Transit Migration in Europe

Published by Amsterdam University Press

Transit Migration in Europe.
Amsterdam University Press, 2014.
Project MUSE. muse.jhu.edu/book/66572.

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3 Refugee Migration to Egypt: Settlement or Transit?

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3.1 Introduction

Egypt has a long history of receiving migrants of various ethnic backgrounds, such as Armenians, Greeks, Croats, Palestinians and Sudanese. Recently, the country has witnessed large scale immigration of refugees fleeing armed conflicts in the Middle East and Africa. According to UNHCR (2008) there were 23,660 Sudanese, 10,786 Iraqis and 5,383 Somalis residing in Egypt. There were also small numbers of refugees from Eritrea, Ethiopia and other nations such as Afghanistan, Burundi, the Democratic Republic of Congo, Liberia, Rwanda, Sierra Leone, the former Yugoslavia and Yemen. In addition, there were between 50,000 and 70,000 Palestinian refugees residing in the country. By 2014, numbers rose to 183,318 refugees, including 120,000 Syrians. Many of the refugees in Egypt, though constituting the largest segment of long-term migrants, are deprived of the resources (legal, economic and social) that would enable them to establish settled communities in Egypt and pursue integration as a durable solution. For this and other reasons it is assumed that many of the refugees, notably Somalis and Sudanese, are transit migrants (Roman 2006). This chapter will first outline the migration history of the main refugee groups in Egypt, with a focus on Sudanese and Somali migrants. Second, it will analyse the policies of the Egyptian government as well as those of the UNHCR and how they have impacted on the daily lives and the future prospects of these refugees. The chapter will conclude with a discussion on the appropriateness of the term ‘transit migrants’ to classify these refugee groups. The analysis in this chapter draws on a review of existing literature and the findings of a field study which the author conducted on the secondary movement of Somali refugees in Egypt in 2004 (Al-Sharmani 2005).1

1 This study was part of a multi-sited research project carried out by a research team that was commissioned by the Swiss Forum for Migration and Population Studies. For the study in Egypt, a questionnaire was administered to 165 Somali refugees in order to investigate the scope, patterns, and causes of their movements since their flight from the homeland. Seventeen expert interviews were also conducted with key personnel at UNHCR office in Cairo, non-governmental organisations that provide services to refugees, the Refugee Department at the Ministry of
3.2 The history of refugee migration to Egypt

Somali refugees

The history of the movement of Somalis to Egypt can be traced to the late 1960s and 1970s, when limited numbers of Somali students started coming to Egypt to pursue their education at Egyptian universities, as part of bilateral educational agreements. In the 1980s, when many Somali labourers sought employment opportunities in Gulf countries, Cairo became a popular place with Somali families who wanted to provide better educational opportunities for their children than were available in Somalia. Moving to Cairo was seen as advantageous because it would allow their children to receive a good education in a Muslim, but modern, country that was not too far either from Somalia or from the Gulf countries where the breadwinners of these families often worked. Until 1991, the largest numbers of Somalis living in Egypt were diplomats and their families, college students on government scholarships and some families and their children who were enrolled in Egyptian schools. With the collapse of the Somali government and the escalation of the civil war in 1991, Egypt saw a large influx of Somali refugees. While the majority of those early refugees came directly from Somalia, some others moved back from Gulf countries to join family members who either arrived from Somalia or were already in Cairo. The educational level of this earlier group was high and many held professional jobs; the majority had resettled in Western countries through the UNHCR.

The majority of the refugees who are currently residing in Egypt entered the country in or after 1999. Like the earlier group of refugees, this new Somali refugee group also varies in age, sex, clan affiliation and migration trajectories. While some migrated directly from Somalia, others came from Kenya, Djibouti, Ethiopia, Libya, Saudi Arabia or Yemen, or a combination of these countries. According to UNHCR data, refugees with a history of secondary movement constituted a large sector of the total Somali refugee group in late 1990s, while the majority of the current Somali refugees are direct arrivals from the homeland (UNHCR 2005). While the majority entered Egypt legally, with an entry visa that was purchased before departure with the help of family contacts in Egypt and elsewhere, a smaller number entered the country by sea, for instance those arriving from Saudi Arabia. The onward movement of refugees from first countries of asylum to Egypt was motivated by lack of legal protection and basic rights to livelihood.

Foreign Affairs, the Resident Affairs Unit at the Immigration Department, and the Department of Foreign Students at Ministry of Education.
and education. The educational levels of many of the more recent refugees are low compared to early groups of Somali refugees as well as Sudanese refugees (Al-Sharmani 2005; Grabska 2005). Before coming to Egypt, most did manual labour, construction work, auto-repair work or driving, and were involved in petty sales or (for women in the Gulf) in domestic work (Al-Sharmani 2005). Most Somali refugees live in overcrowded apartments which they share with other Somalis and are mainly concentrated in the neighbourhoods of Ard il Liwa and Nasr City.

It can be argued that the recent high rate of recognition of Somali refugees (78 per cent²) has been largely the result of the use of much broader criteria in the Refugee Status Determination (RSD) process, a new policy that UNHCR Geneva called on all country offices to adopt (UNHCR 2003). According to this position paper, northern parts of the country such as Somaliland and Puntland are considered safe, while the southern sector beyond the town of Galkayo is considered unsafe. Consequently, it is assumed that refugees who are originally from the north can return to their homeland, but those from the south cannot. Nonetheless, the position paper also pointed out that if asylum seekers who come from the north ‘have a well-founded fear of persecution in the meaning of Article 1 of the 1969 OAU Convention governing the Specific Aspects of Refugee Problems in Africa,’ their claims ‘should be assessed carefully on an individual basis to determine their needs for international protection.’ As a result of this policy, a great number of Somali asylum seekers became recognised refugees. In addition, the UNHCR adoption of the 1969 OAU Convention as a basis for assessing RSD claims in 2003 led to an increase in the overall recognition rate as well as that of Somali refugees.

