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Refugee response in Egypt: A public administration and policy perspective. A case study of Syrian refugee response in Egypt: 2012 to the present

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REFUGEE RESPONSE IN EGYPT: A PUBLIC ADMINISTRATION AND POLICY

PERSPECTIVE

A CASE STUDY OF SYRIAN REFUGEE RESPONSE IN EGYPT: 2012 TO THE PRESENT

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Supervised by Professor Shahjahan Bhuiyan

ABSTRACT

This descriptive and exploratory study attempts to look at refugee response in Egypt. It takes the Syrian refugee response in Egypt as a holistic single-case study to understand what the Egyptian government did, and why. The study aims to discuss the case study and its surrounding context from an overarching public policy and administration perspective, through a Public Policy System approach coupled with Jacobsen's Theory of Public Policy Choices in Host states. It proceeds from a right-based approach to refugees issues, and employs a number of methodologies to provide a full perspective of the topic of study, including a comparative historical analysis and a legal analysis. The study concludes with a number of findings on Egypt's role in the Syrian refugee responses and its general policy and administration approach

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on the issues, and puts forth a number of recommendations to guide future response management in Egypt.

DEDICATION

This study could not have been written without the incredible and relentless support of my mother, Mona and my father, Medhat, who have continued to help me with guidance and encouragement for two consistent years in pursuit of my master's degree, and were my backbone during all of my other endeavors.

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I dedicate my thesis to all of you.

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1. Chapter 1: Introduction

1.1 <u>Introduction</u>

On 28 October, 2014, Mr. Antonio Guterres, the United Nations High Commissioner for Refugees, said the following during the Conference on the Syrian Refugee Situation:

> "The Syrian situation is the most dramatic humanitarian crisis the world has faced in a very long time .... The consequences of this massive outflow for the neighboring countries – Lebanon, Jordan, Turkey, Iraq and Egypt – are enormous. Economies, public services, the social fabric of communities and the welfare of families are all heavily affected ... The contribution of host countries in protecting refugees is so fundamental that it makes them by far the largest humanitarian donors in the Syrian context. And yet, while international support to match their efforts has been remarkable, it is clearly not in proportion with the immense needs created by this crisis" (UNHCR, 2014: para 2).

From the statement of the High Commissioner for refugees Antonio Guterres in 2014, we observe a number of facts. First, the Middle East and North Africa region is currently undergoing increasing instability, with deteriorating humanitarian conditions, conflict, and mass displacement. Egypt, as a country with a historical legacy, political presence renowned across the region and considerable geopolitical weight, has been affected by these conditions. That is not withstanding its own internal politics. Second, in the events of the Arab Spring, particularly after the uprising in a number of Arab countries (including Egypt itself with the 25th of January

Revolution), huge displacement took place across the region, mostly caused by the Syrian revolution and the consequent conflict. Thousands of Syrian refugees and asylum seekers started pouring into several countries following the conflict, namely Egypt, Iraq, Turkey, Jordan and Lebanon. Today, these refugees are estimated to exceed the figure of a little over four million (UNHCR, 2014a). Table 1 below illustrates the figures of refugees in all five countries, beginning from 2012 up until 2014. Finally, as a result of this massive uprooting, there was a significant burden to bear with the entry of refugees into host countries, with the High Commissioner recognizing the effect of the refugee influx on the economies, public services, and local communities and family ties. Naturally, all of these circumstances naturally apply and ultimately affect Egypt.

REFUGEE PLANNING FIGURES						
2014 PLANNING FIGURES (persons – in thousands)						
As of	Total	Egypt	Iraq	Turkey	Jordan	Lebanon
Dec 2012	588,000	13,000	74,000	148,000	168,000	180,000
Dec 2013	2,403,000	145,000	216,00	562,00	575,000	906,000
June 2014	3,252,00	197,500	308,000	781,000	687,000	1,277,000
Dec 2014	4,100,000	250,000	400,000	1,000,000	800,000	1,650,00

Table 1 – Refugee figures in Egypt and the region (Source: UNHCR, 2014b)

In this new, convoluted situation, influenced by a number of national, global and regional factors, what did the Egyptian government, as the main agency in the state entrusted with carrying out public policy and administration decisions, do with regards to the Syrian refugee response, and why? This is the main question this study seeks to answer. It attempts to understand the role of the Egyptian authorities in the response, its obligations under international

and national laws, how different public administration and policy functions intertwine to address the issue, and on what basis could these actions and interventions be judged on.

In light of these issues, this study attempts to answer these questions. It is conscious of a number of issues. First, there is an overarching international system that governs refugee affairs, determined by the 1951 Convention on the Status of Refugees, to which Egypt is signatory. This international system includes a number of prevalent facts and dynamics that determine the relationships between developed and developing countries within that system, and thus influences the behavior and decision of countries that are considered less developed. It ultimately affects decision-making at the national level, particularly in Egypt's case. Exploring these issues will help shed the light on decisions that are being made with regards to Syrian refugees. Second, there has been a long history of granting asylum, providing protection and hosting refugees on Egyptian territory, which should inform the current management of Syrian refugee affairs. As a result, this study will examine how this history and legacy informs current policies and administrative decisions in contemporary Egypt in order to produce solid analysis. Third, it will explore the Syrian refugee response through a case study approach to respond to the study's research question. The use of this particular approach will be accounted for in the conceptual framework.

The interest in exploring this topic stems from working directly with Syrian refugees in Egypt, in a series of focus group discussions with men, women, young adults (male and female) in Cairo, Egypt. The aims of the discussions were to understand their experience in Egypt and whether they believed they were able to sustain their lives in Egypt after fleeing conflict and destitute situations or not. The discussions revolved around the type of assistance they received, the support they felt from the UN and the Egyptian government, and what they wished could

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have been done differently. This experience stimulated further reflection on Egypt's refugee regime, the regional and global refugee issues, and the consequent political, policy and administrative decisions that were taken across Egypt's history to address refugee needs and that should be taken in the present context.

In light of this and believing that public policy and administration are strongly linked and intertwined in the management of refugee response in Egypt, Lane (1999)'s Public Policy System approach is used in order to reflect the public administration and policy perspective. The approach makes the case for the existence of a broader, overarching system where public policy and administration are two interweaving components within a policy environment. Hence, they are not carried out in a vacuum. The approach is also conscious of the fact that the government and the influence of the existing political system havesubstantial influence and bear equally significant impact on these two variables.

A number of methodologies are used to explore the study's areas of focus. Acontextual literature review is first used to situate Egypt's responses within the global refugee system. Next, a comparative historical approach is employed to analyze and glean a number of emerging patterns on the similarities and difference between three of Egypt's less recent refugee committees, which are Palestinian, Sudanese and Iraqi refugees. It will be explained later on why these particular refugee communities are chosen.Alegal analysis of the international conventions and treaties will be done, coupled with one of the national laws pertaining to refugees.

1.2 Interest in the research area

As mentioned earlier, and to further elaborate in this section, interest in exploring this topic came as the result of the work of the principal investigator done in late 2014 to early 2015 with Syrian refugees in Egypt. Nine focus group discussions were held with 90 refugees, including men, women, children and youth. This was done with a view to document their needs and demands, and examine their status as asylum seekers and refugees in Egypt as a host state. The demands reflected what they desired both from host states and the UN in particular. There was a recurring pattern of directing the rhetoric more towards UN agencies than national governments, as refugees would frequently mention the role of the United Nations agencies, particularly the United Nations High Commissioner for Refugees (UNHCR) and its role in meeting their needs. This will be more thoroughly examined in the discussion and analysis in Chapter 5. The interest in exploring the topic is thus fueled by a broader concern in issues of governance and different roles the government should do to address arising issues on its territory, and to shift the view from a refugee-centric one to be more government-centric.

1.3 Significance and originality of the research

This study will be the first in the Department of Public Policy and Administration to discuss refugee response and management in Egypt, focusing first and foremost on the government and the socio-legal and political context that surrounds the issue of refugee management.

In addition to a number of other studies, it aims to make a contribution to the growing literature on the situation of Syrian refugees in Egypt and their relationship with the Egyptian

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government. Recognizing the difficulty of researching the issue in present-day conditions for research, and the sensitivity of the issue, it should be one of the early attempts to change the angle of the discussion towards exploring the policy and administrative implications of the situation of Syrian refugees in Egypt, combined with an in-depth exploration of the international and national "duties" or "obligations" of Egypt under international and national laws, and many other aspects previously highlighted.

1.4   Research Question

In light of the issues discussed in the previous sections, and the interest and objectives of this study, the below main research question is posed, along with a number of sub-questions to inform and strengthen the findings.

- Main Research Question:

   ❖ What did the Egyptian government do to manage the Syrian refugee response, and how can the Egyptian Government's Syrian refugee response management be understood from both a policy and administration perspective??

- Research Sub-Questions:

   ❖ What was Egypt's history in managing refugee responses?
   ❖ What laws, international treaties, rules and regulations guide refugee response in Egypt?
   ❖ How are roles managed between the government and UN-organizations?
   ❖ What policy recommendations can be taken forward to improve the refugee response?

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1.5   Objectives

This study isa descriptive andexploratory study. It is descriptive because it seeks to provide an account of what happened in the case study. It seeks to present and summarize collected primary and secondary data about the role of the Egyptian government in administering the refugee response, starting from 2012, the year which witnessed the start of the influx for Egypt according to (UNHCR, 2014). It seeks to demonstrate what occurred during the response within the different governmental authorities, agencies and departments and how things proceeded, in order to help readers create a fuller and clearer picture of the particular role of the government in this endeavor.

It is exploratory because it seeks to examine the issue of refugees from an under-researched angle, which is from a governmental administrative and policy view. Considering the nature of exploratory research, it usually tends to be broader in focus and to be difficult to providing readers definitive answers. On the other hand, the method allows for raising key issues within a given topic. It also helps in helps in better understanding the issue at hand and to determine potential methods to be used in future research. The methods usually used in exploratory studies are literary researches and focus group discussions, both used in different capacities in this study.

1.6   Limitations

Thestudystarts with a conscious realization of some limitations that may be faced during the data collection phase and the writing phase, as well as a determination of the boundaries of the study, i.e. its delimitations.

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First, in acknowledgement of the breadth of refugee issues and the fact that refugee studies is a stand-alone discipline that is extensively researched, this studyonly hopes to give a clearer picture of what happened during the Syrian refugee response in Egypt, and situate it within broader literature, and within the context of the history of refugee hosting and asylum in Egypt. The focus of this research is the Egyptian government and what it did, what it needed to do, if any, and what could have been done when hosting Syrian refugees in Egypt. It also explores an under-researched area in literature, which concerns government responses to forced migration instead of more common research on international and regular migration, in addition to its focus on developing countries.

Second, there is a considerable limitation with speaking with government officials and senior UN officials about this topic. A request for an interview was made with an official from the MoFA, but was not returned. Another request was made to a senior official within the UN to comment on the refugee response, but it was not returned as well. Finally, towards the end of the data collection phase, the principal investigator had the opportunity to be connected to the Spokesperson of the MoFA. After initial discussion about a potential phone interview to discuss the issue, following attempts to hold the interview were not returned. There is a tangible sensitivity within the government and some UN agencies in speaking about refugee issues, and government officials are increasingly more reluctant to respond to requests for interviews for academia and research purposes. In light of these limitations, the study attempts to supplement missing data with existing literature and documents of UN agencies. A comprehensive legal analysis for international frameworks, national legislations and decrees issues regarding refugees will be used (Some sources, like Library of Congress, 2015 provide a comprehensive overview of legislations that Egypt has issued to administer refugee affairs over the past few

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decades). Recognizing also the novelty of the Syrian situation, the study looks into Egypt's older responses with three refugee communities to see if any patterns or models emerge from past experiences to inform the current response. To give the data more strength and rigor, it is supplied it with a legal analysis of laws and agreements that govern asylum and protection in host states, coupled with the views of the Syrian refugees in Egypt on the response.

Third, due to the lack of interdisciplinary research in the fields of public policy and public administration and migration and refugee studies (particularly research concerning forced migration), there was a limitation with the research design, which I tried to overcome by ensuring that a) the study coverstheories and assumptions that represent both fields and b) the approaches are properly linked.

1.7   Informed Consent and Participants' Protection

Participation in this study will be based on informed consent. Participants in this study will be made aware of the voluntary basis of their participation in any research efforts beforehand, and will be told their rights and privileges before starting any interviews or interaction with the Principal Investigator. For that purpose, consent forms were developed for the target groups of participants.

For UN officials and lawyers, a consent form was developed in English; highlighting the type of participation, purpose the study, how the findings will be used, the expected duration of participation and the research procedures that will take place. Potential risks and benefits were detailed, along with information on the steps that will take to protect the identities of those interviewed - at their request - and to protect the shared data or information.

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Finally, an assurance of the safeguarding of the information shared by the participants was made clear in all the consent forms. This will mainly be done through using one password-secured laptop accessible only by the Principal Investigator was also underscored.

2   Chapter 2: Literature Review

This chapter of the study willunderscore the findings of the contextual literature review, performed for the purposes of canvassing the views within the subject and area of research. Contextual literature reviews tend to situate the research within larger literary work and highlight some key issues relevant to the studied topic.

This literature review will focus on the following issues: The prevalent global definition of refugees, and the international frameworks that identify their rights; the obligations of states and governments under international treaties; the nature of the international refugee regime and the dynamics between developed and developing states; and the context of hosting refugees in developing countries. It will conclude with a review of research on Syrian refugees in Egypt.

As the conceptual framework section in Chapter 3will elaborate extensively on the main theories highlighting the conceptual of the study, a theoretical literature review will not be needed.

2.1   Definition of Refugee and international/regional frameworks

When the 1951 Convention Relating to the Status of Refugees (herein referred to as the 1951 Convention) was adopted, followed by the 1967 Protocol, a global and predominant definition was adopted to define refugees. It was:

"Any person who, owing to a well-founded fear of being persecuted for reasons of
race, religion, nationality, membership of a particular social group or political
opinion, is outside of the country of his nationality and is unable, or owing to such

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fear, is unwilling to avail himself to the protection of that country" (Convention Relating to the Status of Refugees, 1951: p.14).

According to the University of Minnesota (2003), these above five reasons for persecution are based on Article1A (2) of the Convention. In this interpretation, race includes ethnic groups and groups of common descent; religion includes identification with a group that has a common set of traditions and beliefs; nationality is based on citizenship (although it can also include persecution on ethnic, linguistic or cultural groups); belonging to a particular social group includes groups with similar social status, background or habits; and finally political opinion pertains to individuals with views that are not seen as favorable or tolerable to authorities including opinions that are critical of the government. Persecution based on any other ground should not be considered under the 1951 Convention and the 1967 Protocol.

