



September 20, 2013

The Honorable Rand Beers
Acting Secretary
United States Department of Homeland Security (DHS)
Washington, D.C. 20528

Re: Egypt TPS Request

Dear Secretary Beers:

The Arab American Institute (AAI) writes to respectfully request that you grant Temporary Protected Status (TPS) for nationals from the Arab Republic of Egypt under Title 8, United States Code, Section 1254a.

We believe granting Egyptians TPS is critical in light of the alarming and continuing level of violence taking place in the country. The political and sectarian violence that has erupted in Egypt since the removal of Mohamed Morsi from the presidency on July 3, 2013 constitutes “extraordinary and temporary conditions” which make it very difficult for Egyptians in the United States to safely return home. It is worth noting that as a result of the unstable and threatening environment faced by many Egyptians in their homeland, nearly 4,000 have been granted asylum in the past two years alone, placing Egypt second only to China in asylum cases requested and received.

Since there is no reason that allowing Egyptian nationals to remain in the United States would be “contrary to the national interest” of this country, you are authorized to designate Egypt for TPS status under § 1254a(b)(1)(C). TPS applicants are subjected to rigorous vetting and security checks to ensure that they do not have a criminal background or pose a threat to our national security. In fact, granting TPS to Egypt is in our national interest. Moreover, at this delicate moment in relations between the United States and the Arab world, granting TPS to Egypt will send a positive signal about our concern for the suffering of innocent Egyptian civilians. We ask that you take this urgent step as soon as possible.

July 3, 2013, President Morsi Deposed

On July 3, 2013, Egypt’s military deposed President Mohamed Morsi after millions of Egyptians protested across the country calling for him to step down. Since then, the military has rounded up and arrested many of the leaders of Morsi’s political party, the Freedom and Justice Party.¹

In an early response to the situation, on July 3, the U.S. Department of State issued the following travel warning for Egypt:

¹ CNN, “Coup topples Egypt’s Morsi; deposed president under ‘house arrest.’”
<http://www.cnn.com/2013/07/03/world/meast/egypt-protests>.

The U.S. Department of State warns U.S. citizens to defer travel to Egypt and U.S. citizens living in Egypt to depart at this time because of the continuing political and social unrest. This Travel Warning supersedes the Travel Warning issued on June 28, 2013.

On July 3, 2013, the Department of State ordered the departure of non-emergency U.S. government personnel and family members from Egypt due to the ongoing political and social unrest.

Political unrest, which intensified prior to the constitutional referendum in December 2012 and the anniversary in 2013 of Egypt's 25th January Revolution, is likely to worsen in the near future due to unrest focused on the first anniversary of the President's assumption of office.²

In subsequent violence, hundreds of Egyptians have been killed.

August 14: Raba'a

On August 14, 2013, Egypt's bloodiest day in modern history, Egyptian security forces cracked down on thousands of supporters of Mr. Morsi at two protest camps in a third mass killing that left more than 600 civilians dead. Human Rights Watch noted:

The decision to use live ammunition on a large scale from the outset reflected a failure to observe basic international policing standards on use of lethal force and was not justified by the disruptions caused by the demonstrations or the limited possession of arms by some protesters. The failure of the authorities to provide safe exit from the sit-in, including for people wounded by live fire and needing urgent medical attention, was a serious violation of international standards.

The most significant violence took place during the dispersal of the Raba'a sit-in. Human Rights Watch's preliminary findings indicate that the security forces used excessive force in breaking up the sit-ins and unlawfully killed a number of unarmed protesters.³

In response to continued resistance by Morsi supporters, including, in some instances, acts of violence, the military followed the Raba'a crack-down by declaring a one-month state of emergency. The U.S., U.N., and the European Union condemned the military's use of force and called for the state of emergency to be lifted as soon as possible.⁴ Violence soon spread from Cairo to clashes in the cities of Alexandria, Minya, Assiut, Fayoum, Suez, and Buhayra and Beni Suf provinces.⁵

As the violence intensified and the death toll rose, the U.S. Department of State issued another travel warning on August 15, 2013:

The U.S. Department of State warns U.S. citizens to defer travel to Egypt and U.S. citizens living in Egypt to depart at this time because of the continuing political and social unrest. This Travel Warning supersedes the Travel Warning issued on July 3, 2013.

On August 14, the Government of Egypt declared a State of Emergency that includes a curfew from 7 p.m. to 6 a.m. in select governates, including Cairo and Alexandria. The U.S. Embassy urges U.S. citizens who choose to remain in Egypt to comply with local regulations and follow local media for updates applicable to your specific location.

Political unrest, which intensified prior to the constitutional referendum in December 2012, the anniversary in 2013 of Egypt's 25th January Revolution, and the July 2013 change of government, shows little sign of abating. Demonstrations have, on numerous occasions, degenerated into violent clashes between security

² U.S. Department of State, "Travel Warning U.S. Department of State Bureau of Consular Affairs," http://travel.state.gov/travel/cis_pa_tw/tw/egypt.html.

