Migrants and Refugees in Africa
between inclusion and indicators of access

December 2023
Introduction

It is crucial to acknowledge the increasing number of human movements worldwide. The global population of migrants, displaced individuals, and refugees currently stands at an estimated 281 million migrants and 100 million refugees and displaced persons. This phenomenon encompasses various political, economic, security, social, and climatic contexts, particularly relevant to the African continent, often referred to as a "continent in motion."

In line with its commitment to improving the conditions of vulnerable and marginalized groups, and on the sidelines of the occasion of International Migrants Day, Maat for Peace, Development, and Human Rights has conducted a study titled "Migrants and Refugees in Africa: Between Inclusion Realities and Arrival Indicators." This study aims to dispel any ambiguity surrounding the situation of African migrants and refugees. It seeks to assess the level of their inclusion within national contexts by providing an up-to-date overview of statistics related to migrants and refugees in Africa. Additionally, it examines the frameworks for their inclusion at international and regional levels, while monitoring and analyzing factual data and indicators of their access to economic and social services in selected African countries. The study concludes with a set of recommendations in this regard.

Axis I: "Refugees and Migrants: Statistics and Obligations"

First: Numerical Overview of Migrants and Refugees' Phenomenon in Africa

Population movements within and outside Africa are rapidly intensifying, leading to its characterization as a "moving continent." Approximately 40 million Africans are identified as migrants, while 44 million are recognized as refugees or internally displaced persons. An examination of the drivers behind migration and asylum-seeking within Africa reveals a complex interplay of causes, including conflicts, climate change, severe economic factors, and human rights violations. Conflicts and political unrest affect 9 out of 15 countries that are major sources of migration, while the escalating effects of

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2. UNICEF, 13.5 million children now uprooted in Africa - including those displaced by conflict, poverty and climate change, 9 February 2023, [https://shorturl.at/AEJRW](https://shorturl.at/AEJRW)
3. ISS, Record numbers of displaced Africans face worsening prospects, 15 February 2023, [https://t.ly/VqbRX](https://t.ly/VqbRX)
climate change are projected to displace around 100 million Africans within their own countries and neighboring regions by 2040.⁴

It is important to note that the majority of migration flows within the African continent occur internally, accounting for 80% of the total movements. Around 21 million documented Africans reside in other African countries, particularly in West, South, and East Africa, with fewer numbers in North Africa and the Maghreb region.⁵

**Second: State Obligations for Inclusion of Refugees and Migrants in National Systems**

The phenomenon of population flows and movements within the international system imposes human rights obligations on individuals and vulnerable groups, necessitating their inclusion within national systems and improving their access to economic, social, legal, and judicial services. These obligations are derived from various international agreements, including the 2018 Global Compact for Safe, Orderly and Regular Migration, the 1966 International Covenant on Civil and Political Rights, the 1966 International Covenant on Economic, Social and Cultural Rights, and the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Additionally, there are International Labor Organization (ILO) Conventions such as No. 97 on migrant workers (1949), No. 11 on discrimination in employment and occupations (1985), No. 118 on equal treatment between citizens and non-citizens in social security, and No. 143 on migrant workers (1975).⁶

In Africa, the obligations to include refugees and migrants are based on a comprehensive range of legal and legislative frameworks, institutional structures, and human rights mechanisms. These include the African Union Vision Agenda 2063, the AU Constitutive Act, the African Charter on Human and Peoples' Rights, the African Union Convention governing the specific aspects of the movement of persons, the Protocol on the Free Movement of Persons in Africa adopted in January 2018, the Ouagadougou Action Plan to Combat Human Trafficking, and the Niamey Convention 2014 on Cross-Border Cooperation.⁷ The African Commission has also issued numerous resolutions, including those addressing migration and human rights (2016), internally displaced

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⁴ African Center for strategic studies, African Shifts: Addressing Climate-Forced Migration & Displacement, 4 April 2023, [https://shorturl.at/guDS3](https://shorturl.at/guDS3)
⁵ African Center for strategic studies, African Shifts: Addressing Climate-Forced Migration & Displacement, 4 April 2023, [https://shorturl.at/guDS3](https://shorturl.at/guDS3)