While these conditions for defining refugees are considered the most widely known and accepted globally, they are not necessarily applicable in all cases (For example, being a refugee in this Convention may not apply Syrian refugees (legal expert working with refugees, personal communication, November 24, 2015)).However, there are other regional frameworks that cover refugees in conflict situations in particular. In the case of refugees from the Middle East and North Africa region, and Syrian refugees in the case of this study, they are covered by the Organization of the African Union (OAU)'s 1969 Convention governing the Specific Aspects of Refugee Problems .In this Convention, refugees are defined as:

"The term "refugee" shall also apply to every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is

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compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality". (Convention governing the Specific Aspects of Refugee Problems in Africa, 1969: para.14)

This definition, contrasted with the terms asylum-seeker and immigrant, helps explain the legal and social implications that ensue within the framework of the Convention. Research efforts have tried to further research the definition of the word and what it means in practice (Jacobsen, 2005; Keely 1981; Loescher and Loescher, 2005; and Whittaker, 2006). Jacobsen (2005: 4) differentiates between the word "refugee" in common parlance and "refugee" as a specific legal status. In everyday language, refugees are people who are uprooted from their home by "persecution, war or conflict". There are a number of requirements for refugee validity in the 1951 Convention. They have to cross international borders and require humanitarian relief to be defined as such. This commonly used word, according to Jacobsen, has an underlying legal status that assigns a number of rights and responsibilities to refugees.

The rights of refugees include protection (through being granted a refugee status) and access to aid. Once this legal status on a person who has fled his country to another country, he moves from being an asylum-seeker to being a refugee. Those requesting these rights but are yet to receive them are given the former label (Loescher and Loescher, 2005: 2). Host states have to assign the person seeking international protection this status, crossing a border is not sufficient (Jacobsen, 2005). In this regard, recipients of the formal status of refugees are entitled to legal rights not available to international immigrants. This includes the right to resettle to another country (i.e. resettlement), being legally protected from deportation or being forced to return to his country of origin (i.e. non-refoulement), and the right to voluntarily return to his country of origin (i.e. voluntary repatriation).

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2.2 <u>International Refugee Regime: International Cooperation between developing and developed countries</u>

The global refugee regime is defined as the set of "norms, principles and decision-making procedures" that govern Nations States' asylum systems and international protection to refugee worldwide (Betts, 2008: 6). That system is comprised of two elements: The 1951 Convention on the Status of Refugees and its 1967 Protocols, which detail member states' obligations, and UNHCR, which oversees the commitment of these states to the stipulations of the Convention (Betts, 2015 and Goodwin-Gill, 2003 and Phuong, 2005). The underlying ethos of the refugee regime is a reciprocal commitment to the principle of non-refoulement (Betts, 2008). Hence, the discussion of the international refugee regime warrants a primer on the 1951 Convention and its subsequent 1967 Protocol, as well as the rationales and circumstances of the development of an international framework for asylum in the early 1950s. This will be useful in depicting the global context that influences state and national-level asylum policies and administrative issues.

The 1951 Convention was the third human rights convention to enter into force after World War II, along with the Convention on the Prevention and Punishment of the Crime of Genocide and the Four Geneva Conventions on the Laws of War (Badawy 2008). The Refugee Convention was adopted in a time where a global movement for human rights was already propelled by the Universal Declaration of Human Rights in 1948 (which also stated the right to asylum according to Article 14 (Universal Declaration of Human Rights, 1948, para. 24)). As evident in the literature, there was initial rejection of the 1951 Convention on Refugees from developing countries due to the fact that it was predominantly a) protecting European

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refugeesonly, at least before the 1967 Protocol, and b) reflecting European norms and values, according to Hathaway (1990). Article 1B below explains the scope of the Convention:

> "For the purposes of this Convention, the words "events occurring before 1 January 1951, in Article I, Section A, shall be understood to mean either:
>
> (a) "Events occurring in Europe before 1 January 1951"; or
>
> (b) "events occurring in Europe or elsewhere before 1 January 1951", and each Contracting State shall make a declaration at the time of signature, ratification or accession, specifying which of these meaning it applies for the purpose of its obligations under this Convention".

The adoption of the 1967 Protocol following wars in Asia, Africa and the Americas made the scope of the Convention global. Still, some like Ferracioli (2014: 5) argue the Refugee Convention is "under-inclusive"(Ferracioli, 2014: 5), as well as limiting rights of refugees to non-refoulement only, as opposed to rights for refugees to migrate to other countries. Some like Hathaway (1990) even go as far as to say that the Convention "does not fully embody either humanitarian or human rights principles" (1990: 132), and that its aim was to balance the state's desire to protect their own sovereignty and to pursue their own interest in the face of disrupted regular migration flows. In light of this criticism, some like Ferracioli called for elements to include

Consequently, there is significant literature on the "Global Refugee Regime" that emerged in the twentieth century as a result of the discussed legal instruments above. The literature mainly explores the dynamics between the developing and developed countries in refugee management.

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According to Betts (2008), there are two distinct elements in the Global Refugee Regime. The first element governs the responsibility of states towards refugees that reach their territory, i.e. asylum, and those that govern the responsibility of states towards refugees who remain in the territory of another state, i.e. burden sharing. Additionally, the international refugee system does not bind developed countries, especially those furthest from the conflict areas and their neighboring host states, to share the burden of hosting refugees globally. This is explained through the "principle of proximity". Within this view, states that are closest to refugees' countries of origin, in most cases neighboring countries, bear the brunt of displacement and assume the responsibility for hosting the world's refugees. Meanwhile, states outside of refugees' regions of origin have few incentives to contribute to protection in other hosting states, and merely have a "perverse incentive to prevent refugees from reaching their own territory." (Betts 2008: p.2)

As a result, Betts describes the refugee regime as a "failure" of collective action, instead of serving its initial purpose of fostering international cooperation for asylum. Goodwin-Gill (2003) concurs, adding that the international refugee system lays upon the foundation of states collaborating together to share the burden and to not be interpreted as unilateral entities within the framework of instruments like the 1951 Convention. Because the overwhelming majority of refugees originates from and remains in the global South, northern states therefore have little incentive to engage in extra-regional burden-sharing, and Southern states have almost no bargaining power vis-à-vis the North. This view helps contextualize the situation of Egypt within the global refugee system, and how refugee management occurs amongst the interplay of power and responsibility in the global refugee regime.

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2.3   <u>Refugee response management in developing countries</u>

There is widespread recognition in the literature on the importance of distinguishing developing countries and developed countries in relation to hosting refugees, with the acknowledgement of the fact that developing countries are the main parties that bear the brunt of hosting refugees worldwide (Jacobsen, 1996; Kayongo-Male, 1988; and Stein 1986). Stein (1986) uses former UN High Commissioner for Refugees Poul Hartling's reasoning on the heart of the problem of refugee hosting in developing countries, which is "the massive arrivals of refugees in low-income countries where often no durable solutions are at hand." A 2011 report by UNHCR reaffirmed Hartling's argument by stating that 80 percent of the world's refugee populations are hosted by developing countries, and are increasingly shunned by developed counterparts.

Review of existing literature on the issue of hosting refugees in developing countries in particular shows a divergence into two main trends. The first trend leans towards the argument that for host states, refugees can be considered a "burden", with "economic, social, political and environmental impacts" on the host countries (Jacobsen, 2002, 1 and World Development Report, 2011, 7). This outlook provides a sympathetic view to the plight of host governments in assuming the difficult and resource-consuming responsibility of accommodating refugees and asylum seekers, particularly those in the developing world. Proponents of this trend of thought stressed the need to acknowledge refugee hosting as both a humanitarian and political problem, seeing that it creates major security concerns for national governments (Loescher and Loescher, 2008 and Kirui and Mwaruvie, 2012). Kirui and Mwaruvie argue that the presence of refugees in developing countries may create tension with other concerned political regimes, or draw host

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states into conflict with other neighbors. They also argue that refugees who were previously warriors may endanger the security of the citizens of the host states. Loescher and Loescher (2008) reiterate the point by arguing that hosting refugees may exacerbate existing internal conflicts, citing the example of Palestinian refugees in the Middle East and North Africa region as a cause for domestic tensions in Lebanon and Jordan. The 2011 World Development Report highlights the "competition" that occurs since the arrival of refugees into their new host states with the states' nationals. Host communities suddenly feels that their share of their countries' already scare resources is threatened, thus increase demand for more services from the government, leading to a strained and overstretched political system constantly expected to deliver. This passage from the World Bank World Development Report helps in shedding more light on the main rationale of proponents of this trend.

> "..The impacts of the refugee presence are both positive and negative (UNHCR, 2004). The dynamic between positive and negative factors is complex and varies depending on several factors, including the political economy of hosting countries, urban rural interactions, and the nature of host-refugee relations. Furthermore, even when a refugee situation creates economic opportunities for both the displaced and their hosts, there can be winners and losers in each group".

Some scholars have placed special emphasis on the context of global north and south within the same trend, highlighting the changes that occurred in the international refugee system over the past few decades. Khallaf and Ayoub (2014), as well as Kagan (2011a) are examples of proponents of this trend, and center their literature on the Egyptian government and the Middle East as a whole as examples of countries within the south. All of them take into account the fact

that host countries are mostly developing countries, are undergoing major societal and political changes (Kagan, ibid, 4), and are struggling to meet the needs of both their own citizens and of refugees. In this regard, the global south is left with the burden of hosting most of the world's refugee population (80 percent according to figures by UNHCR, 2014, 5).

It is important to highlight a specific trend in literature that highlights the role UN organizations could play in developing countries, particularly in the Middle East and North Africa region as Kagan (2011b) had pointed. In these countries, a "transfer of responsibilities can occur" between the government and UN agencies, whereas UN agencies, particularly the Office of the United Nations High Commissioner for Refugees (UNHCR) plays the biggest substitute role for the state. As a result, it becomes a "surrogate state" and it carries out most of the state's duties. This makes tasks like protecting refugees much more challenging. Slaughter and Crisp (2009) had also written along the same vein before Kagan.

The second trend emphasizes the positive impacts hosting refugees could have on host states. Jacobsen (2002) puts forth a utilitarian model for hosting refugees, arguing that it can bring about many benefits to the host state in question, including i.e. economic assets, human capital, remittances, skilled labor and international humanitarian assistance, otherwise called "refugee resources". These resources can contribute to state building as well as economic development, with refugees becoming economic actors. Additionally, Jacobsen even argues that hosting refugees gives exposure and visibility to the hosting state, which can be used for political leverage by skilled politicians. This, however, depends on the state's capacity – and willingness – to plan the geographical as well as functional or professional distribution of the refugees in an

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effective way, and on the willingness of the state to "embrace" the refugees and integrate them into their countries.

2.4   Duties of states under the international refugee convention

As for states' responsibilities, Phuong (2005) wrote about the rising confusion on the role of states in managing refugee movements and improving protection, and attempts to explore the gaps in understanding states' responsibilities, in spite of the 1951 Convention. She underlines an important tenant in the Convention, which the privilege to grant asylum rather than "the duty" to do so. Additionally, because states are bound by the principle of non-refoulement, they cannot expel refugees who seek asylum from their territories.

OHCHR explains that the task of international protection, which we understand as the obligations of Signatories of the 1951 Convention and the 1967 Protocol, includes the following:

– Prevention of *refoulement*;

– Assistance in the processing of asylum seekers;

– Providing legal counsel and aid;

– Promoting arrangements for the physical safety of refugees;

– Promoting and assisting voluntary repatriation;

– And helping refugees to resettle;

Thus, the international protection function has a legal basis, and its exercise is mandatory for the High Commissioner. The right to protection, although not defined as a separate right as such, is implicit in the 1951 Convention and its fundamental provisions, particularly the principle of non-refoulement.

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Feller (2001) adds that the Preamble to the 1951 Convention states should be the guidance for the actions and responsibilities of States.

Beyond that, the Convention says nothing about which state should protect, at which stage, which refugee. Issues of state responsibility for protecting refugees go well beyond the granting of asylum/admission: even where a refugee has found physical safety in one state, other states are not exonerated from their responsibility to contribute to his legal and material security in the country of first asylum and to find durable solutions. In sum, state responsibility in the context of refugee protection is not just concerned with the geographical location of the refugee.

There is a clear link between the deficiencies of the international refugee regime to provide protection and the lack of a clear allocation of responsibilities among states. Some basic principles can be identified, but states have, as usual, been fairly reluctant to accept more specific responsibilities towards refugees.

2.5   Literature on Syrian Refugees in Egypt

There is extensive literature on refugee issue in Egypt, documenting different issue faced by refugee communities over several points in time. Some literature, like Corellas (1993), starts as early as Egypt's experience with hosting Yugoslav refugees during WWII. Sade (2011) and UNHCR (2010) contend that there are refugees from 38 nationalities in Egypt, with the main groups being from Sudan, Somalia, Eritrea, Ethiopia and Iraq. There is alsoan estimated 75,000 Palestinians in Egypt without a formal refugee status and with non-acknowledged identities.

While there is literature that documents refugee issues and profiles different refugee communities, this is not the case for research on Syrian refugees in Egypt. Review of the existing

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literature on hosting Syrian refugees in Egypt shows that most efforts were trying to provide an analysis of refugee needs and conditions in their new host state, outlining the processes and procedure that they are subject to face in the host state. Ayoub and Khallaf (2014) have provided an extensive and salient view of the state of affairs for Syrian refugees in Egypt, including critique of the legal context of asylum laws and regulations pertaining to Syrian refugees in Egypt. It also outlined the history between Egypt and Syria and contributed substantially in chronicling the experience of Syrian refugees since their entry to Egypt and their admission as refugees.

It also mentioned the protection issues that face Syrian refugees, including registration with UNHCR, with emphasis on struggles to register post 2013, incidents of arbitrary detention, and irregular migration. The paper highlighted many issues on Syrian refugees in Egypt that were previously uncanvassed, by way of collecting primary data from the refugees themselves, and from a number of experts and government officials. Ayoub and Khallafaddressed the issue from the refugee's angle, highlighting a number of the regulations and procedures that refugees faced as they entered and were provided status, residence or later on, visas in Egypt.

Bidinger et al (2015) also examined the situation of Syrian refugees entering Egypt, including providing an overview of refugees in Egypt, and the actors involved in the Syrian refugees response (UNHCR, UNICEF, a number of INGOs and NGOs, faith-based organizations, and a number of embassies like the US, French and British embassies). The study used the same approach that was also adopted for this study in canvassing the international legal instruments and the national laws and frameworks, including the Memorandum of Understanding (herein referred to as MoU) between UNHCR and Egypt, to provide an overview of the Syrian refugees and asylum seekers' situation in Egypt. This study seeks to shed light on the

government perspective, using a number of the findings highlighted in Ayoub and Khallaf and Bidinger et al's work.

Another strand of research that is relevant to this study includes research on the asylum policy in Egypt, outlined by Kagan (2011a, 2011b) and Badawy (2008).Kagan's research sheds light on some aspects of the role of the government in this domain, but have also been critical of issues related to the government's performance, mainly regarding securing a satisfactory legal status for Syrian refugees, ensuring protection and safety, enabling agreeable living conditions, and respecting basic human rights. Badawy (2008 and2011) wrote extensively about the MoU between the Egyptian government and UNHCR, which he considers to be "the foundation of the refugee and asylum system in Egypt" (2010: 5). He discusses the document at length in his writing, its implications in practice for both parties and the needed amendments that should reflect the current state of affairs. The findings of this body of work are used to inform the study findings, as will be demonstrated in due course.

Despite numerous and compelling documentation efforts, there is still need for more holistic research from a public administration and policy perspective on the issue. This could mainly be due to how recent the issue is and how little documents exist around it.

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3   Chapter 3: Conceptual Framework

This conceptual framework will guide the structure, writing and analysis of this study's findings. It should also guide the attempt of responding to the research question. The framework will help in framing the discussion and arguments raised throughout, as well as link the different constructs that are put forth during the study.

