



Habitat International Coalition

Urgent Action

Forced Eviction and Excessive Force in Egypt **Egyptian Center for Civil and Legislative Reform**

With contributions from other Egyptian NGOs in the field of housing rights

At 06:00 on Tuesday morning, 25 August 2015, a demolition force from al-Duqqi District, Giza Governorate, combined with police forces dispatched by the Egyptian Ministry of Interior used bulldozers, tear gas and the threat of live ammunition forcibly to evict 95 families and demolish their shack dwellings located at al-Sudan Street. The combined Giza Governorate and Ministry of Interior attack force carried out a bloody repression of the poor inhabitants who contested their demolition. The unrestrained police used sticks, tear gas, and rubber pullets against the inhabitants, injuring tens of them and causing one woman to miscarry from tear gas inhalation. The events have been covered in the [local press](#) and recorded in photographic evidence (below).

Background

The community was the subject of an upgrading project originally undertaken by the Informal Settlement Development Fund ([ISDF](#)) to resettle inhabitants nearby into serviced flats. The Sudan Street community, established in the 1960s near the railway line on “state land,” formed one of the ISDF “unsafe areas” prioritized for resettlement since the Fund’s 2010 formation. The first phase of the resettlement project was completed in 2013, with the rehousing of 30 families out of an original population of 145 families into 65m² flats in three buildings.

The new Ministry of Urban Renewal and Informal Settlements (MURIS) assumed responsibility for the project since its establishment in June 2014. However, since its beginning, the resettlement project was flawed by a lack of transparency in the enumeration process of assigning rights to replacement housing. More recently, it became the subject of further controversy, resentment and a breakdown of social solidarity among the residents due to the lack of transparency in the enumeration process (determining the eligibility of families for resettlement).

With the recently completed second phase, MURIS conveyed the task of moving al-Sudan Street families to the new housing by way of a protocol dated 2015. The unannounced early morning operation at al-Sudan Street residents served two purposes: (1) selectively removing only 20 pre-selected families to the new location with their belongings and (2) completely destroying all 115 shacks, including the destruction of the shacks of the remaining 95 unselected families with all their belongings, which the governorate personnel then carted off as trash.

Reportedly, the second phase of the housing project provided 75 housing units, but residents have informed that the living space in the new units inexplicably were reduced to 42m² from the 65m² of floor space in the first-phase flats. Simultaneously, the second phase offered 55 of the 75 new flats to unknown outsiders, without transparency or explanation to the al-Sudan Street inhabitants.

Even though the al-Sudan Street families resented the decline in resettlement living space, they recently moved into the flats. That left 95 families behind to face the bulldozers and governorate/police attack force, with ten enumerators and their selective eligibility lists, who brought chaos to the community on the morning of 25 August.

Despite the fact that the resettlement project, with its shortcomings, falls under the mandate of MURIS, the local al-Duqqi District authorities of the Giza Governorate issued the eviction order and coordinated with Ministry of Interior personnel to conduct the punishing forced eviction. That division of labor is the subject of a protocol between the original ISDF and the Giza Governorate predating the establishment of MURIS.¹

Activists in the field of housing rights and much of the concerned public had viewed the establishment of MURIS as a positive step toward solving at least some of the worst symptoms of the housing crisis in Egypt's informal areas through an approach that recognized the rights and dignity of citizens and respected their human-rights. This perception was due especially due to the appointment of Dr. Laila Iskander as minister of MURIS, a respected public servant who served many years in the civil-society sector.

Four days after the brutal Sudan Street eviction, Minister Laila Iskander announced that her ministry had allocated 6 million Egyptian pounds to the Giza Governorate for the ostensible purpose of covering interim rent costs for the now-homeless Sudan Street residents.² However, the true costs, losses and damages to the evicted Sudan Street families are the subject of reparations, including compensation, that have not yet been quantified.

Egyptian Center for Civil and Legislative Reform's team has visited the area and met the evicted people. After collecting information, ECCLR will prepare a petition to submit to the General Prosecution (GP) for criminal investigation. A delegation of the inhabitants came to the Center's office yesterday to sign the petition and, joined by the Center's lawyers, they will submit the petition to the GP's office. The Egyptian Center for Housing Rights (ECHR) also responded quickly to the forced eviction at al-Sudan Street and issued a press release condemning the gross violation with its use of excessive force against the inhabitants, demanding reparation for the victims and an open investigation of the use of force in this case. According to their press release, the ECHR already has submitted a petition to the GP as well, demanding an investigation.

¹ ISDF, "Executive position to develop shacks at al-Sudan Street Duqqi District, Giza Governorate" [Arabic], 25 November 2013, at: http://www.isdf.gov.eg/4Coulmns/03Current/Pro_Cur/Pro_39.htm#sthash.LnKpxMOo.dpuf.

