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**The Policy of Forced Eviction and House
Demolitions in Egypt:
A Form of Cruel, Inhuman or Degrading
Treatment or Punishment**

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Torture (CAT)
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The Egyptian government regularly and deliberately conducts large-scale forced eviction and house demolitions against the poor using bulldozers, Central Security personnel, firearms and, in some cases, tear gas, all on the flimsiest of “law-enforcement” pretexts. In most instances, as a result of such punitive enforcement of State power, the victims are being left in serious destitution and vulnerability. Building up on existing precedents, describing the level of severity attained by the forced evictions and house demolitions, along with the degree of suffering – physical and psychological- brought by these policies, the report concludes that they constitutes a form of cruel, inhuman or degrading treatment, in violation of article 16 of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

1. HOUSE DEMOLITIONS, FORCED EVICTIONS AND ARTICLE 16

In the case *Selçuk and Asker v. Turkey*, the European Court of Human Rights (ECHR) ruled that the destruction of the defendant’s home constitutes a form of cruel, inhuman or degrading treatment, in violation of article 3 of the European Convention on Human Rights, which states that “no one shall be subjected to torture or to inhuman or degrading treatment or punishment”.¹ This decision was upheld in two subsequent rulings of the Court: *Bilgin v. Turkey* and *Dulas v. Turkey*.²

In determining the occurrence of cruel, inhuman or degrading treatment, the ECHR recalled that it must attain a minimum level of severity, dependent upon the circumstances of the case. In this respect, the ECHR jurisprudence, which has been consistent since 1998 on that particular issue, singles out specific elements allowing to determine the occurrence of cruel, inhuman or degrading treatment in case of house demolitions and forced evictions. These elements are related to 1) the manner in which the homes are being destroyed and the evictions are being carried out; 2) the personal circumstances of the victims and 3) the situation in which the victims are being left after the demolitions/evictions took place.

With respect to the manner in which the homes are being destroyed, the ECHR pointed out the following elements as factors causing suffering of sufficient severity to be categorized as inhuman treatment: the fact that the victims were unprepared (lack of prior notification), premeditation by the State agents, the presence of security forces in the lieu of demolition/eviction, the destruction of the homes and possessions in front of the victims, disrespect for the victims’ feelings and inadequate precautions to secure the safety of the victims.³

Regarding the personal circumstances of the victims, the ECHR underscores factors of old age and duration of residence in a given place as elements aggravating the severity of the victims’ suffering, which is engendered by the house demolitions or forced evictions.⁴ Following this reasoning, other aggravating factors can also be taken into account. Indeed, in pinpointing old age and the duration of residence in a given place, the ECHR defines elements that render the victims more vulnerable to the house demolitions/evictions. In this respect, poverty can also be considered as an aggravating factor. Indeed, poverty renders the victims more vulnerable to house demolitions or forced evictions

¹ European Court for Human Rights, *Case of Selçuk and Asker v. Turkey*, 24 April 1998, paras 79-80.

² European Court for Human Rights *Case Bilgin v. Turkey*, 16 November 2000 para. 100-102; *Case Dulas v. Turkey*, 30 January 2001 para. 54-55.

³ *Case of Selçuk and Asker v. Turkey*, 24 April 1998, para 77; *Case Bilgin v. Turkey*, 16 November 2000 paras 96 and 100; *Case Dulas v. Turkey*, 30 January 2001 para. 50-54

⁴ *Case of Selçuk and Asker v. Turkey*, 24 April 1998, para 77; *Case Dulas v Turkey*, 30 January 2001 para. 54

as the victims are simply not in a position to afford alternative housing. In addition the victims often lose all they have in the house demolitions and evictions and are, therefore, being left with nothing.