3.1   Main Theories and assumptions

The main theory that will be used to frame the studyis a Lane's Public Policy System theory. In his book on public administration, Lane (1999) argues that public administration does not happen in a vacuum, and that public administration and public policy are interlinked within a larger environment that also includes the government as the main agent that carries out these two functions and the political system as a significant influence on the entire process. The approach is illustrated in Figure 1.
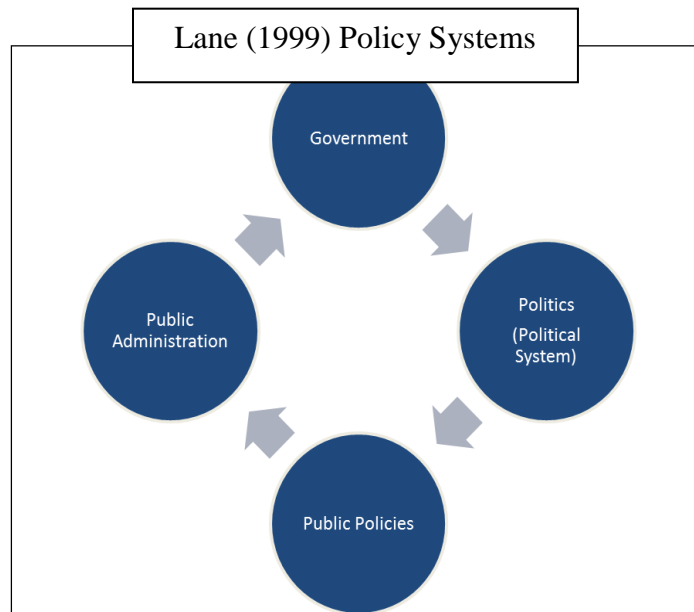
Figure 1 – Lane (1999) Public Policy System

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According to Lane's approach, the government is a mechanism that is used to a) protect members from external and internal threats and b) establish policies that provide the most favorable conditions for pursuing individuals' lives. Public Policy is a direct result of government, in of itself influenced by the politics and the political system of the country. Lenihan (2009) adds that the definition of Public Policy as Policy making as a search for the best solution or idea to address a public issue or achieve a public goal. Usually, these types of decision occur within the government and are "behind closed doors" (p.7). According to Lane (1999), the political system equals the policy system.

Finally, for the component of public administration, he defined it as "organizing and maintaining human and fiscal resources to attain a group's goals" (p.3). Government administrative agencies make up the majority of the apparatus, which include Cabinet-Level Departments, Independent agencies and boards and commissions. Public administration as a filed mostly focuses on these agencies' activities and impact.

Cox, Buck and Morgan (2005) also argue that public administration and politics are interlinked and impact each other. They believe that the increasing involvement and crossover of public administration into society's activities would lead to eventually bringing it into the field of politics.

Frederickson's definition of public administration, and its objectives and rationales complements the views of Lane (1999) and Cox, Buck and Morgan (2005). In his view, public administration is the "efficient, economical and coordinated management of services" (2010: 7). For him, the main rationale for the field and the practice is better management of the public sector.

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Complementing Frederickson's view, Cox (2005) acknowledges the difficulty of public management, and mentions a number of factors that influence administration and decision-making, worth exploring in Egypt's case. These are: changing leadership in top ranks (which he refers to as "transient" leadership), interest groups' pressures, media demands for action, and government sensitivity to constantly changing mass opinions. As a result of these issues, public management usually focuses on the near term, leading to fragmented management decisions, lack of articulation of priorities, focus on short-term gains, and finally disordered management decisions that transfer from one level of government to the other. In the case of Egypt, it would be interesting to explore this issue given the centralized leadership and decision-making.

In order to link this with refugee, Jacobsen's approach for analyzing government responses towards refugees can be used (1996). Jacobsen used the approach to speak about the policy responses in African governments to refugee issues in the 1990s. It focuses on government, particularly those in host states, as the main agency responsible for addressing refugee issues. This view is also supported by Jackson (1987). It complements Lane's approach on the policy system and the central role of government in the policy and administration process, and it gives more perspective on the issue of public policy. The attempt is among a select few that explore the issue from the government's perspective.

Amongst the factors that influence government policies are:

1. Relations with sending country

2. The political calculations about the local community's absorbing capacity

3. National security considerations

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4. The costs and benefits of accepting international assistance.

Other less direct but equally important factors are bureaucratic dynamics, stressing bureaucratic resistance, power struggles amongst the government itself (Jacobsen mentions government ministries and decision makers), how refugees fare in domestic politics, and lack of information. There are other factors that influence each case but they must be empirically explored, according to Jacobsen.

Additionally, Jacobsen also theorized for a policy yardstick, that measures how compliant are State's refugee policies to the 1951 Convention and UNHCR mandate.

`	Positive Response	Negative Response
Policy Set I: Legal-Bureaucratic response		
Accede to international instruments and conventions?	Yes, or accession equivalent	No accession
Define asylum seekers as refugees?	Yes	No, define asylum seekers as refugees
Create separate bureaucratic authority responsible for refugees?	Yes	No, refugee affairs handled by army
Procedures for determination of refugee status?	Yes, proper procedures including legislation and appeal.	No proper procedures
Policy Set II: International Refugee Organizations (IROs)		
Grant IROs permission to	IROs permitted into country	IROs excluded

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assist refugees?		
Cooperate with or restrict IROs?	IROs permitted access to affected area	Restricted or no access, poor cooperation
Policy Set III: Admission and Treatment of Refugees		
Admit refugees appearing at borders?	Yes	No
Location of refugees?	Refugees allowed to choose camps or self-settlement	Refugees forced to live in camps
Rights of and restrictions on refugees?	More rights (including freedom of movement, employment), no discrimination	More restrictions (on movement, employment) and discrimination
Refugee protection?	Emphasize physical safety	Attacks on physical safety
Repatriation?	Voluntary, according to UNHCR recommendations	Involuntary or forced; violations of UNHCR recommendations
Treatment of long-term refugees?	Potential for local settlement or permanent residence	No such local potential; refugees remain in camps

Table 2 - Jacobsen (1996)'s Policy Yardstick: Refugee Policy Decisions and Possible State

Responses

As for public administration, the issue of forced migration from an administrative perspective is little researched, in comparison with regular international migration. The issue is also explored from the perspective more developed countries. Nevertheless, an approach proposed by the International Institute of Administrative Sciences (2011) on government and

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international migration can provide a set of benchmarks for the study. The issues are listed in Table 2 above. The factors to consider in the management of international migration include:

1- Lead Administrative Responsibility

2- Service Delivery

3- Operational coordination

4- The International Dimension

5- Designing, evaluating and adapting the policies in accordance with the international context

6- Resources

7- Relations with the Media

3.2   Data Analysis Methodologies

This overall design of this studywill take an inductive qualitative approach, meaning that a formal, objective, and systematic process will be followed, where the accumulation and analysis of data are utilized to arrive to an answer to the study's question.

3.2.1   Main Research Methodology: The Case-Study Approach

The case study approach is a common methodology in research. It aim is to understand and provide insight on a single or a number of cases in-depth. It is done with a view to learn about real world issues and their meaning. Leading researchers Merriam, Stake and Yin wrote extensively on case study approaches in research. Yin's approach will be adopted in this study.

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Yin defines the case study research method as "an empirical inquiry that investigates a contemporary phenomenon within its real-life context; when the boundaries between phenomenon and context are not clearly evident; and in which multiple sources of evidence are used" (Yin, 1984: p. 23). There are three reasons for using the case study approach that are fitting for this study. First, case studies are used in descriptive and explanatory research, in order to answer the questions of what happened/is happening" and why (Baxter and Jack, (2008)). Second, they are used to highlight a phenomenon within real world context. Finally, case studies may be useful to assess and evaluate government interventions (Gray, 2014).

This study will use the holistic single-case study design. In this design, there a single unit of analysis and the context is important for the overall approach. This is the most fitting approach given the centrality of the context as previously highlighted in examining the case.

The reason this approach is chosen are: a) case-studies allow to set specific boundaries to the study 'inquiry. Here, we analyze, in-depth, the public policy system in Egypt by looking only at Syrian refugees, for a specified period (2012 to present); b) because of the relevance of holistic single case-study to examining the Syrian refugee response within a broader context, i.e. through the government's public policy systems approach with its four main components; c) It helps distinguish the case of the Syrian refugees as a critical and unique case, in light of what is happening in the region in and in Egypt. This is one of five main reasons why a case study approach can be adopted.

According to Yin, the main elements needed to conduct a holistic single-case approach are: a) the research questions; which usually revolve around what, how and why; b) the propositions of the study; c) the Unit of analysis; d) the logic that links the data to the

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propositions (i.e. the data analysis methodology); and e) the criteria for interpreting the findings (Yazan, 2015).
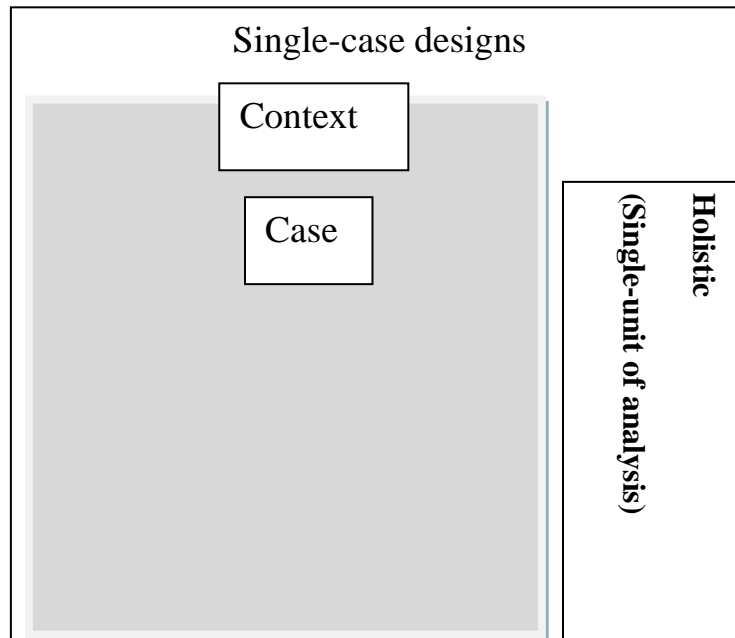
Figure 2 – Yin's Case-Study Approach Design

3.2.2   Comparative Historical Methodology

According to Slater and Ziblatt (2013), historical comparisons are a cornerstone of contemporary social sciences and history. Comparative historical approaches allow to distance ourselves from the cases at hand, and helps highlight each one individually by contrasting them with broader trends. Ragin (1987) identifies case-based historical approaches to deduce a number of trends and common causalities within a number of instances within a same phenomenon. These cases should have obvious connections and common characteristics, in order to discern the main causes that produce them. These instances can occur over different historical times, but analyzing them soundly requires in-depth knowledge of what happened across these different

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periods. In doing so, they can provide insightful and eye-opening to social phenomenon, particularly when it comes to analyzing their findings (Kocka, 2003). Ferreira do Vale, H. (2015) argues that it is a useful method for constructing a "historical path" that reveals a persistent pattern over time (p.64). The methodology is used mostly in qualitative research. It aims to provide an answer that is bound by time periods, individuals and place rather than one well-defined, definitive answer.

Applying the methodology includes several steps. First, it starts with a familiarization with the topic at hand,and its history. Second, all relevant evidence should be located and compiled for the research. This includes government documents, library sources, research and literature on the topic, newspapers,and organizational records, amongst others). Third, observing any potential emerging patterns while reviewing the materials should come next, as well as noticing similarities and differences. The fourth step is to synthesize the findings by reading and re-reading to see if patterns are still strong and whether there any exception. Finally, the findings should be written and documented after thorough analysis (Neuman, 2000).

In this study, the methodology will be used to determine if there are similar patterns from previous experiences in hosting refugees and granting asylum across Egypt's history that could inform the current research on the Syrian refugee response.

3.2.3   Narrative Inquiry

Narrative Inquiry is a qualitative research approach that "uses field texts, such as stories, autobiography, journals, field notes, letters, conversations, interviews, family stories, photos (and other artifacts), and life experience, as the units of analysis to research and understand the way

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people create meaning in their lives as narratives" (Clandinin and Connelly, 2000). This approach challenges the notion of "objective" data that has long been put forth by quantitative data-gathering, all while underscoring the importance of one person's knowledge and its value, independent of the need to "process" it like quantitative data (Boje, 2001).

Narrative inquiry, a relatively new tool of analysis, is the study of experience understood narratively. It is a way of thinking about, and studying, experience. Connelly and Clandinin (1990) argue that humans are "storytelling organisms" who lead storied lives, while Atkinson (2010) dubs it a "democratic from of research". The latter however, also argues that the approach poses some limitations, saying that it pays attention to personal experience and takes it as narrated and examined knowledge.

A narrative inquiry method is used to analyze the quotes and statements of the 90 refugees and asylum seekers in the series of focus group discussions mentioned earlier in the interest section. This method is most fitting as it uses the accounts told by the refugees as a source of knowledge and information, which can hence inform the findings of the study.

3.3   Linkage between the Research Methodologies and the Main Theories and assumptions

As the study proceeds in the elaboration of the research methodologies and main theories used, it is important to illustrate how both will be used in due course. To ensure the coherence of documentation and analysis. the below conceptual map starts with the holistic single-case study approach as the main research methodology the chapter and subsequent writing will be centered on. The approach divides between context and case, which will also be done in chapter 3 and 4. Then, under the context, the theories examined in the literature review on the international

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refugee regime and the history and legal analysis of refugee management in Egypt will be undertaken. Finally, under the case study, the main theories and assumptions discussed in the section above (Lane, Jacobsen and the Institute of Managerial Science's theories) to provide the public administration and policy perspective on the Syrian refugee response in Egypt.

Conceptual Framework Mapping

1. Main Research Methodology

Case Study Approach: The Syrian Response

Tier 1: Context Analysis

1.1 Theories on the International Refugee Regime

1.2. Main Theories and Assumptions

1.3 Context: History and Legal Analysis

Tier 2: Case Analysis

2.1 Lane's Public Policy Systems Approach

2.2 Jacobsen's Theory of Public Policy Choices in Host States

2.3 Institute of Managerial Sciences Approach on Public Administration for Migration

Figure 3 – Conceptual Framework Mapping

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3.4   Key terminologies and definitions

This studywill use a number of terminologies and definitions concerning refugees. It employs UNHCR's key definitions on refugee issues, as they are widely agreed upon and commonly used in research. However, the definition of refugee is elaborated on in the literature review section given the deliberations on the definition of the term.

Assistance: Aid provided to address the physical, material and legal needs of persons of concern. This may include food items, medical supplies, clothing, shelter, seeds and tools, as well as the provision of infrastructure, such as schools and roads. "Humanitarian assistance" refers to assistance provided by humanitarian organizations for humanitarian purposes (i.e., non-political, non-commercial, and non-military purposes). In UNHCR practice, assistance supports and complements the achievement of protection objectives.

Asylum: The grant, by a State, of protection on its territory to persons from another State who are fleeing persecution or serious danger. Asylum encompasses a variety of elements, including non-refoulement, permission to remain on the territory of the asylum country, and humane standards of treatment.