Sudanese refugees

The movement of Sudanese migrants to Egypt can be dated to the nineteenth century when Sudan was part of Egypt and was under British colonial rule. Up until the late 1980s, most of the early Sudanese who moved to Egypt were northerners and were able to take advantage of bilateral treaties between the two countries, which gave Sudanese many of the same rights as Egyptian nationals (e.g., right of employment, residence, free access to health and education, and the right to own property).³ However, after the failed assassination of President Mubarak in 1995, which implicated Islamists allegedly backed by the Sudanese government, the Egyptian

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² Estimate, own calculation based on UNHCR 2006.
³ The latest of these treaties was the 1976 Wadi El Nile Treaty.
government revoked all treaties that gave special privileges to Sudanese in Egypt. Since then, Sudanese in Egypt have been subjected to the laws governing the status and rights of foreigners.

In the late 1980s, large numbers of Sudanese refugees fled to Egypt. The majority of these recent waves of refugees were from the southern parts of Sudan, with some also coming from the north. As the number of Sudanese asylum seekers in Egypt ballooned, the Egyptian government asked the UNHCR to undertake their RSD in March 1994. Recently, Sudanese from the western part of the country have also been moving to Egypt. The estimated figures for all Sudanese residing in Egypt vary, although figures often quoted by Egyptian authorities range between two and five million. More than 60 per cent of these Sudanese are refugees who arrived since the late eighties.

In the period 1997-2004, 67,000 Sudanese approached the UNHCR Cairo office to apply for refugee status (Grabska 2005). Of these asylum seekers, 28,700 were recognised while 7,300 cases were pending. Also, 14,300 of the recognised Sudanese refugees in this period were resettled through the UNHCR. In addition, 20,000 Sudanese asylum seekers were rejected with 15,000 of them classified as closed files (UNHCR 2004; Grabska 2005). Until 2003, the recognition rate among Sudanese refugees was quite low because of the adoption of the 1951 Geneva Convention as the basis for successful refugee claims (Kagan 2002). Between 1999 and 2003, for instance, the recognition rate among the Sudanese was 33 per cent. But after the UNHCR’s adoption of the 1969 OAU Refugee Convention as a basis for the determination of refugee claims, the recognition rate among the Sudanese rose to 63 per cent in 2004.

Many of the refugees, particularly those from the western and southern parts of Sudan, arrived directly from the homeland. However, some of the northern refugees had first moved to the Gulf or Libya, before coming to Egypt. The main factors motivating both groups to flee include the deteriorating security situation, fear of forced conscription, religious persecution, political persecution due to political activism, pursuit of educational opportunities, as well as reunification with family members in the West through resettlement. The majority entered Egypt legally with visas purchased before departure or upon arrival, while refugees arriving before 1995 did not need a visa to enter the country. Most refugees entered Egypt either by land, taking a train to Wadi Halfa and then a steamer to Aswan, or by flying to Cairo.

4 These figures are often quoted by the spokespeople of the Egyptian Ministry of Foreign Affairs.
The majority of the Sudanese refugees live in cramped apartments which they share with other Sudanese (and in some cases Egyptians), and are concentrated in five neighbourhoods in Cairo (Ain Shams, Arba Wa Nus, Maadi, Nasr City, and 6th October). A small number of Sudanese refugees also lives in Alexandria. The education level of Sudanese refugees is relatively high, with many having a secondary school education and some being holders of university degrees as well. The education level of the northern refugees tends to be higher than that of the southerners, while men also tend to be more educated than the women.

**Palestinians**

Although the history of movements of Palestinian refugees to Egypt can be traced back to 1929, large-scale immigration of Palestinians took place during the 1948 and 1967 wars. Unlike other refugee groups, the status and affairs of Palestinian refugees are directly administered by the Egyptian government instead of UNHCR. The national policies regulating the status and affairs of the Palestinian refugees have changed over the past decades. For the most part, these policies restricted the rights of Palestinians, with the exception of the period of President Nasser’s rule during which Law 66 was passed. This law gave Palestinians the right to work in the public sector and to be treated as nationals of the Republic (Al-Ebed 2003). However, in 1972 this law was revoked and two administrative regulations were passed (Nos 47 and 48), which considered Palestinians in Egypt as holding the status of foreigners. This meant that they were not entitled to free education or health care and had to obtain a work permit before they could legally participate in the labour market.

Earlier waves of refugees who arrived in 1948 and after 1967 were issued a one-year residence permit and a travel document by the Egyptian government. However, refugees who left Egypt with these travel documents could not return to the country without re-entry visas, which had to have been issued before departure. The fees for renewing residence permits vary according to the arrival date of the refugee. In recent decades, the granting of residence permits to Palestinian refugees has been determined on the basis of their reason for staying in Egypt. Reasons which are considered valid include pursuing education, legal employment, marriage to an Egyptian or co-owning a business with an Egyptian national (Zohry & Harrell-Bond 2003). Most of the current Palestinian refugees work in the informal sector and face great difficulties in obtaining affordable education. Moreover, young men who are not enrolled in school and who are not legally employed are particularly susceptible to detention and deportation.
Unlike the Sudanese and Somalis, Palestinian refugees do not live in specific
neighbourhoods or cities, but are dispersed across the Egyptian nation.

Iraqis
In 2003 and with the war in Iraq and American occupation, a large influx
of Iraqis sought refuge in Egypt. The Ministry of Foreign Affairs estimates
the number of Iraqis residing in Egypt to be 100,000-150,000. However, the
number of Iraqi refugees registered with the UNHCR is 10,786. Before 2006,
Iraqis arriving from Iraq were able to enter Egypt on a one-month tourist,
student or investment visa. But since then, Iraqis who want to apply for an
Egyptian visa are instructed by the Egyptian government to go to Syria
and Jordan. Moreover, the granting of visas has become very scarce. Iraqi
refugees who approach the UNHCR for refugee claims are recognised prima
facia. Then, after screening, refugees who are identified as vulnerable are
recommended for resettlement. In addition, there is screening for refugees
who are eligible for resettlement through the Direct Access Program.

