



Improving social protection for migrants, refugees and asylum seekers in Egypt: An overview of international practices

Marina Andrade, Lucas Sato and Maya Hammad—International Policy Centre for Inclusive Growth (IPC-IG)



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Improving social protection for migrants, refugees and asylum seekers in Egypt: An overview of international practices

By Marina Andrade, Lucas Sato and Maya Hammad

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United Nations Development Programme and the United Nations Children's Fund (UNICEF)

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Authors

Marina Andrade (IPC-IG)

Lucas Sato (IPC-IG)

Maya Hammad (IPC-IG)

Research Coordinators

IPC-IG

Anna Carolina Machado (IPC-IG)

Charlotte Bilo (IPC-IG)

Fábio Veras Soares (Ipea and IPC-IG)

Rafael Osorio (Ipea and IPC-IG)

UNICEF

Lina Nabarawy (UNICEF Egypt)

Luigi Peter Ragno (UNICEF Egypt)

Designed by the IPC-IG Publications team

Roberto Astorino, Flávia Amaral, Priscilla Minari and Manoel Salles

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**IMPROVING SOCIAL PROTECTION FOR
MIGRANTS, REFUGEES AND ASYLUM
SEEKERS IN EGYPT: AN OVERVIEW OF
INTERNATIONAL PRACTICES**

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This research report is the result of a partnership between the International Policy Centre for Inclusive Growth (IPC-IG) and the United Nations Children's Fund (UNICEF) Egypt Country Office. It was prepared by Marina Cruz de Andrade, Lucas Freschi Sato and Maya Husni Nazem Hammad (all IPC-IG).

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ACRONYMS AND ABBREVIATIONS

CAPMAS	Central Agency for Public Mobilization and Statistics
CRC	Convention on the Rights of the Child
ICESCR	International Covenant on Economic, Social and Cultural Rights
EU	European Union
EVAR	Egypt Vulnerability Assessment for Refugees
GDP	Gross domestic product
ICRMW	International Convention on the Rights of Migrant Workers and Their Families
ILO	International Labour Organization
IOM	International Organization for Migration
IPC-IG	International Policy Centre for Inclusive Growth
MENA	Middle East and North Africa
OHCHR	Office of the High Commissioner for Human Rights
OWWA	Overseas Workers Welfare Administration
SP	Social protection
SPE	<i>Servicio Público de Empleo</i>
UN DESA	United Nations Department of Economic and Social Affairs
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund

EXECUTIVE SUMMARY

This report analyses noteworthy practices adopted by countries around the globe to expand the access to social protection (SP) systems for migrants, refugees and asylum seekers, aiming to translate international experiences to inform the policy debate on extending SP to these groups in Egypt. International migration is a central issue in Egypt, which has historically been a country of destination, transit and origin. While a vast literature is dedicated to understanding the fundamental role of Egypt as the top migrant-sending country in the Middle East and North Africa (MENA) region, less attention has been directed at its position as a host and transit country. Nevertheless, over the last two decades the number of displaced persons living in the country has increased by more than 18 times. Conflicts in countries such as Sudan, Syria and Yemen have forced people in situations of extreme vulnerability to migrate to Egypt.

The provision of SP for these individuals is a human right, can protect migrants, refugees and asylum seekers and contribute to national development in the host country. However, these rights are not always guaranteed for non-nationals in Egypt, where international migration has become a topic of polarised discussion. Against this background, international experiences can provide valuable insights for a new migration governance framework, a more inclusive SP system and sustainable socio-economic development in Egypt.

This report aims to address three main questions:

- To what extent do national SP systems have the capacity to integrate migrants, refugees and asylum seekers?
- How are other countries ensuring the right to SP for all, especially the most vulnerable?
- What is the potential to extend SP to migrants in MENA, with a focus on Egypt?

To provide contextual information, **Chapter 1** introduces the current international migration situation in Egypt. It emphasises Egypt's role as a host country for forcibly displaced people and mentions the importance of labour emigration to the Egyptian economy due to remittances. Data from the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Department of Economic and Social Affairs (UN DESA) are explored to show the growing number of migrants, refugees and asylum seekers living in Egypt. As of 2019, a total of 324,712 forcibly displaced individuals were living in the country; almost 40 per cent of them were Syrians. Also, UNHCR data show that people aged 0–17 years old represented over 40 per cent of the total population of some of the main national groups living in Egypt, such as Syrians, Sudanese and South Sudanese. Finally, the results of the Egypt Vulnerability Assessment for Refugees (EVAR) are summarised. They illustrate the high vulnerability profile of forcibly displaced populations living in the country, such as the high unemployment (29 per cent of the refugees interviewed) and poverty rates (47 per cent).

Chapter 2 presents the conceptual framework guiding the report and responds to the first question posed by this research report. Key definitions of international migration, a rights-based approach to SP and shock-responsive SP are debated. The chapter explores the particular risks faced by people on the move, including specific vulnerable groups such as refugees, asylum-seekers, low-skilled migrant workers, undocumented and documented international migrant workers and their families. Moreover, it highlights the social risks and vulnerabilities of migrant populations at different stages of the migration cycle. After setting this comprehensive scene informing the risks faced by people on the move, the chapter explores the linkages between SP and migration, the potential of the latter to increase the resilience of families at all the stages of the refuge and migration cycle, and the positive effects of promoting inclusion on national development. Finally, the chapter frames the right to SP as a human right, points out the key international conventions that provide a legal basis to SP for migrants, refugees and asylum seekers, and presents the relevance of developing SP systems to respond to crisis and shocks. In sum, Chapter 2 presents evidence-based arguments for the importance of constructing inclusive SP systems under a rights-based approach in which the promotion of human dignity and national development are inseparable.

Table 1. Rights and exclusions of non-nationals in the labour market, social insurance and social assistance

	Rights	Exclusions
Access to labour market	Non-discrimination in salaries on the basis of country of origin (Labour Law No. 12 (2003), Art. 35)	Paid domestic work not protected by labour law
	Prohibits termination of contracts based on discrimination (Labour Law No. 12 (2003), Art. 120)	Migrants restricted from working in certain sectors (e.g. as tour guides, in exports, imports and customs clearance)
	Right to form and join unions to all workers without discrimination (Trade and Workers Unions and the Right to Syndication Law No. 213 (2007), Art. 4)	Migrants can only constitute 10 per cent of a registered company's workforce
		Exemptions from work permit costs; the principle of non-competition for Palestinian refugees, stateless individuals and political refugees no longer included
Social insurance	Extends the right to social insurance to all foreign nationals with 'regular employment contracts' as opposed to only those with reciprocity agreements covered in the previous law (Social Insurance Law No. 148 (2019))	Obligation to provide social security coverage to refugees and stateless persons without reciprocity most likely unmet
	Extends protection to additional workers in the informal/irregular sector, including domestic workers (12 per cent Treasury contribution) (Social Insurance Law No. 148 (2019))	Health insurance coverage for migrants in the informal sector or undocumented migrants unlikely to occur
	Formal employees, regardless of nationality, are automatically covered by universal health insurance (Universal Health Insurance Law No. 2 (2018))	
Social assistance	Extends social security assistance to citizens and nationals of countries with reciprocity agreements (Social Security Assistance Executive Regulations No. 137 (2010), Art. 1)	Migrants, refugees and asylum-seekers cannot benefit from <i>Takaful</i> (conditional cash transfer) or <i>Karama</i> (unconditional cash transfer), as national IDs are necessary for registration
	Reinterpretation of the categories of 'stranded traveller', 'poor' and 'needy' in the Quran to include 'refugees' (Fatwa (regulation) from Dar Al Iftaa Al-Masri)	

Source: Authors' elaboration.

Chapter 3 addresses the question of how countries are ensuring the rights to SP for non-nationals. It explores the potential of comparative policy by presenting some examples of noteworthy international practices, aiming to provide inspiration and contribute to the policy debate in Egypt. Case studies of countries from different regions across the globe, especially middle-income countries such as Egypt, were selected to illustrate how social assistance (as in the cases of Turkey, Morocco and Brazil), social insurance (Philippines and social security agreements), labour market policies (Denmark and Colombia) and basic services of health care (Iran and Turkey) and education (Lebanon) can be more inclusive for non-nationals, particularly for refugees. The cases include the limitations of each approach but also highlight the factors that favour the expansion of coverage for non-nationals. Some of the main enabling factors highlighted in these cases include:

- establishing a comprehensive legislative framework that guarantees fundamental rights and access to SP for all individuals;
- collaborating with international partners to increase the capacities of national SP systems;
- reforming migration policies towards a rights-based approach;
- capacitating social workers to deal with specific vulnerabilities faced by migrants, refugees and asylum seekers;

- guaranteeing legal status for undocumented individuals; and
- investing in infrastructure in places with a high demand from migrants, refugees and asylum seekers' populations;

Considering that financial constraints are one of the most critical barriers to creating migrant-friendly policies in developing countries, the third section also presents some of the main international mechanisms financing SP for non-nationals. The chapter ends with a discussion on how the COVID-19 crisis has exposed the gaps in SP systems, and how it can be turned into an opportunity to build coalitions championing more inclusive systems, as many countries have expanded coverage of SP systems for international migrants, refugees and asylum seekers for the first time in their response to the crisis.

After analysing the international examples, **Chapter 4** focuses on the case of Egypt to identify the potential to extend SP for non-nationals, as well as the main challenges to overcome. First, the chapter provides an overview of national laws and international obligations assumed by Egypt to protect migrants, refugees and asylum seekers. The main legal instrument, the Egyptian Constitution (2019), affirms that all citizens have the right to social security and health insurance. However, it presents limitations, as it does not explicitly mention the principle of equality of treatment on the basis of nationality. Egypt has also ratified several international instruments that guarantee basic rights and legal access to SP. The reservations posed to instruments such as the Convention Relating to the Status of Refugees and Protocol Relating to the Status of Refugees 1967, the non-ratification of others and the effectiveness of actual implementation are some points of concern.

Moreover, the chapter provides an analysis of specific laws guaranteeing rights or excluding migrants, refugees and asylum seekers in the labour market, social insurance and social assistance schemes. The final section of Chapter 4 presents some main political economy considerations to labour emigration policies and forced migration in Egypt, showing that effective coverage of SP and basic rights has been highly dependent on short-term political interests.

Chapter 5 of this report makes final remarks and provides recommendations to improve migrants' and refugees' access to SP in Egypt. Some of the main factors favouring the expansion of SP indicated in the country case studies are discussed considering the Egyptian context. Based on this, cross-cutting recommendations and recommendations to make social assistance, social insurance and labour market policies in the country more inclusive are presented.

1. INTRODUCTION

Social protection (SP) is not consistently available to international migrants, refugees and asylum seekers in most developing countries worldwide. Enabling such access is one of the functions of national legislation and policy, which in turn emanates from the relationships between host communities and migrants, refugees and asylum seekers, the openness of the former to migration, and the willingness and capacity of governments to grasp and govern migration movements in and out of their borders. International migration is not voluntary by definition, and migrants do not always wish to move from their homes to another country. It can be a livelihood strategy and an informal form of SP adopted by individuals and families to improve their socio-economic outcomes (Sabates-Wheeler & Waite, 2003), or it can be simply involuntary. Forced migration or displacement is a phenomenon that affects many countries and millions of people around the world and is associated with many risks. It can occur because of external shocks and disasters in the lives of individuals, and their negative effects are often exacerbated by the lack of institutional frameworks to protect the people affected or assist their economic recovery.

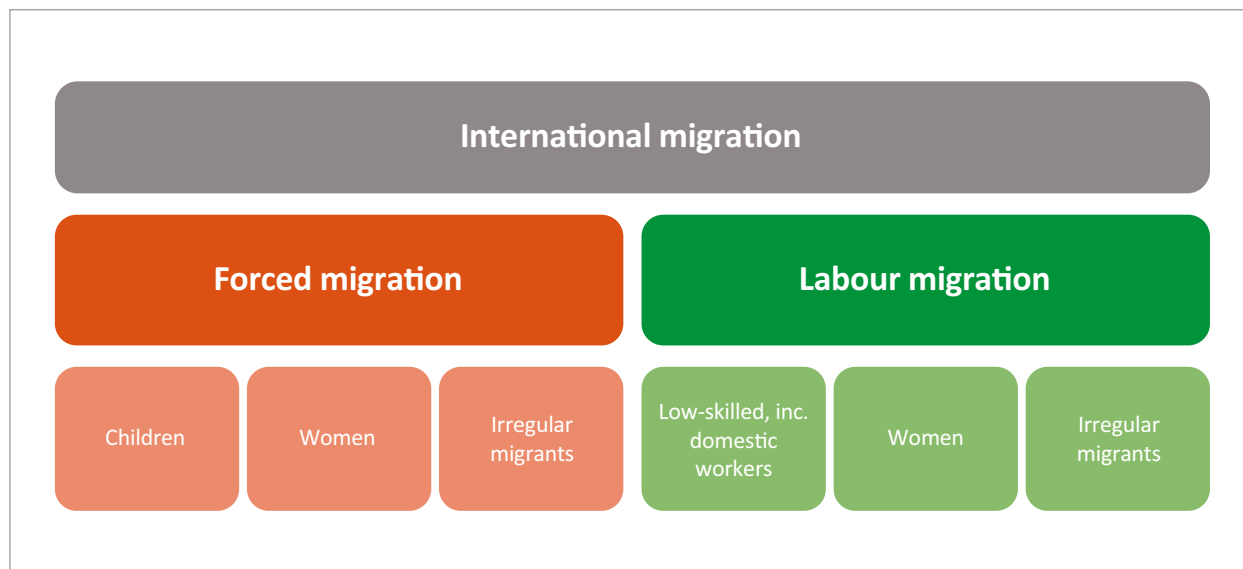
International migration has become a topic of polarised discussion, especially among host communities where a clear stance on migration has gained political weight, and debates are characterised by fear and division. New information dissemination patterns, the rise of social media and the fast-paced flow of misinformation have been affecting the way migration is perceived by host communities, leaving less space for balanced and evidence-based assessments of the real challenges and opportunities they face. Many countries have, nevertheless, achieved substantial progress in establishing guarantees for migrants, refugees and asylum seekers in this new climate, and in implementing them over recent years (IOM, 2020). Although the vast majority of these countries are developed, and developing countries generally lag far behind them in relative terms, developing countries have also been adopting important stances in the sense of reforming and transforming their SP systems to adapt and respond to current and future migration and SP challenges.

SP is anchored in international human rights principles and is a key policy tool for building resilience among vulnerable individuals or families, combating poverty and improving economic and social outcomes for beneficiaries. In fact, it can protect people from many types of life-cycle contingencies and external shocks that might cause them to fall into poverty. International migrants are not always at risk of poverty, given that the majority of international migrants worldwide are able to find employment and lead better lives at their destination than they would in their country of origin. Well-governed migration has the potential to contribute to a great extent to social and economic development of the countries involved and to improve the prospects of migrants. However, certain migrant groups, such as irregular or undocumented international migrants, whose entry or stay is unauthorised by the host country and who cannot find jobs other than in the informal market, children who migrate unaccompanied or even women who migrate independently, are more vulnerable to safety and livelihood risks than most international migrants (see Figure 1). Also, forced migration or forced displacement is a phenomenon that has affected a growing number of people and families in the world in recent years, and the result is that they are seldom able to find permanent asylum in another country, settle their lives safely and productively, enjoy basic public services and access SP and labour rights. Moreover, when it comes to labour migration, there is a growing proportion of low-skilled migrant workers or people of working age in the world, including women, who migrate in search of better employment opportunities and returns than those available where they live. Also growing are the unfair conditions that these workers are at risk of experiencing before, during and after migrating to another country. Abusive recruitment conditions—for example, a lack of social security coverage for non-nationals, abuse and exploitation at work, a lack of portability of social security rights and a lack of overall minimum guarantees in the labour market—are a frequent gap in the protection of migrant workers in SP and labour rights frameworks in developing countries, especially when bilateral or multilateral cooperation on international migration matters is weak between countries that are part of significant migration corridors.

Aiming to contribute to advancing the ‘social protection’ agenda in Egypt, this report presents a case study of the country's current practices in including poor and vulnerable migrants, refugees and asylum

seekers as beneficiaries in the national social protection system. It details the extent to which social protection is currently extended to migrants, refugees and asylum seekers there and discusses some of the political economy factors that could be potentially hindering their inclusion therein. Drawing from an extensive review of country experiences with inclusive social protection systems, policy recommendations for a more inclusive SP system in Egypt were drafted with a view to contribute to advocacy efforts for increased protection of refugees, asylum seekers, including women and children, and low-skill migrant workers, regardless of their legal status.

Figure 1. Groups of international migrants covered in this study



Source: Authors' elaboration.

In short, one of the key objective of this research report is to offer an assessment of global practices on the access of international migrants, refugees and asylum seekers and their families to national SP systems, and to inform the policy debate on extending SP in Egypt. **More broadly, the objective is to provide answers to and broad reflections on the following three questions:**

- **To what extent do national SP systems have the capacity to integrate migrants, refugees and asylum seekers?**
- **How are other countries ensuring the right to SP for all, especially the most vulnerable?**
- **What is the potential to extend SP to migrants in MENA, with a focus on Egypt?**

The overview of Egypt's SP system and its treatment of migrants, refugees and asylum seekers was developed by the International Policy Centre for Inclusive Growth (IPC-IG). It is based on a literature review and rounds of consultation and peer review with UNICEF Egypt, as well as consultation with other development partners in the field in Egypt, namely the United Nations Children's Fund (UNICEF), the United Nations High Commissioner for Refugees (UNHCR), the International Labour Organization (ILO) and the Dutch Embassy in Egypt. It includes a conceptual framework that describes international migration according to international standards, concepts and definitions, and discusses SP concepts and the underlying approaches relevant to the context in Egypt and the Middle East and North Africa (MENA) region more generally.

Conclusions and policy recommendations are based on a review of national policy and legal frameworks of various countries in terms of their consideration of the human rights principles of equal treatment, minimum standards and maintenance of social security rights acquired, and the extension of social security rights to migrants, refugees and asylum seekers within their own SP systems. In addition, reviews of the status of ratification of the main international instruments that provide frameworks for migration governance and access to SP are included, as the main international conventions on securing rights for migrant workers and their families, such as the International Convention of Rights of Migrant Workers and their Families.

The study is structured as follows: Chapter 1 introduces the current context of international migration in Egypt. Chapter 2 presents the conceptual framework for international migration, for SP and for the main discussions of migration in the Egyptian context. Chapter 3 gives an overview of international practices of extending access to SP to international migrants, refugees and asylum seekers in terms of social assistance, social insurance, the labour market and access to basic services. Chapter 4 is a review of the same practices in Egypt, describing the main challenges and opportunities for migrants' access to SP in the country. Finally, Chapter 5 concludes the research report with main findings and policy recommendations based on the overview and the evidence-based literature.

1.1 Overview of migration trends in Egypt

In Egypt, inflows of Palestinian refugees have been taking place since the 1940s, but between 2000 and 2019 the number of international forced migrants to Egypt increased by more than 18 times (see Table 2) (UN DESA 2019). The numbers not only reveal a drastic increase in inflows and a sustained necessity to effectively manage them, but also highlight the urgency of evaluating the relevant elements of national policy and legislation against a sound migration governance framework and a more inclusive SP system.

Egypt is a country of origin, transit and destination of migrants and forcibly displaced persons.

It is important to note that despite the relevance of issues related to migration and the recent efforts of the Central Agency for Public Mobilization and Statistics (CAPMAS) to monitor migration, a lack of data regarding international migration in Egypt makes it difficult to accurately estimate the actual number of international migrants living in Egypt. According to CAPMAS, the main challenges for this include a low level of cooperation between data collection systems, a low level of interest and high costs, and an absence of periodically updated data (Government of Egypt, n.d.-a). One of the most significant efforts to collect relevant data was the 2013 Egypt Household International Migration Survey (Farid et al., 2016; Government of Egypt, n.d.-a). However, UNHCR provides the most detailed and up-to-date information about refugees and asylum-seekers in the country, so its data were considered the primary source here. One of the limitations of these data is that UNHCR considers only individuals who are registered as forcibly displaced persons, who represent a minority of the total population of forcibly displaced persons living in Egypt. This section also uses data from the United Nations Department of Economic and Social Affairs (UN DESA) and the World Bank as complementary information.

Country of transit and destination

Egypt plays an important role as a destination country for migrants, refugees, and asylum seekers coming from other countries in the MENA region and sub-Saharan Africa. Its geographical location in the Mediterranean also attracts millions of people from other MENA countries and sub-Saharan Africa aiming to cross the Mediterranean Sea and arrive in Southern Europe. Also, Egypt is a country of destination for migrants who seek better livelihood opportunities in major urban centres such as Cairo, and for refugees fleeing conflicts and political-economic instabilities in the region—phenomena that have been on the rise in recent years. Nearly two thirds (64.4 per cent) of the total number of estimated registered international migrants in the country were refugees and asylum-seekers in 2019 (see Table 2). Also, the country has long received communities fleeing conflicts in Palestine

and Sudan, for example. The number of incoming and in-transit persons and forcibly displaced populations has been on the rise in recent years, notably since the Arab Spring and the civil war in Syria. Between 2012 and 2013, for example, the number of refugees and asylum-seekers in Egypt increased by more than 100,000 individuals, most of them coming from Syria (see Figure 2).

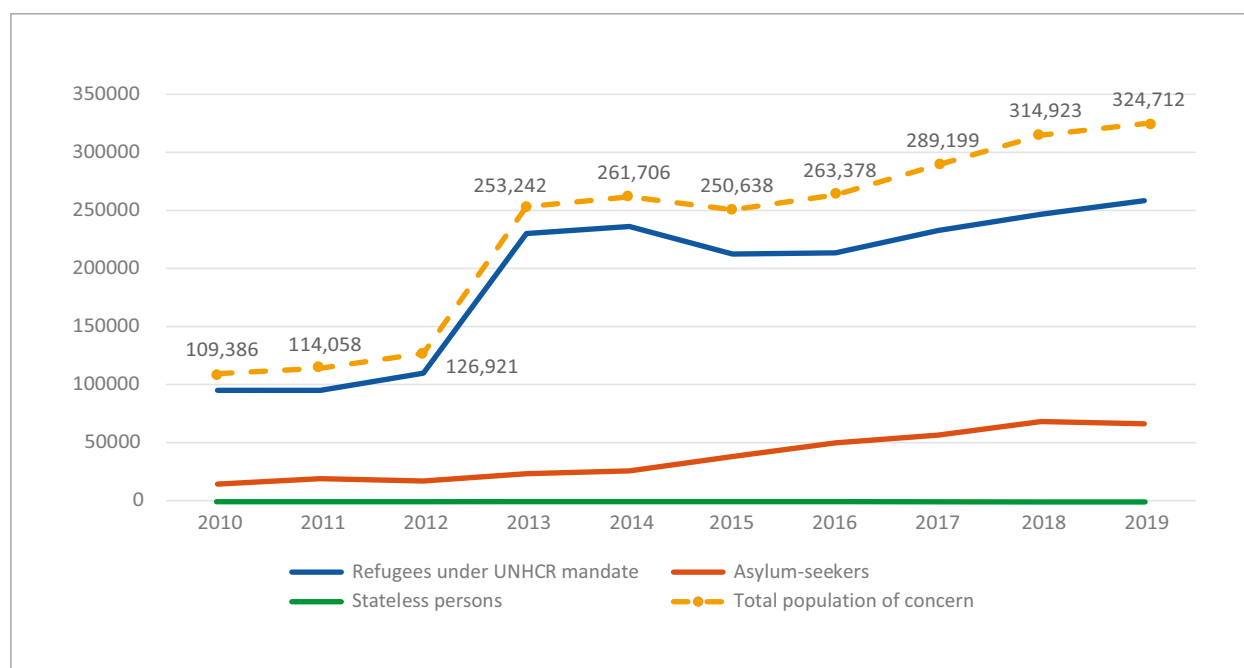
Table 2. Main trends in migration and refugee stock for Egypt, 1990–2019

Year	Total population (at mid-year)	International migrant stock at mid-year (both sexes)	Proportion of women in total migrant stock (%)	Proportion of migrants of working age in total migrant stock (%)	Proportion of children aged 0–14 in total migrant stock (%)	Estimated refugee stock (including asylum-seekers) at mid-year	Estimated refugee stock as percentage of international migrants	Number of Egyptian nationals abroad
1990	56,134,000	173,833	47.1	83.8	16.2	1,991	1.2	499,236
1995	62,334,000	166,955	41.6	86.8	13.2	5,407	3.2	541,446
2000	68,832,000	184,774	46.9	92.3	7.7	18,019	9.8	602,862
2005	75,524,000	285,006	45.2	92.3	7.7	99,951	35.1	653,034
2010	82,761,000	310,017	47.0	94.1	5.9	109,359	35.3	845,946
2015	92,443,000	353,641	40.7	95.3	4.7	250,671	70.9	1,126,244
2019	100,388,000	504,053	44.4	94.5	5.5	324,707	64.4	1,252,325

Note: Data on the estimated refugee stock in 2019 are from UNHCR, as it provides more up-to-date information.