Asylum-Seeker: An asylum-seeker is an individual who is seeking international protection. In countries with individualized procedures, an asylum-seeker is someone whose claim has not yet been finally decided on by the country in which he or she has submitted it. Not every asylum-seeker will ultimately be recognized as a refugee, but every refugee is initially an asylum-seeker.

Detention: Restriction on freedom of movement, usually through enforced confinement. Article 31 of the 1951 Convention provides certain safeguards in relation to the restriction of freedom of movement for refugees who enter or reside in the country illegally.

Derogation: International human rights law allows states to derogate from their obligations and restrict the enjoyment of human rights, but only under exceptional circumstances and strict conditions, as follows:

If there is a "public emergency which threatens the life of the nation". The threat must be to the existence of the state itself, not the government currently in power. This usually refers to an armed conflict that puts the whole population, territorial integrity or the fundamental institutions of the state at risk, and where the threat is actual or imminent;

- The normal limitations that apply to the enjoyment of rights (e.g., public order, public health) must be shown to be insufficient to deal with the situation;

- The derogation must be temporary;

- The measure must be "officially proclaimed", i.e., the legal procedure set out in the constitution or other law allowing for the derogation must be followed;

- The (extent and type of) limitations on the enjoyment of human rights must be "strictly required by the exigencies of the situation";

- The measures taken must not discriminate on the basis of race, color, sex, language, religion or social origin.

Duties of Refugees: The obligations refugees must meet in the country of asylum. Under Article 2 of the 1951 Convention, refugees must conform to the laws and regulations of any

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country in which they find themselves. In particular, refugees must refrain from any acts that jeopardize the safety, security or public order of communities or countries of asylum.

Expulsion: Removal of a lawful resident from the territory of a State by government authorities. Under Article 32 of the 1951 Convention, national security and public order are the only permissible grounds for the expulsion of a refugee. The procedures by which a decision for expulsion is reached should be fair and just, and the refugee should be allowed a reasonable time to seek admission into another country.

Focus Group Discussion: A method to collect qualitative data/information from a group of persons pre-selected according to specific criteria.

Host Communities:* Communities that host large populations of refugees or internally displaced persons, typically in camps or integrated into households directly.

Humanitarian Assistance (Relief): Aid that addresses the immediate needs of individuals affected by crises and is provided mainly by non-governmental and international organizations.

International Protection: The actions by the international community on the basis of international law, aimed at protecting the fundamental rights of a specific category of persons outside their countries of origin, who lack the national protection of their own countries.

Irregular Movement of Refugees: The phenomenon of refugees or asylum-seekers moving illegally from a first country of asylum, in order to seek asylum or permanent settlement in another country.

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Persons of Concern to UNHCR: A generic term used to describe all persons whose protection and assistance needs are of interest to UNHCR. These include refugees under the 1951 Convention, persons who have been forced to leave their countries as a result of conflict or events seriously disturbing public order, asylum seekers, returnees, stateless persons, and, in some situations, internally displaced persons. UNHCR's authority to act on behalf of persons of concern other than refugees is based on General Assembly and ECOSOC resolutions.

Ratification: defines the international act whereby a state indicates its consent to be bound to a treaty if the parties intended to show their consent by such an act. In the case of bilateral treaties, ratification is usually accomplished by exchanging the requisite instruments, while in the case of multilateral treaties the usual procedure is for the depositary to collect the ratifications of all states, keeping all parties informed of the situation. The institution of ratification grants states the necessary time-frame to seek the required approval for the treaty on the domestic level and to enact the necessary legislation to give domestic effect to that treaty.

Refugee: A person who meets the eligibility criteria under the applicable refugee definition, as provided for in international or regional refugee instruments, under UNHCR's mandate, and/or in national legislation.

Refugee Status Determination Procedures: Legal and administrative procedures undertaken by UNHCR and/or States to determine whether an individual should be recognized as a refugee in accordance with national and international law.

Registration: The process of identifying and documenting individuals and families of concern to UNHCR by which systematic information is obtained to facilitate protection, programme planning and verification.

Registration Card: Card issued to a refugee Head of Household giving individual identification number, indicating number of persons in family and also used as a beneficiary card for ration and other distribution. The identification number is linked to a registration form, which contains fuller information on the household.

Resettlement: The transfer of refugees from the country in which they have sought refuge to another State that has agreed to admit them. The refugees will usually be granted asylum or some other form of long-term resident rights and, in many cases, will have the opportunity to become naturalized citizens. For this reason, resettlement is a durable solution as well as a tool for the protection of refugees. It is also a practical example of international burden- and responsibility-sharing.

Resettlement Country: A country that offers opportunities for the permanent settlement of refugees. This would be a country other than the country of origin or the country in which refugee status was first recognized.

Signatory to a Convention: A country supporting the purposes of the convention, but not legally committed to comply with the provisions until the country's legislature officially ratifies it. Where the signature is subject to ratification, acceptance or approval, the signature does not establish the consent to be bound. However, it is a means of authentication and expresses the willingness of the signatory state to continue the treaty-making process. The

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signature qualifies the signatory state to proceed to ratification, acceptance or approval. It also creates an obligation to refrain, in good faith, from acts that would defeat the object and the purpose of the treaty.

UNHCR Mandate: The role and functions of UNHCR as set forth in the UNHCR Statute and as elaborated in resolutions of the United Nations General Assembly. UNHCR's mandate as declared in its Statute is to provide international protection and seek permanent solutions for refugees. UNHCR has an additional mandate concerning issues of statelessness, as it is given a designated role under Article 11 of the 1961 Convention on the Reduction of Statelessness. The Office has also been requested by the General Assembly to promote the 1954 and 1961 statelessness Conventions, and to help prevent statelessness by providing to States technical and advisory services on nationality legislation and practice.

Voluntary Repatriation: Return to the country of origin based on the refugees' free and informed decision. Voluntary repatriation may be *organized*, (i.e., when it takes place under the auspices of the concerned governments and UNHCR), or *spontaneous* (i.e., the refugees return by their own means with UNHCR and governments having little or no direct involvement in the process of return).

3.5   Data Collection Methodologies

In order to answer the set of general and specific questions of the study, primary and secondary data were collected. This data was gathered through two main instruments: In-depth interviews with legal experts working with refugees and UNHCR staff and a desk review of available documents made public by UNHCR on the Syrian refugee response. I supplement this

information with the experiences of the Syrian refugees, interviewed in Egypt in December 2014 and January 2015 in nine focus group discussions with a total of 90 refugees and asylum seekers residing in Egypt. The findings of these discussions were documented in a final report produced by a UN organization, which will be further used in this study. The aim of using them is to make sure there is a more holistic and comprehensive view of the response.

The sampling method for collecting the primary data is purposive sampling, as people within certain UN agencies, particularly UNHCR response sectors on basic needs and livelihoods, education, food, and health are best placed to speak about the government's and corresponding bodies role in the response. For primary data, the main instrument used was in-depth interviews with individuals involved with the Egyptian government during the refugee response within the United Nations, or those with legal background that work closely with refugees or on refugee issues. I interviewed four individuals, three of which work with UNHCR and WFP, and who are directly involved in the refugee response, and interviewed a legal expert working with refugees to provide information and opinions about the management of the Syrian refugee response and Egypt's commitments under international conventions governing refugees and asylum.

This choice was made given the difficulty of speaking with government officials on the issue. This is understood to be due to two main reasons. First of all, government officials or bodies that are directly concerned with the response are not always known for the public. It is easier to know the Cabinet ministries involved but it is more difficult to know the officials working on the response and to know in which capacity they are involved. Officials in these ministries usually work across different ministries and usually liaise with UN agencies directly,

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so UNHCR staff members are well-versed to speak about government involvement as a whole. Second, some officials seem to show reserve when asked to speak on the topic. A request was made for an official within the MoFA, by way of an official within the UN system, for an interview for this study. The request was not responded to. Hence, this technique was most fitting to use in the study given the circumstances and research environment.

The sampling method for collecting this type of data was purposive sampling, as people within certain UN agencies, particularly UNHCR response sectors on basic needs and livelihoods, education, food, and health are best placed to speak about this particular topic.

Second, for the secondary data, a contextual literature review was conducted in this study, to frame the findings and subsequent discussion throughout the study. It was done with a view to do two things: Situate Egypt's refugee response within the most recent literature on refugee management and the particular situation of Syrian refugees, and develop a full picture of the role of the government during the response since early 2012 until now.

4   Chapter 4: A Case Study of Syrian Refugee Response in Egypt – Context Analysis

This Chapter will examine the case study of thisstudyusing Yin's Holistic Single-Case Approach, guided by the overall conceptual framework of Lane (1999), Jacobsen (1996) and Institute of Administrative Sciences (2011) approaches. The right-based approach to refugee is kept throughout the studyas a reference point, with reflections and findings highlighting the effect of its assumptions on the analysis of the data.

As discussed thoroughly in the conceptual framework and the conceptual framework, the case study analysis begins by focusing on the context, followed by an analysis of the case itself (as depicted previously in Figure 2). The study takes this view forward by starting with beginning with a review of Egypt's history in refugee management in the three target communities using the Historical Comparative Analysis. The criteria on which the analysis will be based are the four dimensions of Lane's approach.
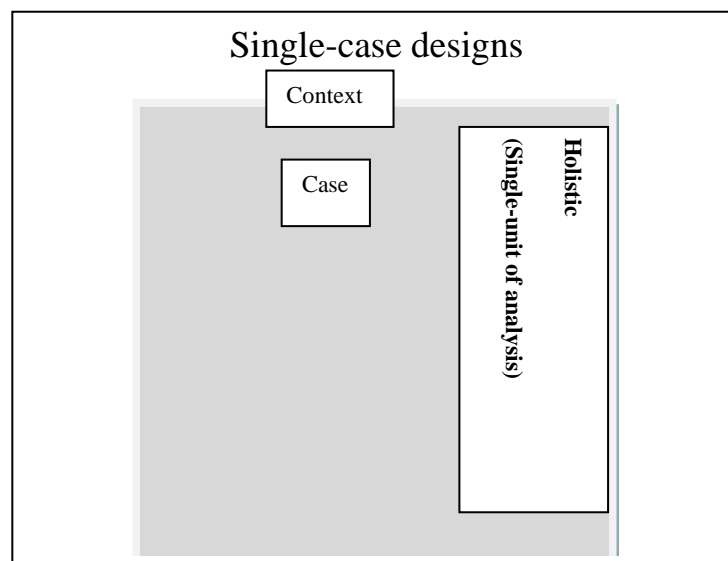
Yin's Case-Study Approach Design

The second tier will focus on Lane's Public Policy Systems Theory, Jacobsen's theory on the Policy the coupled with the data analysis of Legal Analysis for the laws and frameworks governing refugee response, and Narrative inquiry for accounts by interviewees and refugees.

4.1   Context Analysis

Egypt has had a long history of hosting refugees. According to research, Egypt hosts refugees from 38 countries, with the main countries being Sudan, Somalia, Eritrea, Ethiopia, Iraq, Palestine, and recently, Syria (Sadek, 2011; UNHCR, 2014b). In a meeting with the UN High Commissioner for Refugees in September 2015, Egyptian President Abdel Fattah El-Sisi declared that there were five million refugees from Arab and African countries on Egyptian territory (Sisi: Egypt hosts around five million refugees, 2015). Planning figures for UNHCR in 2015 show that there were a total of 267,820 registered refugees, as well as registeredasylum seekers in the country, of whom 179,600 were assisted by the organizations (UNHCR country operations profile – Egypt, 2015). The refugee communities are mainly from the Syrian Arab Republic, followed by Sudan, Somalia, Ethiopia, and several other countries. Although the numbers of the actual case load of refugees and asylum seekers including those unregistered remains unknown, the difference between both figures could suggest that the figure suggested by the Egyptian government is inflated.

With these different experiences come a set of practices, policies, administrative approaches, humanitarian and even political considerations. Egypt's status as a middle-income country facing a number of socio-economic issues with its own citizenry, in addition to being categorized as a developing country (World Bank, 2011). This is something that is important to

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take into account while looking at refugee "management", if the term can be used as such, their rights and entitlement, and broader policies and administrative issues.

4.1.1 Public Administration and Policy Context

First of all, it is important to begin this section with an account of the development of the Public Policy and Administration apparatus in Egypt. According to Owen (2012), the centralization of the Egyptian government had culminated after the 1952 Revolution, although El Houdaiby (2012) argues that the rule of Muhammad Ali, centered in the bureaucracy and the army in ruling, were the genesis of the current structure. Afterwards, the 1952 Revolution, according to Owen (2012), marked the birth of the republic and the ensuing political system that resulted and developed since. Concentration of power in the hands of the government happened gradually since the rule of President Gamal Abdel Nasser's time, and resumed after. Mayfield (1996) argues that central government forces have played a strong role in Egypt and dominated political life, and sought to concentrate power in the hands of the central government, with a tendency to adopt a top-down approach in a highly bureaucratized state that exercises significant dominance over political, economic and social life. Research by scholars like Wahba (1983) depicts the state's direction towards empowering the state apparatus to take on a stronger political and economic role in public life vis-à-vis private actors.

Some writers like Sirrs (2010) chronicledthe increasing role of the security apparatusin the public domain, particularly the military and the police. The fact that many issues have become securitized due to the focus on internal and external threats to thestate meant that social issues have also been subject to a securitized response.

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The state has been operatingin refugee affairs in accordance with these established norms and within these structures, as will be made evident in the analysis of the responses of the Palestinian and the Sudanese refugee communities in the next section. That is not withstanding the scrutiny by the Ministry of the Interior and involvement in refugee affairs, as evidenced in the case of Sudanese refugees (Azzam, 2006). This will be discussed further in the case study.

4.1.2   Comparative Historical Approach: Analysis of three refugee communities in Egypt:

For the purposes of this study, this section will briefly highlight Egypt's policies and administrative arrangements for Palestinian, Iraqi, and Sudanese refugees, while giving a glimpse on the government and political system that were in the policy environment at the time, in accordance with Lane's model. This should be considered a primer for the Syrian refugee response and should inform the final analysis, given that a) the refugee response was quite recent and b) The three communities were chosen in particular due to three things.

First, they are all from Arabic speaking countries, highlighted by an interviewed legal expert working with refugees as an important factor in determining the treatment of the refugee community:

"[In Egypt], if you are Sudanese you get a certain amount more than Ethiopians in terms of wealth and benefits, if you are Palestinian you get a little more, if you are Syrian you get a little more access to education, you get other things. The baseline is [for granting asylum] everybody, then the government gives to nationalities on the basis of them being Arabs, they are seen brothers or sisters". (Legal expert, personal communication, November 24, 2015)

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Second, the communities were chosen because of the long historic ties between Egypt and each of the refugees' country. This has implications in practice in the treatment of refugees and the influence of politics on their fate in the country. Third, in terms of case-based historical comparison, the fact that there is enough homogeneity and resemblance amongst the cases themselves in terms of origins and nationalities to begin a comparison between the cases, yet enough contrasts in administration and management that allows for understanding emerging patterns and conducting a more complete analysis.

The Comparative Historical Analysis wasapplied as follows in Table 3:

1- It started with Lane's Public Policy System Theory combining government and politics together.

2- The dimensions of public policy and administration were analyzedthrough Jacobsen's proposed Yardstick Approach.

