



# General Assembly

Distr.: General  
1 March 2019

English only

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## Human Rights Council

Fortieth session

25 February–22 March 2019

Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context on her mission to Egypt**

**Revised comments by the State\***

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GE.19-03452(E)



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## **Remarks on the Report of the Special Rapporteur on adequate housing as an as a Component of the Right to an Adequate Standard of Living on her visit to the Arab Republic of Egypt**

(contained in document A/HRC/40/61/Add.2/Zero Draft)

### **Paragraph 2**

1. The Special Rapporteur also visited areas in Sharqiyah Governorate, which is not mentioned in the report.

### **Paragraph 3**

2. The reference that “the current State of Emergency grants the President a number of exceptional powers, including powers to expropriate and to designate areas for evacuation,” runs counter to Articles 35 and 40 of the Constitution. Since the adoption of the Constitution and the election of the President of the Republic in 2014, no such powers were exercised.

### **Footnote 5 and Paragraph 109 (b)**

3. Reference should be made to the High Constitutional Court, not the Constitutional Court.

### **Paragraphs 8 (a)**

4. The Special Rapporteur may recall that meetings with officials from the Ministry of Interior and the Ministry of Defence were both set for 30 September 2018, based on the original timetable provided to her before the visit and agreed on the first day of the visit during the organisational meeting with the Ministry of Foreign Affairs (Attachment 1)<sup>1</sup>. However, both were cancelled due to abrupt change of schedule by the Special Rapporteur on the evening of 29 September 2018. The Special Rapporteur informed a senior Foreign Ministry official that if she had any questions to either of them, she would request them in writing from the Ministry of Foreign Affairs. However, she never did.

### **Paragraphs 8 (b), (c), (d) and (e)**

5. The issues contained therein were thoroughly addressed in the Note Verbale no. CHAN.2019.003, dated 1 January 2019, by the Permanent Mission of the Arab Republic of Egypt to the United Nations in Geneva (Attachment 2).

### **Footnote 5**

6. The correct reference is to the National Council for Women (NCW), not the National Women’s Council.

7. The Special Rapporteur also met with the Minister for Parliamentary Affairs, who is not mentioned in the footnote.

8. The scheduled meeting with the National Council for Persons with Disability was cancelled upon the request of the Special Rapporteur, not due to time scheduling problems on the part of the Council. Proposed meetings with the Minister for Local Development, the First Assistant to the Minister of Justice and the National Council for Childhood and Motherhood (NCCM) were also cancelled upon the request of the Special Rapporteur.

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<sup>1</sup> The attachments referred to in this document are available for consultation at the secretariat upon request.

**Paragraphs 10, 11 and 12**

9. The issues contained therein were thoroughly addressed in the Note Verbale no. CHAN.2019.003, dated 1 January 2019, by the Permanent Mission of the Arab Republic of Egypt to the United Nations in Geneva.

**Paragraph 16**

10. Article 236 of the Constitution obligates the State to plan and implement development projects that would enable those who previously inhabited the Nubia area to resettle, but does not make a reference to them as a minority. In fact, the Constitution does not identify any segment of society as a minority, nor do the people living in, or originating from, Nasr El-Nuba district of Aswan and southwards, identify themselves as such.

**Paragraph 17**

11. Law no. 206/1951 is on Public Housing, not Social Housing. It was amended by Law no. 213/1954 and Law no. 80/1957, and it only covers the low-rent housing units occupied before the issuance of Law no. 49/1977 on Rent. On the other hand, the Social Housing Law is no. 33/2014, and was amended by Law 20/2015.

12. The fact that many laws and regulations on housing predate the adoption of the 2014 Constitution, does not necessarily entail that they need to be amended if they are in conformity with the Constitution and the right to adequate housing under International Human Rights Law as specified in Article 11 (1) of the International Covenant on Economic, Social and Cultural Rights (ICESCR), and in line with General Comments 4 (1991) and 7 (1994) by the Committee on Economic, Social and Cultural Rights (CESCR).

**Paragraph 20**

13. The Social Housing Programme (SHP) also addresses SDG 5, Target 5 A, which aims at giving women “equal rights to economic resources as well as ownership and control over land and other forms of property”. This is reflected in the rise of applicant female-headed households, which were granted housing financial subsidy to 40,285 recipients, roughly 19.11% of the total number of beneficiaries. The programme also gives priority to applicant married couples, particularly in the low income bracket, and if the wife contributes through her income to the payments of the monthly instalments, the ownership of the unit has to be shared by the couple.

**Paragraph 22**

14. Posing the question as to whether the bricks and mortar approach is sufficient to satisfy the governments’ obligations in particular for the most disadvantaged groups, should not neglect the fact that SHP has improved the efficiency of the housing sector, leading to a lower growth rate of informal settlements. Starting 2014, the Government is placing the provision of decent housing for the poorest families on top of its priorities. SHP contributes to fulfilling this commitment, chiefly by expanding housing options for very low income households (10% of income distribution), including youth, female-headed households and households in lagging regions, who can qualify for an easy loan, complemented by a subsidy. SHP designs and subsidises housing programmes for underserved households. To that end, it provides a broad choice of locations, tenures and housing types, including rental options. SHP currently targets to offer one million units over 283 cities in Egypt for low-income families and for the upgrading or resettlement of slums. Accordingly, it is unclear what the inference that “... newly built housing stock does not match demand for those who live on very modest incomes” is based on.

15. The table below shows the total number of beneficiaries according to income distribution (in EGP) between 2014 and 2018:

Income level	%
501-1000	2.1%
1001-1500	34.1%
1501-2000	33.3%
2001-2500	18.7%
2501-3000	8.3%
3001-3500	2.6%
3501-4000	0.4%
4001-4500	0.2%
4501-4750	0.2%
<b>Total</b>	<b>100%</b>

16. SHP is designed to take into account the importance of reducing travel time for employment purposes. Therefore, 100% of the beneficiaries reside in areas within a maximum of 60-minute travel time to major job markets.

17. The statement that “new houses erected by the Government were built on State land in remote locations” neglects the fact that vacant State-owned lands are rarely available in city centres to erect new housing projects necessary to meet the expanding demands of the high population growth rate of 2.56% according to the 2017 census. It also ignores that overcrowding is inconsistent with the right to adequate housing. Building new houses to accommodate new household formations is critical in order not to expand informal housing further. Upgrading existing houses and informal areas alone does not address the enormous housing needs of the growing population. In addition, the said statement does not take into consideration the standards set out by the Government for new social housing projects, which include the following:

- a) The location should be within the existing urban cluster, or the urban planning limits, and the soil should be suitable for construction work.
- b) Avoiding dangerous and unsafe areas.
- c) Priority should be rendered to the areas more in need for new housing, based on the general strategic planning for the cities and villages of each governorate.
- d) The existence or feasibility of extending basic infrastructure and services by the Government.
- e) The accessibility to basic services, or at least the feasibility of providing access to them by the Government.
- f) The connectivity to public roads or feasibility of connexion.

18. A detailed housing demand survey is already underway by SHP, in order to better understand the housing preferences of individuals and families. When finalised, SHP intends to accommodate these preferences and provide rental and ownership units in priority areas, as well as to offer alternative types of ownership options reflecting expressed affordability and preferences.

### **Paragraph 23**

19. The reference to the existence of 12.8 million vacant housing units, according to the 2017 census, is misleading. This gross number does not make the distinction between three main categories. The first consists of housing units that are still under construction, the total of which is 4.33 million units. The second involves units that are finished and belong to individuals who are either living abroad or live in another location, and are therefore closed, with a total of 3.81 million units. The third represents the finished units that have not yet been owned or rented, with a total of 4.66 million units. Accordingly, only units in the latter category are considered vacant.

20. On the other hand, SHP includes options for both new and existing houses. SHP is working on formulating a strategic approach to incorporate vacant and unfinished housing units into the housing market, hence addressing the disconnect between housing supply and demand, mainly through efforts to attract private owners of multiple units to the rental market and developing rental voucher Programmes. A new property tax has been implemented, and it should act as a deterrent for owners to leave their units vacant. In addition, SHP intends to provide financial incentives to owners of vacant or unfinished units in both formal and informal neighbourhoods to improve these units and bring them to the market. These measures should help reduce vacant units and increase the supply of affordable units, since existing houses are cheaper than new construction, which in turn might help lower house prices.

### Paragraph 26

21. The Government aims at providing safe drinking water and sanitation to all citizens, but limited financial resources represent a major obstacle, in addition to the declining individual's share of water by 70% from 1959 to 2019, mainly due to population growth. This is particularly problematic given that Egypt's share of the Nile water, which roughly represents 97% of the country's overall scarce water resources, did not change over the years, but in fact may be threatened by the construction of dams in neighbouring countries. Therefore, a gradual approach to increase safe drinking water production is being implemented, while attempting to reduce the network waste through a rigorous pipeline maintenance programme. Between 2012 and 2017, the number of safe drinking water production plants increased from 2522 to 2711, coupled with campaigns to encourage usage rationalisation, hence allowing for the connexion of 97% of all households to the safe drinking water network, which extends over 165,000 km.

22. Equitable access to services, connectivity and facilities is essential to ensure the long-term sustainability of the housing sector. To reduce the risk of increasing sprawl and spatial inequality, SHP incorporated quality control requirements to ensure that all units designated for social housing by urban planning authorities have access to basic services and infrastructure such as safe drinking water and sanitation, electricity and gas supply, as well as schools and health clinics and commercial markets.

