



HOUSING AND LAND RIGHTS NETWORK

Habitat International Coalition

Reports on Discrimination, Segregation and the Right to Adequate Housing

Questionnaire

This input covers the Middle East/North Africa (MENA), reflecting contributions from Members of the Habitat International Coalition in the countries of the region. However, because of its specificity, Palestine is treated in a separate submission.

Basic Information

1. Name of Individual, Organization, Institution, Agency or State: **Housing and Land Rights Network**

Type of Entity*

- NGO network, umbrella organization
- Community-based NGO

2. Categorization of your Work

Please select one or more responses, as appropriate.

- Advocacy
- Networking
- Policy
- Research
- Training

3. City/Town: **Geneva and Cairo based, but regional**

4. State/Province: **Giza**

5. Country (please indicate your region or “international” if focus the work of your organization covers multiple countries); **Middle East/North Africa**

6. Contact e-mail (will remain confidential) in case we have questions: amansour@hic-mena.org

Housing Discrimination

7. What specific forms of de facto or legal discrimination or barriers towards equal enjoyment of the right to adequate housing do the following groups face in your country (please provide evidence with examples, studies, reports and relevant statistical information):

- **People of African Descent, or Roma**
- **Racial, caste, ethnic, religious groups/minorities or other groups**
- **Migrants, foreigners, refugees, internally displaced persons**
- **Indigenous peoples**

- **Low-income persons, including people living in poverty**
- **Residents of informal settlements; persons experiencing homelessness**
- **People under foreign and military occupation, colonial contexts**

In the last decade, in addition to the dramatic situation of mass influx of refugees and displaced persons for countries directly or indirectly affected by war and conflict, low-income persons and people living in poverty endure to most-negative impacts of the social, economic and political instability across the region. Obtaining and sustaining suitable housing has become very difficult, because of the lack of integrated housing policies within urban development policy that link housing, sustainability and the needs of low-income persons and impoverished people.¹ Housing conditions constitute the second source of poverty after education in the region.²

Moreover, the rapid growth of urban areas, following neoliberalism policies related to housing, and gated cities, leads to increased urban disparity and expands informal settlement and peri-urban areas. These lack public spaces and basic urban infrastructure, while maintaining disparities between urban and rural areas.³ This complicated situation has created a stark contradiction between the different categories of the community that has negatively affected low-income and poor persons. Meanwhile, governments in the region are interested more in achieving the physical appearances of modernity, mesmerized by the model of Western cities, or turn to dazzling examples of Dubai, Singapore and Shanghai for inspiration and emulation. Formal housing alternatives still attract only a miniscule subset of housing demand, that coincides with millions of low-income and impoverished people still living in informal areas, and other millions are added to them with ever-sprawling informal areas on the urban periphery.⁴

8. Discrimination in housing can affect various dimensions of the right to adequate housing and other human rights. Could you provide more details regarding the specific areas in which housing discrimination is experienced? Below are examples of various forms of discrimination that can be experienced in relation to different dimensions of the right to adequate housing:

Accessibility

- **Discrimination in relation to access to land, including water and natural resources essential for habitation;**
- **Discrimination in relation to housing for rental or for acquisition or in accessing public or social housing;**

Habitability

- **Discrimination in relation to housing conditions, overcrowding or housing maintenance;**
- **Exposure to health risks within the home, including lack of ventilation, heating or insulation, exposure to fire or housing collapse risk, unhealthy building materials, or other unhealthy housing covered by the WHO Guidelines on housing and health;**
- **Discrimination in relation to housing renovation or permission of housing extension;**

Affordability

- **Discrimination in relation to access to public benefits related to housing;**

- Lack of equal access to affordable housing;
- Discrimination in public and private housing financing;

Urbanism reflects the economic, political and social conditions of society. The countries in MENA have been struggling to provide adequate housing for all categories of society by increasing the supply to meet the demand. The lack of appropriate planning mechanisms and regulations, including the spatial distribution of investments in services and infrastructure, often result in more urban inequalities. Luxury neighbourhoods receive the benefit of better services and infrastructure than others, resulting in *de facto* segregation, gentrification and unaffordability.

Generally, affordable housing projects are totally centralized by national government, without local participation, and weaken relationships between the local communities and the local governments, which have no sufficient role in them. This appears in the affordable housing projects in Egypt, related to definition of the term “low income” (*mahdudi al-dakhl*) as families with an annual income of EGP 36,000 (\$2,357) or less, and individuals with an annual income of EGP 27,000 or less (around USD 1,719). Household Expenditure, Income, and Consumption Survey (HEICS) data for 2012–13 show that households spending EGP 36,000 annually fall among the richest 20% of the Egyptian population. Furthermore, Egypt’s Mortgage Law, which is the funding mechanism social-housing units targeting limited-income groups, excludes families whose annual incomes are less than EGP 23,000; i.e., the poorest 50% of Egyptians according.

Similarly, executive-appointed New Urban Communities Authority (surrogate for local government in the planned cities in the desert periphery) has announced thousands of units, ranging between 100m² to 150m², targeting middle-income families as part of the Dar Masr “middle-income” housing project. However, the monthly instalments for these units are affordable only for upper-income groups.⁵ The mortgage scheme favours formal private sector or government employees over the self-employed, the semi-formally employed, and pensioners, the categories most in need. These groups are required to pay more than twice the down-payment that formal employees pay, while total up-front costs for the poorest of them reach three times their annual income, compared to only 1.4 for the formally employed. This negates much of the economic accessibility of a mortgage in the first place, and is reflected in how only 5% of these units have been allocated to those not formally employed over the first three years of the project.

That proportion grew to 19% in FY 2017–18, after modifying some requirements; however, this group constitutes two thirds of the workforce. Even if they could pay the large down-payments, those who are not regular employees with a set monthly salary rely on seasonal income that would not meet the monthly mortgage-payment requirements, even if they could cover them annually.

For the formally employed, social housing projects also discriminate against poorer households, where the lowest quintile pays upfront costs that are double those for the top income quintile, even after receiving a higher cash subsidy. This forces many to borrow, mostly informally, from employers, family or rotating saving schemes to afford the high down-payments. In addition to the mortgage, this borrowing increases the debt burden that will need to be repaid, adding considerably to housing-related costs for the most-vulnerable beneficiaries.⁶

In Sudan, generally, housing policies lack a comprehensive vision to cover all states of Sudan, and are centered only in the capital, Khartoum. Since 2003, the government focused investment in gated communities that started to flourish in the inner city and now covered almost twenty sites in Khartoum, instead of providing affordable houses to low-income and poor in Sudan, where almost half of the population lives in poverty.

This parallels the withdrawal of the state from the provision of basic services. In Sudan, particularly in a place like Khartoum, one of the most-crowded cities in Africa, accessing services like water, electricity, or even security has become elusive.

One of the challenges of providing affordable housing (*iskan sha`by*), the lack of a land-management strategy for access to land, and codifying land tenure, including ownership, particularly, the growing land insecurity in low-income neighborhoods, since the secession of South Sudan. That coincides with an implemented policy to combat informal housing that combined particularly violent evictions and displacement of squatters to the outskirts of the city with programs that sought to allocate low-grade parcels of land on the urban fringes. In Greater Khartoum, farmland on the banks of the Nile is falling prey to major urban development projects.⁷

Public housing projects still fail to meet the demand for adequate housing among the urban poor. Most of the projects are located on the outskirts of the city, some of them up to 20 km away from the centre. The absence of functioning public transport makes it difficult for residents to reach work places, hospitals, and other institutions located at the city centre.⁸ Land insecurity, which has always been high in the poorest areas of Greater Khartoum, especially among stigmatized populations, has been further exacerbated and, today, affects the whole of the city and its inhabitants. At the same time, the absence of housing finance represents a major obstacle to adequate housing for all. In May 2014, Sudan's Central Bank ordered banks to cease real estate and housing financing in an effort to redirect financing from property speculation toward other sectors such as agriculture and industry.⁹

The Landlord/tenant Law reforms typically threaten old-contract tenants with displacement. In Lebanon, this group inhabits the urban centers under the old rent-control law that was discontinued in 1992 for new tenants. This category is threatened by eviction and displacement without the ability to pay the new, uncontrolled rents or provision of alternate housing. The new Law No. 160, approved in 2014 and amended by 2017, has stripped many long-time tenants of any guarantee of their human right to housing.

Old rents account for 20% of the total housing stock in central and historic Beirut neighborhoods, earmarked as prime land for real estate investment. These house various social groups, including those without full rights or sufficient resources such as those with limited incomes, persons with disability and non-Lebanese. Those affected are estimated at 170,000 persons, most of whom belong to social groups whose resources decrease over time such as retirees or the elderly.¹⁰

Security of tenure

- **Discrimination in relation to ownership or inheritance of housing and land and related natural resources including water including on the basis of a distinction between formal and informal tenure arrangements;**
- **Discrimination in relation to evictions, resettlement and compensation for loss or damage of housing, land or livelihoods;**
- **Differential treatment in land or title registration, permission of housing construction;**
- **Discrimination on the basis of nonrecognition of traditional tenure;**
- **Discrimination by refusal/denial/prohibitive costs of building permits based on “racial” criteria, subjecting inhabitants to demolition, including forced self-demolition) and eviction, often with forfeiture of land tenure;**

Availability of services, materials, facilities and infrastructure

- **Discrimination in relation to access to work, schooling, health care or public benefits based on the residential address or related to a lack of an official address;**
- **Public transportation services and transportation costs;**
- **Provision of water, sanitation, energy, waste collection and other utility services; their quality or cost, including interruptions/blackouts including policies relating to disconnection from utility services;**
- **Spatial disparities in access to health care, education, child care, cultural and recreational facilities;**

Location

- **Discrimination in relation to freedom of choice of the place of residency within the country, within a particular region or location;**
- **Exposure to environmental health risks, such as external air quality, flooding, toxic ground exposure; noise; risk of landslides etc.;**
- **Living quality and physical security in the neighbourhood, including geographical disparities in policing and law enforcement;**

Cultural adequacy

- **Discrimination in relation to the recognition of culturally adequate dwellings as housing as well as equal access to public space;**
- **Prohibition of accessing, maintaining or constructing culturally adequate housing;**
- **Overcrowding that results in culturally inappropriate invasion of privacy.**

9. Do any particular current laws, policies or practices in your country, region or town/community contribute to or exacerbate discrimination in relation to the right to adequate housing?