Dimension/Factors	Palestinian Refugees (n=1)	Sudanese Refugees (n=2)	Iraqi Refugees (n=3)
	I. Government and Politics		
1- Government (different presidencies in power)	According to Abed (2009), a Palestinian researcher and one of the few researchers on Palestinian refugees in Egypt, the administration of the affairs of Palestinian refugees in Egypt has begun ever since the 1948 war to the present. Thus, we can say that there were four main overarching phases, each with its own context and political system. *From 1948 – 1952* • 1948 – 1952: This was during the period of the Kingdom, just before the 1952 Revolution. Egypt was still a Kingdom, and the approach to hosting Palestinian refugees was through camp establishment. *From 1952 - 1970* • 1952-1967: This period was during President Abdel Nasser's time. The approach to Palestinians was mostly thorough Pan *From 1970 – 1981* • This was under President Anwar Sadat's rule. The beginning of the 1970s marked a significant change in the status of Palestinian refugees. *From 1981 - Current* • This period starts with President Mubarak's era and continues to the present. Due to the similarity in policies over the years, all following presidencies along with President Mubarak's will be analyzed together.	There is a long history of cooperation between Egypt and Sudan, which spans for centuries. For the sake of this comparison, only data from the year 2000 will be used. It's broken down into two periods, from 2000-2005 and 2005 onwards to highlight the difference in policy. *From 2000 - 2015* • This is mainly under President Mubarak's rule, coupled with all different presidencies and administrations that followed. The data shows that no discernable difference has occurred. • As of the year 2000, Azzam (2006) reports that Sudanese refugees continued to enjoy long-term residence while maintaining Sudanese nationalities. A few years after, the situation seems to have steadily deteriorated.	Iraqi refugees started coming into Egypt after the 2003 War. Most came for fear of percussion by armed groups, militias or because of the general insecurity in the country. *From 2003 – 2007* • Egypt has been a safe haven for many Iraqi refugees who fled conflict including sectarian violence and economic collapse. According to Sadek (2011), Iraqi refugees did not expect to stay for long in Egypt. *From 2008 onwards* • There are reported difficulties in making a living, as Iraqi refugees' savings start depleting and many starts to seek work in the informal sector. The less privileged remains much less certain about their future (Sadek, 2011).

| 2- Politics (Major Political Events) | • The 1948 War: This was the onset of the influx of Palestinian refugees in Egypt. Refugees starting coming into Egypt to flee the conflict, and settled in camps across Egypt (Abed, 2009).

• The 1952 Revolution: The revolution and subsequent ascension to Presidency by Nasser has led to a significant shift in Egyptian politics towards. Pan Arabism policies translated into many rights and privileges to Palestinians in Egypt, from employment, to education, to residency rights and treatment like fellow Egyptians.

• 'Golden Era' of 1962 to 1978 during which Palestinians were permitted to practice their rights as citizens while holding Egyptian travel documents.

• The Peace Process and the Camp David Accords: After the 1973 war, at the outset of the peace process, according to Abed (2009), President Sadat looked at the peace process as one encompassing Egypt's commitment to Palestinians.

• The assassination of the Egyptian Minister of Culture: The assassination by the Palestinian faction group Abu Nidal El Banna caused increased tension between Egypt and Palestine and marked a significant shift in refugee policies. On 28 February 1978, a ministerial decision was issued to reconsider all processes by which Palestinians were being treated as nationals. In 1978 two administrative regulations, no. 47 and no. 48were issued by President Sadat: all regulations treating Palestinians | *2005 onwards*

• Four Peace Agreements: In 2005, as a result of thy ceasefire between the Sudanese government and the Sudanese Liberation Army, UNHCR in Egypt decided to suspend all refugee status determination processes in light of the change of circumstances in the c/country of origin and possible potential for peace. This fueled the refugee community with undetermined status to hold a three-month sit-in in front of UNHCR headquarters in Mohandessin, later dispersed by Egyptian central security forces.

• Leaving Egypt irregularly: In November, at least 15 Sudanese migrants were shot and killed at the border trying to cross from Egypt into Israel, possibly by Egyptian police officers, according to security officials and news reports. This is the highest number of Sudanese killed while trying to get to Israel. The Sudanese refugee community is the largest to leave Egypt, often irregularly due to the lack of other channels (Al Monitor, 2015). | There seems to be no particular political event that had a direct relationship with the situation of Iraqi refugees. Overall, they seem to have enjoyed a relatively calm life in Egypt thus far, despite facing some problems in securing incomes and livelihood. |

	as nationals were to be annulled. Ministries quickly applied the new rules. • The early 1990s: Many Palestinians started to leave Egypt towards the 1990s. Many went to Gulf countries to seek employment. But following events like the departure of the PLO from Lebanon, the Gulf War, many Palestinians, especially those with travel documents, kept returning to Egypt whenever possible.		

Table 3 – Comparative Historical Analysis between the three refugee communities: Palestinians, Sudanese and Iraqis.

4.1.3 Legal Context

4.1.3.1 National policies, laws and regulations

Egypt does not have a national policy on asylum or an established asylum system, as highlighted repeatedly in the literature (Ayoub and Khallaf, 2014 and Kagan, 2011a). There are some references to refugees across Egypt's constitutions. According to Badawy (2015), the Constitutional declaration Article 5 of February 1953 was the first reference in a constitutional document to the right to asylum in Egypt. The reference was replicated in 1971 Constitution under Article 53. The suspended Egyptian Constitution of 2012 provides protection to refugees and asylum seekers; additionally, article 57 prohibits the extradition of political refugees. Article 91 of the current constitution also entails the granting of asylum to any foreigner subjected to persecution.

The Egyptian authorities have adopted a number of domestic legislative initiatives to establish administrative bodies and regulate the legal status of refugees and asylum seekers. These are listed below chronologically:

1. Administrative decisions: Egypt established a permanent Committee in the MoFA to review asylum applications and conduct refugee status determination. According to Badawy (2015), this committee has not assumed the responsibility to conduct RSD, which remains UNHCR's duty under the Memorandum of Understanding of 1954. The committee was established in 1984, through a Presidential Decree. (al-Ash'aal, 1992)

2. Adopting the 1951 Refugee Convention as domestic law: The Convention was adopted through Presidential Decree 331 of 1980.

3. Land ownership: The Egyptian government decreed that foreigners should be prevented from owning land in Egyptian territory: This was decreed under Laws 104 and 124 of 1958, although Palestinians are considered an exception to this, under Law 15 of 1963.

4. Giving nationality on the basis of descent: This was decreed in the past decade under Law 154 of 2004, which amended Law 26 of 1975 on nationality, prohibits the children of foreigners who are born on Egyptian soil from acquiring citizenship, as Egyptian nationality is granted only on the basis of descent.

5. Education: The Egyptian Minister of Education issued Ministerial Decree No. 24 in 1992, allowing the children of recognized refugees from Sudan and the children of Sudanese, Libyan, and Jordanian political asylum seekers to attend public schools.

6. Residency Permits: According to Decree No. 8180 of 1996, refugees generally receive a three-year temporary residency permit, issued by the Ministry of Interior. Palestinian refugees may receive a longer residency permit, depending on when they arrived. Palestinian refugees who arrived in 1948 receive residency permits that are renewable every five years, but Palestinians who arrived in 1956 receive residency permits that are renewable every three years.

7. Work Permits: Article 11 of Ministerial Resolution 390 of 1982, issued by the Ministry ofManpower and Migrationrequires proof on the part of the employer that no Egyptian national is available to do the work before permits may be issued (Library of Congress, 2015).

4.1.3.2 The MoUbetween UNHCR and Egypt

Prior to the coming into force of the Refugee Convention, Egypt signed the MOU with the Cairo office of UNHCR, under which the international organization consented to conducting RSD on behalf of the Egyptian government. MOUs are a common tool for developing state parties to ease the burdens associated with their asylum systems by contracting out UNHCR to perform RSD on their behalf, according to Badawy (2008). It is reported that UNHCR carries out RSD functions in more than sixty states, which makes it the largest body dealing with asylum applications in the world. Furthermore, UNHCR-RSD is an efficient tool for the international organization to deal with asylum in countries that have not signed or ratified the Refugee Convention. Such tradeoffs between UNHCR and states that are not party permits these states to allow refugees on their territories, absent any international obligation in conventional international law, provided that UNHCR provide these refugees with assistance.

The MOU came into force in 1954, at a time where the Egyptian Revolution of 1952 had already occurred. According to Badawy (2015), The Egyptian Council of States approved the MoU, and the Cabinet convened to discuss, amend and approve it.The Egyptian official gazette published the MoU, titling it as an agreement with UNHCR. It is worth noting that a different administration, namely the one under King Farouk, had participated in the drafting of the 1951 Convention as the only North-African state. It is safe to assume that this administration was involved within a much different national context, and with a different political orientation. As a result, we can assume that the rise of the republic, the emergence of national leaders like Gamal Abdel Nasser and subsequent presidents, and the emerging national political system, discussed in the public administration and policy context, are all factors that influence the MoU and other national laws were taken forward, and how the state's policy and administration choices that ensued since can still be seen to-date.

Badawy (2008) also notes that several events have taken place after the signing of the MoU, suggesting a need to review the document in light of these developments. These include: The independence of many colonized states in Africa, the coming into force of the OAU Convention in 1974, Egypt's ratification of the Refugee Convention and the Protocol in 1981 and the creation of an independent RSD Committee at the Egyptian MoFA under Decree 188/1984, as well as the arrival of thousands of refugees from the Palestinian territories that were occupied following the 1967 Six Day War.

Badawy (2008) concludes by saying that Egypt follows a certain model that is entailed within the international system to developing countries like Egypt. In this model, aMoU is signed with the state that is party to the Convention, in which UNHCR conducts RSD on behalf of the government. However, following the establishment of the RSD Committee in the MoFA, the roles should have been transferred to the government directly. This is discussed further in Chapter 6.

Policy Type	
Policy Set I: Legal-Bureaucratic response	
Accede to international instruments and conventions?	Egypt is signatory to the 1951 Convention on the Status of Refugees and the OAU's 1969 Convention Governing the Specific Aspects of Refugee Problems in Africa. The three refugee communities are reflected in different capacities under both Conventions.
Create separate bureaucratic authority responsible for refugees?	There are two instances in which a separate administration was created to govern the affairs of refugees in Egypt: The first was with the creation of the High Committee for Immigrants to provide the assistance needed by Palestinian refugees following 1948. The only administration or directorate that resembles this currently is MoFA Department of Refugee Affairs.
Procedures for determination of refugee status?	Egypt does not have its own asylum policy. The Egyptian MoFA had an established department that was set to conduct RSD procedures fully. However, this department has not assumed the role fully yet. Instead, UNHCR manages the status determination procedures, in compliance with the Memorandum of Understanding (MoU) it has signed with the Egyptian government.
Policy Set II: International Refugee Organizations (IROs)	
Grant IROs permission to assist refugees?	IROs have been permitted to work in Egyptian territory. Dueto UNRWA's mandate to operate in five areas of operation (Jordan, Lebanon, the Syrian Arab Republic, West Bank and Gaza), the IRO could not provide assistanceto Palestinian refugees on Egyptian territory.This has caused some problems with the access of refugees of Palestinian origin to assistance, as they should receiveassistance in Egypt from UNHCR under the 1951 Convention, but still do not. This may have been due to the fact that Egypt does not accept that any individuals from Palestinian origins register as refugees on its territory (Abed, 2005 and Ayoub and Khallaf, 2014).
Cooperate with or restrict IROs?	Egypt cooperates with UNHCR to fulfill the needs of different refugee communities. Cooperation seems to have gone smoothly since the signing of the MoU in 1954, despite some researchers citing an imbalance in the distribution of roles and responsibilities.
Policy Set III: Admission and Treatment of Refugees	
Admit refugees appearing at borders?	The reviewed literature does not mention breaches of the principle non-refoulement in these refugees' case nor non-admission at the borders.
Location of refugees?	Egypt has not had a refugee encampment policy except shortly after 1948. A year later, refugees were given the opportunity to live in urban centers. No camps were established afterwards. (Abed, 2005)
Rights of and restrictions on refugees?	The Palestinian refugee community has enjoyed the most rights out of the three refugee community, particularly in President Abdel Nasser's era. We can say confidently that this is the era where any refugee group had enjoyed the most rights. Rights have steadily reduces since 1978 as previously stated. They are followed by the Sudanese refugee community, who have enjoyed a stable presence and were granted asylum relatively easily during the time of the Mubarak administration.
Refugee protection of physical safety?	The one group that has suffered considerably from the lack of physical protection is Sudanese refugees. who state they were
Repatriation?	Usually refugees are welcomed on Egyptian territory, but are repatriated forcibly or involuntarily if they are believed to pose a threat to national security. This was cited in the literature right after the dispersal of the sit-in of the Sudanese refugees in front of UNHCR in 2005.
Treatment of long-term refugees?	Egypt has shown some reservation on the concept of local integration for refugees when drafting the 1951 Convention (Badawy, 2008). Additionally, the MoU between UNHCR and the government of Egypt only shows repatriation and resettlement as the two viable solutions for refugees on its territory.

Table 4 – Jacobsen's Yardstick in analyzing the Syrian Refugee Response and adherence to international agreements

4.1.4   Analysis of the context and what it means for the Syrian refugee response:

There are a number of things to take away from this part of the study that can inform the Syrian refugee response. First, Egypt is the only non-Western drafting member of the 1951 Convention, and has acceded to it and its 1967 Protocol in due course. That is not withstanding accession to regional Convention's like the OAU's. In spite of this early and proactive role in refugee issue, it seems that the approach has changed drastically since the first wave of Palestinian refugees came on its territory. This change in different presidencies and administrations positions seems to be first and foremost governed by political as well as national security considerations. This is most evident throughout Abdul Nasser's and Sadat's time, and the swift changes that occurred with political developments in the country. Second, although not discussed at length here, but refugee rights and entitlements have receded substantially over time, as evidenced by literature (Abed, 2009; Azzam; 2006, Crane, 2015; Sadek, 2011). Third, the Sudanese refugee case represents another interesting example of the sharp changes that can occur to refugee communities when the political situation in the country changes. At the outset of the new millennia, the Sudanese community seemed to have enjoyed many rights and even support from the Egyptian government. The changing situation back home influenced what was happening at the host state level.

Fourth, only two times has Egypt had a separate administration for refugees, once for Palestinians after 1948, and one currently established under the MoFA, but remains to be further developed (Badawy, 2015). Additionally, while the RSD procedures should have been transferred to MoFA, they are still under UNHCR's mandate in accordance with the MoU signed in 1954.

Fifth, while the government and UNHCR work and collaborate closely, a significant amount of the work is undertaken by UNHCR.

Sixth, although the literature on the three refugee communities does not show signs of expulsion of refugees or refusing entry into the country, this is an important feature in the Syrian refugee response, which will be mentioned in the next chapter.

Seventh, the sudden restriction of rights has usually had a direct tie with political situation, however the gradual decrease in the rights given to refugees point to the possible changes in the country's economic situation.

Eighth, although not common amongst all, refugee physical safety and protection can be a problem for certain refugee communities, whether when it's at the borders or within the country's territory.

Ninth, although not common amongst the three refugee communities, involuntary repatriation occurred for the Sudanese.

Finally, in spite of Egypt's reservation on the integration of refugees into Egyptian society, the uncertainty of resettlement and little likelihood of repatriation when conflicts are still ongoing in refugees' home countries, local integration becomes a "de-facto reality" (Ayoub and Khallaf, 2014: p.10).

