EGYPT COUNTRY STATEMENT

ADDRESSING MIGRANT SMUGGLING AND HUMAN TRAFFICKING

September 2017

This report is one of 10 country statement reports covering: Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Somalia, South Sudan, Sudan, Uganda and Yemen









Egypt Country Statement: Addressing Migrant Smuggling and Human Trafficking in East Africa



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This report is one of a series of ten country statements, produced as part of the project *"Addressing Mixed Migration Flows in East Africa"*, funded by the European Commission (EC) and implemented by Expertise France.

The overall project consists of three components:

- Assisting national authorities in setting up or strengthening safe and rights-respectful reception offices for migrants/asylum seekers/refugees.
- Supporting and facilitating the fight against criminal networks through capacity building and assistance to partner countries in developing evidence-based policies and conducting criminal investigations, most notably by collecting and analysing information about criminal networks along migration routes.
- Supporting local authorities and NGOs in the provision of livelihoods and self-reliance opportunities for displaced persons and host communities in the neighbouring host countries.

As part of the second component, Expertise France contracted the Regional Mixed Migration Secretariat (RMMS) in Nairobi to implement the project "Contributing to enhanced data collection systems and information sharing on criminal networks involved in facilitating irregular migration in the Eastern Africa region". This project aims to provide updated knowledge on migration trends and related issues, as well as technical assistance to partner countries on data collection, analysis and information sharing. In all the country statements, the focus is on human trafficking and migrant smuggling.

These country statements are the output of this project. They provide a technical appraisal of existing data related to mixed migration, including data on trafficking: insight on routes and *modi operandi* of criminal networks involved in facilitating irregular migration; and assessments of existing national data collection systems and government capacity to address migrant smuggling and human trafficking. The analysis highlights technical capacity gaps and challenges faced in responding to such phenomena, aiding the identification of capacity building needs in the areas of data collection, analysis and information sharing.

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The research was commissioned by Expertise France, in the wider context of the EU-Horn of Africa Migration Route Initiative (the "Khartoum Process"). The research was conducted by an international consultant in 2016, in cooperation with national researchers under the operational management and technical oversight of RMMS in Nairobi.

The lead researcher and author of this report was Mr. Peter Tinti (an international consultant). The final English editor was Mr. Anthony Morland



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EXECUTIVE SUMMARY

Situated at the crossroads of Africa and the Middle East, the Arab Republic of Egypt has emerged in recent years as a significant departure and transit point to Europe. The United Nations Refugee Agency (UNHCR) estimates that 10,689 of the 173,038 migrants who arrived in Italy in 2016 embarked from Egypt. While this represents a slight decline compared to 2015's figure of 11,114, and a small year-on-year drop in the percentage (from 7.7 to 6.2) of total migrant arrivals, Egypt remains the second most important country of embarkation after Libya (90 per cent) for migrant flows along what is known as the "central Mediterranean route" to Italy.¹

Those arriving in Italy from Egypt are migrants and asylum seekers primarily from Eritrea, Sudan, and Somalia who transit through Egypt to cross the Mediterranean. In addition to these flows from sub-Saharan Africa, Syrians, many of whom originally came to Egypt with plans to seek asylum there after the onset of the Syrian conflict in 2011, have also used Egypt as a transit country to Europe in recent years. Although Egyptians are not among the top 10 nationalities arriving in Italy, Egypt is also a source country. Almost 60 per cent of Egyptians who arrived in Italy in 2016 were unaccompanied and separated minors, the highest proportion recorded during that period of any nationality.²

These irregular journeys are facilitated by migrant smuggling networks operating within Egypt, some with transnational connections that span several countries. These networks have coalesced around unprecedented demand for smuggler services out of Egypt, and have built a sophisticated migrant smuggling infrastructure capable of adapting to the needs of their prospective clients and of responding to external and internal developments in order to stay in business. Human trafficking in Egypt takes place within the context of migrant smuggling but also independently of it. Migrants from the Horn of Africa in particular find themselves vulnerable to groups that specialize in kidnap for ransom, extortion, debt bondage, sex trafficking and forced labour.

This technical report will focus specifically on these migrant smuggling and human trafficking networks in Egypt and assess areas of potential cooperation with Egypt to support data collection, analysis and sharing in order to combat these networks. The Egyptian government has made considerable progress in recent years in strengthening its legal and institutional frameworks to counter migrant smuggling and human trafficking within its territory, and enjoys continuing support from an array of international partners.

¹ UNHCR (2017). Italy Sea Arrivals Dashboard. January – December 2016.

² Ibid.



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METHODOLOGY

This report is a technical qualitative study, informed by fieldwork supplemented by a comprehensive desk review of primary and secondary materials. In-depth, semi-structured interviews with stakeholders, migrants, smuggling interlocutors, and key other informants formed the core of the fieldwork carried out in Cairo, Alexandria and various hubs of migrant smuggling activity within Egypt.³

Although there is some existing literature on mixed migration flows through Egypt, there is relatively little regarding migrant smuggling and human trafficking networks operating in Egypt or on government responses to these networks, with the exception of the flows through the Sinai that have dissipated in recent years due to military operations and increased border security. A select bibliography of pertinent literature is included at the end of this report.

This report uses the terms "migrant smuggling" and "human trafficking" according to the definitions outlined in the United Nations Convention against Transnational Organized Crime (UNTOC). Article 3 of the convention's Protocol against the Smuggling of Migrants by Land, Sea and Air (the Migrant Smuggling Protocol) defines migrant smuggling as "the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a state party of which the person is not a national."⁴

The convention's Protocol to Prevent, Suppress and Punish Trafficking in Persons defines human trafficking as "the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation."⁵

³ Due to logistical and time challenges, a "gap analysis" workshop attended by government officials could not be organized in Egypt. So unlike most other reports in this series, this report does not include an annex summarising workshop discussions.

⁴ United Nations Office on Drugs and Crime (2004). United Nations Convention against Transnational Organized Crime and the Protocols Thereto. Available at: https://www. unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/ TOCebook-e.pdf

⁵ Ibid.



The 'new' gateway to Europe

Egypt has for many years been a source country for irregular migrants seeking passage to Europe, most notably young Egyptians seeking employment in Italy. Yet with the onset of the Arab Spring in 2010 and the subsequent conflicts in Libya and Syria, Egypt has emerged as a key transit country from which smuggling networks facilitate the movement of economic migrants and asylum seekers from East Africa and the Horn of Africa, as well as from Syria to Europe, via the Mediterranean Sea. Since 2013, nationals from Eritrea, Somalia, Sudan, Ethiopia and Syria are increasingly among those leaving Egyptian shores for Europe.

There is relatively little reliable data regarding the numbers of migrants departing or attempting to depart by boat from Egypt, in part because estimates are deduced from detentions in Egypt and arrivals in Italy, both of which are problematic indicators. It is unlikely that those detained at the Egyptian coast form a representative sample of those departing, or that increases in numbers detained and intercepted in Egypt correlate in any way to departures from the country.⁶ Similarly, figures based on arrivals in Italy along the central Mediterranean route do not always indicate whether migrants departed from Libya or Egypt, a distinction further blurred by the fact that sometimes migrants who depart from Egypt are consolidated at sea in larger boats with migrants departing from Libya, or they may stop in Libya before continuing to Italy.⁷

With the escalation of the war in Syria and the implementation of new border security measures that cut off irregular migration into Israel via the Sinai, Egypt saw a spike in the total number of refugees and asylum seekers registering for protection in Egypt. In January 2012, the total number of registered refugees and asylum seekers stood at 44,670.⁸ In 2013, that number rose to approximately 250,000, rising to 260,000 in 2014, and decreasing slightly back down to 250,000 in 2015.⁹

Egypt formally introduced a three-year permit for refugees in 1996. In practice, this policy has translated into the issuance of renewable, six-month permits in the form of "blue cards" for refugee and "yellow cards" for asylum seekers that are issued

⁶ Key informant interviews in Egypt, July 2016.

⁷ Ibid.

