Joint Statement: Egyptian authorities must end arbitrary detentions and forced deportations of Sudanese refugees and asylum seekers.

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The undersigned organizations urge the Egyptian authorities to immediately stop the serious abuses against Sudanese seeking refuge in Egypt. After issuing Decree No. 3326 of 2023, end of August 2023, authorities have arrested and detained Sudanese refugees and asylum seekers in inhumane conditions, subjected them to unfair trials, and forcibly returned them to Sudan in violation of Egypt's international obligations, well-established human rights principles and agreements, and Egypt's constitution.

Since April 2023, Sudan has been ravaged by conflict between the Sudanese Armed Forces (SAF) and the Rapid Support Forces (RSF), resulting in widespread violence against civilians and rampant sexual assaults. Millions have been displaced, leading to severe food shortages and a heightened risk of famine. The situation remains perilous for Sudanese citizens, with ongoing violence and human rights abuses making it unsafe for them to return home.

Reports indicate that both the SAF and RSF have committed war crimes, while the RSF and allied militias have engaged in crimes against humanity and ethnic cleansing. Urgent international action is needed to address these atrocities and ensure justice for the victims, ending decades of impunity in Sudan.

On August 29, 2023, the Egyptian government issued Decree No. 3326 of 2023, which allows migrants to legalize their stay in Egypt by paying $1,000 and late fines.

Immediately afterwards, The Refugees Platform in Egypt (RPE), The Regional Coalition for Women Human Rights Defenders (WHRDs) in MENA, and other human rights groups have been receiving and documenting hundreds of reports of systematic arrest of refugees and migrants, arbitrary detention, and forcible return campaigns carried out by the Egyptian authorities against Sudanese.

The arrest deportation campaigns began in late August 2023 and are still ongoing. Egyptian authorities are conducting these arrests nationwide, **inside cities** like Cairo, Giza, Aswan, the Red Sea, Matrouh, and Alexandria, and along **Egypt's southern border.**

The types of violations to which detainees are subjected vary according to the geographical area where the arrests occurred.

In Cairo, Giza, and Alexandria, the testimonies of victims of these abuses show a clear pattern of authorities targeting Black people for arbitrary arrests in raids on residential areas of African

nationalities and arbitrary arrests in the streets, bus stops, and metro stations.

While detained, they are denied access to their families, advocates, and the UNHCR. Detainees live in inhumane conditions in detention centers, denied visits and access to health care. Authorities have prevented UNHCR from registering detainees' names.

The Public Prosecution Office has brought charges against detainees in several cases of "irregular presence" – even if they are registered with UNHCR or have registration or renewal dates for their UNHCR card or residence permit.

Once a decision to deport the detainee has been issued, the detainee is presented to the Sudanese embassy to obtain a travel document and purchase airline tickets at their own expense. Many are forced to sign official papers, some known as "voluntary return" forms, stating the person's desire to return to their country.

Detainees may be released from detention only after the approval of the competent administrative body, such as the Passport and Immigration Sector and the National Security Sector at the Ministry of Interior.

If legalization is approved, National Security Sector approval is required first. Then, payment through the payment procedures in the Passports and Immigration Sector and an Egyptian guarantor is required, and another approval from security services is required. While completing the procedures, the detainee remains in detention.

However, even if they choose to pay the legalization fee, Sudanese and other migrants may still face detention and deportation.

In some cases, authorities have even deported Sudanese who are registered with the United Nations High Commissioner for Refugees (UNHCR) in Egypt and those with valid residency in Egypt who are waiting to register.

On the Egyptian-Sudanese border: Egypt's restrictions on Sudanese migration have resulted in an irregular migration movement. This comes with high risks that include exploitation, suspicions of trafficking, and fraud. Thus, instead of protecting asylum seekers, Egypt has adopted a punishment policy.

In locations at or near the border, Egypt's Border Guard Forces, which are affiliated with the Egyptian army, detain Sudanese migrants, including women and children, in camps that are not registered in Egypt as legal detention centers. In these camps, detainees are not allowed to communicate with the outside world and are denied access to UNHCR services and legal counsel.

Human rights organizations and groups have been documenting evidence that women are detained in deplorable conditions, including pregnant women, just before giving birth. Detainees also include children of different ages and the sick.

In some cases, the authorities accuse some migrants of "smuggling", and the process ends with

forced return through border crossings, even for those with UNHCR registration appointments.

The organizations also documented the high costs of irregular entry and various forms of fraud and exploitation (PDF) they face when attempting the journey. For example, accidents involving overturned vehicles carrying migrants have increased. These accidents are not transparently investigated, unidentified bodies are not dealt with properly, and the injured and survivors are deported to Sudan through border crossings even before their recovery period is over.

Egypt is a signatory to the International Covenant on Civil and Political Rights (ICCPR), which prohibits arbitrary deportation under Article 13 and grants foreigners the right to make an individual decision regarding their deportation. The United Nations Human Rights Committee has interpreted Article 7 of the ICCPR to prohibit the *refoulement*, or the forcible return of persons to places where they would be at risk of torture or cruel, inhumane, or degrading treatment or punishment. Both the Convention Against Torture and the African Refugee Convention, in addition to the UN Refugee Convention (all to which Egypt is a party), prohibit signatory states from sending people to countries where they face a risk of persecution or torture. The OAU Convention (PDF) calls on state parties to use their "best efforts" to receive refugees and provide them asylum.

The undersigned organizations call on the Egyptian government and authorities to:

- Immediately stop targeting Sudanese asylum seekers, refugees, and migrants for arbitrary arrest, detention, and forced deportation;
- Commit to implementing the international treaties to which it has committed itself, particularly the prohibition of the forcible return of refugees to the country from which they fled and where they face danger in the event of deportation and expulsion;
- Allow asylum seekers access to registration and regularization services without barriers or fees,
- Allow UNHCR, lawyers, family members, and human rights organizations access to detainees.
- Enforce the Four Freedoms agreement between Sudan and Egypt, which guarantees freedom of movement for women and children between the two countries;
- Stop detaining Sudanese migrants in unlawful detention camps at the borders.
- Ensure that Sudanese pregnant women are provided with measures that ensure their physical safety, privacy, and suitable locations to rest and access emergency medical care.
- Put in immediate place a mechanism that guarantees complete access to medical services and comprehensive recovery periods, including facilitating entry and registration processes due to their vulnerable conditions

Signatories:

1. The Regional Coalition for Women Human Rights Defenders (WHRDs) in MENA
2. The Darfur Bar Association
3. El Nadeem Center against Violence and Torture

4. HuMENA for Human Rights and Civic Engagement
5. Nora organization for compacting violence against women’s and girls
6. Human Rights Concern – Eritrea (HRCE)
7. Refugees Platform in Egypt (RPE)
8. Captain Support
9. de:border // migration justice collective
10. migration-control.info project
11. Statewatch
12. Cairo Institute for Human Rights Studies (CIHRS)
13. The Tahrir Institute for Middle East Policy
14. EuroMed Rights
15. MENA Rights Group
16. MV Louise Michel
17. Watch the med. Alarmphone
18. Maldusa project
19. International Service for Human Rights (ISHR)
20. Intersection Association for Rights and Freedoms
21. Egyptian Human Rights Forum
22. Refugees International
23. Emergency Lawyers
24. Sudanyat for Change
25. Sudanese Women Rights Action (SUWRA)
26. منظمة سحابة للسلام والتنمية – Sahaba Peace and Development Organization
27. منظمة برامج الحوكمة Governance Programming Overseas

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