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# Refugee Trafficking in a Carceral Age: A Case Study of the Sinai Trafficking

## Abstract

Since 2007, tens of thousands of Eritreans escaping widespread repression, open-ended national service, and socio-economic deprivation have reached the Sinai Peninsula hoping to cross the border into Israel. Early on, voluntary smuggling facilitated refugee crossings. Around 2009, however, smuggling became a notorious trafficking network, referred to as Sinai trafficking. Hostages were raped, tortured, and murdered. This human tragedy continued for several years, unknown to the outside world, and was, strikingly, not acted upon, even once discovered. No criminal investigation was taken after its discovery. How and why do the torture, death, and reports of organ trading of thousands of innocent refugees go ignored? In this article, I look into why it might be that the Sinai trafficking has gone unpunished, concluding that it is because the victims, had, due to their circumstances, come to be regarded merely as 'bare lives'.

*Keywords:* bare life, carceral system, impunity, ransom, torture camps, trafficking

## Introduction

Since 2007, tens of thousands of Eritreans escaping widespread oppression and incessant violence have reached the Sinai Peninsula, hoping to enter Israel. Early on, voluntary smuggling operations were *de facto* regulators to move Eritreans and other sub-Saharan migrants across borders. Since 2009, however, voluntary smuggling became a unique and notorious trafficking plot (Simpson, 2014, p. 22). This shift is partly attributed to the spread of the "Arab Spring" and the political turmoil it caused in Egypt and Libya, which created a security vacuum, allowing human trafficking to flourish (van Risen & Mawere, 2017). The insecurity, power struggles between militia groups, and spread of "terrorism-

related” groups have created suitable environment for “new practices of human trafficking” (see van Risen & Mawere, 2017, p. 159 ).

In 2012, Israel closed its border, which contributed to smugglers losing income. With this income loss, smugglers began to take refugees hostage and require ransoms. Hence, the closure of the Israeli border “created new risks for the survivors of abduction by traffickers, shooting and imprisonment by Egyptian border guards, as well as eventual deportation back to Eritrea” (van Reisen & Mawere, 2017, p. 77). The shift is also associated with an increase in ransom for the victims. The traffickers demanded a ransom of \$30,000–\$50,000 per person from the victim’s families (van Reisen et al., 2012, p. 39). The smuggling quickly developed into a lucrative, clandestine business. This attracted many more participants, including organized criminals and rogue state actors (see Simpson, 2014).

Sinai trafficking has taken thousands of innocent refugees to a realm of active, unrelenting, and egregious violence to extort for ransom. Hostages were raped, burned with melted plastics, beaten, and tortured to death. This suffering continued for several years in obscurity. When human rights activists and journalists exposed notorious scenes of innocent bodies subjected to excruciating pain, it was still ignored. The impunity given to this tragedy implied that the refugees had lost any form of protection. This article scrutinizes the relationship between the status of the trafficking victims and the impunity of persecution for the crimes committed against them.

## **Background**

There is a connection between past colonial ravages and the present nation-state hegemony, in which the current Eritrean government continues to oppress its people. The United Nations Commission of Inquiry (COI) on Human Rights in Eritrea reported that “Eritrean officials have engaged in a persistent, widespread and systematic attack against the country’s civilian population since 1991” (Human Rights Council COI, 2016, p. 83). The

report highlighted mass militarization, mass incarceration, and forced disappearance of civilians. It found that the state imposed indefinite national service, where people from both sexes, aged 18–50, were forced to enlist (van Reisen et al., 2012, p. 28). It also revealed that national service conscripts worked in dehumanizing conditions for minimal remuneration. To describe the situation of Eritrean national service conscripts, van Reisen (2016, p. 9) notes:

the situation remains difficult because of low pay, [...] inability to support themselves and their family, [...] lack of acceptance of conscientious objections, lack of freedom over life decisions, inability to live a family life and participate in marriage and the raising of children, protracted ill treatment, imprisonment and detention without access to the legal system and rule of law, and [...] random imprisonment and detention, and collective punishment.

Furthermore, the country isolated itself from media coverage to avoid international scrutiny. In doing so, the Eritrean government turned the country into an “open air prison” by suspending the rule of law and closing all media outlets except the strictly censored national media (van Reisen et al., 2014, p. 280). The widespread repression, open-ended national service, and socio-economic deprivation in Eritrea triggered a mass emigration of people seeking international protection as refugees (Andom, 2018; Kibreab, 2013; Mekonnen & Estefanos, 2011; Simpson, 2014). Many Eritreans crossed into neighboring countries, such as Sudan and Ethiopia, in search of safety. As of 2013, “about 130,000 Eritreans [had] registered as refugees in eastern Sudan’s refugee camps and tens of thousands more [had] registered in Ethiopia’s camps” (Simpson, 2014, p. 17). However, the asylum countries not only lacked adequate protection for refugees but also actively created a culture of exclusion to deliberately discourage immigration. In the immediate transit countries, detention and deportation constituted a constant threat for refugees (see Bahlbi, 2016). Given the repressive nature of the Eritrean government, deportation poses a serious concern among Eritrean

refugees in neighboring countries. The Human Rights Watch (HRW), for example, reported, “On October 17, 2011, Sudan handed over 300 Eritreans to the Eritrean military without screening them for refugee status” (HRW, 2011). Despite public condemnation by the UNHCR, the Sudanese government “repeatedly forced back Eritrean asylum-seekers and refugees to Eritrea, where they risk persecution” (UNHCR, 2011).