⁸ UNHCR Egypt Factsheet, January 2012. Available at: http://www.unhcr.org/4f4c956c9. pdf

⁹ UNHCR Global Report: Egypt. Available at: http://reporting.unhcr.org/ node/2540?y=2014#year



by UNHCR.¹⁰ These registration procedures allow refugees to establish residency and to access various goods and services, but the protections offered via the government and aid organizations are limited, and most migrants and asylum seekers find themselves with limited access to the formal economy due a range of cultural and political barriers. As a result, migrants try to generate income in the informal economy in order supplement decreasing assistance from aid organizations.¹¹ Palestinian refugees are not eligible for these protections according to Egyptian law, and Palestinian refugees from Syria have been told by the Egyptian government that they must go to Lebanon or return to Syria.¹² Although Egypt has improved its legal protection to vulnerable migrants and refugees in recent years, rights groups regularly report cases of refugees being detained and deported.¹³ Monitoring arrests and detention of irregular migrants is, however, difficult. Those who are released are generally those who are registered with UNHCR and were detained as families; children and the elderly; or those with immediate relatives in Egypt.¹⁴ Aside from arrests and detentions, migrants report being subject to arbitrary abuse and harassment by non-state actors, such as employers and criminal groups, and are hesitant to report such cases to authorities.¹⁵

As the flow of asylum seekers into Egypt has increased, the protection space has shrunk, and socio-economic conditions for all asylum seekers, especially for Syrian refugees, has led to more people deciding to depart Egypt irregularly to seek protection elsewhere.¹⁶ At the onset of the war in Syria, Egypt was a preferred destination for many Syrians because they could enter the country without a visa. The relatively low cost of living compared to other countries in the Middle East, the similarities between Egyptian and Syrian culture, and the perception, as evidenced by policy, that Egypt offered a welcoming environment for Syrian refugees, also drew Syrians to Egypt. In 2013, however, Egypt's new government changed its visa policy. As a result, Syrians, who were able to tap into the Syrian diaspora and their own purchasing power to pool resources, began seeking the services of smugglers to leave Egypt for Italy by boat.¹⁷

- 10 North Africa Mixed Migration Task Force (2015). Conditions and Risks of Mixed Migration in North East Africa: Study 2. Available at: http://www.mixedmigrationhub.org/wp-content/uploads/2015/11/ Conditions-and-Risks-in-Mixed-Migration-in-North-East-Africa.pdf
- 11 Reitano, T. and Tinti, P. (2015). Survive and Advance: The economics of smuggling migrants and refugees into Europe. Available at: https://issafrica.s3.amazonaws.com/site/uploads/Paper289-2. pdf
- 12 Human Rights Watch (2013). Egypt: Detained, Coerced to Return. Available at: https://www.hrw. org/news/2013/11/10/egypt-syria-refugees-detained-coerced-return
- 13 North Africa Mixed Migration Task Force (2015). Conditions and Risks of Mixed Migration in North East Africa: Study 2. Available at: http://www.mixedmigrationhub.org/wp-content/uploads/2015/11/ Conditions-and-Risks-in-Mixed-Migration-in-North-East-Africa.pdf
- 14 Malakooti, A. (2015). Migration Trends across the Mediterranean: Connecting the Dots. Altai Consulting. Available at: http://www.altaiconsulting.com/docs/migration/Altai_Migration_trends_ accross_the_Mediterranean.pdf
- 15 Tinti, P. and Reitano, T. (2016). Migrant, Refugee, Smuggler, Saviour. Hurst Publishers, London.
- 16 Malakooti, A. (2015). Migration Trends across the Mediterranean: Connecting the Dots. Altai Consulting. Available at: http://www.altaiconsulting.com/docs/migration/Altai_Migration_trends_ accross_the_Mediterranean.pdf
- 17 Reitano, T. and Tinti, P. (2015). Survive and Advance: The economics of smuggling migrants and refugees into Europe. Available at: https://issafrica.s3.amazonaws.com/site/uploads/Paper289-2.pdf

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The importance of Egypt as a destination country for Syrians therefore declined, although it remains a transit country for Syrians heading to Europe.¹⁸

Migrant smuggling networks began to coalesce around this new Syrian market for their services, and 2013 saw the first arrivals in Europe of Syrians who had left from Egypt, as well as the first large-scale detection and detention of Syrian migrants within Egypt.¹⁹ As smuggling infrastructure along Egypt's North Coast grew during 2013 and 2014, migrants and asylum seekers from other countries began to access these networks.²⁰ The majority of those joining the flow of Syrians from Egypt to Italy were from the Horn of Africa. Many had come to Egypt in search of employment, had been living in Egypt after having unsuccessfully tried to cross into Israel, or had been trafficked into Egypt against their will.²¹ Key informants who work for an organization monitoring detention of migrants and refugees along the North Coast, for example, began to notice a marked rise in detentions of Sudanese, Somalis, and Eritreans in 2014.²²

In addition to asylum seekers and refugees already in Egypt who decide to seek protection elsewhere, migrants and asylum seekers from the Horn of Africa are believed to be increasingly using Egypt as a transit country for onward migration directly to Europe across the Mediterranean. Although most Eritreans heading to Europe go through Libya, a growing number are reportedly now travelling through Egypt because of the increased risks faced on the Sudan-Libya route.²³

According to the director of the Eritrean Initiative on Refugee Rights, based in Stockholm, speaking with the news outlet IRIN, Chadian gangs as well as Islamic State (ISIS) militants have been responsible for kidnappings of Eritreans in Libya.²⁴ Prospective Eritrean migrants have long been familiar with the risks associated with transiting through Sudan and Libya, including abuse and kidnapping for ransom, but the emergence of ISIS and similar groups, which are reported to target Christian migrants for mistreatment and enslavement rather than ransom,²⁵ is believed to be an emerging deterrent for Christians who are instead choosing to transit through Egypt.

Although Cairo has long been home to a small community of Eritreans, interviews with aid and humanitarian workers there corroborated reports of a surge in Eritrean arrivals in 2016,

- 21 Malakooti, A. (2015). Migration Trends across the Mediterranean: Connecting the Dots. Altai Consulting. Available at: http://www.altaiconsulting.com/docs/migration/Altai_Migration_trends_ accross_the_Mediterranean.pdf
- 22 Key informant interviews in Egypt, July 2016.

- 24 Haddon, H (2016). For Eritreans, Egypt is the new route to Europe. IRIN, 6 June 2016. Available at: http:// www.irinnews.org/feature/2016/06/06/eritreans-egypt-new-route-europe
- 25 Gebrekidan, S. *How an Eritrean Woman Escaped ISIS' Enslavement in Libya*. Reuters. 19 August 2016. Available at: http://www.haaretz.com/middle-east-news/isis/1.737713

¹⁸ Ibid

¹⁹ Human Rights Watch (2013). Egypt: Detained, Coerced to Return. Available at: https://www.hrw. org/news/2013/11/10/egypt-syria-refugees-detained-coerced-return

²⁰ Reitano, T. and Tinti, P. (2015). Survive and Advance: The economics of smuggling migrants and refugees into Europe. Available at: https://issafrica.s3.amazonaws.com/site/uploads/Paper289-2. pdf

²³ Ibid.



many of whom registered for protection services as they planned for onward movement across the Mediterranean. Aid and humanitarian organizations have noticed a similar trend among Sudanese migrants, who are departing from and being detained along the North Coast in greater numbers than before.²⁶

A closed route to Israel

Egypt emerged as a transit country for asylum seekers from the Horn of Africa, and primarily Eritrea, seeking irregular entry into Israel in the mid-2000s. According to the Israeli government, close to 60,000 asylum seekers entered Israel between January 2006 and March 2012, of which 57 per cent (33,912) were from Eritrea.²⁷ UNHCR statistics indicate that asylum applications in Israel increased from 1,348 in 2006 to 17,175 in 2011, with almost 1,000 people crossing the Sinai into Israel every month during 2010.²⁸

Israel became a popular destination for irregular migrants from the Horn of Africa in part because of perceived employment opportunities and benefits available, which for many migrants outweighed the considerable risks the journey entailed.²⁹ In 2012, in response to the spike in asylum seekers from the Horn of Africa, Israel amended its existing law on preventing infiltration to define all adults who crossed the border irregularly, including refugees, as "infiltrators" who could be detained for three years before being deported. Legal challenges to the amendment led the law to be changed again in 2013 to the effect that "infiltrators" can now be held for up to one year in "open" detention facilities, before being deported to their country of origin or to a third country.³⁰

Israel has reinforced these legal measures by constructing a 10,000-person detention centre for "infiltrators" and building a fence along the Sinai Israel border.³¹ There are also reports that the Israeli government has resorted to firing warning shots, throwing stun grenades, and deploying tear gas to push back and discourage migrants at its border.³²

These policies, combined with abuse and trafficking along routes to the Sinai (discussed in further detail in the next section) reduced irregular crossings into Israel via the Sinai to almost zero in 2013. Yet as the section above described, the closure of the route has led to a surge of

²⁶ Key informant interviews in Egypt, July 2016.