³ Human Rights Watch, "Egypt: Security Forces Used Excessive Lethal Force," August 19, 2013, <http://www.hrw.org/news/2013/08/19/egypt-security-forces-used-excessive-lethal-force>.

⁴ Ibid.

⁵ Ibid.

forces and protesters, and between protesters supporting different factions, resulting in deaths, injuries, and extensive property damage. Participants have thrown rocks and Molotov cocktails and security forces have used tear gas and other crowd control measures against demonstrators. There have been instances of the use of firearms as well. While most violent protests have occurred in major metropolitan areas, including downtown Cairo, Giza, Alexandria, and Port Said, there are recent reports of more widespread political and social violence, including armed attacks, in other areas of Egypt. Of continued concern is gender-based violence in and around protest areas where women have been the targets of sexual assault.⁶

On August 16, more than 100 people were killed and more than 1,300 injured during demonstrations in Cairo against military rule; victims included Islamists and non-Islamists alike.⁷

Since mid-August, many more demonstrators have been killed and more than one thousand have been arrested.⁸ HRW characterized the ongoing violence and arbitrary arrest and detentions as “massive police abuse on an unprecedented scale.”⁹ As the State of Emergency Law was imposed, Egyptian government officials have claimed that respect for human rights and other democratic principles such as freedom of the press, freedom of peaceful assembly, will take a back seat while Egypt is “fighting terrorism.”¹⁰

Attacks on Women and Religious Minorities

Since the ouster of President Morsi, there has been an escalating number of attacks against Egypt’s Christian minority, which is estimated at around 10% of the country’s 85 million population. Christian churches, residences, and businesses all across Egypt have been ransacked, looted, and burned. On July 6, 2013, a priest was killed by gunmen in a market in northern Sinai.¹¹ Five days later, the body of a beheaded Christian man was found in northern Sinai.¹² In the immediate aftermath of the violent dispersal of two pro-Morsi protest camps, at least 40 churches were destroyed, burned or looted in twelve different governorates.¹³ The *Washington Post* has reported that more than 60 churches have been attacked since the August 14 Rabaa massacre.¹⁴ There were also dozens of separate attacks on Christian-owned businesses, shops, and schools across Egypt.¹⁵ The death toll in recent attacks was three, with a fourteen-

⁶ U.S. Department of State, “Travel Warning U.S. Department of State Bureau of Consular Affairs,” August 15, 2013, http://travel.state.gov/travel/cis_pa_tw/tw/tw_6054.html.

⁷ New York Times, “Blood and Chaos Prevail in Egypt, Testing Control,” August 16, 2013, <http://www.nytimes.com/2013/08/17/world/middleeast/egypt.html?pagewanted=all>; Associated Press, “Egypt: Death toll in Friday’s clashes rises to 173,” August 17, 2013, <http://news.yahoo.com/egypt-death-toll-fridays-clashes-rises-173-115150132.html>.

⁸ New York Times, “Egypt Widens Crackdown and Meaning of ‘Islamist,’” August 24, 2013, http://www.nytimes.com/2013/08/25/world/middleeast/egypt-widens-crackdown-and-meaning-of-islamist.html?_r=0.

⁹ Ibid.

¹⁰ Ibid. “When state is facing terrorism, then we must put human rights on the side,” ONtv, Youssef El Husseiny, August 19, 2013.

¹¹ BBC, “Egypt’s Coptic Christians pay price of political tumult,” <http://www.bbc.co.uk/news/world-middle-east-23337659>.

¹² Ibid.

¹³ The Blaze, “Reported list of churches and Christian institutions attacked in Egypt since Wednesday will astonish you,” August 15, 2013, <http://www.theblaze.com/stories/2013/08/15/reported-list-of-churches-and-christian-institutions-attacked-in-egypt-since-wednesday-will-astonish-you/>; Jadaliyya, “Sectarian Violence Sweeps Over Egypt,” August 17, 2013, <http://www.jadaliyya.com/pages/index/13660/sectarian-violence-sweeps-over-egypt>; Al Jazeera English, “Egypt’s Christians face unprecedented attacks,” August 16, 2013; <http://www.aljazeera.com/indepth/features/2013/08/2013816102257435227.html>.

¹⁴ Washington Post, “Ravaged churches reveal sectarian split feeding Egypt’s violence,” August 20, 2013, http://www.washingtonpost.com/world/middle-east/ravaged-churches-reveal-sectarian-split-feeding-egypts-violence/2013/08/20/59902866-09bc-11e3-9941-6711ed662e71_story.html.