Moreover, refugees have been subjects of protracted containment without adequate service and safety in Sudan and Ethiopian refugee camps. Those who managed to claim asylum were deprived of adequate basic needs, freedom of mobility, and employment rights while being exposed to abduction and kidnapping by human traffickers (Simpson, 2014, pp. 17–20). This led the Eritrean refugees to increasingly avoid refugee camps to engage in secondary movements. Citing “confidential” HRW communication with refugees in the region, Simpson (2014) explains:

Two possible explanations are that fewer Eritreans reach the camps because they fear being kidnapped by traffickers and therefore avoid eastern Sudan entirely, or because an increasing number are kidnapped as soon as they cross the border before they have a chance to reach the camps, (p. 17)

Furthermore, Eritrean refugees were exclusively subjected to differential treatment based on their religious and socio-economic backgrounds. This has been the case in majority Muslim countries, such as Sudan and Libya. Muslim hostages were treated better, had to pay reduced ransoms, were provided with opportunities to work as interpreters, and eventually received chances to escape (van Reisen et al., 2012, pp. 57–60). On the other hand, Christian victims were nicknamed *Kafirun*, meaning infidels, and were subjected to moral, religious, and emotional discrimination. Often, “women are forced to convert to Islam...to bear children to” organized criminals and terrorist fighters (van Reisen & Mawere, 2017, p. 188).

Thus, the practices of detention, deportation, containment, inadequate services, and discrimination pushed many Eritrean refugees to undertake secondary journeys in search of safety. Hoping to live a dignified life elsewhere, refugees continued to travel from Sudan and Ethiopia to Israel and Europe. They were continually met with “violent borders” (Jones, 2016) in their attempts to reach these destinations. While Israel had its borders closed to such migrants, European states deployed extraterritorial borders to halt incoming refugees. These deterrence policies rapidly increased the cost of and demand for Eritrean refugee smuggling. Bahlbi (2016, p. 219), for example, suggested that the main route to Europe—that is, “Sudan–Libya–Europe”—had become very expensive and risky. This might have triggered the shift of the destination from Europe to Israel.

As the Sudan–Libya–Europe route became increasingly precarious, desperate refugees, facilitated by smugglers, began to arrive in Israel in large numbers (see Bahlbi, 2016). As Israel also closed its borders, the relationship between refugees and smugglers reached an all-time low, shifting from consensual to deceptive and coercive, as refugees and asylum seekers were either kidnapped or blackmailed by smugglers on their journeys. Smugglers then sold their captives to traffickers, who traded victims for higher ransoms, torturing and sexually abusing them. Soon, the direct kidnapping of refugees from camps in Sudan and Ethiopia became common practice (Bahlbi, 2016; Fisseha, 2015; Simpson, 2014; van Reisen et al., 2012). Constitutively excluded from any form of protection, “Eritrean refugees have become a valuable commodity throughout the North African region” (van Reisen & Mawere, 2017, p. 188).

The isolated Sinai Peninsula became a suitable destination for the exploitation of Eritrean refugees. Sinai, an Egyptian territory situated on the Asian continent, is located between the Mediterranean and Red Seas. It is inhabited by native Bedouins and has a long history of tourism and desert recreation. After 2009, however, it became a deadly desert for

refugees. From 2009 to 2013, “25,000—30,000” refugees were believed to have been trafficked to the Sinai desert (van Reisen et al., 2013, p. 64). It is estimated that 25% to 50% of the victims died from extreme torture (see van Reisen et al., 2013, pp. 62–63). Between 15,000 and 25,000 victims have survived the tragedy (van Reisen & Mawere, 2017, p. 274).

One widely held narrative is that the Sinai victims of trafficking were recruited by armed criminals from the Rashaida tribe in Eritrea and Sudan and enslaved by Bedouins in Sinai. This narrative, which features the Rashaida and Bedouins as the drivers of the Sinai trafficking, overlooks the multiple actors involved in the complex trafficking chain. In fact, the Rashaida and the Bedouins are forgotten minorities. The Rashaida lead an unstable life, both in Eritrea and Sudan. They depend on cross-border illicit trade for their survival.

The Bedouins of Egypt are marginalized people. Fisseha (2015) notes that “The conditions for the Bedouin tribes that perpetrated the crimes were little better [than that of the refugees] ... over half of the Bedouin tribes were living in poverty” (p. 10). These minority tribes were left with no other means of survival but the trafficking of people, drugs, and weapons. Their people were adrift from political life, often exercising insignificant citizenship rights. However, the threshold at which these marginalized tribes ceased to become politically significant was ambiguous. They had slipped between the “illegitimate” and the “legitimate”—a kind of no man’s land orchestrated by rogue state powers, in which the justice system no longer existed.

The distinction between refugees and the minority tribes is in the balance of power between them. Unlike the refugees, who lost everything in their struggle for safety, the Rashaida and Bedouins benefited from organized smuggling and trafficking. Operating at the “threshold of the law” (Salter, 2008), the minority tribes began to exploit the refugees for their survival. In doing so, they colluded with facilitators among the local people, refugees, border guards, security police, financial institutions, humanitarian workers in refugee camps,

and many isolated nomads who nourished trafficking (van Reisen et al., 2012; van Reisen & Mawere, 2017). They worked with military commanders from Eritrea, Sudan, and Egypt in the recruitment and transfer of refugees (Simpson, 2014; van Reisen et al., 2012; van Reisen & Mawere, 2017). Simpson (2014, pp. 42-43) notes:

Sudanese traffickers handed victims over to members of Egyptian military or police, who then transferred them to Egyptian traffickers; at the Suez Canal [...] Egyptian policemen [...] allowed trucks filled with trafficking victims to cross the canal's only bridge for vehicles; at traffickers' houses [...] Egyptian military personnel intercepted escaped trafficking victims and returned them to traffickers; and the Israeli border [...] Egyptian soldiers met with traffickers who had released their victims and helped the victims cross the border,

Simpson (2014, p. 28) adds:

In 13 of the cases documented or reviewed by Human Rights Watch, the Eritreans said that Sudanese police detained them in 2011 or 2012 and then handed them over to traffickers. Eight of them said that the handover to the traffickers happened inside or just outside a police station in Kassala town.