5   Chapter 5: A Case Study of Syrian Refugee Response in Egypt –Case Analysis

5.1   Case Analysis

In the wake of the events of the Arab Spring, particularly after the uprisings in Tunisia, Egypt, Libya, Yemen and Bahrain, the Syrian revolution took place between the summer and autumn of 2011. The situation in Syria escalated after the first dispersal of peaceful protests on July 29, 2011 (Ayoub and Khallaf, 2014). The subsequent conflict between the government and various warring factions\, the loss of life and deteriorating living conditions led to the creation of a situation of mass displacement for more than three million refugees across the region in 2014(Ullah, 2014), increasing to four million in the following year (UNHCR, 2015a).

Influxes of Syrians refugees first arrived to Egypt as a result of the ongoing conflict in Syria. Planning figures in December 2012 point to around 13,000 people of concern in total for UNHCR amongst the Syrian community in Egypt (UNHCRb, 2014). The number increased sharply in 2013, with over 145,000 registered refugees coming into the greater Cairo area, Alexandria, Sinai, Damietta and Mansoura (Ayoub and Khallaf, 2014). This is understood to be due to "the lower cost of living and a favorable protection environment" (Bidinger et al, 2015:p.78). In July 2014, UNHCR figures have indicated that the total number of refugees has reached 138,245 registered Syrians in Egypt, with government estimates pointing to a total of 300,000 Syrian refugees, including unregistered refugees (Abaza, 2015; Kingsley, 2013). It is worth noting that the MoFA statedin September 2015 that there were 350,000 Syrians in total residing in Egypt, with some 140,000 registered with UNHCR (Rashwan, 2015).

5.1.1 <u>Application of Lane's Policy System's Approach:</u>

5.1.1.1 <u>Government and political system:</u>

Syrian refugees first came into Egypt came after the 2012 presidential elections, when former President Mohamed Morsi was in power.Many reports indicated that Syrian refugees first felt welcomed when arriving to Egypt (Ayoub and Khallaf, 2014 and World Humanitarian Summit, 2014). This propelled more refugees to come into the country, as they only needed to enter with their passports, without any visas (Kingsley, 2013). Egypt's political stance from the ongoing conflict in Syria at the time may have been the reason behind the facilitation of the entry. In conjunction with the assumptions deducted from the comparative historical analysis, the Syrian refugees' situation did change with the change in those in power.After July 2013, there were tighter security measures on Syrians in Egypt and Syrians entering Egypt. In 2015, five years after the eruption of the conflict, Syrian refugees in Egypt, like many of their counterparts in other countries of the region, attempt to take the journey by sea to Europe in the hopes of a better life.Below in chronological order are the main periods of study for the Syrian refugee response throughout the past few years.

<u>2012 –Early 2013:</u>

Earlier reports and planning documents by UNHCR show Egypt was initially welcoming of Syrian refugees in the country, who either fled directly from Syria or came through Lebanon. Syrian refugees were keen to come to Egypt for three main reasons: Cheap costs of living in comparison to other countries hosting refugees in the region like Jordan and Lebanon, existing community ties in the country, and unwillingness to live in camps (UNHCR, 2012).

In a household survey performed in 310 Syrian household, 99.4 percent of the refugees surveyed indicated that they did not require a visa prior to entering Egypt (Ayoub and Khallaf, 2014). This was believed to be a considerable advantage in comparison with other countries. They received a three to six months renewable tourist visa.

There were four alternatives for Syrian refugees after entering the country:

1. Extend the tourist visa

2. Get a work permit for foreigners

3. Provide proof of study in Egypt

4. Approach UNHCR for registration

In this period, some refugees did not seem willing to register officially with UNHCR. This phenomenon was interpreted by the fact that many refugees who initially came from Syria were well-to-do and can support themselves. But one of the main reasons this step was avoided was due to the fear of being labeled as an opponent to the regime in Syria and be subsequently known to the Syrian embassy in Cairo. Other reasons included avoiding the label of refugee and not being aware of the existence or possibility of registration (Communication with a UNHCR staff member, 3 November, 2015; UNHCR, 2012).

Refugees had concerns for the education for their children. At the time, the Egyptian administration under President Morsi announced that access to primary and secondary education be granted to Syrian refugees on the same basis as Egyptians. Despite these initial intentions to welcome Syrian refugee children and youth into the educational system, there were some reported difficulties in enrolling them and later integrating them into the system, in particular for those without official documentation, added to the limited places available and the pricing of private schools.

The Ministry of Health also issueda decree allowing for access for primary health care for Syrian refugees (UNHCR, 2015a). Still, it was reported that support for secondary, tertiary healthcare and life-saving interventions was still needed. Additionally, not all refugees could afford paying for health treatment. A needs assessment conducted by UNHCR in 2012 shows the need for support for shelter and housing. In spite of these issues, Syrians seemed to have enjoyed a relatively calm stay in their new host states in that period of study.

2013:

UNHCR reports that refugee arrivals increased dramatically in 2013. Syrians continued to pour into the country and enjoyed the same rights granted by the government for them in 2012. But bymid-2013, a significant shift in the treatment of Syrians occurred. President Morsi gave a speech at the Cairo International Stadium where he announced new policies towards Syria. These included severing ties with Syria, withdrawing Egypt's diplomatic mission from Damascus and closing the Syrian embassy in Cairo (AbdAllah, 2013).The regime change in July 2013 and the subsequent sit-in in Rabaa square started the linkage between Syrian refugees and protest movement stirred negative sentiments against Syrians by the Egyptian public and the media.

With regards to these new conditions, UNHCR stated that the Syrian community was affected by these political developments. Some report that were harassed and assaulted following the events (Gulhane, 2013; World Humanitarian Summit, 2014). During that period, the media speechagainst Syrian refugees' "affairs involvement in Egyptian" seemed to be on the rise (examples include ONtv, 2013a), although some media personalities retracted their statement shortly after negative reactions from the public, citing their speech as "hate speech" (Ontv, 2013b).Some UNHCR officials criticized the government for not responding to these messages at the time (AbdAllah, 2013), although statements by officials

about Syrian refugees in due course seemed to be supportive and sympathetic to their situations, as will be shown in the years 2014 and 2015.

Following the change of regime in Egypt in 2013, the Egyptian Government announced that Syrians would need to obtain a visa and security clearance prior to entering the country as of July 8 (Ayoub and Khallaf, 2014; Gulhane, 2013; UNHCR, 2013). The procedure was put in place as a temporary security measure in response to concerns that some Syrians had participated in protests and violence after the removal of former President Mohammed Morsi. Syrian refugees seemed to be quick to register with UNHCR to make sure their status was documented, after the general relaxed attitude towards registration in 2012 (Kingsley, 2013).

Authorities have placed Syrians under greater security and there have been incidents of Syrians being arrested, detained, and deported for not having a valid residency (Egypt: Syria Refugees Detained, Coerced to Return, 2013). It was noticeable that the number of refugees coming into the country decreased, with many seeming to be going to Lebanon and Jordan, where there were no visa requirements. (Gulhane, 2013)

Additionally, according to one of the interviewees, Egypt may be in violation of the principles of non-refoulement starting from the year 2013:

"Egypt is [generally] very generous in granting asylum, but in the particular situation [of Syrians], in the last two years, there are concerns about violation of the non-refoulement provision. All flooded to register since 2013, because they knew that if they didn't have regularized status they might be asked to get out. Before that, they didn't register. Applying to asylum before can be a danger if they want to return to Syria. They still don't know what's going to happen, if any of the lists [UNHCR lists of refugee] do get out, they are on a

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black list. Sometimes the lists do get out and it's very dangerous. But everything changed now; it's not as though the flows have stopped which means you know… that we're sending them somewhere else. It's destabilizing for the region to not share the burden, for countries like Jordan and Lebanon" (Personal communication, 23 November, 2015).

Additionally, according to a media interview with the Director of UNHCR in Egypt, Syrian refugees have started to look for ways to leave Egypt due to the increase of anti-Syrian sentiments in Egyptian streets and in the media, as well as the strict new visa requirements, which have significantly limited the entry of refugees and asylum seekers into Egyptian territory (Beach and Qabbani, 2013). Towards the end of the year, Egyptian authorities detained over 1,500 refugees from Syria, including at least 400 Palestinians and 250 children, according to Human Rights Watch. They were arrested as they were trying to make their way out of the countryillegally. Of the 1,500 detained refugees, 1,200 were involuntarily repatriated to Syria, according to Human Rights Watch (Egypt: Syria Refugees Detained, Coerced to Return, 2013). Amnesty International adds that some were deported to other countries in the region as well (Egypt: End deplorable treatment of Syrian refugees, (2013)).

Overall, it can be noticed that in 2013, the arrival and registration trends have varied in correspondence with the developing conflict in Syria and the political changes in Egypt. The rate of the arrival of refugees and asylum seekers reached its peak in April 2013. The rate stabilized from April to June 2013 and then fell dramatically as of August 2013. Registration for refugee status peaked in April 2013 corresponding with the high rate of arrivals. However, it declined again between May and July 2013, and then peaked dramatically in August 2013. As of October 2013, the rates have declined in correspondence with the overall reduced rate of arrival of Syrians into Egypt (UNHCR, 2013). Although arguable, it was

interpreted by many as the intended result of the visa requirements (Inter This trend is directly correlated with the political changes in Egypt.

2014:

Despite increasing tension between Syrian refugees and host communities in Egypt in 2013, UNHCR reports that the situation has improved after the moderate political stability experienced in June 2014, when President Abdel-Fattah Al-Sisi was elected. Alternatively, due to increased security threats, there are increased visa restrictions on refugees that may "impact on [their] ability to seek access to territory and asylum" (UNHCR, 2015: 5). Additionally, the year witnessed more irregular migration by sea by asylum-seekers and refugees, and up to 1,000 Syrians were arrested from January to mid-September 2015 (Ibid, 2015). Some were released and some were resettled to a third country.

As of 31 October 2014, some 140,033 Syrian refugees were registered with UNHCR. UNHCR also reports that the increased costs of living in summer 2014 due to government subsidy reduction decreased household purchasing power and increased costs of things like transportation may move refugees to poverty. This resonates with current stats that point to the fact that Syrian refugees.

2015 – Current situation:

The current population of concern for UNHCR in Egypt is set at 123,585 as of 15 December 2015. This amounts to 43,232 households in total.

In September 2015, reports by media and UNHCR in September 2015 show that in 2015 show that almost 90 percent of refugees in Egypt are classified as living below poverty line. Some 61,683 Syrians, around 70 percent of the total registered population, are classified as severely vulnerable (Rollins, 2015c: para 3), while 27.72 percent are classified as "highly

vulnerable". Concurrent with these events, irregular migration by sea was on the rise in 2015 for Syrian refugees in Egypt. The current rhetoric on Syrian refugee affairs shows that Egypt is becoming perceived more as a transit country rather than final destination for refugees (Nouredin, 2015; Rollins, 2015a). As more refugees start to make their way out of the country, it was reported in 2015 that more than 100 Syrian refugees were detained while attempting to travel illegally by sea (Rollins, 2015a).

There were a number of statements from Egyptian officials on Syrian refugees in 2015. A statement by the Assistant Foreign Minister for Mutli-Lateral Affairs and the International Security while interviewed on live television said the following:

> "Egypt is at the forefront of countries that open their doors to Syrian refugees. Despite the economic burdens, the difficult circumstances we are going through, we still believe that we have a duty to take them in". The Assistant Minister adds: «We do not have refugee camps Egypt.Everyone who comes to us livesamongst Egyptians, and enjoy all the health and education services enjoyed by any Egyptian citizen. We look at [Syrian refugees] as brothers, not refugees".

5.1.1.2 Public Policy

In accordance with Jacobsen's approach, I start with the factors that influence the policy responses of host states to refugees. I then follow with an analysis of the three policy sets that represent the UN Yardstick to refugee response and abidance to international conventions on asylum.

1. Relations with sending country

Egypt has an important history of close ties and shared influences with the Syrian Arab Republic, and it traditionally has opened its doors to Syrians. Even prior to the conflict, there was an established and sizeable Syrian community residing in Egypt (UNHCR, 2012). Egypt and Syria both have a shared history. Following the 1954 coup in Syria, the parallel policies of the two countries and the charismatic leadership of Egyptian president Gamal Abdel Nasser created support for the idea of a union between the two states. A referendum was held for Syrians and Egyptians to unite their countries. On 1 February 1958, President Gamal Abdel Nasser and Shukri Al-Kuwatli announced the merging of the two countries. The United Arab Republicensued. Syria witnessed another coupin 1961 and seceded from the United Arab Republic, and re-established itself as the Syrian Arab Republic. (Ayoub and Khallaf, 2014).

Many Syrians remained in Egypt after the dissolution of the short-lived republic. At the beginning of the crisis, the first wave of Syrians fleeing to Egypt in 2011 was primarily composed of persons with family ties, business connections or personal networks in Egypt. These first arrivals generally relied on personal savings, found work or opened businesses, and they maintained a moderate degree of self-reliance (UNHCR, 2012).

Given the strong relation and shared history between Egypt and Syria, this issue is an important factor in determining policy outcomes, and bears influence and impact on Egypt's policy, starting with the initial facilitation of entry into Egyptian territory and with the equal treatment of refugees in education and health services. Even in times of conflicting political conditions or developments, it should still factor in as an important element in decision-making concerning refugees.

2. The political calculations about the local community's absorbing capacity

The Egyptian economy has suffered substantially after the 25th of January revolution (Abdou and Zaazou, 2013). Over the past few years, the changing political scene in Egypt hascaused GDP growth indicators to drop, floating at around 2 percent per annum,and the youth unemployment rate to increase to 26,6 percent in 2015.Additionally, around 4.4 percent of the population live in extreme poverty, while 26,3 percent live below poverty line (UNHCR, 2015a).

Regarding this issue, the Egyptian permanent representative to the United Nations made the following statement during an interview about the status of Syrian refugees in Egypt:

> "Egypt is the only country where Syrian refugees are not suffering from anything, for two main reasons. Firstly, they receive free education and healthcare, and this is a burden; their numbers [in Egypt] have now reached 400,000. Secondly, they are assimilated within the society, not staying in camps such as those in Jordan and Turkey. They live within the society, and many of them started working". (Khater, 2015)

From this issue, we can understand that hosting Syrian refugees represents a significant burden to the Egyptian state, added to the political situation in the country. This issue affects both sides. According to UNHCR, as Syrian refugees settle into communities that deal with these conditions, they too are affected by unemployment, limited services and livelihood opportunities (2015a).Hence, this issue represents a matter of concern to Egypt as a host state, and is considered an influence in its policy outcomes towards refugees.

3. National security considerations

As made evident previously, national security considerations from the side of the Egyptian government became more evident following July 2013 and the dispersal of the

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Rabaa sit-in, in which many Syrian refugees were accused to be have been embroiled and directly involved in. This factor continues to affect Syrian refugees, with reports mentioning that added security measures after July 2013 include visa checks by the Egyptian Intelligence (Ayoub and Khallaf, 2014) as well as final clearances from detention being made by Homeland Security (AbdAllah, 2013).

