

Getting Tough with Egypt Won't Work

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Brief Analysis

A more modest approach is warranted, one that emphasizes core interests, acknowledges the limitations of U.S. leverage, and avoids going too far with funding cuts and sanctions.

When Congress passed the National Defense Authorization Act (NDAA) in January, it included a stipulation to substantially limit U.S. military assistance to Egypt unless the country dramatically improves its human rights record. Following Congress's lead, the Biden administration took the unprecedented step of signing onto a March 12 UN Human Rights Council statement expressing deep concern about the "trajectory of human rights in Egypt." Around the same time, Cairo reportedly received five advanced Su-35 fighter jets from Russia, the first delivery in a batch of twenty-four jets ordered in 2018.

Taken together, these developments highlight the growing challenges to U.S. relations with the most-populous Arab state. Although Egypt remains a vital peace partner and major non-NATO ally, relations have been festering for some time thanks to deepening disputes on a broad range of issues. Previously, Washington tried to use a combination of quiet diplomacy, public statements, and the conditioning of foreign assistance dollars to resolve some of the more contentious issues, but these efforts proved largely sterile, and the trajectory was not promising even under the relatively hands-off Trump administration. Given the new administration's intensified human rights focus and the delivery of Su-35s—a sanctionable act—Washington may need to recalibrate its approach.

Remembering Core U.S. Interests

The United States has a long list of equities with Egypt. Chief among them is maintaining the country's 1979 peace treaty with Israel, which remains a cornerstone of regional stability. A friendly Egypt is also critical for U.S. military requirements. In particular, Cairo's provision of regular overflight rights and priority access to the Suez

Canal in times of crisis is indispensable to maintaining a flexible and responsive U.S. force posture in the Red Sea, Persian Gulf, and other areas. The close military-to-military relationship—underpinned by Foreign Military Financing (FMF)—has made Washington the preferred (though not sole) provider of military materiel to Egypt, a status that until recently denied Russia and China greater entry into the region.

The United States also has a strong interest in Egypt's internal stability. To that end, it has provided Cairo with attack helicopters and training to assist in the years-long campaign against Sunni jihadists in the Sinai Peninsula—though the number of civilians killed in that counterterrorism effort, conservatively estimated at more than 1,000, is disquieting. Economically, Washington has supported international efforts that helped Egypt achieve impressive growth over the past decade, but persistent unemployment and a poverty rate hovering at 30 percent remain worrisome. If these problems persist or escalate, they could lead to heightened domestic volatility that threatens the peace treaty with Israel, or even spark another migration crisis for Europe.

Wider regional volatility is a concern as well. Although Egypt wisely restrained itself when Turkey, the United Arab Emirates, and other powers sent troops to Libya, the worsening crisis over the Grand Ethiopian Renaissance Dam looms large in many potential conflict scenarios.

Growing Irritants

Topping the list of bilateral irritants is Cairo's periodic indifference to the well-being of American citizens, 82,000 of whom reside in Egypt. In 2020, despite the intervention of Vice President Mike Pence and Secretary of State Mike Pompeo, Cairo initially refused to release three American citizens wrongly held in its custody. One of these prisoners died, and the other two were not freed until after an article in *Foreign Policy* reported that the State Department might cut up to \$300 million in assistance. The practice of wrongfully detaining American citizens is so pervasive that in 2019, the State Department revised its [guidance to travelers](https://travel.state.gov/content/travel/en/international-travel/International-Travel-Country-Information-Pages/Egypt.html) (<https://travel.state.gov/content/travel/en/international-travel/International-Travel-Country-Information-Pages/Egypt.html>) to read, "U.S. citizenship does not provide protection from detention or arrest by Egyptian authorities, and individuals detained may be subjected to prolonged interrogations and extended detention."

In another highly publicized case, Cairo has continued arresting the Egyptian relatives of American citizen Mohamed Soltan, who filed a lawsuit in U.S. court against a former Egyptian prime minister who allegedly played a role in torturing him while he was imprisoned from 2013 to 2015. These relatives were released last year after Secretary Pompeo publicly warned Cairo to "stop unwarranted harassment of U.S. citizens and their families," but several were recently arrested again.