Sinai trafficking is a tragic story of refugees who lost their humanity and the rights that come with it. Van Reisen (2014) described refugee trafficking as “crimes against life itself” (p. 281), with Fisseha (2015) similarly suggesting that it constituted elements of “crimes against humanity,” “genocide,” and “war crimes.” The argumentation of this paper is informed by Agamben’s (1995, 1998) theorization of “bare life,” Foucault’s (2020) notion of “carceral system,” and Arendt’s (2017) conceptualization of the “right to have rights.” I propose, alongside Agamben, that Sinai victims were not only relegated to a destitute status but also banished into a realm of active and unpunished violence.

Equally relevant to this argument is Foucault's (2020) discussion of the “carceral system”



and how it relates to Mbembe's (2019) “necropolitics”—the politics of death. Arendt adds a human rights element to both Foucault’s and Agamben’s arguments. In short, these concepts and theories allow this paper to go beyond the human rights approach to critically examine the multifaceted relations and mutations of the “carceral system” in perpetuating impunity and rightlessness.

## **Methodology**

### *Procedures*

Having previously worked for the UNHCR and other local Egyptian organizations, I had an extensive network of active community members as well as staff working for the humanitarian organizations. These networks enabled me to recruit interviewees through their local connections. On arrival in Cairo, I volunteered at the Eritrean refugee community center and recruited ten interviewees, most of whom were service users at the center. The community center organized various social, sporting, and learning events for Eritrean refugees in Cairo. In addition, I visited another local organization called St. Andrew’s Refugee Services (StARS). I worked at StARS previously, so I knew many of the staff and volunteers. I recruited nine interviewees: two StARS volunteers and seven StARS service users.

In total, I conducted semi-structured interviews with nineteen Sinai trafficking survivors between May and July of 2017; interviewees were asked open-ended questions. These face-to-face interviews lasted between 45 minutes and 90 minutes. The interviews were all recorded on an encrypted external hard disk. They were conducted at either the Eritrean refugee community center or the StARS venue. Over half of the interviewees (eleven interviewees) were either former survivors of detention or national service draftees in Eritrea.

## *Data*

This paper draws data both from primary and secondary sources. Among the survivors of Sinai trafficking interviewed for this research were young men and women, single mothers, single fathers, and formerly unaccompanied refugee children. The interviewees were between 21 and 59 years old, with over half of them younger than 35. Among the interviewees were two single mothers, each with two children, and a single father with one child.

The article focuses on Eritrean survivors of Sinai trafficking for two reasons. Many of the victims of Sinai trafficking (about 95%) are Eritreans, with the remaining 5% coming from Somalia, Ethiopia, and Sudan (van Reisen et al., 2012, p. 1). Second, it was extremely difficult to access informants from other communities; there is little data available about them. Similarly, due to the political sensitivity of the topic and the exceptional vulnerability of some survivors, no interviews were conducted with children or detainees. Involving participants who were traffickers or smugglers was impossible because it might have compromised my safety as a trafficking survivor.

I synthesized the primary data with data from previous research, mainstream media products, and other reports. The bulk of the existing literature on Sinai trafficking is produced by academic activists (e.g., Fisseha, 2015; Mekonnen & Estefanos, 2011; van Reisen et al., 2012, 2013), human rights organizations (e.g., HRW, UNHCR), and media reports (e.g., CNN). This existing knowledge of Sinai trafficking focuses on establishing proof of human rights violations and producing reports. During the field study, I was reminded that survivor accounts were being used by journalists and human rights activists without any effect on their lives.

The survivors' acute awareness of the impunity with which the trafficking of refugees was treated and their skepticism informed this research inquiry. The research approach and

theoretical framework of this paper reflect the survivors' calls for a rethinking of Sinai trafficking. At the center of its inquiry is the status of the pained bodies in modern political life. This paper investigates the impunity with which the horrific crime of the Sinai trafficking was perpetrated.

### *Data Analysis*

For analysis, I began with Srivastava and Hopwood's (2009, p. 79) "iterative framework" to examine the "dialectical relationship" between the data and the research inquiry. Like Srivastava and Hopwood, I started the analysis process by examining what the interviewees' accounts said, what I wanted to know, and the dialectics between the two. After thoroughly engaging with the interviewees' accounts, existing literature, and various reports, I relied on a thematic analysis to situate the findings in broader literature and theoretical frameworks. I chose to focus on two overlooked features of the Sinai trafficking: the impunity with which the refugee trafficking was committed and the status of such a group of people in modern political life. I also shed light on the visceral pain the refugees have gone through in the "torture camps" in Sinai and during their perilous journeys.

### *Ethics*

From the outset, research ethics and reflexivity have been critical aspects of the design of this research. As an insider with field research and professional experience, I approached the interviewees with service-oriented skills, fieldwork experience, and ethical understanding. In my previous work in Egypt, I processed hundreds of testimonies from Sinai trafficking survivors between January 2013 and October 2015. Thus, I was aware of the potential risks involved in conducting research with the survivors and the best practices to mitigate such risks.

I took all the necessary ethical precautions to ensure confidentiality and safeguard the rights of interviewees before I began gathering data. These included, but not limited to, conducting vulnerability and risk assessments in line with the standard operating procedures of the organizations whose venues I used for interviews. In addition, I adhered to “procedural ethics” (Guillemin & Gillam, 2004) (e.g., university research integrity and ethics guidelines) and vulnerability and risk assessment protocols of the organizations that the interviewees relied on. In practice, the organizational protocols exceed procedural ethics, particularly when obtaining informed consent and interviewing the survivors. Personal details, participant names, and any potentially identifiable information have been censored.