Source: UN DESA (2019).

Figure 2. Total population of concern to UNHCR in Egypt, 2010–2019

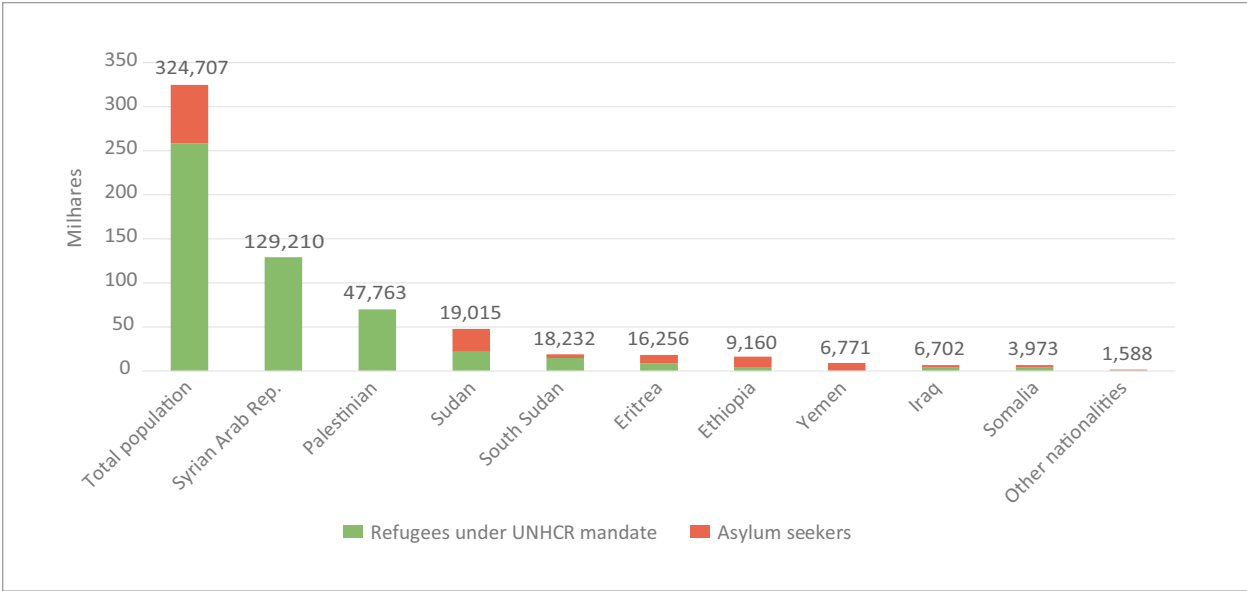


Source: Authors' elaboration based on UNHCR (2020).

Currently, most of the international migrant and refugee stock¹ in Egypt is from Syria, Palestine, Sudan, Iraq and Somalia, although a sound estimate cannot be produced due to the overall lack of registration and documentation of these persons of concern (UN DESA 2019). Given the large presence of irregular and undocumented migrants, the country is facing more complex migration challenges, and the size of migrant communities is unknown. For the Sudanese community, for example, estimates range from 750,000 to 4 million individuals (Tsourapas, 2018b).

Despite this limitation, UNHCR provides valuable data to help us understand more about refugees and asylum-seekers in Egypt. According to UNHCR (2019c), as of the end of 2019, Egypt was hosting a total of 324,707 forcibly displaced persons, namely 258,391 refugees under the UNHCR mandate and 66,316 asylum-seekers of 38 different nationalities, and a small fraction of stateless persons. However, only nine countries of origin, namely Syria, Palestine, Sudan, South Sudan, Eritrea, Ethiopia, Yemen, Iraq and Somalia, represent 99 per cent of the total number of forcibly displaced persons in Egypt, as Figure 3 shows. Most refugees and asylum-seekers live in urban areas, mainly in the cities of Cairo (see Table 3), with 92,000 people, Giza and Alexandria.

Figure 3. Total population of refugees and asylum-seekers in Egypt by country of origin, end of 2019



Source: Authors' elaboration based on UNHCR (2020c).

Table 3. Number of forcibly displaced persons by area in Egypt, end of 2019

Area	Number of forcibly displaced persons
Cairo	91,750
Giza	86,490
Alexandria	23,897
Egypt	324,707

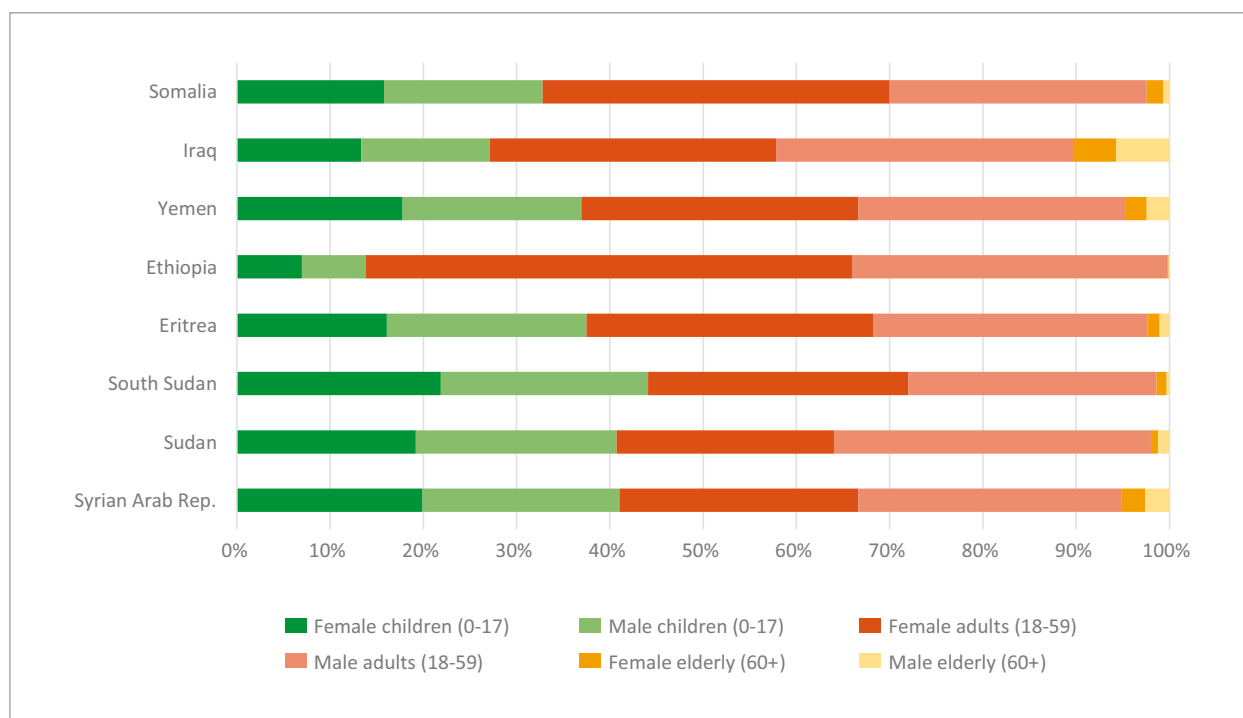
Source: Authors' elaboration based on UNHCR (2020c).

1. 'International migrant stock' refers to the total number of migrants in a country during the period of measurement, regardless of the date they entered the country.

UNHCR has demographic data available for almost all registered refugees and asylum-seekers in Egypt.

It provides such information disaggregated by nationality, gender and age, as shown in Figure 4. As a major limitation, age disaggregation is not available for Palestinians, the second-largest community of refugees in the country. Thus, considering that age disaggregation is available for 254,705 individuals, it is possible to estimate that children represent 38 per cent of the forcibly displaced population living in Egypt, that does not come from Palestine. Amongst the Syrian, Sudanese and South Sudanese communities, children represent more than 40 per cent of the total number of refugees and asylum-seekers. Moreover, UNHCR registered a total of 4,855 unaccompanied and separated children as of the end of 2019. Most of these were Eritrean children, who represented 48 per cent of all unaccompanied children and 35 per cent of unaccompanied and separated children (UNHCR, 2020b).

Figure 4. Demographic composition of refugees and asylum-seekers in Egypt by country of origin, end of 2019



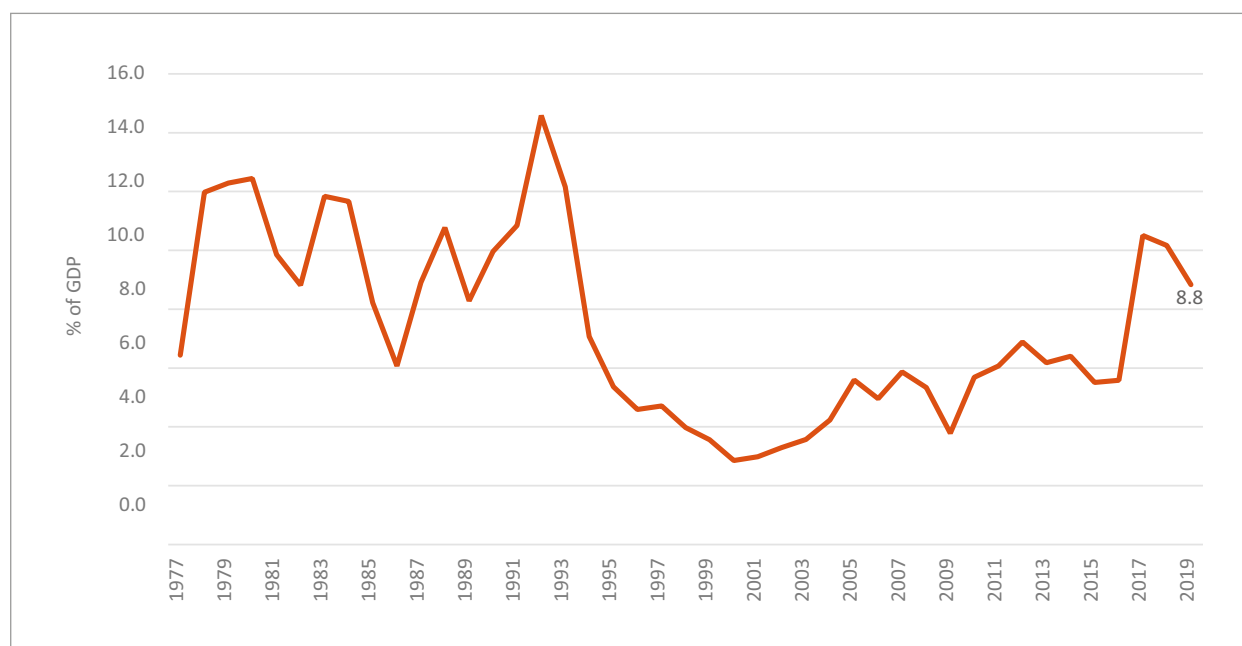
Source: Authors' elaboration based on UNHCR (2020c).

Egypt as a country of origin

Throughout its history, Egypt has incentivised emigration as a way to solve unemployment pressures in the country and guarantee remittances (Rajan & Saxena, 2019). This trajectory has made Egypt the main provider of migrant workers for the MENA region, primarily in Saudi Arabia, Jordan and the United Arab Emirates (Tsourapas, 2018b). These Egyptian workers based outside the country are considered fundamental to the national economy, mainly because they send remittances to their families who stayed in Egypt. As Figure 5 shows, remittances represented 8.8 per cent of gross domestic product (GDP) in 2019, having reached a maximum of 14.6 per cent of GDP in 1992.

As a significant country of origin of international migrants, Egypt's net migration rates have been negative for decades and remain so today (see Table 4). In 2019 the country's diaspora population was among the 20 largest worldwide (UN DESA 2019), and it is estimated that 1.2 per cent of the population was living abroad.

Figure 5. Personal remittances received, as share of GDP, 1977–2019



Source: World Bank (2020).

Table 4. Trends in Egypt's net migration rate, 1990–2020

Period	Net migration rate (per 1,000 population)
1990–1995	-1.6
1995–2000	-0.6
2000–2005	-0.2
2005–2010	-0.7
2010–2015	-0.6
2015–2020	-0.4

Source: UN DESA (2019).

1.2 Socio-economic information and main risks and vulnerabilities associated with forced migration in Egypt

In 2018, UNHCR conducted the **Egypt Vulnerability Assessment for Refugees (EVAR)** (UNHCR, 2020j) to collect information and identify vulnerabilities of refugees and asylum-seekers living in Egypt.

Unlike previous vulnerability assessments, which only covered Syrian refugees, the EVAR 2018 covered forcibly displaced populations from 38 different countries. The survey covered a total of 1,389 households and 4,652 individuals. Considering this sample, the average refugee and asylum-seeker household had three members, and 45 per cent of them were female-headed. The main results of EVAR 2018 in the sectors of protection; welfare, income and expenditure; livelihoods and employments; education; food security; and housing and living conditions are presented in Table 5.

Table 5. Key data from the EVAR 2018

	Main indicators	Particularly vulnerable groups
Protection	<p>Legal residency: 63% did not have a valid residence permit at the time of the survey. Among those who had a valid residence permit, 52% had an education-related residence permit, 28.5% a UNHCR card, and 8.7% a tourist permit.</p> <p>Identity documents: Only 9% had a valid passport, while 62% possessed an invalid passport, and 30% did not have a passport at all.</p> <p>Child labour: 3% of refugee children were working. Most working children (78%) were prevented from going to school due to work.</p>	<p>Non-Arabic-speaking refugees had lower access to residence permits (Somalis 30%, Ethiopians 29%, Eritreans 22% and South Sudanese 21%) than Arabic-speaking refugees (Yemenis 62%, Syrians 46% and Iraqis 44%). Seven in ten working children were Syrians. Working children were exposed to multiple hazardous conditions, including carrying heavy loads (36%), exposure to dust, fumes and gas (21%), and exposure to extreme heat or humidity (14%).</p>
Welfare, income and expenditure	<p>Poverty: 47% were living below the national poverty line.</p> <p>Income: 70% were not receiving any source of labour income. Only 18% received income from an external source (12.5% from family/friends; 5.6% from abroad; 0.7% from pensions). Also, 34% of the households had received cash assistance (World Food Programme food assistance, UNHCR cash assistance and UNHCR education assistance) 30 days prior to the interview.</p> <p>Expenditure: 77% were found to be below the Minimum Expenditure Basket. Food was reported as the top recurrent expenditure item (44% of households' expenditure), followed by rent (26%).</p> <p>Debt: 73% reported being in debt over the past month. 81% borrowed money to cover domestic expenses; 53% to pay the rent; 40% to meet costs of health care and medicines; and 7% indicated that they had to borrow to cover costs of education.</p> <p>Unmet needs: Support for rent and improved shelter/housing was the main unmet need (48%), followed by food (39%).</p>	<p>Women received an average per capita income from regular work that was 38% lower than men.</p> <p>Syrians received higher average per capita income from regular work (EGP4,045) than other groups (Arabic-speaking refugees received EGP1,659 per capita, and non-Arabic-speaking refugees EGP936).</p> <p>Also, Syrians were more likely to receive assistance (62%) than other groups such as Sudanese (23%), South Sudanese (18%), Eritreans (16%), Ethiopians (9%), Somalis (5%) Yemenis (4%) and Iraqis (3%).</p> <p>Unmet needs for support for rent/housing particularly affected South Sudanese (63%), Sudanese (57%), Yemenis (56%) and Somalis (51%), while unmet needs for food were particularly high among Ethiopians (42%) and Eritreans (37%).</p> <p>Multiple coping mechanisms are used to overcome difficulties and pressing needs. Strategies include borrowing money to cover basic needs, food-related strategies, and accepting high-risk, illegal and/or exploitative jobs.</p>
Livelihoods and employment	<p>Unemployment rate:² 29% for the refugees assessed (compared to an 8.9% national unemployment rate)</p> <p>Employment: Out of the 71% employed refugees, 52% reported being employed in temporary wage employment, 45% were in regular wage employment, and 3% were engaged in self-employment.</p> <p>Individuals out-of-labour force: 43% of the refugees aged 18-60 years were not seeking employment, mainly due to family responsibilities.</p> <p>Labour force participation rate: 57% of the refugees are economically active.</p> <p>Skills: Refugees reported multiple skills, including aesthetics and hairdressing skills (22%), cooking (18%), sewing (13%), social media (5%), Internet use (5%), typing (5%) and embroidery (4%).</p>	<p>Women are especially vulnerable to unemployment (35% women were unemployed compared to 26% men). Also, 66% of the interviewed women were not seeking for employment (19% of men), mainly because of family responsibilities (73%). Only 33% of women were economically active, in comparison with 81% of men.</p> <p>Refugees with lower levels of education (illiterate and primary level) presented higher unemployment rates (41% illiterate; 51% primary/preparatory level; 31% secondary; 18% technical education; 33% higher education).</p> <p>Among persons with disabilities, six in ten individuals were employed.</p>



2. Only considers those people looking for employment.

	Main indicators	Particularly vulnerable groups
Education	<p>School attendance: 86% of refugee children aged 6–17 years were attending school.</p> <p>School type: 48% were attending public schools, 45% were attending community schools, and 8% were attending private schools.</p> <p>Reasons for dropout: The high cost of education is the main reason cited (35.9%), along with the lack of education provision (13.5%) and a lack of awareness of registration procedures (13.4%).</p>	<p>High level of attendance among Sudanese (92%), Syrian (89%), South Sudanese (87%) and Iraqi (82%) refugees.</p> <p>Moderate level of attendance among Eritrean (64%), Ethiopian (54%) and Yemeni refugees (52%).</p> <p>Syrians were the national group with the most access to public schools (77%), while other nationalities have much lower access to them. Refugees from East Africa and the Horn of Africa were mainly attending community schools. Most Iraqi refugees (97%) were attending private schools, presumably due to regulations that limit their formal access to public education.</p>
Food security	<p>Food insecurity: 27.1% were food insecure, and an additional 59.4% were highly vulnerable to food insecurity.</p> <p>Food Consumption Score (FCS):³ 74.1% had acceptable food consumption levels, 19.4% had borderline consumption levels, and 6.5% had poor food consumption.</p> <p>Food consumption coping strategies: 87.5% rely on less preferred foods, 68.4% reduced the number of meals consumed and meal portions, 44.5% borrowed food or relied on help from family and friends to buy food, and 38.2% had to reduce their adults' food consumption to allow children to eat.</p>	<p>Non-Arabic-speaking refugees are particularly vulnerable to food insecurity. 42.8% of them had poor or borderline food consumption, although the proportion was much lower for Syrian refugees, for example (12.6%).</p> <p>Non-Arabic-speaking refugees were also more likely to have low or moderate dietary diversity (70%), than Syrians (27.1%) and other Arabic-speaking refugees (50%).</p>
Housing and living conditions	<p>Type of housing: 52% lived in shared apartments in separate rooms. Fewer than 1% of the refugees interviewed were homeless. The average number of members sharing one living space (5) is higher than the average household size (3), as most families shared their places of residence with others.</p>	<p>Syrians and Arabic-speaking refugees had more access to private residences, while most non-Arabic-speaking refugee households were living in shared apartments (94% of the Ethiopians, for example).</p>

Source: UNHCR (2020j).

In short, the EVAR 2018 showed that the level of vulnerability faced by refugees in the country varies across the different nationalities and language groups. Compared to Syrian and other Arabic-speaking refugees, the assessment indicated that non-Arabic-speaking refugees are especially vulnerable. They presented lower levels of access to residence permits, public education, food security and nutrition, and private housing, for example (UNHCR, 2020j). Most of these non-Arabic-speaking refugees come from sub-Saharan Africa and face cultural and language barriers, a lack of community structures, and racial and social discrimination, besides being especially vulnerable to sexual and gender-based violence—in the first 10 months of 2019, more than 1,300 cases of gender-based violence were registered, 90 per cent of them against African nationals (UNHCR, 2020b). Female refugees are especially vulnerable, not only to sexual and gender-based violence, but are also less likely to have employment and received much lower wages than men. Finally, despite the overall low levels of documented child labour among refugee children in 2018, Syrian children are especially vulnerable, as they represent 70 per cent of refugee children in labour (UNHCR, 2020j).

The COVID-19 crisis has deepened pre-existing inequalities in the Egyptian labour market, aggravating the vulnerabilities of forcibly displaced persons previously evidenced in the EVAR. Pre-existing factors such as a high unemployment rate, the frequent occurrence of temporary wage jobs among the employed, and the difficulties faced

3. "The FCS is a composite score that is based on dietary diversity, food frequency, and relative nutritional importance of different food groups consumed by households. Based on the analysis, households are classified into three food consumption groups, 'poor' food consumption, 'borderline' food consumption, and 'acceptable' food consumption. Thus, the FCS is used to monitor the economic access to food and surveillance at decentralized levels; moreover, it is used to identify the households who are food insecure" (UNHCR 2020i, 37).

to meet basic needs such as food and rent have been further aggravated by the crisis. According to UNHCR, many refugees and asylum-seekers have lost their source of income and have been unable to buy basic supplies or afford basic utilities. As of May 2020, UNHCR Egypt had received 10,989 enquiries by telephone and email from persons of concern. Of these, 15 per cent reported job loss, 13 per cent reported food unaffordability, and 6 per cent were at risk of or had already been evicted from their homes. Other survey exercises were undertaken by UNHCR and the Catholic Relief Services, aiming to understand the impact of the pandemic on the learning of refugee and asylum-seeker students. The results showed that families were unable to finance access to online educational material and final exams. Also, most families were unable to afford Internet packages, which cost at least USD20 per month (UNHCR 2020e).

2. CONCEPTUAL FRAMEWORK: MIGRANTS, REFUGEES AND ASYLUM SEEKERS AND ACCESS TO SOCIAL PROTECTION

This chapter presents a set of concepts and definitions that frame the review of migrants, refugees and asylum seekers' access to SP systems. A set of conceptual debates aims to explain how enhanced and better-prepared systems can be central to the implementation of nationally appropriate SP systems for all.

2.1 International migration

International migrants are persons who have changed their country of usual residence, regardless of the reason for the change (United Nations 1998). Forcibly displaced persons like refugees and asylum-seekers, and migrant workers and their families, for example, are distinct cases of individuals with their own reasons to migrate to another country (see Table 6). Yet they face recurrent and often seemingly insurmountable barriers in accessing SP as a right in the country of destination, especially when these are low- and middle-income countries.

A growing proportion of migrants face relatively higher economic risks and other safety risks than persons who stay in their country of origin, citizens of the destination country or high-skilled migrant workers, for example, as low-skilled labour, forced and irregular migration has been increasing in recent years. In most developing countries, migrants, refugees and asylum seekers face systematic obstacles to accessing formal SP policies and programmes, formal labour markets and public services or in porting the SP rights they may have had in their country of origin or previous residence or which will be accumulated in the country of destination.

In addition, different groups of migrants and refugees face varying levels and particular types of risks and vulnerabilities that can potentially be addressed by SP policies and programmes:

- **Refugees, including children,** are particularly vulnerable persons who likely suffered trauma or significant socio-economic barriers in a previous place of residence or during their migration journeys.
- **Asylum-seekers, including children,** possibly have a similar vulnerability background to refugees but have not yet been awarded refugee status by the country of destination and face the additional risk of mandatory return to their country of origin.
- **Low-skilled migrant workers** such as agricultural workers, domestic workers and care workers are often excluded from SP frameworks, especially work-related social insurance, and labour rights afforded to high-skilled workers, for instance.
- **Undocumented and documented international migrant workers and their families:** Those with proof of identity, a valid work or residence permit or a visa are less likely to be or become poor because they have legal means to earn income and are more likely to be able to access and enjoy labour rights and social insurance

in the country of destination. Often these migrants stay longer than permits or visas allow in the country of destination, and they become undocumented migrants.

- **Irregular migrants** are persons who were smuggled or other persons whose entry was not authorised by the State and are subject to arbitrary detention as a form of immigration control. They may also be undocumented migrants whose authorisation to stay in the country expired or who lack proof of identity. Persons in this group are likely to avoid use of basic public services due to their irregular situation and often remain excluded from society and the provisions of the SP system.