### Paragraph 27

23. In relation to overcrowding rate, below are the numbers from CAPMAS report of 2017, relevant to the 3 Governorates referenced, namely Suhag, Asyut and Qena:

Governorate		Total households & individuals	Whole building	Apartment	One or more room in a housing unit	One or more separate rooms	One or more floors	Shop	kiosk/ Tent/ Hut/ Fixed cart	Average household size	Over-crowding rate
Suhag	Household	880,767	102,600	452,533	55,924	227,449	41,200	643	418	4.44	1.40
	Individuals	3,913,274	516,413	2,018,522	231,772	951,934	190,362	2,577	1,694		
Asyut	Household	735,196	93,459	360,677	49,450	196,682	34,000	461	467	4.42	1.40
	Individuals	3,248,282	473,762	1,592,184	197,529	825,742	155,207	1,847	2,011		
Qena	Household	603,680	99,053	329,800	37,419	119,171	17,602	411	224	4.26	1.37
	Individuals	2,569,863	461,935	1,405,989	146,098	478,817	74,593	1,552	879		

Numbers includes foreign individuals within Egyptian households

source: [https://www.capmas.gov.eg/Pages/Publications.aspx?page\\_id=5104&Year=16574](https://www.capmas.gov.eg/Pages/Publications.aspx?page_id=5104&Year=16574) Bulletin: Statistical Yearbook -

#### Housing

24. It may be true that housing deprivation contributes to other dimensions of child poverty, including access to education. However, reality shows that there are 55,214 schools all over Egypt today, which are attended by 22,453,381 students, compared to 49,435 schools and 18,555,232 students in 2014. The percentage of children who are out of the education system have dropped to less than 7%. Girls make up 48.67% of the overall number of those enrolled, with almost a parallel percentage graduating from universities each year. Despite limited resources, plans are underway to expand the existing school coverage,

including in new urban communities (Attachment 3). In addition, statistics show that up until 2014, illiteracy rate exceeded 25%. It was reduced to 20.1% in 2017, and efforts are in progress to bring it to zero.

25. It would have been really helpful had the Special Rapporteur had met with officials from the Ministry of Education (MoE) during her visit, or at least sought to consult with the Government and verify any information she may have received afterwards before jumping to conclusions

#### **Paragraph 28**

26. The collapse of houses is indeed calamitous, a result of several factors, mainly lack of prior examination of soil in construction sites in informal settlements and poor construction. To avoid recurrence and protect the safety of residents, the Government is paying particular attention to upgrading informal settlements and rehousing residents of life threatening and unsuitable shelters in alternative locations.

#### **Paragraph 29**

27. The SHP Subsidy Programme is designed to address the affordability problem. The subsidies are made progressive with income. The demand-side subsidy is linked to maximum affordable loans, with maximum monthly payments of 40% of income, for a term of 15 to 20 years. After inflation and interest rates hikes in 2011, mortgage loans became too high for the targeted brackets. SHP and the Central Bank of Egypt (CBE) coordinated a new stimulus package that would provide LE 20 billion in funds to banks and MFCs to make below-market-rate loans available on an interim basis to complement the demand side subsidy. Households are required to contribute a down payment (ranging from 15% to 50%, based on ability). In addition, due to increase in housing prices as the result of the devaluation of the local currency, SHP revised the demand-side subsidy, and increased its ceiling from LE 25,000 to LE 40,000.

28. One of the main additional contributions of the Programme is that banks have provided mortgage lending to much lower income groups and households with informal incomes. Segments of the population who were never served before have found that the credit risk of these households is not necessarily worse than those of the middle income households.

#### **Paragraphs 30 and 31**

29. The dynamics of rent controls are misunderstood by the Special Rapporteur. Households under the rent control regime are not necessarily low income households. A 2006 study showed that the rent control programme was highly inequitable, and benefitted high income households disproportionately. Moreover, the rent control regime had an extremely negative impact on the rental sector and lead to high vacancy rate and poor maintenance of existing units. The new rental law opens the possibility to create more private rental housing again, and SHP intends to work with private landlords to expand rental housing through housing vouchers for low-income renters.

30. In addition, SHP offered a total of 6,000 rental housing units in 24 cities, in 11 governorates, targeting lower income households (below LE 1,000/month) that could not afford to own a unit. The rental programme reflects the housing needs of the low-income Egyptian citizens and those who require greater mobility, and for whom home-ownership is not desirable. Rents are based on a rent to income ratio of 25%, with subsidised monthly rents ranging from LE 300/month for a two-bedrooms home to LE 410/month for a three-bedroom.

#### **Paragraph 34**

31. The suggestions that “those living in informal areas lack security of tenure” is ill-founded. It is also untrue that “if negotiations with authorities reach an impasse, residents can be removed from their homes and lands and legal recourse is unlikely to prevent this.” Please see comments below on paragraph 92.

**Paragraph 35**

32. Concerning urban development projects that have been managed by the Informal Settlement Development Fund (ISDF) for unsafe areas:

- a) 0% Homeless people is the result from the development process in these areas.
- b) For in-situ development, the inhabitants get paid rental subsidy in advance, for temporary leave during the construction work.

33. The reference to Category 2 is incorrect. This category is classified as “unsuitable shelters”, not “poorly constructed homes”.

**Paragraph 36**

34. The reference that Egypt Vision 2030 aims to reduce the number of people living in unsafe areas by 30% by 2020 is inaccurate. By 2019, the number of people living in unsafe areas has already been reduced by 35%.

**Paragraph 39**

35. Relocation is offered only to areas within the same city, not to remote areas as claimed by the Special Rapporteur, unless the residents indicate another preference. As explained to the Special Rapporteur during her visit, all inhabitants of areas under or planned for development are offered to choose one of three options: 1) immediate relocation to a home in another newly developed area within the same city; 2) financial remuneration to find alternative housing for the duration of the development of their area, in which they will be allocated a comparable unit; or 3) negotiated financial compensation. No individuals are forced to evict their homes.

36. Inhabitants of Doweika who indicate their preference for relocation over compensation are moved to Asmarat, which is about 10 km away from their original neighbourhood, and public transportation between the two areas is readily available. Examples for services provided in Asmarat include the following:

Public Transportation: External direct lines (1 to former district - 5 to main city districts).

Education: 3 basic education schools, providing 28 classrooms for girls, 27 for boys and 36 mixed.

Services: 292 commercial units, 5 healthcare units, 9 nurseries, in addition to public green and sports arenas.

Job opportunities: Crafts Training Centre for 97 trainees, 2 factories for manufacturing carpets and rosaries with 440 employees and a clothing factory with 1000 female employees. Factories provide nurseries for the children of female employees.

**Paragraph 40**

37. No choices were imposed on the residents of the Maspero Triangle. In fact, interventions by the Government were based on proposals by the Maspero Youth Organisation. Choices of in-situ resettlement or relocation to another area within Cairo City were made by the residents. Preferences were expressed in a generic form (Attachment 4). Then protocols were signed between the Government and the inhabitants, in which the latter indicated the location of the residential units they will return to after the development of the area. The designs and sizes of the units were consulted with the residents, with a variety of units ranging from 78 to 102 m<sup>2</sup>. Accordingly, contracts and instalments were agreed between the two sides.

38. Those who chose to move to Asmarat explained that they prefer the adequate urban environment it provides (safe area, basic infrastructure and services, accessibility to city centre, ..etc).

39. The correct number of building in 26<sup>th</sup> July Street is 9 residential buildings, in addition to 5 buildings that are marked as Architectural Heritage. The area is located on

the path of a new metro line (under construction). None of these residential buildings was demolished, and none of their residents were forcibly evicted.

**Paragraph 41**

40. It is true that projects being implemented by the Government in cooperation with international development agencies to upgrade informal housing in unplanned areas do not enhance the security of tenure of residents, simply because these projects are not intended for that purpose.

41. The law entitles residents to quiet enjoyment of their homes and prohibits their eviction, as explained below in comments on paragraph 92.

**Paragraph 42**

42. Despite lack of available resources, the Government is endeavouring to fulfil its obligations under Articles 18 and 78 of the Constitution, pertaining to the provision of the highest attainable standard of physical and mental health to all citizens, and without distinction. The provided healthcare services include health education, public health, environmental health, maternal- and child-care, child nutrition, vaccination, family planning, medicine at affordable prices.

43. At the moment, there are 2221 hospitals and 5088 primary healthcare centres and units all over the country, with equitable geographical distribution. Regular mobile clinics and convoys target the residents of remote and most deprived areas, and significant efforts are being made to shorten the waiting list for hospital beds. The “100 Million Health Campaign”, for example, is underway to eliminate Hepatitis C and to provide early detection of HIV infection and reduce non-communicable diseases, such as diabetes, high blood pressure and obesity. The campaign has 1,412 units all over the country. So far, 27.8 million persons benefited from the campaign, which offers a vast opportunity, especially for women and children, to undergo a thorough health check-up and receive treatment free of charge.

44. Law no. 2 of 2018 was hailed by the Director-General of the World Health Organisation (WHO) as an exemplary model that lays the foundations for a comprehensive social health insurance system that provides full health coverage to all citizens.

**Paragraph 44**

45. It is untrue that the current national legal framework provides the Government with considerable power to execute forced evictions. Please see comments below on paragraph 92.

**Paragraph 46**

46. No administrative eviction decisions are kept secret, or communicated only orally, or on short notice, as incorrectly claimed by the Special Rapporteur. Please see comments below on paragraph 92.