## **Results**

### ***Abduction and Kidnapping***

Fourteen of the 19 (74%) survivors interviewed for this research described their former traffickers linked with Sudanese and Egyptian border security guards. Their accounts were consistent with the large number of survivor testimonies chronicled by human rights organizations and literature reviewed for this research. The survivors explained that Sudanese border security officers arrested them and handed them over to Rashaida, who then “sold” them to Bedouins in Egypt. Sergel, for example, recalled:

I was arrested near the city of Kassala by Sudanese police and they transferred me to Rashaida. After two weeks of driving us through a desert, the Rashaida sold me to an Egyptian trafficker who took me to the Sinai where I was tortured for ten months... I saw the Egyptian trafficker, who tortured me for ten months and killed two of my cousins, driving a very nice car in downtown [Cairo]. When I reported it to the UNHCR, they could do nothing... The UNHCR officer told me to change my address and phone number... When I tried to report it to the

police, a police officer advised me that I could be deported to Eritrea if I talked about the trafficker. He [the police officer] said the trafficker is linked with powerful government workers... I never returned to the police station again.

Without a doubt, border and security guards, military commanders, and police were involved in Sinai trafficking as intermediaries between the traffickers and the violent sovereign power. They operated at the threshold of state power, in a no man's land where incessant violence and torture became the norm. These rogue powers acted as an impetus for trafficking and as a shield for the criminals. From this point of view, the exploitation of refugees in an illicit business model was rooted in the violent power relations between the state actors and the traffickers. The refugees were caught in a critical juncture between the sovereign power, whose prime concern was to exclude them, and the traffickers, whose sole agenda was to maximize exploitation.

The source, transit, and destination states not only deny the involvement of state actors in the trafficking but also refuse to recognize the plight of refugees in Sinai. For example, when the COI attempted to investigate the crime of refugee trafficking in Sinai, the Egyptian government refused to issue a visa for the UN Special Rapporteur (Fisseha, 2015, p. 17). The country maintained its denial of the occurrence of such crimes. Denial by the origin and transit countries involved, and the silence of the rest of the world, meant that the enslavement of Sinai victims remained an issue that has vanished from view. Set apart from any form of legitimate status, the refugees were forced to succumb to the ruthless, illicit business of human trafficking.

Another uniquely poignant feature of Sinai trafficking is the kidnapping of refugees from refugee camps. Refugee camps in Eastern Sudan and Ethiopia have become bases for refugee recruitment into trafficking. For example, interviews recorded by van Reizen et al. (2012) show how refugee camps in Sudan and Ethiopia became breeding grounds for

traffickers and insecure destinations for refugees. Moreover, two informants interviewed for this study confirmed that they were kidnapped from the Shagarab refugee camp in Eastern Sudan and claimed that the camp's security guards were involved in their abduction.

The irony of the camps providing refuge in the transit countries is that they exposed those contained within them to greater threats. Refugees were kidnapped from these spaces where they were supposed to be protected, causing asylum-seekers to doubt the sincerity of the security guards. This created long-term anxiety, ambiguity, and uncertainty for the refugees. The ultimate function of the camps and the humanitarian organizations has been containing the refugees in isolated spaces outside of the political community. By isolating the refugees in camps, humanitarian organizations “maintain a secret solidarity with the very powers they ought to fight” (Agamben, 1998, p. 78). The clandestine activities in the refugee camps deeply reflect the inhumanity within humanitarian and international organizations.

The recruitment of refugees into Sinai trafficking is not a crime solely committed by human traffickers. As shown, refugees were recruited for the trafficking by state and non-state actors from source, transit, and destination countries. Facilitated by communication technologies, these actors were interconnected in a chain of violent power relations. As van Reisen and Mawere (2017) persuasively argue:

The modus operandi are facilitated by information communication technologies (ICTs): ransoms and other financial transactions are negotiated with relatives over the phone who contribute to the release and support of the refugees through mobile money transfers, while trafficking networks make extensive use of ICTs to coordinate logistics as well as global financial transactions (p. 4).

“The trafficking networks,” add van Reisen and Mawere (2017), “operate at the global level, making maximum use of the flexibility that ICTs provide in managing and overseeing their operations” (p. 12). Thus, Sinai trafficking thrived in a chain of intricate relations that

included locals, refugees, and powerful state and non-state actors. This suggests structural and systematic neglect at national and international levels.

### ***Treatment of Hostages in “Torture Camps”***

Yemane, a 21-year-old survivor of the Sinai tragedy, was born in a small village in Eritrea. He started schooling at an early age and completed primary education at the age of 15. Unfortunately, he could not continue beyond primary school because of family problems. A year after dropping out of school, Yemane was called for national service by his local government. Yemane, however, did not want to join the open-ended national service. Instead, he fled Eritrea to Sudan. Unfortunately, Yemane was kidnapped by Rashaida traffickers in Eastern Sudan immediately after crossing the border. He was blackmailed in a chain of trafficking before he ended up in Sinai. There, Yemane was put in a *Mekhzen* (“torture camp”) with nine other hostages. “Torture camp” refers to privately owned buildings used by traffickers for the forcible extortion of ransom. In an interview conducted with him, Yemane described his experiences in the torture camp as follows:

I was shackled – my legs and hands were bound by metal chains along with nine others. The traffickers [...] put us naked and began torturing us by pouring melted plastic on our bodies. Although we cried and begged our families to pay [the ransom], none of our families could pay. Within seven months, all nine victims died. I broke my legs and hands but did not die. Finally, my family and relatives contributed \$18,000 to release me from the hell.

Yemane could not understand how the world could forget about him and his friends who perished. He believes that the world has become unsafe, greedy, and enormously unaccountable.