Finally, the ECHR also takes into account the situation in which the victims are being left after the demolitions/evictions took place. In this respect, the Court lists the deprivation of livelihood, deprivation of shelter, deprivation of support, the obligation to leave one's village or community, the destitution of the victims and the absence of assistance by the authorities as factors causing suffering of sufficient severity to be categorized as inhuman treatment.⁵

The jurisprudence of the ECHR has been followed by the Committee against Torture (CAT) in its November 2001 Concluding Observations on Israel in which the Committee stated that "Israeli policies on house demolitions may, in certain instances, amount to cruel, inhuman or degrading treatment or punishment (article 16 of the Convention)".⁶ In this respect, it is also interesting to note that the UN Special Rapporteur on torture, in its report on Brazil, looks at two cases of eviction involving the use of force.⁷

2. A PATTERN OF FORCED EVICTIONS AND HOUSE DEMOLITIONS

Force eviction and house demolitions are the most dramatic violation of the human right to adequate housing in Egypt. These evictions and demolitions occur on a large scale and mostly affect poor communities. As a consequence, they deepen the crises in living conditions faced by poor peoples and at the same time fail to provide or enable alternative solutions, that could take into account the social dimensions of the housing problem and its causes. Indeed, the most demonstrative government response to the housing crisis of the poor majority of Egyptians is to demolish their simple houses and leave them prey to homelessness, disease and deepening impoverishment.

While each case of State-sponsored and State assisted house demolition or forced eviction presents its own peculiarities, they also assume a certain number of similar characteristics. This repetition of specific features, presented below, shows a pattern with respect to the manner in which these policies are being enforced.

- **Violation of existing laws and judicial rulings:** Some forced evictions and house demolitions are carried out in flagrant violation of existing laws and judicial rulings. Such practices demonstrate the contempt of central and local Executive Authorities for the court, to which peaceful and law-abiding citizens resort for protection against injustice.

⁵ *Case of Selçuk and Asker v. Turkey*, 24 April 1998, para 77; *Case Bilgin v Turkey*, 16 November 2000 paras 96 and 100; *Case Dulas v Turkey*, 30 January 2001 para.54

⁶ *Conclusions and Recommendations of the Committee against Torture : Israel*. 23/11/2001, CAT/C/XXVII/Concl.5. , para 6j)

⁷ See also "Report of the Special Rapporteur, Sir Nigel Rodley, submitted pursuant to Commission on Human Rights resolution 2000/43 (Addendum): Visit to Brazil," E/CN.4/2001/66/Add.2, paras. 219, 339.

- **The absence of prior notification:** Many of the forced evictions and house demolitions are enforced without prior notification to the victims. As a consequence, many of them were taken by surprise and had no time to oppose the evictions through legal ways, to save their property or to find alternative housing.
- **Threats and use of force in order to compel the victims to sign false statements:** In many cases, the citizens are forced in police stations *after* the evictions or demolitions to sign false statements stipulating that they received prior notification. If they refuse to sign these false statements, they are subjected to beating, humiliation and threats to be framed for crimes they did not committed..
- **The lack of suitable alternatives or adequate compensation:** House demolitions or forced evictions are being performed, in many cases, without providing suitable alternatives or compensation, even when legal guarantees so provide. As a consequence, the victims are being deprived of their livelihood and shelter. Even in the cases where the government concedes to compensate or provide alternative housing, this usually occurs many time after the demolition or eviction took place, engendering consequent suffering. Alternative housing is usually located far from work and lacking in services, rendering life in the new units unsustainable. In cases of monetary compensation, the government assesses the value without consulting the residents. Compensation is so trivial that it does not allow citizens to obtain alternative housing, even in shantytowns. The government terrorizes citizens through the police to accept the inadequate compensation or face further wrath of State power.
- **Use of force by State agents:** Eviction is enforced using bulldozers and Central Security personnel armed with sticks, firearms and, in some cases, tear gas bombs, resulting in numerous violations of human dignity and safety of the person. These range between verbal abuse using foul-mouthed insults and degradation, beating, detention, the dispossession and destruction of property, withholding medical treatment to injured persons, the denial of any social support to citizens after demolitions or evictions. These forms of deprivation jeopardize the dignity and lives of citizens, including their children, when they are left to eek out a living in the street.