Most of the Iraqi refugees live in Cairo, while a small number lives in
Alexandria. Many of the refugees appear to come from Baghdad and are
Sunni Muslims, Shi’a Muslims and Christians. Anecdotal evidence, as well
as findings from interviews with some Iraqi refugees conducted by a group
of journalists and researchers for the Iraqi Voices in Cairo (2008) website,
suggested that most of these refugees are highly educated professionals
who are often married with children.

3.3 Egypt’s policies on refugees

Egypt was the only non-Western member of the drafting committee of
the 1951 Geneva Convention relating to the Status of Refugees (and its
1967 Protocol). Egypt is also a State Party to the Organization of African
Unity’s Convention Governing the Specific Aspects of Refugee Problems in

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5 In a telephone interview a staff member at the Refugee Affairs Unit at the Ministry of
Foreign Affairs reported that the ministry reached this estimate on the basis of Iraqis pur-
chasing houses, cars and businesses in Egypt (personal communication, April 2008). A 2007
Refugee International Report also estimates the number of Iraqi refugees in Egypt to be 70,000
(Yoshikawa 2008).

6 This programme started in June 2007 as an initiative of the United States to provide protec-
tion through resettlement to Iraqis in Egypt and Jordan who were affiliated with the US forces
in Iraq. This programme is administrated by IOM.

7 The 1951 Geneva Convention and its 1967 Protocol were ratified by Egypt on 22 May 1981.
Africa,\(^8\) which expands the refugee definition contained in the 1951 Geneva Convention. Also, Article 53 of the Egyptian Constitution gives the right of asylum to political refugees. On the one hand, Egypt’s commitment to these international conventions translates into fairly generous admission rights for refugees, renewable temporary residence permits, and the right of *non-refoulement*. On the other hand, the government does not provide refugees with the rights and resources that would enable them to build an adequate life in Egypt. This is because after the ratification of the 1951 Geneva Convention, Egypt placed reservations on Articles 12 (1) (Personal Status), 20 (Rationing), 22 (1) (Public Education), 23 (Public Relief) and 24 (Labour Legislation and Social Security). In practice, these reservations imply that refugees are unable to access legal employment, free education or public health services.

For example, refugees are treated like foreigners in regulations pertaining to labour. Refugees, like all foreign nationals, are not allowed to work unless they have a work permit. To obtain a work permit, the potential employee applies to the Ministry of Manpower. Foreign applicants are not allowed to compete with the local workforce and are not allowed to work in particular sectors, such as tourism, oriental dancing, exports and customs-related jobs.\(^9\)

The procedures and costs involved in obtaining work permits discourage refugees from seeking legal employment and Egyptian employers from hiring refugees, which explains why refugees tend to work in irregular jobs in the informal sector and why unemployment is high (Al-Sharmani 2003; Grabska 2005). This makes the economic conditions of most refugees very harsh. Most Sudanese and Somali refugees live in cramped apartment buildings in the poor neighbourhoods of the city. The apartments are generally shared with other co-ethnic refugee families. Moreover, because they are foreigners, Sudanese and Somali tenants pay much higher rents than poor Egyptians (Al-Sharmani 2003; Minnick & Nashaat 2009).

Refugee children are not entitled to free education in public schools, while private schools are generally too expensive for refugee populations. In 1992, the minister of education issued Decree No. 24, which gave the legal right to Sudanese, Jordanian and Libyan children to access primary education at state-owned schools. In 2000, this right was extended to other refugee children. Nevertheless, Decree No. 24 is not implemented on a large-

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\(^8\) Egypt ratified the 1969 OAU Convention on 12 June 1981.

\(^9\) Foreign applicants from particular nationalities are exempted from paying the application fees, such as Sudanese working in the private sector; Palestinians and Italians who had been in the country for five years or more; and Greeks.
scale basis as a consequence of ineffective coordination and communication within and between relevant ministries. For instance, in my interview with a senior specialist at the Department of Foreign Students at the Ministry of Education, he said that he was not aware of any ministerial decrees that allow children of refugees or asylum seekers to attend free public schools. In fact, according to him, there was no distinction between refugees and foreign nationals in the procedures and the regulations that both groups had to follow in order to enrol their children in Egyptian schools.10

Therefore, to enrol their children in schools, the parents of all foreign children (refugees and non-refugees) need to submit academic records and proof of residence in Egypt (e.g., a refugee card) to the school and Department of Foreign Students and have to pay tuition fees. Parents also need to fill out security clearance forms which the Department of Foreign Students sends to the National Security Office for review and approval.

It seems that the challenges of implementing Decree No. 24 do not merely arise from lack of effective communication and coordination within government bodies. Another important factor is the unpopularity of public schools because of the low quality of the education they offer. Most of the public schools are crammed with students and lack adequate teaching staff and educational resources. There is also a perception among some of the refugees as well as NGOs and government bodies that refugees do not want to enrol in public schools because they do not think these schools prepare their children for life in the West, where the majority of the refugees want to resettle.11 In short, refugees’ access to public schools remains very limited. Very few refugee families manage to enrol their children in private schools. Many Sudanese and Somali refugees resort to other alternatives such as church-run and refugee-run schools. Some refugee families (mostly Somalis) also enrol their children in Al-Azhar-run schools.12

The ministries of Foreign Affairs and Interior Affairs are the two main governmental entities with which the UNHCR Cairo office coordinates closely in order to ensure the protection of refugees and the management of their affairs. Both ministries deal mostly with issues related to refugees’

