

Darfur Refugees in Egypt: Suffering out of the Spotlight

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Abstract

The armed conflict in Darfur has led to a large scale population movement to Egypt and other neighboring countries. The vast majority of Darfur refugees in Egypt are not officially registered with the UNHCR, and they have been living in miserable conditions lacking basic health, education and social services. They have been subjected to racism, discrimination and bad treatment by the Egyptian and Sudanese authorities. They are also being subjected to torture and killing by the traffickers while trying to cross the borders to Israel or shot and killed by the Egyptian border guards.

This paper focuses on this forgotten tragedy of Darfur refugees in Egypt, trying to understand the circumstances which led to their miserable situations, describing and criticizing the role of UNHCR, the Egyptian and the Sudanese governments, and proposing recommendations that can be considered by those entities as a way to alleviate and end the suffering of the refugees.

Keywords: Sudan, Egypt, Israel, Darfur, Refugees, UNHCR, Muatafa Mahmud, Traffickers, Sinai

Background

The crisis in the Sudanese western region of Darfur started in February 2003, when two rebel groups, the Sudan Liberation Army and the Justice and Equality Movement attacked governmental troops and police stations, claiming that the region has been marginalized by the central government in Khartoum in terms of power and wealth.

The army, busy fighting the Sudan People's Liberation Army (SPLA) in the south, was unable to retaliate. The government started arming the Arab nomadic tribes to proxy fight the rebellion which was dominated by African tribes.¹ The unleashing of the well-armed Arab militia, known as the Janjaweed, resulted in a large scale humanitarian crisis. The militia attacked civilians' villages, mainly of Fur and Zaghawa African tribes, accusing them of supporting the rebels. By the end of 2004, several thousand people — mostly from the African tribes — had been killed and more than a million had been displaced from their homes.² The Janjaweed militia has become notorious of brutal killings, village burning, kidnapping and rape.

According to the UN, refugees from Darfur began fleeing to neighboring Chad in April 2003. Their number in Chad reached 65,000 and more than 500,000 civilians became internally displaced inside Sudan in the same year.³

In spite of the international efforts and demands to end the human rights violations and the brutality, the deadly conflict continues. The international community was unable to bring neither the Sudanese government nor the ever conflicting and splitting rebel groups to sign a successful peace agreement. The presence of the Janjaweed continues to be the main obstacle in the way of any agreement especially with what seems to be the government losing control over them. It is believed now, more than 300,000 civilians were killed in the conflict and more than 2.6 million have been displaced, living either in camps for IDPs inside Sudan or in refugee camps mainly in Eastern Chad.⁴

Many of other Darfur civilians fled to other neighboring countries, mainly Egypt. It is estimated that the total number of Darfur refugees in Egypt is around hundreds of thousands; only 24,000 of them were officially registered by the UNHCR in Cairo.⁵ Most of those refugees fled to Egypt to seek asylum so as to be resettled to other countries. Unfortunately, they ended up fleeing from the frying pan into the fire. They have been living in miserable conditions, marked with poverty and aggravated by limited access to education and health services.⁶ They have been suffering from racism, discrimination and fear of deportation. Many of them were killed by the Egyptian police forces while protesting or trying to cross the borders to Israel.

This paper focuses on this forgotten tragedy of Darfur refugees in Egypt, trying to understand the circumstances which led to their miserable situations, describing and criticizing the role of UNHCR, the Egyptian and the Sudanese governments.

Problems Facing Darfur Refugees in Egypt

The Legal Rights in Egypt

Egypt is a signatory to the 1951 Refugee Convention and its 1967 Protocol, and to the Organization of African Unity's 1969 Convention Governing the Specific Aspects of Refugee Problems in Africa. Though it increasingly became a recipient country for refugees seeking asylum and resettlement, Egypt has no domestic procedures and institutions for asylum. All aspects of registration, documentation and refugee status determination (RSD) are carried out by Egypt office of UNHCR. The situation is not expected to change any time soon (6).