Table 6. Concepts and definitions related to migrants, refugees and asylum seeker

Concept	Definition
Asylum-seekers	Persons who are seeking international protection or protection from a specific country, and whose claim of protection has not yet been granted
Refugees	Persons with a well-founded fear of persecution due to their race, religion, nationality, membership of a social group or political opinion who are outside the country of nationality and are unable or unwilling, due to such fear, to avail themselves of the protection of that country, or not having a nationality and being outside the country of their former habitual residence as a result of such events, are unable or unwilling to return to it.
Humanitarian migrants	Persons in need of protection and in extremely insecure or vulnerable situations, including refugees, persons with urgent protection needs or medical assistance and care needs, migrants in vulnerable situations and extended family members
International forced migrants or forcibly displaced persons	Persons who were forced to flee to another country than their country of usual residence, due to or to avoid the effects of armed conflict, situations of generalised violence, violations of human rights or natural or human-made disasters
Migrant workers	Persons who changed their country of usual residence and were in the labour force of the country or, if not usual residents of the country, were present and had labour attachment, either employed or seeking employment, to the country during the reference period
Low-skilled migrant workers	Migrant workers whose level of education, qualifications and experience make them eligible only to low-skilled or elementary jobs or occupations
In-transit persons	Persons who are on a stopover of passage while travelling between states
Irregular or undocumented migrants	Concepts that refer to a person's lack of required legal documentation to enter, reside or work in a determined country. Irregular migrants are persons who have moved across an international border and do not have authorisation to stay according to national laws and international agreements to which the State is party. Undocumented migrants are those who lack documentation that acts as proof of identity or who have fraudulent or expired documentation in that regard.
Resettlement migrants or refugees	Migrants who were transferred and admitted as refugees to a country other than where they have sought protection and receive permanent residence status
Diaspora	Migrants or descendants of migrants whose identity or sense of belonging has been shaped by their migration experience and background

Source: IOM (2019) and ICLS (2018).

2.1.1 Framing the international migration context in Egypt as a destination and a transit country

Considering the ongoing humanitarian migration crises affecting the entire MENA region, and Egypt's emerging position as a destination and a transit country for forced migrants, this section presents some of the relevant concepts and discussions that are important to understand the migration context there.

According to the ILO, the International Organization for Migration (IOM) and the Organization for Security and Co-operation in Europe (OSCE), overall protection of international migrants must begin in the country of origin to be the most effective, and the reduction of irregular migration emanates from cooperation

among States on migration matters, including on developing and improving their relevant regulatory frameworks (Baruah & Cholewinski, 2006). Information on the entire migration process needs to be widely accessible, at origin, by those wanting to migrate, to combat people's common misconceptions and distorted expectations associated with migration to another country, including for children. Support services to potential migrants are vital, given that when migrants know about their rights before migrating, and have accessible, regular and safe migration channels, they are less likely to suffer abuse and more likely to receive protection at their destination.

In general, migrant-sending countries face the same challenges to improving the socio-economic conditions of individuals who are likely to become migrants. Frequent obstacles are in addressing structural conditions in the labour market, and potentially developing new markets, and in improving regulatory systems to guarantee safe and regular migration channels for its nationals (ibid.). **On the other hand, migrant destination countries often face challenges in establishing measures to avoid abuse and exploitation by smugglers or employers, for example, and to combat discrimination** in the labour market, SP system and overall society, on the basis of nationality, sex, race or other factors.

International migration can be either voluntary or forced, with the current main reason for voluntary migration being employment. Nationals who migrate for employment are usually seeking better labour returns and employment prospects than are available in their current country of residence, at their level of education and skills, access to SP and improved well-being for themselves and their families. Other reasons for voluntary migration are family reunification or educational opportunity.

International forced migration, or displacement, as opposed to voluntary migration, has a wide definition according to UNHCR (2020c), it includes:

- persons in current need of protection: prospective asylum-seekers, refugees and other persons with determined protection status, others in refugee-like situations;
- persons with a refugee background: naturalised former refugees, children born of refugee parents, reunified refugee family members abroad and others; and
- persons returning from abroad after seeking international protection: repatriating refugees or asylum-seekers, persons returning from international protection abroad and others.

The IOM (2015) further defines displacement as the movement of persons forced to flee their homes to avoid armed conflict, violence, human rights violations or disasters. In the literature (Keely & Kraly, 2018), forced migrants are defined as **all persons displaced by development projects, environmental migrants, and victims of natural or human-made disasters seeking settlement in another country**. In the MENA context of international migration, the majority of forced migration consists of groups of refugees and asylum-seekers, namely from Palestine, Syria, Yemen, Iraq, Sudan and other countries in sub-Saharan Africa, often seeking safety and protection from armed conflicts and human-made disasters, and better life and employment prospects at their final destination, or temporary asylum before continuing their journey to their destination country of choice.

Undocumented or irregular migration is a central obstacle for migrants, both voluntary and forced, to accessing SP and services in the country of destination, especially with recent diverse and fast-changing humanitarian migration flows (UN DESA, 2018). Irregular migration is a large-scale phenomenon taking place worldwide as a consequence of poor migration governance frameworks and inter-state cooperation on migration matters. It is described in the literature as highly undesirable for a country for many reasons (Baruah & Cholewinski, 2006), including:

- abuse and exploitation;
- perpetuation and growth of the informal employment sector;
- potential negative effects on the overall quality of employment in the formal employment sector;
- loss of tax revenues;
- exploitation and abuse through the smuggling and trafficking of persons; and
- loss of credibility of legal immigration policies.

With regards to migrant workers, **a general orientation to low-skilled workers about to migrate can be developed in the country of origin, considering specific destination countries of relevance, their labour laws and local application of labour and social security laws for foreigners**, as well as international organisations or non-governmental organisations that offer specialised services and benefits. In addition, countries of origin play a significant role in promoting and ensuring the quality of employment of nationals abroad, including by regulating recruitment and its related costs, enforcing minimum job standards and assisting diaspora populations (ibid. 2006).

Most transit and destination countries worry about encouraging further inward migration by trying to combat irregular migration with what they consider to be incentives or pull-factors for migration, which includes a human rights-based legal framework governing migration (OHCHR, 2020a). Moreover, the lack of documentation puts migrants in a difficult and vulnerable position regarding access to SP in relation to nationals and also in relation to other migrants. While in some countries it is difficult even for documented migrants to fully access SP benefits and services, depending on their legal or employment status or duration of residence and employment, irregular migrants face this additional barrier of lacking a legal status.

2.2 The key role of social protection for all international migrants

2.2.1 Social protection

In this report, SP is defined according to SPIAC-B,⁴ as a “set of policies and programmes aimed at preventing or protecting all against poverty, vulnerability and social exclusion throughout their life-course, with a particular emphasis towards vulnerable groups”. Within this study, SP is considered a policy response to address social and economic vulnerabilities, and enhance each individual’s capacity to respond to them, especially when they are aggravated by shocks.

Considering the diverse set of vulnerabilities faced by international migrants (see Table 7), **SP can play different roles depending on two main aspects:**

- the characteristics of different groups of the mobile population—for example, whether they are forcibly displaced or migrant workers; and
- the stage of the migration cycle—i.e. at origin (upon departure or return), in transit or in the country of destination.

4. “SPIAC-B is an interagency coordination mechanism composed of representatives of international organizations and bilateral institutions to enhance global coordination and advocacy on social protection issues and to coordinate international cooperation in country demand-driven actions” (ILO, n.d.-d, p.).

Table 7. Social risks and vulnerabilities of migrants at different stages of the international migration cycle

Country of origin upon departure or return	<p>Unemployment and lack of access to adequate SP systems in the country of origin</p> <p>Separation, especially children, family instability and social stigma</p> <p>Acute humanitarian crisis which might cause poor access to basic services, shelter and food</p> <p>Difficulties in access to travel documents or visas, which can lead to irregular travel</p>
In transit	<p>Poor physical and mental health due to long trips, hazards related to environmental conditions, difficult access to food, exposure to sexual abuse and violence, especially for women and children</p> <p>Limited or no access to basic services (e.g. education and health)</p> <p>Problems with immigration authorities, especially when undocumented (e.g. detention and deportation, child separation from the family, violence etc.)</p> <p>Human trafficking, extortion, sexual and gender violence</p> <p>Lack of access to employment and exploitation</p>
Country of destination	<p>Limited access to family networks and informal SP</p> <p>Physical health (e.g. due to a lack of infrastructure in places of residence, difficult access to food) and mental health (e.g. depression, self-mutilation, drug addiction)</p> <p>Formal and informal barriers to access to SP programmes and basic health and education services, especially for the undocumented</p> <p>Difficulties in meeting legal requirements; insecurity while waiting for migration status to be determined, especially for asylum-seekers; limited portability of social security rights for those in the formal labour market</p> <p>Stigma, discrimination, xenophobia and exclusion from political and social life</p> <p>Child labour, sexual and gender violence</p> <p>Poor working conditions, especially for informal workers and undocumented migrants: payments below the minimum wage; lack of access to social insurance and benefits (e.g. maternity leave, disability grants, and labour rights in general)</p> <p>Language and cultural barriers</p> <p>Detention or limitations on freedom of movement</p>

Source: Authors' elaboration based on Long and Sabates-Wheeler (2017) and Maldonado (2018).

In addition, a set of covariate socio-demographic and political factors can influence vulnerability, and the subsequent role that SP can have, particularly (Valera et al., 2018):

- age or stage of life cycle, especially in the case of migrant children;
- gender, as women are particularly vulnerable in the migration process;
- race and ethnicity, which can increase stigma against minority groups;
- socio-economic characteristics (e.g. whether a high- or low-income country);
- family structure (e.g. single-parent families and/or female-headed households);
- migration status (e.g. documented or undocumented); and
- work status (e.g. whether inserted in the formal or informal labour market).

2.2.2 Social protection as a tool for mitigating vulnerabilities during the migration process

SP policies can be implemented through three main instruments, depending, for instance, on the person's age or work status:

- Non-contributory/tax-financed **social assistance**, commonly provided to extremely poor individuals or households in the form of cash and in-kind transfers
- Contributory or semi-subsidised **social insurance** schemes, with compulsory or voluntary participation, normally financed by workers' and employers' contributions to provide protection against various types of risks, such as income loss caused by livelihood shocks, such as maternity benefits, disability and old-age pensions
- **Labour market** policies that generally aim to realise people's right to work, promote employment and provide unemployment protection.

Although social assistance, social insurance and labour market policies are three of the main components of SP, effective SP is increasingly framed by experts as part of a more comprehensive set of social and economic policies, and a 'vision' of an integrated system. A system that combines different schemes and has enhanced linkages with other policy sectors is gaining more relevance in recent national and international debates (IPC-IG & GIZ, 2020).

Migrants, refugees and asylum seekers' access to SP systems often depends on their legal status in countries of transit or destination, and on the extent to which regularisation mechanisms are available.

Undocumented or irregular migrants, for example, often have restricted access to SP in host countries. Also, to prevent arrest and deportation, they may tend to avoid access to public services and are more vulnerable to rights violations and exploitation (UNICEF, 2016b).

Growing evidence illustrates the central role that SP can play as a tool to increase the resilience of families in situations of vulnerability and poverty (Long & Sabates-Wheeler, 2017). In the current global context of increasing numbers of people affected by humanitarian crises and forced displacement, SP emerges as a crucial mechanism to help mitigate the new risks and threats to which vulnerable and low-income migrants are likely to be exposed. In this sense, SP programmes can be relevant at all three stages of the migration cycle:

- **In the country of origin**, the existence of protracted crises and conflicts, as well as the effects of extreme poverty and/or the lack of comprehensive SP systems, can be considered factors that cause or increase forced migration. The strengthening of national social safety nets, with programmes and policies to reduce poverty, such as access to health care and facilitated mechanisms to access education services, such as subsidies for education-related costs, social in-kind or cash transfers can contribute to increasing social cohesion and act as a mechanism to help mitigate the root causes of migration. On the other hand, when they are in a **situation of return**, easier access to social assistance/insurance and labour market programmes and psychosocial support services is essential to ensure that returnees are effectively reintegrated into labour markets and societies (UNICEF 2019).
- **While in transit**, the risks associated with a lack of access to basic public services are aggravated. Furthermore, international migrants, especially children, adolescents and women, are more exposed to exploitation, violence and human trafficking. The SP needs of migrants who are in transit may include access to emergency care, special protection, temporary documentation and regularisation, and access to essential services (R4V 2019). Yet it is common that the only or main entity that pays attention to international migrants at this stage are the national migration authorities, such as the police, immigration offices and ministries, which

are often poorly trained to promote migrants' essential rights. Temporary assistance programmes, including food, housing, primary health care and cash transfers, among others, targeted at individuals, families and/or children in transit can be key to ensure that they reach their final destination safely.

- **In the country of destination**, guaranteeing non-discrimination of migrants in access to social safety nets and basic public services is essential to ensure that they have the right to decent standards of living, as well as the right to work in the case of working-age migrants. In addition, SP and a formal, well-structured migrant support network can increase their access to documentation or registration, and to public services, especially health care and education. Social assistance has a crucial role for the poorest and most vulnerable migrants and their families, including children and forcibly displaced persons, while for migrant workers social insurance and active labour market participation, including portability of social security rights and access to national formal social security systems, are central for the realisation of social rights and rights at work.

In general, origin, transit and destination countries can make incremental improvements to their existing SP systems to increase migration gains to national development, by including migrants, refugees and asylum seekers in their legal frameworks or extending their rights, and then ensuring implementation of policies within this inclusive SP system. National and subnational SP systems can be adapted to be more comprehensive and serve not only migrants and their families but also host and origin communities.

2.2.3 Positive effects of including international migrants in national social protection systems

International migration can transform societies for the better when migrants have their human rights respected, can enjoy minimum standards during the migration process, can access comprehensive and shock-responsive SP systems, have accessible regular migration channels and effectively participate in the labour market and pay taxes (UN DESA, 2018). On the other hand, when migrants remain at the margin of society's legislation, policies, institutions and services on account of their nationality, the positive impact of migration becomes very unlikely and dissipates. Discrimination and xenophobia tend to increase with the perpetuation of an inferior condition associated with marginalised migrants, often increasing their vulnerabilities and reducing their chances of integration and making an economic contribution.

Evidence shows that the effects of refugee inflows on the labour market are minimal in the short term and disappear in the long term, while the fiscal impact caused by those flows becomes positive and grows over the long term (Clemens et al. 2018). The effect of such inflows on wages and employment for all country income groups was found to be close to null, including for countries where sizeable flows are taking place in a relatively short period (Clemens et al., 2018). When the effects exist, they are likely to dissipate in the long term and do not apply to all population groups, but to specific ones, such as low-skilled migrants, and according to the characteristics of the local labour market. According to Clemens, Huang, and Graham (2018), policies can be implemented in the short term to address or lessen such potential negative effects on specific groups. Most literature on the fiscal effects of refugee inflows to countries of destination focus on developed countries, but it shows robust evidence that fiscal costs caused by migrants are relatively small in the short term and tend to disappear in the long term (Goldin et al., 2018).

In the long term, overwhelming evidence shows that the economic contribution that international migrants can bring to the host society is substantial. Migrants who become integrated into the destination country's society and labour market tend to pay more into contributory social security systems and into overall SP systems in the form of taxes than they receive in terms of benefits (UN DESA, 2018).

2.3 Migrants, refugees and asylum seekers' access to social protection: A human rights-based approach

Around the world and over the life course, people of every age, sex, nationality and work status have the right to SP as a human right, in the form recognised by the 1948 Universal Declaration of Human Rights (UN 1948). Be it before departure, during transit, at international borders or at their final destination, everyone has such individual rights, regardless of their legal status, as rights migrate with people too.

This recognition of rights expresses the equality of treatment principle and, ultimately, the universality principle that SP, must be progressively guaranteed as a right to all, in all countries. In practice, concepts such as legal and effective coverage are essential to understand the realisation of this human right within countries. While legal coverage generally refers to the recognition in the national legislation of this right, effective coverage refers to whether or not that right is actually being realised among the population.

Extending legal coverage of SP to migrants, refugees and asylum seekers is guaranteed by law in many countries, according to the principle of equal treatment on the account of migrant status. However, often, when countries have enacted laws that recognise this principle, a narrow definition of international migrants, usually referring to their legal status—for example, with respect to either regular or irregular migration, permanent or temporary migration—or a definition that is attached to employment status or to determined periods of employment can hinder effective coverage of non-nationals, especially the most vulnerable (ILO 2017). In this sense, human rights violations tend to disproportionately affect migrants, refugees and asylum seekers when the law does not explicitly protect them and their rights cannot be enforced.

International cooperation instruments can effectively affect national legislation, in this respect, as the country absorbs overall international migration standards and basic principles of the human rights-based approach to the protection of social security rights. The ratification of international standards—in the form of conventions, treaties, agreements and declarations—which are embedded in human rights principles, can be a fair indication of a country's ability to safeguard SP rights for international migrants. These main basic principles are:

- **Equality of treatment regardless of nationality:** Nationals and non-nationals receive the same treatment under the law, including SP
- **Minimum standards:** Treatment of all persons under the law follows a set of minimum standards
- **Maintenance of social security rights acquired:** Social security rights already acquired or in course of acquisition are maintained in another country.

2.3.1 What are the key conventions on the rights of international migrants?

The International Convention on the Rights of Migrant Workers and Their Families (ICRMW), along with some other international conventions and recommendations, brings to the fore the specific topic of international migrants' rights. It is known to have set out an important body of rights for all migrants, irrespective of their status before the law or relevant regulations in the country of destination. Nevertheless, it is also one of the least ratified conventions on the topic (see Table 8), especially among migration-host countries.

Notably, other important, and more widely ratified, universal standards are set out in the **International Covenant on Economic, Social and Cultural Rights (ICESCR)** and the **Convention on the Rights of the Child (CRC)**. **Although not necessarily focused on the rights of international migrants, these conventions are based on the principles of non-discrimination against origin or nationality.** When it comes to the right to SP, special attention should be given to:

- the right of all to social security and access to basic services (Article 9 of ICESCR);
- the right of asylum-seekers or refugees to have appropriate protection, social assistance and social security (Articles 23 and 24 of the Convention Relating to the Status of Refugees (1951) and the Protocol Relating to the Status of Refugees (1967)); and
- the right of all children to the highest attainable standard of health, and equal opportunity to education, and to benefit from social security (as stated by Article 26 of the CRC).

Table 8. Main international instruments on protection of migrants' access to SP

Instruments	Year	Number of state ratifications*
International Covenant on Civil and Political Rights	1966	173
International Covenant on Economic, Social and Cultural Rights (ICESCR)	1966	171
Convention on the Rights of the Child (CRC)	1989	196
International Convention on the Elimination of All Forms of Racial Discrimination	1965	182
Convention on the Elimination of All Forms of Discrimination against Women	1979	189
Convention on the Rights of Persons with Disabilities	2006	182
Convention on the Reduction of Statelessness	1961	75
Convention Relating to the Status of Refugees (1951) and Protocol Relating to the Status of Refugees (1967)	1951	148**
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW)	1990	55
ILO Migrant Workers Convention no. 143	1975	25
ILO Equality of Treatment Convention (Social Security) no. 118	1962	38
ILO Social Security (Minimum Standards) Convention no. 102	1952	59
ILO Maintenance of Social Security Rights Convention no. 157	1982	4

Notes: *Number of state ratifications, accessions or successions. ** Number of countries that are party to either or both of these two instruments.

Source: United Nations (2020), ILO (2020a; 2020b) and OHCHR (2020b).

The 2012 Social Protection Floors Recommendation 202 and the 2018 Global Compact for Safe, Orderly and Regular Migration (GCM) are further guiding instruments assisting countries to achieve universal access to SP and which have resulted in international cooperation on SP and matters of international migration. The former is a recommendation that complements international conventions by setting actual guidelines for countries to extend social security coverage and establish national SP floors that progressively cover as many people as possible. The latter is an unforeseen intergovernmental agreement, adopted in Morocco, that marked the culmination of the New York Declaration, the very first time migrants and refugees were the topic of a discussion among Heads of State at the United Nations General Assembly (UNGA). The GCM officially brought migrants and refugees to the centre of international political economy discussions when governments remarkably agreed and committed to cooperate in the area (ILO 2012).

In addition to the ratification of international instruments, international cooperation also plays a key role in advancing migrants, refugees and asylum seekers' access to SP. Especially for many low- and middle-income countries, universal or increased SP coverage is an unprecedented global goal within the 2030 Agenda for Sustainable Development. More precisely, Sustainable Development Goal 1.3 sets out to substantially increase coverage of poor and vulnerable people in SP systems (UNGA, 2015)—a substantial step towards universal SP coverage and of local realisation of this human right.

Lastly, and due to the persistent discrepancies between countries' legislation and further regulations regarding access to social security schemes, international social security agreements are also important instruments for coordinating standards, and safeguarding and maintaining SP rights acquired by migrants in countries other than their country of origin. Migrant workers in formal employment, for example, who change their country of employment suffer the risk of losing social security rights acquired in the previous country of employment if rules that regulate the maintenance of those rights are not effectively in place. These agreements carry basic principles of migrants' access to SP and can be unilateral, bilateral or multilateral, depending on the degree of administrative responsibilities required and the number of countries involved. However, low- and middle-income countries face specific challenges due to social security systems being, in general, less developed than in high-income countries, where international migrants also have more clear rules from established social security agreements, and given the substantive proportion of irregular migrants or migrant workers in the informal labour market in some of those countries.

2.4 Shock-responsive social protection

The role of SP is widely recognised as key in countries' responses to crises and shocks. Growing evidence supports the influential role of SP in response to humanitarian emergencies (see, for example, Beazley, Solórzano, and Barca 2017; Peterman et al. 2018), and practices adopted by governments that adapted their national systems to better respond to shocks and crises have also been reviewed, including in the MENA region (Tebaldi 2019).

In 2020, within the context of the outbreak of the COVID-19 pandemic and its immediate consequences, in almost all countries, especially developing economies in the global South, SP responses were widely adopted and reaffirmed as a major tool to increase resilience and to support families in mitigating major socio-economic impacts of the crisis (see Almenfi, Gentilini, and Dale 2020; IPC-IG 2021). Although there is just a limited number of sources reporting the extent to which migrant populations benefited or not from emergency SP measures, access to those measures is expected to be very limited due to legal and practical barriers to access the national SP system—for example, a lack of documentation and regular status or lack of legal coverage, and the already low coverage of SP and worker protection measures in the global South (Moroz et al., 2020).

The literature on shock-responsive SP shows that there are five main strategies adopted by most countries to prepare for, respond to and recover from covariate shocks:

- Vertical expansion: Increasing the benefit values or duration of an existing scheme
- Horizontal expansion: Design adjustments or funding resources are implemented to increase coverage
- 'Piggybacking': The existing administrative features of an SP system are used to implement a separate response (e.g. the creation of a new policy)
- Shadow alignment: Possible when a parallel humanitarian system is in place, and efforts are made both by the State and humanitarian actors to align planned SP responses as much as possible
- Refocusing: Existing resources and measures are reprioritised to those considered the most vulnerable to shocks (OPM, 2015).

SP responses in contexts of migration crises can have different implementation models based on national or humanitarian SP systems, or a mixed approach of both. Overall, in humanitarian crises and situations of forced migration, it is common that international organisations and non-governmental organisations are the main agents responsible for carrying out the most urgent and immediate response to the affected populations. Yet, faced with the challenge to promote more effective and lasting responses for displaced populations, non-state actors must be attentive and work to gradually implement responses in coordination with national and local governments. In fact, there is growing, and important, consensus in the international humanitarian community that state actors, as the main providers of public policies, should always be primarily involved in emergency responses to protect migrants, and that resources should be invested to strengthen governments' technical and financial capacities to continue actions started with international support through mechanisms in place (UNHCR, 2019b). In this sense, humanitarian SP systems should be aligned with national priorities to the extent possible and work to strengthen the long-term capacity of the national SP system to respond in case of shocks.

For this reason, this study focuses on the actions of national governments in response to international migration crises, in particular in the way that migrants have been integrated into national SP systems. Recognising the importance of integrated actions between governments and international organisations, this study also considers initiatives and programmes that have been carried out in coordination between state and non-state actors, which include examples of programmes carried out with the support of the United Nations, and other international and regional organisations.