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10 Interview with Senior Specialist at the Department of Foreign Students at the Ministry of Education, 12 March 2005.
11 This opinion was expressed to me repeatedly by staff members at different NGOs that work with refugees, such as Caritas, and Africa Middle East Refugee Assistance (AMERA), as well as by some of the Somali refugees (Al-Sharmani 2003, 2005; Grabska 2005).
12 These are primary through secondary schools that are run by the Al-Azhar academic institution. Such schools teach students both regular school subjects and more extensive religious education.
residence permits and detention cases. For instance, any asylum seeker or refugee who wishes to apply for a residence permit goes to the Department of Refugee Affairs at the Ministry of Foreign Affairs. The Department of Refugee Affairs, furthermore, acts as the main government body that the UNHCR, NGO, and refugee communities communicate with for advocacy work. Nonetheless, it is the UNHCR, rather than the Egyptian government, that predominately deals with refugees in the management of their affairs. Due to a lack of adequate capacities and institutional resources for the process of handling the asylum procedures, the Egyptian government has delegated this task to the UNHCR Cairo office. Thus, registration of refugees, refugee status determination interviews, durable solution interviews and all other asylum-related procedures are carried out by the UNHCR Cairo office. Also in cases where asylum seekers and refugees are detained, the UNHCR liaises with both departments so that they can be released.

In an interview, the Head of the Department of Refugee Affairs at the Ministry of Foreign Affairs explained that the government was committed to protecting refugees because Egypt is a signatory to international conventions pertaining to Somali and Sudanese refugees. However, she also stressed that ‘real integration’ was not possible for the refugees and that their stay in Egypt was a ‘transitory phase’:

We have put reservations on the 1951 Geneva Convention, which is understandable. We do not have enough resources to offer education and other services to all nationals. So it is not possible for us to make that commitment to refugees. So refugees are not allowed to enrol in free public schools. But we [this office] try to help refugees who need education on an individual case basis. We are also working on an agreement with European NGOs and the EU to build schools that will offer education to both Egyptian and refugee children. Refugees’ time in Egypt is a transitory but an important phase ... Refugees have to obtain a work permit before they can work. They have to go through the same procedures for obtaining a work permit that foreigners do. But many refugees manage to work in the tertiary sector like many Egyptians do (interview with Head of the Department of Refugee Affairs at the Ministry of Foreign Affairs, 17 February 2005).

This notion that the issue of refugees and their time in Egypt is temporary is reflected in the state’s lack of comprehensive national policy that regulates all refugee affairs. Instead, on occasions the government resorts to fragmented and ineffective policy solutions, such as ministerial decrees,
to address some of the pressing needs of refugees. The vulnerable situation of refugees in Egypt is also reinforced by their ineligibility for Egyptian citizenship regardless of the length of their residency. This undermines the refugees’ opportunities for integration into Egyptian society. Because of their economic, social, and legal marginalisation, refugees lead harsh and precarious lives. This explains, to a large extent, why most refugees in Egypt seek resettlement as the durable solution for their situation. It also explains why refugees have a lot of expectations (often unrealistic) from the UNHCR office, the institution that handles their asylum procedures, including their resettlement.

3.4 UNHCR Cairo: Protection policies

Since the late 1990s, the UNHCR Cairo office has seen an enormous increase in the number of asylum seekers. For example, the number of asylum seekers doubled from 1998 to 1999. In 2001, the number of asylum seekers was 13,176, which was a 96 per cent increase from 1998 (UNHCR 2002; see also Kagan 2002). In fact, the number of asylum seekers in 2002 was almost double the number of asylum seekers in the UNHCR Kenya office (UNHCR 2001; see also Kagan 2002). In particular, the number of Iraqis who are seeking asylum in Egypt continues to increase, currently constituting 25 per cent of the caseload at the UNHCR Cairo office (UNHCR 2008). By 2014, there were 18,307 asylum seekers. The increase in the number of asylum seekers coming to Egypt can be explained by a combination of factors. First, most of the asylum seekers come from countries with continuing armed conflicts and instability. Second, the UNHCR-assisted resettlement programme attracts many refugees who feel that a safe and stable life is neither possible in their countries of origin nor in neighbouring host societies in Africa or the Middle East. A third factor, which has not been fully examined, is the transnational family network of which more and more refugees are becoming part. That is, the efforts and desires of individual refugees to migrate and to ultimately resettle in the West are part and parcel of collective family-based strategies to ensure survival and a stable life for different family members (Al-Sharmani 2004).

Asylum seekers who wish to file a refugee claim go through the following procedures: they approach the UNHCR office and fill out an application form. The applicant is given a registration date, which can be two to three months after the submission of the application. After the registration interview the applicant is given either a yellow card or an asylum seeker
letter with a refugee determination status (RSD) interview date. The RSD interview is often conducted within two to six months, depending on staffing capacities. The waiting period for a decision is one to four months. The process is not the same for all refugees. For instance, asylum seekers who are recognised as prima facia, such as Iraqis, do not go through an RSD interview.

Asylum seekers with yellow cards are eligible for a six month residence permit. This temporary residence permit is renewable up to three times. After the RSD interview, asylum seekers who are recognised receive blue cards from the office and are eligible for a one year renewable residence permit. Residence permits issued to asylum seekers and recognised refugees are stamped on the yellow or blue card. Also the passport of the asylum seeker or refugee is voided by the Department of Residence and Immigration once the applicant receives the residence permit.

Individual refugee claims (apart from those recognised as prima facia) are recognised either on the basis of the 1951 Geneva Convention or on the basis of the 1969 OAU Refugee Convention. Both kinds of refugees are entitled to annual residence permits and protection from detention and deportation. Also vulnerable individuals and families, regardless of their status as 1951 or 1969 OAU refugees, are entitled to limited forms of financial assistance, health care, and educational grants. The main distinction, however, between the two kinds of refugees is that those who are recognised on the basis of the 1969 OAU Refugee Convention are not eligible for resettlement, since Western countries are not signatories to the convention. The exception to this has been vulnerable groups among the 1969 OAU refugees, such as ‘women at risk’.