²⁷ Humphris, R (2013). Refugees and the Rashaida: Human smuggling and trafficking from Eritrea to Sudan and Egypt. New Issues in Refugee Research, Paper No. 254. Available at: http://www.unhcr. org/51407fc69.pdf

²⁸ Ibid.

²⁹ Ibid.

³⁰ Van Reisen, M., Estefanos, M., and Rijken, C. (2012). Human Trafficking in the Sinai: Refugees between Life and Death. Brussels: Tilburg University/EEPA. Available at: http://www.ehrea.org/report_Human_ Trafficking_in_the_Sinai_20120927.pdf

³¹ Humphris, R (2013). Refugees and the Rashaida: Human smuggling and trafficking from Eritrea to Sudan and Egypt. New Issues in Refugee Research, Paper No. 254. Available at: http://www.unhcr. org/51407fc69.pdf

³² RMMS (2014). Going West: Contemporary mixed migration trends from the Horn of Africa to Libya &Europe.Available at: http://www.regionalmms.org/images/ResearchInitiatives/Going_West_migration_trends_Libya_Europe_final.pdf



migrants applying for protection in Egypt, as well as an increase in migrants looking to depart from Egypt to Italy via the Mediterranean.

A destination country

Egypt is a destination country for some irregular migrants from the Horn of Africa seeking employment and educational opportunities, in addition to those seeking asylum. For others, Egypt becomes a destination country only upon the realization that the journey to Europe is harder than anticipated.³³ . Additionally, some migrants and asylum seekers who have settled in Egypt were pushed into the country by the increased controls along the Egypt-Israel border. Many East Africans who had originally intended to move to Israel but found it inaccessible have decided to remain in Egypt and move to other parts of the country outside the Sinai.²⁴

In addition to migrants from East Africa and the Horn of Africa, Egypt is a destination country for small numbers of irregular migrants from West Africa and Asia, with many coming on tourist or educational visas with the intention of overstaying them and seeking employment.³⁵ Asian workers, according to one report by Altai Consulting, tend to be mainly from Bangladesh, Sri Lanka, Malaysia, Indonesia and the Philippines, with the Bangladeshi embassy estimating that there were 7,000 Bangladeshi migrant workers in Egypt as of 2015.³⁶

Even though Egypt no longer allows Syrians to enter without a visa, it is still a destination country for some Syrians because it is one of the least expensive places to live in the Middle East and there is a perception that there are still jobs to be found in the black market for educated people who speak Arabic.³⁷ Interviews in Cairo and Alexandria indicated that Syrians who wish to enter the country irregularly either obtain false documents or purchase Egyptian visas on the black market and fly directly to Egypt, or fly into Sudan and seek smuggler services once in Khartoum or Port Sudan.³⁸ Lastly, some Syrians choose travel irregularly in order to reunite with family living in Egypt.

A source country

Although Egyptians are not among the top 10 nationalities arriving in Italy, in 2016 they comprised the fourth highest number by country of unaccompanied and separated children (UASC) arriving in Italy. Since 2011, Egypt has had the highest ratio of unaccompanied minors to total irregular migrants reaching Europe. In 2014, 50 per cent of the 4,095 Egyptians arriving irregularly in Italy were unaccompanied children in comparison to 28 per cent in 2011. In 2015,

38 Ibid.

³³ Malakooti, A. (2015). Migration Trends across the Mediterranean: Connecting the Dots. Altai Consulting. Available at: https://publications.iom.int/system/files/altai_migration_trends_accross_ the_mediterranean.pdf

³⁴ Ibid.

³⁵ Key informant interviews in Egypt, July 2016.

³⁶ Malakooti, A. (2015). Migration Trends across the Mediterranean: Connecting the Dots. Altai Consulting. Available at: https://publications.iom.int/system/files/altai_migration_trends_accross_ the_mediterranean.pdf

³⁷ Key informant interviews in Egypt, July 2016.



66 per cent of the 2,610 Egyptian irregular migrants to arrive in Italy were UASC.³⁹ Furthermore, 58 per cent of all Egyptians who arrived in Italy in 2016 were UASC, which is the highest proportion recorded during that period.⁴⁰ The first half of 2016 saw a surge in Egyptian arrivals to Italy, with 1,150 UASC arriving in the first five months of the year, compared to only 94 during that same period in 2015.41 Italy has been a destination country for unaccompanied Egyptian children for decades, with Egyptian networks based in Italy arranging potential jobs in the informal sector for Egyptian minors, usually as farmhands or as street vendors. The possibility of acquiring Italian citizenship is widely cited as the main pull factor to Italy.⁴² Children from poor backgrounds with limited access to education and from areas where children as young as 14 or 15 start generating income for their families are often encouraged by family members to embark upon the journey.⁴³ Unaccompanied children cannot be repatriated from Italy according to the Child Protection Law, and minors are allowed to remain in Italy if they choose. They can acquire citizenship after they turn 18, so long as they reside permanently in Italy for three years and complete a two-year social integration program during that period.⁴⁴ These laws present a powerful pull factor for unaccompanied minors to Italy, generating a culture of migration in which migrant children come from the same areas, and people in these towns and villages know who to contact in order to facilitate an irregular journey to Italy.45

While only a few thousand Egyptian adults arrive in Italy irregularly per year, sources in Egypt believe that Egyptian adults who make the journey are being undercounted, as many Egyptians claim to be Syrian upon arriving in Italy in hopes of obtaining refugee status. During fieldwork for this report, researchers heard from multiple sources that some Egyptian families are hosting Syrian families for free in exchange for mastering the Syrian dialect of Arabic, and learning information about towns, places and cultural idioms, so that they can more convincingly claim to be Syrian upon arrival in Italy.⁴⁶

- 45 Key informant interviews in Egypt, July 2016.
- 46 Ibid.

³⁹ IOM (2016). Egyptian Unaccompanied Migrant Children: A case study on irregular migration. Available at: https://publications.iom.int/system/files/egyptian_children.pdf

⁴⁰ UNHCR (2017). Italy Sea Arrivals Dashboard. January – December 2016.

⁴¹ Walsh, D. Facebook Envy Lures Egyptian Teenagers to Europe and the Migrant Life. New York Times. 23 June 2016. Available at: http://www.nytimes.com/2016/06/24/world/middleeast/facebook-envyand-italian-law-lure-egyptian-teenagers-to-europe.html?_r=0

⁴² NCCPIM. Illegal Migration of Egyptian Unaccompanied Children. Available at: http://nccpim.gov. eg/illegal-migration-of-egyptian-unaccompanied-children/

⁴³ Key informant interviews in Egypt, July 2016.

⁴⁴ NCCPIM. Illegal Migration of Egyptian Unaccompanied Children. Available at: http://nccpim.gov. eg/illegal-migration-of-egyptian-unaccompanied-children/



3.0 MIGRANT SMUGGLING AND HUMAN TRAFFICKING IN EGYPT

From Sudan to Egypt

Migrants and asylum seekers from Eritrea, Ethiopia, Somalia, and to a lesser extent, Syria, transit through Sudan with the assistance of smugglers in order to enter Egypt irregularly. The smuggling networks facilitating flows from Sudan into Egypt operate both out of eastern Sudan, from where migrants travel directly to Egypt, and from the capital, Khartoum, which is a key consolidation point for migrants from the Horn of Africa who seek passage to Europe via either Libya or Egypt. While the vast majority of migrants and asylum seekers seeking passage to Europe via North Africa transit though Libya, some choose Egypt as a destination or transit country. Interviews in Cairo suggested that the deteriorating security situation in Libya, combined with increased awareness of systemic abuse of sub-Saharan Africans in Libya, particularly of Eritreans and Somalis, have re-routed some of the flows to Egypt.⁴⁷

In some cases, these migrants initially plan to work or seek asylum in Egypt, and then access smuggler services out of Egypt after failing to find sufficient employment, or deciding that the asylum process in Egypt takes too long or does not provide sufficient protection. In others cases, migrants enter Egypt solely for transit, with plans to move towards the coast as quickly as possible or after earning enough money to finance the rest of their journey.