As highlighted by these characteristics, the house demolitions and forced evictions carried out by the Egyptian Central Security personnel present similar elements as the one listed by the ECHR in its jurisprudence. Indeed, such policies leave the victims in serious destitution and deprive them from their livelihood, shelter and belongings, with no available recourses. Moreover, the way demolitions and evictions are being carried out, in many cases without prior notification and in front of the victims, using force, ill-treatment, humiliation, threats and without adequate precautions being taken to secure the victims' safety also constitute additional factors of suffering. These different elements highlight the degree of suffering, both physical and psychological, brought by these policies.

The following cases, only a few select examples of patterned and constant practice, demonstrate the extent of violations to which citizens are unduly subjected.

2.1. Evictions and Demolitions despite Court Order to Desist

The demolition of seven buildings in Ain Helwan (Cairo)⁸

In June 1998, seven buildings were demolished in the area of Arab Ghoneim, in Ain Helwan (Cairo) on the pretext of widening the street. Confrontations took place between the police and citizens because the latter had obtained a court ruling to stop the demolition order. The citizens were not provided with alternative housing or compensation. Moreover, no medical attention was given to a number of citizens who were wounded as a result of the confrontation.

The demolition of 65 houses in al-Arish (Sinai)⁹

In November 2001, the al-Arish City Council chairman issued an order to demolish 65 houses in the “25th of April Area.” He personally led a force that included police forces and bulldozers. The citizens had filed a challenge against the demolition order with the Ismailia Administrative Court and obtained a court ruling to stop the demolition, pending settlement of the lawsuit in the 28 November 2001 session. The City Council chairman, nonetheless, preemptively demolished the homes in advance of the court's impending decision.

People had invested all what they had to build their homes, all of which, along with their personal security and stability were lost in the demolition. Lost too was their faith in law: despite a court ruling to stop the demolition, officials nonetheless destroyed their homes and belongings.

Demolition of 76 Homes at Khaddariya, Sharqiya Governorate¹⁰

On 5 November 2001, police forces of the Sharqiya Security Directorate, Central Security Forces and Special Forces accompanied by nine bulldozers and five armored cars equipped with tear bomb launchers demolished 76 houses at the Khaddariya village under the pretext of enforcing an agricultural-land construction ban. This operation, which affected 65 families was punitive, arbitrary and disproportionate in character:

- In this particular case, the original demolition order listed 16 houses. The State forces gratuitously demolished 76 houses belonging, as mentioned, to 65 families.
- Citizens were not notified of the demolition decision or date. As a result, their possessions, including furniture and home appliances, were destroyed and lost under the rubble, for which compensation was never considered.
- Law enforcement officers ignored court rulings. Some of the victims whose homes were demolished had rulings acquitting them of the charge of agricultural-land-use violations, some of them even obtained the military ruler's approval of the acquittals, as in the case of

⁸ Fact-finding mission of the Egyptian Center for Housing Rights (ECHR)

⁹ al *Wafd* newspaper- 23 November 2001.

¹⁰ al-*Ahaly* Newspaper, 7 November 2001.

Mr. Shabrawy Abd El Karim Emara. Moreover, a number of families still have pending lawsuits before courts.

- Force has been used by the police forces, the Central Security Forces and the Special Forces on any pretext and was disproportionate. Indeed, the operations, even if premised as a law-enforcement duty, violated all standards and customs of law enforcement's use of force.
- The victims were subjected to inhumane and humiliating treatment, including the use of foul and abusive language, physical assault, and destruction of documents (court rulings). Citizen Gamal Muhammad Sayid Ahmad narrowly escaped with his life when security forces initiated the demolition of his house, knowing that he was inside. In other incidents, police forces beat citizen Marghany Abdel-Badie Ammar and broke his teeth. Thereafter, the police detained him and his son in the police station for some 12 hours, until 1:00 AM of the next day (about 12 hours).
- While the victims of the house demolitions were in need of medical care, that need was neglected. A number of citizens suffered health problems as a direct result of the cruel execution of the demolition orders. One such case is that of Mrs. Awatif al-Sayid Mutawally, who, upon witnessing the destruction of her only home, suffered a blood pressure crisis on the spot.