Neoliberal policies and the open market real-estate investments dominate and control the housing policies in Arab countries. All Arab states have an ample set of laws and related regulations, decrees and circulars that control urban development and construction carried out by private individuals and companies, in almost all cases using legislation adopted either from their former colonial masters or from European models.¹¹ These policies and practices establishing the inequalities for meeting the housing and land needs of all people, including those living in poverty, deprive them of equitable public services and infrastructure, improved connectivity and access to decent, formal employment. The implementation of neo-liberal policies has reduced government functions and cut back subsidies to basic public services

such as health, education, housing, employment and security. The old structural adjustments, coupled with globalization, have increased urban inequality.¹²

In the third quarter of 2018, Banque du Liban issued Intermediate Circular No 503 instructing Lebanon's commercial banks to cap their LBP-denominated loans at 25% of the total deposits in domestic currency.¹³ This left hundreds of families threatened with eviction, as home-loan policies lack any social development objective.¹⁴

10. Can you explain exemptions in national law that allow (certain) public, private or religious housing providers to give preferential or exclusive access to housing to members of a particular group, for example based on membership, employment contract, public service, age, disability, civil status, sex, gender, religion, income or other criteria?

See separate input on Palestine.

11. In case of differential treatment of particular groups in relation to housing, please explain why such treatment could be justifiable according to international human rights standards - for example positive measures benefiting a particular group to overcome systematic discrimination or disadvantage, or if it would amount to discrimination?

In Cairo, refugees who fled Sudan and other sub-Saharan African countries, for example, suffer from racism and discrimination in rent. They are exploited financially as well as sexually by landlords, who often increase rents arbitrarily at rates—typically by 20%—not permitted by law, without any hope that authorities would enforce legal limits on rent increase increments.¹⁵ In the event of failure and failure to pay the increased rent, refugee residents are punished by forced eviction. The refugees have been affected a lot and have been forgotten during the COVID pandemic. For example, more than 45 thousand refugees from Sudan's Nuba Mountains are stranded in Cairo without rights to housing, education, work or health services, and with no future. Egypt is a party to the 1951 Refugee Convention and its 1967 Protocol, but defers refugee assistance and protection to UNHCR on the basis of a 1957 Protocol that explicitly excludes refugees in Egypt from human rights to adequate housing, education, decent work and health.

Across the region, only nine states are party to the Refugee Convention and its Protocol.¹⁶

Spatial and Residential Segregation

12. What forms of spatial segregation along racial, caste, ethnicity, religion, nationality, migration status, heritage, economic status/income or other social grounds can be observed in urban and urban-rural contexts in your country?

The Kurdish community of Syria comprises approximately 10 per cent of the total Syrian population and have been the target of discriminatory policies, laws and practices since the first declaration of state emergency following the *coup d'état* in 1962. While discrimination against the Kurds in Syria has longer roots, marginalization and official discrimination increased after independence in 1946, and especially during the 1950s and 1960, at the height of Arab nationalism. That state ideology continues to dominate Syrian legal and political institutions and is particularly ungenerous toward Syrian non-Arab minorities.

Key to this process was an extraordinary 1962 census in Syria's northern al-Hasaka Governorate, where the majority of Kurds traditionally have lived. In the interim between the September 1961 collapse of the Egyptian-Syrian union (United Arab Republic) and the first Ba`th Party coup (March 1963), the conservative interim government issued Decree No. 93, calling for a census to be carried out in al-Hasaka "in one single day."

This hasty exercise took place under the ethnocentric Arab nationalist vision of Governor Sa'id al-Sayyid, whose partisans characterized small-holding Kurdish farmers as "invaders." Anyone who could not produce family records on the census day would be denied entry into the registry, and all entries and appeals were reviewed ultimately by a "Supreme Committee" (Article 7 of Decree No. 93). Anyone in the area not registered as Arab Syrians would be considered "foreigners" (*ajānib*). This process stripped more than 120,000 Kurds of their Syrian citizenship.¹⁷ (With few exceptions, Kurds were the only non-Arab persons treated in this way.)

Thus, shortly after the entry into force of the Statelessness Convention,¹⁸ Syria created an entire class of stateless persons. However, the State never has sought to expel or "repatriate" Syrian Kurds to other countries. Nor has Syria ratified or signed the Statelessness Convention. Also, whereas the children of a marital union between two Kurdish *ajānib* are qualified also as *ajānib*, Syria is in violation of its treaty obligations under the Convention on the Rights of the Child to a nationality, as well as the other rights arising from full citizenship.¹⁹ The state has created another, related stateless category of those Kurds unregistered in 1962: *al-maktūmīn*.

No Syrian government has sought to expel or "repatriate" such class of persons, despite the presumption that they have arrived illegally in Syria from an identifiable other country.

The most-recent available statistics indicate, for al-Hasaka Governorate alone, over 154,000 people. The stateless Kurds in Syria (*maktūmīn* and *ajānib*) are subject to systematic persecution by Syrian governments, which situation has escalated in recent years. Their constructed status—outside of citizenship—makes them subject to a range of economic, social and cultural rights violations. Premised on their status as noncitizens, Syrian Kurds are unable to own land, housing or businesses, which impedes their rights to an adequate standard of living.²⁰ Those people are unable to obtain official documents. They cannot travel abroad. They have no access to public employment and are discriminated in their access to health and education. They do not benefit from the public distribution of subsidized food.²¹

The access to subsidized food is particularly crucial in light of the land losses by administrative means, as well as the loss of food security and food sovereignty due to drought apparently brought about as a function of climate change.

The Syrian government in Damascus already had begun in the 1960s with the confiscation of many Kurdish families' lands. Many land-owners alongside the borders of Syria with Turkey and Iraq were dispossessed at that time, in order to make way for the creation of the so-called "Arab Belt," 15 km wide and 350 km long. That policy forms an unbroken pattern, continuing until today.

The first decree that restricted the constitutional right to own property is the Legislative Decree No. 193 of 1952. Inspired by the ultranationalist Muhammad Talib Hilal,²² the decree identified “the risks that arise from suspected people having property adjacent to the border,” (1) prohibits the building on, transfer or improvements on land located in the border areas, including leases, joint ventures or contracts for agricultural investment over more than three years, and (2) prohibits all contractors and contracts that require agricultural investment to bring farmers, workers or experts from other districts or countries, without first obtaining a centrally approved license. Issuing such a license became bureaucratically cumbersome and a Ministry of Agriculture denial is final and not subject to appeal. Arabs, Chaldeans, Syrians, Armenians and Assyrians have access to these licenses. However, to date, no Kurdish person ever has succeeded to obtain such a license.²³

The decree invalidates any previous contracts and neutralized any attempt to enforce terms of a previous contract, invalidated any contract by an alias and invalidated any subsidiary conditions. This obligates the Attorney General to (1) annul the registered contracts that are contrary to these provisions, and (2) enforce penalties to punish any official, title holder, or contractor in contravention of these provisions. The geographical scope of these 1952 conditions was: (1) the Qunaitra area and the entire al-Zawaya area, and (2) areas within 25 kilometers of the Turkish border.

A special decree followed Decree 193 to redefine the border area to include the town of al-Hasaka and, by extension, the entire al-Hasaka Governorate. This obliged everyone to obtain the license for these transactions, but the underlying reason of this is to recognize all of the land of al-Hasaka as a border area. This is 100 kilometers inside the border, and is inhabited by Kurds, and so this has the effect that Kurds would not be denied tenure in property over a wider area.

A few months after Decree 193 entered into force, an exchange of communications between the Ministry of Justice and the Directorate General of Estate Interests determined that the decree applied only to agricultural land, and that only such land should come under this license. Law 41 of 2004 replaced Decree 193, but continued in the same vein. It established the penalty for offenses at maximum two years imprisonment and a fine of 100,000 Syrian pounds. The previous decree allowed the purchase of lots or buildings that are within the city plan as before. However, the licenses were intended for agricultural land only, distinguishing Law 41 from Decree 193.

In 10 September 2008, Syrian President Bashar al-Asad issued Decree No. 49 to amend Law No.41 as it related to property in the border areas. In its application, Decree No. 49 has led both directly and indirectly to the deprivation of Kurdish citizens' rights to adequate housing and to property, especially land as a source of livelihood and culture.²⁴ Its first article prohibits the trade of property, mortgages, insurance, concessions, other franchises, or lending arrangements of a duration longer than three years, or that affect any legal rights concerning lands in the border area (including all of al-Hasaka) without central government permission, whether they are within or outside of a city plan, with or without a building on it, agricultural or nonagricultural land.

The process remains prohibitively burdensome, and contracts outside these rules are deemed invalid. Decree 49 prevents the Courts from accepting any application

to ratify a real estate sales contract, unless accompanied by the license. Contravening article 30 of the Syrian Constitution, the decree is retroactive and forces the dismissal of all pending cases in which the plaintiff (buyer) failed to produce the necessary license. Any current real estate sales without a license could be sent to auction as if no owner existed. It applies the licensing requirement also to rental properties for leases of more than three years. Decree 49 also prevents local councils from arranging municipal contracts for three years or more for shops, housing and agricultural property without obtaining a license in advance. Kurds in Syria are effectively prevented from obtaining the requisite permits.

Therefore, Decree 49 has derogated further their rights to housing, equitable land access and agricultural, as well as many other forms of livelihood. On 25 September 2008, the Syrian authorities issued Decree No. 59 on the demolition of structures built contrary to the planning law. Its Article 2 stipulates that all illegal buildings shall be demolished and the violators shall pay the expenses of the demolition and removal of the rubble. Article 7 authorizes demolishing and/or replanning of the areas under the Law No. 1 of 2003 in the provincial towns, requires application of the decree retroactively, and targets the areas that include a majority of Kurdish people.²⁵

As a further result of repeated droughts, many families have migrated from rural Syria to urban centers. In 2009, some 29–30,000 families migrated, and estimates project that number to have increased to 50,000, or higher, in 2010. As a result, some 160 villages have ceased to exist.²⁶ Those who have moved from the drought-affected regions are mostly small-scale farmers from al-Hasaka Governorate, the overwhelming majority of them are Kurds.

As affirmed in the UN Guiding Principles on Internal Displacement,²⁷ such persons have a right to State support for their welfare and housing,²⁸ return and rehabilitation²⁹ without negative discrimination.³⁰ However, the State has not manifested willingness to uphold those rights and freedoms.

In fact, in Decree 2715 of 16 December 2010, the Ministry of Local Administration further prohibited officials from ratifying and sales or rental contracts to persons outside of their designated domicile. This measure, which is ostensibly is not specific to any ethnic groups, further complicates and forecloses housing options—and housing rights—for those most vulnerable to the present wave of displacements.

In May 2010, the, the Directorate of Agriculture Reform in al-Hasaka issued Resolution No.2707 on 17 March 2010. It removed the names of more than 580 Kurdish peasants from lists of those who have permission to use the land in the Dayrik area of al-Jazīra region, because they lacked legal authorization in accordance with the provisions of Law No. 41 (2004), as amended by Decree No. 49 (2008).³¹ The Minister of Agriculture and Agrarian Reform `Ādil Safar said, in a visit to al-Hasaka Governorate on 5 May 2010, that it was the Arab Ba'ath Socialist Party and the National Security Council, headed by Major General Hishām Bakhtiār, who made the decision. The National Security Council decided which Kurdish names to include in the list (see Annex III).³²

In a continuing measure, on 10 February 2011, The Ministry of Agriculture and Agrarian Reform excluded stateless Kurdish peasants from government support in their usual cultivation of cotton under pretext that they are not citizens.³³

Meanwhile, the Syrian government has raised the price of agricultural inputs as a result of the recent drought, which, in turn, has increased the suffering of Kurdish peasants in Syria.³⁴ Consistently over more than half a century, these serial measures have cut the livelihood resources of Kurds and impoverished their lives further.