A 2015 study by the North Africa Mixed Migration Task Force⁴⁸ (NAMMTF) identified three main routes into Egypt from Sudan: the Aswan-Abu Simbel-Lake Nasser route, the East Oweinat route, and the Halayeb-Shalateen route, which in some cases also crossed the Allaqi Valley in southeastern Egypt due to the heavy military presence in the Red Sea Governorate.⁴⁹ Researchers for this report found that the crossings into Egypt from Sudan were so diverse that they did not correlate exactly with the routes outlined above, although the NAMMTF routes did fit within the broader flows identified during fieldwork in Sudan and Egypt.⁵⁰

- 48 The NAMMTF consists of the Danish Refugee Council, IOM, he Office of the United Nations High Commissioner for Human Rights, RMMS, Save the Children, UNHCR, UNICEF and the United Nations Office on Drugs and Crime. It promotes a human rights-based approach to ensuring the protection of people moving in mixed and complex flows to, through and from North Africa.
- 49 North Africa Mixed Migration Task Force (2015). Conditions and Risks of Mixed Migration in North East Africa: Study 2. Available at: http://www.mixedmigrationhub.org/wp-content/uploads/2015/11/Conditions-and-Risks-in-Mixed-Migration-in-North-East-Africa. pdf
- 50 Key informant interviews in Egypt, July 2016.

⁴⁷ Key informant interviews in Egypt, July 2016



In some cases, for example, Ethiopian, Eritrean, and Somali migrants pay smugglers in eastern Sudan to cross directly into Egypt without passing through Khartoum, in which case their routes to Egypt may pass only through eastern Sudan (with the city of Port Sudan and the surrounding area sometimes serving as a consolidation point). They enter Egypt by crossing into its southeastern Red Sea Governorate. In other cases, migrants in eastern Sudan who pay for direct passage to Egypt, without stopping in Khartoum, follow the same route as those who pay for direct passage from eastern Sudan to Libya, with the area near Dongola, the capital of Sudan's Northern State, serving as the crossroads from where the itineraries to Egypt and Libya diverge.⁵¹ Migrants who leave from Khartoum, depending on the smugglers they use and the services they pay for, may be taken back into eastern Sudan, or fly to Port Sudan, from where they cross into Red Sea Governorate. Migrants departing from Khartoum may also follow the same route as those transiting to Libya, with Dongola and its surrounding areas once again serving as the point from where the itineraries to Egypt and Libya diverge. Those continuing to Egypt from Dongola may cross into Red Sea Governorate, Aswan Governorate, or New Valley Governorate depending on the itinerary.⁵² Another route from Sudan into Egypt, identified in the aforementioned NAMMTF report, takes irregular migrants via Aswan by using fishing boats through Lake Nasser. This route is reportedly most popular among asylum seekers from Syria.53

The networks facilitating flows from eastern Sudan directly into Egypt run parallel to and overlap with groups that are engaged in trafficking in migrants. Migrants along this route, especially Eritreans, are particularly vulnerable to abuse and exploitation. As previously mentioned, migrant flows from the Horn of Africa to Israel via the Sinai have largely stopped since 2013, but between 2009 and 2013, when the flows were at their height, a wide network of traffickers emerged who specialised in kidnapping for ransom and exploitation of migrants from the Horn of Africa, who would be taken to Egypt's Sinai desert to be held for ransom. These networks, and the extent to which they are still operating, are discussed in further detail below.

Back and forth to Libya

Irregular migrants also cross into Egypt from Libya, although there are no reliable statistics regarding current flows. Most of those who use smuggler services to cross from Libya into Egypt are non-Libyan nationals primarily from sub-Saharan Africa, who migrate to Libya in search of employment and subsequently seek international protection in Egypt.⁵⁴ At the onset of conflict in Libya in 2011, non-Libyan asylum seekers sought protection at Egypt's Salloum border, where a refugee facility had been established to process third country nationals.⁵⁵ Yet with the closure of the facility in late 2011, and with the Egyptian government increasing its

⁵¹ Key informant interviews in Sudan, August 2016; and Egypt, July 2016.

⁵² Key informant interviews in Sudan, August 2016; and Egypt, July 2016.

⁵³ North Africa Mixed Migration Task Force (2015). Conditions and Risks of Mixed Migration in North East Africa: Study 2. Available at: http://www.mixedmigrationhub.org/wp-content/uploads/2015/11/ Conditions-and-Risks-in-Mixed-Migration-in-North-East-Africa.pdf

⁵⁴ Ibid.

⁵⁵ Ibid.



monitoring of the border due to terrorism concerns, irregular migrants pay smugglers to cross into Egypt through the desert south of the coastal border crossing at Salloum.⁵⁶

Some migrants transit through Egypt to Libya in order to seek boat departures from Libya to Italy. Increased security along that border since 2014, combined with the growing perception that Libya is dangerous, and the emergence of parallel smuggler services in Egypt, are believed have reduced overland flows from Egypt into Libya.⁵⁷ However, the area near the Salloum border crossing is still widely perceived to be a hub of smuggling activity, particularly of illicit and licit goods into and out of Libya, as well as across the Mediterranean, and some irregular crossings in both directions are likely to be still taking place.⁵⁸

Leaving the North Coast

The principal routes out of Egypt are maritime crossings to Italy from launching points along Egypt's North Coast. In 2013, local observers first noticed non-Egyptians seeking smuggler services for passage to Europe in large numbers. Since then, Cairo, Alexandria and their environs have emerged as the principal hubs for smuggling networks. Migrants might make their first point of contact with smugglers over the phone or via text message and social media, via which they are given instructions to arrive at a given location, often in Cairo or Alexandria, from where they are transported and consolidated before being brought to another location along the coast and placed on boats. In addition to areas around Alexandria, various rural locations in northern Egypt, particularly in Beherirah, Kafr al-Sheikh, Damietta, and Dakahlia have emerged as key areas for boat departures.⁵⁹ The structure and organization of these networks facilitating these journeys will be further examined below.

Out of Egypt by air

Egyptians as well as migrants living in Egypt also seek smuggler services to travel to Europe by air out of Cairo or regional airports that fly internationally. According to one source who tracks departures and interdictions out of Egypt, the vast majority of those stopped at the airport, or at some point along a multi-leg flight itinerary starting in Egypt, are Sudanese nationals who "may become something else once they arrive," alluding to the fact that they may claim to be Eritrean or Somali if they think it will increase their chances of receiving international protection.⁶⁰ Similarly, Egyptian nationals might ditch their documents upon arriving in a country, and claim to be Syrian, Iraqi, or Palestinian in hopes of claiming asylum.⁶¹

Those who pay for smuggler services use fake or stolen passports, and the actors that facilitate procurement broadly fall into two categories, according to foreign law enforcement officials

61 Ibid.

⁵⁶ Key informant interviews in Egypt, July 2016.

⁵⁷ Malakooti, A. (2015). Migration Trends across the Mediterranean: Connecting the Dots. Altai Consulting. Available at: http://www.altaiconsulting.com/docs/migration/Altai_Migration_trends_ accross_the_Mediterranean.pdf

⁵⁸ Key informant interviews in Egypt, July 2016.

⁵⁹ Key informant interviews in Egypt, July 2016. See also: Tinti, P. and Reitano, T. (2016). Migrant, Refugee, Smuggler, Saviour. Hurst Publishers, London.