150 Homes Demolished in Munsha'at al-Awqaf, Tanta Center, Gharbiya Governorate¹¹

In mid-June 2002, local authorities demolished 150 houses at Munsha'at al-Awqaf village, claiming that the homes were constructed on agricultural land. This is despite the fact that thirty of the 150 affected families obtained court rulings acquitting them of the allegation, and thus a canceling the demolition orders.

This phenomenon is especially prevalent in the Gharbiya Governorate, which had lost a bid for a territorial extension in desert lands. Moreover, the Central Government refused to modify the planning scheme for villages and cities, allowing for natural growth, thus obliging citizens to build on agricultural land. Some estimates show that the Governorate authorities demolished about 15,000 houses allegedly constructed on agricultural land during the period from September 2001 to June 2002.

¹¹ *al-Uṣbu`a* newspaper, 17 June 2002.

2.2. Arbitrary and Disproportionate Demolitions accompanying the Misuse of Legal Pretexts

Demolishing the fawakhir of Old Cairo¹²

Cairo Governorate agents destroyed the residential community around the *fawakhir* (ceramics workshops) in Old Cairo under the premise that the workshops were unlicensed. With dubious legal grounds, gratuitously cruel treatment has led to the suffering of hundreds of Egyptian citizens. The long-concealed plans for the clearance of established *fawakhir* community has since been revealed as a touristic development attraction called "The Journey of the Holy Family."

In January 1997, a police force accompanied by bulldozers demolished houses sheltering 75 poor families without warning, without a chance to move their belongings, and with complete disregard to any human considerations. In the operation, police forces also destroyed 42 shacks. It resulted in the death of a girl child under the ruins, as well as the destruction of all the property of these poor families.

Officials had deceived the occupants of these houses when they earlier declared that they would demolish only the workshops. However, the occupants were surprised with the bulldozers demolishing their houses as well. This led to sharp confrontations between the citizens and the police forces, providing support to the destruction. The latter used tear gas bombs and arrested 72 citizens for about two months.

However, the governor denied that any homes were demolished and announced that these citizens, therefore, were not entitled to any alternative housing, not even to tents. However, a Ministry of Social Affairs committee verified the evidence that the Governorate forces demolished houses sheltering 75 families. Moreover, thirty-four of these families had documents proving that they paid revenue tax to the state, effectively acknowledging their tenure. The Ministry committee recommended that these people shall be moved to shelters. However, implementation of the ministerial recommendations was deferred to the local authorities, who were also the party authoring the violations. The citizens did not obtain any compensation or alternative housing.

The Demolition of 25 Houses in al-Duweiq (Cairo) on Mothers' Day without prior warning, police arrest a woman and her two-hour-old baby girl, beat a 70-year-old man¹³

This case involves 32 families living in 25 houses against which the municipality ordered demolition on the grounds that they were recently built on State-owned land. This order contradicted the tenure status established in official documents proving that these families have lived in the mentioned houses for periods ranging between 8 and 15 years. The following conditions characterize this case:

- Policemen and bulldozers executed the eviction on 21 March 2001 (Mothers' Day, in Egypt).
- The official authority did not notify the citizens of the forced eviction/demolition.

¹² Fact-finding mission of the Egyptian Center for Housing Rights (ECHR).

¹³ A case adopted by the Egyptian Center for Housing Rights (ECHR), March 2001.

