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Robert Schuman Centre  
*for advanced studies*

**Howaida Roman**

***Transit Migration in Egypt***

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*Transit Migration in Egypt*

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## **CARIM**

### **The Euro-Mediterranean Consortium for Applied Research on International Migration**

In November 1995, the European and Mediterranean Ministries of Foreign Affairs met in Barcelona in order to establish the basis of a new partnership, which is described in the Barcelona Declaration. The main goal is to transform the Mediterranean region in a peaceful and prosperous area, and to progressively establish a Euro-Mediterranean free-market zone. In order to promote dialogue, stability and good governance values in the Region, as envisaged by the Barcelona process, the Valencia Ministerial Meeting in April 2002 outlined a regional cooperation programme on justice, police and migration issues, which was adopted by the European Commission in December 2002.

The present report is produced in the framework of the “Cooperation project on the social integration of immigrants, migration and the movement of persons” (EuroMed Migration), which is a MEDA regional initiative launched by the European Commission (EuropeAid Cooperation Office) in February 2004 as part of the above programme. It aims at creating an instrument for observing, analysing and forecasting the migratory movements, their causes and their impact, in the EU and in the Mediterranean partners Morocco, Algeria, Tunisia, Egypt, Palestinian Territories, Israel, Jordan, Lebanon, Syria and Turkey.

The Euro-Mediterranean Consortium for Applied Research on International Migration (CARIM) has been set up in order to implement the EuroMed Migration project. The Consortium is composed of a coordinating unit established at the Robert Schuman Centre for Advanced Studies of the European University Institute (Florence), and a network of thirty scientific correspondents based in Mediterranean partner countries. External experts from the north and the south also contribute to its activities. CARIM carries out the following activities: setting up and updating of a Mediterranean migration database, studies and research training.

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## **Abstract**

Egypt is a big receiver to different kinds of migration, legal and illegal, documented and undocumented. The influx of refugees to Egypt started in the 1990s as a result of wars in the Horn of Africa, especially Sudan, Ethiopia, Eritrea and Somalia, and most of them were destined for Cairo. Due to lack of local integration prospects in Egypt and the continuing conflicts in their home countries, resettlement to a third country becomes the only feasible durable solution.

The study focuses particularly on Sudanese and Somali transit migrants. It tackles their patterns of flight and legal status, the causes of transit migration and its consequences, the living conditions of migrants in Egypt, their social interaction with Egyptians and with other refugee groups, the way civil society deals with refugees in Egypt, and the cooperation between transit countries and destination countries in regularizing migration. The study also includes an analysis of the Sudanese refugees crisis in Egypt in December 2005.



## Theoretical introduction

Every year, millions of people migrate from one country to another in search of protection, jobs or better living standards. For many of them, migration means a journey lasting weeks, months or even years. People in transit are a substantial part of the world migration flows.<sup>1</sup> The phenomenon of transit migration has received considerable interest in the last decade especially after the onset of the process of globalization. This coincidence is often interpreted causally: global restructuring generates some irregular migratory flows, and in turn, the irregular movement of people across borders is an indication of the globalizing world.<sup>2</sup>

The process of globalization has created enormous wealth and has lifted millions of people out of poverty, but it has not narrowed the gap between rich and poor, and in some cases, economic disparities are widening. Many developing countries are struggling to cope with high levels of demographic growth and are failing to create enough jobs for the millions of young people now entering the labour market. Although more people than ever before are citizens of states with pluralistic political systems, many still live in countries characterized by poor governance, low levels of human security, corruption, authoritarianism, human rights violations and armed conflict. It is not surprising then that many people are looking for a future beyond the borders of their own country.<sup>3</sup>

International migratory flows are directed to centres such as Western Europe, North America and Australia via the peripheral or semi-peripheral zones such as the Mediterranean Basin, Central America and South-East Asia.<sup>4</sup> Transit migration raises questions about the geopolitical order of wealth and poverty, stability and war.<sup>5</sup>

Economic theories focus on migration as a choice of people who wish to improve their economic circumstances, whereas in much sociological and anthropological literature it is seen, negatively, as a last resort of the poor in response to economic, demographic, environmental and political shocks, that lead to their exploitation and further impoverishment. Whilst migration does occur in response to crisis for some, it is also a key livelihood strategy for many people in the face of physical, economic, social and political adversity.<sup>6</sup>

For example, the Mediterranean Sea marks one of the sharpest demographic and economic divides currently on the world map. To the North lie countries with very low demographic growth and whose standard of living is among the highest in the world. To the South lie the countries of North Africa, with very high rates of natural increase and whose economies, while not uniformly weak, provide their populations on average with incomes worth only 6% of the values of incomes in Western Europe.<sup>7</sup>

According to UN/ECE transit migration is understood as “migration in one country with the intention of seeking the possibility there to emigrate to another country as the country of final

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1 Ivakhniouk, I., *People in Transit: Need for Managing and Protection*, Preparatory Meeting of the Regional Conference on Transit Migration, Strasbourg, 12 March 2004, p. 1.

2 Icduygu, A., *The Uncertain Migration, The Case of Transit (Abstracts)*, International Symposium of Migration across Southern/Eastern Borders, University of Crete, Greece, 21-24 Oct. 2004.

3 Global Commission on International Migration (GCIM), *Migration in an Interconnected World, New Directions for Action*, GCIM Report, Oct. 2005, p. 6.

4 Icduygu, *op. cit.*

5 Dietrich, H., *External EU Border: Enlargement in the East, Blocking the South?*, (Abstracts), International Symposium of Migration Across Southern/Eastern Borders, University of Crete, Greece, 21-24 Oct. 2004.

6 Waddington, H. and Sabated-Wheeler, R., *How Does Poverty Affect Migration Choice? A Review of Literature*, Development Research Centre on Migration, Globalization and Poverty, University of Sussex, Dec. 2003, p. 10.

7 Zohry, A., *Migration Without Borders: North Africa as a Reserve of Cheap Labour for Europe*, UNESCO, 2005, p. 1.



destination.<sup>8</sup> The IOM glossary defines transit migration as “refugees awaiting resettlement”.<sup>9</sup> Transit, that is, the stage between emigration and settlement, is used in the analysis as an exemplary situation that displays the overlap between asylum and irregular migration.<sup>10</sup>

Therefore, it is more effective to understand transit migration as the indeterminate residence of migrants, legal or illegal, in a receiving country, that may or may not develop into further emigration according to a combination of structural and individual factors, such as the policy framework of the receiving country and the role of social/family networks in directing the movement of migrants. In other words, transit migration does not always lead to further emigration but can become permanent settlement.<sup>11</sup>

Transit migration takes place for a number of reasons. First, because of the first host countries’ inability to meet the migrants’ needs such as employment opportunities and good living conditions. The asylum country does not provide effective protection and durable solutions for refugees. Second, because of the countries’ key geographical position next to an area of significant political and economic gravity (such as the EU). Moreover, transit migration is a consequence of restrictive migration policies: the more restrictive policies of destination countries, the more likely are migrants to “get stuck” in the buffer zone. Third, because of gaps in legislation and administrative procedures, porous borders and insufficient control capability, incomplete migration policy developments. Finally, transit migration occurs for reasons of family reunification.<sup>12</sup>

Since the 1990s transit migration has been regarded as a complex and multidimensional problem with broad implications for countries of transit and transit migrants alike. This was the result of a major shift in the European migration scenario resulting from political and social change in Europe. Since 1989 the post-communist countries have become open for international migration flows and very rapidly turned into a highly complex migration area characterized by a variety of old and new types of migration movements. Consequently the European migration vocabulary has become rich in new terms such as ‘transit migration’, ‘incomplete migration’, ‘migrant trafficking’, and ‘labour tourism’.<sup>13</sup>

We can observe two types of transit migration to Europe: transit migration occurring outside the European Union (EU), in the neighbouring countries of the East and South; and transit migration occurring inside the EU, in member states of the European periphery.<sup>14</sup>

Transit migration clearly signifies an environment of uncertainty for all main actors of the international migratory regimes, especially the countries of transit and destination. In the 1990s, the concept of ‘the enemy’ was: irregular migrants and refugees and western countries and international agencies started a so-called “campaign against illegal immigration” whose aim is to implicate “sending and transit countries” in the governance of international im/mobility.<sup>15</sup>

Harn, head of the Technical Cooperation Service, International Organization for Migration (IOM) referred to the same meaning in OSCE Mediterranean Seminar (November 2004) when he stated that,

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8 Papadopoulou, A., Exploring the Asylum-Migration Nexus: a Case Study of Transit Migrants in Europe, Global Commission on International Migration (GCIM), Global Migration Perspectives, No. 23, Jan. 2005, p. 4.

9 IOM, Glossary on Migration, International Migration Law, Geneva, 2004, p. 53.

10 Papadopoulou, op. cit., p. 2.

11 Ibid., p. 4.

12 Ibid., p. 5.

13 Ivakhniouk, op. cit., pp. 1-2.

14 Papadopoulou, op. cit., p. 2.

15 Walters, W., Theorizing Anti-Immigration Policy: Genealogy and Geopolitics, (Abstracts), International Symposium of Migration across Southern/Eastern Borders, University of Crete, Greece, 21-24 Oct. 2004.

“We are immediately and dramatically challenged to consider the relationship between migration and terrorism”.<sup>16</sup>

Transit migration concerns not only the countries of the West, but also the countries of the East and South. For EU member states, transit migration in neighbouring regions raises concerns of potential influx. For transit countries, the phenomenon created numerous internal political problems and external pressure from the West for border control.<sup>17</sup> For example, the presence of illegal or semi-legal migrants puts pressure on security departments, reinforces intolerance towards migrants and impedes the process of integration.<sup>18</sup>

The growing focus on transit migration is related to the fact that it is treated as irregular migration. More precisely, people may enter a transit country regularly/legally and subsequently remain stay there after the expiry of their visa and terms of transit, thus becoming ‘irregular’, and deprived of their basic human rights. Lacking for means of subsistence, they are forced to seek employment in the shadow economy and illegal sector, meeting a threat of violence, abuse, deception, etc. Once in abusive situations, lack of papers and fear of arrest or deportation often prevent transit migrants from seeking help from the authorities. The alternative framework of protection is provided by the informal ethnic solidarity or criminal organizations.<sup>19</sup>

In spite of the legal difference between irregular migration and asylum,<sup>20</sup> there is some overlap between the two categories. On the one hand, those in need of international protection increasingly take the irregular migration path in order to reach European territory; they enter the first asylum country illegally and may also remain in the country undocumented, hoping to apply for asylum in another European country at a later stage. Rejected asylum seekers also become irregular when they remain in the country of asylum after the rejection of their claim. On the other hand, those trying to migrate to Europe but not in need of protection, tend to enter the asylum system, hoping to use this as an alternative means of immigration.<sup>21</sup>

These two aspects create a number of problems: dangerous and life-threatening journeys, illegal border-crossing, the growth of criminal activity such as human smuggling and trafficking, obstacles to protection for those in need, human rights violations, asylum abuse and, consequently increasing policy restrictionism and the “securitization” of migration. This overlapping between irregular migration and asylum is often referred to as the “asylum-migration nexus”.<sup>22</sup>

It is crucially important to understand that international migration is now a well-organized global business that operates huge financial resources, manipulates hundreds of thousands of workplaces and persons world-wide and is managed by a network of organizations and institutions.<sup>23</sup>

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16 IOM, Maximizing the Potential of Migration in a Security-sensitive Environment, OSCE Mediterranean Seminar, Nov. 2004, p. 4.

17 Papadopoulou, *op. cit.*, p. 5.

18 *Ibid.*, p. 15.

19 Ivakhniouk, *op. cit.*, p. 2.

20 Irregular migration is treated as part of border control, security and migration management, while asylum is well established in a set of institutional and international legal norms designed to provide protection and assistance to displaced persons.