⁶⁰ Key informant interview in Egypt, July 2016.



based in Cairo. The first category of facilitators are organized crime rings that can make or procure high quality forged documents. The second are individuals who steal and sell European passports or who can arrange to loan a travel document with the right visas belonging to someone with similar features to the person travelling.⁶² There are believed to be certain "soft" entry points into the Schengen zone which are said to grant visas more liberally to groups traveling and applying for visas through tour operators, many of which might offer smuggling services alongside their legitimate business activities.⁶³

Networks facilitating Mediterranean crossings to Italy

Although they both operate along the central Mediterranean route, migrant smuggling networks in Egypt tend be more organized than their counterparts in Libya. The technical expertise as well as human resources required to facilitate journeys across the Mediterranean Sea from Egypt are considerably greater than in Libya. In Libya migrant smuggling networks need to devote relatively few resources towards evading or bribing authorities (be they *de facto* or official) and their business models along the coast are tailored to the presence of EU and humanitarian rescue missions patrolling the Mediterranean just outside Libyan territorial waters.⁶⁴ In Egypt, however, a tightly controlled state apparatus means that most smuggling operations must take place in the shadows, outside the purview of state security structures. Barriers to entering the market are high, and migrant smuggling activities can only be carried out by groups that have the ability to avoid detection, or the requisite criminal connections to operate in collusion with, or with the tacit endorsement of certain Egyptian security officials.⁶⁵

Migrant smuggling networks facilitating maritime departures to Europe from Egypt are structured within the confines of the geographic and political realities outlined above. At the lowest level are brokers who recruit migrants and act as the liaisons between migrants on the street and smugglers. Their primary role is to recruit and interact with migrants who are seeking smuggler services and to enter them into the smuggling system. They are easily identifiable within the communities in which they operate, so prospective migrants have no difficulty finding someone acting as a broker.⁶⁶

With rare exceptions, brokers work on commission and have little, if any knowledge of the rest of the network. They may work for several different networks, bringing migrants to different middlemen who link them to the rest of the smuggling infrastructure. Brokers usually recruit their clients from among people of the same ethnicity, are often migrants themselves, and live and work in key migrant hubs and neighbourhoods. Thus, brokers of Ethiopian, Eritrean, Somali, Sudanese, Syrian and Egyptian origin specialize in recruiting from within their own communities.⁶⁷

⁶² Ibid.

⁶³ Ibid.

⁶⁴ Tinti, P. and Reitano, T. (2016). Migrant, Refugee, Smuggler, Saviour. Hurst Publishers, London.

⁶⁵ Ibid.

⁶⁶ Key informant interviews in Egypt, July 2016.

⁶⁷ Ibid. See also, Reitano, T. and Tinti, P. (2015). Survive and Advance: The economics of smuggling migrants and refugees into Europe. Available at: https://issafrica.s3.amazonaws.com/site/uploads/ Paper289-2.pdf



Above brokers are mid-level operatives who oversee the day-to-day operations of migrant smuggling on the ground. They collect money and arrange payments (often via a third party who acts as a guarantor), coordinate transport and logistics, manage relationships with relevant low-level authorities to ensure complicity, oversee the warehousing of migrants in advance of coastal departures, and coordinate drivers, guards, and other low-level cogs in the migrant smuggling industry. When the time comes for coastal departures, they are in charge of making sure that boats have been procured, skippers recruited, and the necessary groundwork done to move pre-gathered migrants to the launch points.⁶⁸

At the top of the pyramid are the high-level smugglers, sometimes referred to as "kingpins" in international media, whose identities are concealed and who are far removed from the day-to-day operations of migrant smuggling. They finance the inputs necessary to make migrant smuggling networks function, and coordinate with other high-level smugglers at the regional and international level (particularly in Libya and Italy).⁶⁹ Local analysts suggest that there are between five and 10 actors operating at this level in Egypt. European law enforcement officials, as well as analysts in Egypt, suggested that some of them have direct connections with criminal counterparts in Italy.⁷⁰

Included within the structure outlined above are countless drivers, sailors, guards, enforcers, scouts and informants whom migrant smuggling networks hire in order to carry out their activities. Local fisherman, for example, may sell their boat to smugglers or be hired to transport migrants from the coast out to international waters, where a larger vessel will be waiting to consolidate migrants before continuing towards Italy.⁷¹ Locals may be hired to accompany or transport migrants during certain parts of the process on land. Certain landlords might rent their property as launching points or migrant "storage" facilities.⁷² Thus in Egypt, the broader smuggling economy, which is growing at a time when the rest of the country's economy is experiencing challenges, encompasses actors that one might not traditionally associate with the smuggling industry.

According to local observers who have been monitoring prices by interviewing migrants and smugglers, this industry is highly influenced by and responsive to events outside of Egypt.⁷³ In 2013 and 2014, for example, the cost of crossing the Mediterranean to Italy was generally in the range of USD 2,500 to USD 4,000, with fluctuations in demand, the time of year, and the nationality of the migrant (Syrians were willing to pay more for safer boats) all affecting the price.⁷⁴ In 2015, however, average prices fell considerably, to as low as USD 1,800, due to an

- 69 Reitano, T. and Tinti, P. (2015). Survive and Advance: The economics of smuggling migrants and refugees into Europe. Available at: https://issafrica.s3.amazonaws.com/site/uploads/Paper289-2. pdf; Tinti, P. and Reitano, T. (2016). Migrant, Refugee, Smuggler, Saviour. Hurst Publishers, London.; and Kingsley, P. Trading in souls: inside the world of the people smugglers. *The Guardian*, 7 January 2015. Available at: https://www.theguardian.com/world/2015/ jan/07/-sp-trading-souls-inside-world-people-smugglers
- 70 Key informant interviews in Egypt, July 2016.
- 71 Ibid.
- 72 Ibid.
- 73 Key informant interviews in Egypt, July 2016.
- 74 Ibid.

⁶⁸ Ibid.



increase in supply (smuggling networks had developed around Syrian demand) and external factors.⁷⁵ The emergence of the Turkey-Greece route and the opening of the Balkans in 2015, for example, meant Syrians in Egypt were flying back to Turkey to make the safer, less expensive journey to Europe. Smugglers had to adjust their prices accordingly to compete with these alternative routes.⁷⁶

Payments for smuggling services for sea crossings are made in a variety of ways. In the case of Syrians, payment is usually made to smugglers via a third party broker, who will keep the entire sum, or a portion of it, in a "migrant escrow" account until the journey has successfully been completed.⁷⁷ Other schemes include paying a portion up front and a portion on arrival, or, in the case of unaccompanied minors, there may be an agreement with the smuggler that the child enters into a debt bondage scheme.⁷⁸ Payment methods include cash transactions to designated persons, formal wire transfers via MoneyGram or Western Union or deposits into designated bank accounts, or informal financial transfer systems such as *hawala*. Those acting as third party brokers and guarantors may be shop owners and vendors who engage in *hawala* transfers as part of their business, merchants involved in the import and export of goods, forex traders who run legitimate and illegitimate money transfer businesses, and even businessman such as restaurant or hotel owners.⁷⁹

At the time of the fieldwork for this report, in July 2016, prices ranged from USD 1,800 to USD 3,200 depending on the nationality of the migrant. Demand for smuggling services is believed to have decreased among Syrians living in Egypt, but increased among Sudanese, Eritreans, Somalis, and Ethiopians.⁸⁰ Local observers noted, however, that there has been an increase in Syrians flying into Sudan, where Syrians are not required to have a visa, and traveling directly to the coast of Egypt with the assistance of smugglers.⁸¹ According to local analysts in Cairo and Alexandria, the wide price range was attributable to smugglers finding ways to accommodate the varying purchasing power of prospective clients, a desire to move as many migrants as possible before the new anti-smuggling laws translate to action on the ground, and the fact that Egyptian minors were being charged less by smugglers who have connections with employers in Italy who seek irregular migrant labour in the agricultural industry.⁸²

Smuggling and trafficking in the Sinai and southern Egypt

Human trafficking targeting migrants and asylum seekers from Eritrea, Sudan, Ethiopia and Somalia takes place in parallel to and within the context of irregular migration from the Horn

77 Tinti, P. and Reitano, T. (2016). Migrant, Refugee, Smuggler, Saviour. Hurst Publishers, London.

- 79 Tinti, P. and Reitano, T. (2016). Migrant, Refugee, Smuggler, Saviour. Hurst Publishers, London.
- 80 Key informant interviews in Egypt, July 2016.
- 81 Ibid.
- 82 Ibid.

⁷⁵ Tinti, P. and Reitano, T. (2016). Migrant, Refugee, Smuggler, Saviour. Hurst Publishers, London.