**Paragraph 47**

47. Law no. 10/1990 on the Expropriation of Real Estate Properties for Public Good, amended by Law no. 24/2018 does require authorities to explore all feasible alternatives prior to an eviction in consultation with affected communities, contrary to what the Special Rapporteur claims. Please see comments below on paragraph 92.

**Paragraph 48**

48. The campaign named by the Special Rapporteur to clear state-owned land of the “squatters and land grabbers” was aimed at vacant and unfinished structures, but did not target houses occupied by residents, be they in informal settlements or elsewhere. Please see comments below on paragraph 92.

**Paragraph 49**

49. It is untrue that “meaningful consultation and engagement between the Government and the populations they wish to relocate has been lacking.” Please see comments above on paragraph 40 and the attached form as an example.

50. The Statement that “where forced evictions have occurred, the [Special] Rapporteur has heard that compensation has not been adequate, and relocation is rarely proximate” is false. Please see comments below on paragraph 92 regarding the allegation of the occurrence of forced evictions, and comments above on paragraphs 39 and 40 on the proximity of relocation sites. On the other hand, the claim of inadequacy of compensations offered is presumptuous and neglects the fact that many would seek to maximizing their gains.

51. Asmarat is part of the Mokattam district, one of the main districts of Cairo city, not on the outskirts of Greater Cairo. Greater Cairo, on the other hand, includes all the cities and villages within the Governorates of Cairo, Giza and Qalyubia.

**Paragraph 52**

52. The understanding of the Special Rapporteur’s that alternatives to relocation are not explored, that residents are not consulted prior to being relocated or thereafter, and that sufficient notice is not provided prior to the eviction and relocation, is wrong. Please see comments on paragraphs 39, 40 and 92.

53. Relocation to another city or governorate is an unused approach.

54. It is unclear why the living conditions at the relocation site in 6<sup>th</sup> October City is difficult!!!

55. Signing agreements to vacate their homes in informal settlements planned for redevelopment could be done at the municipal unit or the nearest police station, depending on the preference of the residents, in order to secure their compensation entitlements or relocation units.

56. The reference to a case in which one resident was detained by the police for two days and was only released after having signed a document indicating his agreement to evacuate his home was addressed in the Note Verbale no. CHAN.2019.003, dated 1 January 2019, by the Permanent Mission of the Arab Republic of Egypt to the United Nations in Geneva.

**Paragraphs 58, 59, 60, 61 and 62**

57. As for the statement that “the Special Rapporteur regrets that she was not able to meet with the Ministry of Defence during her visit to receive additional information...”, please see comments above on paragraph 8. Had the Special Rapporteur been candid in seeking additional information from the Government on the issue, she could have requested that after the visit.

58. Before the end of the Special Rapporteur’s visit, she presented Government representatives with a draft End-of-Mission Statement, the first page of which had a footnote that indicated that she was unable to comment on a number of issues that were brought to her attention due to time constraints, and that she expects to include them in her final report (Attachment 5). She also indicated in the same meeting her awareness that she needs to consult with the Government on these issues prior to their inclusion in the report. Paragraphs 58, 59, 60, 61 and 62 address one of these issues, with no prior consultation with the Government.

59. The data cited is inaccurate and the Special Rapporteur does not take into consideration that the high toll of life by terrorism in the area, which harvested the lives of hundreds of innocent civilians, let alone security personnel. It is only logical that when an individual is deprived of his/her right to life, they could not possibly enjoy adequate housing as a component of the Right to an Adequate Standard of Living. The Government has a primary responsibility to protect its citizens against such threats under International Law.

60. The statement that almost 20,000 houses have been raided in Northern Sinai is false and does not distinguish between raids by terrorists and searches undertaken by the law enforcement forces based on subpoenas, or those that were necessary in case of crossfires between the terrorists and the law enforcement units, or even in *flagrante delicto* situations. Therefore, the statement is factually wrong, and the sanctity of homes is guaranteed by Article 58 of the Constitution, which details the incidents that may fall under the statute of limitations.

61. It is true that the Government refused to compensate any owner for property where a tunnel entrance was found. However, the Special Rapporteur has to understand the context first before jumping into conclusions. First, these tunnels are used to smuggle terrorists, weapons and explosives across international borders. Second, investigations in all these cases have concluded that the construction of tunnel entrances in houses and buildings in this area was done in exchange for regular money payments to the owners, a matter that makes them accomplices in the crime. It appears from the way the Special Rapporteur mentions the issue in the report that she wants the Government to compensate those owners for their loss of illegal revenues and for complicity in the terrorist acts carried out.

62. In short, the Special Rapporteur never sought to consult with the Government on this issue prior to the preparation of the draft report. Therefore, these paragraphs should be removed, given that the Government was only requested to inform of errors of fact or law, as per her letter dated 14 January 2019 to the Permanent Representative of the Arab Republic of Egypt to the United Nations in Geneva.

#### **Paragraph 65**

63. Lenders find it difficult to extend loans to the lowest income group whose income is less than LE 1000/month, with the limitation of a debt-to-income ratio below 40%. Increasing the ratio is not permitted and would increase the probability of delinquency. For that reason, SHP introduced its rental housing programme targeting lower income households with incomes below LE 1000/month, with subsidised monthly rents ranging from LE 300/month for a two-bedrooms home to LE 410/month for a three-bedroom.

#### **Paragraph 66**

64. SHP, banks and mortgage finance companies now accept mortgage lending to much lower income groups, both formal and informal sector workers, a category that they never served before. Lenders allow applicants to provide a certificate from a legal accountant office as a proof of their monthly income within the last three years. As a result, the number of self-employed beneficiaries increased gradually since the beginning of the programme, reaching 12.5% in 2018, compared to 2% in 2014. The table below illustrates the classification of current beneficiaries according to the type of employment:

<b>Employment Classification of Beneficiaries</b>	<b>2018</b>
<b>Public Sector</b>	<b>37.49%</b>
<b>Private Sector</b>	<b>50.01%</b>
<b>Self-Employed</b>	<b>12.5%</b>
<b>Total</b>	<b>100%</b>

#### **Paragraph 69**

65. This quoted research is inaccurate. SHP provides social units in 27 governorates to meet the demand of low-income households, and has managed to offer numbers of social units that closely meet the number of applicants in each governorate. The below table illustrates the details for each city referred to in the said paragraph:

Governorate	Number of HHs below poverty line	Number of applicants	Units Built	Under Construction	Total number of units
Fayoum	8,802	3,172	3,264	5,160	8,424
Minya	21,688	23,928	12,100	4,488	16,588
Asyut	17,139	14,682	18,601	1,560	20,161
Luxor	7,683	4,130	9,384	2,568	11,952
Qena	6,393	11,608	8,372	4,512	12,884
Suhag	18,861	9,259	10,788	3,360	14,148
<b>total</b>	<b>80,566</b>	<b>66,779</b>	<b>62,509</b>	<b>21,648</b>	<b>84,157</b>

### Paragraph 71

66. The suggestion by the Special Rapporteur that emphasis on building new, large cities on desert land requires reflection neglects the fact that vacant State-owned lands are rarely available in city centres to erect new housing projects necessary to meet the expanding demands of the high population growth rate of 2.56% according to the 2017 census, and ignores that overcrowding is inconsistent with the right to adequate housing.

67. Other than the provision of basic services and upgrading infrastructure by the Government, improvement of living conditions in existing formal or informal urban settlements is done in collaboration with civil society, and depends mainly on extra-budgetary financing.

### Paragraph 72

68. It is true that many new towns struggle with low occupancy. However, as explained to the Special Rapporteur during her visit, many purchase housing units in newly developed areas to secure homes for their children in the future, as a preference to escape the big city's hassle and bustle after retirement, or as a future private investment. This is addressed by the Special Rapporteur herself in paragraph 75.

### Paragraph 73

69. It is unclear on what basis the Special Rapporteur concludes that in new cities "there are restricted opportunities to open small-scale businesses which provide most work in urban Egypt", especially that she does not identify these restrictions.

### Paragraph 74

70. The Government opts to rely on the bus system at the early growth stages of new cities, because of its flexibility. A total number of 220 buses are allocated to new cities, and 25 buses are allocated for transportation to and within 6<sup>th</sup> October City alone. Buses include all the latest technologies to ensure the highest safety rate, by providing GPS devices, surveillance cameras, electronic payment system, ...etc. Buses in 6<sup>th</sup> October City are scheduled to run all day long, so as to serve most of its residents.

71. For the later growth stages of new cities, several projects are underway to enhance the public transportation services to and within them. The following projects are currently under construction:

- a) An Electric train line connecting the cities of Al-Ubour, Al-Mostakabal, Al-Shorouk, Badr, Al-Roubiki, 10<sup>th</sup> Ramadan, and the New Administrative Capital (scheduled to operate by mid-2021);
- b) A Monorail line, connecting Boulaq El-Dakroul Metro Station with 6<sup>th</sup> October City (scheduled to operate before the end of 2022);
- c) A Monorail line, connecting the Cairo Stadium Metro Station, Nasr City, New Cairo and the New Administrative Capital (scheduled to operate before the end of 2022).

**Paragraph 77**

72. Women have an equal opportunity to apply and to qualify for the units offered by SHP, based on their income level, with full property rights. The total number of women who applied to SHP is 164,500 out of 697,547 in total between 2014 and 2018, making up 24% of applicants. Remarkably, women do not have a higher rejection rate for a loan, and only 26.5% of the total rejected number of applicants were women. Priority for allocating units are given to single parent families, then widows.

