

Egyptian Center for Housing Rights

Urgent Action Forced Eviction and Excessive Force in Egypt

On Tuesday morning, 25 August 2015, a demolition force from the Giza Governorate combined with police forces and bulldozers demolished the poor shacks located at al-Sudan Street and carried out bloody attacks on the poor inhabitants who contested the demolition. The police used sticks, tear gas, and rubber pullets against the inhabitants, injuring tens of them. The events have been covered in the [local press](#) and recorded in photographic evidence (below).

Most of the families did not receive alternative housing from the governorate. The governorate claimed that it had allocated 75 flats for the families; however, according to the local residents, the total number of affected families is 300. In addition, the 75 flats lack basic services, including water and electricity.

Ironically, such procedures were arranged in cooperation between the Ministry of Interior Affairs and the newly established Ministry of Urban Renewal and Informal Settlements (MURIS). Activists in the field of housing rights, were looking to the establishment of MURIS as a positive step toward solving the problem of informal areas in Egypt through a human-rights approach. This was especially because MURIS is headed by Dr. Laila Iskander, who has served many years in the civil society sector.

Egyptian Center for Housing Rights' fact-finding mission visited the area and met the people. After collecting information, the Center prepared a petition to submit to the General Prosecution for investigation. A delegation of the inhabitants came to the Center's office today and signed the petition, joined by the Center's lawyers as they submitted the petition to the GP's office. Furthermore, the Center issued a press release condemning forced eviction, using excessive force against the inhabitants, demanding the rehabilitation of the people and an open investigation of the use of force in this case.

Various spheres of Egyptian government draw a negative image of the inhabitants who live in informal areas. In turn, mainstream society also adopts such perceptions, calling them thugs and drug dealers, and supporting efforts to get rid to them.

In Egypt, 16 million of people live in informal areas due to skewed housing approaches of the consecutive governments. State plans and programs always have neglected the poor people and disproportionately concentrated on building luxury housing for rich people. These approaches typically offer no solution for the poorest and most inadequately housed Egyptians.

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).

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.

The Center will continue its efforts at working with the people affected by housing rights violations through diverse local approaches. However, we, at Egyptian Center for Housing Rights are calling for your help by sending a protest letter to the relevant authorities, demanding their prompt reparation¹ of the inhabitants, including rehabilitation and investigating the truth about the use of excessive force against them, and ending the policy of forced eviction.

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.²

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.”³

¹ “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.hrln.org/img/documents/A_RES_60_147%20remedy%20reparation%20en.pdf.

² 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.

³ 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.

As previous Egyptian governments had established a pattern of forced evictions without ensuring reparations or alternative accommodation, the CESCR repeatedly 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 Egyptian Center for Housing Rights 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. 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 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.⁴

Even at the regional level, Egypt has reaffirmed its commitment to the progressive realization of the human right to adequate housing, reinforcing principles of partnership and participation, including through legislative measures.⁵ This repeated commitment⁶ includes opposition to the practice of eviction (expulsion), however, only with reference to the Israeli practice in occupied Palestine.⁷

What to do?

The Egyptian Center for Housing Rights 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.

⁴ 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>

⁵ "Manama Declaration on Cities and Human Settlements in the New Millennium," 18 October 2000, para. 10, at: <http://www.hlrn.org/img/documents/manama%20declaration.pdf>.

⁶ See also "Arab Declaration on Sustainable Development for Human Settlements" (Rabat Declaration) (1995), at: <http://www.hlrn.org/img/documents/rabat%20declaration%20en.pdf>.

⁷ Rabat Declaration, op cit, para. 11.

- 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 Housing and Land Rights network and Egyptian Center for Civil and Legislative Reform of your solidarity action with an email copy to: urgentactions@hlrn.org and info@echronline.org.

Or simply go to the HLRN website's [Urgent Action](#) system under "Solutions and Tools" and click on **Support** this case to send your own letters on line.

View the sample letter following the photos below:



Abd al-Fattah al-Sisy

President of Egypt

Fax + 20 (0)2 2390–1998

Email: media.office8@op.gov.eg

(The Presidency publishes only this email address for receiving complaints.)

Ibrahim Mahlab

Prime Minister

Fax: + 202 (0)2 2795–8048

Email: pm@cabinet.gov.eg

Laila Iskander

Minister of Urban Renewal and Informal Settlements

Fax: + 20 (0)2 2262–9652

Email: isdf@isdf.gov.eg

General Persecutor

(The position is vacant after the assassination of the former General Prosecutor. The letter will be received by the person in charge until hiring a new GP)

Fax: + 20 (0)2 2577–4716

Sample letter:

Dear

We have been informed by the Egyptian Center for Housing Rights (ECHR) of a government-executed forced eviction in the Giza Governorate on 25 August 2015. We express our strongest objection to this gross violation and breach of Arab Republic of Egypt's international commitments to prevent and remedy forced evictions within its jurisdiction.

We understand from ECHR, [press reports](#) and photographic evidence that a demolition force from the Giza Governorate combined with police forces and bulldozers demolished the poor dwellings located at al-Sudan Street and carried out bloody attacks on the poor inhabitants who contested their demolition. The police used sticks, tear gas, and rubber pullets against the inhabitants, injuring tens of them.

Most of the families did not receive alternative housing or other form of reparation for this crime carried out in the governorate. The governorate claimed that it had allocated 75 flats for the families; however, according to the local residents, the total number of affected families is 300. In addition, the 75 flats lack basic services, including water and electricity.

Egyptian Center for Housing Rights' fact-finding mission and lawyers have joined the evicted inhabitants in submitting a petition to the General Prosecutor's office. We await news of corresponding action on the part of the General Prosecutor's Office.

In the meantime, we note that the violent forced eviction at al-Sudan Street derogates previously agreed-upon principles, including the 2014 Egyptian Constitution's guarantee of "the right of citizens to adequate, safe and healthy housing" (Article 78). This development has dashed expectations of Egypt's transition toward governance based on social justice.

Despite successive governments in Egypt, we are witnessing a disturbing pattern in the practice of forced eviction of the country's poorest citizens. 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.

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."

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.

We join the Egyptian Center for Housing Rights in noting 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. 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 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.

Even at the regional level, Egypt has reaffirmed its commitment in the Rabat Declaration (1995) and Manama Declaration (2000) to the progressive realization of the human right to adequate housing, reinforcing principles of partnership and participation, including through legislative measures. This repeated commitment includes opposition to the practice of eviction (expulsion), however, only with reference to the Israeli practice in occupied Palestine.

In light of the recent events and the continuing pattern of violation of the human right to housing carried out by successive governments of the Arab Republic of Egypt we urge your prompt response in order to:

- Provide suitable adequate alternative accommodation immediately for all affected residents of the Sudan Street eviction as part of their right to reparations;
- Promptly develop a plan to develop al-Sudan Street area in partnership with all of its inhabitants, including those affected by the recent eviction, to improve facilities and basic services and citizen involvement in the urban-development process, consistent with General Comment No. 4 of the CESCR, Habitat II commitments and international best practices;
- Ensure prosecution and accountability of the public servants in all spheres of government, as well as any private actors responsible for ordering or executing the 25 August 2015 Sudan Street forced eviction.

We also look forward to learning about your prompt and appropriate action to implement the full human rights of persons under your jurisdiction, including the fulfillment of corresponding obligations of all spheres of government in Egypt related to the 25 August Sudan Street forced eviction.

Respectfully,