



COUNTRY OPERATIONS PLAN

Country: Arab Republic of Egypt

Planning Year: 2004

Country Operations Plan

UNHCR Regional Office in Egypt

1 January – 31 December 2004

Executive Summary

- **Political Context**

The Arab Republic of Egypt, situated at the crossroads of Middle East and Africa, is a key political actor in these two regions. Egypt's regional political role is shaped by three important factors: firstly, Egypt's active involvement in international efforts to resolve the conflict between the Palestinians and the Israelis; secondly, its leadership role in the League of Arab States, which, from its headquarters in Cairo, co-ordinates the political response of the Member States to the Palestinian question and the current Iraq crisis; thirdly, its uncompromising position regarding the civil war in the Sudan, a position dominated by the country's national self-interest relating to the Nile river.

- **Security Situation**

In response to the ongoing situation in the Palestinian occupied territories and the resulting demonstrations in Cairo and other cities in Egypt, UN Security Phase One was declared in April 2002. All UN staff arriving on official business in Egypt was requested to receive a security clearance prior to arrival in the country. The travel restriction on some cities in upper Egypt continued to be in effect. In 2002, UNHCR Cairo, in accordance with MOSS guidelines, purchased ten additional handset radios. Smoke detectors and fire extinguishers for the new premises were also procured. With the onset of the war in Iraq, the UN security warden system was mobilized and UN staff has since been receiving security advisories from the Field Security Officer at UNDP on a regular basis.

- **Protection Issues**

The Arab Republic of Egypt is party to the 1951 Convention and the 1967 Protocol relating to the Status of Refugees. Egypt is also party to the 1969 OAU Convention governing the Specific Aspects of Refugee Problems in Africa. However, besides an agreement with UNHCR signed on 10 February 1954 and two "technical decrees" from the Ministry of Interior related to the granting of residence permits and travel documents to refugees (implemented only partially), there is no national legislative framework on asylum.

The 1954 Agreement between the Egyptian Government and UNHCR has been a useful framework in committing the Government to maintain a generous admission policy; to observe the principle of non-refoulement; to grant UNHCR an unhindered access to any asylum seeker or refugee detained for illegal entry or stay in the country; and to provide temporary residence permits to recognized refugees and asylum seekers.

In the absence of national asylum legislation and the requisite institutional arrangements and capacity, UNHCR provides by default the necessary protection to refugees under its mandate by implementing a refugee status determination procedure and coordinating with the relevant authorities' measures to prevent detention, deportation or refoulement. As the refugees do not enjoy many socio-economic rights due to Egypt's reservation on some key provisions of the 1951 Convention, they are mostly dependent on the assistance provided by UNHCR and non-governmental organizations to meet their subsistence, educational and material needs.

Since 1954, UNHCR Cairo has considered the following persons as falling under its mandate:

- Persons meeting the criteria of the refugee definition of the instruments elaborated between 1921 and 1947;
- Persons meeting the criteria of the refugee definition contained in Article 6B UNHCR Statute of 14 December 1950;
- Persons meeting the criteria of the refugee definition contained in Article 1 of the 1951 Convention relating to the Status of Refugees;
- Palestinian refugees in the sense of UN General Assembly Resolution 194 (III) of 11 December 1948 and other UN General Assembly Resolutions, provided they are outside UNRWA's area of operation;
- Persons meeting the criteria of the extended refugee definition enshrined in article I.2 of the 1969 OAU Convention governing the Specific Aspects of Refugee Problems in Africa;
- Persons falling under the scope of the definition of stateless person contained in the 1954 Convention relating to the Status of Stateless Persons, in line with UNGA resolution 3274 of 10 December 1974; and
- Persons in need of temporary protection as per UNHCR Headquarters' country specific guidelines and who would not fall under any of the above mentioned international instruments.