Asylum seekers who are recognised as 1951 Geneva Convention refugees go through a durable solution interview with an UNHCR official. The three options that are considered in such interviews, depending on the circumstances of each refugee claim, are local integration, voluntary repatriation, or resettlement. Understandably, voluntary repatriation has not been possible for the Sudanese and Somali refugees because of the armed conflicts in their countries of origin. This, however, may no longer be the case for Sudanese refugees, because of the recent peace agreement between the Sudanese government and the rebel groups in the south as well as the four freedom agreements between Egypt and Sudan.¹³

¹³ According to the UNHCR Fact Sheet-Egypt of February 2008, 184 Sudanese were voluntarily repatriated in the period January-February 2008.
Resettlement is considered a durable solution for refugees who meet the resettlement criteria as outlined in the UNHCR Resettlement Handbook. The underlying premise of these criteria is that the refugee continues to be in a precarious and vulnerable condition in the first country of asylum for a variety of reasons and can only obtain protection and a durable solution through resettlement. The main resettlement criteria are 1) the refugee and/or his or her family do not find legal and physical protection in the first country of asylum, 2) the refugee is a survivor of violence and torture and requires specific medical attention that is not available in the first country of asylum, 3) the refugee has certain medical needs or disabilities and lacks the mechanisms to lead a viable life in the first country of asylum, 4) the refugee is a ‘woman at risk’ who faced torture and violence in the country of origin and continues to be at risk in the first country of asylum for a variety of reasons that may be related to the situation in the country of origin as well as in the host country and 5) the refugee lives in a precarious security situation or harsh economic conditions in the first country of asylum. The resettlement programme in Egypt is one of the main attractions that motivate refugees to come to Cairo. Still, resettlement, unlike protection from refoulement and voluntary repatriation, is not a guaranteed right for the refugee. Moreover, as a durable solution, resettlement is a process that is determined to a large extent by the regulations and quotas set by receiving countries.

Asylum seekers who are rejected are eligible to appeal against the decision within one month and a committee at the UNHCR office reviews the appeal cases and makes decisions. If an appeal is rejected, the file of the asylum seeker is closed; hence the individual is no longer under the protection of the UNHCR and can be legally deported. This, however, rarely happens in reality. On the other hand, rejected asylum seekers face the drawbacks of staying in the country without the protection of the UNHCR, which include arbitrary detention and the inability to access the few services that are made available to the refugees by the UNHCR and refugee aid organisations. The UNHCR ensures the protection of all kinds of refugees and asylum seekers from detention and deportation. While the detention of refugees and asylum seekers is not a regular and wide-scale problem in Egypt, it does take place. In such cases, the role of the UNHCR is to confirm the status of the detainee so that he or she can be released. However, the mechanism in place for this process is sometimes inefficient (Helal 2004). When a refugee or asylum seeker is detained, the UNHCR is supposed to receive a letter from the Egyptian Immigration Department requesting confirmation of the status of the refugee. But in many cases, the UNHCR staff members are
informed of the detention of refugees through unofficial means (i.e., the detainee’s family members or neighbours). The UNHCR sends a letter to the Immigration Department verifying the status of the detainee. When the Egyptian authorities are reassured that the refugee in detention is under the protection of the UNHCR, he or she is released. This process frequently lasts fourteen days, but can also take longer. Moreover, the physical conditions in detention centres are cruel. Detainees complain of harsh treatment and in some cases they are allegedly extorted for bribes by detention officers. Thus, on the one hand the legal protection that refugees and asylum seekers are granted is meaningful and beneficial because it allows them to reside in the country in relative safety. On the other hand, it has its limitations because of certain gaps in coordination and cooperation between the UNHCR and the relevant Egyptian institutions in this aspect.

To assist refugees with sustenance and access to some educational and health services, the UNHCR office offers recognised refugees and asylum seekers several forms of assistance through partnership with a number of NGOs. First, vulnerable refugees such as those with children, unaccompanied minors, disabled and chronically ill refugees receive monthly financial assistance that ranges between EP 200 and EP 600.14 Financial assistance is dispensed through the Caritas Office in Cairo and eligible refugees collect the money from one of the branches of the Bank of Alexandria every two months. The UNHCR also gives educational grants that range from EP 700 to 1,400 to 6-15 year old children of recognised refugees and asylum seekers. The grants are dispensed through the Catholic Relief Service Office and are paid in two instalments. Also other UNHCR partner organisations, such as the Joint Relief Ministry at All Saints Cathedral, offer counselling, support, and medical assistance for pregnant women, victims of torture, and refugees with tuberculosis. Recognised refugees can also access health care at a Caritas clinic which is run by two doctors. The UNHCR office (through Caritas) pays 50 per cent of the costs of the medication. Furthermore, the Refugee Programmes at Saint Andrews and All Saints Cathedral offer education to children who are excluded from Egyptian schools. The UNHCR also supports the ‘Care with Love’ (CWL) NGO that offers on-the-job vocational training to refugees.

Nevertheless, the different forms of assistance that refugees receive from the UNHCR are insufficient. This is because, while the number of refugees in Egypt has been increasing, the allocated budget to the UNHCR Cairo office has been dwindling (Sperl 2001). The sharp decrease in financial

14 100 Egyptian pounds (EP) = US $18 in 2008 (or $16 in 2011).
resources and the subsequent understaffing resulted in a backlog of RSD cases. Also, single refugees and those without children complain that they do not receive financial assistance although they, like refugees with children, are not employed. Some of those who receive financial assistance or educational grants complain of several problems that they encounter in the process of collecting the money. Sometimes, monthly financial assistance is delayed or suspended. Educational grants are not sufficient to cover school fees. Moreover, the grants are only dispensed to refugees after they submit receipts verifying that they had paid school fees. But parents point out that they often do not have the money to pay the fees in the first place and in some cases the delay of reimbursement has resulted in dismissal of children from schools (Al-Sharmani 2003). Moreover, many refugees also complain about inadequate health services at the Caritas clinic and lament that there are too few physicians overwhelmed with large numbers of patients and that quality of health care is low. In fact, the inadequate financial and staffing resources of the office and the large number of asylum cases that it is handling have resulted in tensions between refugee groups and the office. On several occasions, Somali and Sudanese refugees have protested (separately) in front of the UNHCR office to voice their concerns and frustrations.