21 Papadopoulou, *op. cit.*, p. 2.

22 *Ibid.*

23 Ivakhniouk, *op. cit.*, p. 2.

## MENA region — general features

The migratory patterns for the MENA region have become much more diversified and complex due to patterns of globalization, a series of wars and conflicts, a changing labour market, transit migration and emerging transnational networks. Many factors account for the large flows of involuntary migration within MENA: political instability, repression of opposition groups, religious and ethnic discrimination, civil wars and poverty. Sudanese, Kurds, Lebanese, Palestinians, Somalis are among the main population groups which have experienced large-scale forced migration and displacement in the region.<sup>24</sup>

The MENA region has increasingly become a location for irregular migration, with migrants coming mainly from sub-Saharan Africa en route to Europe, transiting through Algeria, Morocco, Tunisia, Egypt and Libya. Transit migrants in the MENA region include undocumented labour migrants, refugees and trafficked migrants.<sup>25</sup> Thus, Europe's attention has shifted from East to South: the Mediterranean, particularly, its southern shores have emerged as a major transit space for immigrants and refugees trying to reach Europe.<sup>26</sup>

This development is mainly due to two factors. First, pressures from sub-Saharan populations in the form of poverty, demographic growth, lack of natural resources, civil wars, persecution and political instability, have pushed large numbers of Africans to the Northern shore of the continent with the ultimate hope of reaching Europe. Second, the key geographical position of these countries.<sup>27</sup>

Because of the restrictive policies of destination countries, migrants 'get stuck' in the region for anything from a couple of weeks to a number of years. The ICMPD estimates that about 100,000–120,000 migrants cross the Mediterranean illegally annually, of which 35,000 are of sub-Saharan origin.<sup>28</sup>

In general, the region of North Africa has risen to the fore as a transit region since the tightening of European migration policies (tougher rules governing asylum and the entry and residence of foreigners in the Schengen states). These measures have severely limited the opportunities for migrating to and settling in Europe. The hardening of European migration policies has come at a time when, in the South, opportunities for employment in and migration to the Gulf oil-producing countries have shrunk.<sup>29</sup>

As a part of MENA, Egypt is a big receiver to different kinds of migration, legal and illegal, documented and undocumented. The influx of refugees to Egypt started in the 1990s as a result of wars in the Horn of Africa, especially Sudan, Ethiopia, Eritrea and Somalia, and most of them were destined for Cairo.<sup>30</sup>

The number of refugees and asylum seekers in Egypt has grown rapidly in recent years, making the UNHCR office in Cairo (UNHCR-Cairo) the largest office for refugee status determination (RSD) in

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24 Al-Ali, N., *The Relationship between Migration within and from the Middle East and North-Africa and Pro-Poor Policies*, Report by the Institute of Arab and Islamic Studies, University of Exeter for the Department for International Development, July 2004, p. 23.

25 *Ibid.*, p. 20.

26 Papadopoulou, *op. cit.*, p. 7.

27 *Ibid.*, p. 7.

28 *Ibid.*, p. 7.

29 Boubakri, H., *Transit Migration between Tunisia, Libya and Sub-Saharan Africa: Study based on Greater Tunis*, Regional Conference on Migrants in Transit Countries: Sharing Responsibility for Management and Protection, Istanbul 30 Sept.–1 Oct. 2004, p. 4.

30 Grabska, K., *Living on the Margins, The Analysis of the Livelihood Strategies of Sudanese Refugees with Closed Files in Egypt*, American University in Cairo, Forced Migration and Refugee Studies (FMRS), June 2002, p. 4.

the world in 2001.<sup>31</sup> An important element making Egypt an attractive destination is the existence of one of the world's largest resettlement programmes, both through the UNHCR and the private sponsorship programmes to Canada, Australia, USA and Finland.<sup>32</sup>

## Main themes and issues

The research covers three main issues:

- Description of transit migration
- Causes of transit migration
- Consequences of transit migration

## Preliminary remarks

Any social researcher in Egypt faces problems of access to statistics and data. Moreover, this is some contradiction between the formal and informal sources on one hand, and between national and international estimates on the other. Consequently, there is lack of reliable data on the number of migrants.

The distinction between economic migrants and genuine refugees fleeing persecution in their home countries is not easy. Many economic migrants pretend to be refugees or try to acquire refugee status so that they can find new homes in the West, where the prospects of employment and education are better. In practice, it is often very hard to distinguish between the two categories when it comes to citizens from poor and underdeveloped countries. It is often impossible to know whether an individual or family faces a genuine threat to their safety in their country of origin or whether they are simply hoping to improve their life chances.<sup>33</sup> Thus the boundaries between voluntary and involuntary migration are blurred by the impact of extreme poverty on coercing population movement, whilst the decision to move may be technically "voluntary", the severely or chronically poor may have no feasible alternative survival choice.<sup>34</sup>

Traditionally the distinction between forced (political) and voluntary (economic) migration has been viewed as clear-cut. However, since the end of the cold war, it has become increasingly hard to differentiate between economic migrants and political refugees. At the macro structural level, it is difficult to separate the economic from the political causes of migration. Similarly, at an individual micro level, notions of a continuum between forced and voluntary migration have gained in currency. Almost all migration involves some degree of both compulsion and choice, and forced migrants make choices but within a narrower range of options.<sup>35</sup>

Under certain conditions, the decision to move may be made after due consideration of all relevant information, rationally calculated to maximize net advantage, including both material and symbolic rewards. At the other extreme, the decision may be made in a state of panic during a crisis that leaves few alternatives but escape from intolerable threats.<sup>36</sup>

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31 Kegan, M, and Doctor, J., Assessment of Refugee Status Determination Procedure at UNHCR's Cairo Office 2001-2002, The American University in Cairo, Forced Migration and Refugee Studies (FMRS), Dec. 2002, p. 3.

32 Ibid., p. 5.

33 Nkrumah, G., "Open Arms, Tight-Fisted", Al Ahram weekly 20-26 Dec. 2001.

34 Weddington and Sabates-Wheeler, op. cit., p. 12.

35 See in detail, Vanhear, N., *New Diasporas: the Mass Exodus, Dispersal and Regrouping of Migrant Communities*, London, University College London Press, 1998.

36 Middleton, D., *Why Asylum Seekers Seek Refugee in Particular Destination Countries: An Exploration of Key Determinants*, Global Migration Perspective, No. 34, May 2005, Global Commission on International Migration, p. 3.

Between the two extremes of proactive and reactive migrants, there are a large proportion of people who cross state borders, responding to economic, social and political pressures over which they have little control, but who exercise a limited degree of choice in the selection of destination and the timing of their movements.<sup>37</sup>

## Description of transit migration

The MENA region witnessed many forms of migration, whether labour or forced migration. In recent years, the region has produced large numbers of migrants and asylum seekers. War and conflicts in the region are responsible for MENA having the largest refugee population in the world, with over 6 million refugees.<sup>38</sup>

## Profile of refugees in Egypt

### *Size of migrant populations and their nationalities*

Egypt hosts one of the five largest urban refugee populations in the world, the vast majority being Sudanese, followed by Somalis, then Ethiopians, Eritreans and refugees from African's Great Lakes region. This assessment is based on the numbers of asylum seekers received by the UNHCR.<sup>39</sup> UNHCR-Cairo also reported that the two largest nationalities of asylum seekers in Egypt are Sudanese and Somalis.<sup>40</sup>

**Table 1: Refugees and asylum-seekers in Egypt**

Origin	1994	1995	1996	1997	1998	1999	2000	2001	2002
Sudan	755	1,221	1,461	1,587	1,863	2,577	2,833	4,659	7,629
Somalia	6,058	3,579	3,493	3,546	3,119	2,568	2,610	1,177	1,639
Yemen	1	122	559	631	669	678	683	628	412
Ethiopia	32	37	47	59	44	56	54	102	111

Source: UNHCR, *UNHCR Statistical Yearbook 2003*

On 1 January 2005, there were 20,300 refugees in Egypt recognized by the UNHCR under its mandate. Sudanese constituted 73% of the refugee population, followed by Somalis at 18%. The remainder included refugees from 27 other countries mainly from Africa. Despite the cessation of hostilities between the government of Sudan and the SPLM/SPLA, Southern Sudanese have continued to enter Egypt in large numbers. In 2004, UNHCR-Cairo registered some 8,000 new Southern Sudanese applicants.<sup>41</sup> In early 2003, there were some 1,600 Somalis recognized by the UNHCR under its mandate, but by 1 January 2005, that number had more than doubled to 3,810.<sup>42</sup>

By the end of 2004, there were 459 Ethiopian refugees recognized by the UNHCR in Egypt. Ethiopian refugees fled to Egypt in three waves: 1977-1979 to escape the Mengistu regime; 1991-1992 with the fall of the regime; and 1998-2000 as a result of the border conflict with Eritrea, and the

37 Ibid., p. 4.

38 Al-Ali, op. cit., p. 20.

39 Zohry, A. and Harrell-Bond, B., *Contemporary Egyptian Migration: An Overview of Voluntary and Forced Migration*, The Development Research Centre on Migration, Globalization and Poverty, University of Sussex, Dec. 2003, p. 49.

40 Kegan and Doctor, op. cit., p. 9.

41 UNHCR, *Country Operations Plan, Arab Republic of Egypt, Planning Year 2006*, p. 3.

42 Ibid., p. 3.

suppression of civil liberties and economic hardship.<sup>43</sup> By the end of 2004 the number of Eritrean refugees recognized by the UNHCR in Egypt was 158. It is estimated that there are around 5,000 Ethiopians and Eritreans in Egypt, most of whose asylum claims have been rejected by the UNHCR.<sup>44</sup>

**Table 2: Refugee population by age and gender**

Age group	Female	%	Male	%	Total	%
0-4 years	1068	5	1292	6	2360	11
5-17 years	2147	11	2462	12	4609	23
18-59 years	4559	22	8607	42	13166	65
60 years or over	115	1	93	0	208	1
Total	7889	39	12454	61	20343	100

Source: UNHCR, *Country operation plan, planning year 2006*

As shown in Table 2, males represent 61% of refugees and two-thirds of the refugee population are aged 18-59 years.

The UNHCR attributed the large influx since 1998 to continued instability in the countries of origin, coupled with relatively easy access to Egypt and its perceived better environment.<sup>45</sup>

Due to lack of local integration prospects in Egypt and the continuing conflicts in their home countries, resettlement to a third country becomes the only feasible durable solution whether through the UNHCR or private sponsorship programmes. In 2004, about 3,884 refugees left Egypt for resettlement. Some refugees have also been resettled to Canada and Australia through sponsorship programmes. However, since June 2004 and with the progress made towards the signing of the Sudan peace process, the UNHCR has scaled back its resettlement opportunities especially for Sudanese refugees and has established new criteria for refugees to be eligible for resettlement.<sup>46</sup>

With the growing Sudanese refugee population and with limited chances of securing adequate living conditions in Egypt, resettlement to a third country became a preferred durable solution for Sudanese, with increasing numbers being resettled to Australia, Canada, USA and Finland since 1997. According to the UNHCR, between 1997 and March 2004, over 67,000 Sudanese approached the UNHCR and claimed asylum. Of these, over 28,700 were recognized and 7,300 are pending a decision. From the rough calculations, over 20,000 cases have been rejected, of which some 15,000 files have subsequently been closed. Of those recognized, over 14,300 people have been resettled through the UNHCR. However, it is believed that equally high numbers have been resettled through the private sponsorship and family reunification programmes administered directly by the Australian and Canadian embassies.<sup>47</sup>

Many refugees in Egypt are eventually resettled to third countries, although UNHCR protection does not automatically mean resettlement. Of the over 8,000 UNHCR recognized refugees currently in Egypt, less than 3,000 will be referred by the UNHCR for resettlement in the coming years. Resettlement is not an internationally recognized right and many refugees in Egypt are never resettled. The countries that provide resettlement opportunities do so voluntarily out of humanitarian concern.<sup>48</sup>

43 FMO Research Guide, <http://www.forcedmigration.org/guides/fmo029/>

44 Ibid.

45 Kegan, op. cit., p. 9.

46 FMO, op. cit, p. 8.

47 Grabska, op. cit., pp. 17-18.

48 Kegan, op. cit., p. 12.

The granting of refugee status by UNHCR-Cairo has been linked with resettlement. Resettlement depends on RSD in Egypt. Four countries, Australia, Canada, Finland, and the USA, regularly accept for resettlement refugees who have come first to Egypt. Although final decisions on resettlement cases are made by these governments, most refugees resettled from Egypt are first referred by UNHCR-Cairo. Because a UNHCR referral is often necessary to access resettlement, the effectiveness of these countries' refugee programmes depends on the fairness of the UNHCR's refugee status determination.<sup>49</sup>

According to the UNHCR-Cairo's country operation plan 2006, the UNHCR has continued to rely on resettlement both as a tool of international protection and as a durable solution. The UNHCR's resettlement programme in 2004 benefited over 4,000 refugees. The vast majority, over 90%, of all refugees referred for resettlement continue to be Sudanese.<sup>50</sup>

Somalis refugees in Egypt are the second largest group. The term "Somali refugee" refers to all Somalis who identify themselves as having had to flee their homeland due to a lack of security and stability since the civil war in 1991.<sup>51</sup>

In Cairo, according to UNHCR-Cairo's operations situations report of March 2003, there are currently 1,832 recognized Somali refugees, 952 rejected applicants and 1,544 asylum seekers whose cases have yet been decided.

It is worth noting that the Somalis in Egypt are part of well connected transnational communities of Somali refugees who have settled in various western countries since the civil war, and for whom Egypt is a transit point.

Unlike the Sudanese refugees, there has been relatively little awareness of Somali refugees among scholars and organizations. According to Sharamani, there have been very few studies on Somalis refugees in Cairo despite the fact that they constitute the second largest African refugee population in Egypt.<sup>52</sup>

Some refugees facing rejection by the UNHCR, especially Somalis, have left Egypt for Libya in order to reach Italy using traffickers. Other refugees, such as Liberians and Rwandans, use traffickers to reach Israel.<sup>53</sup>

In general, the overall number of refugees in Egypt is unknown. There are no recent official estimations and the other estimates, whether international or unofficial, are contradictory. The estimates vary widely from 500,000 to 3 million. According to the US Committee of refugees, in 2003, there were about 3 million Sudanese living in Egypt and it is not known how many of those feared persecution and how many resided in Egypt for economic or other reasons (USCRI World Refugee Survey, Egypt Report 2004).<sup>54</sup> The UNDPs 2004 Human Development Report indicated that the number of refugees in Egypt was 89,000 (UNDP 2004).<sup>55</sup> According to WCC Feature, 2–5 million Sudanese came to Egypt in recent years.<sup>56</sup> Wikipedia, the internet free encyclopedia, cites some 23,000 Sudanese refugees living in Egypt, among a much larger population of Sudanese migrants who

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49 Ibid., p. 13.