By removing the citizenship from the population, these methods have taken 335 villages from Kurdish people since 1974, and alienated them from their agricultural land in the entire al-Hasaka area. These consequences are the result of a knowing policy of deprivation targeting ethnic Kurdish Syrians. By pursuing a model of citizenship status subordinated to an ethnocentric state ideology, the source and consequence of the violations are not subtle, and the subject of measures required to human rights-based statecraft are no less clear.

(See the situation of post-war Syria discrimination and spatial segregation under question 19 below.)

13. What impacts do these forms of spatial and residential segregation have on affected communities? Please point to indicators such as rates of poverty, un-employment and under-employment; prevalence rates of malnutrition; disparities in access to services and facilities (such as access to schooling, health care or other public benefits); disparities in access to infrastructure (lack of and/or poor quality provision of water, sanitation, transportation, energy, waste collection and other utility services); rates of exposure to environmental health risks (poor air quality, flooding, toxic ground exposure, etc).

In Sudan, land administration is fraught with overlapping and competing jurisdictions and lack proper procedures for providing lands to resettle displaced persons, as in the five states of the Darfur region. At the same time, the military and state-related militias carry out systematic and deliberate plans to exterminate the indigenous peoples and plunder their lands and wealth. This continues despite the current transition at the central government.

Although many international efforts are supporting the country's IDPs, local civil society is overlooked despite the "policy coherence" promised in the UN Sustainable Development System reform to align relief with institution-building development approaches within the framework of human rights.³⁵ Civil society is relegated to delivering emergency humanitarian aid, but lack opportunity and capacity to engage in policy and program solutions for IDP resettlement, squandering potential assets.³⁶

14. Have any particular historical or current laws, policies or practices in your country, region or town/community caused or exacerbated segregation?

[Click here to enter text.](#)

15. In your view, what factors (current or historical) are the principal *drivers* of spatial and residential segregation in urban and urban-rural contexts in your country?

In certain contexts, indigenous peoples and minorities suffer material discrimination by way of abuses against them and their habitat. In Sudan, the consequences of war have caused great suffering of the marginalized people in Sudan, especially the Nuba, Fur and Fung peoples, and some African tribes in Sudan. Military force has forcibly displaced millions who have no choice but to flee

to the cities. This has naturally resulted in the spread of random housing around the cities of Sudan, and the new cities that were built by these displaced people lack the essentials of life in all respects.

The preparations for a half-trillion-dollar futuristic city-state in Saudi Arabia's Tabruk Province has developed into a full-blown international controversy.

Forming an integral part of HRH Muhammad Bin Salman's Vision 2030 plan for an ultra-modern and diversified economy, the planned metropolis of "Neom" takes its name from a mash-up of the Greek word for new, "νέος" [n(y)ū] and the Arabic for a future "مستقبل" [mustaqbil]. Its design includes a huge artificial moon, glow-in-the-dark beaches, flying drone-powered taxis, robotic butlers to clean residents' homes, data-gathering network, including drone and facial-recognition technology covering the entire city-state, and a Jurassic Park-style amusement complex featuring animatronic lizards. Neom is billed as the ultimate "smart city," smack-dab in the heart of the Middle East.³⁷

Alien as that may seem, the real controversy has emerged from the inevitable forced eviction of some 20,000 members of the indigenous Huwaiti [حويطي] community, which has inhabited the region for eons, long before the British-sponsored consolidation of the Kingdom of Saudi Arabia 90 years ago.

The Huwaitis do not want to move to make way for the new city-state that is planned to report directly to the Saudi king. Their opposition to both their population transfer and royal payment as "compensation" led to mass arrests in March 2020 and the Saudi security forces' killing of tribal spokesman Abd ul-Rahim al-Hawaiti on 13 April 2020.³⁸

The resulting public outcry from the murder has reached international proportions with civil society calling for international partners in the project to withdraw on human rights grounds. Targets of the call to extraterritorial human rights obligations have been directed especially at the U.S. Boston Consulting Group as well as London-based Oliver Wyman McKinsey & Co.³⁹

Adding to the regional concerns are the Neom projects pursuit of a transport channel to by-pass Egypt's recently expanded Suez Canal through a proposed "Red-Med" railroad link through Tel Aviv.⁴⁰ That eventuality also would signal the normalization of Saudi relations with Israel,⁴¹ the only remaining colonial regime in the Middle East.

Within the kingdom, critics observe that the repression and pursuant expulsion of the Huwaitis reflect a lack of regard for tribal communities long dominated and suppressed by the Saudi state. This case also invokes the wholesale destruction of the Eastern Province town of Awaima in 2017, which caught the attention of UN human rights experts who denounced⁴² the destruction and the ethnic cleansing and further repression⁴³ of its minority inhabitants.

As for the ongoing efforts to construct the futuristic and "smart" city of Neom, an outspoken activist and member of the tribe living in London, Alia Hayel Aboutiyah al-Huwaiti observed, "It's definitely not for the people already living there! It's for tourists, people with money, but not for the original people living there." "For the Huwaitat tribe," she says, "Neom is being built on our blood, on our bones."⁴⁴

In the context of the war in Syria, the City of Homs, the country's third largest after Damascus and Aleppo, has been called the "capital of the revolution," as one of the first cities in Syria to participate in protests that led to the upheaval in 2011. The city suffered intense retaliation and destruction in opposition-held areas, including severe shelling and aerial bombing. UN HABITAT estimated that 57% of the Homs housing stock was affected: 36% totally destroyed and 21% partially destroyed or damaged. As many as 21 out of 36 neighbourhoods now lack housing, services, economic activities and overall infrastructure.

Homs City lost 40% of its pre-war population as of December 2017 (from 806,600 down to 481,600). The majority of the displaced (55%) went abroad (mostly to Lebanon), or to other locations in Syria, while the remainder was displaced within the city. One of the characteristics of Homs displacement pattern is that the overwhelming majority of IDPs in Homs city are intra-city IDPs coming from more severely damaged neighbourhoods. Of the 218,800 IDPs in Homs as of 2017. Some 6% come from outside Homs. This creates a very high return potential due to the proximity of the displaced to their original homes.

However, return to Homs has been limited with fewer than 3,800 returnees. A UN HABITAT-UNHCR survey of 1,500 Syrian refugee households from urban Homs in Lebanon found limited return prospects primarily due to safety concerns, followed by limited access to livelihoods, services and housing. A strict Syrian government return clearance process by security forces, the closure of certain neighbourhoods to return and the level of destruction also inhibit return and HLP restitution.

16. Are there examples in your country of where spatial and residential clustering has been a result of voluntary choices of residence by members of particular groups?

In Yemen, the Akhdam (marginalized caste of African descent) habitually live in segregated locations, largely due to historic discrimination as outcasts/untouchables. However, some efforts to resettle and integrate them next to other Yemeni neighbourhoods have failed and the Akhdam abandoned them for multiple reasons. No definitive evaluation has determined the various factors leading to this failure; however, they are likely multiple and related, including cultural inappropriateness of the dwellings and setting, hostility of adjacent host communities, distance from livelihood sources and other related costs (transport, food, etc.) in the new location.⁴⁵ ¶In Tunisia, migrants from Côte d'Ivoire living in La Marsa (north of Tunis) became the subject of a reported collective forced eviction during the COVID-19 pandemic.⁴⁶ ¶

17. The preservation of cultural identity, the right to self-determination of indigenous peoples and the protection of minority rights are examples of grounds for which groups may choose to live separately. Can you comment on how these forms spatial/territorial separation are evidenced in your country, if these communities they are subject to discrimination and suffer adverse consequences from spatial segregation such as through disparities in access to services, infrastructure, living conditions, etc.?

Roma and Afro-descendants in Palestine historically have lived in enclaves, most commonly in Jerusalem, Jericho and Gaza. Black Palestinians also live in Jenin and Tulkarem in the West Bank. They have clustered for multiple reasons over time, including their arrival together as slaves, refugees, conscript soldiers or pilgrims, or

via chain migration from outside of Palestine. They experience economic marginalization, as well as popular/social discrimination. However, no official policy or planning criteria are known to have created such segregation. Some Sudanese in northern Gaza are believed to be descendants of conscripts during the British WWI occupation and subsequent Mandate. ¶In Egypt, tens of thousands of Palestinian refugees (some 70K in total) concentrate in the Sharqiyya Governorate (northeast of Cairo).⁴⁷ They are denied “refugee” status and are deprived of corresponding international-assistance-and-protection entitlements. Their living conditions are notoriously squalid, and they have no rights to education, work or health services. ¶Also in Egypt, Nubians and Imazighen traditionally live in southern and northwest Egypt, respectively. Their “segregation” is an outcome of their defined territory of traditional habitation as indigenous peoples (although the government does not recognize that status). ¶Although estimates of numbers of affected persons vary, the scale of slave trade in the Middle East/North Africa between 1700 and 1880 has left the descendants of around 800,000 slaves taken to Egypt, 515,000 to Morocco, 400,000 to Libya, 100,000 to Tunisia, and 65,000 to Algeria.⁴⁸ Among these communities are the Tawergha, in northern Libya, and other black Libyans who have suffered increasing xenophobia and persecution after Muammar Gaddafi’s fall in 2011, partly because of their perceived role as collaborators with the previous regime. ¶Some 1.5–2 million Black Iraqis continue to reside in overcrowded and poorly serviced neighbourhoods, with unemployment levels at around 80% and with highly restricted participation in public life, even in areas where they form the majority. In al-Zubayr district of Basra, 70% of residents are black Iraqis, but without a single member on the district council or in the police force.⁴⁹

18. In your view, are certain forms of observed residential separation/voluntary clustering compatible with human rights law and if so why? (for example, to protect rights of minorities or to respect the freedom of choice of individuals to decide with whom to live together).

In general, governments across the region are silent about the recognition and corresponding protection of these groups subject to historic discrimination. In Egypt, the government has refused to recognize the Bedouins, Nubians and Imazighen as indigenous peoples, although they are recognized internationally.⁵⁰

19. Do any laws or policies require certain individuals (and their families) to live in particular housing provided to them or in a particular geographical area (e.g., asylum seekers, migrants, IDPs, refugees, ethnic, religious, linguistic or other minorities, indigenous peoples, persons with disabilities, public service and military personnel)?