73. There is also a noticeable rise of applicant female-headed households, which were granted housing financial subsidy to 40,285 recipients, roughly 19.11% of the total number of beneficiaries. The programme also gives priority to applicant married couples, particularly in the low income bracket, and if the wife contributes through her income to the payments of the monthly instalments, the ownership of the unit has to be shared by the couple.

74. The report does not take account of what was presented to the Special Rapporteur during the meeting with NCW, nor the data previously provided to her (Attachment 6).

75. In all cases, the Egyptian social context, i.e. religion-, custom- and tradition-related aspects, need to be taken into consideration, rather than perceiving issues through the Special Rapporteur's own paradigm. According to Egyptian customs and traditions, male spouses are responsible for the provision of housing in the first place, be it the father, the grandfather, the husband, the brother, or even the uncle, in addition to education, clothing, food, healthcare, ..etc. The exception is when some working women choose to share part of the financial burdens. When divorce occurs, the ex-husband provides affordable housing for the women during the custody period, and takes financial care of the children until they are 15 years-old, then they may choose to stay with either the mother or the father.

76. Women's rights are guaranteed by the Constitution and national laws. According to the Constitution, women have the same rights as men, including access to affordable housing. Article 9 states that "The State shall ensure equal opportunities to all citizens without discrimination." Article 11 commits the State "to achieving equality between women and men in all civil, political, economic, social, and cultural rights." Article 53 stipulates that "Citizens are equal before the law and are equal in rights, freedoms and public duties, not to be discriminated against by reasons of religion, creed, sex, origin, race, colour, language, disability, social level, political or geographic affiliation, or any other reason."

77. Several innovative initiatives for women's social support were recently launched, including:

**A life insurance policy scheme** for women and their families. The policy is offered free of charge for 50,000 women who are heading households.

**"Haya Karima (A Decent Life)" Initiative** for the neediest individuals. Rescue teams roam the streets all over the country in buses searching for displaced, missing and homeless people to provide them with full care and shelters.

**"Sakan Kareem (A Decent Housing)" Programme**, from which 37,000 families benefited in 2018. The programme is implemented by the Ministry of Social Solidarity (MoSS) and 7 NGOs to improve the infrastructure, sanitation and maintenance of houses in 27 villages. The programme is planned to expand to cover 60,000 families, with a total funding of 550 million EGP.

78. Regarding women's social and economic empowerment, Egypt has witnessed notable progress in this area, which is translated into strategies and programmes that are implemented through collaboration with civil society, under the umbrella of the 'National Women's Strategy 2030,' which is aligned with the 2030 United Nations Agenda on Sustainable Development. This Strategy confirms the country's commitment to mainstream gender issues, and to support the advancement of women. It rests on 4 pillars:

1. Political empowerment and leadership promotion;

2. Economic empowerment;
3. Social empowerment;
4. Protection.

### **Progress on Women’s Economic Empowerment and Social Protection:**

79. In the first quarter of the Egyptian Women Year (2018), 1.33 million women benefited from SME loans amounted to 2.55 billion EGP, and 1,680,000 woman benefited from micro finance projects.

80. In 2014, Egypt started implementing the Village Savings and Loans Association Scheme (VSLA) that was initially started in India. VSLA is a group of people who save together and take small loans from those savings. In 2016, more than 18,000 women participated in VSLA. 6,138 loans were disbursed to start micro projects, amounting to 2,240,457 EGP. This initiative was the next milestone to the financial inclusion journey, mainly to unlock the unbanked population through greater financial inclusion programmes for the graduates of VSLA. Meaning, Egyptian women would get a chance to not only grow independently and have their own savings, but also graduate into the formal systems. Currently, the Government is working on a mechanism that creates an enabling environment for inclusive economic development and access to financial services.

81. “Takaful and Karama (Solidarity and Dignity)” Cash Transfer Programme, led by MoSS, has now reached out to 1,980,000 poor female-headed households. Takaful Provides monthly conditional income per family, and per each child in school (up to 3 children), based on an incentive-based system related to school attendance, making use of maternal, and child healthcare services. Karama provides monthly unconditional income to poor elderly people, aged over 65, and people with severe disabilities who are unable to work. Women represent more than 90% of the beneficiaries.

82. Under the Economic empowerment pillar in the National Women’s Strategy 2030, NCW signed a Memorandum of understanding with CBE. NCW is also designing the first Women Financial Inclusion Technology Platform.<sup>2</sup> The goal is to create clear linkages between all existing and potential projects, such as the National Citizenship Initiative, Financial Literacy, VSLA, and Takaful & Karama Cash Transfer Programme, hence allowing Egyptian women and girls access to the financial system. The agreement includes major activities, such as:

1. Documenting and replicating the successful VSLA Programme methodology.
2. Conducting and developing working groups of women facilitators in each governorate to be trained on raising awareness about the importance of financial services and banking products, and collecting the responses to the needs of women from financial services
3. Capacity building of rural women and women facilitators to act as customer service officers providing basic and vital banking services, according to the rules and regulations issued by CBE in this regard.
4. Conducting awareness raising campaigns that focus on raising women’s financial knowledge and acquainting them with benefits of financial/banking services.

83. A Programme for women religious leaders from different governorates was launched in 2018, aiming to raise their awareness about women’s issues, such as violence against women and economic empowerment. Additionally, a hotline was established by MoSS to provide support services to women drug addicts.

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<sup>2</sup> A service aggregator and a comprehensive financial inclusion application that combines existing financial and non-financial services, thereby reducing financial and ICT illiteracy and encouraging inclusion in banking systems, with a particular focus on women in Upper Egypt and rural areas.

84. The Government is currently developing a certification programme, based on the success of the Gender Equality Seal for the private sector in 2010, led by NCW. A Gender Equity Seal was adopted to provide companies with guidance on how to address challenges for women, such as access to work, sexual harassment, work-life balance and access to leadership positions. Tools were provided to help private firms reformulate their policies for gender equity, and capitalises on the business value of becoming a Gender Equity Certified Business operating in Egypt. 10 Private sector companies underwent a thorough process of assessment, audit and training on gender mainstreaming within corporate policies, and received the Gender Equality Seal certification. Participating companies have low drop-out rates of working mothers, which is largely attributed to its affiliated subsidised day-care.

85. The Government also supports the economic empowerment of women through innovation and technology. In addition to launching the “ICT for Women Portal” to empower women and girls to use ICT in all aspects of life, the first Social Innovation Hub was launched by NCW in partnership with UNDP and Microsoft Egypt in 2016. It was named one of the best initiatives that Microsoft had globally that year. The Hub addresses the gender gap through encouraging entrepreneurship and innovation among young women, while the camps provide a collaborative space and a participatory platform for women and men to co-design solutions to complex challenges that women are confronted with. Suggested solutions for reporting on violence against women were presented, leading to its adoption by NCW, which is currently re-engineering the process of receiving complaints with the support of the private sector.

86. Through “Masr Taamal (Egypt Works)” Initiative, one million young people were reached with the objective of building their skills and providing services with specific focus on ICT training, job placement services and support for start-ups, to enhance their employability, besides providing career development and mentorship, online and in class. The Initiative supported up-skilling 120,000 young people so far, 50% of whom were young women. Services were provided through more than 70 centres established in the 27 governorates.

87. The Women Business Development Centre (WBDC) was established in 2002 to implement NCW’s mandate for the economic empowerment of women. Its vision is to create value chain women entrepreneurial cultures and communities that fearlessly collaborate with each other, thrive together and empower one another. Since its establishment, WBDC carried out numerous activities in areas ranging from ICT, vocational and entrepreneurship training for SMEs and new graduates on soft skills and capacity building.

88. One of the major projects by WBDC is the Women-to-Work (W2W) Project, which is designed to provide women with the knowledge and skills they need to unlock employment opportunities. Launched in 2014, W2W is a nationwide project developed as part of the National Training for Employment Programme. W2W approach to curating and disseminating knowledge is based on three key tenets: Innovation, Collaboration, and Experience. 2640 women have benefited from W2W in 18 governorates in 4 main areas: life skills, vocational skills, entrepreneurship and innovation, and community development. WBDC launched a product development programme called “Addaha W2doud (Women can)”, targeting craftswomen all over the country to upgrade their products’ quality and design to meet market needs.

### **Paragraph 78**

89. The Constitution affirms the right of all citizens to improved quality of life, to achieve social justice and to provide social solidarity, hence it allocates 25% of seats in municipal councils to women. The Constitution encourages the participation of rural women in the national plans for development at the local level. The participatory planning approach starts from the grassroots level up to the governorate level, hence identifying and prioritising the needs of beneficiaries, be they men or women.

.90 Women are strongly represented in all decision-making levels. They currently occupy 15.5% of seats in the House of Representatives, the highest in Egypt’s history.

Current proposed amendments to the Constitution include setting a quota of 25% for women representation in the Parliament. Currently, 25% of cabinet ministers and 20% deputy ministers are woman, in addition to woman governors and deputy governors. Women in senior management positions in the government stood at 24.1% in 2017.

91. Participatory gender responsive planning starts from the village and neighbourhood level upwards. NCW participates in formulating the five-year national plan for social and economic development as of 2007, and mainstreaming gender has been consistently integrated in national plans since then, hence adequate reflection of women's needs in the design and development of rural and urban settlements is ensured. As a result, financial allocations in the national budget for women-specific programmes have doubled since 2007.

92. New cities do include playgrounds, healthcare services, schools, nurseries and all other necessary requirements. Examples include Asmarat 1,2 and 3 in Cairo, Ghait in Alexandria.