¹⁵ Ibid. Jadaliyya, “Sectarian Violence Sweeps Over Egypt,” August 17, 2013, <http://www.jadaliyya.com/pages/index/13660/sectarian-violence-sweeps-over-egypt>.

year-old boy reportedly injured.¹⁶ The attacks on Christians in post-revolutionary Egypt are believed to be perpetrated by Islamic extremists or hired “thugs” who target revolutionaries, women, and religious minorities, to undermine the principles of Egypt’s 2011 revolution.¹⁷ Since the escalation in the number of attacks on Christian-owned businesses, residences, and religious institutions, security forces have failed to provide adequate security to ensure the safety and protection of Egypt’s Christian community, putting in grave danger any member of the Coptic community forced to return to Egypt during this period of instability.¹⁸

Members of Egypt’s Shia community have also fallen victim to sectarian strife. On June 23, 2013, four Shia Muslims were lynched while eight were injured in an attack led by a hostile mob of around 3,000 villagers, in the village of Abu Mussalem in Giza.¹⁹ The Shias were reportedly performing “religious rituals outside the house when they were attacked.”²⁰ The mob allegedly led by Salafist sheikhs torched houses of Shia residents killing four, including prominent Shia cleric Hassan Shehata.²¹ The group Egyptians Against Religious Discrimination called the attacks “unprecedented in modern Egyptian history.”²²

Violence against women, including open sexual assaults, is also on the rise. In a U.N. survey released in April 2013, 99.3% of Egyptian women reported being sexually harassed, with 91% saying they feel insecure in the streets as a result.²³ Egyptian anti-sexual harassment groups confirmed that mobs sexually assaulted and in some cases raped at least 91 women in Tahrir Square, over four days of protests beginning on June 30, 2013, amid a climate of impunity.²⁴

Conclusion

TPS designation will allow nationals of Egypt to remain in the United States on a temporary basis until the unstable and violent conditions subside. Since the removal of Mr. Morsi, there have been widespread attacks against those protesting military rule. Mr. Morsi’s supporters have also resorted to violence, with Egypt’s Coptic and Shia communities now living in constant fear. Women are targeted by “thugs” and frequently fall victim to sexual violence during large gatherings and demonstrations. The interim government has extended a State of Emergency Law that effectively sanctions any abuse by police against civilians, including the targeting and abuse of journalists, human rights activists, and political dissidents and critics of the government.

On August 15, the U.S. Department of State issued its updated travel warning for Egypt instructing that all U.S. citizens should depart Egypt as a result of the escalation in violence. The attendant instability and

¹⁶ Ibid.

¹⁷ LA Times, “Egypt on edge as Copts mourn slain protesters,” <http://articles.latimes.com/2011/oct/10/world/la-fg-egypt-copts-20111011>. Middle East Monitor, “Church vicar in Al Minya: the baltigya [thugs] burnt the churches,” <http://www.middleeastmonitor.com/news/africa/6969-church-vicar-in-al-minya-the-baltigya-thugs-burnt-the-churches>. Juan Cole, “Thugs attack women demonstrators in Cairo – Whodunit?,” <http://www.juancole.com/2012/06/thugs-attack-women-demonstrators-in-cairo-whodunit.html>.

¹⁸ Washington Post, “Ravaged churches reveal sectarian split feeding Egypt’s violence,” August 20, 2013, http://www.washingtonpost.com/world/middle-east/ravaged-churches-reveal-sectarian-split-feeding-egypts-violence/2013/08/20/59902866-09bc-11e3-9941-6711ed662e71_story.html.

¹⁹ Al Akhbar, “Egypt arrests eight over brutal Shia killings,” June 25, 2013, <http://english.al-akhbar.com/node/16232>.

²⁰ Al Jazeera English, “Deaths reported in Egypt sectarian attack,” June 24, 2013, <http://www.aljazeera.com/news/middleeast/2013/06/201362421255465595.html>.

²¹ Ibid.

²² Ibid.

²³ The Guardian, “80 sexual assaults in one day – the other story of Tahrir Square,” July 5, 2013, <http://www.theguardian.com/world/2013/jul/05/egypt-women-rape-sexual-assault-tahrir-square>.

²⁴ Human Rights Watch, “Egypt: Epidemic of Sexual Violence,” July 3, 2013, <http://www.hrw.org/news/2013/07/03/egypt-epidemic-sexual-violence>.

chaos, coupled with the severity of the crackdown by security forces, make manifest the “extraordinary and temporary conditions” required for TPS designation under 8 U.S.C. §1254a(b)(1)(C). It is beyond dispute that Egyptian nationals would be in grave danger if forced to return to their country. This temporary relief to Egyptian nationals in the United States would ensure that they are not forced to return to an area rife with violence, and thus suffer from the lack of proper medical care, and limited access to basic necessities.

For these reasons, AAI requests that Egypt be designated for temporary protected status under 8 U.S.C. §1254a.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James J. Zogby". The signature is fluid and cursive, with the first name "James" written in a larger, more prominent script than the last name "Zogby".

James J. Zogby
AAI President