50 UNHCR, Country Operation Plan, op. cit., p. 7.

51 Al-Sharmani, M., *Livelihood and Identity Constructions of Somali Refugees in Cairo*, the American University in Cairo, Forced Migration and Refugees Studies (FMRS), Working Paper No. 2, July 2003, p. 4.

52 Ibid., p. 9.

53 Zohry and Harrel-Bond, op. cit., p. 61.

54 United States Committee for Refugees and Immigrants Egypt Report 2004, <http://www.refugees.org/countryreports.aspx>.

55 UNDP Human Development Report 2004, <http://hdr.undp.org/reports/global/2004/>.

56 Ferris, E., Churches Reach out to Refugees in Egypt, WCC Feature, 29 Sept. 2000, <http://www.wcc-coe.org/wcc/news/press/00/18feat-e.html>

live in Egypt of over 3 million Sudanese.<sup>57</sup> The main justification for this contradiction in estimates is arguably the overlapping between the refugees and migrants who come to Egypt voluntary for work or for other tasks, temporarily or permanently.

### **Determinants of choosing Egypt as a transit country**

The Sudanese in Egypt have long enjoyed a status close to that of nationals on account of a number of bilateral agreements, the most recent being the 1976 Nile Valley Agreement which inter alia allowed for free movement of goods and people across common borders.<sup>58</sup>

The relatively cheap and practicable transport links between Egypt and Sudan through Wadi Halfa and an easy entry to Egypt provide an alternative for Sudanese to seek refuge in Egypt. The long-standing relationships between the two countries and the relatively large number of Sudanese already residing in Egypt facilitate the flow of Sudanese into Egypt in search of asylum. The presence of Sudanese opposition groups and their well-established position in Cairo play an important role in the choice of destination for refugees, especially for the politically active.<sup>59</sup>

According to Grabska, one of the main factors pulling migrants to Egypt rather than elsewhere to seek asylum was the existence of the resettlement programme in Cairo. Over 65% of Sudanese respondents had relatives and friends living abroad, almost all of whom had been resettled, mainly in Canada, Australia and the USA. Over half the refugee households interviewed reported knowing about the UNHCR before coming, and were aware of the possibilities of migrating to the West.<sup>60</sup> It was logical that those who already had relatives and friends resettled to Western countries through Cairo would have high expectations of resettlement.

The message passed by relatives and friends in Cairo and those resettled to other countries was of the ease of migrating to the West through the UNHCR to escape the political and economic hardships in Sudan. “Success stories” of migrating to the West are nurtured by the already resettled and those waiting their turn in Cairo. For the most part, the hard conditions in Cairo, lengthy procedures, limited protection and lack of assistance are not mentioned. Many rejected refugees do not convey to their families and friends in Sudan stories of failure and living in legal limbo in Egypt. Many feel ashamed that they have not succeeded in moving to the West and, as a matter of pride, do not tell these stories.<sup>61</sup>

Moreover, Egypt is a transit country for women trafficked from Eastern Europe and Russia into Israel for sexual exploitation. Various sources indicate that unspecified numbers of women, particularly from Moldova, Ukraine and Uzbekistan, are smuggled or trafficked through the Sinai desert into Israel. Bedouin smugglers appear to play a key role in this matter. According to the Egyptian government, 154 persons, including 93 women, who entered Egypt in 2004 on tourist visas, remain unaccounted for.<sup>62</sup>

### **Patterns of flight and legal status**

There are differences among the patterns of flight of the Sudanese. The majority of Southerners arrived directly from Sudan, with the exception of a group of Southern Sudanese students (the SOSSA group) who studied in Egypt in the early 1990s on government scholarships and were unable to return

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57 Wikipedia, the Free Encyclopedia, Sudanese Refugees in Egypt, [http://en.wikipedia.org/wiki/sudanese\\_refugees\\_in\\_egypt](http://en.wikipedia.org/wiki/sudanese_refugees_in_egypt)

58 Zohry and Harrel-Bond, op. cit., p. 55.

59 Grabska, op. cit., p. 17.

60 Ibid., op. cit., p. 30.

61 Ibid., p. 30.

62 Country Narrative—Egypt (extracted from US State Dept Trafficking in Persons Report, June 2005), <http://gvnet.com/humantrafficking/Egypt.htm>



due to renewed fighting in the South of Sudan and fear of persecution. Those from the West and North of Sudan usually travel to Egypt through a third country. Some refugees travel to the Gulf or to Libya in search of jobs. When the Khadafi regime expelled all foreign workers, the Sudanese either returned to their country or went directly to Egypt. Sudanese who belonged to the SPLA started from Eritrea and then travelled on to Egypt with the help of a Sudanese opposition in Egypt.

The entry of Sudanese to Egypt does not require large sums of money. All Sudanese entered Egypt legally, either securing a visa directly at the Egyptian consulate in Khartoum or through a middleman. Those who entered before 1995 did not require a visa and were allowed to move freely between the two countries. After 1995, when the political situation between Egypt and Sudan worsened, obtaining an Egyptian entry visa and Sudanese exit permit became more difficult.<sup>63</sup>

Sudanese refugees who fail to obtain RSD or legal status, become illegal in Egypt. Illegality and lack of refugee status means insecurity and fear of arrest and deportation. Therefore rejected refugees resort to other methods of obtaining legal status, either through middlemen or by enrolling at universities. Other ways of obtaining residence in Egypt or keeping their documents valid are through the office of the opposition party and the National Democratic Alliance. Finally, one way of 'being legal' in the eyes of the Egyptian authorities is the possession of a valid driving license. These are issued only to those with legal residency and are valid for 10 years, some Sudanese buy them from Egyptian middlemen.<sup>64</sup>

Sharamani carried out a survey of 300 Somalis refugees in Egypt. He concluded that slightly over half the interviewees (166) did not live in any other host society prior to moving to Egypt. These refugees flew to Cairo and entered the country with an entry visa purchased with the help of a family or clan member, or a friend already living in Egypt. In some cases, interviewees obtained entry visas as the spouses, parents, children, or siblings, of a real family member or a friend residing legally in Egypt. The other half of the interviewees lived in one or two African and/or Middle Eastern countries before their arrival in Egypt such as Kenya, Saudi Arabia, Libya, and Yemen. Many of the interviewees had family members still living in previous host societies and family members living in the West and the homeland. Some of the interviewees who previously lived in Libya came to Cairo by bus. Those who had lived in Yemen or Saudi Arabia returned to Somalia by plane or boat and flew to Cairo from the homeland with legal entry visas.<sup>65</sup> Unlike previous years, recent arrivals arrive directly from Somalia.<sup>66</sup>

There are two categories of refugees: those with legal residence in Egypt, and those living in the country without residence. Recognized refugees obtained residence through the UNHCR, others who were not recognized refugees, obtained residence in one of the following ways: enrolling themselves or their children in Al-Azhar schools (Islamic schools) or private Egyptian schools; purchasing residence from Somali and Egyptian middlemen for \$200; and obtaining residence through spouses or parents who are already legally resident in Egypt. It is important to note that over the past year the Department of Immigration and Residence repeatedly denied residence to Somali refugees who applied for it through school enrolment. Furthermore, since January 2003 the Egyptian government stopped issuing entry visas to Somali applicants, which consequently affected the number of refugees entering the country by air.

Those who obtained legal residence through non-UNHCR means often have problems of renewing their residence status. Refugees who obtain residence through the UNHCR complain of the long time

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63 Grabska, *op. cit.*, p. 32.

64 *Ibid.*, p. 39.

65 Sharamani, *op. cit.*, p. 16.

66 UNHCR, Country Operation Plan, Arab Republic of Egypt, Planning Year 2006, p. 3.

it takes to renew their residence. Thus, one can say that both unrecognized and recognized refugees suffer varying degrees of legal instability.<sup>67</sup>

### Living conditions of migrants in Egypt

Urban refugees in MENA are vulnerable in terms of their access to protection and to resources. Problems arising from the lack of domestic protection for undocumented refugees in cities are matched by the lack of access to resources. For example, in Egypt, there are free health clinics for poor Egyptians, while refugees are not entitled to use these facilities. Refugees are often excluded from the distribution of subsidized foods and goods, and children are excluded from access to public education. There is evidence that livelihoods pursued on the margins of urban society in developing countries expose people to the risk of exploitation and injury, and increased informal employment opportunities.<sup>68</sup>

The living conditions of Sudanese are deteriorating in general, and they are deprived from the basic rights. A survey carried out by Grabska, examined the livelihood strategies of 269 households of Sudanese refugees in Cairo. The respondents were Muslims and Christians, with a slight majority of Muslims but represent a wide range of ethnic groups.

**Table 3: Sample survey of Sudanese migrants in 2002: distribution by religion**

Religion	N.	%
Christian	130	48.3
Muslim	137	50.9
Traditional	2	.7
Total	269	100.0

Source: Grabska, 2002

**Table 4: Sample survey of Sudanese migrants in 2002: distribution by region of origin**

Region	N.	%
South Sudan	124	46
East Sudan	7	2.5
North Sudan	43	16
West Sudan	66	25
Central Sudan	29	10.5
Total	269	100

Source: Grabska, 2002

As regards educational profile, most respondents were relatively well-educated: almost 50% had finished secondary school, 20% had graduated from university and only 10% were illiterate. Most of the illiterate refugees came from Southern Sudan, whereas the best educated came from the North. Men were better educated than women. These findings reflect the unequal educational situation in Sudan.

Grabska concluded that Sudanese refugees live throughout Cairo, with the biggest groups located in the neighbourhoods of Ain Shams, Arba wu Nuss, Maadi, Nasr City and 6 October City. They tend to settle in areas where there is already a family network or kin connections. Proximity to relatives and friends of the same ethnic background created a more familiar environment and enables refugees to support each other economically, psychologically, culturally and socially. It also provides security and feeling of safety, especially for those who are living in Egypt illegally. The proximity of service

<sup>67</sup> Sharmani, op. cit., p. 17.

<sup>68</sup> Al-Ali, op. cit., p. 26.

providers, especially churches, and the availability of cheap accommodation play an important role in the choice of residence. The data indicate that the respondent's refugee status does not appear to have an effect on the choice of residence. The Arba W Nuss area is an irregular resettlement on the outskirts of Cairo and a displacement territory for both Egyptians and Sudanese. Poor Egyptians and Sudanese face similar economic hardships and living conditions, the two groups represent aliens in the context of Cairo.<sup>69</sup>

Housing is a big problem for the Sudanese in Egypt. Their choice of accommodation takes into consideration the safety of area, presence of other Sudanese (preferably from the same ethnic background, friends and relatives), services available (e.g. proximity of churches that provide assistance and security for refugees). In Cairo, Ain Shams area has traditionally hosted a large number of Sudanese, including those living there for generations. Many Sudanese refugees choose this area as it is easier to be "invisible" among the larger and long-established Sudanese migrant population. Moreover, the presence of Sudanese clubs and tribal associations provide a social support network. On other hand, areas such as Nasr City and 6 October City on the outskirts of Cairo offer work opportunities in factories and construction and attract large number of Sudanese. A spontaneous settlement on the edge of Cairo's urban zone, Arba W Nuss, has in the last ten years become a major destination for Egyptian migrants and Sudanese refugees. The presence of the St. Bakhita centre (linked to the church), its primary school and literacy programme for Sudanese, the assistance offered by the Coptic Church, and affordable rentable accommodation constitute pull factors mainly attracting large families or those without financial assistance from abroad. Others families opt for Alexandria because of lower rents.<sup>70</sup>

**Table 5: Sample survey of Sudanese migrants in 2002: distribution by housing expenses per month in Egyptian Pounds (EGP)**

Expenses in EGP	N.	%
0	39	14.5
1-100	46	17.1
101-200	69	25.7
201-300	44	16.4
301-400	31	11.5
401-500	15	5.6
501-600	8	3.0
601-700	4	1.5
701-800	3	1.1
> 800	1	.4
no response	9	3.3
Total	269	100.0

Source: Grabska, 2002

As foreigners, Sudanese tend to pay significantly higher rents than locals. Many Egyptian tenants pay much lower rents as a result of their long-residence and rent regulations. Almost all of Grabska's sample lived in furnished or unfurnished rented apartments, and the majority paid EGP (Egyptian pounds) 300–500 per month. In the cheapest residential area, Arba W Nuss, most refugees paid EGP 50–250 per month for a small unfurnished cement room, sometimes without windows, in a compound

69 Grabska, op. cit., p. 23. For details see the everyday interaction between Sudanese refugees and Egyptian society in one of Cairo's poorest neighbourhood, Le Houerou, F., Living with your neighbour, Forced migrants and their hosts in an informal area of Cairo, Arba wa Nus, paper submitted at the workshop co-sponsored by the Centre d'Etudes et de Documentation Economiques, Juridiques et Sociales (CEDEJ) and the Forced Migration and Refugees Studies/American University in Cairo "Diaspora in Cairo: Transient Presence and Transit Territory", 24 April 2004.

