temporary situations are destined to continue. The declaration of a state of emergency--and consequently the use of the authorities granted by the Emergency Law--is a clear example.

⁵ Article 138 of the permanent Constitution of the Arab Republic of Egypt and its main complementary laws, General Authority for Amiriya Print Houses, 1998, Cairo

⁶ Article 141 of the permanent Constitution of the Arab Republic of Egypt and its main complementary laws, General Authority for Amiriya Print Houses, 1998, Cairo

⁷ Article 148 of the permanent Constitution of the Arab Republic of Egypt and its main complementary laws, General Authority for Amiriya Print Houses, 1998, Cairo

⁸ Article 173 of the permanent Constitution of the Arab Republic of Egypt and its main complementary laws, General Authority for Amiriya Print Houses, 1998, Cairo

⁹ Articles 150 and 182 of the permanent Constitution of the Arab Republic of Egypt and its main complementary laws, General Authority for Amiriya Print Houses, 1998, Cairo

¹⁰ Article 184 of the permanent Constitution of the Arab Republic of Egypt and its main complementary laws, General Authority for Amiriya Print Houses, 1998, Cairo

¹¹ Note that some of the articles of the Constitution prescribe competencies and authorities to more than one entity.

¹² For more details, please refer to "A Door onto the Desert", Dr. Jihad Ouda, Negal el-Borai and Hafez Abu-Se'ada, a study of the Egyptian 2000 parliament elections published by The United Group: Lawyers and Economic and Legal Consultants.

The state of emergency was declared in Egypt on the night former president Mohamed Anwar al-Sadat's was assassinated (6th October 1981). The state of emergency has been regularly renewed every three years since, and will have reigned for 22 years – the period of President Hosni Mubarak's rule – by 6 October 2003.

The Emergency Law grants the president, in his capacity as military governor, or his appointed deputy (the prime minister or the interior minister), broad powers to place restrictions on the rights and freedoms of individuals, such as restricting individual rights of meeting, movement and residence. They may also arrest and search persons and places without adhering to the provisions of the Criminal Procedures Code. The Emergency Law also gives the military ruler or his deputy the authority to order the monitoring, confiscation or suspension of letters, newspapers, bulletins, publications and all means of expression, publicity and media before their dissemination.¹³

In accordance with the Emergency Law, exceptional courts are established, namely the Partial and Higher State Security courts, to try crimes committed in violation of the Emergency Law.¹⁴ Moreover, the president is authorized--in his capacity as military governor--to refer civilians accused of some offenses related to state security, internally or abroad, to military courts as he deems fit.

The president's decree declaring the state of emergency is a sovereignty act against which no lawsuits may be filed.¹⁵

Actual practice shows that the interior ministry abused the right to perform administrative detention in accordance with the Emergency Law. The interior ministry used the mentioned law to fight crimes sufficiently covered or not even considered criminal acts by normal (non-exceptional) law. This led to the detention of hundreds of innocent individuals under the pretext that they illegally traded in dollars during the recent foreign currency crisis in January 2002, or under the pretext of drug dealing, committing acts of thuggery, etc.¹⁶ The excessive use of emergency competencies spread the phenomenon of torturing citizens in police stations, lowered the performance of officers with relation to investigating true perpetrators of crimes, as they used the right the

¹³ Articles 3 and 6 of the Emergency Law.

¹⁴ Item 1, Article 7 of the Emergency Law.

¹⁵ The State Council judiciary decided that declaring a state of emergency is an act of sovereignty that may not be judicially challenged. Decrees or decisions issued as a result of the state of emergency may however be challenged.

¹⁶ A type of detention called "criminal detention" to differentiate it from political detention to which are subjected those suspected of belonging to fundamentalist groups or Muslim Brotherhood. Refer to the Egyptian Organization for Human Rights Report titled "Detention in Egypt: A Crime Against Freedom and Personal Security" 05/06/2001. Also see the press release titled "EOHR Calls upon the Egyptian Authorities to Release those Detained during the Port-Said Incidents" issued on 22/01/2002.

law granted them to detain citizens for periods up to seven days in police stations without referring them to public prosecution, to torture them and to obtain forced confessions, the majority of which are false.¹⁷ This in turn has allowed the real perpetrators to escape penalty and resulted in the trial of individuals based on confessions that later prove to be untrue because they were obtained through torture.

In addition to the above, guarantees included in the Emergency Law are in reality not serious guarantees. To say that there is judicial control over detention orders issued by the interior minister is only partially true. Detainees must wait for 30 days before they can file grievances against the detention order. The minister of interior also has the right to object to a court release order within 15 days from the date the release order is issued, while the citizen remains detained until the minister's objection is considered. This means that a citizen can be detained for up to 45 days.

Detention orders state the same reason: "danger to the security of society", which renders the justification that detention orders are issued for a reason not completely true.

The Egyptian government does not make public the numbers of criminal and political detainees. Egyptian human rights organizations estimate that the number of administrative detainees, who are neither charged nor tried, ranges between 12,000 and 16,000. Despite repeated announcements on part of Egypt's interior ministry that most detainees will be released, failure to announce any detention or release figures reduces confidence in the government's intentions.¹⁸

III: The Right to Political Participation – One Step Forward, Two Steps Back

The right to participate in managing public affairs is an example of the government's weak commitment to democracy, the first guarantee to respecting human rights. The right to political participation includes the right to fair elections and the right to participate in managing public affairs through peaceful gathering (in the form of civil associations or political parties). The

¹⁷ The Egyptian Criminal Procedures Codes prohibited the police from detaining a suspect more than 24 hours before referring the suspect to public prosecution. However, the government modified this law granting police personnel the right to detain suspects for a period reaching seven days in accordance with paragraph 2, article 7 of Law 79 of 1993.

¹⁸ There are no official figures of the number of those detained under the Emergency Law. The figures announced by human rights organizations are estimated figures, the majority of which depend on monitoring the number of grievances filed against detention orders, taking into consideration the phenomenon of repeated detentions. Even in the presence of official figures of the number of detainees, there is no way to verify these figures in the light of the government's continued refusal to form a neutral committee to monitor the conditions and numbers of prisoners.

right to organize is the real, indispensable guarantee of the right to political participation.

