

Joint Statement

Date: March 16th 2015

Rights Groups Call on Egypt to End Arbitrary Detention of Refugees

Since February 9, 2015 a group of at least 30 Syrian, Palestinian-Syrian and Somali refugees detained at Karmooz police station in Alexandria - Egypt, began an open hunger strike to protest against their arbitrary detention. The refugees have been kept in continuous detention after receiving a deportation order by Egypt's Homeland Security agency, despite an earlier order by the Public Prosecutor to release them. The lives of the hunger strikers will be put at grave risk if the Egyptian authorities continue to arbitrarily detain them. This statement calls on the Egyptian government to act now and immediately release all refugees held without charges at Karmooz Police Station in Alexandria.

As of February 2015, over 130,000 Syrian refugees are registered with Egypt's office of the United Nations High Commissioner for Refugees (UNHCR). The number of Syrian refugees in Egypt has been more or less stagnating since late 2013, while the international number of Syrian refugees has been steadily growing. The stagnating numbers arriving Egypt are a direct result of Egypt's tight visa restrictions for Syrians. Since July 8, 2013, when the Egyptian government imposed restrictions on their entry, Syrians are required to obtain a visa and security clearance prior to their arrival. These additional requirements make it virtually impossible for refugees from Syria to obtain a visa and to enter Egypt officially to seek asylum.

In addition, Palestinian refugees fleeing the conflict in Syria are unable to register with the UNHCR office in Egypt, due to a longstanding Egyptian policy that excludes Palestinians from the agency's mandate in the country. The protection gap faced by Palestinian refugees in Egypt results in denied access to many basic services, including health, education, employment, as well as in a high vulnerability towards the arbitrariness of the Egyptian state's policies, such as arbitrary arrests and deportation orders.

According to local sources over seven thousand refugees have been detained in Egypt since August 2013, mostly on charges of 'unofficial entry'. In accordance with Egypt's Law on Entry and Residence of Aliens in the Territories of the United Arab Republic and their Departure (1960), non-citizens can be subjected to both criminal penalties and administrative detention for unauthorized entry or residence.

As the country is lacking specific facilities for migrants and refugees, they have been held at various facilities, such as police stations, military camps, schools, and most recently a youth center. These facilities are often lacking in the most basic sanitary infrastructure and are inadequate to facilitate the administrative detention of hundreds of refugees.

In the case of 56 Syrian and Palestinian-Syrian refugees the charge of 'unauthorized entry' has been dropped as the Public Prosecutor ordered their release on November 5, 2014. Despite this, Egypt's Homeland Security issued orders for their deportation. For more than 100 days now, they have been held without charge at Karmooz police station. As there has been no order from the prosecutor's office, or any official written explanation, the detentions directly contravene Egyptian law, while at the same time it denies them the ability to legally challenge their detention. Furthermore, according to Article 31 of the 1951 Convention Relating to the Status of Refugees, refugees should not be placed in immigration-related detention, irrespective of their legal status.

The group was arrested by the Egyptian authorities on November 1, 2014 after they had left from Turkey by boat on October 23, 2014 aiming to reach Europe. Following a dispute between the smugglers, the refugees were left stranded on Nelson Island, 4 km north of Abu Qir, Alexandria. On November 5, 2014, the Public Prosecutor ordered their release.

Among those currently detained at Karmooz police station are fifteen minors, seven of whom are under ten years old and one of whom is ten months old. Detaining children solely because of their immigration status - or their parents' - violates domestic and international legal provisions protecting children such as Article 94 and 112 of Egypt's Child Law No. 12 of 1996 and its amendment by Act 126 of 2008 as well as the UN Convention on the Rights of the Child.

The undersigned organizations call upon the Egyptian authorities to uphold their international legal obligations and immediately put an end to arbitrary detention of refugees.

The undersigned organizations therefore urge the Egyptian authorities to:

- **Immediately release all refugees held without charges in spite of the public prosecutor's release orders**
- **Drop all deportation orders issued in spite of the public prosecutor's release orders**
- **Repeal its tight visa restrictions for Syrian nationals**
- **Allow UNHCR to execute its protection mandate to include Palestinian refugees**

SIGNATORIES

- 1- **Al-Awda, The Palestinian Right to Return Coalition - USA**
- 2- **Association for Freedom of Thought and Expression - EGYPT**
- 3- **Barbara E. Harrell-Bond, Emerata Professor, Refugee Studies Centre, Honorary Fellow, Lady Margaret Hall, University of Oxford - UK**
- 4- **Center for Egyptian Women Legal Assistance (CEWLA) - EGYPT**
- 5- **Center for Refugee Solidarity - SWEDEN**
- 6- **EI-Nadeem Center - EGYPT**
- 7- **International Refugee Rights Initiative - UK**
- 8- **Land Center for Human Rights - EGYPT**
- 9- **Misryon Against Religious Discrimination - EGYPT**
- 10- **National Community for Human Rights and Law - EGYPT**
- 11- **Nazra for Feminist Studies - EGYPT**
- 12- **Palestinian League for Human Rights - SYRIA**
- 13- **The Cairo Institute for Human Rights Studies - EGYPT**
- 14- **The Arabic Network for Human Rights Information - EGYPT**
- 15- **The Egyptian Association for Community Participation Enhancement (EACPE) - EGYPT**
- 16- **The Euro-Mediterranean Human Rights Network - DENMARK**