3. REVIEW OF COUNTRIES' EXPERIENCES THAT ENSURE INCLUSIVE SOCIAL PROTECTION

3.1 Social assistance

Table 9. Enabling factors for expansion of social assistance schemes

	Alignment between humanitarian efforts and the national SP system
Turkey	Political economy interests favouring cooperation between Turkey and the European Union and financing for SP
	Inclusive legal framework: Refugees have access to education (primary and secondary), universal health care insurance, social assistance and services on the same basis as citizens
Morocco	Progressive change towards more inclusive legal frameworks
	Created institutions aimed to promote human rights (such as the National Human Rights Council)
	Reformed the national migration policy, based on a humanitarian approach and committing the country to improve migrants' access to basic services and safeguard their fundamental rights
Brazil	Promoted regularisation campaigns
	Adopted the National Immigration and Asylum Strategy, establishing a logical framework and a governance strategy for immigration
	Promoted capacity development for social workers on issues related to migration to provide better assistance to migrants, asylum-seekers and refugees
Brazil	Established partnerships between international humanitarian actors and the national government
	Inclusive and clear legislative framework: Brazilian Constitution (1985); recognised and internalised the principles of the Cartagena Declaration; ministerial directives (2014); new migration law (2017)
	Strengthened the capacity of the Single System of Social Assistance to provide services in regions with large numbers of migrants

Source: Authors' elaboration.

Social assistance programmes are non-contributory schemes financed by the government rather than by individual contributors. Generally, they target persons or households living under a defined threshold of income or assets, and focus on a specific risk or vulnerable group (ILO, 2017b). This category of programmes includes cash transfers, in-kind transfers, subsidies and school feeding programmes, among many others.

Although some types of migrants are particularly vulnerable to poverty, many countries exclude non-nationals from social assistance schemes, imposing legal, administrative and bureaucratic barriers to eligibility. However, these programmes have the potential to support migrants' social inclusion and protection by providing minimum living conditions, such as income, food and housing, and preventing them from engaging in insecure jobs. Considering this potential, some countries are expanding the coverage of their social assistance schemes. The case studies of Turkey, Morocco and Brazil presented below are examples of this. Some of the main positive preconditions that contributed to this expansion are discussed in each section and listed in Table 9.

3.1.1 Turkey

Since 2014, Turkey has been hosting more refugees than any other country in the world. As of September 2020, 4 million refugees were living in the country, of which 3.6 million were Syrians (UNHCR 2020h).

For comparison, the Syrian refugee community in Turkey is almost 28 times larger than in Egypt. Despite this considerable difference, both countries are of strategic importance for migration flows between the African and European continents. In Turkey, this factor favoured partnerships with the European Union (EU).

A first aspect that enables refugees' access to social assistance is the adoption of a comprehensive legal framework in Turkey. The Law on Foreigners and International Protection of 2013⁵ regulates rights and obligations of persons under temporary protection in Turkey. It guarantees refugees' access to services, social assistance and basic rights. According to the law, this population has the right to access primary and secondary education, universal health care insurance, social assistance and services on the same basis as citizens. In practice, the effective inclusion of refugees depends on the capacity of a mixture of government and humanitarian assistance programmes (Yilmaz, 2019).

The partnership between the EU and the Turkish government is considered one of the most relevant in this inclusion effort. The EU finances programmes in the country through the EU Facility for Refugees in Turkey (see section 3.5), expanding the national SP system to refugees. The **Emergency Social Safety Net (ESSN)** is the flagship programme that resulted from this cooperation; it is an unconditional cash transfer targeted at vulnerable refugee families living in Turkey. As of July 2020, a total of 1.75 million people benefited from the ESSN, representing almost 45 per cent of the refugees and asylum-seekers living in the country (European Union, 2020).

The majority of beneficiaries are refugees from Syria, but the programme also provides financial help to vulnerable refugees and asylum-seekers from Afghanistan, Iraq, Iran and Somalia. Families considered the most vulnerable include single women, single-parent families, elderly people without family support and families with over four children or with disabled or elderly dependents. Eligible families can apply to receive the benefit of TRY120 (USD15) per family member, paid monthly through a card (*Kizilaykart*) that can be used at automated teller machines (ATMs) or points of sale (POS). Additionally, the beneficiaries receive a quarterly top-up that takes into account the family size (European Union, 2017). During the COVID-19 pandemic, a quick response was possible through the implementation of a one-off cash payment to ESSN beneficiaries (European Union, 2020).

5. Government of Turkey. 2013. Law on Foreigners and International Protection. Law No. 6458. Ankara: Government of Turkey. Accessed 12 February 2021. <<https://www.refworld.org/pdfid/5a1d828f4.pdf>>.

The programme reveals the potential of the alignment between humanitarian action and government practices. The ESSN operation aims to be fully integrated with the national SP system. It already runs through the existing national social assistance offices, in close cooperation between the Ministry of Family and Social Policy, the World Food Programme, the Turkish Red Crescent and the Turkish National Disaster Management Authority. One of the advantages of working through the existing systems is the capacity to reach the beneficiaries rapidly. By the end of the first year of its implementation (2017), for example, a total of 1 million individuals were already enrolled in the programme. Moreover, the coordination between government and humanitarian actors facilitates ensuring that ESSN beneficiaries receive the same amount as Turkish citizens in their national scheme (European Union, 2017).

Besides the ESSN, the cooperation between Turkey and the EU supports effective access to education by providing conditional cash transfers for vulnerable refugee children. Since 2003, poor Turkish children have been receiving a conditional cash transfer supporting enrolment and attendance at school. In 2017, the EU started funding the **Conditional Cash Transfers for Education (CCTE)**, which uses the structure of the existing programme—including the application and registration processes and information management systems—to expand coverage to vulnerable refugee children (ibid.). The beneficiaries receive a bi-monthly cash transfer with the condition of attending school regularly. In June 2020 the CCTE was benefiting more than 623,000 refugee children in Turkey (European Union, 2020), therefore covering 35 per cent of the almost 1.8 million refugee children aged 0–17 years living in the country.

There are several criticisms of the cooperation between the EU and Turkey, as well as concerns about the real extension of protection to migrants and refugees in the country. The cooperation is mainly criticised because it came attached to a security agreement that, in practice, aims to prevent migrants from going to Europe, while enhancing arbitrary detentions and abuses suffered by migrants. It makes migrants and refugees in Turkey dependent on the political economy and the geopolitical interests of both the EU and the Government of Turkey (HRW 2020; Deutsche Welle 2020).

3.1.2 Morocco

Besides being a traditional transit country for migrants seeking to reach Europe, since the early 2000s Morocco has become an important host country for migrants from sub-Saharan Africa and the MENA region. Estimates indicate that 700,000 sub-Saharan African migrants live in Morocco (Ghazouani, 2019). Additionally, a total of 11,960 refugees and asylum-seekers were living in the country as of September 2020 (UNHCR 2020f). Morocco has been adapting its migration policies towards a human rights-based approach, and there is evidence that non-nationals were receiving social assistance and humanitarian benefits offered by the government's social assistance authority, the *Entraide Nationale*. These advances can be seen as the result of several developments, such as changes in the legislative frameworks, the adoption of a new migration policy and a comprehensive strategy to guarantee fundamental rights for migrants, and international cooperation efforts.

The legal adaptations started in 2011, when Morocco adopted a new Constitution⁶ and made fundamental progress in the recognition of human rights within its legislation. The constitutional text recognised the primacy of international conventions over domestic law in its preamble. Article 30 also determined that non-nationals should enjoy the same fundamental freedoms as nationals, including the right to participate in local elections. The Constitution further created an independent institution, the National Human Rights Council, empowered to promote human rights in the country (UNHCR, 2017).

This new institution played a fundamental role in changing Morocco's migration policy. From 2003 to 2013, Law 02-03 laid out the national migration policy, guided by a security approach that criminalised irregular migration,

6. Government of Morocco. 2011. "Constitution of Morocco." Bulletin Officiel 5964 bis: 1901–1928. <https://www.constituteproject.org/constitution/Morocco_2011?lang=en>.

imposed severe penalties for those who support and organise it, and increased border control capacities, which essentially promoted insecurity in migrant settlements (Kostas, 2017).

Against this background, in 2013 the National Human Rights Council issued recommendations orienting a new migration policy suited to international commitments and the law on refugees (UNHCR, 2017).

The new policy represented a paradigm shift, as a human rights-based approach to migration was adopted, and the country committed to improve migrants' access to basic services and safeguard their fundamental rights. Aligned with the adoption of this new policy, Morocco also conducted two regularisation campaigns benefiting tens of thousands of irregular migrants (Benjelloun, 2020).

Another essential initiative in Morocco was the adoption of the National Immigration and Asylum Strategy (*Stratégie Nationale d'Immigration et d'Asile*) in 2014. This initiative established structured objectives, a logical framework and a governance strategy to immigration through 11 key programmes, as Figure 6 shows. Moreover, the strategy ensures the same rights for nationals and non-nationals living in Morocco. Under the scope of this plan, a set of measures ensured that regular migrants could have access to basic rights such as engaging in professional activities and creating cooperatives under the same conditions as nationals, and access public health services, including the *Régime d'Assistance Médicale* (RAMED), public schools and social housing, among other rights (Benjelloun 2020; UNHCR 2017). In particular, the strategy establishes programmes to provide social assistance and humanitarian assistance to immigrants, aiming to “integrate migrants into social solidarity and social development programmes”⁷ (Government of Morocco n.d., 10).

Five years after adopting a new migration policy, the Government of Morocco launched a progress report analysing the progress made by the National Immigration and Asylum Strategy in 2018. It reveals that in 2017–2018, more than 2,500 migrants benefited from social assistance and humanitarian programmes offered by the *Entraide Nationale* (Government of Morocco, 2018). Among the interventions adopted to ensure migrants' access to social and humanitarian assistance, the government extended the coverage of beneficiaries over the years, identifying the most vulnerable groups, and offered capacity development to the *Entraide Nationale*'s social workers on migration issues to provide better assistance to migrants, asylum-seekers and refugees (ibid.). Despite this effort, a tiny proportion of non-nationals (0.4 per cent of the estimated 700,000 migrants in the country) had access to *Entraide Nationale* benefits—indicating that much still needs to be done to overcome access barriers.

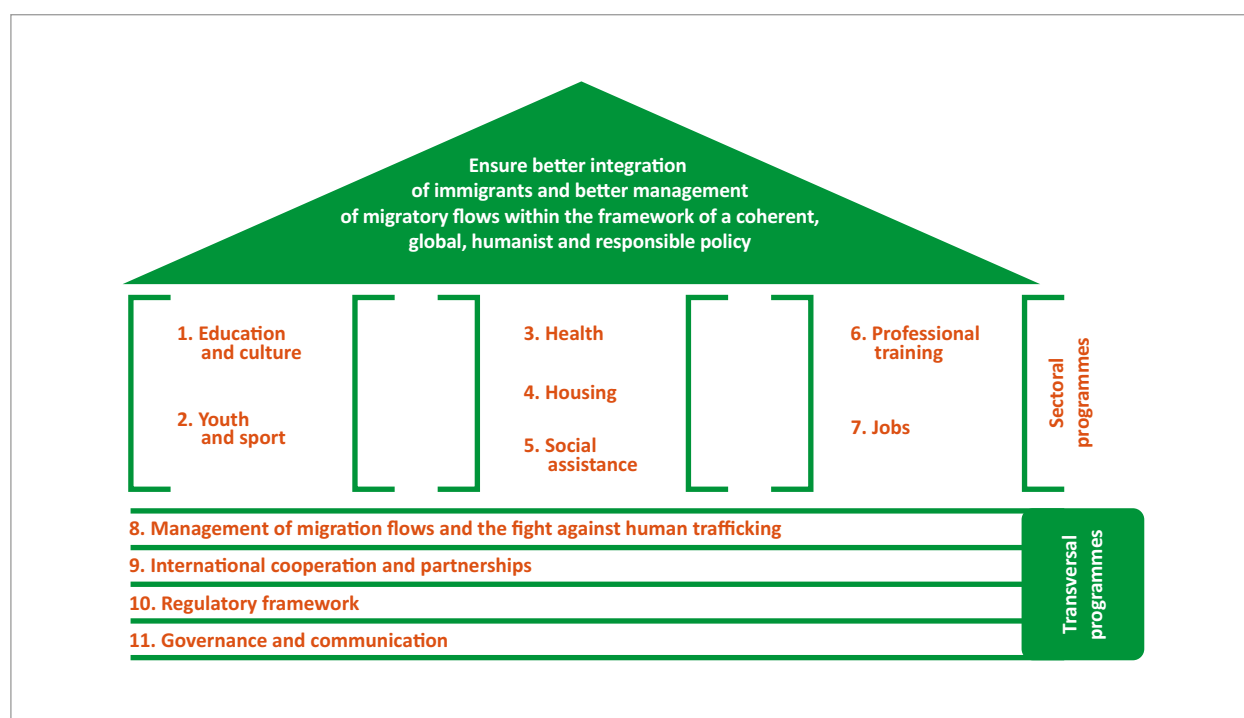
The importance of migration in the region is a factor pushing international cooperation. As in Turkey, Egypt and other Mediterranean countries, the EU has been financing migration-related activities in Morocco. As of the end of 2019, for example, a new cooperation programme was established with a budget of EUR389 million. It aimed to support reforms in Morocco towards inclusive development and border management (European Union, 2019b). Moreover, the case of Morocco illustrates the potential of alignment between national and international efforts to enhance protection for migrant children. In 2018 the Government of Morocco, in partnership with UNICEF, launched two programmes targeting migrant children:

- ***Hijra wa Himaya*:** This project was developed by UNICEF in partnership with the Government of Morocco and the EU. The EU financed MAD20 million out of a total of MAD26.7 million allocated to the programme. To improve protection for migrant children, the initiative strengthens services provided by social workers, health professionals, teachers, security officers, legal professionals and civil society actors. It has already benefited 2,000 children, guaranteeing equitable access to services that meet their specific health, education and accommodation needs (UNICEF, 2018, 2020).

7. Authors' translation of “Intégrer les migrants dans les programmes de solidarité et développement social” (Government of Morocco n.d., 10).

- **Assistance et protection des enfants non accompagnés et séparés au Maroc:** This project was developed by the IOM in partnership with the Government of Morocco and is supported financially by the Government of Denmark. To enhance protection for unaccompanied or separated migrant children, the project aims to provide direct assistance to project beneficiaries, particularly in terms of accommodation, medical, legal and psychosocial assistance, support ministries and state actors involved in child protection, among other objectives (IOM, 2018).

Figure 6. Strategic programmes for the National Immigration and Asylum Strategy



Source: Government of Morocco (2018).

Relevant practical, administrative and cultural barriers persist and prevent full integration of migrants and refugees in Morocco (UNHCR, 2017). Jacobs (2019) highlights many obstacles that Morocco still faces to achieve a humanitarian and inclusive migration policy. According to the author, Morocco’s migration policy still reflects domestic and foreign policy priorities that aim to address short-term goals. However, initiatives such as regularisation campaigns for irregular migrants, devising a strategy with clear goals and allowing access to social assistance are experiences that can be seen as examples to other countries in the region.

3.1.3 Brazil

As of October 2020, Brazil was hosting over 262,500 Venezuelans refugees, asylum-seekers and migrants (UNHCR 2020d). Migrants in the country are allowed to benefit from the national social assistance programmes, and evidence shows that vulnerable Venezuelan families are receiving the two main targeted cash transfer benefits: *Bolsa Família*, a conditional cash transfer targeting poor households with children, and *Benefício de Prestação Continuada* (BPC), an unconditional cash transfer targeting older people and persons with disabilities living in poverty. From January 2016 to February 2019, 6,470 families with at least one Venezuelan member were included in the national Social Registry, and a total of 10,618 Venezuelans—equivalent to 4 per cent of all Venezuelans in the country as of 2020—benefited from *Bolsa Família* (SENARC, 2019). Additionally, 160 Venezuelans were receiving the BPC as of October 2019 (Fundação Getúlio Vargas, 2020).

The efforts to guarantee social assistance for non-nationals started in 2010. At that time, immigration was on the rise, mainly after an earthquake devastated Haiti. Responding to the inflow of migrants, the Brazilian government provided humanitarian aid and enhanced the capacity of the Single System of Social Assistance (*Sistema Único de Assistência Social—SUAS*) to provide services, particularly in regions with large numbers of migrants (Government of Brazil, 2016). Moreover, in 2014 the Ministry of Social and Agrarian Development (now called Ministry of Citizenship) adopted additional directives⁸ clarifying the right of non-nationals to enrol in the Single Registry of Social Programmes (*Cadastro Único de Programas Sociais—CadÚnico*), which identifies eligible persons and guarantees access to targeted social assistance programmes including *Bolsa Família*, as long as beneficiaries comply with eligibility criteria (ibid.).

Ministerial directives and complementary laws further regulate and confirm rights guaranteed by the Constitution and other major legal instruments in Brazil. The Brazilian Constitution (1988) is based on the principle of equality between national and non-nationals residents.⁹ It provides universal and equal rights to every resident to health services (Art. 196), public and free education (Art. 208) and the national SP system (Art. 194). Moreover, the country has internalised the principles of the Cartagena Declaration (Refugee Law of 1997), recognising the right to asylum of individuals from countries facing extreme and generalised human rights violations, and extending the same rights to nationals and asylum-seekers. The former Foreigner's Statute (Law No. 6,815 of 1980) also confirmed that non-nationals living in Brazil have all the same rights as nationals.¹⁰ The new migration law of 2017 maintains this right by guaranteeing principles such as non-criminalisation and equal rights of nationals and non-nationals to access social benefits, programmes and services, regardless of their migratory status.

The low number of Venezuelan families registered in CadÚnico suggests that Brazil still faces difficulties in identifying vulnerable families. Despite the comprehensive legal framework, Venezuelans and other migrants face barriers such as a shortage of trained agents to register non-national families, and barriers to accessing SUAS offices, which is where registration takes place. Structural limitations such as these are some of the main barriers to improving the provision of social assistance to non-nationals, mainly because Venezuelan migrants are concentrated in states in the Northern region of Brazil, where the supply of public services is relatively limited. Furthermore, compliance with *Bolsa Família's* conditionalities can be especially hard for Venezuelans, and the programme does not consider specific cultural characteristics of indigenous migrants (Machado et al. forthcoming).

3.2 Social insurance

Social insurance schemes generally consist of “programmes providing protection against life-course contingencies such as maternity and old age, or work-related contingencies such as unemployment or sickness (...). Normally, social insurance is financed from contributions by workers and their employers” (Barrientos, 2010), but they can also feature non-contributory elements such as subsidies. Social insurance systems are based on the principles of solidarity and collective risk-pooling, and benefits offered include medical care and sickness, maternity, family, unemployment, employment injury, invalidity, survivors' and old-age benefits (ILO, 2003).

Migrant workers contribute both to the economy of host countries when are able to find decent employment, and to countries of origin through remittances. However, they are very often excluded from social insurance systems, especially the undocumented, or those with a low level of formal education or job-skills. In host countries

8. SENARC/MDS and SNAS/MDS. 2014. Ofício circular conjunto nº 2/2014, 11 February. Brasília: Ministério de Desenvolvimento Social y Agrario.

9. Government of Brazil. 1988. Constituição da República Federativa do Brasil de 1988. Brasília: Government of Brazil, Art. 5. <http://www.planalto.gov.br/ccivil_03/constituicao/constituicaoconsolidado.htm>.

10. Government of Brazil. 1980. Lei No. 6.815, de 19 de Agosto de 1980. Brasília: Government of Brazil, Art. 95. <http://www.planalto.gov.br/ccivil_03/leis/l6815.htm>.

they may face legal, administrative and bureaucratic barriers to enrolment in social insurance, while also risk losing social security rights acquired in their country of origin. Moreover, constraints on the portability of benefits between different social insurance systems leads to the risk of contributing without receiving benefits (ILO, n.d.-c).

Against this background, ILO's conventions and recommendations can help countries ensure access to social insurance for migrant workers. They bring four main principles:

- equal treatment and non-discrimination, including equal treatment in the field of social security between nationals and non-nationals;
- maintenance of acquired rights;
- maintenance of rights in the course of acquisition; and
- payment of benefits to beneficiaries residing abroad (ibid.).

Several initiatives have been undertaken worldwide to implement the ILO's recommendations and ensure social insurance for migrant workers. One of the most important strategies consists of establishing bilateral and multilateral agreements, which can be the following (Rodrigues, 2019):

- **Bilateral or multilateral labour agreements** describe the responsibilities and actions to be undertaken by each of the parties involved to accomplish their goals. They establish legally binding rights and obligations.
- **Memoranda of Understanding**, characterised by a broader framework, describe common goals and plans between parties (States that are cooperating) and are generally not legally binding.
- **Social security agreements** have two key objectives: to prevent migrant workers from paying social security contributions in two countries (origin and destination), and to coordinate the provision of benefits to allow migrant workers to have equal treatment abroad. Social security agreements are discussed in the following subsection.

Table 10. Enabling factors for the inclusion of workers abroad in the national social insurance system

	Early development of governance structures for labour migration, establishing authorities such as the Philippine Overseas Employment Administration (POEA) to facilitate employment overseas and protect workers
	Provision of mandatory insurance for all agency-hired Filipino migrant workers
Philippines	Creation of a special migrant workers' welfare fund, the Overseas Workers Welfare Administration (OWWA)
	Establishment of a national social security system for Filipinos working abroad to contribute (the Programme for Overseas Migrant Workers and the Flexi-Fund Programme)
	The social security system actively pursues international agreements (15 bilateral social security agreements and 49 bilateral labour agreements).

Source: Authors' elaboration.

Moreover, migrant-sending and host countries also have capacities to act unilaterally to expand coverage of social insurance for migrant workers. For instance, countries of employment can improve the collection of contributions by establishing mechanisms to cover informal workers through mandatory systems and an effective and attractive collection system, or by providing specific systems for vulnerable categories of migrant workers. On the other hand, countries of origin

can cover overseas workers by creating special welfare funds that allow workers to contribute to the national system even when working abroad, thus strengthening the provision of services in the main host countries (van Ginneken, 2013).

The case of Philippines is used in the present paper to demonstrate some of the initiatives that can be implemented by countries of origin. Some of the enabling factors that allow Filipino workers to be included in the national social insurance system are summarised in Table 10.

3.2.1 Social security agreements

The Economic Community of Western Africa States (ECOWAS), with 15 low- and middle-income country members, adopted the General Convention on Social Security (GCSS) in 2012. The convention also covers administrative aspects of the portability of accumulated social security rights of international migrant workers within its member countries. The GCSS is known to have been largely inspired by the main human rights principles concerning access to SP, and especially by the ILO conventions that promote the principle of equality of treatment irrespective of nationality. This multilateral social security agreement determined that workers in the formal sector in ECOWAS countries and their families are entitled to portable social security rights during their residence. Therefore, rights acquired by international migrants in the subregional community can be enjoyed once, or if, migrants return to their country of origin or move to a third country, effectively removing social security penalties for mobile workers due to international migration (ILO, 2019).

In North Africa, Egypt, Tunisia and Morocco have enacted various labour and social security agreements with countries in Europe to protect migrant workers' rights. Cyprus, Greece and the Netherlands have implemented social security agreements with Egypt, granting portability of the social security rights acquired by international migrant workers in the country of employment at the country of origin. Between Tunisia and Belgium, the social security agreement is based on the principle of equality of treatment; it effectively ensures the same social security rights for international migrants and citizens of their country of origin and sets additional rules on conditions for receiving social security benefits at origin and on further application of social security rights. Egypt's bilateral social security agreement with Sudan ensures the portability of social security rights or benefits of migrant workers to the other country but lags behind in terms of coverage, since the number of workers from Egypt in Sudan is relatively low compared to other migrant-worker corridors (ILO, 2017a).

Besides their coverage being limited to migrant workers in the formal sector, a general limitation of social security agreements is also their limited geographic or migration-corridor coverage. As seen in Chapter 2, major host countries of international migration have ratified less frequently than others the international instruments on the rights of migrants to access SP. In the case of Morocco, for example, countries such as Italy, the UK, Switzerland and the United States have not ratified a social security agreement yet, and these countries are part of important migration corridors with Morocco (ibid.).

3.2.2 Philippines

Just as Egypt in the MENA region, Philippines is a top migrant-sending country in South-East Asia, actively encouraging labour migration (UN DESA 2019; Rodrigues 2019). The latest estimates published by the Commission on Filipinos Overseas indicated that over 2,2 million Filipinos were working in another country in year 2019 (PSA 2020).¹¹ This massive diaspora makes remittances very important for the Philippine economy, representing 9.3 per cent of GDP in 2019—a similar share as that observed in Egypt for the same period (8.8 per cent) (World Bank, 2020a, 2020b). Despite this significant contribution to the national economy, migrant workers face difficulties enrolling in and accessing social

11. Latest available data on the total stock of Filipinos abroad is for year 2013, at 10,2 million (Government of Philippines, n.d.-b).

insurance schemes in host countries due to problems regarding the portability or lack of social security agreements. Against this background, Philippines has been a pioneer in efforts to ensure SP for workers overseas, standing as an example of how countries of origin can take responsibility for migrants' protection (van Ginneken, 2013).

