

109TH CONGRESS
1ST SESSION

H. CON. RES. 284

CONCURRENT RESOLUTION

Whereas promoting freedom and democracy is a foreign policy and national security priority of the United States;

Whereas free, fair, and transparent elections constitute a foundation of any meaningful democracy;

Whereas Egypt is the largest Arab nation comprising over half the Arab world's population;

Whereas Congress has long supported Egypt as a partner for peace and stands ready to support Egypt's emergence as a democracy and free market economy;

Whereas a successful democracy in Egypt would definitely dispel the notion that democracy cannot succeed in the Arab Muslim world;

Whereas in his 2005 State of the Union Address, President George W. Bush stated that "the great and proud nation of Egypt, which showed the way toward peace in the Middle East, can now show the way toward democracy in the Middle East";

Whereas in her June 20, 2005, remarks at the American University in Cairo, Secretary of State Condoleezza Rice stated: "[T]he Egyptian Government must fulfill the promise it has made to its people—and to the entire world—by giving its citizens the freedom to choose. Egypt's elections, including the Parliamentary elections, must meet objective standards that define every free election.";

Whereas on February 26, 2005, Egyptian President Mubarak proposed to amend the Egyptian Constitution to allow for Egypt's first ever multi-candidate presidential election;

Whereas in May 2005, President Bush stated that Egypt's presidential election should proceed with international monitors and with rules that allow for a real campaign;

Whereas Egypt prohibited international monitoring in the presidential election, calling such action an infringement on its national sovereignty;

Whereas domestic monitoring of the election became a major point of contention between the government, the judiciary, and civil society organizations;

Whereas in May 2005, the Judges Club, an unofficial union for judges, took the provisional decision to boycott the election if their demand for a truly independent judiciary was not met;

Whereas the Judges Club initially insisted that the 9,000 to 10,000 judges were in no position to monitor the election if plans proceeded for polling at 54,000 stations on one day;

Whereas the government responded to their demands by grouping polling stations to decrease their number to about 10,000, more or less matching the number of available judges;

Whereas on September 2, 2005, a majority of the general assembly of the Judges Club decided that the judges would supervise the election and report any irregularities;

Whereas several coalitions of Egyptian civil society organizations demanded access to polling stations on election day and successfully secured court rulings granting them such access;

Whereas the Presidential Election Council, citing its constitutional authority to oversee the election process, reportedly ignored the court order for several days, before they granted some nongovernmental organizations access to polling stations a few hours before the polls opened;

Whereas the presidential campaign ran from August 17 to September 4, 2005;

Whereas the presidential election held on September 7, 2005, was largely peaceful, but reportedly marred by low turnout, general confusion over election procedures, alleged manipulation by government authorities, and other inconsistencies;

Whereas the presidential election was a potentially important step toward democratic reform in Egypt and a test of President Mubarak's pledge to open the country's authoritarian political system;

Whereas Mr. Mubarak promised to allow during the presidential campaign a free press and independent judiciary, lift emergency laws that stifle political activity, reduce presidential powers in favor of a more freely elected parliament, and allow a slow but steady transition to a liberal democracy;

Whereas parliamentary elections were held in Egypt in November and December 2005;

Whereas several local human rights and civil society organizations issued a joint statement declaring unease over the Egyptian Government's criticism of independent judges, stating that the government was trying to deprive the organizations of the right of free expression;

Whereas reports prepared by judges who monitored the parliamentary elections indicated that numerous violations occurred in the second and third rounds of voting, including the physical prevention of voters from casting their votes, the closure of roads and streets leading to polling stations, and assaults on several judges as they oversaw the elections and protested the security agencies measures to prevent voters from reaching polling stations;

Whereas other Egyptian nongovernmental election monitors also have complained that security forces blocked thousands of eligible voters from entering polling stations during the parliamentary elections;

Whereas poll monitors and human rights organizations reported that violence initiated by Egyptian security forces,

coupled with wide-scale arrests, contributed to poor turnout across the country during the parliamentary elections;