1. **The Right to Public Participation through Parliament and Local Elections.**

Although the November 2000 People's Assembly elections represented--with some reservations--a positive step on the path towards democracy in Egypt, as they were conducted under complete judiciary supervision due to a ruling issued by the Supreme Constitutional Court¹⁹, the Egyptian government hastened to withdraw this limited progress issuing--through the People's Assembly, where it holds the majority of the seats--Law 1 of 2001 amending article 24 of Law 73 of 1956. This amendment of article 24 canceled judiciary supervision over the local council elections conducted in April 2002. The supervision of the whole election process was once again assigned to interior ministry administrative personnel. This stunning and fast relapse demonstrates the government's weak commitment to developing democracy and human rights.

2. **The Right to Participate in Public Affairs through Associations (NGOs)**

An interesting drama took place from 1999 until June 2000 concerning the promulgation of a new Associations Law. Since 1964 civil organizations have been regulated by Law 32 of 1964, which placed severe restrictions on the activities and growth of civil organizations. The calls for amending Law 32 increased until Law 153 of 1999 was issued. Law 153 included amendments viewed by many of those concerned with civil work in Egypt as worse than Law 32 of 1964.

The Egyptian government submitted Law 153 of 1999 to the People's Assembly on 24 May 1999 to be discussed in a joint meeting of the Religious and Legislative committees in less than five hours, to be referred for discussion and quick approval at the People's Assembly on 26 and 27 May 1999. The president approved and signed the law on Friday 28 May 1999, an official holiday in Egypt. The police called print shop workers to work on their day off to print the official gazette including the new law in order for it to be enforced on the day following its publication, Saturday, 29 May 1999.

On 3 June 1999, less than three days following the enforcement of Law 153 of 1999, The Constitutional Court ruled that this law was unconstitutional, bringing to life Law 32 of 1964 and the debate about the need to issue a new associations law.

¹⁹ On 8 July 2000 the Supreme Constitutional Court issued its ruling with relation to case 11, supreme constitutional judiciary year 13, stating that the second paragraph of article 24 of Law 73 of 1956 regulating the exercise of political rights is unconstitutional prior to its amendment to Law 13 of 2000 allowing the appointment of sub-committee heads who are not members of judiciary authorities as it contradicted with Article 88 of the Constitution. The ruling was published in the official gazette, issue 29 (bis 0, 22 July 2000.

In May 2002 the Egyptian government submitted Law 153 of 1999 to the Shura Council and People's Assembly for discussion and approval after having added more restrictions which completely placed the fate of associations in the hands of the government. The ministry of social affairs controls licenses, types of activities, including classification and objectives, as well as the association's relationship with its members and similar associations worldwide, and the local and foreign funding the associations receive for their activities. The minister of the social affairs also enjoys the right to dissolve an association.

"The new law is far removed from modern Arab and international tendencies," commented civil society studies specialist Dr. Amani Qandil. "It reinforces the authority of the administration against associations, giving it absolute authority over the establishment, activities and dissolution of associations." Dr. Qandil concluded her critical paper of the law saying that it represents "a backward progress."²⁰

3. **The Right to Political Participation through Political Parties**

Law 40 of 1977 regulating political parties does not facilitate the formation of political parties. The Party Affairs Committee is headed by the Chairman of the Shura Council and counts the interior minister, the state minister for People's Assembly and Shura Council affairs (all members of the ruling National Democratic Party) as members, in addition to three former heads of judiciary authorities²¹. The Committee controls the establishment of political parties. Moreover, it also has the power of suspending any party's activities, newspaper or any decision taken that the committee deems as contradictory to higher national interests.²² It can also prohibit any citizen from belonging to political parties or exercising any political activities, in addition to having the right to request an urgent ruling from the State Council's Higher Administrative Court to dissolve and liquidate the funds of a party and determine the entity to transfer the funds to.

The Parties Committee only approved five (10%) of the 50 applications it received to establish political parties. Of the 16 operating parties in Egypt, the Committee completely froze seven parties, or 35% of operating parties.²³

²⁰ Dr. Amani Qandil: Critical Review of the Draft Associations and Civil Institutions Law, Al-Ahram newspaper. See also "New Associations Law: Nationalizing Civil Work in Egypt 2002" published by the Egyptian Organization for Human Rights, a report on the new Associations Law.

²¹ The Committee decisions are taken by majority vote provided it includes the three ministers.

²² Paragraphs 1 and 3, article 17 of the Political Parties Law, and article 6 of Law 33 of 1978.

²³ The role played by the government in obstructing the Misr al-Fatah and Labor parties provide excellent examples of the Executive Authority's interference with political parties. For example, in the case of the Labor Party, the government mobilized non-party members

IV: Respecting the Right to Physical Safety and Prison Conditions in General

Torture remains an interrogation tool in Egypt. Due to legislative insufficiency, victims are unable to prove the personal responsibility of officers for this crime. Torture is committed while the victim is blindfolded and the officers committing torture use false names, thus making it difficult for victims to identify perpetrators. Moreover, victims can not file direct lawsuits against perpetrators of torture as lawsuits against officers must be filed by public prosecution, thus providing perpetrators with additional guarantees. The lack of accuracy of many of the forensic medical reports helps spread the phenomenon of torture. Many of the injuries result from similar tools, and some torture methods can only be discovered with time.

Egyptian law's definition of the crime of torture is inadequate. Article 126 of the Egyptian Penal Code states that torture is only punishable if it befalls "a defendant to force him to make a confession." It does not provide protection to those who may suffer torture without being accused, such as a defendant's relatives, wife or friends. Illegal torture is defined as only torture committed to force a defendant to confess, but it is not defined as illegal when committed as a form of punishment or vengeance. In addition, this article restricts criminal acts to torture, to the exclusion of humiliation, harsh treatment or threat of torture.²⁴

The Egypt section of Amnesty International's annual report pointed out that systematic torture has continued in State Security Investigations, various governorate branches and police stations. The report also stated that the most common torture methods are the use of electric shocks, beating, hanging from the ankles and wrists, various forms of psychological torture, including

behind two dismissed party members to form a general assembly which announced the dismissal of the party chairman. The Parties' Affairs Committee consequently froze the party and suspended its newspaper, al-Shaab, pending settlement of internal disputes, although the party obtained 11 legal rulings -from the State Council Administrative Court- decreeing its right to immediately resume operations. However, the Parties' Committee refrained from complying with the court ruling without justification. The Labor Party, and its newspaper, remains prohibited from operation, despite all the mentioned rulings. The closure of the newspaper rendered unemployed over 60 journalists, in addition to hundreds of administrative party and newspaper personnel.

