

46 MEMBERS OF CONGRESS WRITE TO SECRETARY POMPEO TO EXPRESS CONCERN OVER UNLAWFUL DETENTION OF US LEGAL PERMANENT RESIDENTS OLA AL-QARADAWI AND HOSAM KHALAF

Washington DC – Today 46 Members of the House of Representatives, led by Representatives Ileana Ros-Lehtinen (R-FL) and Ted Deutch (D-FL), Chair and Ranking Member of the House Foreign Affairs Subcommittee on the Middle East and North Africa, sent a letter to US Secretary of State Mike Pompeo expressing their concern over broad “abuses of fundamental human rights, especially those directed at Americans” committed by Egypt under President Sisi. Warning that this record of rights abuses harms the US-Egypt bilateral relationship, Members specifically referenced the wrongful detention in Egypt of US Citizens and LPRs, including Ola Al-Qaradawi and Hosam Khalaf. The letter states:

[W]e are concerned about the ongoing arbitrary detention and imprisonment of U.S. citizens and lawful permanent resident aliens with significant ties to the United States. ... [T]here are an estimated 15 or more U.S. citizens ... and legal permanent residents who are still detained in horrendous conditions and deprived of fundamental due process rights. The United Nations Working Group on Arbitrary Detention (UNWGAD) found that the arrest, detention, and imprisonment of Ola Al-Qaradawi and Hosam Khalaf, a couple approved for U.S. legal permanent resident status, “lack a legal basis.”

Ola and Hosam have been detained more than 500 days without charge. The couple is held *incommunicado* in cruel and inhumane prison conditions and denied access to family, counsel, appropriate medical treatment, and adequate food and water. They have both been held in extended solitary confinement. Every 45-days, a judge rubber-stamps a renewal of their detention in hearings which last only minutes and do not afford them or their counsel the opportunity to present a defense. Both Ola and Hosam are reported to be in rapidly-declining health. Prominent international organizations such as Human Rights Watch and Amnesty International (on three separate occasions) have criticized their detention and mistreatment, ultimately urging their release.

The couple’s US citizen daughter, Aayah Hossam Khalaf, has been campaigning tirelessly to secure her parents’ release. Last month, she personally visited the Washington DC offices of dozens of Members of Congress to request they join the letter. In a statement, she said:

“My parents’ plight is increasingly desperate, and I cannot stand by while their illegal detention drags on with no end in sight. I hope that Secretary Pompeo will hear the voices of these Members of Congress and take immediate steps to ensure human rights issues that impact US citizens and families are a top priority in the US-Egypt relationship. This must include requesting the release of my innocent parents.”

This is not the first time Members of Congress have expressed their concern over the unlawful detentions of Ola and Hosam. In December 2017, Representative Randy Hultgren mentioned the detention of Ola and Hosam by name, noting that they had been held in violation of international law; in *incommunicado* and solitary confinement; and denied access to family, counsel, and medical treatment. In January 2018, Senator Murray and Representatives Smith and Jayapal –

all from their daughter's home state of Washington – wrote to Vice President Pence in advance of his trip to the region, asking him to raise the case with the appropriate authorities. These Members, along with Senator Cantwell, also of Washington, sent an additional letter the following month, asking then Secretary of State Rex Tillerson to raise the case during his own visit to Egypt.

In June 2018, Ola and Hosam were included by name in the Appropriation Report accompanying the Senate's Department of State, Foreign Operations, and Related Programs Appropriations Bill for fiscal year 2019. The Report language requires the Secretary of State to specifically evaluate Ola and Hosam's case when determining whether Egypt is taking steps to improve its human rights obligations, as is required by the Senate prior to the disbursement of \$300 million dollars of human-rights-contingent foreign military aid. In July 2018, their cases were mentioned in testimony before the House Foreign Affairs Subcommittee on the Middle East and North Africa.

In reference to the letter and the Senate bill, Jared Genser, international counsel for Ola and Hosam, remarked:

“Each year, the United States appropriates \$1.3 billion in assistance for the Egyptian military while the Egyptian government continues to unlawfully and arbitrarily detain US citizens and LPRs with close ties to the US. The high level of concern for these issues demonstrated by these individual members of Congress should send the clear message that the US government is not willing to tolerate these flagrant rights abuses. The Trump Administration should make it clear to Egypt that its partnership with the US is predicated on taking steps to demonstrate full respect for human rights – a process that certainly starts with the release of Ola Al-Qaradawi and Hosam Khalaf.”

Contact:

Jared Genser
jgenser@perseus-strategies.com
+1 202 320 4135