- When the policeman and bulldozers arrived in al-Duweiqqa, they carried out the demolitions without prior warning, destroying all of the citizens' furniture and belongings in the process.
- Policemen beat citizens with sticks on various parts of their bodies, particularly the head, wounding many. They beat a 70-year-old man and bodily forced a lady, recovering from childbirth, from her home just before police and bulldozers demolished it.
- Citizens did not receive any medical care whatsoever for resulting injuries and health problems. No government authority extended social or medical services. Citizens were left to live around the ruins of demolished house among the scorpions and snakes that abound in this hilly Duweiqqa area. Local field workers identified several scorpion stings, mostly affecting children.
- When citizens went to complain at the office of the Housing Minister—who, incidentally, is also the Duweiqqa community's parliamentary representative—police officers beat them. Law enforcement officers arbitrarily detained one citizen for several hours in the police station, then threatened the other victims with arrest on charges of disorderly assembly if they approached the minister's office again.

Four months after great pressure was put on the Minister of Housing –including a letter sent by the United Nations Special Rapporteur on the rights to adequate housing- new units were given to the victims in Badr City, a new city located 48 kilometers away from Cairo. They had to pay 1500 LE in advance and then 78 LE on a monthly basis. While these costs exceeded their financial capacities, the new units were also lacking all services and were located far from their workplace, with transportation costs being extremely expensive.

The legal context of this case suggests no situation requiring the use force against the citizens or demolition of their houses. Neither the criteria of *necessity* nor *proportionality* in the police's use of force have been respected. The legal pretext for the demolition itself is false. The operation stands as an illegal and gratuitously punishing use of arbitrary power and physical force, resulting in destruction, dispossession and personal injury without remedy. Those inhabitants should have been entitled legally to continue living on the same land where their houses once stood, and should be entitled to adequate compensation.

The Port Said Debacle¹⁴: Officials forcibly evict citizens, transport them in garbage trucks and deposit them in a garbage dump – one child dies under the wheels of a bulldozer – health problems erupt - children prohibited from going to school – police forces throw an injured lady out of the hospital

Over 100 families (including recently married couples) have not been able to obtain public housing due to administrative corruption. These same families lived in vacant and structurally unsound buildings in the areas of Masakin Nasir and al-Salaam, preferring to risk their lives in this way rather than to live on the precarious street. After the Port-Said governor dismissed the need to resolve their plight, the inhabitants had few options but to stay in the unsound-but-available structures. In September 2001, police forces evicted the citizens by force:

¹⁴ A case adopted by the Egyptian Center for Housing Rights (ECHR), September 2001.

- The police forces beat citizens and made great festival out of throwing their furniture from the windows. Police rounded up and transported citizens in garbage collection trucks to a remote waste disposal site called Zirzara. This insult is mounted upon the material and physical injury accompanying the forced eviction. Officials treated them not as human citizens, but precisely as garbage.
- Forty ladies marched to the Governorate Building to ask that one of them meet the governor to relay their complaints. Police forces beat them, despite their families' expectation that the police would not assault the women. Such popular morality did not translate at the official level.
- A diabetic lady injured in the police assault was rushed by other community's women to the government hospital, where she was treated. Police forces then snatched her insulin needles and threw the lady out of the hospital. When the ladies went to the East Port Said Police Station to record their grievances, police officers refused to write a report and threatened to frame the women for theft if they tried to complain again. Moreover, some of the ladies were arrested and taken to prosecution in vehicles transporting male criminals, some of whom were drug addicts. The criminal detainees harassed the arrested women, some of them pregnant.
- Police officers threatened the citizens that, the next time they seek police protection or complain, they would shoot them.
- Many of the children were infected with dermatological diseases due to the deteriorating housing and living conditions of their waste dump internment. As a result, schools refused to admit these children to avoid infecting others until they were treated. This subjected the children to degrading treatment, while also denying them their needed and rightful educational services.
- A 10-year old child died in the area under a Port-Said Governorate bulldozer. There are many deaths and injuries in the area because of the subsequent fires caused by using flammable cloth and wood as make-shift building materials.
- To date, these families have received no support or alternative housing from any entity. As a consequence, they are still living in Zirzara, with their health and living conditions that are continuously deteriorating.