93. The 100 Million Health Campaign, previously referred to, includes treatment of Hepatitis C, and early detection of HIV infection, diabetes, high blood pressure and obesity. The campaign has 1,412 units all over the country. So far, 27.8 million persons benefited from the campaign, which offers a vast opportunity, especially for women and children, to undergo a thorough health check-up and receive treatment free of charge.

#### **Paragraph 79**

94. It is highly recommended to state exactly what the Special Rapporteur heard by the male court officials and judges, and the context of the discussion. The Government asserts that the independence of the judiciary is unquestionable, and any attempt to cast doubt on the integrity of judges or describe their attitudes as discriminatory against women in cases involving property inheritance disputes is unacceptable. Meanwhile, it must be noted that the Complaint Office at NCW never received any complaint that a court ruling on inheritance discriminates on the basis of sex.

95. The Special Rapporteur is advised to do more research on Islamic Law, which is the basis for the Egyptian Inheritance Law. She could have also raised the issue of Muslim woman's inheritance during the visit or seek more information afterwards to get more clarity. In short, a Muslim woman's inheritance share equals half the share of her brother in only four instances, whereas she inherits the same, or even a larger share, in 30 other instances.

96. To guarantee that women enjoy their inheritance, a legislation reform was introduced to prevent any form of discrimination in this respect. Law no. 219 of 2017, amending Law no. 77 of 1943 on inheritance, criminalises and penalises the deliberate obstruction to hand over the rightful inheritance to any of the heirs, be they women or men. This legal reform is a step towards giving women equal rights to inheritance, in conformity with SDG 5, Target 5 A, in tandem with programmes led by NCW in collaboration with CBE to provide women with access to ownership and control over any type of property and financial services. Women receive equal pay and financial benefits for the same job as men, a firmly established right for women in Egypt for almost seven decades now.

#### **Paragraph 80**

97. The lack of official data on the number of homeless persons in Egypt is mainly due to their constant mobility and their lacking of identification papers, in addition to the fact that they do not exist in groups. Therefore, they are difficult to find.

98. It is untrue that people living in homelessness cannot access social and health services without identification papers. There are no legal requirement to provide identification papers to benefit from these services, and the reality is that there are at the moment 28,945 NGOs working tirelessly to deliver social services to the needy across the country in collaboration with –and partly financed by- MoSS. Healthcare and medical treatment are accessible for all citizens in public hospitals, healthcare units and clinics,

including mobile clinics, without distinction according to Article 53 of the Constitution. Hospitals, however, may ask for an identity card to verify the age and create the patient's medical history file for their own records and professional use, but the inability to present it does not obstruct access to healthcare or obtaining medical treatment.

### **Paragraph 81**

99. The Government generally uses the term “children without shelter” to refer to homeless children.

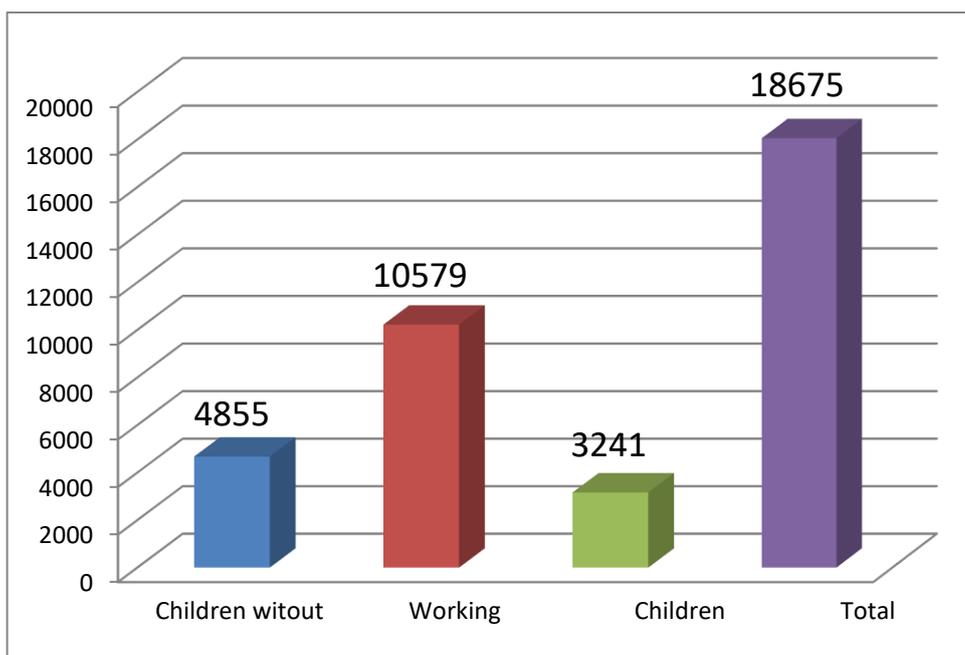
100. The wide gap between the different UN agencies estimates of the number of children without shelter confirms what was mentioned in comments above on paragraph 80 that the lack of data is mainly due to their constant mobility and their lacking of identification papers, in addition to the fact that they do not exist in groups.

### **Paragraph 82**

101. It is untrue that children without shelter in Egypt experience difficulties in obtaining birth registration or identification documents. When a homeless child is located MoSS specialists or the police, the case is immediately reported to the Attorney-General's Office and a thorough check is made to contact his/her family or next of kin, and to study the causes of homelessness before a decision is made by the judiciary to return them or to take them in into specialised shelter homes, supervised by MoSS. In addition, if the child is too young to tell his/her full name and/or his home address, their photo is published in police stations and social media. Still, if the family or next of kin could not be found, and the child does not have identification papers, a birth certificate/identification document is issued after he/she are boarded in a shelter home. All of the above is mandated by the Child Law no. 12 of 1996, which was amended by law no. 126 of 2008.

102. MoSS supervises 449 orphanages, hosting over 10,000 children all over the country. There are also 17 shelters for homeless men and women, hosting 677 people under its supervision in 8 Governorates, namely Cairo, Giza, Alexandria, Monufiya, Dakahlia, Sharqiyah, Gharbiyah, Suez and Asyut. In 2018, 290 adults were reintegrated in society. All these orphanages and shelter homes are run by local NGOs. It would have been really useful to clarify these issues earlier if the Special Rapporteur had met with officials from Ministry of Health and Population (MoHP) during her visit, or at least sought to consult with the Government and verify any information she may have received afterwards before jumping into conclusions.

103. The Special Rapporteur is again advised to check the validity of the reports she references. It is inconceivable that individuals and organisations trying to assist homeless children risk being arrested for providing this kind of assistance, given that all local NGOs working on this area are under the supervision of MoSS. It is important to highlight that MoSS runs a programme to tackle the children without shelter phenomenon, with a budget of 163,944,000 EGP. It includes improving the conditions and increasing the capacity of existing shelter homes, improving the Ministry's family consulting and social monitoring offices across the country, establishing community schooling classrooms, training specialist social workers, providing financial and logistical support as well as training to NGOs working in this area, and undertaking awareness campaigns, including 4 short films that recorded high viewing rates. The programme also includes the deployment of 17 mobile units to assist homeless children in 10 targeted Governorates at the moment, and they provide physical treatment and psychological healing, in addition to training social workers. The graph below shows the number of children dealt with in street situations in 2018:



104. 2019 has been declared the “Year of Decent Life” in Egypt. Starting January, MoSS intensified efforts to tackle the homelessness phenomenon. Teams of rapid reaction specialists are being deployed nationwide in collaboration with civil society, and 3 hotlines have been established to report cases in need of assistance. In the first month, 4,743 individuals were identified, including children. Some homeless adults were convinced to go to a shelter home, while arrangements were made to ensure that those who refused were offered food, clothing, blankets... etc, on a regular basis. They are also offered opportunities for education and craft apprenticeship. These efforts will continue throughout the year, and will help assess the extent of the homelessness phenomenon and allow for suitable reintegration.

#### **Paragraphs 83 and 84**

105. Before the end of the her visit, the Special Rapporteur presented the Government representatives with a draft End-of-Mission Statement, the first page of which had a footnote that indicated that she was unable to comment on a number of issues that were brought to her attention due to time constraints, and that she expects to include them in her final report. She also indicated in the same meeting her awareness that she needs to consult with the Government on these issues prior to their inclusion in the report. The Special Rapporteur never did. Therefore, these paragraphs should be removed.

106. In any case, the Government wishes to confirm that Christian Copts have the same civil, political, economic, social and cultural rights as all other citizens. Discrimination is prohibited and all citizens are equal before the law, according to Article 53 of the Constitution. The insinuation by the Special Rapporteur in paragraph 83 that the Government forces Christian Copts in particular to leave their homes is false and baseless.

107. The Constitution safeguards the human rights and fundamental freedoms of all citizens, without distinction. It does not refer to Christians as a minority. In fact, the Constitution does not identify any segment of society as a minority, nor do Christians in Egypt identify themselves as such. The Constitution is based on the Principle of Citizenship.

108. The basis for the inference by the Special Rapporteur that “official judicial bodies have failed to provide legal protection against community reconciliation decisions” is unclear, and she does not provide any evidence to support this serious allegation.

109. It is untrue that “law enforcement authorities have, in several instances, refused to provide security to those who wanted to return to their homes.” Law enforcement

authorities enforce the law, and they are subject to a rigorous accountability mechanism to ensure that any failure to perform their duties is immediately addressed.

### **Paragraphs 85, 86 and 87**

110. Before the end of her visit, the Special Rapporteur presented the Government representatives with a draft End-of-Mission Statement, the first page of which had a footnote that indicated that she was unable to comment on a number of issues that were brought to her attention due to time constraints, and that she expects to include them in her final report. She also indicated in the same meeting her awareness that she needs to consult with the Government on these issues prior to their inclusion in the report. The Special Rapporteur never did. Therefore, these paragraphs should be removed.