One of the strategies to provide SP for Filipino migrant workers was the early development of recruitment agencies as a mechanism to facilitate the provision of social security. The Philippine Overseas Employment Administration (POEA) was founded in 1982. Among its functions, the POEA manages recruitment agencies, and its role is to facilitate employment overseas and protect workers, including by registering migrant workers, evaluating and processing employment contracts and providing repatriation and legal assistance to irregular workers. As guaranteed by the Overseas Filipinos and Migrant Workers Act of 1995 and its amendments, all agency-hired Filipino migrant workers¹² are covered by compulsory insurance made available by a special overseas workers' welfare fund (Government of Philippines, 2016).

Special migrant workers' welfare funds are fundamental strategies adopted unilaterally by countries of origin to guarantee SP for nationals working abroad (Rodrigues, 2019). In the Philippines, the Welfare and Training Fund for Overseas Workers was created in 1977, and then renamed as the Overseas Workers Welfare Administration (OWWA). It is responsible for the welfare of Filipino migrants in host countries (Guan, 2012). The OWWA works as a membership-driven welfare fund, and it is obligatory for all agency-hired Filipino migrant workers and voluntary for nationals hired directly overseas. Contributors need to pay a membership fee of UDS25, which is valid for two-year contracts. Most of the fund's budget comes from contributions (membership fees) from insured workers and foreign employers. It only started receiving financial support from the government in 2018 (Government of Philippines, 2017). The benefits offered by the OWWA include emergency repatriation support; death, disability and life insurance; special loans; reintegration support through livelihood assistance and training on entrepreneurship; and scholarships for children of migrant works, among others (Agunias et al., 2012; Rodrigues, 2019). Considering only the social insurance benefits (death, disability and burial) paid in 2017, a total of PHP34,213,000 were used to protect 3,233 Filipino migrant workers and their families (Government of Philippines, 2017).

Besides the OWWA, Filipinos working abroad can contribute to the national social security system.

The Programme for Overseas Migrant Workers allows migrant workers to contribute voluntarily, under the self-employed category, and receive the same benefits available to local workers in the Philippines under this category. As other self-employed contributors, migrant workers pay 11 per cent of their gross monthly earnings, according to 31 income classes. They can also enrol in the Flexi-Fund Programme, which is a voluntary individual and supplemental pension savings plan (Olivier, 2017). It allows contributions over the cap of regular social security system programmes to be directed to the worker's individual account, so that it can be used when the worker returns to the Philippines. Also, the Flexi-Fund Programme has facilitated withdrawals of savings and flexible payment terms (Hall, 2011). The social security system features user-friendly service channels for migrants (e.g. overseas e-payment centres and a dedicated contact centre), besides more than 20 offices in different host countries for Filipino workers (Olivier, 2017).

Among many other legal, institutional and operational interventions seeking to establish social security agreements and other bilateral arrangements is a fundamental strategy to ensure protection for workers overseas. The social security system in the Philippines actively pursues bilateral social security agreements as a tool to provide equal treatment for migrant workers and portability (ILO, n.d.-b). The social security system website states that 15 bilateral social security agreements have been signed to date (Government of Philippines, n.d.-a). The number of labour agreements is significantly higher, as the Centre for Migrant Advocacy states that the Philippines had signed 49 bilateral labour agreements with 25 countries and territories as of 2010 (Hall, 2011).

12. Those migrant workers authorised by the Department of Labor and Employment (DOLE) through the Philippine Overseas Employment Administration (POEA). Contrary to agency-hired migrants, the direct-hired or name-hired are those migrants employed directly by non-nationals, without the involvement of the POEA (Government of Philippines, 2016).

Despite the existence of laws and public agencies to ensure SP for Filipinos migrants, the current model has limitations. The poor level of implementation of bilateral agreements is a concern. Several cases of unfair treatment of Filipino workers (e.g. non-payment of salaries; mental, physical and sexual abuse; lack of legal representation) are reported (Arisman & Kusuma, 2018). The OWWA is a good example of a special welfare fund initiative, but financial education, training for migrant workers and social reintegration programmes could be improved. Also, the costs incurred by vulnerable workers is a barrier to enrolment in some cases (Rodrigues, 2019). Nevertheless, the Philippines experience with migrant workers' welfare funds inspired other international schemes, such as the Overseas Workers Welfare Fund in Sri Lanka, a contributory pension covering 2 million migrant workers from Sri Lanka, with flexible payments (contributions can be paid monthly or as a lump sum) and which is considerably subsidised (the government subsidises 60 per cent of the costs) (Agunias et al., 2012; Olivier, 2017).

3.3 Labour market

Labour market programmes can be divided between passive labour market programmes—those that alleviate the financial needs of unemployed persons without addressing employability directly, such as unemployment insurance and income support—**and active labour market programmes** that aim to encourage people to find employment, increase the earnings capacity of workers and reduce the risk of unemployment, such as job training, employment services and employment stimulus programmes (Bird and Silva 2020).

Non-nationals and, in particular, undocumented migrants usually face difficulties finding employment in host countries, and they are more exposed to being employed in precarious and informal jobs. Women are especially exposed to low-quality work, in insecure conditions, with low wages and no access to social benefits (Lodovici, 2010). However, when migration inflows of working-age individuals are well managed as part of national development strategies, they can bring about considerable positive outcomes for host and origin countries. **For destination countries, the inclusion of migrants in the labour market can respond to labour shortages and contribute to economic development. For host countries, labour migration relieves unemployment pressures and contributes to national development through the creation of business and trade networks, knowledge transfers and remittances** (IOM, n.d.).

Table 11. Enabling factors for the expansion of labour market policies to international migrants

	Comprehensive legislative framework that guarantees the right to formal employment for non-nationals in Denmark
	Understanding that by increasing the participation of refugees in the labour market, it would be possible to reduce public spending on integration and strengthen public finances
Denmark	Re-organising migration governance and policies, including the adoption of a new Integration Policy (2015) maintaining labour integration as a fundamental component of integration; and the adoption of the Tripartite Agreement on Labour Market Integration (2016), facilitating the entrance into the labour market for refugees—they were considered 'job-ready'; relaxed Danish language requirements; created the Integrative Training Programme (aligning training and education)
	Coordination with local actors (municipalities), which develop industry packages and integration strategies
	Legislative framework (comprising the national Constitution, the Labour Code and several other legislative instruments) guarantees that migrants and nationals have the same civil rights, including the right to work
	Promotion of synergies between regularising migratory status and entering the formal labour market
Colombia	Directives from the Ministry of Labour and the National Council of Economic and Social Policy ensured that Venezuelan migrants could access services offered by the Public Employment Service
	International cooperation has been implemented to identify barriers and execute pilot plans to improve migrants' access to the formal labour market

Source: Authors' elaboration.

To benefit from the potential positive aspects of labour migration, countries around the world are establishing labour market programmes specially designed to improve the integration of migrants and refugees into the labour market. They include tailored job training, wage subsidies for those who employ non-nationals, support to find a job, and language classes, among others. The case of Denmark illustrates some of these features and examples of good practices. The number of refugees employed in the country more than doubled in only three years: in 2015, 20 per cent of refugees were employed after three years in Denmark, but this number increased to 46 per cent in 2018. Most examples of inclusive labour market policies for non-nationals come from European countries. However, this research report also highlights some advances in Colombia, where both regular and irregular Venezuelan migrants can access the services provided by the Public Employment Service. The country has been collaborating with international organisations to improve this access. The factors that contributed to this increase are discussed in the following sections and summarised in Table 11.

3.3.1 Denmark

As of January 2018, Denmark was hosting 284,537 migrants from outside the EU, representing 5 per cent of the total population of the country. The right to work is guaranteed to non-nationals by the country's legislative framework. However, in 2015, at the height of the migration crisis in Europe, very few newly arrived refugees were assessed as being able to work (3 per cent as of June 2015), as barriers such as language requirements, social, professional or health problems prevented the vast majority from seeking a formal job. For those refugees already in the country, evidence also showed that only 20 per cent of the population aged 25–64 years had obtained a job after three years in Denmark (Thomassen, 2019). Against this background, the Government of Denmark has taken several measures to improve refugees' and migrants' access to the labour market.

In 2015, Denmark adopted a new Integration Policy which considers employment as the main path to social integration of non-nationals, making labour market participation the central way to integrate refugees and reunified family members. This new strategy came about after a note from the Ministry of Finance stated that non-Western immigrants cost DKK33 billion in 2014. Yet the low employment rate among this community was perceived as having great potential to strengthen public finances (Sen et al., 2019). It is also important to note that the focus on employment in Danish integration policy has been present since the Integration Act of 1999. Besides making municipalities responsible for integration, the Act established an integration programme for migrants and refugees. Among its priorities, the programme aims to provide job 'activation' of unemployed immigrants through job-centred activities (e.g. counselling, skills-upgrading courses, internships and sometimes subsidised employment) (European Union, n.d.-b).

Major adaptations to ensure migrants' access to employment were made by the Tripartite Agreement on Labour Market Integration¹³ in 2016. One essential adaptation agreed between the government and social partners was to consider all refugees and reunified relatives as job-ready¹⁴ workers, besides relaxing Danish language requirements (Sen et al., 2019). Also, the tripartite agreement created the **Integrative Training Programme (Integrationsgrunduddannelsen – IGU)**, which combines employment and structured training and education to enable refugees to meet Danish standards. The programme is a combination of efforts between the government, social partners, employers' organisations and trade unions. It targets newly arrived refugees at working age (between 18 to 40 years old). During the two-year programme, the refugee has employment as an apprentice and undergoes 20 weeks of training (including language training), while working and learning in the workplace in the remaining time. As of February 2019, almost 2,000 IGU contracts had been made (Thomassen, 2019). Moreover, other changes introduced by the tripartite agreement include:

13. Government of Denmark. 2016. Tripartite Agreement on Labour Market Integration. Copenhagen. Government of Denmark. <https://www.star.dk/media/2217/tripartite-agreement-on-labour-market-integration_2016.pdf>.

14. Before they start helping migrants to find a job, municipalities need to assess whether the migrant is 'job-ready' or 'activity-ready'. Migrants are considered 'activity-ready' when they are unable to take a job for professional, social or health reasons (Sen et al., 2019).

- improved screening of asylum-seekers' qualifications (both formal and informal qualifications);
- availability of job opportunities was considered a primary factor to define to which municipalities the refugees are transferred;
- municipalities must offer early and intensive job orientation measures for those in the integration programme;
- reformed Danish language education, more up to date and oriented to the labour market; and
- the establishment of bonus schemes for private companies that hire refugees and reunified relatives (ibid.).

Another noteworthy practice adopted by Danish municipalities was to develop industry packages.

This approach is a joint effort between consultancy firms and municipalities to orientate those migrants and refugees with few studies and work experience by pointing out routes to regular employment in Denmark. It is done by assessing the requirements in the local labour market and then building a specific training package to equip beneficiary refugee and migrants with qualifications to match job opportunities (ibid.).

Besides industry packages, municipalities also developed their own integration strategies, following the framework provided by the Integration Act of 1999 and state funding. Local integration strategies such as that adopted in Copenhagen are considered good practice to ensure labour integration. The city's strategy includes, for example, an internship programme on entrepreneurship followed up by a mentor and counselling. It guarantees health assessments for all refugees and provides early screening during the asylum request (ibid.).

As a result of these efforts, and especially the IGU programme, 42 per cent of refugees were employed after three years in Denmark as of 2018, which means more than double the proportion (20 per cent) of three years earlier (European Union, n.d.-b). However, the IGU could improve by addressing administrative limitations such as the difficulty for smaller employers to be part of the programme due to their lack of human resources capacity. Moreover, the decentralised model adopted by Denmark, making municipalities ultimately responsible for the labour market integration of migrants and refugees, may increase non-nationals' vulnerability to each locality's priorities. While some municipalities develop successful programmes, others do not. It is also necessary to improve communication between asylum centres and municipalities to provide information about the refugee qualification assessment. Finally, it is important to remember that an integration strategy should not be centred solely on labour market inclusion, as a job by itself does not guarantee true social integration (European Union, n.d.-b).

3.3.2 Colombia

Colombia is the main host country in the world for Venezuelan migrants and refugees. As of September 2020, more than 1.7 million Venezuelans were living in the country—approximately 55 per cent of them as irregular migrants (Government of Colombia, 2020). A study conducted by the Observatory of the Labour Market of the University Externado de Colombia showed that 75 per cent of the employed Venezuelan population were in informal jobs, compared to 24 per cent of non-Venezuelans (between July 2018 and June 2019). Moreover, Venezuelan employees usually worked more hours than Colombians (50 hours or more per week, compared to 44 hours by nationals) and received 10 per cent lower wages on average. Against this background, the importance of promoting labour market policies for Venezuelans is evident, and the government is working in partnership with international organisations to do this (Farné & Sanín, 2020).

In Colombia, migrants and nationals have the same civil rights, including the right to work. This principle is recognised in the national Constitution (1991, Art. 13), the Labour Code and several other legislative instruments.¹⁵ Recognising the importance of the socio-economic integration of Venezuelan migrants through formal work, Colombia has made efforts to regularise migrants and guarantee access to labour market policies (Government of Colombia, n.d.-a).

Promoting synergies between regularising migratory status and entering the formal labour market, the Government of Colombia created the Special Permit of Permanence for the Promotion of Formalisation (*Permiso Especial de Permanencia para el Fomento de la Formalización*—PEPFF). This particular visa allows irregular Venezuelan migrants to regularise their migratory status through formal employment contracts. Employers who intend to hire irregular Venezuelans can request a PEPFF from the Ministry of Labour website. This gives migrants regular migratory status and allows them to work in the formal labour market. Thus, the PEPFF has become one more form of regularisation for Venezuelans in Colombia, along with other permits such as the Special Permit of Permanence (*Permiso Especial de Permanencia*) and other types of visas that allow migrants to have formal employment (ibid.).

Colombia is also making efforts to guarantee the right of Venezuelans and returned Colombians to access the services provided by the Public Employment Service (Servicio Público de Empleo—SPE). The SPE is the governmental agency under the authority of the Ministry of Labour responsible for promoting formal employment in the country, in a democratic, equitable and transparent manner (ibid.). In Circular 056 of 10 October 2017, the Ministry of Labour ensured that Venezuelan migrants, both regular and irregular, could access the services offered by the SPE's providers, including management and placement services, occupational guidance, and preselection and referral services through the employment agencies that are part of the SPE's provider network. Moreover, in 2018 the National Council of Economic and Social Policy (*Consejo Nacional de Política Económica y Social*—Conpes) established a strategy to respond to the influx of Venezuelans, including the objective of improving their employability levels and reducing barriers to access the formal labour market through the provision of management services and job placement available through the '**employability route**' series of services offered by the SPE's employment agencies. The primary services provided by the SPE under the employability routes are the following (ibid.):

- **Registration:** Jobseekers can submit their resumé to the SPE website or in person at one of the 700 agencies in the country.
- **Occupational guidance:** Employment agencies construct the occupational profile of the jobseeker by conducting orientation interviews and psycho-technical tests and referring the applicant to the workshops, as applicable. Moreover, the agencies create an individual development plan, defining clear actions to close gaps in the jobseeker's training, strengthen skills and improve employability conditions.
- **Preselection:** SPE employment agencies conduct a preselection of potential candidates against the requirements defined by employers registered in the system.
- **Referral:** SPE providers send the resúms of the shortlisted candidates to employers, so that they can select who to hire.

Both regular and irregular Venezuelan migrants, as well as returned Colombians, can benefit from the services provided by the SPE's agencies free of charge throughout the country. Irregular migrants can

15. Government of Colombia. 1965. Decreto 2351 de 1965. Bogotá: Government of Colombia. <<https://www.funcionpublica.gov.co/eva/gestornormativo/norma.php?i=83596>>; Government of Colombia. 1990. Ley 50 de 1990. Bogotá: Government of Colombia. <<https://is.gd/93oEpy>>; Government of Colombia. 1993. Ley 100 de 1993. Bogotá: Government of Colombia. <<https://www.minsalud.gov.co/sites/rid/Lists/BibliotecaDigital/RIDE/DE/DIJ/ley-100-de-1993.pdf>>; and Government of Colombia. 2003. Ley 797 de 2003. Bogotá: Government of Colombia. <<https://is.gd/tYT2c7>>.

be registered with the SPE and access services of occupational guidance and job boards authorised by the SPE's Special Administrative Unit. Regularised migrants can also access preselection and referral services. Moreover, the SPE has specific information for providers on how to orient Venezuelan migrants when they are looking for SPE services (ibid.).

Despite the availability of labour market services for Venezuelan migrants, a small number of individuals actually benefit from them. The majority of Venezuelans look for jobs using informal channels such as social networks, making them more vulnerable to exploitation. To respond to this situation, the SPE's Special Administrative Unit has established partnerships with several international actors (UNDP, IOM, ILO, UNHCR, GIZ, the Inter-American Development Bank and the Pan American Development Foundation) to identify barriers and implement pilot plans to improve migrants' access to the formal labour market in Colombia. After analysing SPE implementation in 10 cities in 2019, the group identified a total of 26 barriers of an individual, organisational and environmental nature. It also identified the adjustments that need to be made to enhance Venezuelans' access to formal employment, including, for example (ILO and Inter-American Development Bank 2020):

- creating incentives for employers to hire Venezuelan migrants;
- managing resources to mitigate barriers such as costs associated with work training, transport and validating qualifications;
- coordinating strategies with the Ministry of National Education to facilitate validation of qualifications and equivalent studies for Venezuelan migrants; and
- coordinating strategies between the federal and local levels (municipalities) to develop concrete strategies for Venezuelan migrants.

3.4 Access to basic public services

This subsection briefly presents the case of Iran and Turkey, where refugees can access health care on the same basis as nationals. In addition, the case of Lebanon illustrates an example of a strategy to enhance the inclusion of non-national children in the education system. The provision of education by itself cannot be considered a provision of SP. However, Lebanon recognised poverty as a main factor preventing children from going to school, so it adopted SP mechanisms such as offering subsidies covering education-related costs, along with other strategies, which quadrupled the number of refugee children enrolled in schools in only four years. Some of the main factors facilitating the provision of health care for refugees in Iran and Turkey, as well as access to education in Lebanon, are listed in Table 12.

In Iran, a long-standing agreement between UNHCR and the government allows registered refugees to access health services on the same basis as nationals through the Universal Public Health Insurance (UPHI) programme. As of 2019, Iran was hosting almost 1 million registered refugees, most of them from Afghanistan (UNHCR, 2020c). The Iranian Constitution enshrines the right to universal health care (UHCP, n.d.), and since 2015, registered refugees in the country have been able to access health services on the same basis as nationals through the UPHI, also known as *Salamat* Health Insurance (Jalali, 2015; UNHCR, 2018). Besides being an example of access to basic rights, the programme is also an example of alignment between humanitarian and government intervention, as it is administered through an agreement between UNHCR, the Ministry of Health, the Iran Health Insurance Organisation and the Bureau for Aliens and Foreign Immigrants Affairs (BAFIA) of the Ministry of Interior (Cowan, 2019). Moreover, the scheme is funded by several donors, including the EU's Directorate-General for European Civil Protection and Humanitarian Aid Operations (Cowan, 2019).

Table 12. Enabling factors for the expansion of basic services to international migrants

Iran	Universal health care system and law provisions guaranteeing the right to universal health care
	International/humanitarian cooperation promoting the inclusion of non-nationals in health systems: a long-standing partnership between UNHCR and the Government of Iran
	Development of a registration and identification system for refugees, providing a card (<i>Amayesh</i> card) which guarantees access to education and health care, and temporary work permits
	Vulnerable refugees are exempt from paying premium fees to enrol in the Universal Public Health Insurance programme
Turkey	Universal health care system and law provisions guaranteeing the right to universal health care
	International/humanitarian cooperation promoting the inclusion of non-nationals in health systems: migrant health centres are partially financed by the EU
	Increased the number of health centres by establishing migrant health centres to offer services to Syrians in Arabic
Lebanon	Alignment between international cooperation and government efforts
	Adoption of a comprehensive strategy (Reaching All Children with Education) to include non-nationals in the education system
	Regulation of tailored non-formal learning opportunities, which are especially important for undocumented migrant children
	Opening a second shift in schools for afternoon sessions and creating more vacancies in the public system
	Recognising poverty as a major factor hampering demand for education, and enacting strategies to support refugee children and their families (subsidies covering enrolment fees and education-related costs, and the Back-to-School initiative)

Source: Authors' elaboration.

Registered refugees in the country receive an identification card, the *Amayesh* card, provided by the BAFIA. This card grants access to basic services such as education and health care, as well as to temporary work permits and conditional freedom of movement. In 2015 over 951,000 Afghan refugees held a valid *Amayesh* card (UNHCR, 2019e).

All refugees with an *Amayesh* card can enrol in the UPHI by approaching the *Pishkhan* centres (local government offices), where their *Salamat* booklets are issued. These booklets ensure access to health care, including medication costs, out-patient care and hospital treatment in all institutions affiliated with the Ministry of Health or under a contract with *Salamat* Health Insurance (UNHCR, 2019c). The documents required to issue a *Salamat* booklet are an identification document (*Amayesh* card, identity card or *Laissez-Passer*) and a photograph. A certificate from a *Salamat*-recognised physician is required for cases of certain diseases. The payment of a premium fee is also required, but vulnerable refugees are exempted from payment. As of 2017, for example, UNHCR complemented the government's contribution, covering the cost of premiums for 110,00 vulnerable refugees (UNHCR, 2018).

In Turkey, refugees are covered by universal health care insurance, and Syrian refugees can access emergency care units and primary, secondary and tertiary health care centres free of charge, including specialised centres where staff that can communicate in Arabic. The right of refugees to access health care has been guaranteed by law¹⁶ since 2013. They are legally covered by the universal health insurance on the same basis as nationals. Since the introduction of this regulation, the public sector has become the main actor responsible for providing health care services to Syrian refugees in the country, gradually replacing other forms of health care such as informal clinics and those run by non-governmental organisations. The Disaster and Emergency Management Presidency pays the Ministry of Health an annual fixed lump sum to finance refugees' access to the services (Yilmaz, 2019).

To reduce the pressure on health care services in the main hosting provinces for Syrian refugees and to mitigate language barriers hampering their access to health care, the Ministry of Health launched migrant health centres in 2016, partially financed by the EU. These centres offer health care services to

16. Government of Turkey. 2013. Law on Foreigners and International Protection. Law No. 6458. Ankara: Government of Turkey. <<https://www.refworld.org/pdfid/5a1d828f4.pdf>>.

Syrians in Arabic, and are staffed mostly by Syrian physicians trained locally by the Ministry and the World Health Organization. The Ministry's expectations are to establish 500 health centres to attend to approximately 4,000 to 7,000 Syrian refugees (ibid.).

Since 2014, Lebanon has been developing plans to provide education to all children in the country, including refugees. The country is subsidising enrolment fees, regulating non-formal education opportunities and opening a second shift in public schools. These were some of the adaptations that quadrupled the number of non-Lebanese children accessing education over a period of five years.

Lebanon hosts the largest number of refugees per capita in the world: one in every four people in the country is a refugee. Syrian refugees represent the majority of this migrant population, with around 1.5 million individuals, of whom 80 per cent were women and children in 2018 (SACD 2020). To provide education to all children, the Ministry of Education and Higher Education (MEHE), United Nations agencies, the World Bank and bilateral donors aligned efforts to implement the **Reaching All Children with Education (RACE)** strategies. The RACE I (2014–2016) and II (2017–2020) plans focus on expanding access to educational opportunities by subsidising primary school enrolment fees and regulating tailored non-formal learning opportunities (UNICEF, 2016a); these essentially mitigate legal barriers imposed on undocumented and irregular migrant children (Government of Lebanon, 2016). Another fundamental strategy consists of opening a second shift in schools for afternoon sessions and creating more vacancies in the public system (ibid.). During the 2016-2017 school year, for example, more than 195,000 new students enrolled in public schools. The MEHE responded to this increase in demand by opening 376 second-shift schools.