3. CONCLUSIONS AND RECOMMENDATIONS

As mentioned, international jurisprudence has already established that the practice of forced eviction and house demolitions, as in the present pattern, constitutes a form of cruel inhuman or degrading treatment or punishment.¹⁵

In many of the cases cited here, officials executed demolition orders despite the presence of court injunctions and acquittals of victims from charges of agricultural land-use violations. In some instances, official behavior deteriorated beyond ignoring court orders to violent contempt of court and the rule of law when they overtly and physically destroyed court judgment papers in the case of the Khaddariya village.

In general, these demolitions are being conducted without prior notification and include the use of force by State agents, who are humiliating and beating the victims, including children and women, and threatening them of retaliation in order to compel them to sign false statements. Moreover, these demolitions and evictions are, in most cases, conducted in front of the victims, the victims being sometimes in their houses when the security forces give the order to demolish the house. In addition, inadequate precautions are being taken to secure the safety of the victims.

In the cases of Duweiqā, Port-Said and the *fawakhir* community (Old Cairo), public servants and accompanying security forces did not provide the necessary treatment to save those who were beaten, bitten by scorpions, or who suffered from suffocation from tear gas. Moreover, the longer-term consequences involve respiratory diseases, dermatological problems, dismal environmental-health conditions and infections due to the victims' treatment. Including their being dumped in a notorious waste-disposal site.

As highlighted by the above mentioned cases, the affected persons are mainly poor communities, which are left with no alternative whatsoever following the demolitions/evictions, all their belongings being destroyed and no compensation or resettlement being provided by the authorities.

Accordingly, the house demolitions and forced evictions carried out by State agents the victims in serious destitution and deprive them from their livelihood, shelter and belongings, with no available recourses. Moreover, the way demolitions and evictions are being carried out, in many cases without prior notification, using force, ill-treatment, humiliation and threats also constitute additional factors of suffering. These different elements highlight the degree of suffering, both physical and psychological, brought by these policies. Consequently, the fact that the implementation of such measure by State agents results in situations of extreme suffering allows to conclude that they constitute a form of cruel, inhuman and degrading treatment or punishment, in violation of article 16 of the Convention against Torture and Other Forms of Cruel, Inhuman of

¹⁵ See, for example, *Abuki v. Attorney General of Uganda* (1996) 3 Butterworths Human Rights Cases [BHRC], 199; *Kokoro-Owo. Lagos State Government* (1998) 1 HRLRA 322 and *Olatoye v. Governor of Lagos State* (suit No. FHC/CS/1447/99), as cited in *LASER Contact Vol. 4, No. 2 (July–Sept. 2000)*, 30; and where the European Court of Human Rights has found that the Turkish army's destruction of houses belonging to Turkish nationals has caused a level of suffering so severe as to constitute inhuman treatment under Article 3 of the European Convention for the Protection of Human Rights and Fundamental Freedoms: as in *Dulas v. Turkey* (Application No. 25801/94, paras. 49–56); *Bilgin v. Turkey* (Application No. 23819/94, paras. 97–104; ; *Akiva and Others v. Turkey* 3 BHRC, 199; and *Selçuk and Asker v. Turkey* (12/1997/796/998–999), paras. 72–80. See also "Report of the Special Rapporteur, Sir Nigel Rodley, submitted pursuant to Commission on Human Rights resolution 2000/43 (Addendum): Visit to Brazil," E/CN.4/2001/66/Add.2, paras. 219, 339.

Degrading Treatment or Punishment, which states that " Each State Party shall undertake to prevent in any territory under its jurisdiction other acts of cruel, inhuman or degrading treatment or punishment which do not amount to torture as defined in article 1, when such acts are committed by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. In particular, the obligations contained in articles 10, 11, 12 and 13 shall apply with the substitution for references to torture of references to other forms of cruel, inhuman or degrading treatment or punishment".