4. The costs and benefits of accepting international assistance

This particular policy factor is a double-edged sword. For one thing, the MoFA stated in a document published by UNHCR that the Egyptian government is received "little or no international assistance" in providing these services, which are subsidized and made to be almost free of charge. Below is an example of government interventions made to support Syrian refugees in Fiscal Year 2013/2014. In total, these contributions amount to 232.7 million USD in that fiscal year alone. This is a substantial amount of money allocated from Egypt's budget, given the fact that UN and International Non-Governmental Organizations have requested 168 million USD in humanitarian assistance in the Egypt Chapter of the Syria Refugee Response Plan by UNHCR (UNHCRb, 2014). This plan was later endorsed by the Egyptian Government.

Table 5 - Interventions of the Government for Syrian refugees – FY 2013/2014

Governmental Body/Line Ministry Involved	Intervention	Cost	Reached Refugees
Ministry of Finance (MoF)	Support to Syrian refugees for food, energy subsidies and social services during fiscal year 2013/2014	150 million USD	300,000 refugees

Ministry of Education (MoE)	Enrolling refugees in public schools with exempted tuition	23 million USD	35,000 refugees
Ministry of Higher Education (MoHE)	• Education for undergraduate students • Education for graduate students	57.5 million USD in total for both	• 9,535 undergraduate students • 1,377 graduate students
Ministry of Health (MoH)	Primary health care services for Syrian refugees	2.2 million USD	No total number is provided

(Source: Egyptian Ministry of Foreign Affairs, 2014).

A positive side of this is that Egypt is included in UNHCR's Regional Response Plans for Syrian refugees, which ensure that response to refugees and securing their needs is funded by international donors and that the operations in the country are supported. In 2013, UNHCR requested 14,337,831 million USD to support operations on Egyptian territory for the first six months of the year, as part of the Regional Response Plans for Syrian refugees. In 2014, Egypt was included in the 2014 Syria Regional, which requested 168.8 million USD to address refugee needs that year (UNHCR, 2014c). In 2015, these requirements peaked to 379,763,596 million USD (UNHCR, 2015a).The Egyptian government endorsed the documents as the representative of the host state and as the primary agent responsible for addressing refugee needs on its territory.

The forecast for 2016 shows the requirements for funding to be around 146.5 million USD. While funding requirements do not automatically guarantee that all fund requests will

be met, this can play a significant role in alleviating part of the burden Egyptian authorities have mentioned as a challenge in hosting refugees. The MoU between Egypt and UNHCR guarantees that the refugee agency undertakes a considerable role in helping the host state manage asylum and refugee affairs on its territory.

Next, Jacobsen's Yardstick for abidance by UN Conventions is used below, to provide an overview of the adherence of Egypt to international agreements and its responsibility as host state.

3- Public Policy		
`	Response	Response Type
Policy Set II: International Refugee Organizations (IROs)		
Cooperate with or restrict IROs?	Egyptian authorities work very closely with UNHCR, according to the MoU signed in 1954. The Egyptian government offers support to the IRO while it undertakes a significant number of refugee-related tasks, according to the stipulations of the MoU.	Positive
Policy Set III: Admission and Treatment of Refugees		
Admit refugees appearing at borders?	Results of the interviews and the review of literature and media over the period of the response shows increasing restrictions on refugees in entering the country due to visa requirements	Negative since the admission of new visa restrictions
Location of refugees?	One of the main advantages of the Syrian refugee response, according to interviewees and the results of the analyzed focus group discussions, the lack of encampment policy in Egypt is seen very positively of its status as a host state.	Positive
Rights of and restrictions on refugees?	While a number of rights are afforded (education, elementary and tertiary, and health services), refugees still struggle with some rights. For example, most employed refugees work in the informal sector, as they find difficulty in getting work permits, and they are not allowed to purchase land or open a bank account, which hinders their attempts of starting small businesses. They have to be accompanied by an Egyptian in order to get these rights. As for the right of non-refoulement, it seems that it was not always upheld during the period of the response.	Positive for some rights, Negative for others
Refugee protection?	Refugees have recorded attacks on physical safety and harassment following political changes over the past few years.	Positive mostly until 2013, where a number of incidents were recorded.
Repatriation?	Involuntary repatriation has been on the rise since 2013, preceded by detention.	Negative
Treatment of long-term refugees?	Syrian refugees in Egypt reside in urban settings and are not restricted to camps, which is considered a significant advantage given the situation in neighboring countries. However, when it comes to prospects of local integration, this seems to become more difficult as there are significant security restrictions, increased poverty amongst refugees and lack of possible livelihood activities given the economy. All these factors encourage refugees to leave Egypt and see it as a transit country, while a large number embarks on journeys in the Mediterranean seato reach Europe, risking everything. This is also not withstanding Egypt's position on the 1951 Convention concerning local integration.	Positive for allowing local resettlement Negative for long-term prospects of local integration

Table 6 – Jacobsen's Yardstick in analyzing the Syrian Refugee Response and adherence to international agreements

As explained in Table6 above, while we can see that there are many positive response issues like close cooperation with IROs, the no-encampment policy, and upholding a number of refugee rights and protection. There have been some negative responses concerning forced repatriation to Syria or other countries, limited opportunities for local integration, sometimes jeopardized physical safety and difficulties of admission at borders.

5.1.1.3   Public administration perspective:

Although there is no set asylum policy for Syrians in Egypt, there is a number of governmental institutions and bodies, a lot of which are ministerial, that support Syrian refugees and asylum seekers in Egypt. A quick overview of the different procedures through which refugees undergo in their new host state is needed to provide a public administration perspective.

First, because of the division of responsibilities between the Egyptian government and UNHCR, UNHCR conducts the refugee status determination (RSD) procedure, while the MoFA's Department for Refugee Affairs documents refugee arrivals and provides reference numbers (Badawy, 2008). There are two key outcomes of the RSD procedure: The UNHCR Asylum-Seeker Registration Card (yellow card), or the UNHCR Refugee Registration Card (blue card). The yellow card is given to asylum seekers who have registered with UNHCR and applied for refugee status, to be determined later by the Refugee Organization.Those with blue cards are already recognized as refugees.

Second, after going to UNHCR, refugees and asylum seekers must obtain a residence permit, required especially required for those with yellow cards.Refugees should obtain a reference number from MoFA'sDepartment of Refugee Affairs. Next, they should approach the Resident Unitunder theMinistry of Interior (MoI)'s Directorate for Passports, Immigration and Nationalityto register for a residence permit, divided into three typesaccording to the

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Ministry of Interior official website (Ministry of Interior, 2007): Residence for less than six months, residence for more than six-months and less than a year, and residence for a full year.

A lot of the other roles performed by the government are experienced in a more indirect way by the refugees. For example, the Office of Arab and Middle Eastern Affairs is the branch of government that deals with more diplomatic and policy-level issues that concern refugees, including the inclusion of an Egypt Chapter in UNHCR's regional Syrian refugee response plans (UNHCRa, 2015).The Ministry of Health also provides health care services to refugees and asylum seekers seeking treatment in any public hospital, who have to present their blue or yellow cards to access health care at national rates. The role of the Ministry of Education is also prominent in supporting elementary and higher education for refugees, as previously discussed in the previous section.

Finally, a number of security institutions are involved in a number of security-related tasks (including approval of release of Syrian refugees from detention after National Security approval and background checks by the Intelligence), although there is not much clarity on the capacities in which they are involved and which internal bodies are designated to perform work related to Syrian refugees.

In light of these findings, and based on communications with UNHCR staff (communication on 15 December, 2015), below is a tentative mapping of the Public Administration of the Syrian refugee response in Egypt, and the governmental institutions involved. There is room to develop this mapping provided that there are opportunities and accessibility to collecting primary and secondary data on the issue.
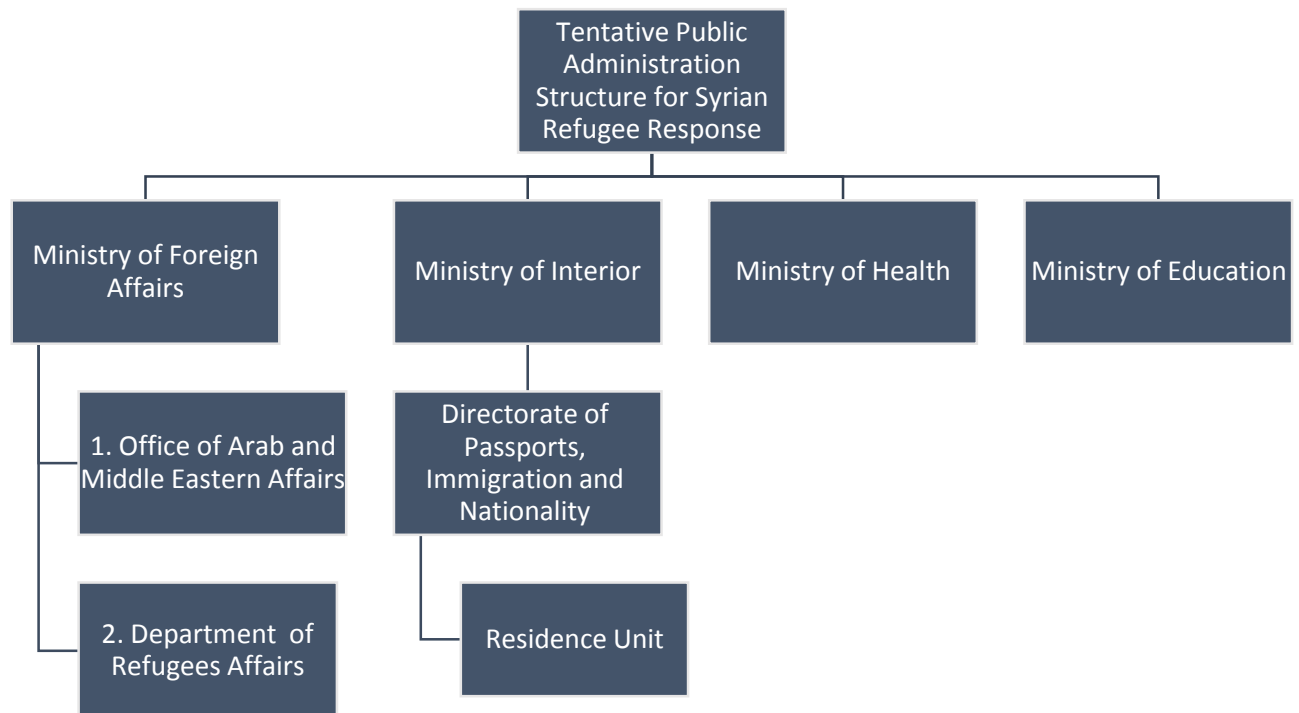
Applying the Institute of Managerial Sciences' approach to Public Administration of Migration, we find the following:

1- Lead Administrative Responsibility

The MoFA remains UNHCR's main interlocutor, while direct interaction with line ministries outlined above remains. The Government continues to ensure equal access to health and education for all Syrian refugees in Egypt. The Government of Egypt has been invited to participate in the RRP6 process and UNHCR, UNICEF and WHO have been in regular contact with the MoFA and line ministries to identify its needs.

Other ministries that work closely with UNHCR include Ministry of Health (MoH), Ministry of Social Solidarity (MoSS), Ministry of Interior (MoI), Ministry of Housing, Ministry of Local Development (MLD), and the Ministry of Education (MoE). A recent news piece published in December 2015 described a collaboration between the Egyptian National

Post Organization (ENPO) to distribute financial assistance to Syrians throughout different post offices in Egypt (Alaa El-Din, 2015).

2- Service Delivery

As elaborated previously, refugees have access to educational and health services from the government. Support with livelihood activities, protection and legal assistance, and food security comes from UNHCR and a number of partner agencies. They perform needs assessments every year to determine needs per country and include them as part of the regional response plan for Syrian refugees, under Egypt's chapter. They then request the funding and start implementing a number of projects to respond to needs. It is worth mentioning that UNHCR also provides support in education and health assistance to refugees in the country, in collaboration with the Egyptian government.

3- Operational coordination

On the ground, UNHCR conducts RSD, provides assistance for the five sectors mentioned above, and coordinates the response with a number of partner agencies.An inter-agency coordination meeting is held amongst senior management, led by UNHCR, to facilitate response to the refugees (personal communication with UNHCR staff member, December 6, 2015).Bilateral meetings and coordination with the MoFA and UNHCR management occurs regularly.

This operational coordination occurs within the framework of the MoU.It is easy to assume thatthis document is regular protocol between the government and any UN specialized agency. However, according to Kagan (2011a), this document has become central to the management of the refugee response in the country.

"..In 1954, Egypt and UNHCR signed a Memorandum of

Understanding ("MOU") which is more limited than the [1951]

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Convention in terms of the rights granted to refugees. It has never been officially renounced by either party and has operated as a parallel foundation for refugee policy [in the country]. The Refugee Convention arguably expands on the MOU without contradicting it. But the parallel existence of the two instruments created an ambiguity, especially since the MOU speaks more directly to how refugee policy will be implemented." (2011a: p.11)

4- The International Dimension

The international dimension was examined closely in the contextual literature review. Its implications on the response will be analyzed thoroughly in chapter 6.

5- Designing, evaluating and adapting the policies in accordance with the international context

Jacobsen's policy yardstick helped to analyze the adoption of the policies from the international to the local context, highlighting the differences between both.

6- Resources

The resources made available for the refugee response were mainly from the Egyptian government, donor contributions and UN response funds.

7- Relations with the Media

There doesn't seem to be a clear policy regarding media and refugees in Egypt, although the fact that the Egyptian government did not offer rebuttals to the media outlets that spread negative rhetoric about Syrian refugees was perceived negativelyby UNHCR in Egypt. Hence, we can understand that more could have been done to ease the tension between local communities and Syrian refugees.

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5.2 Findings from Focus Group discussions with Syrian refugees in Egypt:

For Syrian refugees in Egypt, living in Egypt means dealing with many stakeholders, first and foremost government authorities and UN organizations, followed by civil society and the local refugee community. Some of the findings of a series of focus group discussions the principal investigator was part will be analyzed in order to complement the findings of the study.

When discussing the government and how they have aided Syrian refugees since they arrived, a number of issues were raised. First, with regards to how the response was handled, Syrians seemed to believe that their affairs were administered mostly by UNHCR, in comparison with the role of the Egyptian government (World Humanitarian Summit, 2014). There are also views on inflated responsibilities by the organization, which should originally fall with the host government. This can be further explained by the fact that not all refugees understand the roles, and most importantly, limitations of UN agencies working in Egypt. Though this was never said explicitly, refugees use the terms "weakness", "influence" and "need to stand tall" when describing the relationship between the government and the UN, not understanding that both parties are principally partners.

As for the opinions on the government's performance in administering their affairs, refugees said that there was a "lack of communication of the regulations" between central government and different authorities. When enrolling their children in public universities or in schools, Syrians recounted stories of rules told by administrative staff that contradicted any rules that were communicated with them ahead of time. Usually, these rules are communicated by UNHCR. This quote was provided by a female Syrian participant who tried to enroll her son in a public university in Egypt, and was surprised by how some junior staff members told her different regulations then the ones she was made aware of:

The issue of status determination and its implication for refugee protection in their new host state is always a priority. Due to concerns of refugee integration and its impact on the local economy and employment prospects for Egyptian nationals, Syrian asylum seekers are given temporary residents and allowed to hold a UNHCR "yellow" card, as opposed to the "blue", received by those who are recognized as refugees. They are also recipients of state residencies. One Syrian refugee said:

"For us, these [legal] documents are documents that help preserve rights".