111. However, to clear misunderstandings on the part of the Special Rapporteur, the Government confirms that citizens living in, or originating from, Nasr El-Nuba district of Aswan and southwards to the borders with the Republic of the Sudan have equal rights as all other citizens, according to the Constitution and laws, without distinction.

112. It must also be borne in mind the State has to strike a balance when implementing its various constitutional obligations. For example, the Government is committed under Article 27 to pursue sustainable development and social justice, and to achieve high economic growth rates, higher living standards and job opportunities, lower unemployment rates, and to eradicate poverty. Furthermore, it is obliged by Article 32 to preserve natural resources for the benefit of its people and to make optimal use of renewable energy sources. It is at the same time responsible under Articles 33 and 35 to protect private property rights and provide compensations in the case of expropriation for public good. There are many other obligations, including to protect and rationalise the use of available water resources, hence safeguarding water security, according to Article 44. Therefore, it goes without saying that it could not have been possible to work towards meeting these obligations, as well as to connect 97% of all households to the safe drinking water network, without the consequent upgrades of the Aswan Dam and the construction of the High Dam, given the declining individual's share of water by 70% from 1959 to 2019.

113. It is untrue that forced displacements took place in this area. The fact is that alternative safe housing and land as well as financial compensations were delivered at the time to most residents, whose lives and livelihood would otherwise have been threatened by the ensuing upgrade and construction dams, and the creation of Lake Nasser. The international community gave a helping hand, and UNESCO notably contributed to the relocation of Philae Temple. The compensations included the provision of 25,548 acres of farmland to 15,104 families, alternative housing units to 5,722 families and financial compensations to 334 families; however, those who were working for the Government were not compensated, on the basis that they were not resident in the area or had no farmlands. Therefore, in implementing Article 236 of the 2014 Constitution, several steps were taken, including:

1. The creation of the Authority for the Development of Upper Egypt, with an budget allocation of 5 Billion EGP.
2. The allocation of extra-budgetary 320 million EGP to implement new projects in Aswan and finish on-going urgent projects. The amount was later increased to 430 million EGP.
3. The establishment of a Ministerial Committee, led by the Minister of Justice, to review the cases of those who were not compensated. The Committee concluded that entitlements to compensation amount to 4,758 acres of farmland and 3,017 housing units, besides 3,851 requests to own existing residential lands. For those who may prefer to receive financial remuneration, initial estimates stand at 25,000 EGP per acre of farmland and 225,000 EGP per house. The construction of 3,000 housing units is planned to expand Karkar Town, in addition to the existing 2,024 units, of which 1,840 were previously handed over. In its vicinity, 2,400 acres are planned for agricultural reclamation in Wadi Al-Amal, and will be allocated for those entitled for compensation. Restoration plans of houses in Nasr El-Nuba district are also underway.
4. Priority is given to investors from Nubia and those who are entitled to compensation in the 12,500 acres of farmland being reclaimed in Khor Condy Valley.

114. In light of the above, the claim that citizens living in, or originating from, Nasr El-Nuba district of Aswan are being subjected to “socio-economic and political marginalisation” is ill-founded. Its fallacy becomes even more evident when considering that an industrial park and a capital park are being established over 40,000 acres in Al-Genina Wal Shebbak and Nasr Al-Nuba, where the land will be offered to applicants for free, fully provided with basic utilities and necessary infrastructure, same as in all other regions in Upper Egypt.

115. People from this region are not discriminated against. This is ensured by Article 53 of the Constitution, and in practice. They live, move and work in every profession freely all over the country, and have equal civil and political rights as other Egyptians, guaranteed by an allocated seat in Parliament to Nasr El-Nuba district.

116. It is factually untrue that the Presidential Decree 444 of 2014 designated many of the villages to which Nubians wanted to return as “closed military areas”. The decree solely demarcates the lands adjacent to international borders with neighbouring countries, which border control mobile units can patrol. The said Decree does not designate any part of the country as a “closed military area”. The claimed “ancestral land” is all submerged by Lake Nasser, and the existing 44 Nubian villages replicate the community structure that existed in the submerged 44 villages.

117. It is also untrue that 14 individuals were arrested in Aswan in 2017 while protesting for their return to their lands in a symbolic march, because:

118. They were in fact demonstrating, with over 50 others, against an announcement made by the Egyptian Countryside Company that the 12,500 acres of farmland being reclaimed in Khor Condly Valley were included in a larger agricultural reclamation project and were open to bids by investors from all over the country. This plot of land was later delinked from the project, and priority to own it was given to investors and those who are entitled to compensation from Nubia, as explained above. This has nothing to do with the right to adequate housing.

119. 24 individuals were arrested in *flagrante delicto* on charges of violating Law no. 107/2013 on the Right to Peaceful Assembly, which ordains a three-day notification prior to public meetings, marches or demonstrations. The demonstrators cut off the traffic on a main road leading to a number of public offices, putting their and others’ lives in danger. As they refused to heed to repeated requests and advices by the police to clear the road, the police had to arrest them. They were all subsequently released by a court decision. Once again, this has nothing to do with the right to adequate housing.

120. The person who died in custody had a bad medical history. He had previously undergone an open heart surgery in France, and suffered from diabetes, hypertension and pancreatic cancer. While in custody, he regularly received his medications and visitors. On the day of his death, he suffered a diabetic shock. When his condition did not improve after getting a paramedic assistance and an insulin injection, he was rushed to hospital, but passed away on route, as a result of respiratory failure and arrhythmia. His brother did not accuse anyone when asked by the public prosecution. His wife, who lives in France, said in media interviews that he spoke to her before his death, and confirmed that he received the medications she sent him from France, and was regularly taking his medications and receiving the necessary medical care.

121. Having explained the above, the Government would like to reiterate what it had conveyed to the Special Rapporteur in previous correspondences that the Government has no reason to hide anything, but has every reason to show everything, even though it does not see a single linkage between any of the above to the mandate of the Special Rapporteur.

### **Paragraphs 88 and 89**

122. The Special Rapporteur never shared any of the harrowing stories she claims that she had heard with the Government, and never sought the latter’s response or views on the issue prior to its inclusion in the draft report. These paragraphs should be removed.

123. However, to make things clear, there is no discrimination whatsoever in the housing sector. Regulations for the allocation of housing units offered by SHP, for

example, do not make any restrictions based on sex, or sexual behaviour, and applicants are not required to provide any information in this respect (Attachment 7).

### Paragraph 91

124. The statement that “there are few avenues where the right to housing can be or is being claimed in Egypt” contradicts with the statement in paragraph 17 that “Egypt has a large number of laws and regulations on housing....” Several of them cover important aspects of the right to adequate housing. The Government was under the impression that the Special Rapporteur must have consulted the laws in place that ensure the full enjoyment of the right to housing as well as security of tenure, as part of her mandate, before drafting a report on the visit. Access to the Judicial system is guaranteed to everyone in Egypt. The relevant laws include *inter alia* the following:

- Law no. 206/1951 on Low-Income Housing, amended by Law no. 213/1954 and Law no. 80/1957;
- Law no. 49/1977 on Rent, amended by Law no. 4/1996 and Law no. 6/1997;
- Law no. 59/1979 on the Construction of New Urban Communities, amended by Law no. 1/2018;
- Law no. 14/1981 on Cooperative Housing, amended by Law no. 122/2008;
- Law no. 136/1981 on the Relationship between Owners and Tenants, amended by Law no. 4/1996 and Law no. 6/1997;
- Law no. 10/1990 on the Expropriation of Real Estate Properties for Public Good, amended by Law no. 24/2018;
- Law no. 48/2001 on Mortgage Financing;
- Law no. 144/2006 on the Preservation of Architectural Heritage Buildings;
- Law no. 119/2008 on the Unified Building;
- Law no. 67/2010 on the Regulation of Private Sector Participation in Infrastructure Projects;
- Law no. 33/2014 on Social Housing, amended by Law 20/2015;
- Law no. 10/2018 on the Rights of Persons with Disability;

125. The statement that “the Constitutional Court has yet to hear a right to housing claim concerning Article 78” is both factually wrong and misleading, and reflects misunderstanding of the legal system in Egypt.

126. First, it is factually wrong because the High Constitutional Court ruled on 5 May 2018 on case no. 11 that part of Article 18 of Law no. 136 on the Relationship between Owners and Tenants was unconstitutional. It also ruled on 13 October 2018 against the constitutionality of Law no. 34 of 1984 amending the Penal Code, which had introduced 2 Articles to the Law, namely Articles 115-bis and 372-bis, the latter being on the penalisation of infractions on State-owned properties. Consequently, all previous penalties imposed in relation to the construction of houses on State-owned land were seized by the order of the Attorney-General, and all new relevant cases and charges were dismissed.

127. Second, it is misleading because the history of the High Constitutional Court is rife with examples of rulings in support of the right to housing, even before the adoption of the current Constitution.

128. Third, it reflects misunderstanding of the legal system in Egypt, because administrative courts are the ones responsible for considering appeals against administrative decisions in general, and their rulings may be challenged before the Supreme Administrative Court, not the High Constitutional Court. The latter, on the other hand, only controls the constitutionality of laws and regulations.