In response, UNHCR officials have been negotiating with the Egyptian government to widen the legal rights and institutional support that are available for refugees. One outcome of this was the procedure of issuing yellow cards to asylum seekers and granting them six month residence permits. This procedure, which was first implemented in December 2002, was part of an effort to deal with the problem of detention of asylum seekers. Another achievement was the Ministerial Decree No. 24 that was issued by the Ministry of Education in 1992 and the Decision of the Minister in 2000 to allow refugee children to have access to public schools. Also the UNHCR and the Catholic Service have been working on establishing a system which will relieve parents from the burden of paying school fees in advance by finding ways in which the Catholic Relief Service can pay the schools directly. Furthermore, the UNHCR office has been involved in efforts to work with refugee associations and to support community-based efforts to address the needs of refugees. Despite these on-going efforts, the living conditions of most refugees remain very difficult and UNHCR staff members as well as different NGOs working with refugees concur that the self-sufficiency of refugees and their integration into Egyptian society have been very challenging goals to achieve. The head of the Refugee Centre for Human Rights, an Egyptian NGO that offers legal aid to refugees and
helps them to access Egyptian court systems for documentation purposes, explained the limitations of the situation of the refugees in Egypt and the kind of protection they receive from the UNHCR as follows:

To determine whether the UNHCR is providing protection, we have to agree, first, on what protection means. If protection means giving refugees blue cards and protecting them from detention, then the answer is yes. The UNHCR is providing protection. If protection also means providing a humane life for refugees, then the UNHCR has failed (interview, Head of Refugee Centre for Human Rights, 15 March 2005).

For this Egyptian lawyer, overcoming the problems that refugees face in Egypt, and providing comprehensive and multi-layered protection, requires that the Egyptian government plays a central role in refugee affairs and that Western governments provide financial support to a much needed national integration programme. She said:

Refugees need to find an adequate life in host societies. The Egyptian government needs to help the refugee community access health and education services not on individual but on community bases. There needs to be a real policy for integration. But realistically in order for that to happen, Western countries must provide financial assistance to the Egyptian government because it lacks sufficient resources. There needs to be better coordination between top policymakers and junior government employees that implement these policies. For example, it is not enough for the government to decide that refugee children can now access public schools. There needs to be training of school staff so that they are ready and able to teach and handle classes that include refugee and Egyptian children and can encourage good interactions between refugee students and Egyptian ones.

When I asked the assistant representative of the UNHCR office in Cairo about the possibility of local integration for refugees in Egypt, he pointed out that it was difficult to talk about integration in a developing country (interview, February 2005). He explained that perhaps it was more realistic to aim for self-sufficiency in this case. Yet, he admitted that even self-sufficiency was difficult to achieve. Refugees are concentrated in poor urban areas where accommodation is expensive and employment is very difficult to find. Moreover, he agreed that the assistance that was provided to refugees by the UNHCR and partner organisations was limited.
However, is the situation of refugees worse than that of poor Egyptians, who also have problems finding employment, who live in poor urban neighbourhoods and slum areas where housing and living conditions are harsh, who may also suffer from human rights violations by law enforcement institutions, for example as a consequence of the Emergency Law introduced in 1981? The answer is complex. On the one hand, the living conditions of refugees are further worsened by their precarious legal status. Landlords charge them more rent. Their refugee cards sometimes do not ensure their protection from police officers who still take them to detention centres and keep them in custody until the UNHCR intervenes. On the other hand, poor Egyptians, unlike refugees, lack a legal framework of international laws and conventions that advocate their protection, as the Head of the Department of Refugee Affairs at the Ministry of Foreign Affairs argues:

I think Somali and Sudanese refugees are doing much better [than poor Egyptians]. Refugees have the protection of the UNHCR. They have refugee advocates, the UNHCR and our office is working for them and trying to protect them. Poor Egyptians have Allah. Refugees may be resettled, but what will Egyptians do if they cannot find the basic needs for life right here in their country? Also police officers do not detain foreigners and refugees only. Egyptians are subject to that and it happens a lot that Egyptians also get detained if they are not carrying their personal IDs. Often when these officers detain someone, they do it because they are trying to do their job. They are in some public place and they see someone they are not sure about and who happens not to have documents to prove his identity and residence status, so they detain them. It happens to Egyptians too. But we make sure that when refugees are detained they are released as soon as possible. And we offer this protection to recognised refugees as well as asylum seekers (interview, Head of Department of Refugee Affairs at the Ministry of Foreign Affairs, 17 February 2005).

Moreover, the depictions of refugees in the mass media convey contradictory messages and images. Sometimes, refugees are portrayed as a national threat. Other times they are portrayed as people who need protection and Egypt’s duties as a host society are asserted. For instance, the title of one of the main featured articles in the weekly *Rosa el Yusuf* in 2003 was ‘The Floods of Africans and Asians are Snatching Livelihood from Our Youth’ (Subhi & Abdel-Gawad 2003). The article mentioned the danger of the increasing number of African and Asian migrants who would be ‘stealing’ employment opportunities from Egyptian youths by working as
street vendors. The article also depicted the migrants as sources of social problems such as drugs and prostitution that were, according to the article, becoming prevalent in Egypt. Needless to say, the language of the article was highly inflammatory and prejudiced. There was no mention in the article of the refugee status of the ‘African migrants’ nor of Egypt’s obligations towards them as a signatory of international conventions on refugee rights. Moreover, in letters to the editor published in the daily *Al-Ahram* in the same year, Egyptian readers raised the issue of the threats that refugees pose to Egyptian society because of their alleged loose moral values, again related to alleged drug use and illicit sexual relations.

