



HOUSING AND LAND RIGHTS NETWORK

Habitat International Coalition



المركز المصري للإصلاح المدني والتشريعي

The Egyptian Center for Civic and Legislative Reform

A joint appeal for urgent action

Egypt: homes destruction and forced displacement 1212011

A continuation of a series of violations by omission:

Failing infrastructure and results in the destruction of 13 homes and displacement of over 30 families in Imbaba neighborhood, Giza

Description of the facts

After long negligence and lacking maintenance of public infrastructure, over 30 families are now homeless when a water main burst, causing a sinkhole in the popular neighborhood of Imbaba, Giza. The damage has led to the collapse of 13 homes as of this date, while more homes are at risk. Residents and observers see this as the consequence of malign neglect of public officials, amid secretive plans to “develop” the area for real estate speculators at the exclusion of the low-income population.

The tragedy began to unfold on Saturday, 15 October 2011, in the West Munira Quarter of Imbaba, at the extension of Ahmed Orabi Street, but on the opposite side of the railroad tracks from the up-market Muhandisin Quarter. At No. 23 Imam Ghazali Street, Imbaba, cracks appeared in the walls of the property. When the residents called Northern Giza District authorities, they learned that the foundation was compromised by receding ground caused by a burst water main. The municipal authorities treated the fracture in the pipe with an initial and temporary repair.

Later on 3 November 2011, the local residents noticed the widening cracks in the walls of the property, and called the district officials for a second time. The officials recommended that the residents evacuate the property. The commander of the Imbaba police station evacuated the 10 resident families to safety. However, the District Administration decided to by-pass the pipe causing the shifting ground and cracking structure, and redirected the water line on the high-pressure pipe 300. Thereafter, according to the property owner, the building at No. 23 collapsed. On 11 December 2011, a sinkhole manifested on Imam al-Ghazali Street, 40 meters long, seven meters wide and four meters deep. The bursting of the water main for the second time caused the collapse of seven more houses, as well as the collapse of three houses again on 19 December 2011, and another on 21 December.

No official has issued a statement of explanation as to the reasons for the persistent disaster, despite the tragedy of the house at No. 23 warning of a disaster threatening many more residents of neighboring properties.

Poor public administration in Egypt before the 25 January Revolution also prevails after the Revolution, where district officials did not maintain infrastructure or act to address a problem until it became a disaster with the displacement of more than 30 families to date.

The families of No. 23 Imam Ghazali Street now have been housed for nearly two months in the service complex at West Munira, in North Giza. This alternative housing is actually an office of Northern Giza District public services and a venue for literacy classes. Two families currently cohabit in each room in the building.

Upon inspection, the place is inadequate as a shelter for displaced families.

Official statements indicate that 20 apartments are available for affected families, that they could take rooms in a youth hostel at Kafr Tohormos, or pay cash up to 500 or 700 Egyptian pounds (€64–90) per month to rent another apartment. After interviewing affected families, they report that they did not get anything until the present day.

The most important facts observed

Upon investigation by the Egyptian Center for Civic and Legislative Reform and the Housing and Land rights Network - Habitat International Coalition, the team found that the situation of public mismanagement has not changed after the revolution, as evidenced by the following:

1. According to the residents remaining in Imam al-Ghazali Street, as reported by one of the local shop owners, the risk continues as the hole widens while the ground continues to sink. The barrier that the families put up to secure the area have to be moved closer and closer to the standing buildings, and now are near the witness' shop. This deteriorating situation portends disaster also for the rest of the residents and property owners of Imam al-Ghazali Street.
2. The staff of the (public) Holding Company for Drinking Water and Sanitation, Northern Giza District engineers and officials of the Giza Governorate not only have ignored the first signs of the crisis, but neglected also to repair and change the water pipe on 15 October, which caused the house at No. 23 to collapse, displacing its inhabitants.
3. The district officials, and the public water company have exercised poor judgment in diverting the water line to the high-pressure pipe 300, which resulted in the ground failing and the collapse of a further seven houses and the displacement of 23 families.
4. Officials offer only vague promises and excuses to the displaced population about alternative housing; without providing them with detailed information on how to implement those promises, the location of these supposed alternative housing units, how to go about obtain the alternative housing and the supposed time of delivery.
5. The failure to pose an urgent solution to the urgent problem has left the water main leaking, foreshadowing another disaster that could spread to dozens of families residing in the same street, and this negligence is in violation of the law.
6. The poor state of public utilities for water and sanitation, including roads themselves, generally, has arisen from the neglect of maintenance or development. Despite requests, we have not been able to get an answer from the district officials about remedial efforts and plans.