UNHCR tried to have the Egyptian government take on the responsibility for RSD to meet its legal commitments under the conventions, but the Egyptian government not only refused, but it sent UNHCR a letter stating some significant reservations to the conventions, which limited refugees access to education, healthcare, and employment.⁷

With the Egyptian government playing no role with regard to the refugees, the UNHCR office in Cairo took the whole responsibilities. The role of this office is supposed to be: ensure the admission of refugee applicants to Egypt, receive and register all refugee applicants, provide documentation to all recognized refugees; assist the government in ensuring the protection of refugees, recommend refugees for resettlement or local integration, secure the release of any refugee applicant or refugee detained for illegal stay in Egypt; and assist the neediest refugees by

providing them with living expenses, education, medical assistance, vocational training and some limited income generating activities.⁸ However, due to huge budget cuts, the UNHCR office in Cairo failed to meet the expectations of the refugees, due to its inability to fulfill its mandate⁸ in 2004; it announced reduction in assistance it used to provide to the refugees.⁷

After the declaration of ceasefire between the Sudanese government and Sudan People's Liberation Army (The former southern rebels), it suspended all refugee status determination interviews for Sudanese refugees and asylum applicants⁸, ignoring the fact that the ceasefire had nothing to do with the ongoing conflict in Darfur. So, the refugees became trapped in Egypt, severely disappointed, trying hard to live in Cairo slums under bad conditions, unable to go back to Sudan in fear of persecution and unable to get their refugee or resettlement papers processed by the UNHCR.⁷

Work

Recognized refugees only are allowed to work in Egypt, and they have to get a work permit, a very long, complicated, time and money consuming process.⁷ Other refugees and asylum seekers with no legal status as refugees, or have their files closed by the UNHCR, are not allowed to work.⁶

Therefore, most Sudanese refugees, with all kinds of statuses, work only sporadically, for minimum payments, in unsecure jobs, and often vulnerable to exploitation by the employers.⁷

Without a stable source of income, and with the UNHCR decreasing its financial support to recognized refugees to minimum, the refugees face hard time paying rent, educational fees, and healthcare fees and bills.⁷

Education

Although, Egypt is obligated to provide education to recognized refugees according to 1951 convention⁶, Sudanese refugees are often unsuccessful in their attempts to enroll their children in Egyptian public schools. These schools' classrooms are often overpopulated, and many headmasters are usually reluctant to accommodate new students.⁷ The school fee is another obstacle for the refugees who barely could cover their living expenses.⁷ Add to that, many refugees, preoccupied by the dream of resettlement in a western country prefer to have their children school in private, rather expensive schools with English curricula. Those who cannot afford them depend on church based schooling.⁷

Health Services

UNHCR provides access to subsidized health services for recognized refugees. According to UNHCR website, one of its main objectives is to “*Improve the health of the population of concern by providing primary, reproductive and mental health care and organizing a referral system*”.⁶ Nevertheless, Sudanese refugees in Egypt, find it very difficult to get health services. As in other services like education and employment, they feel discrimination and disrespect. According to a paper by Meffert et al.: “*Darfur refugees living in Cairo are often discriminated against on the basis of race. They are often denied health care, education for their children, work permits, and housing and receive daily verbal and frequent physical abuse based on racism*.”⁵ Add to that, the reluctance of the refugees themselves to use Egyptian public health system. They often describe it as having bad quality, low attention to medical problems and disrespect.⁷ They also have concerns about intentional malpractice and organ theft.⁷

Residence

Egyptians citizens entertain the service of rent- controlled housing. Because refugees are not eligible for this service, they have to be under the mercy of often greedy landowners, who tend to exploit foreigners, especially refugees, who cannot easily access the Egyptian justice system to get their rights as leasers.⁷ Because of their limited resources, refugees are forced to live in overcrowded, poorly sanitized and stressful living environments.⁸

Racism, discrimination and persecution

Some attribute the escalating racist and discriminatory attitude against Sudanese refugees in Cairo to making the refugee communities the escape goat for poverty; unemployment and moral decay the Egyptian community suffers.⁸ As mentioned above, Sudanese refugees suffer discrimination based on race in employment, housing, education and health services.⁵ They suffer as well from verbal and physical harassment, and they are subjected to be attacked by street thugs and to be rounded up by police for no reasons. Police usually do the round ups for African looking people and they usually receive physical and verbal harassment.⁷ Due to such mistreatment and harassment, the relationship between the Sudanese refugees and the law enforcement agencies in Egypt has been marked with mistrust and fear. On 30 December 2005, Egyptian security forces killed 28 Sudanese refugees when it forcefully ended a 3 months sit in protest in Mustafa Mahmud Park one block away from UNHCR offices, in an unexplained brutality marked them as cool blooded killers in refugees’ eyes.⁸

Mustafa Mahmud Park Massacre

On 29 September 2005, dozens of Sudanese refugees began gathering at Mustafa Mahmud Park in central Cairo, a block away from the UNHCR offices to protest against the agency failure to

address their needs and properly protect their rights⁸ The protestors demanded refugee status interviews, which UNHCR suspended in June 2004, a more transparent process, protection from the Sudanese government and investigation of detainees and missing persons.⁹ According to Refugee voices, the group which organized the protest, *“they want to draw the attention of the international community to find solutions to their problems.”*⁷