Yemane’s story is the story of many of the survivors of the Sinai trafficking. Sergel, Feruz, Tesfe, Alem, Yonas, Desiet, and Adel are among the survivors of trafficking I spoke

to during my fieldwork. They all described the same stories of torture, death, and extortion of ransom. They were all tortured with wooden and metal sticks, burned with melted plastic, shocked with electricity, hung upside down, maimed with knives, and raped, both in groups and individually. They saw their friends being tortured to death in front of them. Each of their families paid a ransom ranging between \$15,000 and \$40,000.

The Sinai traffickers' treatment of pregnant women, new-born children, and dead bodies was equally despicable. In the torture camps, children of victims were born with ransom tags, and the families of murdered victims were tricked into paying ransoms. Most of the children born in the "torture camps" were the result of rape by the traffickers, although there were some children born from pre-trafficking pregnancies (van Reisen et al., 2012; van Reisen, 2014). Desiet is a survivor of the Sinai trafficking. She described the horrific death of her friend, Bethlehem, as follows:

A trafficker raped [Bethlehem] several times and she became pregnant. Her family could not pay the ransom [...] because her ransom was doubled after she became pregnant [...] and her family did not have it. The Bedouins tortured [Bethlehem] every day to extort double ransom [...] She died pregnant, but the traffickers deceived her family to collect the ransom.

Women and children were held hostage on the brink of death. Pregnant women tragically died in ways described by Desiet. Unborn children were treated as sources of bonus ransoms, while the families of those who died had to pay a ransom.

Moreover, women who were released by the traffickers while pregnant suffered from additional challenges in their host society and had to make tough decisions to end their pregnancies. An Israel-based NGO, Physicians for Human Rights, facilitated 165 pregnancy terminations for survivors of Sinai trafficking "between November 2010 and March 2011"



(Mekonnen & Estefanos, 2011, p. 15). According to research by the NGO, the survivors reported sexual abuse and physical assault during the trafficking.

It is also reported that some hostages might have had their organs harvested for a lucrative benefit to the torturers. The issue of organ trade, however, has yet to be fully investigated. When I asked the survivors interviewed for this research about the prevalence of organ trafficking, their response was that they had “heard” about it. Some of them even suggested that organ trafficking was widely used in Sinai trafficking as a “tactic of intimidation” for extortion of ransom. While the scope of this paper is limited, the prevalence or non-prevalence of organ trafficking and its operational mechanisms merit further research.

The primary incentive behind the Sinai trafficking was ransom extortion. Although it varied from one group of traffickers to another, ransoms were estimated to range from \$30,000 to \$50,000 in 2012 (van Reisen et al., 2012, p. 39). The more the victims were transferred between traffickers in the chain, the greater the ransom became. All captives—children, women, men, unborn children, and those who died from torture—were expected to pay ransoms. According to van Reisen and Mawere (2017), “the most conservative estimate of the total value of the human trafficking in trade in Eritreans is over USD 1 billion” (p. 189).

Once collected, ransoms were paid in refugee-producing countries such as Eritrea and Ethiopia. Transit and destination countries, such as Sudan, Egypt, and Israel, also served as sites of illicit investment. Moreover, van Reisen et al. (2012) cite a UN Monitoring Group who reported that ransoms had been deposited in a Swiss bank account and that the bank’s authorities had been informed. In general, these illicit business networks were widely distributed, reaching both state and non-state actors in Africa, Europe, and Asia.

### ***The Border and Beyond***

Sinai was used by the traffickers and their collaborators as a buffer zone for the

enslavement of rightless refugees. This lawless buffer zone maintained its strategic relevance to the destination states by containing the “othered” refugees outside of the realm of any political sphere. The very moment the survivors appeared in a sovereign space was the moment the destination states called for their removal. They erected regimes of bordering, detention, and deportation. By the time the Sinai hostages were freed, they were confronted by the borders of the host states. Immediately after release, the survivors found themselves between the wired border of Israel and the Sinai desert (van Reisen et al., 2012, p. 73). Their appearance at the border provoked the governments of Egypt and Israel to immediately reify their borders and single out the survivors for incarceration and elimination (see van Reisen & Mawere, 2017). Stripped of protection, some survivors were met with bullets at the border. Between 2007 and 2010, at least 85 survivors were killed by Egyptian border security guards (Simpson, 2014, p. 68). The shooting continued for several years, and the murder of the survivors was normalized.

Despite violence at the physical borders, many of the survivors managed to cross either to Israel or Egypt with help from human smugglers. For the survivors, however, crossing the physical borders was not the only challenge. They were stuck in asylum regimes of the countries or subjected to arbitrary detention and deportation. In 2009, for example, Israel assumed the mandate of determining the status of refugees from UNHCR but ‘not a single Eritrean has been granted asylum since then’ (Connell, 2013, p. 37). In January 2012, the country amended the 1954 Prevention of Infiltration Law, introducing the term “infiltrators” to describe irregular migrants (van Reisen et al., 2012, pp. 74–75). This law was originally “associated with Palestinian refugees who were driven or fled from their villages during the 1948 Arab – Israeli War and later found themselves on the other side of a hostile border” (van Reisen & Borgman, 2014, p. 204). The newly amended law, however, included in the category of infiltrators “desperate refugees from Eritrea and Sudan in Tel Aviv, fleeing

desolate situations back home and hoping to find a save heaven” (van Reisen and Borgman, 2014, p. 210). Outlawed by the new law, the survivors were denied asylum rights and put in arbitrary detention, only to face deportation and endure another cycle of imprisonment in their home countries.

The survivors who met their flight costs and were admitted by Ethiopian authorities were transferred to Ethiopia. On their arrival in Ethiopia, the survivors had to seek asylum in the country’s refugee camps. Feven, one of the survivors transferred to Ethiopia, described her experience as follows:

For the last six years, I have been moving from one detention to another. First, I was in prison in Eritrea for evading national service and then kidnapped by traffickers. Then, I was arrested by Egyptian police right after I was released from Sinai and put in Qanatir [prison in Egypt] for two years... I am now in Ethiopia going between a refugee camp and a nearby town. I feel I was born to live in prison... I wish I would die in dignity.