70 Grabska, op. cit., p. 54.

of 10 other rooms, and a shared latrine and cooking space.<sup>71</sup> High rents and quarrels with neighbours and landlords often cause Sudanese refugees to move. Often they are evicted for failing to pay the rent.<sup>72</sup>

Concerning security, those without documents proving their legal status are at constant risk of arrest, detainment and, in extreme cases, deportation. However, the Egyptian government does not purposefully carry out deportation campaigns and usually they are allowed to stay in the country in a sort of legal limbo. While deportation is rare, random arrests and police harassment are common especially among the black foreign population, which usually coincides with the government's policy of crackdowns on illegal migrants.<sup>73</sup> For example, on 27–29 January 2003, Egyptian police conducted raids of Sudanese, Liberian and sub-Saharan African residence in the Maadi area. Detainees, including those with refugee cards, reported ill treatment, beatings and abuse. Other detainees alleged that the police referred to the raids as “Black Day” and that police intake sheets were labelled “operation track down Blacks”.<sup>74</sup>

#### *Living conditions of Somalis in Egypt*

Prior to the 1991 civil war, Somalis residing in Cairo fell into three main groups: diplomats and their families; university students with scholarships from the former Somali government or the Egyptian government in the bilateral educational relations between the two countries; and female-headed families who came to Egypt for the education of their children while the husbands were working in the Gulf area and sending income to their families in Cairo. The onset of the civil war resulted in a large number of Somalis coming to Cairo. For the first half decade after the onset of civil war in 1991, Somali refugees were mostly from urban backgrounds, had college degrees and had held professional or administrative jobs at home. They fled the country via Kenya or the Gulf region spending only a few days or weeks in the transit areas. In addition, some male refugees had wives and children already living in Cairo when the war broke out. A large number of Somalis who moved to Egypt immediately after the civil war broke out have been resettled in the West.

**Table 6: Sample survey of Somali migrants in 2003: distribution by Date of arrival in Cairo**

	N.	%
Before 1999	4	1.3
1999	16	5.3
2000	45	15.0
2001	160	53.3
2002	75	25
Total	300	100.0

*Source: Sharamani, 2003*

In a survey of 300 Somalis refugees by age group, sex, class affiliation, education, etc. Sharamani concluded that over the past five years, the profile of Somali refugees has changed. Many of those currently living in Cairo have been there for five years or less. The majority arrived in Cairo in 2001 and very few arrived before 1999. They are almost equally divided between male and female with slightly more females, and the majority of the interviewees are young (20–40 years).

71 Ibid., p. 56.

72 Ibid., p. 56.

73 Ibid., p. 33.

74 Wikipedia, op. cit.

**Table 7: Sample survey of Somali migrants in 2003: distribution by gender**

	N.	%
Male	138	46.0
Female	162	54.0
Total	300	100.0

Source: Sharamani, 2003

**Table 8: Sample survey of Somali migrants in 2003: distribution by educational background of interviewees**

	N.	%
University graduate	9	3.0
Dropped out of university	1	.3
High school graduate	90	30.0
High school drop-out	28	9.3
Finished grade 8	67	22.3
Finished primary school	47	15.7
Languages classes attended Quranic school	33	11.0
No education	22	7.3
Total	300	100.0

Source: Sharamani, 2003

Moreover, today's incoming migrants are from a different socioeconomic background. The current groups are a more heterogeneous mix of Somalis from rural and urban backgrounds and have a much lower levels of education.

Sharamani notes that most interviewees did not have higher education and over half did not have any previous work experience. Only 3% are university graduates and a large number work as street vendors, drivers and in occasional jobs and petty sales.

There are two main neighbourhoods in Cairo where the largest number of Somalis refugees in Cairo reside Ard Il Liwa and Nasr City.

The Somalis suffer from lack of educational opportunities, and according to Sharamani two-thirds of the adult interviewees do not receive any kind of education. Children of recognized refugees are eligible for an annual educational grant of EGP 600 provided by the UNHCR. The grant money is paid to the refugees in two sums one in autumn and one in winter. Some refugees use this grant to enroll their children in formal schools. However, many who are eligible for the grant cannot use it because of the difficulty of receiving the money in time to pay school fees. Moreover, the grant is often not enough to cover all tuition fees and books, and there are cases of children of recognized refugees who interrupt schooling because of the difficulty of paying fees on time. Some Somalis benefit from the church-based educational programmes in Cairo. In addition, self-help schools organized by the Somali refugee committee of Egypt and other small NGOs initiatives provide an alternative for a few children.<sup>75</sup>

75 Zohry and Harrel-Bond, op. cit., p. 57.

**Table 9: Sample survey of Somali migrants in 2003: distribution by educational programmes in which interviewees are enrolled**

	N.	%
None	200	66.7
Private Egyptian language or computer centres	23	7.7
Azhar	18	6.0
Islamic language centres	9	3.0
Tutorials taught by non-Somalis	4	1.3
Tutorials taught by Somalis	11	3.7
Government-run adult literacy programme	3	1.0
Church-run education programme	5	1.7
University students	3	1.0
Total	300	100.0

Source: Sharamani, 2003

The total lack of employment rights is the main problem facing recognized and unrecognized Somali refugees alike. It means that they are unable to work and depend on monthly remittances from family members living in the West or the Gulf. Although most refugees receive a remittance every month, it is not enough to live on. Hence, some refugees engage in income-generating activities, mostly within their community such as selling Somali clothes, incense and food to other Somalis, working as housekeepers.<sup>76</sup> In general, most refugees find employment in the informal sector: street peddling, construction and domestic work.<sup>77</sup>

**Table 10: Sample survey of Somali migrants in 2003: distribution by remittances from abroad**

	N.	%
None	36	12.0
\$50-100	138	46.0
\$101-150	27	9.0
\$151-200	41	13.7
\$201-250	12	4.0
\$251-300	27	9.0
\$301-350	5	1.7
\$351-400	11	3.7
\$401-450	1	.3
\$501 +	2	.7
Total	300	100.0

Source: Sharamani, 2003

As regards housing, the majority of Somalis live in rented furnished apartments and rent is the largest item of their monthly costs. Moreover, many refugees are forced to move several times because of high rents and tense relations with landlords. Landlords are often unhappy with the large size of Somali refugee households. In general, many refugees often suffer great hardship and economic deprivation due to the lack of national laws dealing with refugees and the current unwritten non-integration policy of the Egyptian government.<sup>78</sup>

76 Al Sharmani, op. cit, p. 19.

77 FMO, op. cit., p. 4.

78 Al-Ali, op. cit, p. 24.

**Table 11: Sample survey of Somali migrants in 2003: distribution by income earned from activities in Cairo**

	N.	%
None	238	79.3
\$20-49	10	3.3
\$50-100	32	10.7
\$101-150	6	2.0
\$151-200	3	1.0
\$201-250	3	1.0
\$251-300	4	1.3
\$301-400	1	.3
\$400+	1	.3
Total	300	100.0

Source: Sharamani, 2003

**Table 12: Sample survey of Somali migrants in 2003: distribution by total rent of interviewees' apartments**

	N.	%
EGP100-200	3	1.0
EGP 201-300	3	1.0
EGP 301-400	20	6.7
EGP 401-500	83	27.7
EGP 501-600	102	34.0
EGP 601-700	38	12.7
EGP 701-800	30	10.0
EGP 801-900	9	3.0
EGP 1000+	4	1.3
Live dorms	4	1.3
Owner	4	1.3
Total	300	100

Source: Sharamani, 2003

In the 1990s the majority of Ethiopians and Eritreans in Cairo were educated and skilled single young Muslim and Christian men from urban areas. Financial support mainly came from relatives in the West and local churches. Most recent data on the composition of the Ethiopian and Eritrean refugees in Cairo are not available but their profile has greatly changed. Before 1990, most were men, but by 1992 more women than men were fleeing to Cairo. The Eritrean and Ethiopian community is now around 5,000, most of their files have been closed by the UNHCR, and they risk of detention and deportation and are still unable to return home.<sup>79</sup>

The difficulty of finding work in Egypt and the lack of resettlement opportunities have forced some refugees to resort to desperate solutions. Recently, some Sudanese asylum seekers made their way to Israel to work in the agricultural sector as a replacement for the Palestinians banned from Israel.<sup>80</sup> In early 2004 Egyptian newspapers published articles accusing Africans of making deals to be smuggled to Israel, and alleging that the aim of smuggling Africans to Israel was to expel the Palestinians labour and to populate the empty settlements.<sup>81</sup>

79 Zohry and Harrell-Bond, op. cit., p. 58.

80 Africa Analysis 2003, <http://www.unhcr.ch/cgi-bin/texis/vtx/rsd/+XwwBm4Jey9mwwww>

81 FMO, op. cit., p. 9.

In general, the lack of legal status has significant consequences on all aspects of refugees' lives. Illegality and lack of refugee status mean limited and disadvantaged access to jobs, education for children, health services, and not being able to claim their other rights in the host society including freedom of movement. In the context of the host society, this group of refugee and asylum seekers can be considered the most vulnerable, experiencing a higher degree of exclusion than those with refugee status and limited rights.<sup>82</sup> The recognized refugee enjoys the international protection guaranteed by the host government and the UNHCR and, hence, protection against expulsion. Being able to acquire a residence permit and being immune from the risk of deportation and arrest are considered the core benefits of the 'blue card'. Refugees who have been granted refugee status enjoy some limited rights in the host society and one of the rights fully implemented by the Egyptian government is the right to reside in Egypt and the right to move around the country. Recognized refugees receive a residence permit valid for a period of six months.<sup>83</sup>

From 2003, the Egyptian government has been very strict about making decisions on applications for residence filed by Somali refugees. Since January 2003 it stopped issuing entry visas to Somali applicants, which consequently affected the number of refugees entering the country by air.<sup>84</sup> Those with legal residence often face the problem of not being able to renew their residence status. Thus, both the unrecognized and recognized refugees suffer from varying degrees of legal instability. Many Somalis suffered from arrest and detainment by Egyptian police because of the issue of residence.<sup>85</sup>

Whether recognized or rejected, Sudanese refugees suffer varying levels of insecurity. This also applies to other groups like Somalis, Liberians and Ethiopians. This insecurity affects not only daily livelihood strategies, but also has a serious impact on their psycho-social well-being. Both groups, legal and illegal, encounter security problems and have limited access to rights.<sup>86</sup>

African refugees in Egypt complain of racism, harassment and mistreatment not only by the police and security forces, but also by Egyptian citizens.<sup>87</sup> The local integration of refugees is not supported either by the Egyptian government or by many Egyptians.

### **Causes of transit migration**

There are several main causes for migration: socio-economic conditions; the forced migration of people fleeing war and conflict; the forced migration of people escaping political persecution, oppressive regimes and lack of freedom of expression; and labour market needs.<sup>88</sup>

In all cases, citizenship is an important concept for understanding migration in general and forced migration in specifically. There are many cases of citizenship violation such as the inability of a state to meet the basic needs of its citizens or persecuting them. In situations of conflict, parts of the state's territory is under the control of rebel factions or characterized by lawlessness so that human rights abuses go unchecked. The state may also adopt a definition of citizenship that is not consistent with the reality of those living within its territory and which consequently excludes some minorities.<sup>89</sup> In

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82 Grabska, op. cit., p. 34.

83 Ibid., p. 35.

84 Al Sharamani, op. cit., p. 17.

85 Ibid., p. 17.

86 Ibid., p. 37.

87 Sudan Tribune, 2003, [http://www.sudantribune.com/article.php3?id\\_article=1325](http://www.sudantribune.com/article.php3?id_article=1325); See also IRIN News.org, Egypt: UNHCR Office Temporarily Halts Operations, <http://www.irinnews.org/print.asp?reportID=50207>.

88 Grabska, op. cit., p. 3.

89 Middleton, D., op. cit., p. 4.



the cases examined here the citizenship crisis is a key variable in understanding the causes of forced migration.

### Causes of Sudanese migration to Egypt

The civil war in Sudan is considered Africa's longest civil war. Several factors fire these wars; disputes over religion, resources and governance.<sup>90</sup> The 1983 civil war in Southern Sudan resulted in a mass flight of people not only to the neighbouring countries of Uganda, Kenya and Ethiopia, but also to Khartoum. The internally displaced persons (IDPs) were forced to settle around the outskirts of the city and live in acute poverty under dire conditions. The most recent war, which started with the overthrow of the Sadiq Al-Mahadi's government produced large numbers of both IDPs and refugees. When the hard-line Islamist government came to power, many of the Southerners who were predominantly Christian and of a non-Arabic ethnic background felt insecure due to the imposition of Shari'ah in the North. Subsequently demolitions of IDP camps around Khartoum carried out by the government and the dire conditions of the Southern Sudanese IDPs forced them to flee to Egypt as the only accessible location. In addition, continuous human rights abuses and lack of freedom of expression in Sudan have produced an increasing number of political dissidents who also fled from the North. The relatively easy connection between the two countries as well as the presence of a large Sudanese expatriate community served as an incentive for those in search of protection.<sup>91</sup> Over the last decade, the war has evolved from a largely North-South conflict into a contest for power involving groups from across the nation and political spectrum. Since the *coup* that brought the national Islamic front to power, political and military organizations from all parts of Sudan, North, East, and West have joined Southern groups in armed opposition to the government.<sup>92</sup>

The new outbreak of fighting in the Western Sudanese region of Darfur in January 2003 resulted in ethnic cleansing, continuous human rights abuses and population displacement induced by the government-supported Janjaweed or Arab militias in response to the armed uprising led by Sudanese Liberation Army and Justice and Equality Movement. This conflict led to over 1 million internally displaced people and sent over 200,000 fleeing to Chad. The numbers of reported death range from 70,000 to 350,000.

