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## **Hearing on Human Rights and U.S. Policy in the MENA Region Ten Years After the Arab Spring**

**House Foreign Affairs Committee**

**Tom Lantos Human Rights Commission**

April 29, 2021 - 11:00 a.m. Virtual Hearing

### **Statement of Sarah Leah Whitson**

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Thank you to the Lantos Commission for organizing this hearing on U.S. Policy in the Middle East and North Africa. My colleagues have spoken and will be speaking about the conditions for human rights across the Middle East and North Africa, which I think can fairly be described as catastrophic, as war and conflict continue to engulf the region, with internationalized armed conflicts, civil wars, mass repression, systematic and widespread torture, impunity of security forces, grossly politicized judiciaries, and wholesale deprivation of civil and political rights affecting most people in the region.

Our responsibility in the United States -- as policymakers, human rights advocates, lawmakers in this Congress, and ordinary citizens -- is to closely and critically examine our government's policies in the region and to assess whether we are making things better or worse for those most directly impacted by our policies. Our first order of priority is to insist that our government complies with its own human rights obligations that prohibit contributing to abuses. We also have a responsibility to ensure enforcement of U.S. laws that prohibit transferring weapons to systematically abusive governments.

I'm sorry to say that U.S. policy has failed to achieve these aims. Over the past decade – and many decades prior to that – the U.S. has actively aided and abetted the most serious abuses in the Middle East by providing military, economic, and diplomatic support to authoritarian, repressive, and apartheid governments in the region, in breach of its human rights obligations under U.S. and international law. We need only look at the practices of America's largest beneficiaries in the region. The political dissidents imprisoned across the region, some of whose

names Congressman McGovern just read into the record, aren't just victims of bad things happening "over there." We must acknowledge our role in supporting the regimes who deprive them of their liberty.

This week, Human Rights Watch issued a detailed [report](#) finding that the Israeli government is responsible for the crimes of apartheid and persecution in its governance of Palestinians, pursuant to a governmental policy to maintain the domination of Israeli Jews over Palestinians both inside Israel and in the occupied Palestinian Territory. Its findings follow the same conclusion made by leading Palestinian and Israeli human rights organizations, which have long come face to face with the ugly reality of the Israeli authorities' systemic and severe discrimination against Palestinians. Palestinian efforts – very much a part of the Arab Uprisings - to protest their 50+ years of inhumane occupation, to seek judicial accountability at the International Criminal Court, to demand equal rights under the government that controls them, and to use peaceful means like advocating for boycott and sanctions of Israel have been met with punitive measures imposed by the U.S. government and U.S. states. These measures punishing Palestinian resistance include withdrawal of funding in response to appeals to the international criminal court, silencing of peaceful advocacy through "anti-BDS laws" and reassurances from the majority of this Congress and the Biden administration that US military support for Israel will remain "unconditional." The unparalleled military support and diplomatic protection we provide to the Israeli government contributes to the abuses committed against Palestinians, which we should now collectively label as "apartheid."

I want to make a note on the elections that had been scheduled for the Palestinian National Authority, and about which Congressman Smith just expressed concern may produce electoral victories of candidates the U.S. does not support. Like elections in Egypt or anywhere else in the world, the U.S. is not entitled to choose whom the Arab people elect to represent them, any more than they get to choose whom we Americans choose to represent us. Humility is indeed essential to our role in the region.

This week as well, notwithstanding the holy month of Ramadan, another of America's "security partners," Egypt, [executed 17 detainees](#) in a two-day spree following what we know to be the mold of grossly unfair trials and procedures that have resulted in the jailing of over 50,000 political activists since the 2013 military coup deposed Egypt's democratically elected President. Egypt has become a world leader in executions, carrying out 228 executions since 2014. By last count, 106 former members of Egypt's parliament remain unjustly imprisoned, possibly the highest number of parliamentarians jailed anywhere in the world.

When Hoda Abdel-Hameed, the mother of political detainee Abdelrahman al-Shuwaikh, released a video detailing the sexual assault and torture to which Egyptian security forces had subjected her son, security forces arrived in the middle of the night to [arrest](#) her, her husband, and their

18-year-old daughter. Egyptian General Prosecutor [Hamada Elsayy](#), who was welcomed in the U.S. as part of a 2018 judicial delegation celebrating U.S.-Egypt cooperation, has made no investigation into Alshuwaikh's credible claims or torture.

Retaliatory arrests of family members are the norm to punish activists abroad and at home. Egypt has detained Ola Al-Qaradawi and her husband Hosam Khalaf for nearly 4 years, almost entirely in solitary confinement, effectively holding them as hostages in their pursuit of Ola's father, Islamist scholar Yusuf Al-Qaradawi exiled in Qatar. In Egypt today, complaining about the rape, torture or disappearance of your children; acting as a lawyer to defend the persecuted; writing as a journalist; even making music, acting, taking photographs; or putting out a juvenile Tik Tok video will find you subject to prosecution as a "terrorist".

We must be clear that providing \$1.3 billion in annual military assistance to the government of Egypt supports its crimes against the Egyptian people. The outdated "security interests" offered to justify our continued support of this repressive government fail to withstand serious scrutiny. Congress has, as usual, conditioned \$300 million of our annual aid on certain human rights reforms, including, for the first time, a \$75 million portion that will not be subject to the usual "national security" waiver, conditioned on the release of political prisoners. This is a positive development.

We should acknowledge, however, that conditioning this small portion of US military aid, as welcome as that would be, would be insufficient to bring any significant reforms in the country. Instead, the U.S. government should end entirely U.S. military and financial support for Egypt's government. The reality is that providing military support to Egypt's government violates our own human rights obligations and laws prohibiting weapons transfers to systematically abusive governments. For similar reasons, the U.S. should also end its military support of the Israeli authorities, including the Israeli military authorities maintaining a 54-year occupation of Gaza and the West Bank.

The Biden administration has heard this message loudly with respect to arms sales to Saudi Arabia. America's participation in the devastating and needless war in Yemen over the past five years is another shameful blight on our deadly record in the region; it is important that Biden has ended our active collaboration in the Saudi and Emirati indiscriminate and deliberate attacks on Yemeni civilians. But we must be clear that the continued provision of "defensive" weapons to Saudi Arabia (which strikes as semantic jargon to many), as well as the approval of \$23 billion in arms to the UAE serve only to embolden and assist their undemocratic, unelected, unaccountable, and brutal leaders – not their subject populations -- in their malign regional interventions that cause chaos and instability. Just this week, reports documented how Chad rebels who served as mercenaries in Libya relied on UAE supplied weapons to launch a coup in Chad.

Let me also briefly mention Jordan, where another unelected, unaccountable monarchy, whose stability also hangs by a thread, receives billions of dollars in American military support. We are concerned about the lawless detention of Prince Hamza, the brother of King Abdullah, whom the government recently accused of sedition and involvement in a coup plot. He reportedly remains under “house arrest”, and the King has referred to this detention as a “family matter”. Calling this a house arrest and a family matter, however, doesn’t make it legal. Even royal princes are entitled to -- and apparently need -- respect of their human rights.

You’re right, Congressman Smith. The U.S. has no capacity or credibility to fix *all* that is wrong in the Arab world. That is and should be beyond the remit of any foreign actor. The U.S. does, however, have an absolute legal, ethical, and national interest obligation to end its support for systematically abusive governments in the region. This is where we must draw a real red line.

Thank you again to the Commission for having me today, and a special thank you to Commission staff members Piero Tozzi and Kim Stanton for all their hard work in organizing this hearing.