In August 2023, the African Commission on Human and Peoples' Rights issued a resolution focused on the inclusion of refugees, asylum seekers, internally displaced persons, and stateless persons in national social and economic systems, services, and opportunities in Africa. The resolution called upon African countries to:

- Ratify, integrate, disseminate, and implement various regional and international human rights instruments related to refugees, displaced persons, and stateless persons.
- Adopt legislative, administrative, and other measures to enable forcibly displaced and stateless persons to enjoy their social, economic, and other rights.
- Collaborate with sub-regional, regional, and international institutions that work towards protecting and assisting forcibly displaced and stateless persons.
- Support, integrate, and implement African resolutions, declarations, and strategies for the integration of forcibly displaced and stateless persons at the national and local levels.
- Develop, disseminate, and implement action plans for the protection, promotion, and respect of the rights of forcibly displaced and stateless people, along with accountability frameworks to monitor progress through systems and policy mapping.
- Remove restrictions that hinder the social and economic integration of forcibly displaced and stateless people in urban and rural areas.
- Include refugees and stateless persons in national efforts to achieve sustainable development goals, including economic recovery and local development plans, as well as national plans for sustainable food systems.⁸

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⁸ ACHPR, Resolution on the inclusion of refugees, asylum seekers, internally displaced persons and stateless persons in socio-economic national systems, 4 August 2023, https://t.ly/AMFB2
Axis II: African Refugees and Migrants: Inclusion Realities and Arrival Indicators

This topic explores the situation of inclusion for migrants and refugees in various African countries, with a specific focus on migrants from Sudan, Somalia, and Eritrea. These countries are prominent sources of migration and displacement in East Africa, primarily due to political instability, including conflicts and wars.

Upon examining migration trends from East Africa, particularly from the aforementioned countries, it becomes apparent that many individuals are heading towards neighboring countries in North and East Africa. Egypt emerges as a top destination in the north, while Ethiopia serves as a neighboring country for Sudan, Somalia, and Eritrea in the east. Consequently, it is crucial to study the conditions of these immigrants and refugees in the receiving countries, with a particular emphasis on Egypt and Ethiopia, and assess the extent of their inclusion within the economic and social systems and contexts of these nations.

First: Migrants and Refugees in the Egyptian National Systems - Challenges & Efforts

a. Realities of Inclusion within Social and Economic Systems

Egypt has opened its doors to migrants and refugees, hosting and receiving approximately 9 million individuals from 133 countries, constituting around 8.7% of the total population of Egyptians. In accordance with its human rights obligations and national and constitutional measures, refugees and migrants in Egypt enjoy a substantial level of inclusion within the national economic and social systems. Egypt actively participates in various international agreements, including the Global Compact for Safe, Orderly and Regular Migration, the United Nations Convention relating to the Status of Refugees of 1951 and its Optional Protocol of 1967, the African Charter on Human Rights, and the African Convention governing refugee matters.

Moreover, Egypt has developed a comprehensive national vision to manage migration and asylum phenomena. Within this framework, it implemented its first strategy to combat illegal migration for the period 2016-2026. The country has also

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9 Al Arabiya, Egypt. The government approves a draft law on the asylum of foreigners and a parliamentarian confirms: It aims to limit the numbers of refugees, June 2023, http://rb.gy/a7s51
established legislative frameworks to combat migrant smuggling,\textsuperscript{11} launched media campaigns to raise awareness about the dangers of illegal immigration for 1 million pounds, and initiated projects worth 60 million euros to address the root causes of illegal immigration and human trafficking.\textsuperscript{12}

Furthermore, Egypt signed a memorandum of understanding with the United Nations High Commissioner for Refugees (UNHCR) in 1954, granting the UNHCR authority over all operations related to registration, documentation, refugee status determination, and resettlement. This collaboration has been ongoing for over six decades, and Egypt currently hosts four UNHCR offices in Greater Cairo and Alexandria. Additionally, there are telephone information lines available in seven languages, including English, Arabic, Amharic, European, Somali, and other experimental languages, receiving approximately 750 calls daily.\textsuperscript{13}

\textbf{b. Integration Indicators and Access to Social and Economic Services}

Egyptian policies and measures are in place to ensure that refugees and migrants have access to social and economic services, aiming to integrate them into Egyptian society. Despite hosting 9 million migrants and refugees, the country actively works towards their assimilation. Statistics reveal that over 50\% of these individuals have been integrated into Egyptian society for more than 10 years.