²⁴ The Treaty against Torture and all Forms of Cruel or Inhuman Treatment, to which Egypt is party, was approved by the People's Assembly 21/05/1988 session and became part of Egypt's enforced law following its publication in the official gazette. Paragraph 1, Article 1 of the mentioned treaty states that "for the purposes of this treaty, torture is defined as any act which results in extreme physical or mental pain or suffering to which an individual is subjected with the aim of obtaining from the person, or a third person, information or a confession, or punishing the person, or a third person, for an action the person has or is suspected to have committed, threatening or coercing the person, or a third person, or when such pain or suffering is based on any form of discrimination, incited upon or approved by an official employee acting in his official capacity. This does not include the pain or suffering resulting solely from, accompanying, or is a consequence of legal penalties."

threatening to kill or rape detainees, or threatening to rape or sexually assault their female relatives.²⁵

V: The Right to Peaceful Expression, Seeking and Expressing Opinions

Articles 80c and 80d of the Penal Code continue to prohibit Egyptians from disseminating any data that the Egyptian government considers harmful to its reputation, shakes financial confidence or undermine its respect, even if the disseminated information is true. These two articles were used against Dr. Saad Eddin Ibrahim, the director of Ibn Khaldun Center for Development Studies, among other charges.²⁶

Articles 98a, b, c and d of the same law still punish anyone who peacefully promotes ideas that contradict with those on which the socialist government system in Egypt is based. Article 102 states that any person who publicly utters statements or sings with the purpose of causing disruption shall be subject to a penalty of one year imprisonment. Article 102 (bis) also punishes the "dissemination of false or biased news, data or rumors, as well as publicity that may disturb or endanger public security, spread terror among people or harm public interests."²⁷

The right to strike is still prohibited in Egypt according to Article 124 of the Penal Code, which prescribes imprisonment for any three employees who agree to abandon their work, even in the form of resignation, or refrain from performing their work aiming to achieve a common aim. The same article punishes those who incite on strike by double the term prescribed for those who strike.²⁸

The Assembling Law 10 of 1914 is still enforced in Egypt. It punishes the mere gathering or assembling of at least five persons--regardless if they committed a crime or not--if Executive Authority personnel believe that such a gathering may jeopardize public peace.

²⁵ Amnesty International, 2000 Annual Report, Arabic edition, p. 403.

²⁶ In its ruling issued concerning case 13422 of 2000, al-Khalifa felonies, issued by the Higher State Security Court headed by Counselor Mohamed Abdel-Hamid Shalaby and members Abdel-Azim Azzam and Alaa ad-Din al-Gedwi, in which Dr. Saad ad-Din Ibrahim and others were accused, p. 23: "The mentioned offense was regulated by article 80 of the Penal Code. The perpetrator intentionally disseminated false data or rumors abroad concerning internal conditions, in addition to a moral aspect related to the perpetrator's knowledge that the dissemination of such news leads to undermining deference to the state.

²⁷ According to the Explanatory Memorandum of Law 112 of 1957, this article was derived from the provisions of the Military Order 46 of 1952 issued on 20 September 1952. It represents an example of introducing exceptional laws to public law. Please refer to Dr. Hassan Sadeq al-Marsafawi on the Penal Code: Legislation and Judiciary in 100 Years, 1994 edition.

²⁸ Negal al-Borai: Freedom of Opinion and Expression in Egypt: Pointing Left and Going Right, al-Nidaa al-Gadid Papers, published by al-Nidaa al-Gadid Association, Egypt.

Although the Higher Press Council controlled by the government approved the publication of five newspapers--one of which is a New Wafd Party newspaper, while the other four belong to civil associations working in the fields of medicine and the environment--individuals in Egypt are still prohibited from owning newspapers according to Law 96 of 1996 regulating the authorities of the press. Only joint-stock companies, under certain conditions, may own newspapers. Moreover, individuals may not own broadcast or visual media according to Article 1 of the Radio and Television Law 13 of 1979.

The state uses its right to issue newspaper licenses as a reward to some individuals who support state policies. Newspapers are divided into official, completely state-owned newspapers, and semi-independent newspapers. The latter obtain licenses as a reward for stances the state believes serve its interests or objectives. There are also party newspapers issued by political parties. Censorship over external publications is used to prohibit newspapers published outside Egypt from entering the country when the government disapproves of opinions published in these newspapers. Books and publications may not enter the country except with the approval of the ministry of information's general department for censorship over external publications.

In any case, the increasing discussion of democracy and human rights is the only tangible development on part of the Egyptian government or donor countries. There have been no significant improvements on the level of actions, which can not be replaced by words, no matter how eloquent.

Chapter II

General Tendencies of Foreign Aid to Egypt Fund-Attracting Projects and Beneficiaries

Defining the general tendencies for foreign aid to Egypt, as well as the projects that attract donors, can be used as an indicator to help discuss the role of external funding and donor institutions in helping the transformation to democracy. Are international donor institutions serious in encouraging the Egyptian government to effect the change towards democracy and respect for human rights?

Following are some initial remarks:

1. All institutions that provide aid to the Egyptian government--or to NGOs--state democracy, human rights, transparency and fighting corruption among their objectives. I have reviewed the activities of 34 funding institutions operating in Egypt or announce that Egypt is among the countries of their activities, in addition to USAID. I realized that they all mention supporting democratic development, raising citizen participation in decision-making, the defense of human rights, guaranteeing transparency, etc., among the objectives they seek to achieve. The Japanese program "Japanese Grants Assistance for Grassroots Projects" may be the only program that does not mention democracy and human rights as an objective. The program states more general objectives, such as: "the program supports NGO projects working with the public", without determining project types.²⁹
2. Egypt is one of the countries that receives the largest amount of aid funds under unilateral or collective agreements. At least 38 donor institutions provide various types of funding to the Egyptian government, its ministries and authorities, as well as to some NGOs. The United States is the largest single aid donor to the Egyptian government, followed by Canada, Japan and the EU--as individual countries or as a union. These are followed by the World Bank, UNDP, and the Arab-Kuwaiti Development Fund.
3. Most institutions that provide generous aid are affiliated to governments or international cooperation programs funded by governments. On the other hand, most NGOs only provide small grants that may help publish a book or organize a conference, but which don't help the long-term development of democracy.

The crucial question remains: where do we go if we wished to improve the conditions of democracy and spread human rights concepts in a country, and which fields do we focus on?

²⁹ A list of the mentioned institutions and their email addresses is included in Appendix 1.