Female Syrian informant, 10th of Ramadan.

Syrians have also complained of discriminatory behavior in state authorities, and from hostility from Egyptian nationals themselves. This was reported to have worsened after the political turmoil in Egypt in 2013. That is not withstanding some incidents of harassments and incidental thefts on the street. These conditions created a lessened feeling of safety and protection in Egypt.

According to one Syrian refugee's account, the refugee visited Mogama' Al Tahrir to complete some legal documents. He explained that the clerk behind the counter had referred him to a "counter of Al-Fe'at Al Dunya (lesser categories)". The refugee protested the fact that he was being referred to as a lesser category. While the validity of the story remains difficult to determine, it raised questions on how refugees are treated by Egyptian authority, an important factor to look into while looking at the government's refugee response.

The criticism of Syrian refugees did not exempt UN agencies as well. Syrian men groups have also complained that UN organizations that provide humanitarian aid are also bureaucratic and lacking in accountability (World Humanitarian Summit, 2014).

Media has played a considerably negative counterparts. Refugees mentioned that role as the main reason behind the tension with their Egyptian counterparts and behind their new "vilified" image. One male informant said:

"There must be a separation between politics and the status of refugees in

Egypt. Media should be used to cherish the value of refugees [in the country]".

There were also numerous calls for employment opportunities in Egypt, which the government has limited in line with its aforementioned policy. As foreigners on Egyptian lands, Syrians are only eligible to work if they receive work permits, which prove to be very difficult to obtain. Additionally, Syrians were not allowed to buy property, unless the contract holds the name of an Egyptian national, or to transfer money abroad. Even opening a bank account was prohibited for refugees. Finally, Syrian refugees also spoke about forced repatriation and detention in Egyptian prisons following the events of 2013, citing the fact that they have come to Egypt to seek safety and security away from the brutal conflict, and not to face detention again there.

From the testimonies of the Syrian refugees in Egypt, it can be confirmed that they go hand-in-hand with the policy and administration analysis proposed by Lane, Jacobsen and the Institute of Managerial Studies, putting special emphasis on the relationship between UNHCR and the Egyptian government. Syrians have voiced concern about the same issues raised across the case study, in addition to the expression of their wishes for more support from both host states and the UN.

6   Chapter 6: Discussion and Analysis

This studyattempted to understand the response of the Egyptian government towards Syrian refugees, by asking two questions: What did the Egyptian government do, and why? It sought to understand the role of the Egyptian authorities in the response from a policy and administration perspective, while highlighting Egypt's obligations under international and national laws, and the overall nature of the international refugee regime. It also tried to provide a number of methodologies and approaches to understand the basis of the government's actions and interventions.

First, the studyoffered an overview of the international refugee regime, which ended with a number of conclusions. These include a) the fact that the refugee regime is governed by two main instruments: the Refugee Convention of 1951, which has its own merits and faults, as explained in the literature review, and UNHCR. These, in turn, elaborate the duties of states in granting asylum and hosting refugees on their territory; b) while international refugee regime entails a collaboration between states to "share the burden" and work together to ensure that refugees are granted their rights under international law, this is not the case in practice. Developing countries have historically shouldered the responsibility to host refugees on their territories, notwithstanding their own political and economic conditions. This applies to Egypt as well, as a developing country, middle-income state that also witnessed a plethora of political changes over the past five years.

Second, from this view of Egypt as a developing country, we analyze the Syrian refugee response in Egypt using the case-study approach design suggested by Yin (2003), which is two tiered to include a context analysis and a case analysis. Both tiers of analysis were guided by a number of public policy and administration theories and approaches, mainly Lane's (1999) four-dimensional Public Policy systems approach.

The context analysis included a comparative historical analysis and a brief overview of the legal context.The comparative historical analysis was based on an analysis of governments, political systems, policies and administrative positions for the Palestinian, Sudanese and Iraqi refugee communities in Egypt, according to Lane and Jacobsen's theories. This was demonstrated in Tables 3 and 4.The analysis concluded with eight assumptions on refugee management in Egypt, which will be verified in Syria's case.

1- Across Egypt's history and different presidencies, refugee management tends to differ, and the commitment to international conventions on refugee rights might change as well, depending on those in power.

2- The amount of rights and entitlements of refugees seems to have changed over time across Egypt's history.

3- The political situation in sending countries and Egypt's relationship with it affects refugee treatment.

4- Having a separate authority to manage refugee affairs has not always been the first likely option.

5- In the division of labor between the government and UNHCR, the latter carries a significant, heavy burden.

6- Sudden changes in the amount of rights refugees are entitled is usually tied with a political event, and, over the long-term, with the prevalent economic condition.

7- Involuntary repatriation and expulsion from the country may occur when there is a perceived threat to the security and the political interests of the state.

8- Local integration becomes a fact when repatriation and resettlement are not likely in the near future, however it was never the first option for Egypt (Badawy, 2008).

As for the case analysis, we can see the evident shift in politics and government across the years 2012, 2013, 2014 and 2015.Syrian refugees came into Egypt in 2012 in a

political setting that quickly shifted and affected their situation in the country completely. This is in line with the policy and administration analysis of Egypt's history as a host state and with other refugee communities. The status of their rights also changed with the change of the political scene. Hence, we can understand that commitments to international conventions on asylum and refugees are bound by internal politics and politics in the sending country. As the conflict escalated and Egypt's politics with Syria changed in 2013 and after, the situation of Syrian refugees changed as well. If there is a significant political event occurring, involuntary repatriation and expulsion is likely to happen, particularly when the refugee community is seen as a threat.

It is also important to add that while the literature does not emphasize very much the potent impact of the economic state of Egypt on its policy and administration choices (save for Jacobsen (1996), who included that in her analysis of African countries when talking about host states' local communities' absorption capacities), the fact that Egypt's economy has suffered over the past few years might also be a plausible policy justification for many of the decisions taken regarding Syrian refugees. This can be accounted for in the view of refugees as a burden in developing countries, one of the canvassed views of the contextual literature.

In Jacobsen's factors that influence policy choices in developing host states, we can see as analyzed in Chapter 5 a strong correlation between the relations with sending country and policy and administration decisions regarding refugees. This is also particularly true in the correlation between the national security considerations and how they shaped government decisions regarding the entry of Syrian refugees in their territory (e.g. the fact that Syrians' backgroundswere checked by the Egyptian intelligence and the fact that they are released from detention after Homeland Security's approval. As for the part considering the costs and benefits of receiving international assistance, there seems to be more advantage than

disadvantage in that area, as evidenced by the fact that the receipt of aid can help support Syrian refugee response operations and lift some of the burden off of the shoulder of the Egyptian government, given that some of the estimated budgets per year can amount to more than 200 million USD.

As for Jacobsen's policy yardstick, detailed in Table 6, we can see that despite these crippling conditions, Egypt has readily granted asylum, welcomed Syrian refugees in, refrained from encampment -despite it being an earlier policy choice during the time of the Kingdom-, allowed UNHCR to cooperate and heavily liaises with it in Syria's case, granted rights like access to education and health, and protected physical safety and security of refugees when possible. However, we can see a steady decline in ensuring most of these rights as of July 2013. The fact that refugees were not allowed into the country's territory and that some were repatriated could potentially be in breach of the 1951 Convention, which Egypt should look into and review in order to ensure abidance by the stipulations of the Convention.

Moving onto the evaluation of the administration of the refugee response, we can see that the MoFA has taken on a lead role amongst other governmental to coordinate the response with UNHCR and across different governmental counterparts. The MoFA has a Refugee Affairs Department, established in the 1980s as previously elaborated in the analysis of the legal context. While it should have taken on an active role in the RSD process, it still remains under UNHCR's umbrella, as the department needs to be capacitated and have judges and lawyers trained to conduct status determination.

Recent partnerships between the Egyptian Post and UNHCR show the innovative ways to support the refugee response by different governmental agencies and entities. This

example also demonstrates the potential the Egyptian governmental apparatus can contribute with technical knowledge and resources to serving refugees in the country.

It has not been clear how the different governmental ministries support the refugee response and in which capacity. What has been more obvious is how Ministries, like MoH, MoE, MoSS as a whole, aretaking several policy decisions to support UNHCR's work for Syrian refugees, however there were no mentions of the specific departments or divisions within these ministries that were designated to support the response. This might be due to the lack of a national plan for refugee response that clarify roles and responsibilities. As made evident in different researches on the case of Jordan, having similar national plans can a) highlight the efforts of the country in responding to refugees to the international community, garnering more support and hopefully more funding and b) ensure a coordinated and organized response efforts that is known and understood by the Egyptian public. What is interesting in the case of the Syrian refugee response is the limited visibility of the Refugee Affairs Department in the MoFA, who could have taken on a more active role, through making more facilitating coordination meetings with UNHCR and other active agencies; making more media appearances and issuing public documents on refugee responses. While the department officials do play a "focal-point" role for the refugee response, they have not been "very engaged" with concerned individuals working with refugees (personal communication with lawyer, 23 November, 2015).

As for service delivery, while Egypt does not provide welfare to Syrian refugees or other refugee groups (personal communication with lawyer, 23 November 2015), service delivery for Syrians is ensured in the two main sectors allowed by the government. Additional service delivery is led by UNHCR. We understand from the case and context analysis that it has not always been easy to provide services to refugees given the economic state of Egypt, confirmed by two interviewees (personal communication with WFP staff

member, 23 November 2015 and personal communication with lawyer, 23 November 2015). This seems to be understandable given interview findings and according to literature, and it appears to be a common phenomenon in developing countries. It is also confirmed by the interviews that Egypt is better than many other countries when it comes to refugee treatment in general.

On operational coordination, UNHCR seems to be playing a more active role on the ground, while the government remains active at the policy and administration levels. UNHCR, as stipulated by its mandate and by the 1951 Convention, should play the role of assistance to the states that are signatories to the convention to ensure asylum is granted and refugee rights are preserved. However, in recent years, and as highlighted in the literature, there seems to have been more literature emphasizing the phenomenon of the "UNHCR Surrogate State" (Kagan, 2011a; Kagan, 2011b). The theoryholds that UNHCR has slowly taken on many responsibilities that were not its own in developing countries, in light of the political and economic situation of developing countries. While this may offer some advantages to the host state if it is facing political or structural issues, it can be detrimental in the long-term to the refugees and to the host state itself. Additionally, this can impact the outcomes of refugee protection in these countries, as the organization might be overburdened with too many tasks to undertake that some areas may be undermined.We can verify this as well from the statements of Syrian refugee communities in Egypt through the focus group findings (World Humanitarian Summit, 2014). To address this issue,Kagan suggest the following division of labor between the host government and UNHCR to ensure a balance between the responsibilities of both, delineating responsibilities that can be undertaken by the refugee organization and those that are impossible to shift. In this division, refugee status determination is primarily the government's responsibility unless it requests for it to be shifter to UNHCR. Even if the government decides that it should eventually be with UNHCR,

the capacity of the Refugee Affairs Department should be built so there is a basic level of institutional and legal practice within government concerning the process.

Key roles that can shift to UNHCR, if necessary	Roles that require state action (impossible shift of responsibilities
Health services	Non-refoulement
Education services	Freedom from arbitrary detention
Monetary and nutrition assistance	Protection of the right to work
Other social services	Police functions and physical security of refugees
Refugee Status Determination	

Table 7 – Division of labor between UNHCR and Host Governments to avoid "Surrogate States (Kagan, 2011a).

Badawy (2010; 2015) argues that the 1954MoU between the Egyptian Government and UNHCR should be amended to reflect the current state of affairs and division of responsibilities.It should include: a clear distinction of who the parties are, anda definition of refugee according the Conventions and agreements Egypt is signatory to. It should also spell out UNHCR's tasks (or current tasks at least); which include; conducting RSDdocumenting the information provided by the government of Egypt on refugees, including their numbers, conditions, the international agreements that affect them, and relevant domestic legislations; ensure that the government is compliant with international conventions and international law; and encourage resettlement if refugees fail to be integrated in Egyptian society. Finally, the government refugee affairs department under MoFA will receive appeals from asylum seekers if UNHCR rejects their RSD applications.

On resources, this is not an easily resolved issue as it is bound by national circumstances and international partners. Egypt can help strengthen its appeals by leveraging

bilateral and multilateral partners to support its refugee response efforts. It can also appeal for the support of the UN organization in Egypt to tap onto potential sources of funding or international conferences tackling refugee issues in the MENA region. This ensures more exposure and potential funding from interested donors.

Finally, on relations with media, there is room for many initiatives that sensitize media personalities about refugee discourse and refugee issues to encourage stronger ties between host communities and Syrian refugees in Egypt. As Egypt has historically been a host state to many refugee communities, this will be an important role to play to strengthen ties between the communities in the future, and to ensure that strives or tensions stimulated by political or economic conditions are avoided.

There is a number of other policy recommendations that can be looked into. As Egypt has been a country with a long history and legacy in international protection and asylum, and who has issued a number of laws, policies and decrees in the past to accommodate different refugee communities, it might be best to adopt a holistic asylum policy instead of issuing reactive laws with each incoming refugee community. This would demystify the process and ensure there is public understanding of the issues of asylum, in addition to entailing refugee rights under Egypt's procedures and policies. This was also suggested by Azzam (2006).

Given the difficulties experienced by Syrian refugees and other refugee groups in making livelihoods and generating income, the government of Egypt should explore possibilities to facilitate the acquisition of work permits by asylum seekers and refugees. This can lead to better standards of living for refugees, who can forego support for education and health from the government and UNHCR by becoming self-reliant. As working-age refugees can be less in numbers in comparison with the whole refugee communities, this would not

have a detrimental impact on employment opportunities for Syrians. If that is not an option, the government can facilitate self-employment for refugees who still have capital.

Overall, reflecting on the findings of the interviews and the examined data, there is a few takeaways. Egypt was repeatedly called a generous country in providing Refugee Status Determination when it came to Syrian refugees and other refugee communities, and that it is a country with an "open door" policy to providing visas and allowing refugees in (Ayoub and Khallaf, 2014; personal communication with lawyer working with refugees, 23 November 2015, personal communication with WFP staff member, 23 November, 2015). This is considered a policy achievement amidst the challenging national, regional and global environment these refugee responses occurred in.

Some policies show that Egypt has always been supportive for refugee communities, especially with countries that have had a close tie with Egypt.However, a reflection on the case study's context and data reflects concerns of refugee integration into the country, and the subsequent effect of these policies on Egyptian citizens' prospects for employment, education and host communities.Since the time of King Farouk, starting with the encampment policy and later integration into urban cities, Egypt has shown support and brotherhood for the refugee communities when it could, but in economic support, there were many limitations. These concerns are also heightened at the times of political distress or instability, which may even lead Egypt to go against its international commitments.

As the Middle East and North Africa region continues to experience turmoil, it will be vital for Egypt to reconsider some of its policy and administration approaches concerning international protection and asylum. The Egyptian government should look into formulating a national asylum policy, strengthening institutional response by tapping onto the existence of the Refugee Affairs Department to organize and streamline refugee response, and ensure

balanced, present and proactive collaboration with UNHCR and other lead agencies to manage refugee affairs, respond to local and refugee community needs, and tap into international support and funding mechanisms to support refugee response.

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