Duty holders and the means toward local remedies

The Egyptian Center for Civic and Legislative Reform is filing a complaint with the Attorney-General concerning these tragic events and identifying those officials responsible for this disaster. The Center will pursue legal action against the executive to demand compensation for the victims of this disaster. However, that procedure may take years due to the long and slow litigation process in the courts of Egypt. Resorting to such a course of action is intolerable, given the seriousness of the current situation for the residents, including also the risk of eviction by security forces at any time. In this regard, the Egyptian Center for Civic and Legislative Reform, is conducting an inventory of the residents and verifying the legal status of their tenure. Also, they have issued an urgent letter to the Minister of Housing, to pressure the governor of Giza, in order to provide appropriate alternative apartments for the affected population in the same area. This is so as not to increase the suffering, difficulty and costs of accessing to places of work or their children's schools, if they were relocated to remote areas. This is especially in light of the experience of those affected at the beginning of disaster, who repeatedly appealed to the Giza governor and the presidency of the Northern Giza District municipality to provide adequate housing for them. However, as mentioned, the administrative services complex is not fit for residential housing.

What is also alarming about this situation is that the same neglected area that witnessed the disaster lies within the planning zone of the Cairo 2052 Project. Formerly known as the 2050 Plan, this scheme excludes poor residents from participating in its development, while it is widely understood to be a large-scale eviction program to eliminate poor Egyptians from their communities within Greater Cairo. That factor suggests that the official neglect of infrastructural repair and maintenance, with its displacement of Imbaba families, is deliberate. Across Greater Cairo, low-income residents understand that officials intend to keep their neighborhoods underdeveloped, lacking services or improved facilities in preparation for removal and displacement of the population. As with developments in the Maspero Triangle quarter, also a target of Cairo 2052, enforcement of an official prohibition against restoring and doing maintenance on their homes also has threatened inhabitants very lives. This prohibition is an indirect way of preparing the depopulated ground for new forms of real estate speculation. In the absence of information on this scheme and plans to implement it, such as the great difficulty in obtaining maps that show the areas targeted for "development" only deepens local fear, speculation and distrust of officials.

International obligations

Since the 25 January Revolution, the interim Egyptian government has repeated rhetoric with respect to improved housing conditions and the problem of slums as a political priority, but events in Egypt recently have confirmed the contrary:

The current military-headed government continues to implement the development schemes far removed from the interests and participation of marginalized and impoverished Egyptians. At the forefront of those plans has been the Cairo 2050 (now rebranded as Cairo 2052), which confirms the continuation of failed structures and policies alien to the needs and aspirations of the broad categories of the Egyptian people.

The current incident confirms also the persistence of degradation and deterioration experienced by the citizens, especially in the Egyptian capital, which is supposed to be of particular interest

to officials, as compared to other regions of the country, such as Upper Egypt, which includes some of the world's poorest in means of development.

The contradiction grows between the Egyptian government's obligations toward the needy citizens to realize the human right to adequate housing, which means the right of women, children and men in a secure place to live in security and dignity. This continuing pattern of willful neglect represents a clear breach of the treaty obligations of the State, especially Egypt's ratification of the International Covenant on Economic, Social and Cultural Rights in 1982. The violations of the human right to adequate housing by official omission specifically breaches the Covenant's articles 1, 2, 4, and 11, which treaty forms an integral part of domestic law in Egypt.

Historically, the United Nations Committee on Economic, Social and Cultural Rights already has addressed several criticisms of the Egyptian government, through its Concluding Observations (2000). In particular, the Committee has noted Egypt's breach of treaty obligations by carrying out forced evictions of people from many areas whose population lack adequate housing and secure livelihoods. Egyptian government has established a pattern of forced evictions without ensuring alternative accommodation, as the UN Committee has noted by reminding the State Party of Egypt of its obligations under Article 11 of the Covenant, including with reference to the Committee's General Comment No. (4) on the right to adequate housing, as well as General Comment No. (7) on forced evictions. The treaty body also has called on Egypt to develop an appropriate housing policy. (See *CESCR Concluding Observations: Egypt*, E/C.12/1/Add.44, 12 May 2000. Paras. 23, 31 32 and 37).

