

Race, Racialized Narratives and UNHCR Refugee Status Determination in Egypt

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Structure

- Rationale and Positionality
- Context: UNHCR Egypt's RSD Operation
- Context: Race and Racial Hierarchies in Egypt
- Note on Interviews
- Findings
- Preliminary Recommendations

Rationale and Positionality

- “International legal scholarship on refugees has a race problem in that it has not paid sufficient analytical attention to the significance of race in relation to the field” (Tendayi Achiume, 2021)
- “[R]ace has been erased, or at least minimized in analysis of humanitarianism and its effects” (Adia Benton, 2016)
- UNHCR Guidance on Racism and Xenophobia (2023)
- UNHCR RSD lacks procedural fairness, safeguards, transparency (Michael Kagan, 2006/2007)
- Former UNHCR EO and Legal Advisor with AMERA (2013-2015)



GUIDANCE ON

RACISM AND XENOPHOBIA

How UNHCR can address and respond to situations of racism and xenophobia affecting persons under its mandate

Rationale and Positionality

“[UNHCR RSD] staff think ‘I work for refugees. I like refugees. I can’t be racist’ – people don’t challenge their biases.” – **RSD staff member**

Context: UNHCR Egypt's RSD Operation

- Egypt: 291,578 registered refugees and asylum-seekers
- MoU between UNHCR and Egyptian Government (1954)
- Largest UNHCR RSD Operation: 11,000 decision in 2022
- Past Decade: 51,000 interviews and 36,000 decisions
- 1951 Convention / 1969 OAU Convention
- Key Populations: Syria, Sudan, South Sudan, Eritrea, Ethiopia and Iraq

Context: UNHCR Egypt's RSD Operation

“At many UN High Commissioner for Refugees (UNHCR) offices around the Middle East, a common scene develops in the morning. Iraqis, Sudanese, Somalis, and a few people from farther away gather at the outer fence. Some arrive early in the morning. Most are men, but there are some women and occasionally children. The crowd presses in toward openings in the fence without any clear order; on crowded days they sometimes push each other for position, elbows used for leverage. Every so often voices are raised.”
(Michael Kagan, 2006)



P. Brücker, March 2015

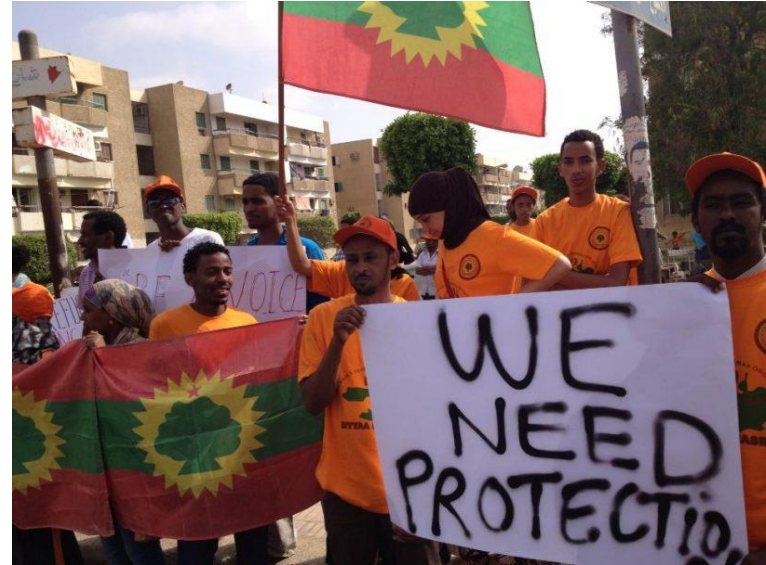
Context: Race and Racial Hierarchies in Egypt