I believe we should give real attention to three fields:

1. Develop laws that help increase political participation and the circulation of power; provide a secure climate for party and political practice, as well as provide further facilities to the right to assemble, promote the freedom of expression and guarantee fair trials before neutral, independent judges. There can be no talk about democratic development in the absence of such laws.
2. Provide the necessary funds to develop and guarantee the effectiveness of NGOs and ensure they fulfill their roles of monitoring and guidance. The objective is to support the role of NGOs as a development partner with government entities. The term NGOs here refers to truly independent organizations which courageously and firmly declare their positions towards the defense of the civil and political rights of citizens. It also refers to those organizations that are established through the initiative of their members and founders, rather than those organizations the government establishes through individuals with the aim of obtaining an additional share of funds.
3. Focus on the liberalization of the media and encourage the establishment of different media, press ownership to end, or at least minimize, state control over the media.

Theme I

How Foreign Donors View Democracy and Human Rights Conditions in Egypt

Donors' views do not differ much as they exchange information through a committee called "The Donors Group". It consists of those responsible for the different governments' funding programs in Egypt, including the UNDP. Moreover, there are facts that are difficult to hide behind diplomatic phrases. For example, although the US Foreign Department report on human rights in Egypt starts with:

"The Government generally respected the human rights of its citizens in some areas, and its record improved somewhat over the previous year in areas such as extrajudicial killings, deaths from torture, and disciplinary actions taken against officers involved in deaths from torture."

The report's introduction goes on to explain:

"The Government's record remained poor with respect to freedom of expression and its continued referral of citizens to trial in military or State Security Emergency courts, among other areas. The Presidential and the entrenched National Democratic Party dominate the political scene to such an extent that citizens do not have a meaningful ability to change their government. In parliamentary elections held between October 18 and November 15, 2000, the NDP won 172 seats, independent candidates won 255 seats, and opposition parties won 17 seats. However, many of the independents elected were former members of the NDP who rejoined the party after being elected, leaving the People's Assembly balance at 388 NDP members, 37 independents, and 17 opposition party members out of 444 elected members. Due to court-ordered supervision by the judiciary of the voting and vote-counting, the process was fairer and more transparent than past parliamentary elections; however, there were significant problems, including the arrests of thousands of members of the Muslim Brotherhood in the months before the elections. In Shura Council elections that were held in May and June, the NDP won 74 of 88 seats, and independent candidates formerly affiliated with the NDP won the remaining 14 seats. Due to court-ordered supervision by the judiciary of the voting and vote-counting, the process was reasonably fair; however there were significant problems, including the arrest of more than 100 members of the Muslim Brotherhood in the weeks before the elections. Voter turnout was extremely low. The Emergency Law, which has been in effect since 1981 and was renewed for another 3 years in June 2000, continues to restrict many basic rights. The security forces continued to arrest and detain suspected members of terrorist groups. In combating terrorism, the security forces continued to mistreat and torture prisoners, arbitrarily arrest and detain persons, hold detainees in

prolonged pretrial detention, and occasionally engage in mass arrests. In actions unrelated to the antiterrorist campaign, local police killed, tortured, and otherwise abused both criminal suspects and other persons. The Government took disciplinary action against police officers accused of abusing detainees, including prosecution of several offenders, but it did not pursue most cases or seek adequate punishments. The investigation that the Public Prosecutor reopened and expanded in 1999 regarding police brutality and torture during a 1998 police investigation of a double murder in the largely Coptic village of al-Kush in Sohag governorate, continued without resolution throughout the year.

Prison conditions remain poor. The Emergency Law allows authorities to detain persons without charge, and the Government continued to arrest and detain persons arbitrarily. Thousands of persons are detained without charge on suspicion of illegal terrorist or political activity; others are serving sentences after being convicted on similar charges. On November 14, a State Security Emergency Court sentenced 23 allegedly homosexual men to prison terms ranging from 1 to 5 years on charges including "insulting a heavenly religion" and "debauchery." The use of military courts to try civilians continued to infringe on a defendant's normal right under the Constitution to a fair trial before an independent judiciary. During the year, the Government referred three cases involving more than 270 civilians to the military courts. The Government used the Emergency Law to infringe on citizens' privacy rights. Although citizens generally express themselves freely, the Government partially restricts freedom of the press and significantly restricts freedom of assembly and association. The May 21 conviction of civil society advocate Dr. Saad Eddin Ibrahim on charges including seeking to harm the reputation of the State and accepting foreign funding without government permission, had broad implications for freedom of expression, and had a deterrent effect on the activities of human rights organizations. The Government generally permits human rights groups to operate openly, only a few have been permitted to register as nongovernmental organizations (NGO's). The Government places restrictions on freedom of religion.³⁰

Under the Title "How CIDA Sees Egypt", the Canadian aid agency describes the human rights and democracy situation in Egypt as follows:

"Even though Egypt's pluralism and press freedom compare favorably with other Arab states, significant human rights problems exist. Following security crackdowns against Islamic militants, NGOs have criticized the Government for infringing rights and freedoms. Egypt uses preventive detainment for political and other prisoners. However, following the March 25, 1999

³⁰ For more information, please refer to "Country Reports on Human Rights Practices - 2001" Released by the Bureau of Democracy, Human Rights, and Labor, March 4, 2002: <http://www.state.gov/g/drl/rls/hrrpt2000/nea/784htm> and <http://www.state.gov/g/drl/rls/hrrpt2001/nea/8248htm>.

announcement by the extremist al-Gama'a al-Islamiya organization that it was ceasing operations in Egypt, the Government released 2,200 militants. Further releases have followed. It was the al-Gama'a al-Islamiya which killed 58 tourists in Luxor in November 1997. Another Egyptian terrorist group, the Al Jihad al Islami has been linked to the 1998 attacks on the US embassies in Africa and the September 11 attacks on the USA.

Human rights organizations have expressed concern that prisoners' rights may on occasion be ignored. Some NGOs have criticized the "systematic torture" of political prisoners--allegedly by the State Security Investigation Department. Although isolated human rights incidents involving the country's Coptic Christian minority do occur, widespread religious strife is rare. The upper Egyptian village of El Kosheh (al-Kush) was the scene of sectarian unrest in mid-1999 and again in January 2000 when 21 people, mostly Copts, were killed. Four people were found guilty of causing property damage. The Coptic Church objected strongly to the verdict. As a result, the Prosecutor General lodged an appeal and a new trial is being prepared. The Government of Egypt's relations with civil society have encountered difficulties over the last three years. In 1999, the Government passed a controversial law governing non-governmental organizations. Law 153 required all NGOs to register and gave the Government broad powers to intervene or object to NGO decisions including the appointment of board members. The decision to pass the law was strongly criticized by international NGOs. In June 2000 the law was declared unconstitutional.