After very long and unsuccessful negotiations with UNHCR representatives, and after 3 months in the park, Egyptian security forces surrounded the park at 1 AM on 29 December 2005 and forcefully ended the protest, firing water cannons and tear gas. With no exit to escape, many of the refugees and their children were crushed, beaten, suffocated and dragged out of the park. These actions led to the death of 27 refugees and asylum seekers and the injuring of hundreds, who were taken to detention centers. They were gradually released in small groups in 2006.⁹

Different involved parties and their positions in the crisis:

Although it is 10 years now since Mustafa Mahmud massacre, people are still asking questions, what was the role of different parties involved in Sudanese refugees problems in Egypt, and what could have been done to avoid this tragedy. The parties involved were UNHCR, the Egyptian government and the Sudanese government.

UNHCR

Due to the factors mentioned above, and as a direct result of UNHCR decision to suspend the status interviews, the relationship between the refugees and UNHCR has been marked with mistrust and disappointment.⁸ Add to that the apparent failure of UNHCR to provide refugees with the minimum mandated services, to protect them against discrimination and harassment and to release the detainees from Egyptian detention centers.

From the beginning of the sit-in, UNHCR adopted a hostile and confrontational attitude towards the refugees and placed itself on the government side.⁷ It failed to keep one position during the 3 months.⁹ On 3 October 2005 UNHCR declared that the protesters' demands were out of its hand and it cannot address them.⁹ It came back with another media release on 25 October to make it clear that there would not be any money or resettlement for the protesters.⁹ On 17 November it responded to some of the demands, offering a onetime financial assistance for the needy refugees.⁹

After the massacre, the UNHCR position was another disappointment for the refugees, who considered it extremely weak and inappropriate. Its spokeswoman in Cairo, Astrid Stort, declared:

“the Egyptian government had been patiently handling the situation of Sudanese refugees in cooperation with UNHCR” and *“UNHCR noted that the Egyptian government reserved the privilege of ending the protest for the sake of Egyptian society”*.⁷ She also denied the rumors that UNHCR asked the Egyptian government to end the protest.⁹ Interestingly, the Egyptian Ministry of Foreign Affairs revealed a letter sent on 22 December 2005 from the UNHCR, describing the situation in the park as

critical, drawing media attention and distorting the image of UNHCR and the Egyptian government. The letter asked the government to end the protest.⁷

The Egyptian Government

UNHCR website describes the position of the Egyptian government as follows: “*Faced with big development challenges for its own people, the Government is reluctant to provide refugees with access to public services. This position, as already expressed in reservations made by Egypt when acceding to the 1951 Refugee Convention, is unlikely to change, particularly in light of the current financial crisis*”.⁶ As motioned before, Egypt has not developed any formal refugee policy and has refused to take any responsibilities towards the refugees.⁸ The government didn’t provide any kind of assistance to the refugees and denied them access to many public services. The Egyptian security forces not only failed to protect the refugees against verbal and physical abuse and harassment from some members of Egyptian community, but they largely contributed to these actions. The Egyptian government failed to stop or even condemn discrimination, harassment and racism the refugees face every day from some of its citizens and security forces. After the massacre, the Egyptian people’s assembly convened, and declared that “*the Egyptian government violated neither international law nor the Geneva Convention*”.⁷ Abou-El Geit, the minister of Foreign Affairs, in addressing the media stressed that “*the government has a responsibility to its citizens who were negatively affected by the protest*”.⁷

The Sudanese Government

The position of the Sudanese government, represented by its embassy in Cairo, was very passive. The embassy didn’t interfere during the sit-in, and many Sudanese officials who visited Egypt during the sit-in didn’t discuss the matter with their Egyptian counterparts.⁹ After the massacre the Sudanese embassy intervened to help transferring the dead bodies to Sudan.⁹ The official Sudanese government position supported the right of the Egyptian government to deal with the situation in the way it sees appropriate.

