

Research Briefing Notes

Understanding the Policy Framework for the Provision of Social Protection to Refugees in Egypt

Introduction

This paper contributes to addressing the research question on Institutionalisation: How can procedures and policies for anticipating and responding to possible conflicts be integrated into the normal functioning of governments, international governmental and non-governmental organisations in conflict-affected MENA countries, and how can these organisations' separate actions be better coordinated?

Summary

This paper addresses the policy and legal frameworks governing access to social protection for refugees and asylum seekers (RAS) in Egypt. The paper addresses this framework in view of the principle of responsibility sharing. The analysis shows that despite the growing refugee crisis in Egypt, the financial resources it received to care for this group dims in comparison to those received by other countries in the region. This form of hesitant responsibility sharing on the part of the global community is reflected in an incongruence in the country's stance towards different international agreements pertaining to the different rights of refugees and asylum seekers. While Egypt had reservations during the ratification of the 1951 Refugee Convention in 1981, the country agreed with no reservations to agreements on the equality of rights granted to all individuals, including refugees and asylum seekers in other conventions. The incongruence in the country's global position is further reflected in the incongruence between de facto and de jure provisions nationally. We argue that the case of Egypt represents a situation of hesitant global responsibility sharing and hesitant national caring for refugees and asylum seekers, who are paying the highest price of such hesitancy.

The paper also reviews the different social protection pillars in view of the key conventions that were signed and ratified by Egypt, reflecting on de jure and de facto provisions. The analysis shows that from a de jure perspective, the country has remained consistent in its policy framework to the reservations made upon the ratification of the 1951 Refugees Convention (on articles 20 for rationing, 22 for access to free elementary education, paragraph 1 of article 23 on public relief and social assistance, and 24 on social security). However, these reservations do not absolve the country from its commitment to other conventions such as the Convention of the Rights of Children and the ratification of the ILO equality of treatment in Social Security Convention No. 118. In terms of de facto provisions, the cumbersome procedures to obtain residence permits, work permits, passport renewal, and the non-recognition of UNHCR cards as valid identification for some services pose serious challenges. Access to formal employment by refugees, a pre-condition to accessing contributory social protection as per the ILO Convention, is thwarted by excessive restrictions on the employment of non-nationals.

Theoretically, the paper contributes to a new genre of research in this area that seeks to bridge the gap between global support and national social policies.

Research Background

Egypt is located at the crossroads of the Middle East and North Africa (MENA) region. The country is known as a transit and a destination country for RAS, which explains the representation of the country at the time of signing the 1951 Convention. The twentieth century witnessed different waves of refugee influx to Egypt, notably thousands of Armenians post the 1915 genocide. The country has also received Palestinians for over 70 years, following the 1948, 1956 and 1967 wars. Egypt has also hosted a large Sudanese community that have historically moved back and forth between the two countries; with an increased flow of refugees following the outbreak of the 1983 war in present-day South Sudan. Over the past decade, Egypt has been receiving a growing number of RAS particularly since the political turmoil in the region, dubbed in the media as the “Arab Spring”. The International Organization of Migration (IOM) estimates that Egypt had more than 9 million non-nationals in 2022. According to the United Nations High Commissioner for Refugees (UNHCR), Egypt hosts 605,181 registered RAS from 61 countries, constituting a tiny fraction of foreigners in the country. At present, the two largest refugee communities in the country are the Sudanese followed by the Syrians. There is no encampment policy to spatially govern RAS in Egypt. Most refugees live in urban areas among host populations, primarily in the capital Cairo, Giza and Alexandria.

Key Policy Targets

This paper is important for organizations and government entities involved in the support of refugees in Egypt.

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