The same month, Egyptian academic and human rights advocate Dr. Saad Eddin Ibrahim was arrested and reportedly accused of receiving money from abroad in violation of a military order, spreading false news intended to tarnish Egypt's interests and destabilize its financial situation, providing government information to a foreign power, forging documents and spying. The arrest sparked an international outcry. Following a lengthy trial, all 28 persons were found guilty and Dr. Ibrahim was sentenced to seven years imprisonment with hard labor. An appeal was heard in early December but a decision is not due until February 6. The Government closed his NGO, the Ibn Khaldun Centre.

A referendum to re-appoint President Mubarak for a 4th six-year term was held in September 1999 in which he won 93.7% of the votes. Nominated by the People's Assembly, Atef Ebeid who was responsible for Egypt's sweeping privatization drive was appointed Prime Minister. The three-phase legislative election which took place in late 2000 resulted in the governing National Democratic Party maintaining its overwhelming majority (394 or 454 seats). However, this was only possible because a group of 223 "independent" members opted to support the NDP. The Muslim Brotherhood succeeded in electing 17 members. The court ordered judicial supervision of voting booths is thought to have encouraged a higher turnout than in previous elections. Although ten people lost their lives, there was less violence than in 1995. Since

the election, debate in the legislature has been more spirited than in the past and public interest has grown significantly."³¹

The view of many donor institutions generally coincide with the two above presented points of view concerning the condition of human rights, which does not differ greatly from the view presented in chapter one of this study, subject to relative consensus among Egyptian human rights activists. There is no fundamental difference between the point of view of human rights activists and the view of many international donors, except in the use of some diplomatic expressions on part of the latter on the one hand, and their attempt to justify some of the violations on part of the Egyptian government as a response to Jihad and Gama'a Islamiya operations. We can say that the Egyptian government has benefited from the attacks performed by militant fundamentalist groups during the second half of the '80s and the first half of the '90s of the past century--which have completely ceased for over two years--as an excuse for failure to introduce significant democratic reform. The September 11 attacks on the USA gave this attitude false credibility.

Regardless of the details, it seems that donors are more aware of human rights violations in Egypt than the Egyptian people themselves. Did they consequently use aid funds to push the Egyptian government on the path of political reform, or did they have other objectives?

Theme II

The Nature of the Programs Supported by Donor Organizations in Egypt

Although developing democracy and human rights figure among the main objectives of all donors in Egypt, a thorough study shows that they don't exist on the donors' work list. Donors restrict themselves to good intentions in their support of democracy and human rights.

A quick review of the projects supported by most of the major donors in Egypt demonstrates that donors focus on three main fields:

1. Supporting economic liberalization policies and businessmen. When USAID interfered to support judges, the intervention focused on the area of accelerating the settlement of lawsuits and raising the judges' awareness of commercial tendencies.
2. Supporting infrastructure projects, such as agricultural, irrigation improvement, clean and wastewater and environment projects.
3. Projects that support and improve women's economic or social conditions only, to the exclusion of legal conditions. This doesn't negate the channeling of a few thousand US dollars or Egyptian pounds towards cultural activities undertaken by some strong,

³¹ Civil Society Fund, Canadian International Development Agency (CIDA): www.canada-eg.com

independent human rights and democracy promotion institutions. These small grants, as donors usually call them, are the price they--and the Egyptian government--must pay in order for aid to continue. The parliaments of many countries require cooperation with NGOs and human rights organizations as a condition to approve grants.

Following are some international cooperation programs in Egypt to give an idea of the nature of the projects funded by these programs and whether they help the transformation to democracy.

1. United States Agency for International Development (USAID)

The United States has been Egypt's major donor since 1975. USAID introduction to the 2001-2002 report states that:

"Egypt is a vital partner in advancing US foreign policy goals in the region. In order to increase the prosperity and quality of life of its people, Egypt must become a fully integrated and competitive participant in the global economy. Only in this way can it generate a sufficient number of new jobs to employ its growing labor force and achieve measurable and sustained development success. The Mission Performance Plan stresses economic growth as essential to strengthen Egypt as a stable and prosperous US ally. The goal of USAID's strategy is a globally competitive economy benefiting Egyptians equitably. One part of the strategy, to create private sector jobs, comprises three objectives: (1) bolster the trade and investment environment, (2) develop competitiveness skills; and (3) increase access to sustainable utility services. The second part of the strategy --to enhance the human and natural resource base-- has four objectives: (1) improve basic education to meet market demand, (2) upgrade natural resource management, (3) provide health services, and (4) strengthen governance and participation."³²

Thus, USAID believes that improving the living conditions of Egyptians is achieved through integrating Egypt's economy into the global economy, without any reference to linking economic with political reform, and without the slightest attention to the value of such political reform in ensuring transparency and protecting any potential economic improvements.

The report determines the volume of American aid required for Egypt for the fiscal year 2002:

"At the year 2002 USAID requests \$655 million in Economic Support Funds for the following Agency priorities: \$515.8 million for economic growth and agriculture; \$34 million for human capacity development; \$19 million for competitive skills development and \$15 million for basic

³² USAID report obtained from the Internet <http://www.usaid.gov/country/ane/eg>

education; \$437 million for population and health; \$47.8 million for environment; and \$13.7 million for democracy."

Thus, the total American aid amounts to \$1,344 million, of which \$13.7 million is allocated to democracy (1.09%), and basic education receives \$15 million (1.11%), while \$566 million is allocated to economic support (over 38%).

The same report continues to define the areas receiving such large sums of aid funds:

"In economic growth and agriculture, the second phase of USAID's crash transfer program will encourage the adoption of further economic reforms. Additionally, specific activities in the sector will assist small and micro-enterprises, support capital markets development and privatization efforts, and provide technical assistance for customs reform. The Commodity Import Program, which benefits private sector investment, will continue. With regard to the environment, USAID will support the mitigation of urban and industrial pollution, advances in energy efficiency, and improvements in resource management for the Red Sea coast and Nile Valley waters, as well as provide the technical assistance needed by the GOE to formulate, implement and monitor environmental policies and regulatory mechanisms.

In human capacity development, USAID will help alleviate skills shortage problems by providing training in management and market-relevant IT skills and by improving links between training providers and employers of the skilled labor force. In the broader field of education, USAID will expand its program to further the access of girls to schools. Renewed signs of broader national reform and innovations in Alexandria, Egypt may allow additional efforts in this sector.