Whereas violence during the parliamentary elections, including reports of excessive force by Egyptian security services, resulted in the deaths of several demonstrators and the wounding of dozens more;

Whereas Ayman Nour, Mr. Mubarak's only serious challenger in the presidential election, was declared in the parliamentary elections to have lost his seat—in a Cairo district that elected him twice before—to a former state security official with reported ties to President Mubarak;

Whereas it was reported that Mr. Nour, a secular liberal, was harassed repeatedly by Mr. Mubarak's proxies and slandered by the Egyptian media, and local election observers reported numerous irregularities in Mr. Nour's Cairo district;

Whereas the Egyptian Government's apparent manipulation of the electoral system resulted in a weakening of the secular opposition and a strengthening of the Islamist opposition in Egypt; and

Whereas it is in the national interests of the United States and Egypt that Egypt be governed by a truly representative, pluralist, and legitimate national parliament: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring), That Congress—*

3 (1) recognizes the presidential election held on
4 September 7, 2005, as a potential first step toward
5 greater political reforms in Egypt;

1 (2) expresses grave concern over the widely re-
2 ported irregularities during the Egyptian presi-
3 dential election and parliamentary elections held in
4 November and December 2005, including inter-
5 ference by Egyptian security forces, and the appar-
6 ent failure of the Government of Egypt to ensure
7 that the elections were free, fair, and transparent;

8 (3) calls on the Government of Egypt to take
9 immediate steps to address these reported violations
10 of the fundamental freedoms of the Egyptian people
11 and hold those responsible for such violations ac-
12 countable;

13 (4) recognizes that the development of a demo-
14 cratically-elected representative and empowered
15 Egyptian national parliament is a fundamental re-
16 form needed to permit real progress toward the rule
17 of law and democracy in Egypt;

18 (5) calls on the Government of Egypt to sepa-
19 rate the apparatus of the National Democratic Party
20 from the operations of government, to divest all gov-
21 ernment holdings in Egyptian media, and to end the
22 government monopoly over printing and distribution
23 of newspapers;

24 (6) calls on the Government of Egypt to repeal
25 the 1977 emergency law which took effect in 1981,

1 as promised by President Mubarak, and in the devel-
2 opment of any future anti-terrorism legislation to
3 allow peaceful, constitutional political activities, in-
4 cluding public meetings and demonstrations, and to
5 allow full parliamentary review of any such legisla-
6 tion;

7 (7) expresses disappointment over the failure of
8 the Government of Egypt to ensure that the presi-
9 dential election was free, fair, and transparent;

10 (8) calls on the Government of Egypt, in future
11 elections, to—

12 (A) ensure supervision by the judiciary of
13 the election process across the country and at
14 all levels;

15 (B) ensure the presence of accredited rep-
16 resentatives of all competing parties and inde-
17 pendent candidates at polling stations and dur-
18 ing the vote-counting; and

19 (C) allow local and international election
20 monitors full access and accreditation;

21 (9) urges the President of the United States to
22 take into account the progress achieved by the Gov-
23 ernment of Egypt in meeting the goals outlined in
24 this resolution when determining—

1 (A) the type and nature of United States
2 diplomatic engagement with the Government of
3 Egypt; and

4 (B) the type and level of assistance to be
5 requested for the Government of Egypt;

6 (10) given the responsibility of the Government
7 of Egypt for the outcome of the 2005 presidential
8 and parliamentary elections, calls on the Govern-
9 ment of Egypt not to use the strength of the
10 Islamist opposition in Egypt to justify the failure of
11 the Egyptian Government to comply with its inter-
12 national human rights obligations or to undertake
13 the reforms to which it has committed; and

14 (11) urges the President and other officers of
15 the Government of the United States to speak with
16 unmistakable clarity in expressing the disappoint-
17 ment of the people and Government of the United
18 States with respect to the behavior of the Govern-
19 ment of Egypt during the 2005 presidential and par-
20 liamentary elections.

Passed the House of Representatives December 19
(legislative day, December 18), 2005.

Attest:

Clerk.

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Expressing the sense of Congress with respect to
the 2005 presidential and parliamentary elections
in Egypt.