⁷⁶ Reitano, T. and Tinti, P. (2015). Survive and Advance: The economics of smuggling migrants and refugees into Europe. Available at: https://issafrica.s3.amazonaws.com/site/uploads/Paper289-2. pdf

⁷⁸ Key informant interviews in Egypt, Julya 2016. See also: IOM (2016). Egyptian Unaccompanied Migrant Children: A case study on irregular migration. Available at: https://publications.iom.int/ system/files/egyptian_children.pdf



of Africa into Egypt. Although there have been reported cases of Eritreans being trafficked in the region since the 1990s, the crisis reached epidemic proportions between 2009 and 2013, coinciding with migration from the Horn of Africa through the Egyptian Sinai to Israel. Migrants travelling in eastern Sudan, particularly Eritreans, were especially vulnerable to being kidnapped for ransom in Sudan and Egypt.⁸³

According to the 2012 report, "Human Trafficking in the Sinai: Refugees between Life and Death"⁸⁴ Eritreans comprised 95 per cent of victims trafficked into Egypt. Eritreans were targeted because, coming from a nation whose citizens have fled various conflicts and oppression for several decades, they were deemed likely to have family and friends in North America, Europe, or elsewhere in the diaspora who would be in a position to raise ransom fees. A 2014 report by Human Rights Watch estimates that between 25,000 and 30,000 people were victims of trafficking in the Sinai between 2009 and 2013, with between 5,000 and 10,000 dying within the context of trafficking.⁸⁵

In many cases, the process starts with migrants seeking the services of a migrant smuggler, who in turn sells their clients to traffickers who specialise in kidnapping migrants for ransom, either while they are still in Sudan, or once they arrive in Egypt. Smugglers might also sell their clients to a trafficker if they prove unable to pay agreed fees. In other cases, migrants pay someone they believe to be a smuggler, but who is in fact a trafficker operating under the guise of providing smuggler services. Lastly, there is a widespread network of traffickers who kidnap migrants along key migration routes and hubs, including outside refugee camps, in Sudan, Ethiopia, and Eritrea, for the explicit purpose of extracting a ransom from their families.⁸⁶

These kidnappings are mainly organized by the Rashaida, a nomadic Bedouin community who live in Eritrea, Sudan, and Egypt and have roots in Saudi Arabia and Kuwait. Upon kidnapping or purchasing a victim, the Rashaida demand ransoms, sometimes ranging as high as USD 35,000 to USD 50,000 per individual.⁸⁷ To extract the maximum payment from their families, traffickers took their victims to camps in Egypt, where they were subjected to torture.⁸⁸ According

- 83 RMMS (2014). Going West: Contemporary mixed migration trends from the Horn of Africa to Libya &Europe. Available at: http://www.regionalmms.org/images/ResearchInitiatives/Going_West_migration_trends_Libya_Europe_final.pdf
- 84 van Reisen, M., Estefanos, M., and Rijken, C. (2012). Human Trafficking in the Sinai: Refugees between Life and Death. Brussels: Tilburg University/EEPA. Available at: http://www.ehrea.org/report_Human_ Trafficking_in_the_Sinai_20120927.pdf
- 85 Human Rights Watch (2014). I wanted to Lie Down and Die: Trafficking and Torture of Eritreans in Sudan and Egypt, Available at: https://www.hrw.org/report/2014/02/11/i-wanted-lie-downand-die/trafficking-and-torture-eritreans-sudan-and-egypt
- 86 Van Reisen, M., Estefanos, M., and Rijken, C. (2012). Human Trafficking in the Sinai: Refugees between Life and Death. Brussels: Tilburg University/EEPA. Available at: http://www.ehrea.org/report_Human_ Trafficking_in_the_Sinai_20120927.pdf
- 87 RMMS (2014). Going West: Contemporary mixed migration trends from the Horn of Africa to Libya &Europe. Available at: http://www.regionalmms.org/images/ResearchInitiatives/Going_West_migration_trends_Libya_Europe_final.pdf
- 88 Van Reisen, M., Estefanos, M., and Rijken, C. (2012). Human Trafficking in the Sinai: Refugees between Life and Death. Brussels: Tilburg University/EEPA. Available at: http://www.ehrea.org/report_Human_ Trafficking_in_the_Sinai_20120927.pdf



to Europol, the EU's law enforcement agency, ransom demands from the Sinai were paid using legitimate money transfer services with middle men in Gaza, Israel, Jordan, and Lebanon who facilitated transfers, while cash handlers in Europe who work for Bedouin organized crime groups also collected money from the European sponsors of victims.⁸⁹

With irregular flows into Israel from Egypt having almost dried up by 2013, and amid ongoing Egyptian military operations against Islamist militants in the region, trafficking operations in the Sinai are believed to have subsided. However, new abductions in Sudan are still being reported, and interviews in Cairo suggested that some of the kidnap-for-ransom operations that were taking place in the Sinai have been displaced southward, closer to the border with Sudan.⁹⁰

Smugglers who are not part of these trafficking networks may also abuse and attempt to extort their clients as they transit through Sudan and into Egypt. Migrants who depart with their smuggler under a "leave now, pay later" scheme in which the migrant pays nothing, or only a small portion of their fee upfront, are particularly susceptible to being held for ransom once they have crossed into southern Egypt.

In these scenarios, smugglers might exploit clients during the course of providing smuggler services. By incorporating extortion and abuse into their business models, such actors operate in the grey area between migrant smuggling and human trafficking.⁹¹

Other forms of trafficking

As outlined above, human trafficking in Egypt takes place both within the context and independently of irregular migratory flows. A 2010 report by the National Centre for Social and Criminological Studies, commissioned by the Egyptian government, found that "the most prevailing forms of human trafficking are: trafficking in women and girls for the purpose of marriage, trafficking for the purpose of exploitation of children in labour, trafficking in street children, trafficking for the purposes of sexual exploitation and prostitution."⁹²

Many of these findings are shared by the 2016 Trafficking in Persons Report by the United States Department of State, which also highlights that "individuals from the Persian Gulf, including Saudi Arabia, the United Arab Emirates, and Kuwait, purchase Egyptian women and girls for'temporary' or'summer'marriages for the purposes of commercial sex, including cases of sex trafficking and forced labor." The report also highlights trafficking of foreign domestic

90 Key informant interviews in Egypt, July 2016.

⁸⁹ RMMS (2014). Going West: Contemporary mixed migration trends from the Horn of Africa to Libya &Europe. Available at: http://www.regionalmms.org/images/ResearchInitiatives/Going_West_migration_trends_Libya_Europe_final.pdf

⁹¹ For more on this, see: RMMS (2015). Beyond Definitions: Global migration and the smuggling-trafficking nexus. Available at: <u>http://www.regionalmms.org/images/DiscussionPapers/Beyond_Definitions.pdf</u>

⁹² The Arab Republic of Egypt (2010). National Coordinating Committee on Preventing and Combating Human Trafficking: National Plan of Action against Human Trafficking January 2011 – January 2013. Available at: <u>http://www.ungift.org/doc/knowledgehub/resource-centre/Governments/Egypt</u> <u>National Action Plan 2011-2013-en.pdf</u>

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workers, who are not covered under Egypt's labour laws, from south and southeast Asia as well from as sub-Saharan Africa.⁹³

Interviews with interlocutors in Egypt suggested that irregular migrants and asylum seekers living and working in Egypt are particularly susceptible to being trafficked into unpaid labour, sex-work, and kidnap for ransom.⁹⁴ Some trafficking networks in Cairo, for example, operate as bogus "employment agencies" for foreign women, who, after being invited for job interviews, are incorporated into sex-trafficking rings. According to people who work in victims' assistance NGOs in Cairo, Ethiopian and Eritrean women are particularly vulnerable to these schemes.⁹⁵ Similarly, women from west Africa are believed to be recruited to come to Egypt on tourist visas, being told that employment as domestic workers will be provided for them, only to find themselves incorporated into forced labour schemes upon arrival.⁹⁶

⁹³ US Department of State (2016). 2016 Trafficking in Persons Report: Egypt. Available at: <u>http://www.state.gov/j/tip/rls/tiprpt/countries/2016/258760.htm</u>

⁹⁴ Key informant interviews in Egypt, July 2016. See also, Reitano, T. and Tinti, P. (2015). Survive and Advance: The economics of smuggling migrants and refugees into Europe. Available at: <u>https://issafrica.s3.amazonaws.com/site/uploads/Paper289-2.pdf</u>

⁹⁵ Tinti, P. and Reitano, T. (2016). Migrant, Refugee, Smuggler, Saviour. Hurst Publishers, London.