In health and population, USAID will continue its programs advancing maternal and child health, family planning, surveillance of infectious diseases, and professional development in the area of workforce health. USAID intends to continue a range of activities designed to encourage further reforms, such as sustainable financing and increased participation by private sector service providers. In the democracy area, programs for improving governance in new communities and the administration of justice will be extended to additional areas. The non-governmental organization (NGO) service center will continue to help civil society organizations become full partners in the process of national development.

In addition to USAID's bilateral programs, the Bureau for Humanitarian Response has an activity through the American University in Cairo to demonstrate US educational and medical technologies and practices."

But where does the 1.09% of USAID funds allocated to democracy which amounts to \$13.7 million go? The USAID report says:

"Three sets of activities are being implemented: the NGO Service Center, governance in new communities and the administration of justice support activity. The NGO Service Center activity focuses on helping CSOs become full partners in the development process. Training, technical assistance and grants are provided to individual NGOs to help strengthen their technical and institutional capacities. Operational support and opportunities for networking and information exchange among NGOs, the private sector and government also is being provided. Full-fledged implementation began in April 2000 and outreach has been carried out nationwide. Nine technical workshops have been conducted with 259 NGOs from 23 governorates. Grants have been made to support the increased civic action role of NGOs in the areas of environment and women's civil participation. Fifty-seven NGO representatives attended in-country and out-of-country conferences and training activities in the areas of advocacy, networking, social development and management.

In the area of local governance, Egyptian citizens are increasingly demanding improved public services. To meet this demand, resources beyond those of the central government must be mobilized. This has created a receptive climate for new models of local governance emphasizing the link between broader local participation and improved service delivery and had led to the initiation of an activity intended to improve selected public services through enhanced participation and resource mobilization at the local level. The activity is expected to have a major impact upon citizen-government relations, manifested initially by increased participation in local decision-making and by improvements in selected local services in selected communities.

Through administration of justice activities, anticipated results include the development of a GOE-financed extension of project innovations from the initial pilot courts to the national courts systems and the completion of training and process re-engineering to ensure greater impact on overall court operations. Furthermore validation and replication of North Cairo Court management procedures will be applied to the Ismailiya Court. The activity will test and validate software and human re-engineering procedures. In addition, technical assistance will continue until project-supported automation solutions are sustainable and suitable for nationwide adoption. Finally, the project will ensure that adequate personnel training and staff development have been completed at the pilot courts."³³

³³ USAID report. <http://www.usaid.gov/country/ane/eg>

Following are some comments on the above:

1. The report did not state that the NGO Service Center can only deal with associations registered with the ministry of social affairs after obtaining the ministry's approval. This applies not only to associations benefiting from the project services, but also to associations receiving funding. It thus comes as no surprise that all organizations defending political and legal rights in Egypt, registered as civil companies, do not benefit in any way from the NGO Service Center. It may also not come as a surprise that the NGO Service Center does not fund any projects aiming to improve the legislative structure or monitor human rights violations. The Center does not even fund any courses to train parliament members or improve their ability to use parliament tools. The Egyptian government, particularly the ministry of social affairs, uses the Center to control civil associations. Associations that fail to comply with government policies do not obtain funding from the NGO Service Center. Moreover, the Center can not fund projects that directly help support the transformation towards democracy.
2. The second remark is related to supporting the role of Local Councils. USAID is undoubtedly aware of the new amendments the government introduced to the law governing the exercise of political rights in January 2002--before Local Council elections. Thus, judges were excluded from supervising elections, again putting the interior ministry in charge of supervision. This method previously succeeded in gaining over 99% of the Local Councils in favor of the ruling National Democratic Party. Opposition and independent nominees were not able to gain access to Local Councils which became hotbeds of corruption to the extent that many NDP People's Assembly and Shura Council members nominated their sons because they were confident that the interior ministry became the only voter.
3. The third remark is related to the development of the judiciary. It was obvious from the report that it focused on developing the judiciary in terms of the use of modern technology, accelerating the settlement of commercial disputes to support investment. The report did not address issues like supporting the independence of the judiciary through improving the laws governing the appointment and dismissal of judges and members of public prosecution. The report didn't mention improvements to the legislative structure to support the transformation towards democracy and human rights, or raising judges' sensitivity to issues like political freedoms and human rights.

All democracy-related projects pour into the Egyptian government, its affiliated institutions, or institutions satisfactory to the government. None of the human rights groups received any part of the \$13 million allocated to democracy. USAID refuses to provide any of the groups defending

democracy and human rights any funds for activities to observe the feelings of the friendly Egyptian government. USAID can not provide democracy training to People's Assembly members due to the government's explicit refusal to allow such an activity. Nonetheless, the Egyptian government always humiliates its friends. The new Civil Associations Law is a major insult to those who imagined that a transformation towards democracy can be achieved through supporting the Egyptian government.

2. **The Development Cooperation Program, Netherlands Embassy**³⁴

The Egyptian government has been receiving aid from the Netherlands government since 1975. Egypt obtained over 470 million euros from Holland during the period between 1975 and 1996. Starting 1999, Egypt has been annually receiving 19 million euros from the Dutch government.

Although democracy and human rights are a main objective of the cooperation agreement between Egypt and Holland, this program only focuses on alleviating poverty, environmental issues, improving drinking water and reducing waste. The latter two have been the Dutch government's main focus during the past two years. Dutch projects in Egypt include the following:

- Water management
- Drinking water and sanitation
- Agriculture
- Health and population
- Education
- Culture

For further clarification, the "education" item stated in the above list of projects does not include education concerning democracy or spreading a culture of human rights. It involves support to build schools in cooperation with the ministry of education's Educational Buildings Authority.

Holland admits it only provides small assistance to human rights and democracy activists. The justification offered is that the relevant agreement about to be signed with the Egyptian government is still under preparation. The following is stated on the Dutch embassy's web site:

"The embassy finances innovative activities of government agencies and NGOs in the field of good governance and democratization. A program of cooperation is under preparation with the Egyptian government on

³⁴ Information obtained from the embassy site: <http://www.hollandemb.org.eg/>

human rights. Moreover, in the past years human rights NGOs have received funding for small scale activities.³⁵

However, it is important to mention that of the total annual aid that Egypt receives from the Dutch government, human rights and democracy activists only obtained tiny amounts that did not exceed LE40,000 per association per year. This does not apply to associations working in the field of women's development, which receive grants up to LE80,000.³⁶

The Dutch aid agreement with Egypt ends in 2004. However, "the Netherlands Government will increasingly supply funds to encourage cooperation between Netherlands business and Egyptian business and government agencies." Democracy will no longer receive support, even through short-term activities. Funds will be channeled to businessmen.