Syrian returnee refugee and displaced persons face majestic challenges to their housing, land and property (HLP) restitution rights, amid the other entitlements of reparation. Legislation on urban planning and reconstruction represents another threat to the HLP rights of residents and the displaced. Several laws and urban planning measures taken by the Syrian government during the conflict increase the power of municipalities to re-zone informal and war-damaged areas and facilitate expropriations. This indicates that urban planning could result in a gentrification of the areas considered, as the level of compensation offered would not be sufficient for expropriated owners to remain after reconstruction. In Homs, the Baba Amr district is one of the former opposition strongholds and is listed for complete demolition, and the announced reconstruction project envisages luxury residential buildings. ¶While it may be expected that planners might to take advantage of the destruction

to modernize a city, the modalities of such projects should be strictly monitored to ensure that they do not result in the dispossession of the war-affected population and their further displacement to the periphery of the city or beyond. In a conflict or post-conflict context, this could easily be interpreted as retaliation against people who were displaced or sided with the opposition, or worse, as a deliberate attempt to pursue demographic manipulation through urban planning. This concern is amplified by the fact that the ban on returns declared by authorities in Homs affects mostly opposition areas.

A similar pattern of politicizing destruction and reconstruction has already emerged in Damascus and Aleppo, whereas the Syrian government has a long history of instrumentalising housing policies to strengthen its power base. Therefore, international actors planning to support reconstruction must carefully ensure that the modalities of expropriations, compensation calculation methods and reconstruction projects they support not prevent the return of the displaced or create new displacement.

Several new laws aim at reconstituting destroyed or missing cadastre records, or organising post-conflict reconstruction. Decree 12/2016⁵¹ imposed an initial 4-month deadline for owners to confirm or contest in person the data included in the newly reconstructed cadastre.⁵² Thereafter, the decree allows for a 5-year appeal procedure, whereby the owner can be represented. While this theoretically gives an opportunity for redress, the short initial deadline unnecessarily complicates the process by compelling those who will have missed the deadline to go through an appeal process. Moreover, no specific procedure exists to inform refugees or IDPs of these administrative hurdles, and the entire appeal option has already lapsed by this date.

Similarly, Law 33/2017, regulating the reconstitution of lost or damaged title deeds, seems to comply with the right to a fair hearing, but does not address the situation of IDPs or make provisions for their notification should they have a stake in decisions to restore their titles either administratively or judicially.⁵³

Law 10/2018 on expropriation procedures presents similar procedural impediments (30 days initial deadline, followed by an appeal procedure). It requires claimants to undergo an ill-defined security clearance.⁵⁴ Many reports already indicate the arbitrariness of the process, often resulting in detention or forced conscription of the claimant or her/his relatives, if her/his name is found on a security list.⁵⁵ This procedure greatly deters potential claimants who now risk forfeiting their compensation rights for fear of arbitrary security measures.

20. In your view, what are the principal *barriers* to diminishing spatial, including residential segregation?

Neoliberal and rentier economic systems, ethno-nationalist ideologies, nepotism and lack of participation and transparency in policy formulation.

Measures and Good Practices to Curb Discrimination and Reduce Segregation

21. What laws, policies or measures exist at national or local level to prevent or prohibit discrimination in relation to the right to adequate housing?

[Click here to enter text.](#)

22. Have your State, regional or local Government adopted any positive measures, such as measures of affirmative action, to reduce discrimination, segregation or structural inequality in relation to housing? To what extent have such initiatives been successful to address housing discrimination and segregation?

Discrimination against migrants, refugees and displaced persons affecting their right to housing does take place across the region, but amid generally welcoming and receptive societies. Lebanon and Jordan are the world's most-receptive countries to refugees and displaced persons, with refugees forming 1/5 of Lebanon's population and 14% in Jordan, of whom form half of Jordan's population in the country's north and east.⁵⁶ Meanwhile, militarized colonial systems prevail in occupied Palestine and Western Sahara, where the Occupying Powers conduct the serious crime of population transfer as well-established policy. HIC-HLRN has calculated over 33,400,000 people across the region displaced and entitled to HLP restitution, most of whom are spatially segregated and marginalized in one form or another.⁵⁷

Gender-disaggregated asset ownership data also are an indicator of the multiple constraints affecting women. Given the patterns, opportunities and constraints of land ownership, the region has the lowest level of women's land ownership in the world (5%). However, a recent progressive measure in Egypt has 20% of land titles in new (reclaimed) lands distributed to women.⁵⁸ In Oman, the government has encouraged women to apply for land from the government and has implemented strategies that increase significantly women's secure tenure relationship to land and housing.⁵⁹

In 2020, the Egyptian government issued the Egypt Housing Strategy, in cooperation with the UN-Habitat's Regional Office for the Arab States. The strategy sets clear policies to deal with the housing challenges through four main interventions: (1) existing urban development areas, (2) existing housing stock and vacant units, (3) challenges and problems related to the low-income housing and (4) housing as related to the dimensions of sustainable development. Besides the strategy's role as a component of the constitutional right to adequate housing, it also plays a role in realizing international responsibilities such as the UN SDGs (Target 11.1 By 2030, ensure access for all to adequate, safe and affordable housing), and the New Urban Agenda (para. 14a providing equal access for all to... adequate and affordable housing). This positive step is still missing some important issues such as improvements in targeting the public housing subsidy, monitoring the housing market; a lack of market regulation; the lack of a time frame; giving greater consideration to ownership, while neglecting other types of tenure; and the absence of legislation to regulate resettlement.⁶⁰

23. Have any particular laws, policies or measures been implemented to limit or reduce residential segregation? To what extent have such policies raised human rights concerns?

Important in this context are public budgets, which are typically opaque and are developed through internal processes. At the start of the budget process in Egypt, for example, each municipality submits information about its financial needs to the province's presidentially appointed governor; however, political capital and

bargaining power, rather than the needs of local communities, often dictate how successful municipalities are at securing funding. The government allocates local funds with little attention to existing poverty levels or the needs of the inhabitants in question. Additionally, spending on local development programs in Cairo is insufficient to meet the city's needs for infrastructure, environmental needs and other municipal duties.⁶¹

From a financial planning perspective, effective spatial justice requires a coherence between public spending and development goals, usually in the form of specific programs in the local sphere, with spending and implementation oversight and with the public playing a role in assessing local needs and priorities in setting clear rules for the equitable allocation of resources. In Egypt, none of these conditions is met in the preparation of the General Budget, which hampers spatial justice and undermines the development goals of public spending.⁶²

Moreover, housing units supposedly allocated for lower and middle-income groups are beyond the financial reach of these households.⁶³ For example, the monthly income of almost 60% of the population does not exceed EGP 2,000, while the monthly mortgage payment required to own an apartment in planned Badr City is EGP 3,625 on average.⁶⁴ A small amount of land in the New Urban Communities (planned desert cities) has been allocated toward lower and middle-income housing, yet there is no way to measure if this land allocation is actually meeting the housing demand of such groups.⁶⁵

24. What is the role of the media, as well as other non- governmental organizations, of religious and governmental institutions, in fostering a climate that reduces or exacerbates discrimination in relation to housing and segregation?

25. Which institutional mechanisms exist to report, redress and monitor cases of discrimination or segregation in relation to the right to adequate housing and how effective have they been to address discrimination?

[Click here to enter text.](#)

26. In your view, what are the principal barriers to seek justice for discrimination/segregation in relation to the right to adequate housing?

Egypt stands as a rare, albeit historic example of land reform that extended to urban areas in the 1950s. During the Gamal Abd ul-Nasser administration, inhabitants who occupied urban plots uncontested for at least 15 years before the 1952 legislation, were entitled to legally secure freehold tenure. However, the lack of follow-up with certification of such entitlements led to “presumption of tenure” that did not stand up in court when challenged decades later. At the time of the land reform and since, many entitled inhabitants found the legal registration process costly, overly bureaucratic and superfluous, only to find that courts favored the claims of urban-development speculators and dubious transactions between officials and investors produced documented counterclaims that over-rode the right acquired through adverse possession.

The consequent land loss and resettlement of those households to the urban periphery was mirrored by judicial rulings also dispossessing rural land-reform beneficiaries. Small-scale farmers were ultimately dispossessed under Law 96 of 1992, which canceled old tenure contracts, but analysts have found the losses

primarily attributable to a bias among judges, whose allies and membership in the formerly landed classes motivated a pattern of judgments favoring the return of land titles to feudal landlords and their heirs.⁶⁶

This targeted dispossession played out in certain urban neighborhoods also in the post-uprising period after 2011, whereby counter-revolutionary forces ascended to replace urban “thuggery” (*bultagiyya*) with more-reliable up-market constituents.⁶⁷

27. Can you specify how individuals and groups subject to structural discrimination or experiencing segregation can submit complaints to administrative, non-judicial or judicial bodies to seek relief? Please share any leading cases that have been decided by your courts or other agencies in this respect.

Despite the Bahraini delegation’s repeated self-congratulations in UN-HABITAT forums, the State of Bahrain (now Kingdom of Bahrain) visibly and materially discriminates against the indigenous Shi’a majority of Bahrain in housing, planning, infrastructure, services and land allocation.⁶⁸ Emblematic of those who expose this form of discrimination (pronounced also in education and public-sector employment) is the case of and-rights defender Sheikh Ali Salman, subject to a 9-year prison sentence in 2016 for speaking out. (Note UN Special Rapporteur on freedom of opinion and expression, David Kaye, communication at the time.⁶⁹) His imprisonment follows a long-standing policy in the small-island nation (760km²) of foreclosing all coastal lands for the royal family and entitling each royal newborn with her/his own 1,000m² plot.

Bahrain’s surface area includes more than 70km² reclaimed coastland over the past thirty years, increasing the landmass by over 10%.⁷⁰ However, more than 90% of the newly created land has been privatized, despite legal prohibitions, making the coastline into private property of the ruling family.⁷¹ Because of the commercialization of coastal land, many of Bahrain’s traditionally small family fisheries have lost their livelihood; and the country, a heritage.⁷² Moreover, nearly half of the island nation’s landed property remains foreclosed to Bahrainis while occupied by United States Fifth Fleet and its military coterie.

Over the years preceding the uprisings against the Āl Khalīfa ruling family, youth and regime opponents had been protesting the lack of housing and livelihood prospects that result from the self-enrichment by the “royals” and their supporters.⁷³ The rulers’ confiscation of lands and all access to the sea, coincident with the material discrimination in the provision of public goods and services to favor the minority Sunnis, became an issue of such contention that the Council of Deputies (lower house of parliament) undertook an investigation into the privatization of public lands and resources. Published in March 2010, the study identified 65km² of public land valued at more than US\$40 billion and transferred to private hands since 2003 without proper payment to the public treasury.⁷⁴

The Bahraini parliamentary study uncovered how the system has functioned. Bahraini land grabs especially have affected state property that the king has transferred to private hands at the expense of the general citizenry by a repertoire of 16 corrupt techniques.⁷⁵

The data confirmed that some of the state properties have transferred to private parties, without charge, and without the state benefitting from any return on them.