And then there is the case of April Corley, an American who had the misfortune of being in a tourist group mistakenly attacked by Egyptian military helicopters in 2015. Six years on, Cairo has yet to approve a reasonable compensation package for Corley, who is permanently disabled and was the sole survivor of this outrage.

Egypt's treatment of its own citizens is also highly problematic. Here, the most urgent issue is not the lack of democratic governance or free elections (important as those issues are), but the huge number of political detainees, estimated at 60,000-110,000. By no means are all of these prisoners hardened terrorists or radicals—in fact, many of them are liberal critics of the government, reputable journalists, or members of the LGBTQ community, a frequent target of government harassment.

Even the once-strong military partnership has been roiled of late due to the Su-35 purchase. Cairo claims it was obliged to buy the aircraft from Russia because Washington would not sell it top-of-the-line F-35 jets. In truth, however, Egyptian authorities rejected credible alternatives to the F-35 that met their military requirements, and instead proceeded with the Moscow deal even after being warned repeatedly of the consequences. Once Cairo took actual delivery of the Russian planes, it opened itself up to penalties under the Countering America's Adversaries

Through Sanctions Act (CAATSA).

Congress Weighs In

Although Egypt's human rights record has long attracted congressional attention, the new NDAA spurred an unprecedented legislative effort to change that record by conditioning U.S. military assistance. Congress appropriated \$1.3 billion in Egyptian FMF for 2021, but stipulated that \$300 million be withheld pending certification from the secretary of state that Cairo is "taking sustained and effective steps" on several fronts, such as strengthening rule of law and human rights; protecting freedom of expression; holding security forces accountable for abuses, extrajudicial killings, and forced disappearances; and providing access to U.S. officials tasked with monitoring developments in the Sinai. Another provision requires the secretary to determine whether Cairo's harassment of Americans and their families constitutes a "pattern of acts of intimidation" that would entail suspension of military aid consistent with the Arms Export Control Act.

What Can Work with Egypt?

After so many years of frustrating, ignored appeals on these issues, conditioning funds is undoubtedly gratifying to many in Washington and abroad. The question for U.S. policymakers is whether curtailing \$300 million in FMF—and perhaps more if CAATSA sanctions are imposed—will have a positive impact on Egypt's behavior.

If history is any guide, the answer is no. First, the value of U.S. assistance is not what it used to be: in 1978, U.S. aid constituted nearly 6.4% of Egypt's GDP, but today it is less than half a percent. Second, the Egyptian government views all of its political opponents—whether Islamist or liberal—as existential threats and considers draconian security measures as indispensable to its survival. Third, Egypt may now believe it can buy more of its weapons elsewhere rather than depending on the United States; after all, Russia and China may not underwrite military sales, but they don't ask questions about human rights either. Fourth, the record of the past couple decades shows episodic successes but little evidence that U.S. conditionality and threats produce sustained changes in Egyptian policy. In other words, however legitimate and legal Washington's demands may be, they stand a high chance of being ineffective—and, along the way, further eroding the relationship.

In this situation, Washington may want to pause and reconsider its options before implementing sanctions and aid conditions that stand little hope of achieving their intended purpose. A wiser course may be to lower expectations, take a more hardheaded view of bilateral ties, and focus more narrowly on core interests. Egypt is no longer the regional powerhouse it once was, but it remains a consequential actor and critical security partner. Notwithstanding serious challenges, the bilateral relationship continues to deliver important, tangible benefits, from allowing overflight clearances and priority canal access to partially limiting Russian and Chinese inroads at a pivotal corner between Africa and Asia.

Ultimately, U.S. aid should be commensurate with the value of the relationship and sufficient to protect U.S. equities. Striking \$300 million—but without implementing additional cuts or sanctions—would send an unmistakable signal of Washington's frustrations while still allowing the two capitals to manage their relations based on mutual interests. This funding reduction may also prove sustainable in future annual authorizations past 2021. But cutting deeper could provoke a painful and self-defeating backlash, undermining Egyptian cooperation on Washington's core interests and specific priorities (e.g., releasing wrongly detained American citizens; limiting further purchases of significant Russian weapons systems). At one time, the bilateral relationship may have been "strategic." These days, Washington may have to settle for "productive."

David Schenker recently rejoined The Washington Institute as a senior fellow after serving as assistant secretary of state for Near Eastern affairs in the Trump administration. ❖

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