In order to arrive at solutions to this grave pattern of state behavior, it is important to understand the causes and climate leading to the occurrence of such cruel, inhuman or degrading treatment. In a country where basic shelter needs take on biblical proportions, Egypt's recent economic-reform program made freehold and leasehold tenure much more difficult not only for poor sectors of the population, but also for middle sectors that do not find housing for new-generation families, except in shanty towns.

Economics experts affirm that the economic reform policy resulted in "reducing real wages" among workers and employees. Thus, families cannot allocate sufficient portions of their income to acquire housing because they cannot give up their basic needs, such as food, transportation, necessary medicine, etc. Housing experts estimate that to own an apartment, an Egyptian citizen must work, along with his wife and children for 11 years, provided their whole income is dedicated for this purpose¹⁶. This is practically impossible since citizens cannot give up their basic needs.

The Egyptian population is now divided into two categories: the first category already has housing, paid for either by frozen or changing rent or through ownership. The second category does not have housing and is unable to acquire the rent or ownership value. This latter category represents a social bomb about to explode.

In summary, the economic reform period escalated the housing problem for the poor and middle sectors of the Egyptian population, particularly after the state withdrew from the field of economic (social) housing, expanding in the construction of luxury housing. This deepened the real estate market crisis, which, in turn, resulted in the presence of great supply of luxury buildings met with great demand on low and medium cost units. Housing experts in Egypt describe the housing crises as "**houses without tenants and tenants without houses**" There was an increase in the number of closed "unused" housing units, coinciding with an increase in the number of citizens suffering from the absence of suitable housing. This is reflected in the emergence of random housing patterns, such as shantytowns, shacks, boats, garages and cemeteries. This phenomenon is the characteristic of the cities of Cairo. On the other hand, state economic trends and conflicting laws resulted in the deterioration of real estate due to declining obligations for private-sector or government proprietors to carry out maintenance of housing. This is reflected in 111,875 demolition orders issued for houses about to collapse, 69,628 of which (62%) were implemented.¹⁷

Thus, we can understand the climate prevailing in the housing sector in Egypt, which often leads citizens to "break" the law by building on state property, arbitrary construction or living in shacks and cemeteries. Their tenure is *de facto* under constant threat. Even recognized tenure of the dwelling is no safeguard for the poor inhabitant. They were left no other alternative but to scratch out an existence and build where the scantiest opportunity allows. However, in such conditions of

¹⁶ Testimony of Dr. Abu Ziad Ragah, housing expert and official of the Ministry of Housing, ECHR workshop "The New Law of Rents" Cairo, 20 June 2002.

¹⁷ "A Report on Housing Collapse," Housing Committee, Egyptian People's Assembly, 13 May 2002.

deprivation, blaming the victim undermines justice at large. This State Party officially prefers to apply violence to ensure the deeper poverty of its most-vulnerable citizens, devil-may-care the human, consequences of these continuing policies.

In the light of the precedent developments, OMCT and ECHR call upon the Committee:

- to conclude that the policy of houses demolitions and forced evictions constitutes a breach of Article 16;
- to conclude that the policy of house demolitions and forced evictions has involved several specific cases of ill-treatment amounting to violations of Article 16;
- to call for an immediate halt to this policy of house demolitions and forced evictions;
- to call on the State Party to compensate the victims of forced evictions, house demolition and related injuries and violations;
- to demand that the Egyptian Government and its agents respect court ruling, especially injunctions against the implementation of eviction and demolition orders;
- to urge the Egyptian Government to review its housing policy, which creates a trap for poor people to “break” the law in order to obtain the simplest shelter;
- to demand that the State Party provides training to police officers, officials, judges on human rights, with a view to protecting economic and social human rights, upon which majority of Egyptians depend for their survival;
- to call for the prosecution and punishment of those responsible, including and especially public servants who breach personal security and the public trust by practicing gratuitous and arbitrary violence against vulnerable citizens under the pretext of law enforcement.