The king has made royal gifts of property intended for public benefit, such as reclaimed land, which is constitutionally banned from privatization. By mid-2008, private parties had taken 94% of this land for “special projects.”

The report revealed cases of seizure and forgery of title deeds as part of an organized and systematic policy of land fraud. Cases of bribery, particularly those associated with the Alba (Aluminium Bahrain BSC) company,⁷⁶ are notorious. The official investigation alleged that, over the years, the prime minister’s advisor Shaikh `Isa bin `Ali al-Khalifa has received bribes estimated at \$2 billion (an amount equivalent to the state budget for one full year). The king has issued royal pardons for the defendants, while the cases were still before British and U.S. courts.⁷⁷

In Saudi Arabia, a similar pattern of official anti-Shi`a discrimination and neglect prevails against citizens in the country’s Eastern Province (al-Qatif). Following Saudi Arabia’s execution of Ayatollah Nimr al-Nimr on 2 January 2016 for the spiritual leader’s calls for democratic change, the Saudi military besieged his hometown of al-Awamiyah (May 2017), after local inhabitants resisted punitive house demolitions against residents for taking part in banned protests (actually rallies against Israel’s continued assaults on southern Lebanon). The government blamed the violence on terrorist activities and killed between 10 and 25 people with sniper gunfire and shelling,⁷⁸ including two infants,⁷⁹ as Saudi soldiers shooting at homes, cars and “everyone in streets.”⁸⁰ During the crackdown, the Saudi government demolished several historical sites and many other buildings and houses in Qatif,⁸¹ forcing 20,000 residents to flee⁸² the town devastated by demolitions and fighting.⁸³

In February 2018, the al-Qatif governor announced a “redevelopment project,” without consultation with local residents, that is “not only a security solution, or the tracking of armed groups and sleeper cells, but tackling the issue through social and economic development,” while isolating extremist thought.⁸⁴ (See also UN SRs communication on the subject.⁸⁵)

Data on Discrimination in Housing and Spatial/Residential Segregation

28. Is any data on housing disparities, housing discrimination and spatial segregation collected and publicly available? If so where can it be accessed? Are there any practical or legal barriers to collect and share such information in your country?

Money-metric measure is only a partial measure of poverty, but local practice and World Bank still favor income poverty lines as a proxy for wellbeing and the long-standing practice have created a legacy of undercounting poverty.⁸⁶ What passes for census data in some countries is not sufficient. In Egypt, for example, the periodic, “census” at 10-year intervals, does not involve enumeration, but rather extrapolates from aerial and satellite photos to determine numbers of residents by structures, variously overestimating and underestimating populations according to Central Agency for Public Mobilization and Statistics (CAPMAS) criteria. This mapping-exercise method, in lieu of a census, perpetuates many unverified assumptions.

While planning and development models continue former practices based on often-insufficient population and poverty statistics, the current pandemic forces us to interrogate numerous assumption and corresponding practices. Among them is the pattern of spatial planning and transportation-oriented development (TOD). The continued reliance on private cars and public expenditures to expand infrastructure to accommodate that mode of transport creates and perpetuates social disparity without sufficient public transportation options. Amid multiple central-government organs variously involved in transport,⁸⁷ municipalities struggle to keep up with the transport demand. And for political and socio-religious reasons, a critical debate on population policy has not taken place, nor has it occurred at the international level for 27 years, not even in during Habitat III.⁸⁸

In Alexandria, Egypt, for example, the private mini-bus system, taxis, and the auto-rickshaw (*tūk-tūk*) are the backbone of the transport system (with a daily ridership of more than a 1.5 million passengers), offering more reliable service than the formal system.⁸⁹ Consequently, public officials struggle to impose pandemic social-distancing measures on these informal services. The imposed restrictions (suspend service or reduce occupancy) pose a threat to the income of informal transport operators, and so have been mostly ignored.⁹⁰ Non-motorized transport could be imagined, but no such practice is habitual or planned.

29. Can you kindly share any studies or surveys by local, regional or national Governments or by other institutions to understand better housing disparities, housing discrimination and spatial segregation and how it can be addressed (e.g., title and link, or kindly submit document).

Shawkat, Yahia. (2013). *Impact of World Bank Policy and Programs on the Built Environment in Egypt* (Bank Information Center), https://bankinformationcenter.cdn.prismic.io/bankinformationcenter%2Fc884b374-305d-490f-9d89-414af43cf5f4_egypt-publication-final-english.pdf;

_____. (2020). *Egypt's Housing Crisis: The Shaping of Urban Space* (American University in Cairo Press), <https://aucpress.com/product/egypts-housing-crisis/>;

Prindex. (2021). *How can citizens' perceptions of land tenure security contribute to land governance reforms in the Arab region? Insights and issues from Prindex*

survey results, Summary, <https://www.prindex.net/reports/how-can-citizens-perceptions-of-land-tenure-security-contribute-to-land-governance-reforms-in-the-arab-region/>; Full report, <https://www.prindex.net/documents/631/PX1305> Prindex Report www v2.pdf;

UN Economic and Social Council (ESCWA). (2017a). *Social Housing in the Arab Region: An Overview of Policies, for Low-Income Households' Access to Adequate Housing*, Technical Paper 7, E/ESCWA/SDD/2017, https://www.unescwa.org/sites/www.unescwa.org/files/page_attachments/social-housing-arab-region-en.pdf.

ESCWA. (2017b). *Arab Multidimensional Poverty Report*, E/ESCWA/EDID/2017/2, 2017, https://www.unescwa.org/sites/www.unescwa.org/files/publications/files/multidimensional-arab-poverty-report-english_0.pdf.

UN-Habitat/Global Land Tool Network. (2020). *Darfur Land Administration Assessment - Analysis and Recommendations*, <https://unhabitat.org/darfur-land-administration-assessment-analysis-and-recommendations>.

30. Can you provide information and statistics related to complaints related to housing discrimination, how they have been investigated and settled, and information on cases in which private or public actors have been compelled successfully to end such discrimination or been fined or sanctioned for non-compliance?

[Click here to enter text.](#)

Addendum:

While this questionnaire reminds us of the legally defined normative content of the human right to adequate housing (8 above) and one of the ICESCR's over-riding implementation principles (non-discrimination, 7 above, and gender equality, 10 above), we are mindful of the other five: self-determination, rule of law, progressive realization, maximum of available resources, and international cooperation. In our region, we find important lessons at the convergence of self-determination and international cooperation in illustrative cases and in particular countries.

Sanctions and economic pressure on Iran affect the country's economic situation, in general. Among the consequences in Iran, the price of all goods and services needed by citizens hyper-inflation, and the income of a large part of the people does not meet these needs, in particular, adequate housing. One of these needs is to provide adequate housing for the people. These constraints also affect other needs such as food and medicine. Already in 2016, 11 million people live in 2,700 slum areas across Iran, of whom 3 million live in Tehran, Mashhad and Ahwaz alone. The unemployment rate then was near 60%, with 3.5 million jobless people in Iran.⁹¹

As for building materials, Iran is entirely self-sufficient in steel, iron, cement, gypsum, bricks, ceramics and tiles, but the effect of external factors such as exchange rate fluctuations, gold markets and general economic conditions on the housing sector cannot be denied.⁹² Sanctions imposed through the foreign-exchange market affect the housing market and lead to higher housing prices, whether through rent, purchase or construction. Under the pandemic, inflation has spiked,

with The Central Bank of Iran noting at mid-2020 a 56.6% increase in average per-meter residential housing prices across Iran over the same period in 2019. The price of rented residential units in Tehran and across urban areas increased by 27.6% and 31% respectively during the 2nd quarter of 2020, versus 2019.⁹³ This trend creates housing insecurity for the middle- and lower-income groups of society and the youth, depriving them of having suitable and quality housing. One of the problems of sanctions and economic pressure on Iran will be housing insecurity for the people, especially marginalized groups and workers. The situation was exacerbated by the economic tensions caused by the Covid-19 pandemic, in response, the central government applied the National Taskforce to Fight Coronavirus decision to require tenancy agreements signed as of 29 June 2020 not to increase rents by more than 25% in Tehran and 20% rise in other large cities.⁹⁴

In the case of Palestine, Israel's *raison d'état* has been, and continues to be elimination of the indigenous Palestinian people's habitat in favor of Jewish immigrants from foreign countries. This destruction of Palestinian habitat involves systematic and systemic "gross violation of human rights, in particular the right to housing."⁹⁵ (See other CSO inputs in response to this questionnaire.)

This pattern has a self-imposing international dimension, invoking extraterritorial obligations under international human rights, humanitarian and criminal law, as well as peremptory norms. In unitary application, states would be prohibited from cooperating with the illegal situation of Israel's primordial apartheid regime, as well as Morocco's illegal occupation of Western Sahara for over 40 years. These gross violations of the human right to adequate housing, including the related denial of land and other means of subsistence. However, many states bear responsibility for breaching secondary and likely also primary norms⁹⁶ by perpetuating these situations, rather than bringing them to an end.

One highly relevant example are the State of Israel's parastatal organizations that direct, implement, maintain and fundraise for criminally prohibited colonization, apartheid and population transfer activities, with the gross violation of habitat-related human rights at their core. Fully 50 states—including 18 sitting members of the UN Human Rights Council—maintain these Israeli state agencies within their jurisdictions as tax-exempt charities. International cooperation under ICESCR and the extraterritorial obligations arising from each covenanted right demand effective measures and behavior correction on the part of complicit states.

Endnotes

¹ For example, UN Economic and Social Council (ESCWA), *Social Housing in the Arab Region: An Overview of Policies, for Low-Income Households' Access to Adequate Housing*, Technical Paper 7, E/ESCWA/SDD/2017 (Beirut: ESCWA, August 2017, https://www.unescwa.org/sites/www.unescwa.org/files/page_attachments/social-housing-arab-region-en.pdf).

² *Arab Multidimensional Poverty Report*, ESCWA, E/ESCWA/EDID/2017/2, 2017, p. 27, https://www.unescwa.org/sites/www.unescwa.org/files/publications/files/multidimensional-arab-poverty-report-english_0.pdf.

³ *Investigating Spatial Inequality in Cairo*, Tadamun Initiative. December 2015. at: http://www.tadamun.co/investigating-spatial-inequality-cairo/?lang=en#.YI_n7bUzbFA.

⁴ David Sims, "The Arab Housing Paradox," *The Cairo Review of Global Affairs* (2013), <https://www.thecaireview.com/essays/the-arab-housing-paradox/>.

⁵ "Egypt's New Cities: Neither Just nor Efficient," *Tadamun* (December 2015), <http://www.tadamun.co/egypts-new-cities-neither-just-efficient/?lang=en#.YJHqh7UzbFA>.