3. The Danish Agency for Development Assistance (DANIDA)

DANIDA emphasizes that providing "support to the development of democratic institutions in the country" represents one of its major aims of cooperation with Egypt. However, it admits that 75% of Danish aid to Egypt has been directed to environment projects and the provision of electric power, drinking water projects, health care and promotion of small and medium enterprises. Does the remaining 25% go to the support of human rights and democracy? This 25% goes to the Cabinet's Social Fund for Development (SFD) and encouraging the Egyptian private sector to find external markets. Of course, some human rights organizations will receive sums amounting to LE80,000, maybe even LE150,000. In any case, these amounts only represent less than 0.5% of the total aid provided to Egypt. The Danish aid to Egypt has been as follows during the past five years:

1998	DKK 195 million
1999	DKK 195 million
2000	DKK 195 million
2001	DKK 195 million
2002	DKK 160 million

4. Canadian International Development Agency (CIDA)

According to an agreement with the Egyptian government, Canada has been supporting a project to promote the economic abilities of Egyptian women since 1975 in cooperation with the ministry of social affairs. Canada does not focus on supporting the political capacity of the Egyptian citizens, men or women. The mentioned project particularly aims to

³⁵ Previous reference.

³⁶ With the exception of two major projects undertaken by the Dutch Aid with UNICEF and UNIFEM in Egypt. There is no clear data on the volume of funding for these projects.

provide small loans and develop women's abilities to manage economic projects.

In addition to the economic conditions of women, the Canadian government is interested in issues of the environment, basic education, and small and medium industries in Egypt. None of the total amount of \$25 million in aid that Egypt received from Canada during the year 2001/02 was directed to support political rights in Egypt.

The above gives an idea of the nature of the programs conducted by foreign donors in Egypt, which may be divided into four groups:

1. Programs that promote the transformation to a market economy or the development of private sector projects, particularly small and medium enterprises, and the economic development of women.
2. Programs that operate in the area of improving irrigation, sewage and drinking water systems.
3. Programs focusing on the environment, managing environmental waste and the transformation towards clean sources of energy.
4. Programs supporting the construction of some basic education schools.

Apart from these areas, the interests of donors may differ. Some donors are interested in the arts; while others focus on traditional handicrafts. Some donors support human rights, but their programs are extremely small and therefore cannot lead to any real development in this area.

Theme III

Who Benefits from Foreign Funding

Based on the nature of projects that interest foreign donors, three entities directly benefit from these funds.

1. **The Egyptian government.** Many of the donors affiliated to foreign governments prefer to work with the Egyptian government. Moreover, the types of projects supported by these donors can not be conducted in a highly centralized country like Egypt without the direct intervention of the state. The funds the government receives to develop irrigation and sewage systems or support health services, education, etc. only help the government use the saved money to violate human rights and buy supporters or newspapers that praise its policies despite the major losses it suffers. These funds also help the government appear as if it exerted tremendous efforts to improve the conditions of citizens who know nothing about the source of these funds, particularly that the government does not declare all the received grants. Moreover, government-owned newspapers and those that receive government funds attack human rights activists on the grounds that they receive foreign funding!

2. **Businessmen associations and organizations.** The West believes that businessmen are the key to the Egyptian economy's shift to privatization, which will ultimately help achieve political liberalization. Thus, donors support businessmen's projects and try to improve their quality. An example is the National Endowment for Democracy (NED), an American NGO that aims to support democratic development and receives its funds from the American Senate. NED only provides an annual grant of \$40,000 to active and effective human rights organizations which suffer discrimination from the state and its press. The National Endowment for Democracy has provided over \$150,000 to the Egyptian Industries Union to establish what is called The Center for International Private Enterprises to provide financial and technical assistance to the Egyptian private sector.

Many of the international donor institutions believe that democratic development can be encouraged by helping the growth of businessmen's associations. This may be theoretically true. However, matters are different in the particular case of Egypt. Due to state control over banks, financial institutions and a major part of the assets of the Egyptian economy, it has succeeded in creating a new type of businessmen whose loyalty is to the state. These businessmen can not take firm decisions, including the formation of the pressure groups they need to achieve their objectives. The majority of Egyptian businessmen are under complete state control, similar to the semi-governmental organizations introduced to donors as independent civil organizations.

Authoritarian governments usually tend to choose their opposition and supporters. They create a fragile civil society to replace the real one that may criticize and resist its policies. It also creates businessman to support corruption rather than leave the door open to the emergence of real, independent businessmen in order to control internal changes on the one hand, and restore its image on the other.

- 3. The economies of the donor countries.** The projects that interest donors require equipment and technical assistance that can only be imported from the donors, thus benefiting their economies.

Some opinions may differ concerning who benefits from grants. Some may list some semi-government organizations as beneficiaries. It is in any case certain that institutions defending democracy and human rights are neither major nor secondary beneficiaries.

Theme IV
The Nature and Form of Grants Directed to Human Rights and Democracy
Promotion Organizations
Do they Help Accumulated Activities?

As previously mentioned most of the donor governments' grants for development projects go to the Egyptian government or its affiliated entities. However, as previously mentioned, some of these institutions, for various reasons, provide some small grants to a number of serious human rights organizations. I find it my duty to explain this point. This explanation will be based on my personal experience -I've worked in the field of human rights for over 12 consecutive years- as well as on my knowledge and access to the budgets and means of funding of non-government organizations working in Egypt in defense of the political rights of citizens.

1. On one hand, most of the small grants provided to these organizations are for short-term projects of period no longer than one year in most cases. Thus, the small organizations with scattered efforts expend additional effort searching for sources of funding that guarantee sustainability. Technically, they can not apply for funding for a new project until the existing project is completed, thus leaving a gap of some months between completing existing projects, settling their balances and decisions on new projects. During this period the organization is subject to strong financial pressures. During the past year four well-known human rights organizations were on the verge of closing down because their projects had ended and the decisions on new projects were delayed. They were only saved by loans from other individuals and organizations.
2. On the other hand, most donor organizations –as far as I know- refuse on principal to provide human rights organizations with sufficient funds to establish their infrastructure and guarantee minimum sustainability in case foreign funding stopped for any reason. For example, while they find no harm in paying expensive rents, donor organizations refuse the idea of real estate purchases for the mentioned human rights organizations. If saved, accumulated rent can contribute to the purchase of fixed locations. Donor organizations also object to the purchase of equipment, preferring rental. It seems that donor organizations wish to keep human rights organizations under their control, not allowing the latter to establish an infrastructure to reduce their dependence on donors for existence.
3. On the grounds of ensuring transparency, donor organizations oblige small organizations that receive tiny sums to prepare bureaucratic financial report which occupies over 20% of the funding received. An example is the National Endowment for Democracy which provides sums no larger than \$40,000. The

NED obliges fund receivers to prepare quarterly financial reports that consume time and effort beyond the capacity of many of the receiving organizations. Similarly, DANIDA and the EU impose bureaucratic conditions that render fund raising and the bureaucratic procedures, including waiting for the funds, then preparing the financial reports according to donor rules, a time-consuming operation for human rights organizations.