In the 2012-2013 school year, only 52,000 non-Lebanese children had access to education while living in Lebanon (ibid.). After the RACE strategies began to be implemented, this number quadrupled over only five years. Out of 488,000 Syrian refugee children (aged 3–18 years) living in the country, 221,000 were enrolled in schools during the school year of 2017-2018, and 71 per cent of them were studying in afternoon shifts. Around 57 per cent of refugee children aged 6–14 years were enrolled in public schools (UNHCR, n.d.-a).

Despite this progress, more than half of refugee children are still out of school—especially poor adolescents and youth (ibid.). Poverty is one of the main factors hampering demand for education by forcing children to enter the labour market to help earn money for their family (UNICEF, 2016a). This is one of the challenges that the RACE II plan tries to overcome by stimulating the demand for education and supporting children and their families. Instruments provided by the plan include subsidies covering enrolment fees and education-related costs, and the Back-to-School initiative, which aims to promote information capable of leading families to make informed and positive choices (Government of Lebanon, 2016).

3.5 Financing migrant-friendly social protection policies

One of the most critical barriers to the creation of migrant-friendly SP policies is related to financial constraints, especially in countries in the global South that have more limited public budgets. Within this context, international partnerships have been fundamental to respond to this challenge, mainly in low- and middle-income countries facing fiscal and financial pressures. The international financing mechanisms bring positive outcomes for both migrants and host communities.

Bilateral cooperation is one of the forms of financing for programmes and projects and addresses the demands created by migration crises. High-income countries offer several types of support to countries that receive large flows of migrants. Germany, for example, promotes SP initiatives through the Ministry for International Cooperation and Development (BMZ) and the Ministry of Foreign Affairs, in collaboration with development organisations such as GIZ, financial institutions such as the German Development Bank (KfW), and several research institutions (DGUV, 2017).

As of 2017 the KfW had already supported more than 60 SP projects in 18 countries, financed by EUR717 million. These projects included improvements in access to health care services, cash-for-work programmes and infrastructure improvements. In countries such as Iraq, Jordan, Lebanon and Turkey, programmes specifically aiming to respond to the demands generated by the Syrian refugee crisis have been developed to provide support to both migrants and host communities (ibid.).

One of the most critical initiatives developed in these countries is the *Beschäftigungsoffensive Nahost* cash-for-work programme. From 2016 to 2018, this programme created around 242,000 jobs in the host countries as well as in Syria. The initiative also promotes education by funding the salaries of teachers and school staff. In Turkey, for example, the programme facilitated access to education for 230,000 students and employed 61,000 workers. In Jordan, the programme resulted in 58,000 jobs and benefited 135,000 students. BMZ is the primary source of funding, investing a total of EUR306.7 million in this project in 2018 (Government of Germany 2019).

There are also several ways in which funds can be made available through multilateral cooperation. The EU, for example, finances projects offering humanitarian assistance, education, health, infrastructure and socio-economic support for refugees and host communities in Turkey through the **EU Facility for Refugees in Turkey**, created in 2016. The Facility disposes of a fund of EUR6 billion that is divided into two tranches: the first tranche supports projects that run until mid-2021, and the second tranche fund projects which run until mid-2025. These projects strengthen the services available to more than 4 million refugees living in Turkey (European Union 2019; n.d.). The **Conditional Cash Transfers for Education (CTE)** and the Emergency Social Safety Net (ESSN) (discussed in section 3.1.1) are the flagship programmes funded by the EU–Turkey Facility (European Union, 2020).

Another innovative financing instrument is the Global Concessional Financing Facility (GCFF), created in 2016 through a partnership between the United Nations, the World Bank and the Islamic Development Bank. The GCFF is funded by a group of 10 Supporting Countries¹⁷ that provide concessional funds to middle-income countries hosting numerous communities of refugees but with few international financing instruments. Since its creation, the GCFF has supported Jordan and Lebanon to respond to the social demands created by the influx of Syrian refugee. In 2019, Colombia was also accepted as a beneficiary country, as it is the main host country to Venezuelan refugees. The GCFF has already provided USD3 billion to these three countries to invest in development projects capable of enhancing access to basic services for refugees and host communities. Out of this total amount, USD584 million was in the form of concessions (World Bank n.d.).

The Prospects Partnership is also an example of international cooperation to support countries hosting refugees. Initiated by the Netherlands, the programme features collaboration between UNICEF, the ILO, UNHCR, the International Finance Corporation and the World Bank. It aims to develop sustainable solutions for forcibly displaced populations and host communities. The Prospects Partnership has already invested a total of EUR500 million to enhance education, develop skills and generate jobs in Iraq, Jordan, Lebanon, Egypt, Ethiopia, Kenya and Uganda, benefiting both refugees and nationals (Government of the Netherlands, 2019). The most recent partnership was established in 2020 with Sudan; it aims to improve protection for vulnerable children on the move, promote access to education and enhance socio-economic inclusion (UNHCR 2020g).

In conclusion, different international mechanisms financing migrant-friendly policies can be reached for host countries. If aligned with the national systems, these funds have the potential to strengthen SP for nationals and migrants and boost development.

17. A group of 10 countries, currently comprising Canada, Denmark, the European Commission, Germany, Japan, Norway, the Netherlands, Sweden, the UK and the United States.

3.6 The COVID-19 crisis: Exposing gaps and expanding social protection systems

In 2020 the global economy was affected by the outbreak of the COVID-19 pandemic. The crisis exposed the gaps in coverage of SP and prompted countries to extend the coverage of their systems. Migrants and informal workers are some of the groups traditionally excluded from SP, yet they are also among those most affected by the crisis and the resulting contingency measures taken. Therefore, countries around the globe made efforts to approve emergency measures rapidly, in many cases including non-nationals in their SP systems for the first time.

In the MENA region many countries expanded coverage of their SP systems with response measures that included international migrants. A common response was to expand some health care services to non-nationals as a way to protect those living in the country. In Iran, Qatar and Saudi Arabia all migrant workers, explicitly including irregular migrants, received free testing and treatment for COVID-19. Moreover, in Bahrain, Oman and the United Arab Emirates, free tests and treatment were offered to all residents and special vulnerable groups (IBC-SP, 2020). In many cases, the expansion was motivated by the political will to protect nationals rather than a human rights-based and universal approach.

Other social assistance interventions included adding foreign workers to food assistance interventions in Kuwait, Oman and Saudi Arabia; ensuring the right to housing by paying rents and cancelling fines, as in the United Arab Emirates; and providing shelters for migrant workers, as in Kuwait (ibid.). Social insurance interventions were also used in Qatar to ensure that foreign workers received their full salaries, even if in quarantine. In Jordan, non-national workers insured by the Social Security Corporation can benefit from the new *Musaned 2* programme, which allows workers to withdraw up to JOD450 (USD634) of their savings balance (ibid.). Additionally, Bahrain, Kuwait, Qatar, Saudi Arabia and Tunisia exempted migrant workers who become irregular from the payment of penalties and/or extended work/residence visas (ibid.).

In the sub-Saharan Africa region the Safety Net Project in South Sudan was launched during the pandemic. The programme aims to support low-income South Sudanese households with unconditional cash transfers (IPC-IG, 2021). The United Nations Office for Project Services is responsible for the programme's implementation, and the World Bank's International Development Association is the main financial source of the USD40 million budget allocated to the project. The presence of internally displaced persons is one of the factors assessed by the programme to determine the geographical areas targeted in the country. In Gambia, the government is supporting 4,262 refugees by providing them with kits and emergency in-kind provisions (ibid.).

In Latin America and the Caribbean the adaptation of school feeding programmes was the most comprehensive intervention covering migrants, due to the existing universal programmes in many countries (e.g. Bolivia, Brazil, Ecuador, El Salvador, Guatemala and Honduras), which benefit all national and non-national children enrolled in public schools (Machado et al. forthcoming), and the efforts of 17 out of 23 countries to continue delivering the meals after school closures (Rubio et al., 2020a). Besides using existing programmes, Latin American countries also created new emergency cash transfers to respond to the crisis, and non-nationals are explicitly allowed to benefit from them in Colombia (*Ingreso Solidario*), Brazil (*Auxilio Emergencial*) and Argentina (*Ingreso Familiar de Emergencia*). In Brazil, access to this new cash transfer is possible regardless of migratory status (Machado et al. forthcoming).

In Asia, Afghanistan is the country leading the response for internally displaced persons and returnees. Government institutions are collaborating with United Nations agencies to provide emergency in-kind and cash transfers to internally displaced persons. Also, the Ministry of Refugees and Repatriations launched new programmes to assist returnee families, providing 932 households with financial assistance ranging from AFN6,000 (USD78) to AFN18,000 (USD234), and 474 families with emergency in-kind transfers (IPC-IG, 2021). In India the *Antyodaya Anna Yojana* programme was expanded to cover 80 million migrant workers not covered by other programmes, providing highly subsidised food for low-income families (ibid.). China is supporting employment opportunities for migrant workers by providing employment subsidies, developing projects to promote employability, and investing in training skills for unemployed migrants (ibid.).

On the European continent, Portugal led a comprehensive strategy to include migrants, deciding¹⁸ to regularise all non-nationals who applied for legal residence in the country until the declaration of a state of emergency on 18 March 2020. It allowed migrants to access national health care services and social programmes on the same basis as nationals (Henriques, 2020; Miranda, 2020). Ireland created the Pandemic Unemployment Payment, offering EUR350 per week to workers from countries outside the EU who lost their jobs due to the COVID-19 pandemic (Government of Ireland, 2020). In Italy, temporary agricultural workers who resided in the country for 50 days or more in 2019 can receive an income subsidy of EUR600¹⁹ (INPS, 2020).

The COVID-19 crisis has brought SP to the centre of the political debate in national and international spheres. Almost all countries in the world have adopted SP policies to mitigate the increase in poverty, food insecurity and vulnerabilities enhanced by the pandemic and related contingency measures. Although many interventions continue to exclude international migrants, there are examples in all regions of the globe of programmes that allow these migrants, refugees and returnees to register and benefit from social programmes. Although most of these measures are temporary, they have created a fundamental legal precedent, strengthened social registries and paved the way towards comprehensive SP systems. The pandemic has put a spotlight on parts of the society traditionally excluded from SP, and built political momentum capable of favouring coalitions that champion inclusive systems.

4. CASE STUDY: EGYPT AS A MIGRATION HOST COUNTRY

4.1 Overview of international migrants' legal social protection coverage and national legislation on children's rights in Egypt

As a destination and transit country for international migrants, Egypt's national legal frameworks and international legal obligations extend certain, albeit limited, rights and protections to forced migrants and migrant workers. This section will provide a **brief general overview of national laws and international obligations**, and discuss access to the **labour market and social insurance** as well as **different social assistance programmes** according to **national legislation**.

4.1.1 General overview of national laws and international obligations related to migrants

The amended Egyptian Constitution of 2019 provides all citizens with the rights to social security (Art. 17) and health insurance (Art. 18), but makes no explicit reference to the principle of equality of treatment on the basis of nationality for such rights. It also applies, again only to citizens, the principle of non-discrimination on the basis of "religion, sect, sex, origin, race, colour, language disability, social status or political or geographical affiliation, or for any other reason" (Art. 53). The Constitution further ensures protection for all workers, with no specific mention of their nationality. Additionally, it provides the right to grant refugee status to "political asylum-seekers" specifically and prohibits their extradition (Art. 91), rather than their refoulement (Hetaba et al., 2020). However, Egypt's definition of refugee under Article 91, which is "[any] foreigner persecuted for defending the interests of people, human rights, peace or justice" is more limited than the international definition of a refugee and thus fails to meet Egypt's international obligations under the 1951 Refugee Convention and the Convention Governing the Specific Aspects of Refugee Problems (HRW, 2016). Neither the Constitution nor other domestic laws have elaborated on the procedure for granting political refugee status, and political asylum has been granted in rare cases to previous Heads of State and political allies (Hetaba et al., 2020).

18. Government of Portugal. 2020. Despacho n.º 3863-B/2020. Lisbon: Government of Portugal. <<https://dre.pt/home/-/dre/130835082/details/maximized>>.

19. See also Government of Italy. 2020. Decreto-Legge 17 marzo 2020, n. 18. Misure di potenziamento del Servizio sanitario nazionale e di sostegno economico per famiglie, lavoratori e imprese connesse all'emergenza epidemiologica da COVID-19. Rome: Government of Italy. <<https://www.lavoro.gov.it/documenti-e-norme/normative/Documents/2020/DECRETO-LEGGE-17-marzo-2020-n-18-Cura-Italia.pdf>>.

As for migration to Egypt, Law No. 88 of 2005, amending some provisions of Law No. 89 of 1960 Concerning the Entry and Exit of Expatriates and their Residence, indicates in Article 2 that only persons with passports or travel documents may enter Egypt, provided that these documents allow them to return to their country of origin. Residing in Egypt is only permissible with a valid residency permit (Art. 16), and entering Egypt illegally or not obtaining a residency permit within the specified time limit is sufficient grounds to expel or return any foreigner (Art. 31).

However, given the high levels of irregular immigration and emigration into and out of Egypt, the government has in recent years taken steps to address the issue through the promulgation of a new law, the implementation of a national strategy and the creation of a specialised committee on the subject.

The National Strategy Against Irregular Migration (2016–2026) focuses particularly on preventing illegal or irregular emigration by Egyptians through activities such as workshops, integrating the concept of illegal migration into the curricula, and improving opportunities for youth. This is particularly important, since unaccompanied Egyptian migrant children constituted 66 per cent of all Egyptian irregular migrants to Italy in 2015 (IOM, 2016) and also represent 8.6 per cent of all unaccompanied and separated children in Italy (NCCM Child Rights Observatory, 2020).

Law No. 82/2016 on Combating Illegal Migration and Smuggling Migrants and its Executive Regulations (983/2018) exempt international migrants from any criminal or civil liability²⁰ and impose serious penalties on smugglers and those who facilitate or provide shelter or support services to smuggled migrants. Law No. 82/2016 indicates that special attention should be provided to smuggled women and children,²¹ and appoints the National Council for Childhood and Motherhood as the legal guardian of all unaccompanied children within Egyptian territory regardless of their nationality. The Executive Regulations enumerate migrants' rights as being:²²

- the right to life and physical, moral and psychological integrity;
- the right to protect integrity and identity;
- the right to be informed of relevant administrative, legal and judicial procedures;
- the right to be heard during criminal proceedings without prejudice; and
- the right to contact the diplomatic or consular representative of their State.

However, these laws on smuggled migrants disregard the right to seek asylum, to freedom of movement, to SP or education and to protection against refoulement. They also do not provide a time-frame for administrative detention or provide specifics on the treatment of migrants prior to deportation (HRW, 2016).

In addition to the ICCPR, the ICECSR and the CRC, Egypt has ratified some of the most important conventions extending rights and protections to migrants, asylum-seekers and refugees, including the Convention Relating to the Status of Refugees of 1951, the ICRMW and the ILO's Equality of Treatment Convention (Social Security) No. 118, as detailed in Table 13.

20. Arab Republic of Egypt. 2018. Prime Ministerial Decree No. 983 2018 Promulgating the Executive Regulations of Law No. 82 of 2016 on Combating Illegal Migration and Smuggling of Migrants. Cairo: Arab Republic of Egypt, Article 3. <<https://is.gd/JJ6RRp>>.

21. Arab Republic of Egypt. 2016. Law No. 82/2016 on Combating Illegal Migration and Smuggling of Migrants. Cairo: Arab Republic of Egypt, Article 25. <http://asa.gov.eg/Attach/Law_82_2016.pdf>.

22. Arab Republic of Egypt. 2018. Prime Ministerial Decree No. 983 2018 Promulgating the Executive Regulations of Law No. 82 of 2016 on Combating Illegal Migration and Smuggling of Migrants. Cairo: Arab Republic of Egypt, Article 15. <<https://is.gd/JJ6RRp>>.

Table 13. Ratification of or accession to relevant international instruments by Egypt

Instruments	Year	Ratified/acceded to by Egypt	Year of ratification/ accession
International Covenant on Civil and Political Rights	1966	Yes	1982
International Covenant on Economic, Social and Cultural Rights	1966	Yes	1982
Convention on the Rights of the Child	1989	Yes	1990
International Convention on the Elimination of All Forms of Racial Discrimination	1965	Yes	1967
Convention on the Elimination of All Forms of Discrimination against Women	1979	Yes	1981
Convention on the Rights of Persons with Disabilities	2006	Yes	2008
Convention on the Reduction of Statelessness	1961	No	-
Convention relating to the Status of Refugees and Protocol Relating to the Status of Refugees (1967)	1951	Yes	1981
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	1990	Yes	1993
ILO Migrant Workers Convention No. 143	1975	No	-
ILO Equality of Treatment Convention (Social Security) No. 118	1962	Yes*	1993
ILO Social Security (Minimum Standards) Convention No. 102	1952	No	-
ILO Maintenance of Social Security Rights Convention No. 157	1982	No	-

Note: *Egypt accepted branches a to h of Convention No. 118.

Source: ILO (n.d.) and OHCHR (2020).

In regional terms, the comparatively low level of adherence of countries in the MENA region to the main legally binding human rights instruments that guarantee protection for children on the move and their families is a matter of concern. None of the countries in the region have ratified ILO Conventions C143 and C157. Table 14 shows that the CRC is the only instrument acceded to by all countries in the region. Only 6 of the 20 countries in the region have acceded to the ICRMW.

Only Egypt, Algeria and Morocco have ratified the four main human rights instruments that provide protection for migrants. Egypt has ratified more treaties and conventions than any other country in the region. **However, Egypt's actual laws do not always meet the non-discrimination obligations under international instruments, including in areas related to SP.** For example, while Egypt ratified the Refugee Convention in 1981,²³ the country submitted reservations on Article 20 (access to housing), Article 33 para. 1 (right to elementary education), Article 23 (right to public relief) and Article 24 (right to social security and employment legislation), **indicating that the Egyptian authorities do not consider refugees equal to nationals in these areas.**²⁴ Nevertheless, Egypt has not made any similar reservations regarding migrant workers' rights to social housing schemes, social and health services (Art. 43) or unemployment benefits (Art. 54) as expressed in the ICRMW and ratified by the country in 1993.²⁵ Moreover, Egypt has been legally obliged to apply the provisions of the ILO Equality of Treatment Convention (Social Security) No. 118 to **refugees and stateless persons without any condition of reciprocity** (Art. 10), since its ratification, also in 1993.²⁶ The following sections will look more closely at the extent to which such international obligations are respected.

23. UNHCR. 1967. Convention and Protocol Relating to the Status of Refugees. Geneva: UNHCR. <<https://www.unhcr.org/3b66c2aa10>>.

24. UNHCR. 1951. Convention Relating to the Status of Refugees. Geneva: UNHCR. <<https://www.unhcr.org/protection/convention/5d9ed32b4/states-parties-including-reservations-declarations-1951-refugee-convention.html>>.

25. United Nations. 1990. International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. New York: United Nations. <[https://treaties.un.org/doc/Treaties/1990/12/19901218 08-12 AM/Ch_IV_13p.pdf](https://treaties.un.org/doc/Treaties/1990/12/19901218%2008-12%20AM/Ch_IV_13p.pdf)>.

26. ILO. 1962. Equality of Treatment (Social Security) Convention, 1962 (No. 118). Geneva: International Labour Organization. <https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C118>.

Table 14. Main international human rights instruments and status per country in the MENA region

Countries	Instruments	Convention relating to the Status of Refugees 1951 and Protocol Relating to the Status of Refugees 1967	International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families	International Covenant on Economic, Social and Cultural Rights	International Covenant on Civil and Political Rights	Convention on the Rights of the Child	C118: Equality of Treatment [Social Security] Convention 1962	C102: Social Security [Minimum Standards] Convention 1952
Algeria		+	+	+	+	+		
Bahrain			+	+	+	+		
Djibouti		+		+	+	+		
Egypt		+	+	+	+	+	+	
Iran		+		+	+	+		
Iraq				+	+	+	+	
Jordan				+	+	+	+	+
Kuwait				+	+	+		
Lebanon				+	+	+		
Libya			+	+	+	+	+	+
Morocco		+	+	+		+		+
Oman				+		+		
Qatar				+	+	+		
Saudi Arabia						+		
State of Palestine				+	+	+		
Sudan		+		+	+	+		
Syria			+	+	+	+	+	
Tunisia		+		+	+	+	+	
UAE						+		
Yemen		+		+	+	+		

Notes: '+' indicates countries that have ratified, accepted, accessed or succeeded to the convention or covenant; empty cells indicate countries that have neither signed nor ratified, accepted, accessed or succeeded to the convention or covenant.

Source: United Nations Treaty Collection.

4.1.2 Laws regarding access to the labour market and social insurance

In 2019 an estimated 157,000 forced international migrants in Egypt were of working age, representing 48 per cent of all forced international migrants (UNHCR, n.d.-b); these are persons who could potentially be part of the labour force and enjoy labour rights and social insurance without discrimination on the basis of nationality, but current Egyptian legislation actually restricts these migrants' access to the labour market (Jureidini, 2009).²⁷ One of the main shortcomings of Labour Law No. 12 of 2003 is that it does not protect all groups of migrant workers, as it denies the validity of paid domestic work as an employment relationship by excluding it from its provisions (Art. 4). In general, international migrants may only constitute 10 per cent of registered companies' total workforce, according to Law No. 159/1981 for Companies and its 2018 amendments, and they are not allowed to

27. The total labour force is 28.3 million people [CAPMAS 2020].

work as tour guides or in exports, imports and customs clearance.²⁸ The current framework governing international migrants' access to the labour market in Egypt essentially drives them away from the formal sector and into the informal, where they are likely to be more vulnerable to abuse and exploitation. Migrant workers who eventually find employment in the formal sector are, however, protected by the Labour Law regarding discrimination in salaries on the basis of country of origin (Art. 35) and the termination of contracts based on discrimination (Art. 120). According to the **Trade and Workers Unions and the Right to Syndication Law No. 213/2017, foreign workers, including refugees and asylum-seekers, in the private, public and informal sectors may join trade unions, as the law extends the right to form and join unions to “all workers without discrimination” (Art. 4).**²⁹

Foreign workers may only work in Egypt if they have a work permit, and there have been five Ministerial Decisions on the licensing of foreign workers in the last two decades that have become regressively less clear about the rights of refugees, especially Palestinians. Past Ministerial Decisions, as summarised in Table 15, exempted Palestinians, refugees and stateless individuals from such things as the work permit requirement and the work permit cost. However, the most recent Ministerial Decision No. 160/2019 makes no mention as to whether such exemptions still apply.

Table 15. Exemptions for refugees and stateless persons in past Ministerial Decisions on the rules and implementation practices for licensing foreign workers

Past Ministerial Decisions	Exemptions
Ministerial Decision 700/2006	Exempted Palestinian holders of Palestinian Authority passports and different categories of Palestinian refugees from the work permit requirement (Art. 1) ³⁰
Ministerial Decision 485/2010	Exempted stateless individuals residing in Egypt permanently, political refugees ³¹ and various categories of Palestinian refugees from the principle of non-competition with Egyptian labour (Art. 19) ³²
Ministerial Decision 305/2015	Exempted Palestinians (with Palestinian Authority passports or refugee travel documents) from the cost of the work permit

Source: Authors' review of past Ministerial Decisions.

These exemptions to Palestinian refugees, stateless individuals and political refugees are no longer included in the most recent Ministerial Decision No. 160/2019.³³ Also, recent studies have shown that only a very small minority of refugees have been able to obtain work permits (Hetaba et al., 2020). **On the other hand, one improvement within Decision No. 160/2019 is that it no longer requires migrants wishing to attain a work permit to provide an HIV clearance test.** In the past, migrants with HIV were denied entry, and those who tested positive while residing in Egypt were deported (Giri, 2007).³⁴ Ministerial Decision No. 160/2019 prioritises giving work permits to foreigners

28. Arab Republic of Egypt. 2019. Ministerial Decision No. 160/2019 on the Rules and Implementation Practices for Licensing Foreign Workers. Cairo: Arab Republic of Egypt. <<https://www.almasdar.com/94245>>.

29. Arab Republic of Egypt. 2017. Trade and Workers Unions and the Right to Syndication Law No. 213 of 2017. Cairo: Arab Republic of Egypt. <<https://gohod.net/wp-content/uploads/213-3.pdf>>.

30. Those with temporary Jordanian passports issued for refugees from Gaza, and those with 'travel documents' from Egypt, Lebanon, Syria and Jordan.