- ⁶ “A million units for whom? Six facts about the Social Housing Project,” *The Built Environment Observatory*, May 2018, https://marsadomran.info/en/facts_budgets/2018/05/1543/.
- ⁷ Yasin Elhadary and Shereen Ali, “A New Trend in Urban Housing: Gated Communities in Khartoum, Sudan,” *American Journal of Sociological Research*, Vol. 7, Issue 1 (2017), <http://article.sapub.org/10.5923.j.sociology.20170701.07.html>.
- ⁸ Omer Khalafalla, “Policy Reform, not Evictions! The Case of Slum Urbanisation in Khartoum, Sudan,” *urbanet.info* (September 2018), <https://www.urbanet.info/sudan-slum-urbanisation/>.
- ⁹ ESCWA 2017, *op. cit.*
- ¹⁰ Reem Maghribi, “A New Rent Law, A New Urban Dynamic,” *LAU Magazine*, Vol. 20, No. 1 (spring 2018), <https://magazine.lau.edu.lb/20-1/a-new-rent-law-a-new-urban-dynamic.php>.
- ¹¹ David Sims, *The Arab Housing Paradox, The Cairo Review of Global Affairs*. Op.cit.
- ¹² Rami Farouk Daher, “Neoliberal urban transformations in the Arab city,” *Environnement Urbain / Urban Environment* [online], Volume 7 (2013), <http://journals.openedition.org/eue/411>
- ¹³ For more details about the consequences of the decree 503, see, Joan Chaker, “مصرف لبنان يسخر الإسكان لزيادة أرباح” [Arabic] (*Masraf Lubnan Yusakhkhar al-Askān li-Ziadat Ārbah al-Masārif/ Banque du Liban uses housing to increase bank profits*), *Marsad al-Sakan*, <https://housingmonitor.org/bdl-hijacks-housing/>; “Urbanista Dollarization Experiment,” *Nudge Lebanon* (31 January 2020), <https://nudgelebanon.org/2020/01/31/urbanista-dollarization-experiment/>.
- ¹⁴ Jana Haider, “Home Loans Exacerbate Inequality,” *Housing Monitor* (June 2020), <https://housingmonitor.org/en/content/home-loans-exacerbate-inequality>.
- ¹⁵ According to testimonies of refugees residing in Cairo.
- ¹⁶ Algeria, Egypt, Iraq, Mauritania, Morocco, Somalia, Sudan, Tunisia and Yemen.
- ¹⁷ Haitham Manaa, “عديمو الجنسية في سورية (من غير اللاجئين الفلسطينيين)” [Arabic] (*‘Adimū al-Jinsīyya fī Sūriya / Stateless persons in Syria (apart from Palestinian refugees)*), (Malakoff, France: Arab Commission for Human Rights, 3rd printing 2004), <http://hem.bredband.net/dccls2/r1.htm>.
- ¹⁸ Convention relating to the Status of Stateless Persons, adopted on 28 September 1954 by a Conference of Plenipotentiaries convened by Economic and social Council resolution 526 A(XVII), 26 April 1954, entered into force 6 June 1960, in accordance with article 39.
- ¹⁹ Convention on the Rights of the Child (CRC), adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989, entered into force 2 September 1990, in accordance with article 49, citing Article 7. Syria ratified CRC on 14 August 1993.
- ²⁰ International Covenant on Economic, Social and Cultural Rights (ICESCR), adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966, entered into force 3 January 1976, in accordance with article 27 status of ratifications declarations and reservations, citing Article 11. Syria ratified ICESCR on 3 January 1976.
- ²¹ UN Special Rapporteur on the right to food Olivier De Schutter, Mission to Syria from 29 August to 7 September 2010 (preliminary remarks), at: http://www2.ohchr.org/english/issues/food/docs/SyriaMissionPreliminaryConclusions_07092010.pdf.
- ²² Muhammad Tālib Hilāl was a Saudi-naturalized Syrian who served as Ba`thist head of internal security in al-Hasaka Governorate. Throughout his life, he advocated the cleansing of the region of its non-Arab—particularly, Kurdish—population. As author of the infamous Arabization pamphlet “A Study of the Jazira Province from National, Social and Political Aspects” (1963), He set out a twelve-points plan to: (1) displace Kurds from their lands to the interior, (2) deny them education, (3) hand over “wanted” Kurds to Turkey, (4) deny Kurds employment opportunities, (5) conduct anti-Kurdish propaganda, (6) deport Kurdish ‘*ulama*’ (clerics) to be replaced by Arabs, (7) implement a divide-and-rule policy against the Kurds, (8) Arab colonization of Kurdish lands (9) militarize “northern Arab belt” and deport Kurds from the area, (10) create “collective farms” for the new Arab settlers, (11) deny rights to vote or public office to non-arabophones and (12) deny citizenship to any non-Arab wishing to live in the target area. The Syrian Ba`thi regional leadership and government formally adopted Hilal’s plan in 1965. See Haitham Mana, “‘Adimū al-Jinsīyya fī Sūriya” [Arabic] “Stateless Persons in Syria,” (Geneva: Arab Commission for Human Rights, 2004), at: <http://hem.bredband.net/dccls2/r1.htm>.
- ²³ Support Kurds in Syria, “Decree 49: Dispossession of the Kurdish Population?” <http://supportkurds.org/tag/decree-49/>.
- ²⁴ Support Kurds in Syria, “Decree 49 - Ethnic Cleansing of Kurds in Syria,” August 2010, <http://supportkurds.org/reports/decree-49-ethnic-cleansing-of-kurds-in-syria/>.
- ²⁵ “لا تزال سارية المفعول بعد مرور عامين على صدورها رغم الاعتراضات الشعبية (69/59/49) لمراسيم السوداء” [Arabic] (*La Tazāl Sārīyya al-Maf’ūl ba’d Murūr ‘Āmayn ‘ala Sudūrha Raghm al-‘Itirādhāt al-Sha`bī (69/59/49) li Marāsīm al-Sawdā’ / It is still valid two years after its issuance, despite popular objections (69/59/49) to Black Decrees*), *Partiya Yekîtiya Demokrat* (10 September 2010), http://www.pydrojava.com/index.php?option=com_content&view=article&id=701:-495969-&catid=42:2010-08-05-11-11-39&Itemid=61. See the text of Decree No. 59 on demolishing illegal buildings, <http://www.legalsyria.com/ar/the-news/158----59----->.
- ²⁶ L. Freimuth, G. Bromberg, M. Mehyar and N. Al Khateeb, *Climate Change: A new threat to Middle East Security* (Amman, Bethlehem and Tel Aviv: Friends of the Earth Middle East, 2007).
- ²⁷ *Guiding Principles on Internal Displacement*, E/CN.4/1998/53/Add.2, 11 February 1998.
- ²⁸ *Ibid.*, Principles 18 and 19.
- ²⁹ *Ibid.*, Principles 29 and 30.
- ³⁰ *Ibid.*, Principles 1, 2, 3 and 4.
- ³¹ “الحكومة السورية تنشأ حزاماً عربياً لفصل كردستان سوريا عن إقليم كردستان العراق” (*Al-Hukūma al-Sūriyya Tansha’ Hizaman ‘Arabīyyan li Fasl Kurdistān Sūriyya ‘an Iqlīm Kūrdistan ul-‘Iraq / The Government of Syria Establishes an Arab Belt to Separate the Kurdistan of Syria from the Region of Kurdistan*), <http://www.peymanner.com/details.aspx?l=2&id=179938>; Support Kurds in Syria, “Land rights of Kurdish Peasants removed in Syria,” June 2010, at: <http://supportkurds.org/news/land-rights-of-kurdish-peasants-removed-in-syria/>;