The Egyptian Constitution grants refugees and migrants certain rights, such as freedom of movement and residence under Article 62, and the right to healthcare under Constitutional Article 18.\textsuperscript{14} Moreover, the executive regulations of Law No. 2 of 2018 include them in the health insurance system,\textsuperscript{15} ensuring comprehensive coverage. Additionally, refugees and migrants benefit from health campaigns and initiatives, such as the "100 Million Health" campaign, which aims to detect and treat the Hepatitis C

\textsuperscript{11} UNICEF, Signing of a Memorandum of Understanding between the National Coordinating Committee to Combat and Prevent Illegal Migration and Human Trafficking and the United Nations Children’s Fund UNICEF, September 11, 2022, \url{https://uni.cf3XAkDEV}
\textsuperscript{12} Al-Watan, “Story of a Homeland”: 60 million euros the cost of signing an agreement to reduce illegal immigration, October 3, 2023, \url{https://www.elwatannews.com/news/details/6841450}
\textsuperscript{13} Manshurat, Amended Egyptian Constitution 2019, accessed November 3, 2022, \url{https://manshurat.org/node/14675}
\textsuperscript{14} Sada El Balad, The Sudanese are in the lead.. Nashat Al-Daihi reveals a surprise about the number of immigrants to Egypt, August 8, 2022, \url{https://www.elbalad.news/5389792}
\textsuperscript{15} Sada El Balad, The Sudanese are in the lead.. Nashat Al-Daihi reveals a surprise about the number of immigrants to Egypt, August 8, 2022, \url{https://www.elbalad.news/5389792}
virus, as well as campaigns combating polio and addressing obesity and stunting among primary school students, particularly among Syrians.  

Egyptian measures to provide refugees and migrants with equal access to education are extensive. Approximately 76,789 students are hosted in public schools, and around 102,000 are enrolled in higher education. The right to work is also ensured, as more than one-third of migrants and refugees have secured stable jobs. They are permitted, in accordance with Law No. 84 of 2002, to participate in establishing associations, provided they have permanent or temporary residency in Egypt. This was affirmed by the House of Representatives in 2019.

**c. Facts about Sudanese Migrants and Refugees**

Due to its location and historical ties, Egypt is the primary destination for Sudanese refugees and immigrants. By mid-April 2023, it had already hosted 4 million Sudanese individuals, and it received over 40% of the total number of Sudanese fleeing their country. From April to September 2023, an estimated 317,000 Sudanese individuals sought refuge in Egypt due to ongoing conflicts. Egypt is preparing to receive an additional 2 million Sudanese individuals amidst the continuing Sudanese crisis.

In terms of registration and legal protection services, as of December 2023, over 370,000 Sudanese refugees were observed crossing into Egypt. The United Nations High Commissioner for Refugees in Egypt has registered 114,000 new arrivals from Sudan, with 90% of them being Sudanese nationals. Among the new refugees, 68% are fully registered.

In Egypt, Sudanese individuals enjoy the freedom of mutual movement without a visa and have the right to own land based on an agreement signed between Egypt and Sudan in 2004. Egyptian legislation also ensures equal access to public schools for Sudanese individuals, and tuition fees for Sudanese students have been reduced by 10%.

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20 RW, 42,300 Sudanese refugees in Egypt: Humanitarian needs severely increasing, 4 May 2023, [https://n9.cl/8ixa9](https://n9.cl/8ixa9)
21 Al Jazeera, Exploring the causes of asylum... Questions about the causes and effects of legalizing the status of Sudanese in Egypt, October 4, 2022, [https://bit.ly/3NCBken](https://bit.ly/3NCBken)
As of November 7, 2023, more than 30,000 Sudanese refugee children are enrolled in public and private schools in Egypt. In December 2023, 48 schools in Cairo, Giza, and Damietta were identified as hosting significant numbers of refugees. However, according to August 2023 statistics, the government introduced a registration fee of $2,000 for foreign students and refugees, ending the previous policy of equal treatment.