On the other hand, newspapers and TV programmes also feature refugee assistance efforts that are led by UNHCR Goodwill Ambassadors such as the famous Egyptian actor Adel Imam. Such media reports do not highlight the perceived problems posed by refugees but the generosity of Egyptian society for providing protection to them.

### 3.5 Refugees’ experiences

*Getting by in Egypt*

Family and community-based support systems are the main strategies that many refugees use to survive on a daily basis. Refugees depend on one another to share information about housing, UNHCR news, residence permits, detention problems, and other aspects related to their lives in Egypt. The refugees are all concentrated in Cairo, in neighbourhoods populated by other co-ethnic refugees. They share apartments with other family members or refugees whom they have befriended in Cairo or have known in previous host societies. Most live on a combination of limited sources of income. These sources are often: remittances from family members living in the West or Gulf countries, financial assistance received from the UNHCR, or small and highly irregular income from intermittent work in the informal market. There are problems with all. First, while remittances are a main source of sustenance money, they are sometimes irregular, especially in cases when remitting family members lose their jobs, or discontinue remitting to attend to another family member who has more serious need, or where a family conflict has occurred. Second, only vulnerable refugees such as single parents with children, disabled individuals or unaccompanied minors receive financial assistance from the UNHCR. As previously mentioned, this assistance is meagre. Moreover, there have been reports by numerous refugees who are eligible for such assistance that they often
encounter problems in collecting the money, such as delays in disbursing the money or sudden and unexplained suspension of monthly allowances.

Third, the kind of wage-paying work that refugees undertake is irregular, poorly paid, and with no legal benefits or labour protection. Sudanese male refugees are mostly employed as construction labourers, factory workers, office cleaners, and security guards (Grabska 2005). Compared to the men, Sudanese refugee women find more job opportunities, with higher wages, in the domestic work market. Some of the women also earn income from petty sales and crafts. The average salary earned by Sudanese refugees ranges from EP 250-350 for males to EP 400-600 for females (Grabska 2005).

Unlike Sudanese refugees, Somalis engage in income-generating activities that are mostly confined to Somali communities. Women work as domestic workers for Somali émigrés who have relocated from various Western countries. Some women also work for Egyptian families. Somali domestic workers make between EP 400 and EP 600 when they work for Egyptian families and $100-$150 when they work for Somali émigrés. Some of the women also generate income by selling home-made Somali food to Somali émigrés on special occasions such as weddings and religious gatherings. Such female vendors make the equivalent of EP 200 to EP 300 a month. Also, some male refugees teach Quran, Arabic and Somali to Somali refugee children as well as the children of the émigré families and earn between EP 120 and EP 400. The scope and prevalence of these different kinds of income-generating activities are fairly small because potential employers (i.e., émigré families) are still not that numerous when compared to the size of the Somali refugee population.15

In recent years, however, a number of Egyptian telecommunication businesses (internet cafes and telephone offices) which cater for mostly Sudanese and Somali refugees have been hiring individuals from these refugee groups (Al-Sharmani 2003; Grabska 2005). The number of refugees hired by such businesses is very small and thus far all employees have been male. But it remains to be seen (and studied) to what extent this phenomenon will become prevalent and what its impact will be on the livelihood of the refugees. In addition, other spaces for societal member-

15 There are no official figures on the number of Somali émigrés who relocate to Egypt from the West. During my doctorate research in the period 2001-2003, I calculated that there were about 200 Somali émigré families in Egypt. But my research and informal observations that I have carried out since then suggest that increasingly more émigrés are relocating from North America and Europe to Egypt in order to purchase homes, educate their children in Egyptian private schools, pursue religious education, and engage in trading activities. However, these émigré families maintain a transnational life, going back and forth.
ship are slowly being opened for refugees as a result of intensive advocacy/research work that has been carried out by local research institutions, the UNHCR, its implementing partners and other activists. This is reflected in the recent participation of Egyptian opposition movements (such as Kifaya) in advocacy work on the behalf of refugees. Also a number of Egyptian NGOs (e.g., the Coptic Evangelical Society), which in the past were solely concerned with Egyptian communities, are now taking part in development programmes that target refugees.

Despite these new spaces of cooperation, and positive interactions between some sectors of Egyptian society and refugees, the lives of most refugees continue to be characterised by a high degree of economic vulnerability, difficult living conditions exemplified by poor and cramped housing, limited educational opportunities and precarious legal protection which does not lead to long-term security and stability. Under such conditions, resettlement in the West becomes highly desirable to the refugees as it is seen as a way to access legal employment, adequate health care, educational services and Western citizenship (which is perceived as a form of capital).

*Resettlement and protection: Are they related?*

Most refugees seek resettlement through the UNHCR. But while the number of recognised refugees has recently increased, the same has not been true of those who are resettled. Thus, UNHCR-assisted resettlement can only be offered to a small number of refugees. Accordingly, some of the refugees who are found not eligible for resettlement or have despaired of waiting have resorted to other means to achieve this goal. Sudanese refugees, for instance, actively pursue resettlement by applying to the Australian sponsorship programme. Some of these refugees are able to meet the requirements of this programme with the assistance of family relatives in Australia, while others obtain assistance from churches in Egypt in order to complete the requirements of the application process. In addition, between 2002 and 2003 several hundred Somali refugees attempted to travel to Europe through Libya, like Syrians are now doing. Many of the refugees travelled to Niger by air and then entered Libya by land, and from there took small boats that were overloaded with refugees. Some lost their lives on these harrowing journeys, yet some made it to Italian shores, keeping similar hopes alive for those left behind in Egypt.