² Mustafa al-Sayyid, "Video...Leila Alexander: Allocation of 6 million pounds to the Giza Governorate for the people of al-Sudan shacks" [Arabic], *al-Yawm al-Sabi* (29 August 2015), at: <http://www.videoyoum7.com/2015/08/29/%D8%A8%D8%A7%D9%84%D9%81%D9%8A%D8%AF%D9%8A%D9%88-%D9%84%D9%8A%D9%84%D9%89-%D8%A5%D8%B3%D9%83%D9%86%D8%AF%D8%B1-%D8%AA%D8%AE%D8%B5%D9%8A%D8%B5-6-%D9%85%D9%84%D9%8A%D9%88%D9%86-%D8%AC%D9%86%D9%8A/>.

Various spheres of successive Egyptian governments have defamed the already disadvantaged inhabitants of the country's informal areas, who are estimated to number no fewer than 16 million people. In turn, mainstream society also has adopted such perceptions, typically calling them thugs and drug dealers, and supporting efforts to get rid of them.

In Egypt, the 16 million Egyptian citizens living in informal areas endure this material and social discrimination due to skewed housing approaches of consecutive governments. Since time immemorial, state plans and programs have neglected the poorest and disproportionately concentrated on building luxury housing for rich people. These approaches typically offer no solution for the poorest and most inadequately housed Egyptians. However, the artificial and debt-generating real-estate boom of recent decades has deepened the material and social divide in Egyptian society.

In the absence of formulating a national housing policy, this indispensable priority of statecraft instead takes the form of cumulative projects and practices that continue to punish the poor. Despite the promise of alternative remedial approaches, the latest developments at al-Sudan Street revive the gratuitous cruelty of past regimes.

Steps Forward, Steps Back

Before the Egyptian Uprising on 25 January 2011, housing-rights activists have reached an understanding with the former regime on a several principles related to the right to adequate housing. Now, we are seeing a derogation of such principles, although "the right of citizens to adequate, safe and healthy housing" was enshrined in the Egyptian Constitution for the first time in 2013 and retained in the 2014 Constitution (Article 78).

In 2013, a group of hopeful civil society organizations, urbanists and human rights organizations in Egypt coalesced around a set of principles and a [constitutional approach](#) to Egypt's priority habitat issues, reflecting international norms and best practices. Despite advocacy efforts, the drafters of the new 2014 Constitution declined to enshrine those concepts. In the absence of a national parliament, even the Constitution's guiding principle of "the right of citizens to adequate, safe and healthy housing" remains an abstraction susceptible to the veto of contrary political will and lingering contempt for the poorest Egyptians.

However, Egypt's current Constitution already provides some specificity in its unprecedented alignment with the international proscription against forced eviction.³ Its Article 63 provides: "All forms and types of arbitrary forced displacement of citizens shall be prohibited and shall be a crime that is not subject to statute of limitations."

Also at the regional level, Egypt has long affirmed its public commitment to the progressive realization of the human right to adequate housing, reinforcing principles of partnership and participation, including through legislative measures. This is the subject of repeated commitments common to all Arab states for at least two decades.⁴

³ See UN Commission on Human Rights which "Affirms that the practice of forced eviction constitutes a gross violation of human rights, in particular the right to adequate housing" and "Urges Governments to undertake immediate measures, at all levels, aimed at eliminating the practice of forced eviction" in resolution 1993/77, "Forced evictions," operative paras. 1 and 2, at: <http://www.hlrn.org/img/documents/ECN4199377%20en.pdf>.

⁴ "Arab Declaration on Sustainable Development for Human Settlements" (Rabat Declaration), 30 September 1995, especially General Principles and Goals 7 and 8, and Commitment 10, at:

The current political circumstances are playing a very important role in housing rights derogation, as mainstream society seems willing to accept human rights violations under the pretext of fighting terrorism and achieving peace and stability. In this environment, anyone who speaks about human rights violations is considered to be a traitor. In addition, the government listens to nobody in formulating and executing its policies, and much worse, there is a step back even at the level of the judiciary system regarding human rights.

Egypt's Human Rights Treaty Obligations

Historically, the United Nations Committee on Economic, Social and Cultural Rights (CESCR) already has addressed Egypt's practice the Egyptian government, through its Concluding Observations. Already in 2000, the Committee noted Egypt's breach of treaty obligations under the International Covenant on Economic, Social and Cultural Rights (ICESCR) by carrying out forced evictions of people from many areas whose population lack adequate housing and secure livelihoods.⁵

After failing to report on its implementation of the treaty for eight years, Egypt finally came under review again in 2013. Then the Committee observed the Arab Republic of Egypt's "inadequate investment...in affordable housing, resulting in a high percentage of the population living in informal settlements [without] adequate infrastructure or facilities." CESCR also registered its concern about widespread forced evictions due to the lack of secure tenure, in beach of the state's obligations under Article 11 of ICESCR.