Moreover the scale of human rights abuses in Sudan has been widespread—including slavery, bombing of civilian sites, rape, torture and detention. As a result, during the two decades of war, close to 5 million persons have been internally displaced and over half a million Sudanese fled to neighbouring countries such as Uganda, Ethiopia, Chad, Kenya and Egypt. In addition to the displacement of the population in the South, substantial numbers of dissidents from the North claimed asylum in Egypt and elsewhere.<sup>93</sup>

There are some recurrent, and usually intertwined, factors that forced people to leave Sudan, including political factors (ongoing war, political discrimination and harassment), and economic factors (deteriorating economic and social conditions, lack of access to education, jobs and financial security).<sup>94</sup>

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90 Grabska, op. cit., p. 14.

91 Ibid., p. 17.

92 Ibid., p. 15.

93 Ibid.

94 Ibid., p. 29.

## Causes of Somali migration to Egypt

The onset of the civil war led to a large number of Somalis coming to Egypt. In January 1991, the despotic regime of President Mohamed Siyaad Barre was overthrown in Somalia by a coalition of clan-based opposition movements. After the fall of the Barre government, a violent power struggle erupted among the various opposition movements. Thousands of Somalis were killed in the civil war and many more perished in the war-induced famine. Many fled to Kenya, Ethiopia, Uganda, the Middle East, North America, Europe and Australia.

## Egyptian policies on refugees

### *Legal frameworks — rights between law and practice*

Egypt is a party to key international treaties protecting the rights of refugees, the 1951 Geneva Convention relating to the status of refugees, its 1967 Protocol, and the Organization of Africa Unity's convention governing the specific of refugee problems in Africa. In 1984, Egypt ratified the African Charter on Human and Peoples' Rights, which also provides for the right to seek and obtain asylum. The Arab Declaration for Human Rights in 1992 also urged Arab states to adopt a broad concept of refugees and displaced persons as well as a minimum standard for their treatment, guided by the provision of the United Nations instruments relating to human rights and refugees as well as relevant regional instruments, and to also guard against *refoulement*.<sup>95</sup>

However, Egypt made five reservations to the 1951 convention: Art. 12(1) (personal status), Art. 20 (rationing), Art. 22(1) access to primary education, Art. 23 (public relief/assistance), and Art. 24 (labour legislation/social security).<sup>96</sup>

These conventions require Egypt to follow the principle of non-*refoulement*, which prohibits returning a refugee to a territory where their life or freedom would be in danger. Egypt has generally allowed asylum seekers and recognized refugees to enter and remain in the country. In Egypt protection from *refoulement* depends on the fairness and effectiveness of the UNHCR's refugee status determination (RSD), Egypt does not have its own procedures for granting asylum. Instead, under a system established by 1954 agreement between UNHCR and Egypt, asylum seekers apply to the UNHCR for recognition as refugees. UNHCR decides whether the person meets the legal definition of a refugee, and Egypt agrees to allow those recognized by the UNHCR.<sup>97</sup> In Egypt the UNHCR has assumed responsibility for (RSD) in the light of the current unwillingness of the Egyptian government to carry out RSD.<sup>98</sup> RSD determines which asylum-seekers will receive protection and assistance from the UN as legal refugees. Without UNHCR protection, the Egyptian authorities may arrest and deport foreigners not holding residence permits.<sup>99</sup>

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95 Zohry and Harrel-Bond, op. cit., p. 50.

96 FMO, op. cit., p. 2.

97 Kegan and Doctor, op. cit., pp. 7-8.

98 Grabska, op. cit., p. 16.

99 Kegan, op. cit., p. 3. In Egypt, applications for asylum begin by registering with the UNHCR, followed by an application and interview, currently around seven months after registration, to determine whether the person is a legal refugee. Rejected applicants may file written appeals; some appealing applicants are interviewed again, while others are rejected on the basis of their written submissions. The files of applicants rejected on appeal are closed. A recognized refugee receives a UNHCR identity card and is eligible for a residence permit. A recognized refugee can receive some forms of health, financial or educational assistance, depending on personal need and UNHCR resources. The UNHCR attempts to find a durable solution for most recognized refugees, which most often includes either resettlement to a third country or local integration in Egypt. Rejected applicants receive no assistance or protection from UNHCR. Unless they can obtain valid passports and residence permits by some other means, they have no legal status or protection in Egypt and may be arrested, detained or deported (Kegan, p. 8).

According to Article 53 of the Egyptian Constitution (after amendments in 1980): the right to political asylum shall be guaranteed by the state for every foreigner persecuted for defending the peoples' interests, human rights, peace and justice. The extradition of political refugees is prohibited.<sup>100</sup> Article 151 of the Constitution states that international treaties ratified by Egypt have the force of law and in all cases supersede domestic law.<sup>101</sup>

In 1984, Presidential Decree No. 188 called for the creation of a permanent committee in the Ministry of Foreign Affairs to review asylum applications and grant refugee status. It is not publicly known whether this committee has ever taken any decision on granting refugee status, and if so, whether decision has been implemented. The determination of refugee status in Egypt is still undertaken by the UNHCR which has been unsuccessfully trying to hand over this responsibility to the Egyptian government for the past few years.<sup>102</sup>

In 2004 a new agreement was signed between the government of Egypt and Sudan guaranteeing freedom of movement, residence, work and property for Sudanese refugees.<sup>103</sup> Nevertheless, the agreement has not been implemented.

Nonetheless, Egypt has no domestic refugee legislation. Without legislation and with the number of reservations entered to the 1951 Convention, the rights of refugees and asylum seekers are significantly constrained, particularly access to public education, assistance, healthcare and work.<sup>104</sup>

Although Egypt made reservation to Article 22(1) of the 1951 convention (access to primary education), in 2000 the Egyptian Minister of Education implemented a 1992 Ministerial Decree (No. 24 of 1992) that allows the children of recognized refugees from Sudan to enroll and attend Egyptian public school. However, Egyptian public schools are overcrowded, which makes it difficult for refugee children to gain entry.<sup>105</sup> Moreover, the educational grants for Sudanese refugee children were often not sufficient and did not cover all tuition costs, books, uniforms and transport expenses.<sup>106</sup> In addition, the decree is problematic insofar as families are required to present extensive documentation, including a birth certificate, last schooling level certificate, identity document with legal residence permit and letter from the embassy of Sudan, and secondly there is the resistance of Sudanese refugees to the idea of local integration, preferring English-language teaching, as preparation for resettlement in the West.<sup>107</sup>

In February 2005, after lobbying by the National Council of Motherhood and Childhood in collaboration with Sudanese-Egyptian Forum, the Egyptian Ministry of Health issued a regulation allowing access to public primary healthcare services for all foreigners, including refugees, living in Egypt. This policy change will have a direct impact on access to public hospitals and government clinics by recognized refugees and those with legal status in Egypt. Nonetheless, the Sudanese in Grabska's research expressed mistrust of the public medical services available in Egypt. Rumours circulating in the Sudanese community about organ theft and the discriminatory treatment at the hands of Egyptian medical personnel also need to be addressed.<sup>108</sup>

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100 FMO, op. cit.

101 Zohry and Harrel-Bond, op. cit., p. 50.

102 Ibid., p. 2.

103 Grabska, op. cit., p. 19.

104 Grabska, op. cit., p. 15.

105 FMO, op. cit., p. 4.

106 Grabska, op. cit., p. 41.

107 Zohry and Harrel-Bond, op. cit., p. 56.

108 Grabska, op. cit., p. 45. See also, the exploratory study on consumption patterns and related potential health risks among southern Sudanese, Aynworth, P., *Changing Dietary Practices Amongst Southern Sudanese Forced Migrants Living in Cairo*, The American University in Cairo, Forced Migration and Refugee Studies (FMRS), June 2003.

Regarding the right to work, although Egypt did not make any reservations to Arts. 17–18 (wage earning employment or self-employment), refugees registered with the UNHCR are not allowed to work and very few obtain permits. But the Egyptian government modified the residence permit stamp recently and omitted the phrase, which prohibits work.<sup>109</sup>

According to Egypt's ambassador Mona Khashaba, the chief official at the Foreign Ministry responsible for refugees in Egypt, although Egypt was among the member countries that participated in drafting the 1951 Geneva Convention, it does not always receive the assistance it needs from wealthy countries in this regard. In addition, UN budget allocations to Egypt for refugee welfare programmes have fallen twice by a total of 20% in 1999–2000.<sup>110</sup>

The Egyptian government opposes any suggestion of integrating refugees into Egyptian society and the presence of refugees is seen as temporary, until they are resettled to a third country.<sup>111</sup>

### **UNHCR policies for refugees in Egypt**

The suffering of refugees is not confined to what has been mentioned above, but they face similar suffering from UNHCR-Cairo. Recognized Sudanese refugees and those seeking asylum complain about the bureaucratic process of UNHCR-Cairo: the length of time needed for a decision on their case, which leaves asylum seekers in an uncertain situation. Moreover, refugees who obtain residence through the UNHCR complained of the length of time it takes to renew the residence. Therefore many do not even apply for their residence permit as they consider that it hampers their resettlement options through embassies. Instead, they continue to pursue their resettlement options with the Australian and Canadian embassies. Rejected refugees resort to other methods of obtaining legal status, either through middlemen or by enrolling at universities.<sup>112</sup> Moreover, the majority of refugees complained of the lengthy process necessary to receive assistance, sometimes taking up to seven months to receive the first monthly allowance.<sup>113</sup>

Although the Egyptian government has allowed the UNHCR to assure the responsibility for RSD. When the UNHCR functions as the decision-maker (or judge) in the decision process, it cannot effectively fulfill its primary mandate of refugee protection. Moreover, there is no judicial review of the RSD procedures and no independent appeal process to which rejected refugees have recourse.

Before November 2002, asylum seekers aged 18 and older who sought refugee status from the UNHCR were given a minute slip of paper that only gave the date of the interview and passport number. It was not stamped by the UNHCR and offered no other information. The holder of such a paper is supposed to be regarded as “under the protection of the UNHCR” but police and security do not recognize it. Since most asylum seekers must wait for more than a year for a decision on their case, they continue to be at serious risk of detention or deportation. Since November 2002, new asylum seekers are issued yellow cards, which are valid for six months and renewable three times. Those who are recognized as refugees by the UNHCR are issued a blue card that allow to reside in Egypt.<sup>114</sup>

In recent years UNHCR-Cairo has improved the RSD process. New agreements with the government of Egypt to provide identity cards to asylum-seekers with pending cases will offer improved protection when it is fully implemented. Appeals have recently become more independent.

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109 FMO, op. cit., p. 4.

110 Nkrumah, G., “Open Arms, Tight-Fisted”, Al Ahram weekly 20-26 Dec. 2001.

111 FMO, op. cit., p. 2.

112 Grabska, op. cit., p. 39.

113 Grabska, op. cit., p. 48.

114 Zohry and Harrel-Bond, op. cit., p. 59.

Interview quality appears to have improved, and there are systems in place to deal with the cases of the most vulnerable groups of refugees. Physical space for interviews is now more private and secure than in the past. In 2002 UNHCR-Cairo took steps to improve the transparency of its RSD procedures. However, full implementation of these procedures did not occur. The non-implementation of procedural standards increases the risk of mistaken rejections and leaves *bona fide* refugees in danger of *de facto refoulement*. As the number of asylum-seekers in Egypt has increased, UNHCR-Cairo's financial resources have steadily declined.<sup>115</sup>

### **The crisis of Sudanese refugees in Egypt 2005-2006**

There are some factors which exacerbate the conflict between the Egyptian government and the UNHCR-Cairo and Sudanese refugees. With the peace talks between the Khartoum government and SPLM/A in 2005, the policies of protection and durable solutions, which guaranteed some rights for Sudanese in Egypt (Four Freedoms Agreement), have been altered.

Since June 2004, asylum seekers approaching UNHCR-Cairo are given temporary protection for six months instead of an RSD interview date. It is worth noting that rejected refugees made up the majority of the Sudanese refugee population in Egypt. Since 1994, when applications by Sudanese started being screened for asylum, the percentage of those who were rejected, especially between 1999 and 2002, reached 67%. Grabska raised an important finding in her research, reporting that refugees themselves did not understand the changes in the procedures. One of the respondents asked "The people who came with me from the same village and with the same story have been resettled and I was given a letter and told to stay in Egypt. What is wrong with me?").