Feven was not the only survivor trapped in the continuum of incarceration. Many other survivors have remained in camps, detention facilities, or shantytowns for a prolonged time. They end one cycle of detention and begin another.

### ***Seeking Asylum and Durable Solutions***

The survivors lost their humanity while in torture camps or in encounters with the sovereign, but their dignity also continued to be degraded while securing refugee status from the UNHCR. Upon their arrival in Cairo, often entering the mainland from Sinai with the help of smugglers, the survivors had to exhibit victimhood. The International Organization for Migration (IOM) needed to recognize the survivors as victims of trafficking (VOTs) for fast-tracked registration with the UNHCR. Often, survivors who narrated tragic testimonies and showed their bruised bodies were granted VOT status. The recognition from IOM was essential for the survivors to secure basic services, such as medical treatment and financial

help.

Once their immediate needs were met and registration with the UNHCR was complete, the VOTs had to wait for several months or more than a year for a Refugee Status Determination (RSD) interview. During the RSD interview, UNHCR eligibility officers produced testimonies for legal status determination by intensively questioning the survivors (Egypt UHNCR Regional Representation, 2013, p. 42). The interviews explored detailed personal stories, and the survivors were expected to exhibit victimhood. The informants for this paper recalled how they were thoroughly questioned about their entire life story, including the traumatic experiences in Sinai. Sara, a young woman from Eritrea, lamented:

I was interviewed four times before my case was referred to a third country for resettlement: IOM interview, yellow card interview [registration interview], blue card interview [RSD interview], and UNHCR resettlement interview [...] They ask you like how many times you were raped and how many people raped you. Why? Why every time?

While making asylum claims, the survivors' subjectivity—initially produced through notorious trafficking—was shaped by the UNHCR's RSD process. To process and decide asylum claims, as Sara noted, the UNHCR conducted a series of interviews focusing on individual narratives and experiences. This confessional process depended on asylum seekers' stories, tears, and bruises to grant them refugee status. They were required to construct and produce a passive and vulnerable subjectivity, regardless of any legal benefits involved. It functioned to translate their suffering into asylum claims and refugee status. In the case of the Sinai victims, the asylum process failed to ensure the dignity of the survivors and remained silent about the horrific treatment the survivors faced in Sinai. Questions of justice and redress by the survivors were banished in the UNHCR's archives.

Survivors who were granted refugee status and referred for resettlement faced a continuing process of indignation and bureaucratization. Testimonial extraction from the

survivors continued by the relocating countries if they secured a spot for relocation. After a referral for resettlement was made, the survivors still had to pass successive interviews, security checks, medical examinations, and biosecuritization of their bodies. Tesfa is a former VOT, and she described her experience of the resettlement process to the UK as follows:

Not only my body but also my soul felt the pain of standing naked in front of a male doctor who, for preparing a medical report [for a third country], vigilantly checked every bruise on my body from toe to head. I felt the same when the traffickers, who tattooed the bruises in my body, put me naked... and burnt me with a cigarette butt.

Tesfa's experience of the resettlement process indicates radical erosion of the survivors' human dignity. In the process of negotiating durable solutions, the survivors were, at worst, subjected to further dehumanizing treatment or, at best, reminded of their enslavement in Sinai.

Following an exhaustive resettlement process, Sinai survivors hoped to start a new and dignified life. However, they struggled to overcome their past traumatic experiences and the challenges of living in a new society. They also faced the burden of helping those who helped them survive trafficking. After their release, they felt such a duty to care for their families who had lost everything they had to rescue them. Mustafa, for example, described his circumstances as follows:

I still have silent wounds that nobody knows but me and my mum. My cousin contributed \$10,000 for my ransom, which she saved working five years in a cleaning job. Recently, her young brother was kidnapped by traffickers in Sudan... and the traffickers demanded \$8,000. It was my turn to pay and I did so... I do not have money now... My mum is homeless [in Eritrea].

Mustafa struggled to choose between saving two lives: his mother, who paid everything for

him, and his young cousin, who needed rescue. In fact, Mustafa's circumstance was not exceptional. Many Sinai victims, including three of Mustafa's former friends, had died, and their parents were deceived into paying a ransom. Some others allegedly lost their organs, and others, their pregnancies. All of them lost their humanity, dignity, rights, and life goals.

## **Discussion**

### ***The "Carceral System" and the "Necropolitics" of Refugee Trafficking***

Towards the end of his prominent work, *Discipline and Punish*, Foucault introduces the concept of the "carceral system" to examine the operation of the modern prison and its failures. The carceral system, Foucault (2020) describes, is "a whole series of institutions which [go] well beyond the frontiers of criminal law [and] constituted what one might call the carceral archipelago" (p. 297). According to Foucault, the carceral system brings together innumerable institutions of discipline, regimes of punishment, and power relations. Foucault asserts that the prison, with its function, reforms, and failures anchored in the sovereign biopolitics and diffused into society, is at the heart of the carceral system. For him, the prison is not an isolated building but, rather, an integral part of a carceral system that punishes and disciplines societies.

The purpose of the prison, according to Foucault, is to produce "delinquency"—a concept that tends to replace "detainee" in Foucault's analysis. In Foucault's (2020) terms, "delinquency" is "a specific type, a politically or economically less dangerous—and, on occasion, usable—form of illegality" (p. 277). The purpose of the carceral system is "to isolate, organize, and penetrate" delinquents (Friberg, 2010, p. 3). It sets apart delinquents from the rest of the society so that they can be easily disciplined, controlled, and monitored. Isolated from the social milieu, the delinquent "experiences a fundamental disconnect with societal norms and behaviors" (Friberg, 2010, p. 4). Thus, the delinquent rotates in a cycle of

unending illegality and constant recidivism. Interestingly, the violence against such persons—marginalized, illegalized, and clearly identified persons—is strategically hidden from view.

