

February 8, 2011

Secretary of State Hillary Clinton
U.S. Department of State
2201 C Street NW
Washington, D.C. 20520

Dear Secretary Clinton:

We, the undersigned organizations, join with the world in support of movement for democracy and social justice in Egypt, and join in the calls that Hosni Mubarak leave office immediately. We write to raise issues yet to be addressed in the coverage of the Egyptian people's uprising. Once again, by elevating its supposed "interests" above principle by supporting a dictatorship, the United States finds itself on the wrong side of history and struggling to reposition itself.

United States aid to the Mubarak regime is illegal and must end immediately. The U.S. has both domestic and international commitments to ensure that its weapons and its international aid funds are not used for grave international human rights or humanitarian law violations. While the Arms Export Control Act allows sales and shipments of weaponry for "internal security," that does not include the attacks by Mubarak's henchmen on peaceful Egyptian protesters and journalists. Subchapter III of the AECA provides that the President must take into account whether the export of arms would "increase the possibility of outbreak or escalation of conflict." Recent events clearly indicate the latter.

Furthermore, the U.S. Foreign Assistance Act prohibits assistance to the government of any country that "engages in a consistent pattern of gross violations of internationally recognized human rights." The Mubarak regime has, despite its efforts to cut communications, engaged in such violations in full view of the world, including attacks on human rights defenders, whose rights and protections are enshrined in such key international covenants as the International Covenant on Civil and Political Rights and the UN Declaration on Human Rights Defenders.

We note also that Omar Suleiman, the newly-named vice-president and Egypt's long-time intelligence director, soundly rejected by the Egyptian popular movement, is no stranger to the legacy of torture and repression of the Mubarak regime. He has a long history of association with U.S. officials and U.S. foreign policy goals. As Jane Mayer reported in *The Dark Side*, her book exposing the CIA's "rendition" program, he was a key partner in the program, including its later development into "extraordinary rendition." Suleiman personally participated in the torture of at least one victim of extraordinary rendition, Egyptian-born Australian citizen Mamdouh Habib, as reported by Lisa Hajar and Habib himself.

The time to review aid to Mubarak's dictatorship has long since passed. Violations of the Arms Export Control Act and the UN Guidelines on International Arms Transfers are apparent and ongoing. All military aid and arms sales to the Mubarak regime must cease immediately and the U.S. should make an unequivocal statement in support of the Egyptian people's right to determine their own future and the destiny of their country. The U.S. must end all support, covert

and overt, for Omar Suleiman as a replacement for Mubarak and cease interference in internal Egyptian politics. A full investigation should be initiated to document the full extent of U.S. officials' culpability in the crimes of the Mubarak regime. We also call for a responsible and independent international investigation into the crimes of the Mubarak regime in Egypt.

Finally, as an organization of lawyers, law students and legal workers, we cite the February 3 raid by Mubarak's intelligence agents on the Hisham Mubarak Legal Aid Center. The legal workers and human rights advocates there were severely beaten and taken into state custody to an unknown location, for an unknown duration and without probable cause. This alone is grounds for the cessation of all U.S. support for the regime. Human rights advocates have historically played a pivotal role in defense of people seeking the restoration of their basic rights to life and liberty. In times of uprising, the role of the legal aid workers becomes more critical as they are tasked with defending the people against false charges and bear the great burden of documenting the abuses the people suffer. It is imperative that all legal aid and human rights workers be free to conduct their duty of serving the people.

Sincerely,

National Lawyers Guild
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