31. This only applied to political refugees who received their refugee status from the Presidency, as opposed to those recognised as such by the UNHCR's processes. Consequently, this applied to a small number of individuals, given that the number of political refugees recognised by the Presidency is minimal. See: Hetaba, McNally, and Habersky (2020).

32. Arab Republic of Egypt. 2010. Ministerial Decision No. 485 for 2010 on the Rules and Implementation Practices for Licensing Foreigner Workers. Cairo: Arab Republic of Egypt. <<http://www.laweg.net/Default.aspx?action=ViewActivePages&ItemID=57580&Type=6>>.

33. Arab Republic of Egypt. 2019. Ministerial Decision No. 160 for 2019 on the Rules and Implementation Practices for Licensing Foreign Workers. Cairo: Arab Republic of Egypt. <<https://www.almasdar.com/94245>>.

34. Despite this positive change, the government's Public Service Map website still lists the HIV health clearance test as a requirement; therefore, it is unclear whether the change made in Ministerial Decision No. 160/2019 is being applied in practice. See <http://psm.gov.eg/services/430>.

born and residing in Egypt over those born abroad, and it requires hired foreign workers to have proof of skills suited to the profession and three years of experience or more (Art. 6). **Another improvement facilitated through Ministerial Decision No. 160/2019 is that it allows foreigners without a work permit to have one issued retroactively, provided they pay EGP15,000 (USD955) for every year they worked without one (Art. 11).** However, it is highly unlikely that refugees and migrant workers can afford such high fees. The work permit can only be issued after a list of personal data, including passport number, passport issue date, birth date, nationality and date of entry into the country, are provided to the relevant authority (Art. 15). **Unlike past Ministerial Decisions, No. 160/2019 indicates that only nationals of countries with which Egypt has a reciprocity agreement are exempt from the permit requirement and the work permit cost. These include Libya,³⁵ Jordan,³⁶ Tunisia,³⁷ Greece³⁸ and Lebanon.³⁹**

Egypt has contributory social insurance and health insurance schemes, but effective coverage is limited, as only 45.2 per cent of workers subscribe to social insurance and 39.3 per cent are covered by health insurance (CAPMAS, 2020). Social insurance, including old-age, disability and death insurance, work-related injury insurance/illness insurance and unemployment insurance, was previously regulated by different laws for each specific category of workers, as indicated in Table 16.

Table 16. Previous social insurance laws and the categories of workers they benefit

	Category	Law No.	Year
1	Public- and private-sector employees	79	1975
2	Armed forces	90	1975
3	Business owners	108	1976
4	Egyptians working abroad	50	1978
5	Informal-sector and irregular workers	112	1980

Source: Government of Egypt (n.d.).

Article 2 of Law No. 79/1975,⁴⁰ which extends social insurance to public- and private-sector employees, specifies that only nationals of countries with a reciprocity agreement may benefit from social insurance.

In the case of the existence of a Double Social Insurance Treaty, then the social insurance contributions paid by nationals of the partner country are based on the terms of the treaty. As for foreign formal private- or public-sector employees not covered by reciprocity agreements, their employers must still pay 2 per cent of their salaries to cover the work-related injury insurance (Baker and McKenzie 2015).

In 2019 the promulgation of Law No. 148/2019 on Social Insurance and Salaries replaced four previous social insurance laws (No. 79/1975, No. 108/1976, No. 50/1978 and No. 112/1980). It covers all the categories of public- and private-sector employees, business owners, Egyptians working abroad, and informal-sector and irregular

35. Law Granting Rights to Libyan Workers in Egypt.

36. ILO. 2007. "Memorandum of Understanding regarding the Organization of the Migration of Egyptian Laborers to work in the Hashemite Kingdom of Jordan." International Labour Organization website. <<https://is.gd/90hE0l>>.

37. Ministerial Decision No. 191/2010 regarding implementing the minimum fee requirement for work permit renewal for Tunisian Nationals Provided Reciprocity is met.

38. Arab Republic of Egypt. 1981. Presidential Decision No. 428/1981 regarding Approval on the Strengthening Cooperation in Labour Agreement between Egypt and Greece. Cairo: Arab Republic of Egypt. <<https://tinyurl.com/yflob9h>>.

39. Arab Republic of Egypt. 2019. Ministerial Decision No. 9/2019 regarding Exempting Lebanese Nationals from Work Permit Costs. Cairo: Arab Republic of Egypt. <<https://clck.ru/TjrHo>>.

40. Arab Republic of Egypt. 1975. Law No. 79/1975. Cairo: Arab Republic of Egypt. <<https://is.gd/Ws0Alk>>.

workers.⁴¹ The law entered into force on 1 January 2020, but until the publication of its executive regulation, the current related Ministerial Decrees will still apply (Hakim, 2020). **Law No. 148/2019 extends to all foreign nationals with regular employment⁴² contracts (Art. 3),⁴³ as opposed to only those with reciprocity agreements previously covered by Law No. 79/1975** (Zaghloul, 2020). Another important change that is relevant to migrant workers is that the law extends social insurance to additional categories in the informal/irregular sector, including domestic workers (Art. 2 (4)). Workers in the informal/irregular sector category must pay a 9 per cent contribution, with the Treasury covering the remaining contribution of 12 per cent (Art. 19 (3)). Yet it is unclear whether this government contribution will also extend to domestic workers, who are often non-nationals. Egyptians working abroad are required to contribute 21 per cent of their monthly salary (Art. 19 (2)). Finally, the contributions of national and migrant workers in the private and public sectors with regular employment contracts are summarised in Table 17.

Table 17. Employer and employee contributions to social insurance benefits in Law No. 148/2019

	Old-age, disability, death, end-of service bonus	Disease	Work-related injuries	Unemployment	Total
Employer	13% ⁴⁴	3.25%	1.5% ⁴⁵	1%	18.75%
Employee	10%	1%	-	-	11%
Total					29.75%

Source: Compiled from Zaghloul (2020).

Although Egypt is obliged by Art. 10 of the ILO Equality of Treatment Convention (Social Security) No. 118 to extend social security to refugees and stateless persons without any condition of reciprocity, there are no data available to ascertain whether this is actually implemented in practice. Moreover, the proportion of migrant workers who benefit from social security cannot be calculated, as the data available are not disaggregated by nationality. Nevertheless, available data indicate that the number of insured workers has increased by 6.4 per cent since 2013.⁴⁶ Figure 7 shows the percentage of insured individuals by category in 2013 and 2018, indicating a slight decrease in the coverage of informal/irregular workers since 2013. **While Egyptians working abroad have been legally covered by social insurance since 1978, their effective coverage has been very limited,** as shown in Figure 7. This might be due to the unattractiveness of the 21 per cent contribution, which might be too high for most Egyptian migrants, or to the fact that they do not know about the system (du Pradel & Youssef, 2015; Roushdy & Selwaness, 2017).

Egypt's Universal Health Insurance Law (No. 2/2018) is an obligatory contributory scheme for all Egyptian citizens (Art. 2), with exemptions available to 30–35 per cent of the population who are unable to cover the cost (Mathauer et al., 2019). The law will be implemented in phases, each phase focusing on a different cluster of governorates, with the aim to cover all governorates by 2032 (Adib & El Alaily, 2019). Formal- and public-sector employees, regardless of nationality, are automatically covered with health insurance, as the National Organisation for Social Insurance subtracts the amount of 'disease insurance' for each worker and sends it each month to the National Organisation for Health Insurance (Art. 41). Other groups, such as informal workers and their families, refugees, undocumented migrants and domestic workers, are obliged to use out-of-pocket payments to cover their health care costs.

41. The armed forces are still covered separately through Law No. 90/1975 and its amendments (2011). See: <<https://manshurat.org/node/10765>>.

42. The specific definition of what constitutes a 'regular contract' has not been indicated yet.

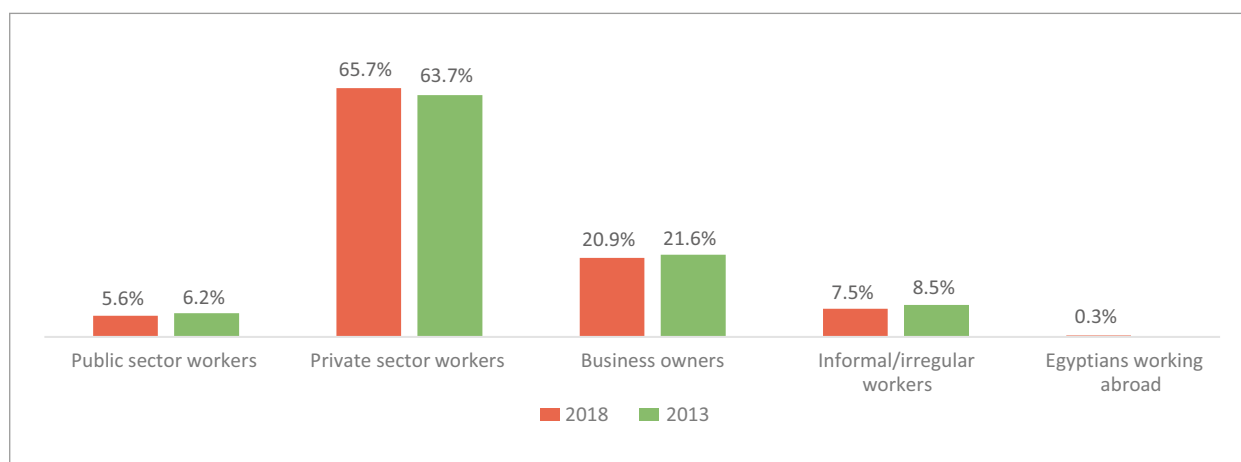
43. Masrawy, 2019. "Unpublished Executive Regulations for the Social Insurance and Salaries Law." Masrawy website, 30 December. <https://www.masrawy.com/news/news_economy/details/2019/12/30/1697211>.

44. Including 1 per cent end-of-service bonus.

45. Employers contribute 1 per cent on behalf of employees not covered under the Health Insurance Law.

46. Authors' own calculations using data from CAPMAS (2018; 2013; n.d.).

Figure 7. Trends in the distribution of insured individuals by social security coverage category, 2012 and 2018



Note: The figures represent the distribution of insured workers by category. The category 'public-sector workers' does not include insured public-sector workers who are members of the armed forces and covered by Law No. 90/1975 and its amendments.

Source: Authors' own calculations using data from CAPMAS (2018; 2013; n.d.).

Laws regarding access to social assistance

As a signatory to the ICESCR, Egypt is bound by Article 9 to “recognise the right of everyone to social security, including social insurance”⁴⁷ General Comment No. 19 of the Committee on Economic Social and Cultural Rights elaborates the rights under Article 9 as including equal treatment in access to non-contributory social security schemes⁴⁸ between nationals and non-nationals, including refugees, stateless persons and asylum-seekers. **In practice, Egypt’s domestic regulations surrounding social assistance reduce the ability of migrants, refugees and asylum-seekers to benefit.** Egypt’s main conditional cash transfer for families with children (*Takaful*) and its unconditional cash transfer for elderly persons, persons with disabilities, and orphans (*Karama*) do not specifically mention nationality in their eligibility criteria in Prime Ministerial Decision No. 540/2015,⁴⁹ but the application process requires the submission of national identity documents, birth certificates and marriage certificates.⁵⁰ The social security assistance⁵¹ scheme which provides monthly or one-off assistance to vulnerable categories such as households without male breadwinners, divorced women, elderly persons and orphans applies to Egyptian citizens and nationals from countries with reciprocity agreements (Art. 1).⁵² Beneficiaries of social security assistance may also receive emergency assistance for individual cases (provided that the national identity document of the applicant or affected person is submitted (Art. 1)) or for cases of loss of property (Art.2).⁵³ Finally, the most expedient way in which non-nationals may benefit from social assistance

47. Office of the High Commissioner for Human Rights. 1966. International Covenant on Economic, Social and Cultural Rights. Geneva: Office of the High Commissioner for Human Rights. <<https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>>.

48. United Nations Economic and Social Council. 2008. General Comment No. 19: The right to social security [art. 9 of the Covenant]. E/C.12/GC/19. New York: United Nations Economic and Social Council. <<https://www.refworld.org/docid/47b17b5b39c.html>>.

49. Arab Republic of Egypt. 2015. Prime Ministerial Decision No. 540 for 2015 on Eligibility to Conditional Cash Assistance (Takaful and Karama) for Certain Categories. Cairo: Arab Republic of Egypt. <<http://www.laweg.net/Default.aspx?action=ViewActivePages&Type=6&ItemID=94787>>.

50. Arab Republic of Egypt. n.d. “Public Service Map.” Government of Egypt website. <<http://psm.gov.eg/services/75>>.

51. Based on Law No. 112/1980.

52. Executive Regulations 137/2010. See: <<https://ahmedazimelgamel.blogspot.com/2018/10/137-2010.html>>.

53. Arab Republic of Egypt. 2019. Ministerial Decision No. 86/2019 on the Conditions, Situations, Rules and Implementation Practices for Distributing One-Off assistance in case of individual and public emergencies. Cairo: Arab Republic of Egypt. <<http://www.alamiria.com/ar-eg/archiving-service/Pages/decision-details.aspx?decisionID=110858>>.

schemes is through *Zakat*-giving institutions such as the Egyptian Zakat and Charity House, under Al-Azhar or one of the 250,000 *Zakat*-giving charities across the country (Atia, 2011). This is due to a recent *fatwa* from Dar Al-Iftaa Al-Masri that indicates that ‘refugees’ can fall under the categories of ‘stranded traveller,’ ‘poor’ and ‘needy’ within the *Zakat* stipulations indicated in the *Quran* (Atia, 2011; UNHCR & Zakat Fund, 2019). However, there is no data available on *Zakat* beneficiaries from small charities, and while the Zakat and Charity House benefited 81,000 households with monthly cash assistance in 2018 (Hijazi & Issa, n.d.), available data does not indicate whether refugees have actually benefited. Additionally, reports on the increased vulnerability of migrant workers and refugees following COVID-19-related closures indicates their inability to access existing or emergency social assistance programmes (Center for Migration and Refugee Studies 2020; Laessing 2020).

4.2 Challenges and opportunities for extending social protection to international migrants in Egypt

Certain key factors are known to influence political decisions regarding the adoption of public policies, setting out comprehensive SP systems and changing institutional frameworks. These factors may include the general effect of politics in the formulation of short-term rather than long-term migration policies, considerations of domestic resource mobilisation and the fair allocation of resources for such policies, integration and social tensions that can affect political support, the range of specific and varied needs of vulnerable migrants, mainly women, refugees and children, and the specific policies that would be necessary to address them, and the aspect of the potential inclusion of migrants in an SP system from which citizens were also previously excluded.

Despite the legal guarantees present in the Egyptian Constitution with respect to social security and the population’s access to basic services, the country faces a myriad of political-economy challenges in providing effective SP coverage even for the most vulnerable population, including migrants. Aspects related to government encouragement of outmigration as SP, poor implementation of fair and transformative migration policies amid social and political tensions with neighbouring countries, or in reforming current SP delivery parameters, given the significant inclusion and exclusion errors in targeting mechanisms of current SP policies, as well as those concerning integration challenges and social tensions will be discussed in this section. As the top country of origin of international migrant workers in MENA, thus with significant outflows of citizens for employment, and inflows of return migrant workers, given the predominantly temporary nature of migration of Egyptians, as well as with increasing inflows of forced migrants in the last decade, Egypt’s society could be positively transformed by more active migration governance and increased access to SP for all.

4.2.1 Egypt as a country of destination and transit: Consideration of the society and the State about forced migration

The current Egyptian SP system, which includes social assistance, social insurance and access to health care services, was developed in the 1950s and 1960s, and its main policy mechanisms remain to this day almost unchanged for workers in the formal and informal private sectors (Sieverding & Selwaness, 2012). The literature attributes this quasi-stagnant system to the lack of a new social contract between the government and society, which, as opposed to the SP institutional framework, has dramatically changed since then, with growing informality, and a reduction in the labour force covered by social insurance, high inclusion and exclusion errors in targeting of social assistance programmes, and the limited adequacy of benefits and coverage. Delivery of SP is not entirely progressive in Egypt, with some of the most vulnerable populations, both citizens and migrants, being excluded.

Furthermore, while Egypt’s traditional importance as the top labour provider in the region faces substantial challenges, the country’s strategic position as both a transit and destination country has become more

prominent in recent years. As a Mediterranean country, Egypt experiences a concentration of forced migrants from different countries in North Africa and sub-Saharan Africa seeking to enter Europe or settle in Egypt, especially in the suburbs of the urban areas of Cairo and Alexandria.

UNHCR data point to Egypt as one of the main host countries for forcibly displaced migrants in the MENA region, but the country still lacks the capacity and political will to effectively govern these migrant inflows. Political factors hinder the guarantee of refugee status for Palestinians and many Sudanese, for example, and the lack of reliable data on the stock of international migrants in the country precludes a more accurate analysis of this issue. Moreover, as noted in the previous chapter, Egypt has ratified several human rights treaties, including the main instruments guaranteeing rights to forcibly displaced populations. However, the practical application of these treaties is quite limited by political-economy interference. According to Norman (2017), Egypt maintains an ambivalent policy for refugees, which consists of neither effectively including them in society nor expelling them from the country, leaving the responsibility for these populations to international agencies and non-governmental organisations. This strategy essentially denies fundamental rights to refugees and contributes to maintaining a status quo benefiting the Egyptian economy by including refugees in the informal economy, guaranteeing aid from international organisations, keeping remittances in Egypt and enhancing international credibility for preventing deportations.

Box 1. Access to social protection in Egypt for Palestinian nationals

From the 1940s until the 1960s the flows of Palestinians to Egypt fleeing the Arab–Israeli wars were supported by President Nasser’s regime. Palestinians had access to education and other services on the same basis as Egyptians. This strategy was aligned with the regime’s interests in maintaining military operations against Israel, promoting the Arab solidarity rhetoric and projecting Egypt as a leader within the Arab World. However, the situation had changed by the mid-1970s, when President Mubarak’s regime promoted a bilateral rapprochement with Israel and created tension in relations with the Palestinian Liberation Organisation. This was reflected in the loss of several rights for Palestinians living in Egypt, such as to free education, employment, legal residency and property ownership (El Abed, 2004; Norman, 2017; Tsourapas, 2018b). It also inflated social tensions, as the state media framed distorted images of the Palestinians, rooting the belief that they are economically powerful and deserve no assistance (El Abed, 2004). As shown in the previous section, the statutory protections guaranteed to Palestinians became less clear.

Moreover, the United Nations disposes of few tools to protect Palestinians in Egypt. The UNRWA does not operate in the country, and other barriers prevented UNHCR from recognising Palestinians as refugees due to political reasons (ibid.). Consequently, this population has limited access to services provided by humanitarian actors, and few rights guaranteed by fragile migratory status. According to the Action Group for Syria (AGS), Palestinian migrants coming from Syria are receiving the status of ‘tourists’ in Egypt. Among other limitations, this means that Palestinians need to pay enrolment fees in dollars to access public schools or pay for private schools—options that are not financially possible from limited family budgets. As a consequence, the AGS estimates that 95 per cent of Palestinian children who migrated from Syria to Egypt are prevented from accessing education (Palestinian Return Centre 2019).

Tsourapas (2018a) notes that migration policies in Egypt and access to basic rights, including to social security, are strongly related to refugees’ and asylum-seekers’ nationalities, domestic political struggles and the shifting international landscape, mainly in the MENA region. These factors effectively determine formal and informal access to education, residence, jobs and services (Norman, 2017). This is one of the most challenging and pertinent issues for extending SP to non-nationals in Egypt, especially for forcibly displaced persons, as this policy contradicts basic principles of a human rights approach such as equality of treatment regardless of nationality and maintenance of social security rights acquired.

The case of access to education illustrates that refugees and asylum-seekers of different nationalities have different levels of access to rights. Migrants from Sudan and South Sudan, for example, can access public schools regardless of their refugee status, as provided by bilateral treaties. For Syrian refugee children, access to public schools was guaranteed by a Ministerial Decree in 2014. Only in more recent years have Yemeni refugees been able to enrol in public schools as well. Refugees and asylum-seekers from other countries cannot access the national public system in practice and have to rely on private and community-based schools as their only options (UNHCR, 2020a). In this sense, access to public services by non-nationals may cause social tensions not only between host communities and migrants but also between refugees of different nationalities. To avoid the latter, UNHCR has developed cash-for-education programmes with benefit values adapted to the refugee's nationality, providing a greater value to those who cannot enrol in the public education system (ibid.).

In regions where refugees and asylum-seekers are concentrated in Egypt, the problem of overstretched health and education systems is frequent, creating tension with host communities (UNHCR, 2016b, 2016a). Moreover, the perception among nationals that refugees occupy jobs that would otherwise be occupied by nationals, and thus constitute a threat, is considered to be influenced by regional and domestic political dynamics igniting xenophobic reactions directed at migrants within the population (UNHCR, 2016a). This is illustrated by the cases of some of the main migrant communities in the country, as well as the historic shifting of policies for migrants in Egypt, according to political and economic interests. The cases of Palestinian, Sudanese and Syrian migrants highlight the way the migrant's country of origin is relevant to some aspects of their treatment, including in their recognition as refugees and in guaranteeing access to SP.

Box 2. Access to social protection in Egypt for Sudanese nationals

Egypt and Sudan share a long history of migration and cultural affinities, but migration policies between the two countries are also susceptible to changes in the political game. From 1976 until 1995 a bilateral agreement (the Wadi al-Nil Convention) guaranteed visa-free entry into Egypt for Sudanese nationals, as well as access to fundamental rights such as social provisions, health coverage, education, employment and property ownership on the same basis as nationals. That changed in 1995 when a group of Sudanese Islamists was blamed for an assassination attempt on President Mubarak. After this episode, the Wadi al-Nil Convention was repealed, and human rights abuses against Sudanese migrants increased (Norman, 2017; Tsourapas, 2018a, 2018b).

In 2004 a new agreement was signed between Egypt and Sudan: the Four Freedoms Convention provided a guarantee of freedom of movement between the two countries, besides the right to work and own property without needing special permission (Bahgat, 2007). However, the practical application of the convention has not occurred. In addition, Egypt recently called for an amendment to the treaty, including restrictions on the entry of Sudanese into Egyptian territory. The request came amid political tensions between the countries surrounding the dispute over the Halayeb and Shalateen region—a disputed territory between Egypt and Sudan—and the construction of the Grand Ethiopian Renaissance Dam—a dispute over the use of the River Nile's water between Ethiopia, Sudan and Egypt (MEMO, 2018).

These topics also ignited animosities between the host communities and non-nationals. In 2015, several incidents against Sudanese refugees took place in Egypt after accusations that the Egyptian government was holding parliamentary elections in the Halayeb triangle. Two years earlier, disagreements over the construction of the Grand Ethiopian Renaissance Dam created a wave of harassment of Ethiopian refugees in the streets and forced evictions from rented houses (Norman, 2017; Tsourapas, 2018a, 2018b).

In addition to the geopolitical challenges of the region, racism is another factor that causes social tension between Egyptians and migrants, especially black Africans. Sudanese refugees and migrants from sub-Saharan Africa frequently report suffering physical attacks and verbal harassment by common Egyptian citizens and public agents due to racist motivations. Moreover, the Egyptian press, including state agencies, expresses racist and xenophobic views against migrants and mainly black Africans (Bahgat, 2007; Knipp, 2019).

Box 3. Access to social protection in Egypt for Syrian nationals

Egypt's immediate response to the refugee crisis in Syria represented a shift in the paradigm of ambivalence that tends to characterise the country's immigration policies. However, it maintained the characteristic use of these policies as an instrument of political economy. After the 2011 revolution, the Muslim Brotherhood government (2012–2013) established a welcome policy for Syrians, exempting them from entry visas and allowing them to stay in the country for three months as tourists to request asylum (Norman, 2017; Tsourapas, 2018b). Furthermore, in 2012, when the influx of Syrian refugees became massive in Egypt, President Morsi guaranteed their basic rights. Regardless of the status conferred by UNHCR, Syrians in Egypt had free access to health care⁵⁴ and were able to enrol in public schools. These guarantees were aligned with Morsi's political interests, as he perceived domestic political gains from the demonstration of support for opposition forces in Syria (Norman, 2017; Tsourapas, 2018a, 2018b).

Serving short-term political interests instead of a well-coordinated state project, this policy presented limitations and favoured social tensions in the country. In July 2013, Morsi was overthrown, and a military government took over. The end of his brief administration also marked the end of visa-free entry into the country for Syrians, as a visa before arrival became required. Although access to education and health care has been formally maintained, de facto access to these rights has worsened dramatically since 2013 (Norman, 2017; Tsourapas, 2018a, 2018b).