4. The small amounts provided, the short funding period and the failure to provide reasonable salaries for activists dedicated to civil activities does not help accumulate experience. The civil organizations find it difficult to sustain their activities as many of the activists abandon this field to other fields that provide better salaries and relative job security.
5. Obtaining the mentioned small grants does not follow set rules or declared procedures. They largely depend on the personal judgment and the political preferences of those responsible for donor programs. A program rejected by one of the donor organization personnel may later be accepted by another without offering reasons for rejection or acceptance. Moreover, the absence of complete transparency on part of the many of the donors concerning the volume and conditions of available funding cause much confusion to most human rights organizations.

Chapter IV

Final Remarks

Based on the nature of projects and their beneficiaries, donor countries were never interested in funding significant, long-term projects that help Egypt's peaceful transition towards democracy. On the contrary, it seems that donor countries talk about human rights and democracy but support totalitarian regimes. There is even no real interest in the role independent non-government organizations in the mentioned transition.

To conclude, following are some final remarks:

1. The Egyptian government -despite committing major human rights violations and accusing human rights and democracy activists of being agents to the West- receives the largest aid amounts from Western countries. In my opinion, the tiny amounts provided to human rights activists do not stem from a desire to support them. They rather serve as a cover before public opinion and the parliament of these countries who refuse to renew grant agreements unless they included support to democracy and human rights. Thus, many of the donor countries provide small amounts of aid to human rights activists to justify the provision of large sums to totalitarian governments.
2. Donor governments, similar to the Egyptian government, believe that economic reform is more important than political reform. They see no need to effect any political reforms. Some Southeast Asian countries launched economic development in the absence of parallel political reform.
3. Western countries and the United States do not provide these funds to the Egyptian government with the aim of positively impacting human rights conditions or legislative development. They provide support to various economic and social activities. They may even provide the government with the necessary means to remain in power.
4. Donor countries only exert pressure where there are economic or political interests. It is either a positive pressure, in the form of increased aid; or a negative one, by threatening to reduce aid. A comparison can be made between the position of donor countries from amendments to the Intellectual Property Law, the Unified Labor Law, or cooperation with Israel, for example, on the one hand, and their position from the Civil Associations Law. In the first case donor countries supported and exerted pressures, while in the second some restricted themselves to expressing dissatisfaction. Others gladly agreed to the Egyptian government's logic that regardless of the provisions of the law, they should focus on how it is enforced. They raised the "Let's wait and see" slogan although the violation was obvious, and although the Egyptian government revealed its "tolerance" once by arresting the secretary general of the Egyptian Organization for Human Rights, threatening to refer him to the Higher Emergency State Security Court, then by sentencing Dr. Saad Eddin Ibrahim to seven years of prison.

5. Donor organizations do not adopt complete transparency. Despite the press campaign against human rights and democracy development activists accusing them of receiving millions from donor organizations, the latter did not issue even one press release, in Arabic or any other language explaining they pay millions to the Egyptian government and millimes to human rights organizations. This reflects a political position.
6. Many of the donor countries may feel that developing democracy and spreading human rights concepts harm their interests, even in the short term because exerting pressure on totalitarian regime is easier than pressuring democratic ones where power and decision making are distributed among various entities.

Appendix 1

Funding Agencies for Human Rights NGOs in Egypt

Women's Rights:

1. CEDPA, Center for Development and Population Activities
www.cedpa.org
2. The Global Fund for Women
www.globalfundforwomen.org

Embassies Funding Human Rights Projects:

1. Small Grants Scheme, Embassy of Britain
www.britishembassy.org.eg
2. Royal Danish Embassy, DANIDA
rdemb@commnet.com.eg
3. Embassy of Finland
www.finemb.org.eg/eminfo.htm
4. Embassy of Ireland, Irish Aid Program
5. Japanese Grant Assistance for Grassroots Projects (GGP), Embassy of Japan
www.embjapan.org.eg
6. Netherlands Embassy Project Program
www.hollandemb.org.eg/
7. Embassy of USA – USAID

Support and Funding for Training and Internships in Human Rights

1. American Democratic Foundation
www.adfusa.org
2. International Human Rights Internship Program
ihrip@iie.org
3. National Democratic Institute for International Affairs
www.ndi.org

General List of Donors for Human Rights NGOs

1. Konrad Adenauer Foundation
Kaf@brainy1.ie-eg.com
2. Civil Society Fund, Canadian International Development Agency (CIDA)
cida@idsc.gov.eg
3. Diakonia

4. European Initiative for Democracy and Human Rights (Delegation of the European Commission in Egypt)
www.delegy.cec.eu.int
5. European Human Rights Foundation (EHRF)
www.ehrfoundation.org
6. FINNIDA, Finnish Development Corporation
kyoinfo@formin.fi
7. The Ford Foundation
www.fordfound.org
8. German Ministry of Economic Cooperation (BMZ)
www.bmz.de
9. Humanist Institute for Development Cooperation (Hivos)
www.hivos.nl
10. International Center for Human Rights and Democratic Development
www.ichrdd.ca
11. KIOS, The Finnish NGO Foundation for Human Rights
www.kios.fi
12. The John Merck Fund
www.jmfund.org
13. Friedrich Naumann Foundation
www.naumann-meda.org
14. National Endowment for Democracy
www.ned.org/grants/grants.html
15. The Norwegian Human Rights Fund
www.nhrf.no/english.htm#who
16. Novib, Netherlands Organization for International Development Cooperation
www.novib.org
17. Public Welfare Foundation
www.publicwelfare.org
18. The Reebok Foundation
19. Shaler Adams Foundation
20. The Swedish NGO Foundation for Human Rights

www.swehr.a.se/engleska/eng-index.htm

21. The Tides Foundation
www.tides.org/foundation/index.cfm
22. The United Nations Development Programme (UNDP)
www.undp.org
23. Raoul Wallenberg Institute of Human Rights and Humanitarian Law
www.rwi.lu.se
24. The Westminster Foundation for Democracy
www.wfd.org/