At the healthcare level, Egypt has demonstrated its ability to integrate Sudanese migrants and refugees into its health systems. Sudanese individuals now benefit from Egypt's health initiatives, including the "100 Million Health" campaign, receiving rehabilitation treatments, Hepatitis C treatment, and COVID-19 vaccines on an equal basis with Egyptians.

In 2023, specifically on April 28, the Egyptian Ministry of Health announced the provision of comprehensive medical services to returnees and displaced individuals through the Arqin and Qastal crossings. Routine medical examinations are conducted, followed by a two-week follow-up period from the date of crossing. The number of mobile clinics at the crossings has been increased to 10, to detect any infectious diseases. Each individual is given a health monitoring card.

In October and November 2023, as a result of partnerships between Egypt and various organizations, significant advancements were made in healthcare provision. Forty thousand refugee children were vaccinated against polio, and 7,000 children received measles vaccinations. Thirty centers were established to provide primary healthcare services, and over 18 family clubs were set up in Aswan, Giza, Cairo, and Alexandria to offer mental health services and psychosocial support. More than 7,059 Sudanese refugees, including 6,259 children, benefited from these initiatives.

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23 UNHCR Egypt Fact Sheet (November 2023) [EN/AR], 15 November 2023, https://n9.cl/hdku0
24 Youm7, World Health: Egypt provides health services to refugees and is proud of presidential initiatives, March 17, 2023, https://n9.cl/1F55c
25 Refugee Platform in Egypt, Services A guide to support and service providers for those arriving in Egypt, April 30, 2023, https://r9.cl/ej037
26 Al-Shorouk, World Health: Enough medicines arrive in Egypt for 50,000 people to support Sudanese refugees, June 3, 2023, https://n9.cl/92ex8
Second: Migrants and Refugees in Ethiopian National Systems: Gap between Law and Implementation

A. Realities of inclusion within social and economic systems

Ethiopia is a signatory to the Organization of African Unity Convention governing refugee problems in Africa, the 1951 Geneva Convention, the 1967 New York Protocol, the 2000 UN Protocol on Trafficking in Human Beings, and the 2000 UN Protocol against the Smuggling of Migrants. It has shown commitment to the Comprehensive Refugee Response Framework, which includes 9 pledges to provide work permits to qualified refugees, facilitate local integration, and reserve a portion of industrial sector jobs for refugees.29

Ethiopia has implemented measures to include migrants and refugees in its economic and social systems. This includes the establishment of the Security, Immigration and Refugee Affairs Authority “to implement policies and laws relating to state security, public security, and the citizenship of migrants and refugees.” It also issued a new refugee law in January 2019, allowing for obtaining work permits and other legal documents, officially registering births and marriages, and financial services such as bank accounts. It has also launched a refugee registration program since 2017. Additionally, Ethiopia has partnered with the European Union to create job worth US$500 million in new industrial zones and make 30% of these jobs available to refugees.30

B. Indicators of access to economic and social services

The Ethiopian context monitors hosting more than 953,664 refugees and asylum seekers registered with UNHCR, distributed by approximately 81% of children and women, 2% of the elderly, and 56% of children. They were distributed at 417,478, 308,068, 168,112, 50,868, 4,053, and 2,497 approximately for refugees from South Sudan, Somalia, Eritrea, Sudan, and Kenya, respectively.

However, Ethiopia's attempt to improve the rights of refugees may be seen in the legal and political system notices without completion or practical application. Despite its nine pledges concerned with refugees and regulating their social and economic rights, it

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29 integral Human Development, Country Profiles: Ethiopia, access date 20 December 2023, https://urlis.net/4w1wccat
30 UNHCR, Ethiopia Refugee Crisis Explained, August 2023, https://urlis.net/6dsvv7k
has not implemented its new law on refugees issued in January 2019, and it has not implemented the “outside the camps” policy adopted since 2010.