Foucault's concept of the carceral system that produces delinquency offers a framework for understanding the trafficking of refugees in Sinai. The application of this framework in Sinai trafficking, however, requires examining two biopolitical questions: the status of refugees in political life and the link between the torture camp regulated by the traffickers and the carceral system. To unpack these questions, I refer to Arendt's notion of the "right to have rights" and Agamben's "state of exception" that is inhabited by "bare life."

According to Arendt (2017), stateless and involuntarily displaced people suffer from triple losses: loss of home, loss of community, and "loss of government protection" (p. 384). Explaining these triple losses, Arendt eloquently articulates:

Once they had left their homeland, they remained homeless; once they had left their state, they become stateless; once they had been deprived of their human rights, they were rightless, the scum of the earth. (p. 349)

Obviously, Arendt's argument is grounded in the historical contexts of the holocaust and involuntary displacement caused by World War II. Regardless of time and context, however, her discussion of the treatment of forcibly displaced immigrants, their rights, and their status in modern political life brings forth a perspective relevant to the current refugees' circumstances. Her argument resonates with the suffering of multiple generations of Palestinians, decades-long involuntary displacement of Eritreans, and the recent displacement of Syrian refugees.

Arendt's seminal ideas and her assumptions have been subjected to intense scrutiny by philosophers, political theorists, and migration scholars. Philosopher and political theorist Giorgio Agamben offers a nuanced examination of the precarious status of the refugee in

modern biopolitical life. Agamben agrees with Arendt's argument that the so-called "inalienable" characteristics of human rights crumble for the refugee because the refugee is excepted from political life. Noting that the refugee breaks the distinction "between man and citizen," Agamben (1995) argues, "When the rights of man are no longer the rights of the citizen, then he is truly *sacred*, in the sense that this term had in archaic Roman law: destined to die" (p. 117). This *sacred* life—a form of life that can be killed with impunity—represents the "bare life" in Agamben's political theory. For him, the refugee has no access to political life and is thus *sacred*. Once involuntarily displaced from the homeland and inescapably omitted from making a home elsewhere, as Arendt explains, the refugee remains not only homeless but also rightless. Put differently, refugees are relegated to a form of life upon which any act committed against them can no longer be considered a crime. Sinai trafficking victims were caught within such a biopolitical system.

The second point that needs to be made is the link between the torture camp and Foucault's carceral system. As described above, the torture camps were places where the refugees were tortured, burned, raped, dismembered, and annihilated with impunity. As Mbembe (2019) would argue, the torture camps are the necropolitical spaces in which the distinction between life and death disappears, and impunity becomes the norm. As shown, the rogue powers from the state and non-state actors colluded to maintain the realm of indistinction between life and death in which the refugees were subjected to uncompromising brutality. Upon release, victims were exposed to an unending cycle of imprisonment, forced removal, and death at the borders (see van Reisen & Mawere, 2017, pp. 72–76).

Hidden from view in the deserts of Sinai, the torture camps appear uninhabitable. The hidden paradox is that these spaces, devoid of law, represent a complex *mutation* of Foucault's (2020) "carceral archipelago" (p. 297). They were placed neither outside state jurisdiction nor the criminal system but at the "threshold of the law"—the border (Salter,



2008, p. 336). Constitutively excluded from the penal system, the torture camps constituted the “sovereign sphere” that is, according to Agamben (1998), “the sphere in which it is permitted to kill without committing homicide and without celebrating a sacrifice” (p. 53). As such, they typified mutations of the carceral system.

The annihilation of the refugees in necropolitical spaces flourished in the shadows cast by the sovereign’s exclusive, obscure biopolitics. The tragedy of the hostages was invisible until Egyptian Channel 25 began to broadcast notorious scenes of torture after the local public reacted angrily towards the people involved (Mekonnen and Estefanos, 2011, p. 15). Following Channel 25’s efforts, CNN broadcast *Death in the Desert*, which revealed the barbaric treatment of Sinai hostages (Pleitgen & Fahmy, 2011). Gradually, human rights activists, advocates, journalists, families, relatives of victims, and local organizations publicized the refugees’ plight.

Activism and advocacy were challenged by the host states’ lack of political will to guarantee minimum levels of protection for refugees. Neither Egypt (where the tragedy occurred) nor Eritrea and Sudan (source and transit countries) made the necessary attempts to stop trafficking (Fisseha, 2015; van Reisen et al., 2012). Instead, these states allowed human smugglers and traffickers to cross their borders with little difficulty to recruit, transport, and enslave refugees on the one hand and exclude them from entering their political space on the other (Bahlbi, 2016; Simpson, 2014).

Therefore, the complex necropolitical spectacle of Sinai trafficking was engineered in the obscure absence of state protection. The refugees, set apart from the rest of society and lacking legal protection, were placed in unremitting sequences of incarceration in these necropolitical spaces. They were either commodified and bargained for by “higher bidder” traffickers who sought to maximize profits (Bahlbi, 2016, p. 218) or “murdered as examples” for lacking value (van Reisen et al., 2012, p. 63). Once taken hostage, the refugees effectively

lost everything. They lost their sense of humanity because they were commodified in an illicit business. They lost control of their bodies because they were owned by the traffickers and their collaborators. They lost their dignity because they were treated as less than human. As hostages held in spaces devoid of law, the refugees represent the naked form of life that Agamben distinguishes from the political.