The Egyptian Center for Civic and Legislative Reform and Housing and Land Rights Network note further that these violations of the human rights to adequate housing—by omission and commission—in practice and policy deepen the impoverishment of ordinary Egyptians and perpetuate the cycle of severe poverty for citizens who already suffer from deprivation and lack the most basic rights. These are principal reasons why citizens mounted the 25 January Revolution and demand better conditions. Of course, the practice of willful neglect, destruction and eviction from housing is incompatible with the commitment that the State has made internationally toward the Millennium Development Goal No. 7 of poverty alleviation and the eradication of slums.

What to do?

The Egyptian Center for Civic and Legislative Reform and the Housing and Land Rights Network deplore the pattern of neglect, marginalization and eviction that is represented in the case of Imam al-Ghazali Street in Imbaba, Giza. We ask you to join in demanding an urgent response from the Egyptian authorities to:

- Immediately provide suitable alternative accommodation for the affected residents of Imam al-Ghazali Street as part of their right to reparations, and rehouse those affected;
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- Develop an immediate plan to develop the Imbaba area in partnership with its current inhabitants, improving facilities and basic services and involving citizens in the urban development process, consistent with General Comment No. 4 of the CESCR;
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- Pursuing accountability of the staff of the Holding Company for Water and Sanitation technically responsible for repairs and maintenance, the municipal engineers and staff as responsible for this disaster;

- Ensure that the officials of both the district and governorate address residents' concerns and provide the necessary information on all public and private development plans, operations and maintenance consistent with their human right to information;

Please support this appeal by sending your letter in support of these demands to the following addresses.

You can use the sample letter and addresses listed below. We would appreciate your notifying the Housing and Land Rights network and Egyptian Center for Civil and Legislative Reform of your solidarity action with an email copy to: urgentactions@hlrn.org and ecrc.egypt@gmail.com. Or simply go to the HLRN website's Urgent Action system (<http://www.hlrn.org/english/cases.asp>) under "Solutions and Tools" and click on **Support** this case to send your own letters on line.

Dr.: Kamal Ganzoury
Prime Minister
Council of Ministers
Kasr El Aini St.,
Cairo, Egypt
Fax: +20 (0) 22795-8016
[Salutation: Your Excellency:]

Eng: Mohamed Fathy El Baradei
Minister of Housing, Utilities and Urban Development
Ministry of Housing
People's Assembly Street
Cairo, Egypt
Fax: +20 (0)2 2792-1384
E-mail: mhuuc@idsc.gov.eg
[Salutation: Your Excellency:]

Dr. Ali Abdelrahman Youssef
Giza Governorate
406 Pyramid Street
Tel: +20 (0)2 3779-4552 / 3779-5991
Fax: +20 (0)2 3779-4544
E-mail: gizagov@idsc.gov.eg
[Salutation: Dear Governor Youssef:]

Mr. Tarek Abdel-Shafi
President of North Giza District
1 El Afifi , next to the Balloon Theater
Aguza, Giza
Tel: +20 (0)2 3346-7745 / 3573-2826
Fax: +20 (0)2 3572-5090 / 3568-1600

Major / Amr Ahmed Siba`i Wahsh
Chairman of the Holding Company for Drinking Water and Sanitation
Tel: +20 (0)2 3540-8719

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E-mail: info@Giza-wd.com

[Sample letter]

Displacement of families after the collapse of their homes in of Imbaba – Giza

Dear :

We would like to express our deep concern over news that has come to our attention through Housing and Land Rights Network - Habitat International Coalition and the Egyptian Center for Civil and Legislative Reform of the incidence of homes destruction and homelessness that has taken place recently in the Imam al-Ghazali neighborhood of Imbaba, Giza.

Specifically on Saturday, 15 October 2011, in the West Munira Quarter of Imbaba, at the extension of Ahmed Orabi Street, but on the opposite side of the railroad tracks from the up-market Muhandisin Quarter. At No. 23 Imam Ghazali Street, Imbaba , cracks appeared in the walls of the property. When the residents called Northern Giza District authorities, they learned that the foundation was compromised by receding ground caused by a burst water main. The municipal authorities treated the fracture in the pipe with an initial and temporary repair.