Refugees and asylum seekers were accommodated in 26 refugee camps established in five regional states. No work permits were granted to the refugees, and no practical efforts were made to include them in national plans. The integration of refugees and their access to social and economic services is limited to informal and relief levels by development partners and international parties concerned with refugees. Although refugees are included in the national education system, there are many barriers to integrating them into the system. School enrollment rates fall well below the national average of 95%, with rates as low as 24% for refugee girls in middle school. Girls face additional social and cultural barriers and risks of gender-based violence in schools.

In addition, servicing external debt narrows the fiscal space for spending on education. The difficult economic situation in Ethiopia is more harmful to the lives of refugees. Refugees have lower incomes than host community families, with two out of every three refugees living in poverty.

Sudanese Refugees

Ethiopia receives thousands of Sudanese refugees, with more than 1,000 arrivals daily. Since the beginning of the Sudanese crisis, approximately 90,500 refugees, asylum seekers, and returnees have crossed into several camps, the most famous of which is the Comer refugee camp, without providing the services and humanitarian needs necessary to survive. Such camps lack sufficient water, food, and sanitary services, they only contain a tank with a capacity of 10,000 liters, which ends at noon.

Health conditions are also deteriorating, and epidemics such as cholera have been spreading since September 2023. At least 2,500 cases of cholera were detected in 25 districts of Amhara. These poor humanitarians, living, and human rights conditions did not stop only at Comer camp, where hundreds of Sudanese refugees demonstrated in

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31 UNCHR, Ethiopia Refugee Crisis Explained, August 2023, https://urlis.net/58p2bkx6
32 RW, IGAD Member States Renew Commitment to Refugee Responses at Stock-take Meeting, 28 November 2023, https://v9.ce/otrr0
33 IOM, Over 1,000 Daily Arrivals from Sudan to Ethiopia: IOM Data, 4 May 2023, https://tinyurl.com/3q6ew2r
35 The New Humanitarian, Sudan refugees struggle to exit to Ethiopia, while aid workers trying to enter are turned back, 7 June 2023, https://tinyurl.com/yf58ar2m
36 United Nations: Cholera epidemic spreads among Sudanese refugees in Ethiopia, September 2, 2023, https://tinyurl.com/3u5cup5n
Ethiopia. Refugees demonstrated against severe food shortages and insecurity at Olala Camp in Ethiopia on August 10. They demanded their transfer from the “Ulala” camp due to the lack of security protection and the increase in looting and theft by the “Fano” militias stationed near it.

- **Eritrean refugees**

violations and hostile practices against Eritrean refugees are monitored in Ethiopia, especially after the outbreak of the civil war in Tigray. Despite Ethiopia’s human rights obligations towards refugees and its hosting of more than 165,000 Eritrean refugees, according to 2023 statistics, legal protection obligations for Eritrean refugees have diminished. Tens of thousands of Eritrean refugees were left in legal limbo through the suspension of refugee registration and issuance of permits, thus eliminating their rights as refugees or asylum seekers. They are subjected to raids, violations, and forced return to their country of origin.

In general, Eritreans are no longer safe and are at risk of forced deportation, human trafficking, disappearance, and other abuses and violence. In June 2023, Ethiopia expelled at least 423 Eritreans from its borders, keeping some Eritreans undeported. They were forced to pay 3 US dollars a day because they were illegal. Although Eritrean refugees wait to be registered with UNHCR, UNHCR has not registered or welcomed new arrivals in the past three years. The conditions of Eritrean refugees include high levels of food insecurity, poor health care, and lack of shelter in the Isita camp, in addition to their increasing suffering from high levels of debt and limited savings. Even in Addis Ababa, many refugees are unable to cover family expenses.

- **Somali refugees**

As a result of the fighting and hostilities in February within Somali contexts, especially in the city of Laskanode in the Sool region, hundreds of thousands of people were displaced within Somalia. Nearly 100,000 people crossed the border into Ethiopia to escape the violence, 81% of whom were women, children, the elderly, people with special needs, and unaccompanied and separated children. Meanwhile, moderate acute malnutrition
was observed in many children under five years of age and pregnant and lactating mothers. There is a high risk of measles outbreaks in the region; their situation is exacerbated in light of the low levels of funding in Ethiopia, the pressures of climate change and the economic environment, and in light of their continued influx into the Somali region of Ethiopia, which is one of the regions most affected by the worst drought in 60 years\textsuperscript{40}.