Since the late 1990s, the number of refugee applicants approaching UNHCR Cairo has increased considerably. At December 2001, a total of 15,655 refugee applicants were awaiting first instance interviews for a period of upto 24 months. Although the special RSD project in operation since June 2001 with the funding support of the Department of International Protection has reduced significantly the backlog of cases, the rate of new applications throughout 2002 averaged around 750 cases per month. By December 2002, there were 8,920 unprocessed applications at first-instance and over 5,000 appeals pending decision.

Clearly, the refugee status determination procedures as currently operated by UNHCR Cairo are failing to cope with the heavy demands made upon them. The effective functioning of these procedures have been all the more difficult in the face of a less active role played by the authorities in this crucial area of refugee protection. The operation of such resource-intensive case-by-case refugee status determination has also distracted the attention of UNHCR Cairo from addressing effectively other protection concerns. It is to this end that UNHCR Cairo is currently engaged with the competent authorities in exploring other viable options for a sustainable management of refugee status determination procedures.

- **UNHCR's Role**

In the absence of a structured national asylum system, UNHCR assures reception of asylum seekers and processing of their refugee applications. Likewise, UNHCR will have no option but to continue to assist the most needy refugees and vulnerable asylum seekers until such time as the Government is willing and able to provide such assistance. In 2004, RO Cairo will concentrate more on raising self-reliance among recognized refugees through increased vocational training, job counselling and some self-help programs through its NGO implemented partners. These initiatives are already at varying stages of implementation in 2003.

RO Cairo, as a designated Area Service Centre, will provide technical backup and support services to UNHCR offices in the countries in the region as appropriate. Harmonisation of criteria for protection, assistance and durable solutions in the region will be pursued, in line with CASWANAME strategy and the policies of the Department of International Protection. Through public information activities and co-operation with the Arab League and other inter-governmental organisations, RO Cairo will actively seek to promote refugee protection and asylum in the region.

- **Overview of Beneficiary Population**

As of 31 December 2002, about 10,000 refugees of various nationalities were under the protection of UNHCR. With 72%, Sudanese constituted the largest group of recognized refugees followed by Somalis with 15%. The rest was composed of some 27 other different nationalities, mainly from Africa. Approximately 7,000 refugees out of this population had to rely on UNHCR's material assistance to meet their essential needs during the year. Assistance was provided at various rates according to their individual needs. The assistance included monthly subsistence allowances, medical, and education assistance. This larger unplanned beneficiary population was a result of the delayed departures of refugees for resettlement, as well as the increased number of recognized refugees which stemmed from RO Cairo's reinforced RSD interviewing capacity.

In addition to the above refugee population, some 70,000 Palestinians are reported to reside in Egypt. A number of them occasionally approaches UNHCR for protection services, particularly residence issues, access to the territory and family reunion.

Some 6,360 cases (8,920 persons) applied for refugee status in 2002, during which period a total of 9,416 RSD decisions were taken (representing 14,743 individuals). By the end of 2002, the backlog of asylum seekers awaiting first instance interviews was reduced to approximately 9,002 individuals, while the waiting time between registration and the first RSD interview had been reduced from 24 to seven months.

In 2002, a total of 1,723 refugees departed Egypt for resettlement. Given the ongoing conflicts in the Sudan and Somalia, voluntary repatriation was not a viable option for the majority of the refugees. In the case of Yemeni refugees, however, 137 persons were assisted by UNHCR for voluntary repatriation during 2002.

- **Policy Issues**

There are four important policy areas requiring particular attention by RO Cairo and headquarters:

First, RO Cairo is currently considering the option of group-based protection for some nationalities instead of case-by-case identification of refugees. This will obviously increase the number of recognized refugees which will in turn require additional funds for assistance and self-sufficiency projects as well as for resettlement processing.

Second, many destitute long-staying refugees will continue to rely on UNHCR assistance. Even with RO Cairo's renewed focus on self-reliance strategies for refugees, it will not be possible to discontinue UNHCR's care and maintenance programme altogether.