In addition, the military government organised media campaigns depicting Syrians as allies of the Muslim Brotherhood and calling them 'terrorists', fuelling social tensions and xenophobia (Norman, 2017; Tsourapas, 2018a, 2018b). One of the consequences of this hostile treatment was the sharp increase in the number of Syrian refugees seeking to cross the Mediterranean to reach Southern Europe: more than 3,000 individuals left Egypt trying to cross the sea between September and the middle of October 2013, while the average for the previous months of the same year was 750 people (Tsourapas, 2018a, 2018b). In 2014 the tension with Syrians eased, as the strategic importance of Egypt to the flow of Syrian refugees to the EU became clear, and the tension of regional geopolitics intensified with other national groups such as Sudanese and Ethiopians (Norman, 2017; Tsourapas, 2018a, 2018b).

Political-economy factors promoting international cooperation on forced migration

Migration in Egypt, especially regarding the influx of migrants from third countries towards the EU, is a major factor in the current political-economy dynamics, promoting cooperation between both actors to an unprecedented extent. Since the refugee migration crisis in 2015, the EU has invested in functional cooperation with transit countries that temporarily host migrants from the MENA region and sub-Saharan Africa, including Egypt (Tsourapas, 2018a, 2018b). For Egypt, this opened up the possibility of increased job opportunities for nationals, receipt of foreign aid (Tsourapas, 2018a, 2018b), obtaining funds for its domestic projects, strengthening its image as a regional power in the Arab World, and gaining European support for its counter-terrorism policy (EuroMed Rights, 2019). Moreover, the consolidation of international cooperation also has the potential to expand SP coverage for non-nationals through comprehensive programmes and by supporting the inclusion of migrants in national systems.

In 2016 the EU ratified a significant migration agreement with Turkey and created the EU Facility for Refugees. It has also shown interest in replicating it in North Africa (Tsourapas, 2018a, 2018b). In this sense, relations between the EU and Egypt have intensified since 2016, as has the emphasis on the discussion on preventing 'illegal' migration and counter-terrorism. In 2016, Egypt approved a law combating illegal migration and smuggling of migrants, but the failures of this instrument to guarantee access to basic rights for refugees and asylum-seekers are clear. In the following year, the main themes addressed by the law were reinforced by a cooperation agreement established with the EU, which allocated EUR60 million from the EU Emergency Trust Fund for Africa to projects in Egypt.

54. Ministry of Health Decree 601/2012.

The cooperation effectively strengthens Egypt's capacity to enhance border surveillance, although its results are contested by humanitarian agencies, which claim that it has contributed to the criminalisation of migration and led to human rights violations (EuroMed Rights 2019).

Bilateral agreements on migration issues were also established between Egypt and European countries such as Germany. In August 2017, both countries signed the Agreement on Bilateral Dialogue on Migration, aiming to develop cooperation to repatriate migrants, prevent “illegal” migration and develop economic cooperation by investing in professional training for young people (Government of Germany 2017). The agreement was criticised by several human rights organisations and specialists claiming that it does not secure human rights protection, and increased the number of deportations (EuroMed Rights, 2019; HRW, 2017).

Over the years, several other cooperation agreements were signed between Egypt and Germany, strengthening initiatives to address issues such as youth unemployment among migrants and host communities. In 2019, for example, seven cooperation agreements were signed at the Arab–Germany Business Forum, aiming to provide technical and financial support to Egypt (Egypt Today, 2019). Also, in 2020 the first bilateral cooperation agreement between the Ministry of Immigration and the GIZ was signed (Al-Youm, 2020), and the programme ‘Towards a Holistic Approach to Labour Migration Governance and Labour Mobility in North Africa’ (THAMM) was launched. The latter, promoted by the Government of Egypt, Germany and the EU, received funding of EUR30 million. It aims to improve labour migration governance and labour mobility on a regional level (Egypt Today, 2020).

Besides the agreements with European countries, Egypt also receives support from multilateral organisations, strengthening the provision of fundamental rights such as health for refugees and host communities. An important example is the collaboration between UNHCR and the Ministry of Health to guarantee access for refugees, asylum-seekers and other people of concern to treatments in the national health system, including primary and referral curative care services and emergency care (Government of Egypt, 2016; UNHCR & WHO, 2016). Before this collaboration, only refugees from specific countries such as Syria had access to health care services. To promote the inclusion of all refugees, UNHCR has pledged to provide USD1.5 billion to equip hospitals with incubators and ventilators, and to extend life-saving services (UNHCR & WHO, 2016). This approach translates into improved access to health care for forcibly displaced persons and host communities as well. According to the Regional Refugee and Resilience Plan (3RP), United Nations agencies needed to invest a total of USD61,542,589 to guarantee protection for a total 476,400 Syrian refugees and host communities in Egypt as of 2020 (UNHCR, 2019a).

4.2.2 Egypt as a country of origin: Consideration of the economy, society and the State about labour emigration policies

Egypt has historically encouraged outward migration as a solution to the employment problem (Rajan & Saxena, 2019) **and, ultimately, as an informal form of SP for Egyptian workers and their families** (Sabates-Wheeler and Waite 2003; Swemmer, 2013). The decent work deficits in Egypt, including low wages and growing informality—which resulted from a fast-growing labour force in a labour market that, since the 1960s, has continued to be unable to accommodate this domestic labour demand (Rajan & Saxena, 2019)—and the importance of remittances in the country's economy, are main drivers for workers to move abroad to places with better labour returns and overall economic prospects (Ghoneim, 2010).

In 2016 more than 6 million Egyptian citizens lived in the MENA region, primarily in Saudi Arabia, Jordan and the UAE (Tsourapas, 2018b). According to Avato et al. (2010), **migration becomes a considerable livelihood option for the vulnerable population, except for the poorest, in the absence of adequate social security provisions and a lack of decent work opportunities.** In Egypt the absorption by other

countries of the local labour force and the substantial amount of remittances received by migrant workers' families are some of the factors that might be perceived by the Government of Egypt as temporarily playing a role of informal SP.

Moreover, the labour emigration policies in Egypt were widely used by governments as one of their main instruments of political economy rather than tools to regulate migrant flows and effectively protect people's rights. Tsourapas (2018a) argues that the regimes of Nasser (1952–1970) and Mubarak (1970–2011) used the national labour emigration policy as an instrument to achieve short-term political goals, namely to legitimise strategies at the national level by enhancing repression strategies and co-opting the labour force to serve the government's development priorities, and internationally by enhancing the regime's external legitimacy. Also, labour emigration policies have been used for decades by the rulers of Egypt as a safety valve, guaranteeing remittances and mitigating problems such as unemployment and overpopulation (ibid.).

The exhaustion of this 'safety valve' system was one of the factors that led to the 2011 revolution in Egypt. Still, the importance of remittances to the national economy continued to be relevant and faced new challenges. The dependence on remittances continued to increase after 2011, and in 2019, Egypt was the fifth-largest recipient of remittances in the world (OECD, 2020). In 2020, however, remittances are projected to drop by 19.6 per cent in the MENA region, and Egypt will likely be the country most affected (ibid.). The pandemic has further aggravated the vulnerability of families who depend on remittances and of workers in the informal sector, who represent 63 per cent of the Egyptian workforce (Mabrouk, 2020). The impacts of reduced demand and a fall in oil prices on oil-exporting countries in the region, the decreased external demand for services in sectors such as tourism and domestic work, and the Gulf Cooperation Council countries' reduction of their foreign workforce have affected overall migration movements in Egypt (IBC-SP, 2020) and evidenced how sensitive the country is to the demands of other States in the region. In this situation, Egypt could greatly benefit from improving SP for local workers, including by strengthening bilateral cooperation on migration matters and improving the regulation of migration at all of its stages for Egyptians, to avoid further increases and potentially curb the irregular outflows of Egyptians.

Evidence shows that the Government of Egypt's strategy of encouraging outmigration for nationals had a limited effect on mitigating the unemployment problem in the country. It fails to address the root causes of labour migration and to promote decent work, and it essentially keeps the government from developing an SP system with comprehensive protective, preventive, promotive and transformative functions for residents (Sabates-Wheeler & Waite, 2003). Evidence on the Egyptian diaspora shows that outmigration has had no substantive consequences for the formalisation of the country's labour market, and has not affected the quality of employment for Egyptian workers who stayed, with youth unemployment rates still high, informal and vulnerable employment being very frequent, and a low quality of employment, including relatively low wages, and limited access to social security benefits (Awad & Lotawef, 2019).

Labour migration is considered a form of informal SP but is itself associated with several socio-economic risks that potentially increase people's vulnerabilities. From departure until arrival, migrants are faced with numerous risks, as are their families at their place of origin (see Table 7). In the main destination countries of the Egyptian diaspora, migrant workers, especially women and those in low-wage jobs, face barriers to access their social security and labour rights as foreigners, and thus are generally more vulnerable to exploitation than in their country of origin—for example, trafficking of persons, expensive recruitment costs borne by the worker, employers who withhold the worker's passport at their destination, jobs different from how they were described before departure, or jobs that sometimes do not even exist.

5. CONCLUSION AND POLICY RECOMMENDATIONS

5.1 Discussion of factors enabling the inclusion of migrants, refugees and asylum seekers in social protection systems

Taking into consideration aspects concerning the economy, society, the State and other actors framing migration governance in Egypt, and the current state of the national SP system, some of the practices reviewed in this study can be contemplated as ways to improve access to SP for migrants, refugees and asylum seekers in the country. However, the fact that most of these practices were successful in other countries does not necessarily mean that they will succeed to the same extent in Egypt. For the purposes of this study, the same practices were not assessed in a representative sample of countries, and causality was not assessed, meaning that the practices adopted by one country are not necessarily the determinants of improved migration governance observed, and there could be other factors determining success that were not considered in this assessment or narrated in the literature or subjective to selection bias by authors when identifying features of success.

Nevertheless, the evidence-based literature on migration and SP does corroborate some of these findings concerning factors that enhance migrants, refugees and asylum seekers' access to SP and positively affect their integration (see Box 4). For example, the exclusion of certain groups from legislation on account of their nationality is one of the main determining factors deterring access to SP for international migrants (Hirose et al. 2011). In this sense, **the principle of equality of treatment—part of the human rights-based approach to SP—is considered paramount when setting parameters for legal coverage of SP**, as shown in all cases included in this study. **The implementation of international conventions when they have been ratified nationally is another layer of legal protection that countries can reasonably act on.** Further regulatory frameworks and policy will originate in such internal or international laws, and migrant-inclusive policy frameworks cannot be enforced in their absence. Guaranteeing effective SP coverage, on the other hand, requires sound policy formulation and design, including appropriate SP instruments, efficient mechanisms to identify beneficiaries, effective delivery channels, and rigorous monitoring and evaluation processes to occur circularly.

Box 4. Summary of enabling factors identified in this study to expand access to SP for migrants, refugees and asylum seekers in countries of transit and destination

Legislation and policy

- Progressive change towards more inclusive legislation and policies based on human rights principles
- An inclusive and comprehensive national legal framework that explicitly sets out social security rights and the right to work for all residents, including migrants, refugees and asylum seekers
- Inclusion of migrants in the SP system as part of a comprehensive and long-term strategy to govern international migration
- Ratification of conventions that recognise rights of forcibly displaced populations and migrant workers, and implementation of directives in national regulatory frameworks.

International cooperation

- International cooperation on identifying barriers to access to SP, and on establishing standards, policy and legal frameworks for effective international migration governance



- Partnership and alignment between humanitarian and government responses, and humanitarian actions directly contributing to the development of the national SP system
- An economic and political climate favouring international cooperation on migration matters
- Cooperation with other States to finance an extension of SP policies and programmes
- Establishment of social security and labour agreements with countries or origin of migrants.

Migration governance

- Creation of national migration governance structures and of governance structures for the general protection of human rights for residents, including migrants, refugees and asylum-seekers, such as a national agency, committee etc.
- Organisation of migration governance structures according to strategic objectives, coordinating with local stances of government as necessary
- Executive regulations concerning the different migrant groups' access to SP and basic public services
- Capacity development of government workers working on migration issues to improve services and assistance offered to asylum-seekers and refugees
- Strengthening the capacity of social assistance structures or bodies to provide assistance in regions with high numbers of migrants, refugees and asylum seekers
- Promoting participation in the formal labour market of international migrants as a strategy to reduce public spending on integration and strengthen public finances through revenues
- Promoting regularisation campaigns for irregular migrants.

SP implementation

- Promote consistent monitoring and evaluation practices for SP policies and programmes in the context of international migration
- Enhance the system for identification of foreign social assistance beneficiaries, using innovative and language-accessible registration tools during crises, and setting clear rules for participation using relevant communication channels that are accessible even to the most vulnerable migrants, refugees and asylum seekers
- Application of the principle of equality of treatment for delivery of SP and basic public services
- Promotion of formal employment as a way to integrate forcibly displaced persons, including through active labour market policies and voluntary contributory schemes
- Local language training to be oriented to the labour market; conduct comprehensive screening of asylum-seekers' qualifications, assessing both formal and informal qualifications; settle refugees and asylum-seekers according to the geographical location of relevant job vacancies; align integration strategies with subnational actors such as municipalities; inclusion of small businesses in the integration strategies.

Source: Authors' elaboration.

Effective cooperation and coordination among States, development partners and international parties for effective migration governance frameworks

Another important finding of this study with supporting evidence in the literature is the need for cooperation among States and international parties to develop and implement effective migration governance frameworks. Frameworks that establish basic guarantees for all migrants, such as the Global Compact for Safe, Orderly and Regular Migration, and SP floors, such as the Social Protection Floors Recommendation, originated from

international cooperation on these matters. These are tools that can guide countries in their own efforts to protect rights for all within their borders, combat abuse and exploitation, income insecurity and health vulnerabilities, and increase migration gains for national development.

Specialised national bodies to combat irregular migration and promote formal channels to protect the rights of citizens abroad

To combat irregular migration, evidence shows that countries of origin that created specialised government bodies or other governance structures to facilitate access to regular and accessible migration channels for citizens wanting to migrate eventually amplified the positive effects of migration nationally. These centralised bodies across countries can offer services to prospective migrant workers, including on sharing information and raising awareness about their social security rights and duties, fair recruitment and formal remittance channels, as well as about the risks associated with migration, and risks of specific migration routes. In addition, these bodies can increase the institutional, inter-ministerial and technical capacity of the government to cooperate with other States to prevent irregular migration. To reduce irregular migration in countries of destination requires a mix of measures to create additional legal channels for migrants and to address the local informal labour market.

Legal SP coverage with migration governance structures in place

Having ensured legal SP coverage of migrants and with migration governance and SP structures in place, governments can work more effectively to improve implementation of inclusive SP policies and programmes. One of the ways to improve coverage of vulnerable migrants, refugees and asylum seekers identified in this study is to conduct and promote regularisation campaigns for irregular migrants residing in Egypt, providing them with registration and documentation, and effectively including them in government databases, which would improve the evidence base for policymaking and enhance the targeting of SP for them. Countries can further promote evidence-based policy to manage eventual problems caused by sudden migration flows and rely on sound monitoring and evaluation practices in such policies to address them.

5.2 Protection and cross-cutting recommendations

Building consensus on inclusive SP through a business case demonstrating the benefits of expanding support to migrant and displaced families for communities and countries

Preparing a business case for inclusive SP can demonstrate the economic affordability, long-term fiscal sustainability and rates of return of investment in extending SP to migrants, including refugees and asylum-seekers. However, the situation for undocumented migrants, mostly vulnerable and at risk of exploitation, remains an issue and more complex to integrate within formal SP channels.

Effective coordination and partnership between development partners and government responses, for better alignment and targeting for integration within SP systems

Furthermore, the development of national SP systems to extend coverage to migrants is also supported by partnerships between governments, international and humanitarian organisations and donors in the implementation of shock-responsive SP responses in crisis contexts. These partnerships have the potential to contribute to enhance the administrative, technical and operational capacity of national SP systems, while functioning amid emergency situations, benefiting both host communities and migrants. Agreements, whether bilateral or multilateral, with other States for financing an extension of SP policies and programmes to migrants is

one of the key enabling factors, such as in the case of Turkey and the EU. In addition, social security agreements among countries that are part of the same migration corridors are important tools to secure portability of social security entitlements to mobile workers and eventually adapt social insurance qualifying conditions for entitlement to benefits in their context—for instance, number of years of contributions. These agreements, along with labour agreements setting minimum labour standards, should be sought primarily by labour-sending countries with an end to protect their citizens' rights outside their territory and increase legal guarantees for their safety, employment quality and income security. In any case, destination and transit countries that wish to guarantee and respect the human rights of their residents should also seek to make such agreements with the countries of origin of the migrants living, even if temporarily, within their borders.

Efforts should be directed towards ensuring inclusive SP programmes for all children and families residing in Egypt

Egypt should consider reforming its migration policy towards a rights-based model capable of ensuring the principle of non-discrimination against origin and nationality. This principle is present in the main human rights instruments signed by the country, such as the ICESCR and the CRC, but it is not observed in practice. Moreover, it is a matter of concern that Egypt's new Constitution fails to meet the obligations established by the 1951 Refugee Convention and the Convention Governing the Specific Aspects of Refugee Problems, as the country adopts a restricted definition of who can be considered a refugee. The lack of regulations establishing the procedures for granting political refugee status aggravates arbitrary and discriminatory determinations based solely on political interests. As a consequence, different levels of protection are offered to refugees and asylum-seekers depending on their nationality. This adds further barriers for forcibly displaced communities of non-Arabic-speakers coming from sub-Saharan Africa. They are less likely to receive assistance, more exposed to sexual and gender-based violence, have less access to residence permits, have lower average per capita income, have less access to public education, present higher food insecurity and have less access to private housing. Moreover, discrimination against nationality makes millions of migrants and forcibly displaced populations dependent on the shifting interests of short-term political interests, as the cases of Syrian, Palestinian and Sudanese migrants show. Against this background, the necessity of a migration policy oriented towards protecting people on the move—instead of shifting policies that differentiate treatment according to nationality—is essential.

Primarily, and as mentioned above, Egypt can work to guarantee legal residence and identification documents for irregular migrants in the country

This is a fundamental step to enhance data collection, governance of migration and the insertion of non-nationals in the labour market by guaranteeing comprehensive and accessible legal permits that allow migrants, refugees and asylum seekers to access basic services and work in the country. In Morocco, for example, the adoption of a new and comprehensive migration policy was followed by two regularisation campaigns which benefited tens of thousands of irregular migrants in the country. In Portugal, all non-nationals who applied for legal residence in the country until the declaration of a state of emergency were regularised. This signified a major strategy to contain the COVID-19 pandemic, as regular migrants in the country could access the health system.

Social assistance

- **Egypt could conduct feasibility studies aiming to understand how to launch social assistance programmes, including in-kind and cash transfer programmes, targeting non-nationals.** According to the EVAR 2018 figures, 47 per cent of the registered refugees and asylum-seekers in Egypt are poor, besides being in debt and below the Minimum Expenditure Basket. Also, 51 per cent of forcibly displaced persons do not live in private residences; many are living in food insecurity (27.1 per cent) or are highly vulnerable to it (59.4 per cent).

- **Against this background, social assistance programmes have a great potential to address these vulnerabilities, alleviate poverty and prevent negative coping mechanisms.** Egypt has signed the ICESCR, assuming the responsibility for ensuring equal treatment of SP for nationals and non-nationals. However, it does not happen in practice. Egypt has a strong national social assistance system, improving the resilience of individuals and families. However, in cases of emergency and humanitarian crises, the existing system should be strengthened to be quicker to expand and easier to administer, to benefit all families and children in need of assistance in the country, including refugees and asylum-seekers.
- The cases of Brazil, Turkey and Morocco offer valuable examples of how to guarantee social assistance for forcibly displaced populations, including strategies that make the same cash transfers available to nationals and non-nationals, and how to seek international partnerships to finance interventions. In particular, Egypt should consider adopting programmes to support migrants, refugees and asylum seekers to meet their most pressing needs—i.e. housing and food.

Social insurance and the labour market

- **Additional efforts to eliminate barriers and create incentives for migrants, refugees and asylum-seekers to access formal employment is an opportunity for Egypt to protect them from the risk of abuse and exploitation, while increasing the economic gain.** In this sense, it is fundamental to guarantee work permits for non-nationals, and to sign and enact social security agreements enabling the portability of benefits earned from contributory schemes. Legislative reforms to the laws restricting the participation of non-national workers (e.g. Labour Law No. 12/2003; Law No. 159/1981 for Companies and its 2018 amendments) should be prioritised. These laws help drive non-nationals into informal employment, increasing workers' vulnerability and, ultimately, reducing the country's fiscal revenues.
- **Promoting voluntary contributory schemes among migrants, including refugees and asylum-seekers, is a viable way to extend SP coverage to migrants in Egypt.** Refugees and asylum-seekers usually face various barriers to enter the labour market and end up engaging in the informal market, where they are usually unprotected by legal guarantees and at higher risk of abuse and exploitation. By extending voluntary contributory schemes, migrants working in the informal market would pay an amount determined by the government that could be used for their protection in case of old age, employment injury, unemployment or disability, among others. It must be highlighted, however, that voluntary insurance schemes are known to exclude the most vulnerable workers, since they often cannot afford or do not see the advantages of contributing to the host country's system, and there is little evidence that the availability of these schemes leads to a significant increase in coverage even among nationals. For workers who can afford the contributions, factors such as their preference for spending rather than saving or self-insuring undermine their propensity to contribute. To address these challenges, voluntary schemes must offer positive incentives to contribute and attractive features for informal workers and non-nationals, remove informational barriers (e.g. through financial literacy programmes and communication campaigns), and guarantee viable conditions for the most vulnerable workers to contribute (Winkler, Bulmer, and Mote 2017; Kulke n.d.).
- **Labour market programmes designed for the most vulnerable should be considered.** The case of Denmark could be an example in this sense, as its Integration Policy considers employment the main way to achieve the social integration of non-nationals. Policies in the country provide skills-upgrading courses and combine training, education and employment opportunities. In Egypt, refugees and asylum-seekers with technical education presented the lowest unemployment rates (18 per cent), which indicates the potential of providing technical skills to enhance employment among forcibly displaced populations and contribute to Egypt's development.

- **It is essential to note the importance of designing gender-sensitive policies for labour integration,** as only 33 per cent of women refugees and asylum-seekers are economically active in Egypt. By guaranteeing access to services such as nursery schools and maternity leave, Egypt could mitigate the burden of family responsibilities on all women, which would affect the number of economically active individuals contributing directly to the country's formal economy.
- **Egypt could also improve the level of protection for nationals working abroad by adopting more attractive and mandatory social insurance schemes.** Since 1978, Egyptians working overseas have been legally covered by social insurance. However, only a small proportion of the workers are effectively covered. Interesting examples of how to overcome this challenge come from Philippines, which—like Egypt—is a major sending country of labour in its region. To protect its workers, Philippines uses mechanisms such as rentable welfare funds for migrant workers and allows workers overseas to contribute to the national social security system through specific programmes. Moreover, all migrant workers hired through the government agency created to regulate outflows are covered by compulsory insurance. The case of Philippines is an example of how countries of origin can take responsibility for the protection of their workers abroad.

Education

- **Though the Government of Egypt has granted access to public education to most refugees in Egypt, a number of barriers to access and quality of education still remain.** Syrian refugee children and their parents have reported issues regarding overcrowded classrooms, bullying and transportation problems. With the inclusion of refugees in public education, an additional burden is placed on the education system. Moreover, due to language barriers, other nationalities that do not speak Arabic, including Somalis, Ethiopians and Eritreans, face difficulties accessing public schools and are mostly learning outside the formal system such as at community schools or private schools, which increases their financial burden. It is important for Egypt to address the barriers to educational access for all children in schools.
- **It is also necessary to consider that efforts to fight poverty are correlated to efforts to increase enrolment in education for vulnerable forcibly displaced children.** Besides the education-related costs that cannot be afforded by low-income families, poverty is associated with child labour. In Egypt, 78 per cent of working children were prevented from going to school (UNHCR 2020i). The Lebanese strategy recognises the role of poverty in pushing school enrolment down and offers subsidies covering enrolment fees and education-related costs to increase enrolment in education for forcibly displaced populations.

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International Policy Centre for Inclusive Growth

SBS, Quadra 1, Bloco J, Ed. BNDES, 13º andar
70076-900 Brasília, DF - Brazil
Telephone: +55 61 2105 5000

ipc@ipc-undp.org • www.ipcig.org