In Ethiopia, host communities across the Somali region have opened their doors to approximately 80% of the displaced Somali population. However, refugees are sheltering under trees, facing risks of animal attacks, robbery, and gender-based violence, and many of them need shelter, food, and medical care. Despite attempts by the Ethiopian government and UNHCR to move more than 20,000 Somali refugees to a new site in Merkan, water supplies are extremely limited. Refugees have access to only 10 liters of water per person per day, and only 30% of required shelters are available, leaving some families in overcrowded facilities or sleeping rough in local communities. As a result of the reduction in support for refugees residing in the communities of Dokmo, Hijali, Mirkan, and Jub, there has been less access for Somali refugees to health care for chronic and other diseases, pregnant mothers, as well as survivors of rape and other forms of gender-based violence\textsuperscript{41}.

**Recommendations:**

After monitoring the living conditions of refugees and migrants and analyzing indicators of their inclusion in Egypt and Ethiopia, being at the top of the countries receiving waves of migration and asylum from East African countries, Maat for Peace, Development, and Human Rights presents a set of recommendations to both the Egyptian and Ethiopian governments to enhance their integration into the national economic and social systems, as follows:

- Maat encourages African governments receiving waves of asylum and migration to adhere to the decision of the African Commission regarding the inclusion of refugees, displaced persons, and stateless persons within the economic and social

\textsuperscript{40} UNCHR, 100,000 new Somali refugees arrive in Ethiopia in the past month, UN and partners are calling for urgent funding, 22 March 2023, https://n9.cl/vf5zc

\textsuperscript{41} UNHCR, Funding gap hampers response to critical needs of Somali refugees in Ethiopia, 8 June 2023, http://surl.li/ofunv
systems. They could be included by integrating humanitarian needs and displacement issues into national and local development plans, assimilating them within communities, and combating discrimination and exploitation practices against them.

- Maat calls on African governments receiving waves of migration and asylum, especially the Ethiopian government, to launch monitoring and census systems for migrants and accelerate refugee registration. It also demands governments provide accurate and official data used in the planning process for social and economic protection programs and urgent response policies.

- Maat calls on African governments receiving waves of migration and asylum and their development partners to accelerate efforts and intensify cooperation to provide humanitarian aid. It also calls for meeting the needs of migrants and refugees stranded in areas of conflict, such as Somalia and Sudan. Maat also calls for protecting them from the risk of death and detention, identifying missing migrants, recovering their remains, and returning them to their countries of origin.

- Maat recommends that the African Commission on Human and Peoples’ Rights provide technical and technical support to African governments, especially Ethiopian ones, to ensure the launch and implementation of national programs to build capacity and rehabilitate judicial, police, health, and educational institutions. Maat also calls for raising their awareness of the rights of refugees and migrants and strengthening them.

- Maat draws the attention of the African Commission and the Rapporteur on Refugees to the necessity of cooperation with African governments receiving waves of asylum and displacement. It urges reviewing and updating its legal legislation regulating refugee situations and working to bridge the gaps between law and application. Maat also calls them to work to raise their level of legal protection and enact laws to improve the level of services to prevent discrimination against them based on race, color, or gender.

- Maat recommends that both the Egyptian and Ethiopian governments work to establish a platform to enhance mutual respect for cultures and traditions. It also recommends launching programs to combat hatred and racism towards refugees and immigrants.

- Maat calls on the Ethiopian government to improve border management mechanisms and personnel, which improve the security of travel documents and
computerization, and raise the level of inspection, data collection, and communications systems. It also calls for ensuring the presence of adequate mechanisms for early warning and disaster preparedness at border posts.

- Maat calls on all African governments receiving waves of migration and displacement to pay attention to humanitarian and human rights considerations towards migrants and refugees by providing entry and residence for an appropriate period. It also calls for providing humanitarian visas, ensuring that children have access to education and temporary work permits, the right to family life, and attention to accompanied and separated migrant children.