- “حسكة، شطب أسماء فلاحين كرد جدد من جدول المنتفعين من الأراضي الزراعية” [Arabic] (*Hasaka: Shatab Āsmā' Falahīn Kurd min Jadwal al-Muntafa'in al-Arādhī al-Zirā'īya / Hasaka: Removing the Names of Kurdish Peasants from the Schedule of Beneficiaries of Agricultural Lands*), http://ar.soparo.com/index.php?option=com_content&view=article&id=13853:2010-05-20-16-29-26&catid=34:2008-05-23-23-58-43&Itemid=192;
- ³² “Land Rights of Kurdish peasants removed in Syria,” *Rjhelat, the Kurdish Observer* (June 2010), <http://english.rojhelat.eu/component/content/article/358>.
- ³³ برسم وزارة الزراعة... لماذا يتم حرمان المجردين من الجنسية من “دعم القطن؟” [Arabic] (*Bi Rasm Wizārat al-Zirā'a...Limādha Yatim Hirmān ul-Mujarradīn 'an Jinsīyathum min Da'm al-Qutun? / By Decree of the Ministry of Agriculture...Why Those Stripped of Their Nationality Deprived of Cotton Subsidy?*), 10 February 2011.
- ³⁴ Lina Sinjab, “Syrian drought triggers rural exodus,” *BBC* (August 2010), <http://www.bbc.co.uk/news/world-middle-east-11114261>; World Food Program, “Syria: Over a million people affected by drought,” February 2010, <http://www.wfp.org/content/syria-over-million-people-affected-drought>.
- ³⁵ Repositioning the United Nations development system to deliver on the 2030 Agenda: ensuring a better future for all, Report of the Secretary-General. A/72/124-E/2018/3, 11 July 2017, <https://undocs.org/A/72/124>; Independent Team of Advisors Findings and Conclusions, ECOSOC Dialogue on longer-term positioning of UN Development System in the context of the 2030 Agenda for Sustainable Development, 16 June 2016, pp. 72 and 74, <https://www.un.org/ecosoc/sites/www.un.org.ecosoc/files/files/en/qcpr/ecosoc-dialogue-publication.pdf>; ECOSOC Dialogue on the longer-term positioning of the UN development system in the context of the 2030 Agenda, UNGD key messages for Workshop 5, 13 April 2016, at: <https://www.un.org/ecosoc/sites/www.un.org.ecosoc/files/files/en/qcpr/undg-key-msgs-functions-and-funding.pdf>; General Assembly, Transforming our world: the 2030 Agenda for Sustainable Development, A/RES/70/1, 21 October 2015, paras. 3, 7–8, 10, 19, 29, 35, 74(e), at: <https://undocs.org/A/RES/70/1>; Committee on World Food Security, Framework for Action for Food Security and Nutrition in Protracted Crises, CFS/2015/42/4, paras. 15–16, <http://www.fao.org/3/a-bc852e.pdf>.
- ³⁶ *Darfur Land Administration Assessment - Analysis and Recommendations* (Nairobi: UN-Habitat/Global Land Tool Network, 2020), <https://unhabitat.org/darfur-land-administration-assessment-analysis-and-recommendations>.
- ³⁷ “NEOM to be first totally digitized city in world — CEO,” *Saudi Gazette* (5 February 2020), <https://saudigazette.com.sa/article/588351>.
- ³⁸ Ruth Michaelson, “KSA: Futuristic City ‘built on our blood’,” *The Guardian* (4 May 2020), <http://www.hic-mena.org/news.php?id=p3FIZO=#.YJQGZLUza70>.
- ³⁹ Various international civil society organizations, “Call for TNCs to Quit Saudi Neom Project, open letter, 2 June 2020, [https://cihrs.org/american-consulting-firm-must-withdraw-support-from-human-rights-violating-megaproject-in-saudi-arabia/?lang=en&ct=\(EMAIL_CAMPAIGN_COPY_01\)](https://cihrs.org/american-consulting-firm-must-withdraw-support-from-human-rights-violating-megaproject-in-saudi-arabia/?lang=en&ct=(EMAIL_CAMPAIGN_COPY_01)).
- ⁴⁰ Mordechai Chaziza, “The Red-Med Railway: New Opportunities for China, Israel, and the Middle East,” Begin-Sadat Center for Strategic Studies, Perspectives Paper No. 385, 11 December 2016, <https://besacenter.org/385-chaziza-the-red-med-railway-new-opportunities-for-china-israel-and-the-middle-east/>.
- ⁴¹ Andrew Korybko, “Saudi Arabia might recognize Israel because of NEOM,” *OrientalReview.org* (26 October 2017), <https://orientalreview.org/2017/10/26/saudi-arabia-might-recognize-israel-because-of-neom/>.
- ⁴² OHCHR, “UNSRs: Saudi Demolition Violates Human Rights,” press release, 24 May 2017, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21657&LangID=E>.
- ⁴³ “Saudi Arabia: Security Forces Seal Eastern Town,” *Human Rights Watch* (13 August 2017), <http://www.hic-mena.org/news.php?id=p2psaQ=#.YJQHA7Uza70>.
- ⁴⁴ Michaelson, *op. cit.*
- ⁴⁵ HIC-HLRN, “The Human Right to Adequate Housing in the Case of al-Akhdam (Yemen), parallel report on Yemen’s implementation of the Convention on the Elimination of All Forms of Racial Discrimination,” 3 August 2005, http://www.hlrn.org/img/documents/akhdam_factsheet.pdf.
- ⁴⁶ “Locataires ivoiriens,” in *HLRN Violation Database*, <http://www.hlrn.org/violation.php?id=p2lqY6w=#.YIcooZAza70>, citing “Tunisie : Des ivoiriens expulsés de leurs domiciles pour non paiement de loyer,” *Espace Manager* (5 April 2020), <https://www.espacemanager.com/tunisie-des-ivoiriens-expulses-de-leurs-domiciles-pour-non-paiement-de-loyer.html>.
- ⁴⁷ Oroub El Abed, *Unprotected: Palestinians in Egypt since 1948* (Beirut and Washington: Institute for Palestinian Studies; Ottawa: International Development Research Centre, 2009), <https://idl-bnc-idrc.dspacedirect.org/bitstream/handle/10625/36357/IDL-36357.pdf?sequence=1&isAllowed=y>.
- ⁴⁸ Raëd Bader, « Noirs en Algérie, XIXème–XXème siècles, » Thematic session, « Society, scenes and actors, » Grand amphithéâtre de l’Institut d’Etudes Politiques, Lyon, 20 June 2006, https://www.canal-u.tv/video/ecole_normale_superieure_de_lyon/18_noirs_en_algerie_xixeme_xxeme_siecles.4352.
- ⁴⁹ Miriam Puttick, *From Crisis to Catastrophe: The Situation of Minorities in Iraq* (London, Minority Rights Group, October 2014), p. 20, <https://minorityrights.org/publications/from-crisis-to-catastrophe-the-situation-of-minorities-in-iraq-october-2014/>.
- ⁵⁰ International Labour Organization, The African Commission’s Working Group on Indigenous Communities/Populations in Africa, with the Centre for Human Rights, University of Pretoria, “Country Report of the Research Project by the International Labour Organization and the African Commission on Human and Peoples’ Rights on the constitutional and legislative protection of the rights of indigenous peoples” (Geneva: International Labour Organization and Banjul: African Commission on Human & Peoples’ Rights, 2009), <https://www.achpr.org/presspublic/publication?id=50>; Maja Janmyr, “Human rights and Nubian mobilisation in Egypt: towards recognition of indigeneity,” *Third World Quarterly*, Vol. 38, Issue 3 (2017), 717–33, <https://www.tandfonline.com/doi/full/10.1080/01436597.2016.1206454>; Salma Islam, “Egypt’s indigenous Nubians continue their long wait to return to ancestral lands,” *Global Post* (24 July 2017), <https://www.pri.org/stories/2017-07-24/egypt-s-indigenous-nubians-continue-their-long-wait-return-ancestral-lands>; Lauren E. Bohn, “Egypt’s

- Forgotten Indigenous Minority,” *Pulitzer Center* (21 May 2013), <https://pulitzercenter.org/stories/egypts-forgotten-indigenous-minority>.
- ⁵¹ Decree 12/2016 allows municipalities to reproduce damaged records and requests owners to confirm or contest their findings.
- ⁵² *No return to Homs: A case study on demographic engineering in Syria* (Utrecht: Pax and The Syria Institute, 2017), p. 46, <https://paxforpeace.nl/what-we-do/publications/no-return-to-homs>; Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Republic*, A/HRC/36/55, 8 August 2017, para. 34, <https://undocs.org/A/HRC/36/55>.
- ⁵³ Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Republic*, A/HRC/37/72, 1 February 2018, para. 63, <https://undocs.org/A/HRC/37/72>.
- ⁵⁴ Leila Al-Shami, “Syria’s shock doctrine,” *al-Jumhuriya* (23 April 2018), <https://www.aljumhuriya.net/en/content/syrias-shock-doctrine>.
- ⁵⁵ Reported notably from focus group discussions carried out for a UN HABITAT-UNHCR survey. A pro-opposition website released a database of 1.5 million Syrians that would be on the security list of intelligence services. al-Shami, *op. cit.*
- ⁵⁶ *Lebanon and Jordan: The Case of the Refugee Crisis* (Washington: World Bank, 2014), <https://ieg.worldbankgroup.org/sites/default/files/Data/reports/LebanonJordanRefugeeShock.pdf>.
- ⁵⁷ “Over 33 Million Due Restitution in MENA,” *Land Times*, Issue 17 (March 2019), <http://landtimes.landpedia.org/newsdes.php?id=pm5m&catid=ow==&edition=o3A>.
- ⁵⁸ Dina Najjar, Bipasha Baruah and Aman El Garhi, “Gender and Asset Ownership in the Old and New Lands of Egypt,” *Feminist Economics*, Vol. 26, Issue 3 (2020), pp. 119–43, at: <https://www.tandfonline.com/doi/abs/10.1080/13545701.2020.1743877>.
- ⁵⁹ GLTN, League of Arab States, Arab Union of Surveyors, UN Habitat and World Bank. (ALC) “The first Arab Land Conference, Dubai, 26–28 February 2018,” report, <https://arabstates.glt.net/2018/10/09/first-arab-land-conference-2018-report/#>; 2019 سلطنة عُمان، الاستعراض الوطني الطوعي الأول لسلطنة عُمان [Arabic] (*Al-Isti`rādh al-Watanī al-Tawā`ī al-Āwal li Sultānat `Umān 2019 / The Sultanate of Oman’s First Voluntary National Review 2019*), (Muscat: Sultanate of Oman, 2019), https://sustainabledevelopment.un.org/content/documents/23489Sultanate_of_Oman_National_Voluntary_Report_2019_Arabic_Spreads.pdf.
- ⁶⁰ Yahia Shawkat, Draft Egypt Housing Strategy: A Step in the Right Direction, *The Built Environment Observatory*. September 2020. at: https://marsadomran.info/en/policy_analysis/2019/03/1723/
- ⁶¹ *Planning [in]Justice* (Cairo: Takween Integrated Community Development, 2017), p. 29, http://www.tadamun.co/planning-justice-report/?lang=en#_YIq4s7Uza70.
- ⁶² *Ibid.*, p. 42.
- ⁶³ Yahia Shawkat, “How Not to Support the Undeserving and Discriminate against the Poor: EIPR Recommendations on New Income Conditions for the Social Housing Project (Cairo: The Egyptian Initiative for Personal Rights, April 2014), https://consultations.worldbank.org/Data/hub/files/eipr_recommendations_for_social_housing_programme_english.pdf.
- ⁶⁴ *Planning [in]Justice*, *op. cit.*, p. 52.
- ⁶⁵ *Ibid.*, p. 49.
- ⁶⁶ Abdelmawla Ismail, “Limits to Equitable Agricultural Resource Distribution,” and Hasanain Kishk, “Agrarian Reform and Its Undoing,” *The Land and Its People* (Cairo: HIC-HLRN, 2015, updated 2020), pp. 82–107, <http://www.hlrn.org/img/publications/Mastercopy.pdf>.
- ⁶⁷ Randa Ali, “Residents of Maspero Triangle: We will not leave our land,” *ahramonline* (26 February 2014), <https://english.ahram.org.eg/NewsContent/1/64/94488/Egypt/Politics-/Residents-of-Maspero-Triangle-We-will-not-leave-ou.aspx>; Omnia Khalil, “From Community Participation to Forced Eviction in the Maspero Triangle,” *The Tahrir Institute for Middle East Policy* (14 June 2018), <https://timep.org/commentary/analysis/from-community-participation-to-forced- eviction-in-the-maspero-triangle/>; Dina Wahba, “Urban Rights and Local Politics in Egypt: The Case of the Maspero Triangle,” *Arab Reform Initiative* (23 January 2020), <https://www.arab-reform.net/publication/urban-rights-and-local-politics-in-egypt-the-case-of-the-maspero-triangle/>.
- ⁶⁸ Omar F. Ahmed, *Broken Promises: Human Rights, Constitutionalism and Socio-economic Exclusion in Bahrain* (Wembley, England: Islamic Human Rights Commission, 2010), <https://www.ihrc.org.uk/publications/reports/9458-broken-promises-human-rights-constitutionalism-and-socio-economic-exclusion-in-bahrain/>; Report of the Bahrain Independent Commission of Inquiry (The Bassiouni Commission), 10 December 2011, <http://www.bici.org.bh/>; Joseph A. Kéchichian, “Royal Family has History of Favoring the Sunni,” *Global Post* (23 March 2013), http://www.hlrn.org/activitydetails.php?title=Bahrain:-Royal-Family-has-History-of-Favoring-the-Sunni&id=o211bA=#_YIIfmbUza70.
- ⁶⁹ “UNSRs Condemn Land Rights Defender’s Sentence,” 1 June 2016, http://www.hlrn.org/activitydetails.php?title=Bahrain:-UNSRs-Condemn-Land-Rights-Defender%E2%80%99s-Sentence&id=pWhmZA=#_YIIfhUza70.
- ⁷⁰ Ibrahim Sherif el-Sayed “اغتصاب الأراضي والسواحل” [Arabic] (*Ighṭisāb al-Arādhi wa al-Sawaāhil / Usurpation of the Land and the Coasts*) The Secretariat and Four Associations Forum, 10 November 2005.
- ⁷¹ “المعارك الوطنية ستستمر حتى تسترجع الأراضي للمواطنين” “أملاك الدولة” [Arabic] (*Amlāk ul-Dawla: Al-Ma`ārik al-Watanīyya Satastamīr hata Tastarja` al-Arādhi lil-Muwātanīn / State Property: National Fights Will Continue until Citizens’ Lands Are Restored*), *al-Wasat News* (12 May 2010), <http://www.alwasatnews.com/2805/news/read/420213/1.html>.
- ⁷² Sahar Aziz and Abdulla Musalem, *Citizens, Not Subjects: Debunking the Sectarian Narrative of Bahrain’s Pro-Democracy Movement* (Washington: Institute for Social Policy and Understanding, July 2011), p. 11, http://ispu.org/pdfs/640_ISPU%20Report_Bahrain_Aziz_Musalem_WEB.pdf.
- ⁷³ “Bahrain: Royal Land Seizures, Poor Housing at Root of Unrest,” *HIC-MENA News* (3 April 2009), <http://hic-mena.org/pNewsId.asp?Id=839>.
- ⁷⁴ (2010 مارس) [Arabic] (تقرير لجنة التحقيق البرلمانية حول تحديد أملاك الدولة العامة والخاصة، مارس 2010) (*Taqrīr Lajnat al-Taḥqīq al-Balimanīyya hawl Tajdīd Amlāk ul-Dawla al-`Āma wa al-Khāsa / Report of the Parliamentary Committee to*