⁹⁶ Reitano, T. and Tinti, P. Survive and Advance: The economics of smuggling migrants and refugees into Europe. Available at: <u>https://issafrica.s3.amazonaws.com/site/uploads/Paper289-2.pdf</u>



4.0

THE EGYPTIAN GOVERNMENT'S FRAMEWORK TO RESPOND

4.1 Legal and institutional frameworks

Egypt is a party to the United Nations Convention against Transnational Organized Crime (UNTOC)⁹⁷ and has acceded to its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,⁹⁸ as well as the Protocol against Smuggling of Migrants by Land, Sea, and Air.⁹⁹

In 2010 the Government of Egypt adopted the Law on Combatting Trafficking in Persons, which was informed by the work of the National Coordinating Committee to Combat and Prevent Trafficking in Persons (established in 2007) and based on research on the scope and magnitude of trafficking in persons in Egypt by the National Centre for Social and Criminological Research (NCSCR).¹⁰⁰ In addition to defining the offence of human trafficking, outlining penalties for infringement, and ensuring protection for victims (all in line with international norms as outlined in the anti-trafficking protocols to the UNTOC), the law established a new National Committee to Combat Human Trafficking (NCCTIP), under the Office of the Prime Minister.¹⁰¹

In December 2010, NCCTIP launched its National Plan of Action against Human Trafficking (NAP-HT) for 2011-2013, which was predicated on four elements: "Prevention, Protection, Prosecution and Participation." To that end, NAP-HT objectives include preventing human trafficking, protecting society and assisting

⁹⁷ United Nations Treaty Collection: https://treaties.un.org/pages/ViewDetails. aspx?src=TREATY&mtdsg_no=XVIII-12&chapter=18&clang=_en

⁹⁸ Ibid.

⁹⁹ Ibid.

¹⁰⁰ Arab Republic of Egypt (2010). Law No. 64 of 2010 regarding Combating Human Trafficking. Available at: http://www.protectionproject.org/wp-content/ uploads/2010/09/Law_regarding_Combating_Human_Trafficking_FINAL.pdf; UN Women (2007). National Coordinating Committee for Combating and Preventing Trafficking in Persons. Available at: http://www.evaw-global-database.unwomen.org/ en/countries/africa/egypt/2007/national-coordinating-committee-for-combating-and-preventing-trafficking-in-persons; Arab Republic of Egypt Ministry of Foreign Affairs (nda). Implementation Track: A Comprehensive Strategy on Combating Trafficking in Persons. Available at: http://www.mfa.gov.eg/English/Ministry/ TraffickinginPersons/achievement/Pages/Track.aspx.

¹⁰¹ Arab Republic of Egypt (2010). Law No. 64 of 2010 regarding Combating Human Trafficking. Available at: http://www.protectionproject.org/wp-content/ uploads/2010/09/Law_regarding_Combating_Human_Trafficking_FINAL.pdf

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victims of trafficking, ensuring serious and effective punishment of traffickers, and promoting and facilitating national and international cooperation.¹⁰²

In 2014, Egypt established the National Coordinating Committee for Preventing and Combating Illegal Migration (NCCPIM) by prime Ministerial decree. NCCPIM's mandate is to "lead government efforts to prevent and combat illegal migration in Egypt as a country of origin, transit and destination," and serve as a "focal point for all policies, national guidelines, action plans and programs related to issues of illegal migration."¹⁰³ The committee is led by a national chairperson and consists of 23 specialized government agencies and ministries.¹⁰⁴

As part of its efforts to fill in the gaps in existing legislation that "lead to the impunity of human smugglers,"¹⁰⁵ NCCPIM launched a 2012-15 Action Plan on preventing and combatting illegal migration, ¹⁰⁶ and drafted a bill on Combatting Illegal Migration and Smuggling of Migrants, in line with international norms and standards outlined in UNTOC.¹⁰⁷ In October 2016, Egyptian parliament approved the law,¹⁰⁸ which in addition to complementing the 2010 law to combat human trafficking, merged the NCCTIP with the NCCPIM and stipulated the creation of a cabinet-level committee headed by the prime minister.¹⁰⁹ The law also envisages the establishment of a Direct Assistance Fund, whereby the proceeds of assets seized from smuggling organisations are used to help migrants.¹¹⁰

- 102 The Arab Republic of Egypt (2010). National Coordinating Committee on Preventing and Combating Human Trafficking: National Plan of Action Against Human Trafficking January 2011 – January 2013. Available at: http://www.ungift.org/doc/knowledgehub/resource-centre/Governments/Egypt_ National_Action_Plan_2011-2013-en.pdf
- 103 Arab Republic of Egypt (nda). The National Coordinating Committee on Preventing and Combating Illegal Migration. Available at: http://nccpim.gov.eg/about-nccpim/
- 104 These include: The Ministry of Foreign Affairs; Ministry of Interior; Ministry of Defense; Ministry of Vouth and Sport; Ministry of Justice; Ministry of legal and Parliament Affairs; Ministry of Manpower; Ministry of Migration and Affairs of Egyptian Abroad; Ministry of Social Solidarity; Ministry of Education; Ministry of Higher Education; Ministry of Local Development; Ministry of International Cooperation; Public Prosecution; The National Intelligence; The Radio and Television Union; The State Information Service; The Social Fund for Development; The National Center for Social and Criminological Research; The National Council on Human Rights; The National Council on Childhood and Motherhood. Available at: http://nccpim.gov.eg/about-nccpim/
- 105 Arab Republic of Egypt (nda). The National Coordinating Committee on Preventing and Combating Illegal Migration. Available at: http://nccpim.gov.eg/the-legislation/
- 106 Arab Republic of Egypt, Minister of Foreign Affairs (nda). National Coordinating Committee on Preventing and Combating Illegal Migration: Action Plan 2014-2015. Available at: http://www.mfa. gov.eg/Arabic/InsideEgypt/economyindicator/Documents/NCCPIM%20Action%20Plan%202014-2015.pdf
- 107 IOM (2015). Egypt Passes New Anti-Human Smuggling Law. Available at: http://www.iom.int/ news/egypt-passes-new-anti-human-smuggling-law

109 Egypt Independent (2016). Egypt passes law to curb trafficking of migrants bound for Europe. Available at: http://www.egyptindependent.com//news/

 $egypt\mbox{-}passes\mbox{-}law\mbox{-}curb\mbox{-}trafficking\mbox{-}migrants\mbox{-}bound\mbox{-}europe$

110 IOM (2016). Egypt Passes New Anti-Human Smuggling Law. Available at: http://www.iom.int/news/egypt-passes-new-anti-human-smuggling-law-0

¹⁰⁸ lbid.



To coincide with parliamentary approval of the new anti-human smuggling law, Egypt also launched a National Strategy on Combatting Illegal Migration for 2016-2026 under the auspices of the Prime Minister. The strategy "provides an overall institutional framework for the Egyptian government to counter the smuggling of migrants and to ensure the protection of vulnerable migrants in Egypt."¹¹¹

4.2 Government structures to collect, analyse and share information

At present, there are several government agencies which collect information on criminal activity, including migrant smuggling and human trafficking networks. They include Homeland Security, a branch within the Ministry of Interior that is completely separate from police but has the power to arrest, detain and interrogate people; the General Intelligence Directorate, which is responsible for providing national security intelligence, both domestically and internationally, with a focus on counterterrorism; and the Military Intelligence and Reconnaissance Administration, which focuses on enemy movements but also has a domestic mandate to detect anti-regime elements and is part of the Ministry of Defence. These institutions operate independently of one another and answer to different segments of the Egyptian state. The information they gather, is shared with other agencies but on a limited and case by case basis.¹¹²

Information on migrant smuggling and human trafficking is supposed to be collected by the newly reconstituted NCCPIM, but at the time of writing, the authors could not identify a clear mechanism or reporting process through which relevant agencies collect, analyse and share data and information with the committee. It is unclear whether there is a system in place by which information collected by local police, authorities at migrant detention centres and immigration officials is shared, and there did not appear to be a uniform system by which government agencies collect information on migrant smuggling and human trafficking.