At the same time, the resettlement policies of Western countries are likely to change in due time, most probably maintaining the process until the situation in Sudan becomes safe enough for Sudanese refugees to return. In this new political context, the available solution for the refugees will be voluntary repatriation.<sup>116</sup> Since September 2005, the Sudanese refugees (1,500 refugees according to OMCT estimates and 3,000 according to IRIN Middle East) in Egypt have been living in front of UNHCR-Cairo in a sit-in, protesting that their applications for resettlement had been frozen following the signing of the peace accord between the Sudanese government and the South People's Liberation Army (SPLA).

Following the accord, the UNHCR suspended refugee status determination for Sudanese asylum applications while saying it would support the voluntary repatriation of refugees from the war-torn South by pledging \$250 to every family choosing to return. This decision led to more demonstrations, and officials from the Egyptian Ministries of Foreign Affairs and Interior, along with the UNHCR management held extensive discussions with the organizers of the demonstration.

The UNHCR and the Egyptian government presented a joint proposal to the protest organizers, including a pledge to provide emergency assistance and housing to those who had lost their homes. The proposal also offered aid to those wishing to resettle in Southern Sudan. The protesters refused the proposals and resumed their protest.<sup>117</sup>

The Sudanese refused to return to Southern Sudan because they believe the future there is still uncertain and because the country lacks the most basic infrastructure. On the other hand, they

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115 Kegan, op. cit., p. 3.

116 Ibid., p. 19.

117 UN Office for the Coordination of Humanitarian Affairs (IRIN), UNHCR Office temporarily halts operations, <http://www.irinnews.org/print.asp?reportID=50207>.

complain that life in Egypt is not what they expected and that they hope to move to Europe or North America. For most Sudanese, Egypt is merely a stop-over point.<sup>118</sup>

The international secretariat of the world organization against torture (OMCT) referred that the police repeatedly arrested and confiscated the identity papers of protesters, issued by the UNHCR, and that they have also been subjected to violence. The OMCT called on the Egyptian government and the UNHCR to find a solution to the situation of the protesters and to protect them from forced repatriation and further human rights abuses.<sup>119</sup>

The issue reached a climax in the early hours of 30 December 2005, when Egyptian security forces moved in to break up the three-month long sit-in and to remove protesters by force. Encountering resistance, they used truncheons and water cannons to evacuate demonstrators in a raid lasting four hours.<sup>120</sup> According to Egyptian officials, the raid left 27 Sudanese protesters dead, and 70 injured. Human rights groups and the refugees themselves put the death toll higher, at over 100 Sudanese asylum seekers.<sup>121</sup>

In the wake of the incident, 2,000–2,500 Sudanese were arrested and taken to detention centres outside Cairo,<sup>122</sup> and the Egyptian Foreign Ministry announced that 654 Sudanese were to be deported, classifying them as illegal immigrants. However, the Egyptian government retreated and announced that it would not deport Sudanese detainees lacking official status as asylum seekers.<sup>123</sup>

The statement of Egyptian Foreign Ministry referred to pressure from the Regional Office of the UNHCR and reads, “Throughout the three months, the Egyptian authorities faced continued pressure from the Cairo-UNHCR office. The office demanded in writing and verbally [that] the Egyptian authorities to end the protest and threatened to suspend its activities in Cairo”. The Egyptian Interior Ministry said it had acted after the UNHCR asked for protection because it had received ‘threats to attack the commission offices and its members’. In addition, the Interior Ministry blamed the violence on the Sudanese and said the dead and injured were victims of a stampede.

Eleven Egyptian civil society groups called for a serious and transparent inquiry into the events and declared in a joint statement that “The real criminal behind these events is the Egyptian Ministry of the Interior, which knows of no way to deal with people, whether citizens or refugees, other than by beating, crushing, extrajudicial killing, or transfer to illegal detention centres”. The South Centre for Human Rights described the police assault as savage.

Egyptian human rights groups called on the government not to deport any of the Sudanese. The El Nadim Centre for Victims of Torture, one of the petition’s signatory organizations, described the reported threat of repatriation as “entirely unlawful, as this is an act of forced deportation”. Some

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118 Ibid.

119 World Organization Against Torture, Egypt: 1500 Sudanese Refugees Risk Forced Repatriation, available at <http://www.reliefweb.int/rw/>.

120 See the detailed information on the Sudanese crisis in Egypt: Curtis, B., 20 Sudanese Killed in Egypt Refugee Camp, Washingtonpost.com, <http://www.washingtonpost.com/wp-dyn/content/article/2005/12/30/AR20051230001>; Reuters, U.N. talks to Sudanese facing expulsion from Egypt, [http://news.yahoo.com/s/nm/20060106/wl\\_nm/egypt\\_sudan\\_dc\\_1](http://news.yahoo.com/s/nm/20060106/wl_nm/egypt_sudan_dc_1); IRIN, Egypt: Confusion over Deportation of Sudanese in Wake of Clashes; <http://www.alertnet.org/thenews/newsdesk/IRIN/e9db1bfafaf7fb95f6d03da80d7fc3>; Yahoo News, Egypt deflects blame for deadly Sudanese protest breakup; [http://news.yahoo.com/s/afp/20060104/wl\\_mideast\\_afp/sudanegyptrefugees\\_060104](http://news.yahoo.com/s/afp/20060104/wl_mideast_afp/sudanegyptrefugees_060104); Pambazuka News, Sudanese Refugees in Cairo: We’ll wait here, We’ll die here; <http://www.pambazuka.org/index.php?id=29957>; UNHCR News Stories, Hard Times for Cairo’s Refugees.

121 Nkrumah, G., “The Noose Tightens”, Al-Ahram weekly, 5-11 Jan. 2006.

122 Reuters AlertNet, Egypt: Confusion over Deportation of Sudanese in Wake of Clashes, 5 Jan. 2006, <http://www.alertnet.org/thenews/>.

123 Sudan Tribune, 2 Feb. 2006.

organizations asserted that the decision violated the provision of the 1951 Convention relating to the status of refugees, to which Egypt is a signatory.<sup>124</sup>

The spokesman of the parliamentary bloc Muslim Brotherhood deplored the assault as, “indecent and inhumane ....The peoples of the Nile Valley, Egyptians and Sudanese are one. Nothing can justify such brutality”.<sup>125</sup>

The Egyptian government has treated the presence of refugees as temporary, leading to two possible solutions: repatriation or resettlement (to a third country). The latter is preferred by refugees.

Both the Egyptian government and UNHCR-Cairo are responsible for the Sudanese crisis.

Kegan evaluates the refugee status determination (RSD) by UNHCR in Egypt, arguing that RSD needs to be reassessed for four reasons:

1. Minimum standards of procedural fairness have not been implemented, creating a risk of mistaken rejections of refugees in danger.
2. UNHCR funding has been becoming increasingly strained and UNHCR-Cairo is likely to lose much of its RSD staff in the coming months.
3. The number of applicants to UNHCR-Cairo has risen in the past four years, straining the agency's capacity.
4. UNHCR-Cairo's observation that a longer waiting period may make asylum-seekers more at risk of misinformation about the RSD process.

The weight of these problems is likely to fall particularly on the most vulnerable refugees—unaccompanied minors, single women with children, the elderly, disabled or seriously ill, victims of torture, and people lacking education. These people are often most at risk for incorrect decisions in RSD process without adequate safeguards because many of these refugees are likely to have difficulty fully articulating their fears of persecution.<sup>126</sup> These findings were asserted by Barbara Harrell-Bond, Professor of forced migration studies at the American University in Cairo. Technically, there are three categories of refugees: those holding UN blue cards who have successfully secured refugee status, and receive UNHCR assistance; those not officially recognized as refugees but whose claims are under investigation by UNHCR officials; and the so-called ‘closed files’ of asylum seekers whose applications and appeals have been rejected.<sup>127</sup> It is the ‘closed files’ that are now at the heart of crisis.

At the same time, the policies of the Egyptian government towards refugees are inconsistent and characterized by ambiguous legislation and a big gap between discourse and practice. The government has completely refused any integration for refugees.

## **Consequences of transit migration**

### **The economic situation of refugees in Egypt**

Forced migration tends to increase poverty and hinder development. This is particularly true in the context of MENA countries where states have failed to integrate refugees into state structures and institutions with pro-poor programmes. The urban setting is crucial to understanding the relationship between forced migration, poverty and development in the MENA region. A large number of refugees

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124 Yahoo News, ‘Groups seek Inquiry into Sudanese Killed in Egypt’, available at <http://uk.news.yahoo.com/31122005/325/groups-seek-inquiry-sudanese-killed-egypt>

125 Nkrumah, G., “The Noose Tightens”, Al-Ahram Weekly, 5-11 Jan. 2006.

126 Kegan, op. cit., p. 40.

127 Nkrumah, G., “Insecure but Incisive”, Al Ahram weekly 24-30 Nov. 2005.

in the region are settled in urban areas, where they interact with recent migrants from rural areas, as well as with long-term residents. Recent patterns of forced migration, bringing increasing number of refugees to cities, add a new dimension to the pressure of urbanization.<sup>128</sup>

The region is now uniquely characterized by the highest unemployment rate among regions of the world. At 15%, the unemployment rate of the region is about three times the world average. The characteristics of open unemployment are more important than its level, unemployment hits young people, women and the poor the hardest.<sup>129</sup>

The Egyptian economy has faced many challenges: high unemployment (officially 9.9% and unofficially double that figure), about 500,000-700,000 new job seekers every year, and 44% of the population living with less than 2 US\$ a day. These challenges force the government to place restrictions on foreigners' right to work in order to protect the domestic labour force.<sup>130</sup>

Recognized refugees are subject to the same labour regulations governing access to work as foreigners, meaning that they must acquire a work permit. Until the beginning of 2004 "Not permitted to work" was stamped on refugee cards. The government removed the stamp from Sudanese refugee cards after considerable pressure from the UNHCR. However, even with this improvement obtaining a work permit for refugees is subject to strict criteria, including presentation of documents and possession a certain qualifications as well as payment of a fee costing as much as EGP 1000. In this situation, almost all recognized refugees work informally and are exposed to the same exploitation as rejected asylum seekers. Most of them are paid much lower salaries than Egyptians, and are often denied payment at the end of their work.<sup>131</sup> In newspapers and magazines, refugees are generally portrayed as labour migrants whereas Egyptians are portrayed as suffering from economic hardship; consequently the Egyptians do not welcome refugees. Furthermore, some Egyptians resent the fact that refugees receive assistance and are resettled whereas Egyptians cannot obtain visas to travel to developed countries.<sup>132</sup>

Given the limited amount of assistance available, Sudanese refugees are forced to engage in income-generating activities, especially in the informal sector. It is interesting to compare the relatively high numbers of working Sudanese refugees to Somali refugees, who in most cases rely on remittances and assistance with only a relatively small number engaged in paid employment.<sup>133</sup> Additionally, while Somalis tend to work within their own community, the Sudanese work mainly with Egyptians or foreigners. For Sudanese, the average monthly salary reported was EGP 250350 for men, and EGP 400–600 for women. Most of the work available is in low-skilled jobs, such as domestic service, which is easier for women than men, and which is relatively better paid. As a result, many Sudanese women are the major income earners. Most jobs for men are also in low-skilled sectors. Work that is more accessible and preferred by men centres on small business, usually street vending. Others worked as day labourers, construction workers, security guards, office cleaners and teachers in refugee schools.<sup>134</sup>

The UNHCR provides monthly stipends to a limited number of refugees through its implementing partner Caritas. The number of refugees in need has been increasing each year, whereas funds have been decreasing from \$2,928,129 in 1997 to \$1,677,088 in 2002. The steady decrease in subsistence

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128 Al-Ali, op. cit., p. 26.

129 Fergany, N., *Aspects of Labor Migration and Unemployment in the Arab Region*. Cairo, Almishkat Centre for Research, Egypt, Feb. 2001, p. 2.

130 European Commission, *Euro-Med Partnership, Egypt, National Indicative Programme 2005-2006*, p. 4.

131 Grabska, op. cit., p. 39.

132 Sudan Tribune, 2003 <http://www.sudantribune.com/>.

133 Sharamani, op. cit., p. 18.

134 Grabska, op. cit., p. 66.



allowances, combined with the reduction of UNHCR support for health and education, has meant a crisis for many families. Many refugees reduce their costs by living in overcrowded accommodation and economizing on food.<sup>135</sup> In a pilot study, Ainworth found that refugees never ate more than two meals a day and most ate only one meal.

Being employed illegally makes refugees vulnerable to abuse at work. The high rates of unemployment or under-employment in Egypt and the wide availability of cheap labour has meant that Sudanese must be willing to accept poor treatment and harsh conditions such as long working hours and lower wages.<sup>136</sup>

### **Transit migrants: social interaction with Egyptians and within refugee groups**

Large sectors of the Egyptian public are hostile to Sudanese. The widely-held view is that Southern Sudanese are drunken, lazy, and uncivilized, and this hostile attitude is evident on many occasions. In the recent events, when Egyptian police attacked the Sudanese asylum seekers in Muhandseen, Egyptian onlookers cheered the police. Some local people said, “the Sudanese had made such a mess of our beautiful square, they were an eyesore and deserve what they got”.

The question is then why the sudden antagonism, given that Egyptian and Sudanese peoples have traditionally enjoyed close fraternal relations?