129. Examples of decisions by the High Constitutional Court in this regard include its ruling on case no. 137 of 1998 that laws and regulations on rent pricing become

discriminatory not only if they discriminate on the basis of sex, origin, language, religion or belief, but also if they include any distinction, limitation, preference, or exclusion that arbitrarily undermines the rights and freedoms guaranteed by the Constitution and law. It also ruled on case no. 105 of 2002 in favour of extending the terms of old rental contracts for the lifetime of tenants, and bequeath this right to a first degree family member again for a lifetime. More recently, it ruled on two cases related to the right to housing in 2018 as mentioned earlier.

### Paragraph 92

130. All procedures in connexion to re-planning of areas, development of existing houses in informal settlements, or expropriation of real estate properties for public good, are authorised by administrative decisions, same as all activities carried out by the Government and its branches, not by a court order as mistakenly understood by the Special Rapporteur. However, they are subject to judicial control, and citizens have the right to dispute them.

131. It is not clear on what basis the Special Rapporteur makes the allegation that “while it is possible to file an appeal against such decisions before an administrative court, there are many barriers for individuals living in informal settlements to do so.” Citing examples is necessary to substantiate this allegation, and it is important to explain why individuals living in informal settlements in particular face barriers to appeal, while others do not.

132. The claim that “the national law does not always require due notice in writing” is untrue. Law no. 119 of 2008 on the Construction of Buildings and its bylaws, as well as Law no. 10 of 1990 on the Expropriation of Real Estate Properties for Public Good, have clear stipulations that ensure the definite knowledge by residents of an eviction decision, if the Special Rapporteur cares to check them.

133. To better understand the process, eviction from areas designated for planning or re-planning by the administrative authority has to start by announcing those areas, then the respective Governor has to issue a decision in this regard. This decision must be published in the Official Gazette and publicised *inter alia* at the municipal unit, and can be challenged before an administrative court within 60 days of establishing definite knowledge, with an urgent appeal to suspend its execution, and if necessary before the Supreme Administrative Court later on. Unless interrupted by a judicial process, the next step after issuing and publicising the decision is to create a committee to assess the property value and negotiate with the owners and residents. The results have to be publicised, as well as the compensation amount, in various locations. Also, the number of renters is verified, and they are offered three options: 1) immediate relocation to a home in another newly developed area within the same city; 2) financial remuneration to find alternative housing for the duration of the development of their area, in which they will be allocated a comparable unit; or 3) negotiated financial compensation.

134. In case an expropriation decision is issued for public good, it has to be published in the Official Gazette and publicised *inter alia* at the municipal unit. The decision may be challenged before an administrative court within 60 days. It is worth mentioning in this respect that the Supreme Administrative Court has established in its decision on case no. 8500 of 2006 that announcing and publishing are not enough to determine the realisation of definite knowledge by the persons concerned, thus the dates specified above may only be calculated from the date that definite knowledge is ascertained and verified. In addition, once the committee responsible for assessing the property value and negotiating with owners and residents is created, the same steps, as in case of announcing areas designated for planning or re-planning described above, have to be followed. Once the committee concludes its work, the administrative authority must send letters the owners and residents concerned by recorded delivery, and the decision has to be published in the Official Gazette and in 2 widely circulating newspapers, and publicised at the municipal unit and on the property itself in a visible manner –among other locations- for 30 days, after which owners and residents would have 15 days to submit a petition to the administrative authority. The latter should respond with recorded delivery within 30 days, and the petitioner has 30 days afterwards to challenge the decision before a first degree court, and 120 days to plea against the compensation

amount assessed, without prejudice to his/her right to cash the assessed amount. The court decision may still be appealed against before the Court of Appeal, and possibly before the Court of Cassation. At the end, if expropriation procedures were not completed within two years, or the properties were used for a purpose other than public good, citizens can challenge the expropriation decision before the Supreme Administrative Court.

135. This lengthy process is outlined by Law no. 10 of 1990 on the Expropriation of Real Estate Properties for Public Good, amended by Law no. 24 of 2018. The purpose of these detailed steps is to provide maximum safeguards to owners and residents, particularly in informal settlements, and to protect property entitlements and the right to housing. The Supreme Constitutional Court established by its decision on cases no. 1875 and 1914 of 1991 that despite the fact that an administrative decision to evict residents of an informal settlement built on State-owned land was lawful in order to protect State property rights, there is a greater good in allowing the community members to remain in their homes, so as to protect them from vagrancy, and maintain social harmony and *ordre public*, especially that the administrative authority was conscious from the start that the community was created, but did not react on time to protect State property rights.

136. The Government is confident that the whole process explained above is in full congruence with Article 11 (1) of ICESCR, and General Comments 4 (1991) and 7 (1994) by CESCR on adequate housing.

137. As for the suggestion that “claimants often lack sufficient proof of residence to challenge eviction orders or ensure their inclusion in relocation or compensation schemes”, it must borne in mind that the provision of utility bills paid regularly over an extended period of time is a sufficient proof of residence. It is worth noting that the Special Rapporteur acknowledged in paragraph 33 that “most of them [informally erected building in unplanned areas] have access to water supply and sanitation facilities”. In this respect, the Supreme Administrative Court concluded in case no. 5730 of 2010 that, based on respecting the right to housing, a community residing for many years on a State-owned land, while the Government has been indolent to take the necessary administrative measures to correct the situation, may not be forcibly evicted due to a re-planning administrative decision.

138. Moreover, the submission that “residents frequently lack the financial resources to engage a lawyer to represent them” is ill-founded. Article 23 of Law no. 90 of 1944 on Judicial and Documentation Fees, and Article 94 of Law no. 17 of 1983 on Attorneyship, both ensure *pro bono* legal counselling and assistance to those who cannot afford judicial fees. This privilege is affirmed by Article 98 of the Constitution.

### **Paragraph 93**

139. The claim that “persons living in unplanned areas or informal settlements may fear being prosecuted for illegal occupation of land under Article 372-bis or fined for infractions of building regulations” may have been true before the High Constitutional Court ruled in October 2018 against the constitutionality of the said Article, and the release of those convicted according to it, as explained above in comments on paragraph 91.

140. Furthermore, the claim that “if they [persons living in unplanned areas or informal settlements] challenge such decisions, they can be prosecuted for resisting enforcement measures under Articles 133, 136 and 137 of the Penal Code” reflects a clear misunderstanding, because these Articles only deal with physical or verbal assaults on government officials while performing their functions. Exercising a citizen’s litigation rights is safeguarded by Article 97 of the Constitution, and does not constitute such an assault.

### **Paragraph 94**

141. There are numerous cases on claims related to the right to housing that have been decided by the Supreme Administrative Court, including cases no. 1875 and 1914 of 1991, cases 3532 and 3623 of 2005, cases no. 2773, 2779 and 2817 of 2006, and case

no. 5730 of 2010, and far too many rulings by administrative courts. The Special Rapporteur only needs to check on the Internet.

#### **Paragraph 95**

142. The Government has no idea about the lawyers the Special Rapporteur says that she had spoken with. It is regrettable that the Special Rapporteur lends her ears to ill-founded perjurious allegations, and she is encouraged to depend on verifiable information.

#### **Paragraph 97**

143. Egypt worked with other Arab States to develop an Arab 2030 Strategy for Housing and Sustainable Urban Development under the auspices of the League of Arab States. It was adopted in 2016, and its implementation plan was approved on the Ministerial level in December 2018. It includes six objectives that encompass 35 goals in all areas of adequate housing and urban development.

144. On the other hand, drafting Egypt's National Housing Strategy is underway in consultation with UN-Habitat and civil society, with a view to synthesizing it with Egypt's Sustainable Development Strategy– Egypt Vision 2030.

#### **Paragraph 98**

145. The House of Representatives is mandated by the Constitution to review all laws predating the date of its adoption. However, the fact that many laws and regulations on housing predate the adoption of the Constitution, does not necessarily entail that they need to be amended if they are in conformity with the Constitution and the right to adequate housing under International Human Rights Law, as explained above in comments on paragraph 17.

#### **Paragraph 99**

146. On the recommendation to harmonize the dual rental law, while taking measures to ensure the security of tenure and affordability of housing for all tenants, under the old or new rental law regime, it is important draw attention to the fact that there is already a new law being deliberated by the House of Representative since April 2018 to this effect. If the Special Rapporteur did not cancel the proposed meeting by the Government with the First Assistant to the Minister of Justice during the visit, she could have learnt about that.

147. On the recommendation to consider the introduction of rental subsidies for low-income households, and rent control measures in urban areas in which housing has become unaffordable, please see comments above on paragraphs 20, 22, 29, 30, 31, 35, 65, 103 and 105.

#### **Paragraph 100**

148. Please see comments above on paragraphs 40, 47, 49, 52 and 97.

#### **Paragraph 102**

149. Please see comments above on paragraphs 92.

#### **Paragraph 103 and 105**

150. Reality shows that the Government has not been investing in luxury developments, and is doing its utmost to adequately meet the housing needs of those in the lowest income bracket. In the 5-year plan ended on 30 June 2005, a total of 1,258,073 housing units were built across the country by the public sector, of which 1,029,101 units were offered to the low income bracket, making around 81.8% of the total units built, while 226,960, or 18%, were offered to those in the middle or upper-middle income bracket. Only 2,012 units, a mere 0.2%, were luxury developments. Easy loans were

offered for units up to a total price of 50,000 EGP was made available, with an interest rate of 3 to 6%, and payment plans that range between 15 to 40 years.

151. Starting October 2005, a total of 500,000 housing units were built across the country over 6 years for the youth and low income families, with an average cost of 60,000 EGP. Each unit was offered with a subsidy of 25,000 EGP, and the rest to be paid with an easy loan over 20-30 years.