Several analysts suggested that the capacity to collect relevant information did exist, given the government's well-resourced and multifaceted counter-terrorism activities, which may already be collecting information about migrant smuggling within the context of monitoring the activities of foreign nationals in Egyptian territory¹¹³ There is not, however, an identifiable mechanism or process for sharing this information with the NCCPIM, law enforcement or the judiciary.¹¹⁴

It is suggested that state intelligence services have sufficient intelligence to combat migrant smuggling networks, but that the information they collect cannot be used in court.¹¹⁵ Law

¹¹¹ IOM (2016). Egypt Launches New National Strategy on Combating Illegal Migrants. Available at: https://www.iom.int/news/egypt-launches-new-national-strategy-combating-illegal-migration

¹¹² Key informant interviews in Egypt, July 2016.

¹¹³ Ibid.

¹¹⁴ lbid.

¹¹⁵ Ibid.

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enforcement agencies, on the other hand, do not have access to this information nor the ability to collect it.¹¹⁶

Questions of legal and institutional frameworks aside, the consensus among foreign officials who liaise with the Egyptian state on matters of security and criminal activity, was that the intelligence and security apparatus within the Egyptian state would be capable of countering migrant smuggling networks if doing so were considered a priority on the level of terrorism and protection of the regime.¹¹⁷

International support for capacity building

As part of its efforts to strengthen the new and existing legal frameworks outlined above, as well as to build the capacity of various actors within law enforcement, the judiciary, and others involved in countering migrant smuggling and human trafficking networks, the Egyptian government has partnered with a range of international organizations and governments.

The International Organization for Migration (IOM), for example, has sponsored a number of workshops, trainings and projects in Egypt in recent years. In October 2015, IOM organized a two-day workshop attended by 45 Egyptian government officials and media representatives to discuss national and international legal frameworks for the protection of unaccompanied migrant children. The workshop was organized in "close collaboration with NCCPIM."¹¹⁸ In 2016, IOM supported a study visit to Italy for 11 senior NCCPIM officials on best practices for the protection of vulnerable migrants, with particular emphasis on unaccompanied migrant children.¹¹⁹

In May 2016, IOM and NCCPIM hosted an international workshop for 25 senior government officials on international, regional and national legal frameworks and policies governing migration. The workshop was part of a regional IOM project titled "Addressing irregular migration flows and upholding human rights of migrants along the North-Eastern African Migration Route and North Africa – NOAH III". The project is funded by the US State Department's Bureau of Population, Refugees, and Migration (PRM).

In June 2016, IOM supported the Egyptian Ministry of Foreign Affairs in organizing a ministerial meeting of the AU-Horn of Africa Initiative on Human Trafficking and Smuggling of Migrants. At the meeting, ministers from Kenya, Libya, Somalia, South Sudan, Tunisia, Djibouti, Sudan, Eritrea, Ethiopia and Yemen, agreed to "ratify and implement relevant international and regional

- 118 IOM (2015). Egyptian Workshop Addresses Legal Frameworks for the Protection of Unaccompanied Migrant Children. Available at: https://www.iom.int/news/ egyptian-workshop-addresses-legal-frameworks-protection-unaccompanied -migrant-children
- 119 IOM (2016). Egypt's NCCPIM Undertakes Study visit to Italy. Available at: http://egypt.iom.int/ news/egypt%E2%80%99s-nccpim-undertakes-study-visit-italy

¹¹⁶ lbid.

¹¹⁷ lbid.



instruments that address human trafficking, smuggling or migrants and organized international crime."¹²⁰

In September 2016, IOM and the Egyptian Ministry of Interior organized a training of 19 government officials on passport examination procedures in order to strengthen security procedures at entry and exit points. The training took place as part of an IOM project funded by the Government of Japan titled, "Strengthen Technical and Operational Practices to Address Irregular Migration at Egyptian Entry and Exit Points."¹²¹

The development of the aforementioned "New National Strategy on Combating Illegal Migration" for 2016-2026, launched in October 2016, was supported by IOM's previously referenced NOAH project with funding from the US State Department's Bureau of PRM.¹²²

In addition to these IOM-led or supported projects, funded by various donors, UNODC has an ongoing, USD 10 million project titled "Countering Illicit Trafficking Going Through Egyptian Borders", which began in May 2015 and is scheduled to finish in May 2019. The project, funded by the governments of Japan and Canada, aims to "strengthen the capacity of the governments of the Middle East and North African region to respond to illicit trafficking and other forms of transnational organized crime by focusing on better securing borders (identification and interception) and dismantling criminal networks (investigation)." The project targets law enforcement agencies and various actors from several countries, and adopts a four-pronged approach:

- 1. Improve skills, equipment and techniques used by law enforcement agencies operating at official border crossings;
- Improve criminal information collection, analysis and sharing at key hub cities along smuggling and trafficking routes;
- 3. Support front line officers collecting as much information as possible from seizures and arrests, as well as illicit movements, and sharing them with central authorities in charge of in-depth investigations aimed at dismantling networks; and
- 4. Improve national and regional cooperation to respond to organized crime and illicit trafficking.¹²³

¹²⁰ IOM (2016). African Union Meets for AU-Horn of Africa Counter Trafficking Initiative. Available at: https://www.iom.int/news/african-union-meets-au-horn-africa-counter-trafficking-initiative

¹²¹ IOM (2016). IOM, Egypt Train Frontline Immigration Officers in Passport Examination. Available at: http://egypt.iom.int/news/iom-egypt-train-frontline-immigration-officers-passport-examination

¹²² IOM (2016). Egypt Launches New National Strategy on Combating Illegal Migrants. Available at: https://www.iom.int/news/egypt-launches-new-national-strategy-combating-illegal-migration

¹²³ UNODC (2016). Countering Illicit Trafficking Going through Egyptian Borders. Available at: https:// www.unodc.org/middleeastandnorthafrica/en/project-profiles/xamz53.html



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RECOMMENDATIONS

- Provide technical assistance to the Government of Egypt to implement the new anti- human smuggling law through training of judges, prosecutors, law enforcement officials, and immigration officials;
- Provide strategic planning and organizational support to the prime minister in establishing the new cabinet-level committee to coordinate anti-human trafficking and anti-migrant smuggling efforts (as stipulated in the new anti-human smuggling law); and provide assistance in merging the previously separate National Coordinating Committee to Combat Trafficking in Persons (NCCTIP) and National Coordinating Committee to Combat and Prevent Illegal Migration (NCCPIM);
- Provide technical assistance to the Egyptian government in developing a uniform mechanism for reporting information collected by relevant intelligence services, law enforcement agencies, and government and non-governmental organizations providing assistance to irregular migrants, so that information reported to the new coordinating committee is standardized and can be adequately analysed;
- Provide strategic planning and organizational support to the Office of the Prime Minister in implementing the newly launched National Strategy on Combating Illegal Migration, and provide technical support on strategic planning to assist the bi-annual updating of the plan;
- Provide technical support on strategic planning and budgeting to assist in the establishment of the Direct Assistance Fund for smuggled migrants, which, as per the law, will be subsidized by selling assets seized from smuggling organizations;
- Provide assistance for upgrading and updating data collection and monitoring systems at key border posts on the North Coast, the western border with Libya, and at the southern border with Sudan;
- Provide assistance in developing training materials to sensitize government agencies and non-governmental organizations, as well as relevant government authorities, in understanding the new anti-human smuggling law and existing anti-human trafficking laws;
- Provide direct technical assistance to the authorities involved in detention of irregular migrants, with a particular emphasis on protection issues and special attention for women and minors;
- Develop a framework for a sustainable, mutually beneficial partnership between Italy and Egypt to address the issue of unaccompanied Egyptian minors arriving in Italy, as well as for cross-border cooperation between Egypt and Sudan and Libya.



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Laurent Grosbois Chef de Projet / Project Director « addressing mixed migration flows in East Africa » Tel.: +251 (0) 930604033 Laurent.grosbois@expertisefrance.fr www.expertisefrance.fr This report is one of a series of ten country statements, produced as part of the project *Addressing Mixed Migration Flows in Eastern Africa*. These reports provide an updated overview of migrant smuggling and human trafficking trends and dynamics and the modus operandi of criminal networks involved in facilitating irregular migration. The reports also highlight capacity gaps and challenges faced by governments in the region in responding to these phenomena, informing the identification of capacity-building needs in the areas of data collection, analysis and information sharing. The project is managed by Expertise France and is funded by the European Commission in the context of the EU-Horn of Africa Migration Route Initiative (the Khartoum Process).

This report is one of 10 country statement reports covering: Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Somalia, South Sudan, Sudan, Uganda and Yemen