CESCR called on the state to establish legal definitions compliant with the Covenant for "adequate housing," "informal settlements," and "security of tenure," especially in light of the government's unpopular Egypt 2052 Plan. The Committee also strongly recommended that Egypt "ensure that persons affected by forced evictions have access to an adequate remedy, restitution of their property, and compensation."⁶

As previous Egyptian governments had established a pattern of forced evictions without ensuring reparations or alternative accommodation, the CESCR repeated reminded Egypt's government representatives of their obligations under Article 11 of the Covenant, including with reference to the Committee's General Comment No. 4 on the right to adequate housing, as well as General Comment No. 7 on forced evictions. The CESCR treaty body also has called upon Egypt to develop an appropriate housing policy.

The Center for Civil and Legislative Reform notes further that these violations of the human rights to adequate housing—by omission and commission—deepen the impoverishment of ordinary Egyptians and perpetuate the cycle of severe poverty for citizens who already suffer from deprivation and lack the most-basic rights in practice. These are principal reasons why citizens mounted the 25 January Revolution and demand better living conditions. Of course, the practice of willful neglect, destruction and eviction from housing is

<http://www.hlm.org/img/documents/rabat%20declaration%20en.pdf>; "Manama Declaration on Cities and Human Settlements in the New Millennium," 18 October 2000, para. 10b, at:

<http://www.hlm.org/img/documents/manama%20declaration.pdf>.

⁵ CESCR, "Concluding Observations: Egypt," E/C.12/1/Add.44, 12 May 2000, paras. 23, 31 32 and 37, at:

http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2F1%2FAdd.4&Lang=en.

⁶ CESCR, "Concluding observations on the combined second, third and fourth periodic report of Egypt," E/C.12/EGY/CO/2-4, 29 November 2013, para. 20, at:

http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E/C.12/EGY/CO/2-4&Lang=en.

incompatible with the commitment that the State has made internationally toward the Millennium Development Goal No. 7 of poverty alleviation and the eradication of slums and the commitments that Egypt made at Habitat II, in 1996, to prevent and remedy forced evictions.⁷

What to Do?

The Center will continue its efforts at working with the people affected by housing rights violations through diverse local approaches. However, we, at Center for Civil and Legislative Reform are calling for your help by sending a protest letter to the relevant authorities, demanding their prompt reparation⁸ of the inhabitants, including rehabilitation and investigation into the truth about the use of excessive force against them, and ending the policy of forced eviction.

The Center for Civil and Legislative Reform asks that you join it and all Egyptian housing-rights defenders in deploring the pattern of neglect, marginalization and eviction represented in the case of al-Sudan Street in Giza Governorate. We ask you to join also in demanding an urgent response from the Egyptian authorities to:

- Immediately provide suitable adequate alternative accommodation for all of affected residents of al-Sudan Street eviction as part of their right to reparations;
- Develop an immediate plan to develop al-Sudan Street area in partnership with its current inhabitants, improving facilities and basic services and involving citizens in the urban development process, consistent with General Comment No. 4 of the CESCR.
- Pursue prosecution and accountability of the public servants in all spheres of government, as well as any private actors responsible for ordering or executing the Sudan Street eviction of 25 August 2015.
- Ensure that the officials of both the central and regional spheres of government address residents' concerns and provide the necessary information on all public and private development plans, operations and maintenance consistent with their human rights to information, participation and adequate housing.

Please support this appeal by sending your own letter in support of these demands to the following addresses. You can use the sample letter and addresses listed below.

We would appreciate your notifying the Egyptian Center for Civil and Legislative Reform of your solidarity action with an email copy to: ecrcl.egypt@gmail.com.

View the sample letter following the photos below.

⁷ See Istanbul Declaration, para. 4, at: <https://habitat3.unteamworks.org/file/497879/download/542320>; The Habitat Agenda, paras. 8; 11; 38; 40(l); 61(c)(iv), 61 (d); 115; 119(k) and 204(y), at: <https://habitat3.unteamworks.org/file/497880/download/542322>

⁸ "Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law," A/RES/60/147, 21 March 2006, at: http://www.hlrn.org/img/documents/A_RES_60_147%20remedy%20reparation%20en.pdf.



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The Habitat International Coalition (HIC) is the global network for rights related to habitat. Through solidarity, networking and support for social movements and organizations, HIC struggles for social justice, gender equality, and environmental sustainability, and works in the defense, promotion and realization of human rights related to housing and land in both rural and urban areas. HIC is officially registered in The Netherlands and it has Special Consultative Status with United Nations' Economic and Social Council.