Sudanese, particularly, southerners, face daily harassment in the streets of Cairo. They are subject to racist taunts from Egyptian nationals who are understandably angry at the deplorable conditions they themselves face, including unemployment and disfranchisement, and it appears they have been unable to resist the temptation of scape-goating the large number of Sudanese, (possibly millions) residing in the country. At the same time, many Egyptians perceive that local and foreign churches are championing the cause of the Sudanese, employing them and helping them financially. The growing hostility to the Sudanese appears to be a classic case of blaming outsiders.<sup>137</sup>

Many sectors of the Egyptian public consider refugees “irrelevant” because they are consumers from the moment of their arrival, receive remittances from abroad, and receive some assistance from the UNHCR and NGOs. Egyptians do not recognize that the expenditure of refugees benefits the local economy.<sup>138</sup>

Sharamani reports that the Somalis interviewed had little or no interaction with Egyptians. They did not socialize with Egyptian neighbours. Many had uneasy relationships with their landlords, and many students at language and computer institutes, high schools, or universities report very little interaction with fellow Egyptian students. Many attribute this to a sense of fear and wanting to avoid Egyptians because of their vulnerable legal status and lack of employment rights. Others cited cultural and language differences in addition to a sense of fear. A considerable number of refugees say that they live with Somalis in Somali-concentrated areas, networks, and socialize with Somalis and hence have very little incentive to interact and build relationships with Egyptians. There are refugees who complain of Egyptian racism, citing police harassment in particular.

Regarding the relationship between Somalis and Sudanese almost all the Somalis refugees interviewed reported having no interaction with Sudanese or any other refugee group. Those who had some interaction with Sudanese refugees report that this was mostly confined to English classes. None of those interviewed lived with Sudanese or had befriended them. Moreover, there is a sense among a large number of Somalis that Sudanese, because of their visible number, longer residence in Egypt,

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135 Zohry and Harrel-Bond, op. cit., p. 63.

136 Ibid., p. 66.

137 Nkrumah, G., “The Noose Tightens”, Al Ahram weekly, 5-11 Jan. 2006.

138 Zohry and Harrel-Bond, op. cit., p. 61.

and strong contacts with church-based NGOs, have access to more resources and obtain more aid from NGOs than Somalis. The situation of Sudanese and Somali refugees appears analogous to that of recent immigrants groups that physically and socially isolate themselves from one another and invest considerable individual and collective efforts and resources in the group's survival.<sup>139</sup>

The difficulty of the resettlement and integration of Somali refugees into Egyptian society is indicative of the contradictions inherent in Egypt's position on refugees and their place in Egyptian society within the framework of government policies and actual practices. Somali refugees in Cairo as well as many other refugee groups are seen as the 'others' who cannot and should not be part of what is perceived as the community of 'nationals'.<sup>140</sup>

The media blackout did little to prepare Egyptians for the influx of refugees. The silence of the media is a way to avoid breaching the rather taboo topic of race relations, even if the Egyptian public is not particularly concerned about resolving the issue.<sup>141</sup>

### **Civil society and refugees in Egypt**

With regard to the work of the churches in Egypt, Jose Pires of International Organization for Migration (IOM) declared that, "If the churches don't help the refugees, nobody else will". Unlike other countries with large refugee populations, there are few NGOs working with refugees in Egypt.

The small Anglican All Saints Church provides health care, clothing, food, vocational classes and spiritual guidance for Sudanese refugees working with 4,400 registered refugees.<sup>142</sup> Other churches such as St. Andrews, the Presbyterian Synod of the Nile, the Coptic Orthodox Church and Sacred Heart Church, also refugees and work together to ensure some coordination of services through an ecumenical committee. St Andrews concentrates on education for young children, and Sacred Heart offers classes from junior secondary level, while other churches offer adult education. St Andrews also works with the nearby German Church to provide carpentry, handicraft, and sewing classes for refugees.<sup>143</sup> St Andrews Refugee Ministry was founded in 1979 and offers assistance to refugees through three programmes: Educational Programmes for Children, Educational Programmes for Adults, and African Arts and Crafts.<sup>144</sup> The Coptic Orthodox Church assists refugee on an individual basis and provides medical care for 10 refugee patients a month who are referred by the Presbyterian Church. The Sacred Heart Church runs a school for 950 refugee children. All the teachers are Sudanese refugees. The ten classrooms are crowded even though the school has two shifts a day. The demand for education is great and children come from far away to attend. The school principal reports that Christian and Moslem students attend classes together.<sup>145</sup> In Alexandria, some churches provide assistance for refugees: the Sacred Heart Church, the Anglican Church and the Presbyterian Church.<sup>146</sup>

Among the main organizations providing relief for refugees are the UNHCR's implementing partners, such as Caritas and Catholic Relief Service (CRS).

In 2003, the UNHCR worked with five implementing partners: Caritas Egypt, Catholic Relief Service, St. Andrews Church, the Family Planning Association and Refugee Egypt, to provide

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139 Sharamani, op. cit., p. 28.

140 Ibid., p. 29.

141 Nkrumah, G., "Open Arms, Tight-Fisted", Al-Ahram weekly, 20-26 Dec. 2001.

142 Ferris, op. cit., p. 1.

143 Ibid.

144 FMO, op. cit., p. 6.

145 Ferris, op. cit., p. 2.

146 FMO, op. cit., p. 8.

assistance and services for refugees.<sup>147</sup> For example, Caritas offers a one-off subsistence payment or a monthly financial subsistence allowance for recognized refugees depending of family size, vulnerability and medical needs. In 2004, the UNHCR changed the assistance programme to respond to vulnerable cases by issuing monthly allowances: vulnerable cases have included families with five or more members, single female headed households, children separated from their families, elderly refugees, refugees with serious medical disabilities or chronic illness. Caritas also assists refugees in health care, providing up to 25% of the cost of doctors fees and medicines and up to 50% of hospitalization costs.<sup>148</sup>

The Catholic Relief Service has been a UNHCR implementing partner since 2002. CRS administers educational grants for school children and illiterate adults. In 2004, it provided 3,244 educational grants to refugee children.

The Cairo Family Planning Association (CFPA) began its refugee programme in 1993 after an agreement with the UNHCR to provide health education for refugee women. Currently the CFPA offers some services for refugees: skills training (cooking, sewing, handicrafts) and first aid training. It runs five clinics providing medical treatment and organizes an annual event for refugees.

The UNHCR also has a sub-agreement with SOSm a transit home for separated children consisting of a flat housing 6–8 unaccompanied refugee children.

All Saints Cathedral Refuge Egypt assists Africans living in Cairo who have been displaced by war or disaster or who have a well founded fear of return due to persecution or loss of rights. Refuge Egypt mainly targets asylum seekers who have not yet been recognized as refugees. Asylum seekers must be registered with Refuge Egypt in order to benefit from their assistance programmes. Refuge Egypt distributes basic foodstuffs (oil, sugar, rice, powdered milk and lentils) to pregnant women, large families, TB-infected refugees and single-parent households, and provides health care, and education. It also offers training programmes to help refugees learn about the kind of work they may find.<sup>149</sup>

However, with the expanding refugee population, shrinking UNHCR funds, and financial constraints of NGOs when providing assistance to refugees, the majority of recognized refugees are left with very limited support. In addition, those who have been rejected and are living in Egypt illegally are excluded from *any* formal assistance, and rely on help from churches that assist both recognized and rejected refugees.<sup>150</sup>

Community services such as Musaideen, Somali Refugee Committee of Egypt, Sons of Sudan Charity Association, Sadaka, the Sudanese Development Initiative, Maan and Care with Love Programme also help refugees.

Musaideen was created in 1998 by the church communities in Cairo, and consists of a group of refugees who help other refugees, by offering classes and information sessions about the procedures of applying for refugee's status with the UNHCR. Musaideen also helps refugee candidates for resettlement to fill out the application forms for the different embassies.

The Somali Refugee Committee of Egypt (SRCOE) was established in 2001 provides education for Somali refugees in Cairo with English language classes for adults and home-schooling classes for children. In 2004, 50 children and 70 adults were enrolled with SRCOE.

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147 Ibid.

148 Ibid., p. 4.

149 Ibid., p. 5.

150 A detailed discussion on service providers for refugees in Egypt and the constraints of the UNHCR office are presented in the UNHCR Survey, Refugee Self-reliance in Cairo: Obstacles and Prospects, UNHCR Cairo, 2003.

The Sudanese Development Initiative (SUDIA) was created in 1995 to address the challenges facing Sudanese refugees in Egypt with a main focus on the capacity-building of the many Sudanese organizations and groups. In 1998 SUDIA took the initiative by establishing a co-coordinating body for Sudanese NGOs in Egypt. The aim of coordinating body is to explore the benefits of working together. The coordinating body was called the Sudanese NGOs Forum in Egypt. Building the capacities of the Sudanese NGOs was the main focus of SUDIA's work, in addition to building networks and linkages, information dissemination and cultural activities. The forum ceased because of many of the NGOs that constituted it no longer operate and others are keeping a very low profile. The disintegration of many of the refugee-based organizations has also resulted from the regular resettlement by the UNHCR.<sup>151</sup> Maan, a Sudanese refugee-based organization, was set up in 1996 and offers courses in gender, womens' rights, computer skills and health care. Discussion groups are held once a week to address different issues in Sudan. Maan, in collaboration with the Forced Migration and Refugees Studies Department (FMRS) at the American University in Cairo has developed a training course for refugee women.<sup>152</sup>

The African and Middle Eastern Refugee Assistance (formerly the Refugee Legal Aid project), offers free legal advice to refugees, helping them write their testimonies for the UNHCR and in preparing appeals for refugees whose claims have been rejected by the UNHCR. It also trains Egyptian lawyers and students in refugee law and advocates for the improvement of policies toward refugees.

The Refugees Centre for Human Rights provides legal aid to recognized and unrecognized refugees and assists refugees with legal representation before Egyptian law in issues such as marriage and divorce.<sup>153</sup>

The Forced Migration and Refugee Studies Department (FMRS) at the American University in Cairo offers a graduate diploma in forced migration and refugee studies, conducts research and surveys on refugee issues in Egypt, holds seminars, workshops and summer courses, and has a community outreach programme offering:

- a Community Interpreters Initiative, holding courses three times a year to train refugees as community interpreters.
- for the past two years it has offered space and facilities for the annual training sessions of Maan, a Sudanese refugee-based local organization.
- Glossary-Building Project where FMRS students are currently participating to develop multi-lingual glossaries, initially based on a number of African languages and dialects in order to provide a tool for the community interpreters.
- it provides space for two voluntary organizations providing educational services for refugees: the West African Education Project and the African Institute for Culture. The first project offered computer literacy and English language classes to a group of Liberians and Sierra Leoneans, while the second offered English classes for a group of Sudanese, Ethiopian and Eritrean refugees in summer 2003.
- FMRS/AUC in collaboration with the UNHCR and Catholic Relief Services, has hosted World Refugee Day Festival for the past three years.<sup>154</sup>

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151 Ismail, I., Co-ordinating 'Humanitarian Aid' for Refugees in Egypt, American University in Cairo, Forced Migration and Refugee Studies, 2001, pp. 2-3.

152 FMRS; Organizations Providing Assistance for Refugees, available at <http://www.aucegypt.edu/fmrs/ServicesforRefugees.htm>.

153 Egyptian Organization for Human Rights, <http://www.eohr.org/ref/index.htm>.

154 The American University in Cairo, Forced Migration and Refugee Studies, Report of Activities 2003-2004.

Since January 2003, FMRS has been engaged in discussion and activities on the promotion of refugee law with a number of Judges in Egypt. In May 2004, FMRS organized a Conference on Refugees and Refugee Law in cooperation with the UNHCR Regional Office in Cairo and the Egyptian Judges Club. One of the important recommendations made by the conference was for Egypt to consider the adoption of domestic legislation regularizing the status of refugees in the country, and ensuring their protection and capacity to exercise their rights.<sup>155</sup>

The predominant feature of assistance to refugees in Egypt is that it is delivered by churches or NGOs (some of which are UNHCR-implementing partners) which receive financial support from international sources or by refugee-based NGOs who are largely self-funded. Egyptian NGOs have not been prominent in providing refugee assistance.

Some NGOs have initiated programmes providing information classes and workshops for asylum seekers, including Joint Relief Ministries at All Saints Cathedral (through the Musa'adeen Programme) and the Egyptian Organization for Human Rights (through Refugee Legal Aid Project), but these programmes cannot cover more than a minority of the several thousand asylum-seekers arriving each year.<sup>156</sup> Finally, the role of NGOs and the churches is mostly confined to humanitarian and social assistance, whereas their role in policymaking process is unclear.

### **Cooperation between transit countries and destination countries in regularizing migration**

In the aftermath of the September 11 attacks in the USA, many changes have occurred in western policies on migration, particularly transit migration, which explain a large part of crisis affecting both transit migrants and transit countries.