Third, despite considerable efforts to clear the backlog in refugee status determination process that has been built over many years, large numbers of new refugee applicants continue to approach RO Cairo. UNHCR's inability to expedite the process means that there is an increasing number of destitute asylum seekers who do not benefit from UNHCR's limited assistance programme.

Fourth, in view of the opportunities presented by the Machakos peace negotiations for a possible mass voluntary repatriation to Sudan, there is a need for a closer co-operation and co-ordination between RO Cairo and the Regional Bureau for Africa to develop planning for possible voluntary repatriation movements in the coming year.

- **Linkage to Other Countries within a Defined "Situation"**

RO Cairo will continue to consult and coordinate with the other UNHCR Offices in the region in the development of new, harmonized policy responses to certain refugee situations i.e. Sudanese, Somalis, Eritreans, Ethiopians and Iraqis.

- **Capacity and Presence of Implementing Partners**

In 2003, UNHCR Cairo is working with five implementing partners: Caritas Egypt, St. Andrews Church, Family Planning Association, Joint Relief Ministry and Catholic Relief Services. In addition, a number of churches and humanitarian organisations provide some assistance and services to refugees and asylum seekers without UNHCR funding.

In 2004, the main implementing partner Caritas Egypt will be responsible, in co-ordination with UNHCR, for assessing the needs of individual refugees and providing assistance in terms of self-reliance activities. Only needy destitute refugees will continue to be assisted with monthly subsistence allowances following a thorough needs assessment interview. Catholic Relief Services (CRS) will be responsible for the education sector in 2004 as well as vocational training for refugees who are in a position to achieve self-reliance. It is planned that CRS will assist some 2300 refugee students with education grants and some 500 refugees with vocational training in the areas of sewing, carpentry, car and electrical repair.

The Joint Relief Ministry will be responsible for counselling, support and medical assistance for pregnant refugee women, victims of torture and TB cases.

The Refugee Ministry of St. Andrews and All Saints Cathedral will provide individual education assistance to refugee children who are not able to enrol in Government or special refugee schools. English language courses will continue to be provided for adult refugees by St. Andrews.

The Family Planning Association will continue to provide basic health education (including AIDS/HIV prevention) and information on reproductive health.

The NGO Care with Love (CWL) will assist UNHCR in the providing on-the-job vocational training to selected refugees not eligible or not in need of resettlement to enhance their chances to find local employment in Egypt.

The United Nations Volunteer (UNV) programme based in UNDP office in Cairo will continue to provide absolutely essential support to UNHCR Cairo protection staff in a number of crucially important areas: refugee status interviewing, identification of resettlement needs, family reunification processing, registration and documentation, country of origin and legal research, appeals screening procedure and protection monitoring.

IOM will remain responsible for providing assistance in processing the departure of refugees accepted for resettlement.

- **Presence and Roles of Other UN Agencies and International Organisations**

RO Cairo will continue to participate in the UN inter-agency forum, under the Resident Co-ordinator system, to consolidate the results already achieved and to explore further co-operation to improve cost-effectiveness. No other UN agencies except UNHCR are involved in assisting refugees under their programmes in Egypt. Assistance to refugees is not seen as an inter-agency priority within the framework of the UNDAF for the period 2002-2006. UNHCR remains involved in the UN Disaster Management Team and is the Chair of the Interagency Group, which includes interested embassies, NGOs and others.

With the signature of the Co-operation Agreement between UNHCR and the League of Arab States (LAS) in June 2000, RO Cairo has been maintaining a high level representation with the LAS Secretariat. RO Cairo will seek to engage in more contacts and dialogue with the LAS Secretariat and its technical departments, with a view to establishing practical joint working arrangements in pursuit of refugee protection in the League's Member States, including accession to the 1951 Convention / 1967 Protocol and adoption of domestic asylum legislation. RO Cairo is also exploring the possibilities for using the EU-Mediterranean (Barcelona process) as a useful means for facilitating EU support to Egypt in asylum capacity –building.