Crossing the Border to Israel

Darfuri refugees and other African refugees in Egypt often try to cross the border to seek asylum in Israel. Although many of them have succeeded, large number of them fall victims to human traffickers who have kidnapped, tortured, and killed many of them. According to the Human Right Watch 2014 report, Egyptian traffickers in Sinai have tortured refugees for ransom. They were subjected to rape, burning, and mutilation.¹⁰ According to the same report, Egyptian authorities have not taken any steps to end human trafficking and arrest and prosecute traffickers. Moreover, the Egyptian authorities deny the victims their rights to receive assistance, protection, and immunity from prosecution. On the contrary, they are often charged with immigration

offenses and detained for months in inhumane conditions in Sinai's police stations and often denied access to health care.¹⁰

The Egyptian border guards, in trying to prevent Sudanese and African refugees from crossing the border to Israel, shot and killed unknown number of them. The last incident was in November 2015, when at least 6 Sudanese refugees were shot dead by the Egyptian guards, and 17 others were injured.

Discussion

The current inhumane situations of Darfur refugees in Egypt need to be addressed promptly by the concerned parties, so the problems they are facing on daily basis can be solved and tragedies like the massacre in the park and killing in the borders can be avoided in the future. In trying to present feasible solutions to this ongoing crisis, some recommendations to different involved parties were formulated.

UNHCR, Cairo

Due to budget cuts, miscommunication with the refugees, misinformation, and miscalculation of the refugees' problems and underestimation of their magnitude, the Cairo office of UNHCR was blamed and held partially responsible for what happened and currently happening to the refugees.⁷ The following points can be considered by UNHCR in order to better handle the refugees' situations:

1. Egypt is still a major destination for refugees from many African countries. Increasing numbers of refugees and asylum seekers come to Egypt to be resettled in other countries. UNHCR in Cairo needs to broaden its operations, increase its trained staff and secure necessary budget to deal with this challenge, especially with the Egyptian government taking no responsibility what so ever towards those refugees.
2. UNHCR needs to regulate its relationship with the Egyptian government in a way that protects the refugees' rights and secures them a humane life. UNHCR needs -through diplomatic channels- to press Egypt to implement a refugee policy and to take its responsibilities in protecting the refugees and providing them with access to public services. The UNHCR should request that no refugee or asylum seeker is to be detained unless its office is informed, and it needs to work towards preserving the legal rights of the detainees.
3. A proper communication channel should be established between the UNHCR and the refugees, to avoid misinformation and miscommunication which largely contributed to worsening the situation.
4. UNHCR should reopen the refugee status files of Darfur refugees and accept their new files. Closing these files and refraining from accepting new ones after the ceasefire agreement between Sudanese government and SPLA was a mistake, as that agreement had nothing to do with Darfur which is still in chaos. UNHCR also needs to start a faster and more transparent ways to process the refugees' files.

Egypt

1. The Egyptian government should adopt a clear refugee policy and should abide by the international laws regarding refugees. It should provide refugees with protection and services mandated by these laws.
2. A law against racism and discrimination needs to be enacted and implemented. Violators should be prosecuted and fined.
3. Egyptian security forces should be trained in how to deal with refugees. Verbal and physical harassment should be strongly prohibited and punished.
4. Egyptian government, the media, the NGOs and the human right activists and organizations should stand against racism in the Egyptian community and should hold campaigns and adopt programs to raise awareness against racism and discrimination.
5. The Egyptian government and security forces should refrain from dealing violently with refugees crossing the border to Israel and stop shooting them. The Egyptian authorities should also exert strong and effective measures to apprehend and prosecute human traffickers and end their operations in Sinai Peninsula.

Sudan

1. Sudanese government should guarantee the safety of those who choose to voluntarily go back to Sudan. They should not be persecuted, tortured or jailed.
2. The Sudanese embassy in Cairo should cooperate with the refugees and facilitate and address their needs from its side, especially issuing documents and passports for those who are going back.

Conclusion

Darfur conflict led to many humanitarian crises, refugees and IDPs are one of the most challenging ones. With the conflict still escalating and not expected to end in the coming future, the international community needs to stand for these refugees especially in countries where their suffering is “hidden” from the eyes of the world like Egypt. Darfur refugees in Egypt are being persecuted, denied their rights, discriminated against, shot while crossing the borders, and they are being continuously living in fear of detention and deportation. This can greatly affect their well-being and their mental and physical health, the problems they cannot address providing the fact that they are denied public health services.

The UNHCR, Egypt and Sudan are in need of changing their policies which led to many failures in dealing with refugees and caused many tragedies, like Mustafa Mahmud’s massacre, in which 27 innocent lives were lost, a tragedy could have been easily avoided by the three abovementioned parties.

List of Abbreviations

IDP: Internally Displaced Person

NGO: Non-Governmental Organization

UN: United Nations

UNHCR: United Nations High Commissioner for Refugees

SPLA: Sudan People's Liberation Army

RSD: Refugee Status Determination

Competing Interests

The author declares that he has no competing interests.

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