Later on 3 November 2011, the local residents noticed the widening cracks in the walls of the property, and called the district officials for a second time. The officials recommended that the residents evacuate the property. The commander of the Imbaba police station evacuated the 10 resident families to safety. However, the District Administration decided to by-pass the pipe causing the shifting ground and cracking structure, and redirected the water line on the high-pressure pipe 300. Thereafter, according to the property owner, the building at No. 23 collapsed. On 11 December 2011, a sinkhole manifested on Imam al-Ghazali Street, 40 meters long, seven meters wide and four meters deep. The bursting of the water main for the second time caused the collapse of seven more houses, as well as the collapse of three houses again on 19 December 2011, and another on 21 December.

No official has issued a statement of explanation as to the reasons for the persistent disaster, despite the tragedy of the house at No. 23 warning of a disaster threatening many more residents of neighboring properties.

Poor public administration in Egypt before the 25 January Revolution also prevails after the Revolution, where district officials did not maintain infrastructure or act to address a problem until it became a disaster with the displacement of more than 30 families to date.

The families of No. 23 Imam Ghazali Street now have been housed for nearly two months in the service complex at West Munira, in North Giza. This alternative housing is actually an office of Northern Giza District public services and a venue for literacy classes. Two families currently cohabit in each room in the building. We understand that the sink hole continues to grow as a result of poor judgment in addressing the crisis, as well as decades of neglect in the low-income community.

The State of Egypt bears responsibility for violations occurred at the hands of government agencies responsible to the citizens, particularly in the context of the need to ensure adequate housing, which is the human right of women, children and men in a secure place to live in security and dignity. Which represents a clear breach of the obligations of the State, especially

since ratifying the International Covenant on Economic, Social and Cultural Rights in 1982. The neglect of the poor Egyptians' rights contravenes Articles 1, 2, 4, and 11 of the Covenant, which forms an integral part of domestic law in Egypt.

Historically, the United Nations Committee on Economic, Social and Cultural Rights already has addressed several criticisms of the Egyptian government, through its Concluding Observations (2000). In particular, the Committee has noted Egypt's breach of treaty obligations by carrying out forced evictions of people from many areas whose population lack adequate housing and secure livelihoods. Egyptian government has established a pattern of forced evictions without ensuring alternative accommodation, as the UN Committee has noted by reminding the State Party of Egypt of its obligations under Article 11 of the Covenant, including with reference to the Committee's General Comment No. (4) on the right to adequate housing, as well as General Comment No. (7) on forced evictions. The treaty body also has called on Egypt to develop an appropriate housing policy. (See *CESCR Concluding Observations: Egypt*, E/C.12/1/Add.44, 12 May 2000. Paras. 23, 31 32 and 37).

We deplore the pattern of neglect, marginalization and eviction represented in the case of Imam al-Ghazali Street in Imbaba, Giza. We urge you to exert the needed effort to:

- Immediately provide suitable alternative accommodation for the affected residents of Imam al-Ghazali Street as part of their right to reparations, and rehousing those affected as they were in the past, compensating them financially for their lost property and other damages. This could be accomplished by reorienting executive policy and open for the displaced persons those closed units in the land of Imbaba Airport, and taking into account the financial circumstances to which the displaced families are now exposed;
- Develop an immediate plan to develop the Imbaba area in partnership with its current inhabitants, improving facilities and basic services and involving citizens in the urban development process, consistent with General Comment No. 4 of the Committee on Economic, Social and Cultural Rights;
- Pursuing accountability of the staff of the Holding Company for Drinking Water and Sanitation technically responsible for repairs and maintenance, the municipal engineers and staff as responsible for this disaster. Public accountability can be ensured by strengthening the role of society in the oversight and accountability local officials in their area;
- Ensure that the officials of both the district and governorate address residents' concerns and provide the necessary information on all public and private development plans, operations and maintenance consistent with their human right to information.

We thank you in advance for your attention to this issue and look forward to hearing of your response to ensure alternative housing and reparations for the displaced victims, as well as accountability for all responsible parties.

Sincerely,