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16 For example, *Kifaya* members participated in the protests that were organised by the Sudanese refugees in 2005 and were very critical of the violent break up of the protest by Egyptian security forces.
The importance (perhaps even the necessity) of resettlement is ever more real for Somali refugees who moved and settled in different host societies such as Kenya, Libya and Saudi Arabia, where they encountered inadequate protection and deprivation from basic rights and resources to secure livelihood and education. Many of these refugees repeatedly talk about the inseparability of protection and the possibility of having a life with long-term legal stability, employment possibilities and a sense of a future (Al-Sharmani 2005).

This search for safety and stability through onward movements often forms part of the collective needs, wishes and struggles in which several family members participate, in different ways. That is, refugees move to seek safety and stability not only for themselves but also for a transnational circle of inter-linked family members (Horst 2006). For instance, a Somali man who fled his homeland in the civil war ended up in Saudi Arabia. He is working irregularly but manages to remit money to his extended family in the homeland. The family used the money to send his niece to Egypt so that she can be safe from the danger of rape and sexual violence that women have been confronting since the start of the civil war. Meanwhile the niece has found a job as a domestic worker and is supporting a widowed aunt and her children who are also living in Egypt. The aunt and children await resettlement so that they can secure more adequate protection and resources that will in turn enable them to participate in the transnational familial efforts to secure the safety and well-being of other family members.

Yet, the struggle and the pains of resettlement are not only related to the question of how to secure it and the price that people sometimes pay in the process. There are also the psychological and physical pains that refugees associate with the yearning for resettlement, which Somali refugees call Buufis (Horst 2006).

In short, the protection of refugees cannot be divorced from opportunities for their economic self-sustenance and social development. Similarly, the availability of economic opportunities for refugees without legal rights is an inadequate mechanism for pursuing protection and wellbeing. That is, adequate refugee protection is multi-layered. It starts with well-defined legal rights but it is also contingent on an environment in which refugees are enabled (institutionally, economically and socially) to sustain themselves, secure their well-being and become full members of the host society. Thus, the initial movements of Sudanese and Somali refugees from their homeland, the onward movement of some of them from other countries to Egypt, their yearning for and/or the pursuit of movement from Egypt to the West need to be understood as an intrinsic part of a complex and dynamic process of seeking adequate protection and well-being.
3.6 Conclusion: Settlement or transit?

In a 2006 report on transit migration in Egypt, Roman (2006) categorises the Somali and Sudanese refugees as transit migrants. The author bases her classification primarily on the basis of the refugees’ wish for and (in some cases) pursuit of resettlement in the West. In an article that re-examines the political genealogy and academic use of the term ‘transit migration’ Düvell (2006) takes Roman and other authors to task by arguing that their uncritical use of the term ‘transit migrant’ creates a lot of confusion. For instance, Roman classifies Sudanese and Somali refugees as transit migrants although a considerable number of these refugees have lived in the country for a decade or more; few of them actually resettle in the West and we do not know (at least from Roman’s study) about the further movements and outcomes of Sudanese and Somali refugees who resettled in the West.

Düvell traces the conceptual ambiguity surrounding the term ‘transit migration’ to political discourses in which the term was first used in the nineties. He points out that in the discourses of the IOM, UN and EU, the term is used in multiple and inconsistent ways, all of which reflect a tone of perceived threat that is associated with this kind of migration. In these discourses, transit migrants are more or less conceived of as those who are passing through or staying in a country for a temporary period of time while planning to move to another destination. In addition, transit migration is often coupled with issues of irregular movements and trafficking.

This highlights two important issues that are perhaps not well-examined in studies of transit migration. For one thing, the people often referred to as transit migrants engage in complex and dynamic processes of decision-making and strategising, regarding the trajectories of their movements and their purposes. This process is shaped by multiple and often changing factors. In the case of refugees, such factors include the kind and quality of protection that they need and are able to access in different asylum countries; their family-based needs and strategies for securing protection and well-being; refugee policies of asylum countries from which refugees have moved or where they or their families are currently staying; and the availability of resources that enable movement to particular countries. These resources include legal and social capital, economic means, migratory experiences and facilitating networks, etc. Thus, the multiple movements of some Somali and Sudanese refugees to other countries in Africa and the Middle East and then to Egypt, and their pursuit of resettlement in the West, exemplify the above-mentioned process of decision-making and strategising.
Second, the existing conceptualisations of transit migration conceal the connections between this kind and other types of movement. The Somali émigrés in Egypt are a case in point: many were refugees in the Middle East and Africa, resettled in the West and obtained citizenship. But in the past seven years, it has been observed that some of these North American and European Somalis have also been relocating to Egypt, thus their movement to Egypt turns out to be circular. Their motivations are multiple and tend to consist of the desire to escape cultural and socio-economic marginalisation in Western societies, to invest in interdependent relationships of maintenance and care with family members who are in the homeland or in neighbouring countries, and to use the newly acquired capital of Western citizenship and educational skills to pursue an empowering, albeit transnational, life (Al-Sharmani 2004). There are links between Somali refugees’ pursuit of resettlement in the West and the relocation of Somalis with Western citizenship to Egypt. Both groups of Somalis are often part of transnational families whose members are collectively engaged in interdependent relations of care and support. In addition, the movements of both groups seem to be different parts of a similar endeavour, which is seeking a life of adequate protection and empowerment.

In brief, the term ‘transit migrant’ fails to capture important aspects of migratory experiences of refugees in Egypt. However, host societies’ policies towards refugees are an important factor shaping the (both political and academic) discourses on transit migration and do have a certain impact on refugees’ experiences. In the case of Egypt, the government’s policies and national discourses have generally treated and portrayed the presence of refugees as transitory. These policies and discourses have influenced refugees’ sense of the temporary nature of their dwelling in the country, even if they have been staying for more than a decade. Thus, in our efforts to improve our understanding of transit migration, we also need to be aware of how the issue is framed differently by those who move and by the societies that receive them.

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