Resettlement in a rich country is an option available only to a few fortunate individuals, especially in times of large refugee flows. This was the case with the exodus of hundreds of thousand of refugees escaping heightened conflict in chronic war zone such as Southern Sudan, Somalia, Sierra Leone, Rwanda, Congo, Burundi and the Great Lakes region of Africa.<sup>157</sup> Refugees may head to the West in the belief that they will find protection in the liberal democracies that profess support for human rights principles.<sup>158</sup>

International apprehension as to the prospects of resettlement for refugees worldwide is growing, especially in the light of unresolved conflicts and a failure to address many of the root causes of conflict situations in Sub-Saharan Africa. The grim international climate is aggravated by the refusal of Western nations to open the floodgates and allow entry to larger numbers of asylum seekers—a situation exacerbated following the September 11 attacks in the USA.<sup>159</sup>

The policies of Western Europe towards the migration from its Eastern borders are completely different from the migration from its Southern borders. EU enlargement has led to a regularization of Eastern migration and a reduction of organized crime. At the Southern external borders, in the Mediterranean region, there is no EU enlargement. At the request of the EU, Morocco, Algeria, Egypt and others have signed readmission agreements, as did Poland and the Czech Republic many years ago. This servile behaviour meant being able to travel without visa obligations for Polish and Czech citizens.

The Mediterranean partners did the same but received nothing for their citizens. It seems that for years to come there will be a blockage of legal mobility in the Mediterranean basin. Young people

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155 Ibid.

156 Kegan, *op. cit.*, p. 17.

157 Nkrumah, G., "Open Arms, Tight-Fisted", *Al-Ahram weekly* 20-26 Dec. 2001.

158 Middleton, D., *op. cit.*, p. 4.

159 Nkrumah, G., "Open Arms, Tight-Fisted", *Al-Ahram weekly* 20-26 Dec. 2001.

have no other option than to cross the sea borders as irregular migrants and as boat people, and thousands of them have perished in the last decade.<sup>160</sup>

Within the existing restrictive immigration policy in destination countries, people who intend to move to another country are often forced to resort to the help of professional mediators or smugglers. Once a potential migrant manifests his intention to move to another country, he risks becoming an object for criminal groups specializing in migrant trafficking.<sup>161</sup>

Indeed, European border control, immigration and asylum policies have grown more restrictive towards the South. Restriction is evident in the intensification of sea patrols, multiplication of readmission agreements, and intense EU pressure on countries to control and prevent irregular migration. The multilateral cooperation framework with Europe (EU Mediterranean Partnership or Barcelona process) contains a number of strands that relate to migration and asylum policy and the fight against irregular migration and trafficking, and that also link policies with development assistance and capacity building.<sup>162</sup> Egypt was a participant in Barcelona declaration which referred to need to reduce migratory pressures.<sup>163</sup>

In addition to these policies, there are limited opportunities for refugees to request the protection of Western states when they are geographically located outside the West. Resettlement through the UNHCR can be applied for by refugees unable to find protection in a country of first asylum, or refugees with special needs such as victims of torture who need specialist treatment. Only 33,000 refugees were resettled by the UNHCR in 2001, out of a worldwide refugee population of over 12 million.<sup>164</sup>

Opinion polls in a number of Western countries show that the public view the arrival of significant numbers of asylum-seekers as a danger. Although one may question the validity of such surveys, the fact remains that asylum and refugee issues rarely receive positive coverage in the media.<sup>165</sup>

The link between migration and security has become an even greater issue of international concern. Recent incidents involving violence committed by migrants have led to a perception that there is a close connection between international migration and international terrorism. Irregular migration, which appears to be growing in scale in many parts of the world, is regarded by politicians and public alike as a threat to the sovereignty and security of the state. In a number of destination countries, host societies have become increasingly fearful of the presence of migrant communities, especially those from unfamiliar cultures.<sup>166</sup>

Nonetheless, there are international efforts to regularize transit migration. Informal meetings and consultations started in Malta (La Valletta) 25-26 February 2003 including 50 representatives of North-South Mediterranean countries, with the aim of initiating new informal intergovernmental dialogue on transit migration in the Mediterranean. The Malta meeting was designed to identify common policy stances between interested EU member states and Arab partner's states on how to tackle the rapidly growing problem of irregular migration in the Mediterranean. The Malta meeting created a climate of mutual trust and a general basis for further dialogue, which was to complement the more formal contacts between the states, as well as other bilateral and multilateral forms of

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160 Dietrich, *op. cit.*

161 Ivakhniouk, *op. cit.*, p. 2.

162 Papadopoulou, *op. cit.*, p. 7.

163 Barcelona Declaration, [http://europa.eu.int/comm/external\\_relations?](http://europa.eu.int/comm/external_relations?), p. 8.

164 Middelton, *op. cit.*, p. 7.

165 Gorlick, B., *Improving Decision-making in Asylum Determination*, New Issues in Refugee Research, Working Paper No. 119, August 2005, p. 2.

166 Global Commission on International Migration, *Migration in an Interconnected WORLD: New Directions for Action*, Oct. 2005, p. 8.

cooperation. It was agreed that a comprehensive approach should be chosen, encompassing not only operational response to irregular transit migration, but also cooperation on other vital migration policy issues relating to security, socio-economic conditions as well as development cooperation to attack the root causes of migration.<sup>167</sup>

On 9-10 June 2003 about 60 representative of Mediterranean Basin, including Egypt, met informally in Alexandria. The meeting was chaired by Egypt and its objective was to reinforce the intergovernmental dialogue of transit migration over the Mediterranean and to enhance the quality and intensity of the cooperation on this issue, not only between European countries and the countries of the South, but also among the latter.<sup>168</sup> The meeting concluded that meetings should be held on a regular basis and that combating illegal migration should be based on an objective analysis of the root causes and the detrimental effect on transit states, and that illegal migration should be in the context of the economic development in countries of origin. The concerned parties should use all forms of bilateral and multilateral cooperation when taking into consideration the specific characteristics and features of this problem in each transit country or region with special emphasis on the following forms of cooperation:

1. Contribution to the development of the countries of origin of illegal migrants as an effective way to address the core causes of the problem;
2. Exchange of information, experiences and studies on illegal migration, especially the consequences on transit states;
3. Cooperation between border control departments, administrations, training of staff in all sectors concerned with the prevention, and combating of illegal migration;
4. Provision of technical assistance and knowledge to transit states especially as regards documentation, control of forgery of documents and maritime monitoring equipment;
5. Combating trafficking and imposing stringent penalties on traffickers;
6. Combating the exploitation of illegal migrants and trafficking victims, provision of legal and humanitarian aid, particularly for women, children and the elderly as well as health care for the needy;
7. Voluntary readmission of illegal migrants to their homeland on agreement of the two countries concerned, including cooperation to verify their identity;
8. Supporting transit states in bearing the burden of sheltering illegal migrants and ensuring their safe return to their homeland;
9. Facilitation and encouragement of regular legal migration upon agreement between sending and receiving states.

The intended destination countries should bear the cost of returning the migrant to their homeland via a safe means of transportation.<sup>169</sup>

At the UN level there are efforts to place the issue of international migration on the global policy agenda. The Global Commission on International Migration (GCIM) was launched by the UN Secretary-General and a number of governments on 9 December 2003 in Geneva. The Commission aims to analyse gaps in current approaches to migration, examining the interlinkages between migration and other global issues, and to present recommendations to the Secretary-General and other stakeholders.<sup>170</sup>

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167 ICMPD International Centre for Migration Policy Development, <http://www.icmpd.org>.

168 ICMPD, Consultations on a Reinforcement of the Intergovernmental Dialogue on Transit Migration over the Mediterranean, Alexandria 9-10 June 2003, available at <http://www.icmpd.org>.

169 Ibid.

170 Papadopoulou, *op. cit.*, p. 1.

The Commission issued its report (2005), which asserted that:

- States and other stakeholders should engage in an objective debate on the negative consequences of irregular migration and its prevention.
- Border control policies should form part of a long-term approach to the issue of irregular migration that address the socio-economic, governance and human rights deficits that prompt people to leave their country. This approach must be based on interstate dialogue and cooperation.<sup>171</sup>
- Greater efforts should be made to create jobs and sustainable livelihoods in developing countries, so that their citizens do not feel compelled to migrate. Developing countries and the industrialized states should pursue economic policies and implement existing commitments to achieve this objective.<sup>172</sup>
- The Commission urges all states to establish fast, fair and efficient refugee status determination procedures, so that asylum seekers are quickly informed of the outcome of their cases. In some countries significant backlogs remain, leaving asylum seekers in limbo for months or even years. The Commission recommends immediate action to address this problem. In situations of mass influx, states should consider offering the new arrivals *prima facie* refugee status.<sup>173</sup>
- The Commission holds that in the longer term a more fundamental overhaul of the current institutional architecture relating to international migration will be required, in order to bring together the disparate migration-related functions of existing UN and other agencies within a single organization, and to respond to the new and complex realities of international migration.<sup>174</sup>

## Conclusion

- African refugees in Egypt are mainly transit migrants. Nonetheless, transit migration does not always lead to permanent resettlement in the West when their claims are rejected by UNHCR-Cairo.
- An important element that makes Egypt an attractive destination is the existence of one of the largest resettlement programmes in the world both through the UNHCR and the private sponsorship programme to Canada, Australia, the USA and Finland. For the Sudanese, there are additional factors such as Egypt's geographical position and the historical relations between Egyptians and Sudanese.
- The two largest nationalities of asylum seekers are Sudanese and Somalis. The influx of refugees to Egypt started in 1990s as a result of war and instability in the Horn of Africa, especially Sudan, Somalia, Ethiopia and Eritrea.
- There is some overlapping between the economic and political causes of African migration to Egypt. African refugees come to Egypt in search for protection or better living standards. The migration of Africans is mostly forced, occurring as a last resort for the poor, persecuted in response to war, poverty, famine and abuse of human rights. The geopolitical order of wealth and poverty, of stability and war is a crucial variable in understanding the flow of African refugees to Egypt as a transit country, then to third country in the West.

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171 Global Commission on International Migration, *Migration in an Interconnected WORLD: New Directions for Action*, Oct. 2005, p. 80.

172 *Ibid.*, p. 20.

173 *Ibid.*, p. 41.

174 *Ibid.*, p. 75.



- The assessment of number of refugees in Egypt is very controversial; estimates vary between several thousand to several million. The main reason probably being the overlapping between refugees and migrants residing in Egypt temporarily or permanently.
- Most African refugees entered Egypt legally, but their legal status depends on decision by UNHCR-Cairo. Under a system established by 1954 agreement between the UNHCR and Egypt, asylum seekers apply to the UNHCR to be recognized as refugees. The UNHCR decides whether the person meets the legal definition of a refugee, and Egypt agrees to allow those recognized by the UNHCR. In Egypt the UNHCR has assumed the responsibility for refugee status determination (RSD) in light of the current unwillingness of the Egyptian government to carry out RSD. Without protection from the UNHCR, the Egyptian authorities may arrest and deport foreigners without residence permits. This situation partly explains the Sudanese crisis in Egypt in December 2005.
- Due to lack of local integration prospects, limited opportunities for securing adequate living conditions in Egypt, and continuing conflicts in their home countries, resettlement to a third country has become a preferred durable solution for refugees. The Egyptian government has two solutions, resettlement or repatriation.
- Because of the restrictive policies of destination countries, migrants tend to ‘get stuck’ in Egypt for years.
- The living conditions of refugees are deteriorating and they are deprived of basic rights such as the right to education, access to health services and the right to work. Whether recognized or unrecognized, refugees suffer varying levels of insecurity which affects not only daily livelihood strategies but also has a serious impact on their psycho-social well being.
- The role of civil society in influencing migration policy has been fairly limited. This is a result of the nascent and controversial nature of this field, states’ reticence to have other actors involved in policy-making and civil society’s traditional focus on service provision rather than policy advocacy.<sup>175</sup>

Finally, there are many actors responsible for the suffering of refugees and transit migrants:

- The current shape of the global system. The world is divided to three categories: centres or core countries, semi-peripheral countries and peripheral countries. Globalization increases disparities and unequal development. It has created enormous wealth and lifted millions of people out of poverty but the North–South gap is still widening.<sup>176</sup>
- Acute problems relating to situation of people in transit mean that the transition migration issue must be treated as a part of the general migration policy debate. These problems should not be seen as separate, since the complex of international migration issues is closely interrelated, but existence of so many groups of people in transit should be specially notified in national and international legislation. It is precisely the lack of clear migration policies that leads to the growth of irregular transit migration (with their inevitable negative consequences).<sup>177</sup>
- Refugees are often perceived as having a negative impact on the host society both in terms of draining resources and contributing to social instability. This view of refugees as a “burden” overlooks the role of the host government’s policies in perpetuating this image by its failure to remove obstacles to formal employment and its disregard for the contributions refugees make to the host economy.

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175 Green, J., and Thouez, C., *Global Governance for Migration and the Environment: What Can We Learn from Each Other?* Global Commission on International Migration, (GCIM), *Global Migration Perspective* No. 46, August 2005, p. 9.

176 Global Commission on International Migration, *Migration in an Interconnected World*, op. cit., p. 6.

177 Ivakhniouk, op. cit., p. 5.

- Any integration policy mainly depends on systematic legislation embodying two main goals: low conflict interaction between nationals and immigrants; and respect of immigrant's personal integrity. Low conflict has been achieved through safety and security measures for immigrants. Personal integrity is being secured through full rights for legal immigrants and basic rights for illegal immigrants.