Investigate Public and Private Property of the State, March 2010 at: <http://www.hlrn.org/img/documents/amlak-2-4-t.pdf> (Arabic). See also “Bahrain Public Lands Sold and Rented to Private Investors,” *The National* (25 March 2010), at: <http://www.thenational.ae/news/worldwide/middle-east/bahraini-public-lands-sold-and-rented-to-private-investors>.

⁷⁵ These include:

1. Creating chaos in the inventory of state property;
2. Encroachment on private lands re-registered to Khalifa family members at no charge;
3. In the north around al-Manama, most land grants were distributed free of charge, of which just 12 grabs comprised an area of 37km²;
4. Public land granted to the Al Khaifa-controlled Stone Co. before their registration as state land;
5. Issuing replacement title deeds on the claim that the original was lost, without requesting the replacement deed, which violates the Land Registration Law;
6. Granting constitutionally nationalized reclaimed lands for private investment;
7. The Land Survey and Registration Authority unilaterally dissolving state ownership;
8. Land reclaimed from the sea with state funds, such as Jufair and the Diplomatic Zone, illegally excluded from state property, with some title deeds having disappeared from the Ministry of Finance with changes in the file numbering sequence to hide the missing files;
9. The lack of an accurate inventory of state land;
10. Poor planning and management of the stock of state land, whereas many important public projects have been carried out on lands without proper ownership documents (e.g., the University of Bahrain campus);
11. Forfeiting valuable archaeological sites by failing to register them in the name of the state;
12. Land acquired for public purpose over some 22 years, but not registered as public, as in the case of Dilmun Paradise Water Park;
13. The absence of strategic planning of housing projects, exacerbating the scarcity of land;
14. Ambiguity and withholding of information relating to land-use and planning;
15. Shortcomings in the Ministry of Finance’s maintenance of state lands, validating royal orders to amend land records;
16. The lack of integrity of the Land Survey and Registration Authority in its role to uphold the public interest.

⁷⁶ Dylan Bowman, “Alba suing US firm for over \$1bn,” *Arabian Business* (2 March 2008), <http://www.arabianbusiness.com/alba-suing-us-firm-for-over-1bn-151370.html>; Elizabeth Broomhall, “Bahrain royal accused in \$6m UK corruption case” *Arabian Business* (31 October 2011), <http://www.arabianbusiness.com/bahrain-royal-accused-in-6m-uk-corruption-case-427874.html>.

⁷⁷ “Former Alba Employees Pardoned,” *Gulf Daily News* (19 January 2012), <http://www.gulf-daily-news.com/NewsDetails.aspx?storyid=321929>.

⁷⁸ “Inside the Saudi town that’s been under siege for three months by its own government,” *The Independent* (4 August 2017), <https://www.independent.co.uk/news/world/middle-east/saudi-arabia-siege-town-own-citizens-government-kingdom-military-government-awamiyah-qatif-a7877676.html>.

⁷⁹ Bethan McKernan, “Awamiyah: Three-year-old boy dies from wounds after Saudi security forces ‘open fire on family,’” *The Independent* (10 August 2017), <https://www.independent.co.uk/news/world/middle-east/awamiyah-saudi-arabia-boy-killed-sniper-gun-shot-wounds-family-shot-at-open-fire-qatif-shia-nimr-al-a7886136.html>.

⁸⁰ *The Independent* (4 August 2017), *op. cit.*; “‘Almost like war zone’: Saudi ‘renovation’ of Shiite town decried as attempt to drive residents out,” *RT International* (10 August 2017), <https://www.rt.com/news/399222-saudi-forces-awamiyah-demolition/>.

⁸¹ “One killed as Saudi forces intensify attacks on Shia town,” *Press TV* (14 June 2017), <https://www.presstv.com/Detail/2017/06/14/525294/Saudi-Arabia-Awamiyah-UN-Eastern-Province>; “UN experts slam Riyadh for erasing ‘cultural heritage’ in Shia town,” *Press TV* (24 May 2017), <https://www.presstv.com/Detail/2017/05/24/523077/UN-Saudi-Arabia-Shia-cultural-heritage>.

⁸² “Saudi man killed trying help citizens flee Awamiya: sources,” *Reuters* (2 August 2017), <https://www.reuters.com/article/us-saudi-security-awamiya-idUSKBN1AJ217>; “UN finally breaks silence on Saudi razing of Shia town,” *Press TV* (11 August 2017), <https://web.archive.org/web/20170812064243/http://presstv.ir/Detail/2017/08/11/531369/UN-Saudi-Arabia-Awamiyah>; “Saudi bulldozers flatten Shia town as residents flee carnage,” *Middle East Eye* (7 August 2017), <http://www.middleeasteye.net/news/awamiya-clashes-624393888>.

⁸³ “Awamiya: Inside Saudi Shia town devastated by demolitions and fighting,” *BBC* (16 August 2017), <https://www.bbc.com/news/world-middle-east-40937581>.

⁸⁴ Ibrahim Al-Hussein, “New face of Awamiya reflects remedy for security issues,” *Saudi Gazette*. (7 January 2019), <http://saudigazette.com.sa/article/551882/SAUDI-ARABIA/New-face-of-Awamiya-reflects-remedy-for-security-issues>; Ismael Naar, “Before and after: Awamiya facelift turns terror-stricken town into model community,” *al-Arabiya News* (7 January 2019, updated 20 May 2020), <https://english.alarabiya.net/life-style/entertainment/2019/01/07/Before-after-Awamiya-facelift-turns-terror-stricken-town-into-model-community>.

⁸⁵ OHCHR, “UNSRs: Saudi Demolition Violates Human Rights,” 24 May 2017, <http://www.hlrn.org/activitydetails.php?title=UNSRs:--Saudi-Demolition-Violates-Human-Rights&id=pXBmag==#.YI1vz7Uza70>.

⁸⁶ Sarah Sabry, “Poverty lines in Greater Cairo Underestimating and misrepresenting poverty,” *Poverty Reduction in Urban Areas Series Working Paper 21* (London: International Institute for Environment and Development, May 2009).

⁸⁷ Sara Hassan, “Decision-making for sustainable transport planning: reducing car dependency culture in Alexandria, Egypt,” October 2016, https://www.researchgate.net/publication/326508295_Decision-making_for_sustainable_transport_planning_reducing_car_dependency_culture_in_Alexandria_Egypt.

-
- ⁸⁸ Joseph Schechla, "Habitat III's Seven Deadly Sins of Omission / Los siete pecados capitales de Hábitat III," *Trialog* 124/125 (2016), pp. 31–38, https://www.trialog-journal.de/wp-content/uploads/2016/10/TRIALOG-124-125_preview.pdf.
- ⁸⁹ Strategic Urban Plan Alexandria 2032 -Phase one: Transportation sector Report (Cairo: The General Organization for Physical Planning (GOPP), 2014, cited in Sara Sabry, "Reshaping Mobility for Future Pandemics: Is It Right to Still Embrace Transit-Oriented Development?" *Alternative Policy Solution* (8 December 2020), <https://aps.aucegypt.edu/en/articles/614/reshaping-mobility-for-future-pandemics-is-it-right-to-still-embrace-transit-oriented-development>.
- ⁹⁰ Julia Bird, Sebastian Kriticos and Nick Tsivanidis, "Impact of COVID-19 on public transport. International Growth Centre," *International Growth Center* (6 August 2020), <https://www.theigc.org/blog/impact-of-covid-19-on-public-transport/>.
- ⁹¹ Mehdi Sepahvand, "11 mil Slum Residents, 3.5 mil Jobless," *Trend News Agency* (6 June 2016), <http://www.hic-mena.org/news.php?id=pnBkag==#.YI1d0bUza70>.
- ⁹² "تحریمها و بازار مسکن ایران" ["Sanctions and housing market in Iran," in Persian], *Eghtesad Online* (14 May 2018), <https://www.eghtesadonline.com/n/1McV>.
- ⁹³ "Iran: Central Bank on Tehran's Housing Market," *Eghtesad Online* (31 July 2020), <http://www.hic-mena.org/news.php?id=qGhnaQ==#.YI1ZJ7Uza70>.
- ⁹⁴ "Rent Increases over 25% Banned in Tehran," *Eghtesad Online* (29 July 2020), <http://www.hic-mena.org/news.php?id=qGhnaA==#.YI1cR7Uza70>.
- ⁹⁵ Commission on Human Rights, "forced eviction," resolution 1993/77, 10 March 1993, <http://www.hlrn.org/img/documents/ECN4199377%20en.pdf>; "Affirms that the practice of forced evictions constitutes a gross violation of human rights, in particular the right to adequate housing;" and "Prohibition of forced evictions," resolution 2004/28, 16 April 2004, para. 1, http://www.hlrn.org/img/documents/E-CN_4-RES-2004-28.pdf.
- ⁹⁶ Jean Combacau and Denis Alland, "Primary and Secondary Rules in the Law of State Responsibility: Categorizing International Obligations," *Netherlands Yearbook of International Law*, Vol. 16 (1995), p. 81, <https://www.cambridge.org/core/journals/netherlands-yearbook-of-international-law/article/abs/primary-and-secondary-rules-in-the-law-of-state-responsibility-categorizing-international-obligations/7834A45744DBF3978F43862902B0504F>.