- Periods of Ottoman, French, British Administration Rule;
→ Capital associated with whiteness
- History of Slavery: Between 1700 and 1880 alone Egypt received 800,000 slaves (Ralph Austen, 1979)
- Relationship with Sudan – “colonized colonizer” (Eve Troutt Powell, 2003)
- Nasser: Pan-African solidarity was conditional: “We cannot in any case abandon our responsibility in aiding, as much as we can, in the spread of light and civilization into the depths of the virgin jungle.”
- CERD expressed concerns about anti-Black racism (2016)
- Black refugees: violence, street harassment, access to services, profiling and detention

Context: Race and Racial Hierarchies in Egypt



2005: Mustafa Mahmoud Protests



2016: Oromo Protests

Interviews

- Conducted from September 2022 onwards
- Former and current staff involved with RSD
- Experience working with unit in the last 5 years
- RSD is based on multiple variables

Role	Notes	Number
UNHCR RSD Staff	<ul style="list-style-type: none">• All conducted interviews and reviewed cases• 2 national, 2 international	4
Legal Advisors	<ul style="list-style-type: none">• Experience writing submissions and observing interviews; all 4 reviewers• 2 national, 2 international	4
Former Interpreters	<ul style="list-style-type: none">• Recognized refugees	4

Findings

RSD Unit Environment

- 6th of October v Zamalek
- Hierarchies between international staff, nationals staff and interpreters
- Casework is predominantly conducted by national staff

“I have seen RSD officers who make racist jokes in the lobby or slurs against [Black] Africans. You can tell that there is not really a clean atmosphere free of racism.” – **RSD Staff Member**

“All interpreters will feel they are facing racism from the UN. Less payment, overloaded work...an RSD interview can be for three hours and there are a few everyday. We are refugees and we are Black – that is why we are treated like this.” – **Former Interpreter**

Bias on the basis of race, nationality or ethnicity?

- Categorization / History of acceptance/rejection targets

“What I have seen is there are some RSD officers who in time will develop a very cynical idea of claims based on the nationality of the person – with time that translates to the race of the person. This has unconsciously caused me to be automatically cynical when I see someone from Ethiopia. It is not something I am proud of – it is something I realized after leaving UNHCR. When you are involved in the work you have to finish the cases, you have certain targets.” – **RSD Staff Member**

Race in Gender Based Claims

“I think it is a pervasive belief that Black women are more promiscuous – it plays out when I read assessments – they are subject to intense and invasive questions. For other groups it is accepted. [Staff] feel Black women put themselves in this position.” – **RSD Staff Member**

“A Sudanese woman disclosed she had been raped...the Eligibility Officer without looking up from their computer asked ‘just the once’” – **Legal Advisor**

Race in Gender Based Claims

- Credibility accepted barring SGBV
- Black women in particular assumed to lack agency /“Infantilization”
- Treatment v Outcome

Age Assessments and Black males

- Conducted from registration onwards
- Normally linked with negative credibility assessment

“There is a perception that Black boys are older – is this linked with physical features – or based on just not believing them. Often you are measuring aging in terms of Egyptian or Western physical features.” - **RSD Staff Member**

“I have heard staff saying ‘he is saying he is 16. My nephew is 16. [The applicant] looks like a man’” – **RSD staff**

Cultural Tests to Establish Ethnicity

- Less frequent in recent years

“It comes down to seeing people from Africa as tribal people... I have seen cases where people have had to get up and dance. I think those ethnicity questions were designed with this idea that everyone in Africa lived in a hut. I do not think we would ever ask an Iraqi or Syrian what their song and dance is.” – **RSD Staff Member**

“I remember looking for anthropological reports by white anthropologists on Sudanese tribes or Christian evangelical organizations. They are the only one are tracing smaller tribes.”
– **RSD Staff Member**

Preliminary Recommendations

- Initiative needs to come from UNHCR: “It needs to come from top down – you understand things are important if your manager is talking about it. Everyone is a small cog in the machine – especially casework” – **RSD Staff Member**
- Interpreter: Mistrust and fear of repercussions
- “We were not in a position of sufficient power to allege there was racial bias – whether or not we felt that way – it was always this absolute tightrope to make sure you are on side enough.” – **Legal Advisor**
- Drawing from LGBTQI training
- Tracking progression of cases at all stages of the process