### ***Back from the Brink of Death and Beyond***

The plight of the trafficked refugees did not end after surviving trafficking. Instead, they continued to suffer in Foucault's "carceral continuum" that stretches from border interstices and deportation regimes to the bureaucratization of care and compassion by humanitarian organizations (Betts et al., 2011). As Arendt (2017) reminds us, once they are identified and singled out as "the scum of the earth" by the sovereign, they remain "the scum of the earth" everywhere (p. 349). Following Arendt's line of argument, I employ Agamben's "state of exception" to investigate the fates of survivors beyond the necropolitical spaces in Sinai.

Sinai trafficking is a complex and tragic story in which innocent refugees were reduced to "objects" of exploitation. Fisseha (2015) notes that the Sinai trafficking involved elements of "crimes against humanity," "genocide," and "war crimes." Similarly, van Reizen (2014) describes the tragedy as "a crime against life itself" (p. 281). Though these descriptions might seem overstated, what is indisputable about Sinai trafficking is that refugees were robbed of their dignity, rights, and humanity. Even more striking is the fact that it was committed with complete impunity. Neither the traffickers who exploited the refugees nor the states that were involved in the trafficking or failed to protect the refugees were held accountable for these crimes (Fisseha, 2015; van Reizen et al., 2012). This systemic failure and the attitude of denial, as Agamben would argue, are linked to the

depoliticization of refugees' lives. Singled out as a naked form of life and outside of the reach of the law, I argue that Sinai hostages were banished to a realm of active, unrelenting, and egregious violence with impunity.

### **Limitations**

This paper has two potential limitations which should be noted. First, as argued, Sinai trafficking was a complex human tragedy that involved various state and non-state participants. This paper does not provide primary evidence from all of them, instead it places strong focus on survivor testimonies for primary data. Gathering primary data from human traffickers, humanitarian organizations, and border security agencies of the origin, transit, and destination countries might provide a broader picture of this complex problem. For example, the survivor testimonies shrouded in secrecy in UNHCR and IOM archives might reveal a larger data set. Despite repeated attempts, I did not succeed in accessing information from these organizations. This access to information limitation was mitigated by designing an integrated data set and performing a theoretical analysis of the data from primary and secondary sources on focused themes: the status of these refugees in modern political life, and the impunity with which the crime of trafficking was inflicted upon them. As Tyldum (2010) perceptively points out, the best empirical and theoretical understanding of regionally and temporally defined trafficking crimes can be achieved “only when we have produced a number of thematically focused, local studies on clearly defined populations...and look for overreaching patterns and regional, or even local trends” (p. 11). Thus, this shortcoming did not prevent examination of the impunity and the status of the refugees in modern political life.

Second, among the interviewees' key demands were the assignment of responsibility, and justice for the lives lost as well as the physical injuries and trauma suffered. In an

interview conducted in July 2017, Yonas, a former political science graduate in Eritrea and a survivor of the Sinai trafficking, stated:

You know, our situation is not merely about human rights, nor is it about media coverage. We have been forgotten as human beings; our humanity is obfuscated. We are tortured, raped and burned like poisonous snakes. And all these are happening with impunity. We need justice. We need our humanity back. Period.

This was especially true for the majority of the survivors interviewed for this study.

Therefore, feedback from the interviewees was that the study was limited in its ability to make a real difference in their lives. However, assigning responsibility and seeking justice are beyond the scope of this paper. These require further investigative research.

## **Conclusion**

Sinai trafficking is a tragedy borne not by accident but by an exclusive politicization of life that produces lives deemed unworthy of protection. In this article, I explored the link between the survivors' status in modern politicized life and trafficking crimes committed against them. I have argued, alongside Arendt and Agamben, that the greatest loss the Sinai victims suffered was a lack of state protection. Once removed from any legal definition and sovereign protection, refugees were confined to a realm of active, unrelenting, and egregious violence for the ransom extortion. They were initially enslaved in a lucrative illicit business regulated by organized criminals and, then, by the sovereign's carceral regimes. Placed in carceral spaces, they lost their human dignity and security. They were dehumanized not only in the torture camps, at the borders, and in detention centers but also in the vetting bureaucracy deployed while granting refugee status and relocation.

Most survivors may have since been resettled in countries such as the United States, United Kingdom, Canada, Australia, and Scandinavian countries. Some are still stranded in

transit countries, such as Ethiopia and Egypt. Once uprooted, the survivors continue to be persecuted in their new destinations, and their right to a dignified life remains uncertain. As Isayev (2018, p. 9) states, “the dimension of physical placidness became part of the difficulty in accessing human rights.” Put differently, physical protection granted on humanitarian grounds has not been proceeded with “membership privileges of the [host] community” (Isayev, 2018, p. 9). Instead, the survivors are relegated to apolitical life in the ways Agamben describes. Likewise, as Mustafa noted, many of the survivors continue to deal with the traumatic experience they have been through and the burden of caring for their families and friends who have lost everything trying to rescue them.

Another poignant feature of Sinai trafficking highlighted in this article is the impunity with which the tragedy was subsequently treated. The survivors’ testimonies and demands for justice and redress were either shrouded in secrecy within the UNHCR’s archives or unheeded in their new destination states. To use Kramer's (2017) expression, the voice and harrowing testimonies of the survivors continue to remain “shards of radical potential buried in the sedimentation of the political present” (p. 12). If questions of redress were to come to the fore, an independent and comprehensive investigation would be necessary. For such an investigation to take place, however, “a political will that recognises their socio-cultural intelligibility” (Yohannes, 2020, p. 215), and their demands for justice would be essential. Also, any inquiry into complicity must include tracing the violent power relations that radiated from the state actors that allowed the traffickers to operate with impunity. Doing so would require participatory and collaborative engagement with the survivors that protects their human dignity and allows their voices to be heard. This, I think, requires collaborative and investigative research.

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