152. Starting 2014, the Government has embarked on an ambitious programme that aims at providing one million units across the country for those in the lower income bracket, around 60% of which has so far been accomplished. The Government provides the land, infrastructure and basic services for free, and offers units ranging from 75 to 90 m<sup>2</sup>, with a down payment of only 15% of their actual cost, and the rest is to be paid with easy loans over 20 years, with an interest rate between 5 and 7%, while the prevalent market interest rate is around 24%. The programme also offers rental units, with an option for purchasing the unit after making rental payments equal to its price.

153. One of the main objectives of national housing projects is to provide rental accommodations for the poorest, with spaces ranging from 42 to 55 m<sup>2</sup>, in affordable prices.

154. A detailed housing demand survey is already underway by SHP, in order to understand the housing preferences of the Egyptian population. When finalised, SHP intends to accommodate these preferences and provide rental and ownership units in priority areas, and offer alternative types of ownership options reflecting expressed affordability and preferences.

#### **Paragraph 106**

155. Please see above comments on paragraphs 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89.

#### **Paragraph 107**

156. The Government acknowledges that homelessness is a social problem, and efforts are being exerted to deal with it, as explained in comments on paragraphs 80, 81 and 82.

#### **Paragraph 109**

157. On the recommendation that the Government provides rights-holders with legal aid and assistance in respect to the right to housing related disputes, Article 23 of Law no. 90 of 1944 on Judicial and Documentation Fees, and Article 94 of Law no. 17 of 1983 on Attorneyship, both ensure *pro bono* legal counselling and assistance to those who cannot afford judicial fees. This privilege is affirmed by Article 98 of the Constitution, as previously mentioned above in comments on paragraph 92.

158. Courts of first instance, administrative courts, the Supreme Administrative Court and the High Constitutional Court do rely on International Human Rights Law when interpreting national and constitutional law in matters related to all human rights and fundamental freedoms, including the right to adequate housing. Article 93 of the Constitution clearly commits the State to implement the international human rights conventions and treaties ratified, and stipulates that they have the force of law upon their publication in the Official Gazette.

159. The Government has no authority over the National Council for Human Rights (NCHR). It is an independent entity according to Article 214 of the Constitution. Law no. 197 of 2017, which amended Law no. 94 of 2003, expands the mandate and capacity of NCHR, and makes it only accountable to the House of Representatives. It was upon the Government's initiative that these amendments were introduced, empowering NCHR *inter alia* to consider allegations of human rights violations, make recommendations to the relevant authorities, receive complaints, report cases to the Attorney-General's Office and intervene jointly with victims of such violations in civil proceedings. NCHR is considered by the Global Alliance for National Human Rights Institutions (GANHRI)

to be in full compliance with the Paris Principles on the work of National Human Rights Institutions (NHRIs).

## **Annexes**

### **Attachment 2 – Part 1**

CHAN.2019.003

The Permanent Mission of the Arab Republic of Egypt to the United Nations, the World Trade Organization, and Other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights (Special Procedures Branch), and with reference to the Joint Communication sent by the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; and the Special Rapporteur on the situation of human rights defenders dated November 2<sup>nd</sup> 2018, has the honor to attach herewith the response of the Egyptian Government to the aforementioned joint communication, and looks forward that the enclosed information be brought to the attention of the concerned mandate-holders, and be duly reflected in the relevant communications report to be submitted to the Human Rights Council.

The Permanent Mission of the Arab Republic of Egypt to the United Nations, the World Trade Organization, and Other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights (Special Procedures Branch), the assurances of its highest consideration.

Geneva, 1 January 2019

**Office of the High Commissioner for Human Rights (Special Procedures Branch)**

**Fax: +41-22 917 9008**

**E-MAIL: [registry@ohchr.org](mailto:registry@ohchr.org)**

## Attachment 2 – Part 2

A Joint Communication by the Special Rapporteur on Adequate Housing as a Component of the Right to an Adequate Standard of Living and the Special Rapporteur on the Situation of Human Rights Defenders was received on 2 November 2018, concerning allegations of forced evictions, violations of the rights to physical integrity, liberty and security, described in the communication as appearing to be acts of intimidation and reprisals against individuals who cooperated with the Special Rapporteur on the right to Adequate Housing during her visit to Egypt from 24 September to 3 October 2018. The following represents the response by the Government of the Arab Republic of Egypt within the 60 days period, as requested in the communication.

### **First, on the Terms of Reference, freedom of movement and freedom of inquiry of the Special Rapporteur:**

The Government of the Arab Republic of Egypt is well aware of the Terms of Reference for Country Visits by Special Procedures Mandate-Holders of the United Nations Human Rights Council, revised in June 2016. The Government wishes to confirm that the Special Rapporteur was granted total freedom of movement in all parts of the country during her visit, in accordance with the mutually agreed programme (Attachment 1). She enjoyed full freedom of inquiry with central and local authorities of all branches of Government, including in the Governorates she visited, as well as free, confidential and unsupervised contacts with representatives of civil society and private persons of the Special Rapporteur's choosing, in addition to full access to all documentary materials relevant to the mandate.

It is ironic that the reference to Article (d) of the Terms of Reference was deliberately skipped in the communication. According to this Article, the Host Government has the obligation to "provide appropriate security arrangements without, however, restricting the freedom of movement and inquiry of the Special Procedures Mandate-Holder..." In fulfilling this obligation, the Government assigned a team of 3 highly trained personal protection officers to escort her in a separate vehicle with their own driver, in order to ensure her personal safety and that of her support staff. In a place with over 20 million inhabitants like Greater Cairo, personal protection was deemed absolutely necessary, especially that she had a private programme which the Government had no prior knowledge of much of its segments and turned out to include tours in numerous areas which are known to be dangerous for locals to stroll in at night as she did, let alone foreigners. She should know better that the number of the team members was not 5 as claimed in the communication, given that they accompanied her throughout the entire stay.

While the Government was committed to fulfilling its obligation under Article (d) of the Terms of Reference to provide appropriate security arrangements, it also made sure that the necessary protection measures had the Special Rapporteur's informed consent, and did not infringe on her freedom of movement or inquiry. It is worth noting in this respect that at an organisational meeting on the first day of the visit at the Ministry of Foreign Affairs, the Special Rapporteur was informed of the necessity of having personal protection. Alternatively, she was offered the option to sign a Waiver of Personal Protection (Attachment 2), but after mulling over the issue for two days, she declined to sign the waiver and agreed to have the Personal Protection Team accompany her everywhere.

On the evening of the first day of the visit, she decided to go with her support staff on their own to a number of areas, without prior notification to the Government and after dismissing the Personal Protection Team, a matter that put her and the four staff accompanying her at risk, given that it was her first time in Egypt and she had no idea where they were going. She took photos, stopped people in the streets for interviews, and walked in and out of apartment buildings. According to the Egyptian law, only journalists and media workers are entitled to carry out public interviews, and they hold cards issued by the relevant syndicates showing their identity and profession. Conducting surveys on the other hand requires a written permission from the Central Agency for Public Mobilization and Statistics. Therefore, it was not surprising that she and her staff were

asked by a police personnel who happened to be in the vicinity to provide relevant papers, which of course they failed to do. As a precautionary measure ordained by the law and for the sake of public safety, the officer had to check the validity of their identification documents. This is a standard police procedure all over the world. He had no idea who she was, and probably does not know to this very day what a Special Procedure Mandate-Holder of the Human Rights Council means.

When the Special Rapporteur was spotted again by another police personnel in another area for the same obvious reasons, she called up the Head of the Personal Protection Team assigned to her for help, a matter that was deliberately omitted from the communication. The Special Rapporteur was never confronted throughout her visit by any agent of the National Security Services as claimed in the communication. Apart of course from the Personal Protection Team, all those that she met on these occasions were General Security Police personnel on patrol, responsible for maintaining public order and crime prevention.

Throughout the visit, the Special Rapporteur called on various people at their homes in different parts of the country, without prior notification to the Government. The Personal Protection Team never entered any of the premises with her as stated in the communication, and there was no way that the police could have known whom she visited in a given apartment building, or who was present there. The role of the Personal Protection Team is restricted to one job only, and that is her safety. They always kept their distance and never prevented her from meeting anyone or interfered in any of her conversations, otherwise she would have not spared an effort to spell it out in the communication. Accordingly, claims that the Special Rapporteur could not have confidential and unsupervised meetings with individuals are groundless, to say the least.

The Government committed to granting the Special Rapporteur full freedom of movement and contacts with individuals without any restriction, despite the fact that the Special Rapporteur's private programme was not mutually discussed, agreed or shared beforehand, as it should have been. This private programme was never disclosed to the Government despite repeated requests, and in the instances when she did inform of her intention to visit an area, it was done on the same day, and often a couple of hours beforehand, let alone the repeated spontaneous plan changes. It goes without saying that the Government could not have possibly fettered the Special Rapporteur's freedom to meet whomever she wanted, as it had not been informed well in advance about where she was going, or whom she was planning to meet.

Furthermore, the Government regrets that the communication contained false claims, such as that the Special Rapporteur was unable to visit all of the areas deemed relevant to the visit, implying that she was denied visits to a number of areas. Al-Warraq Island was the only area which the Government advised her that it needs prior special security arrangements, as the Personal Protection Team was not sufficient, to ensure her safety and that of her staff, a matter that requires 48 hour notice. It is untrue that she was told at first not to go there for security reasons. In fact, email correspondences between her support staff and a Ministry of Foreign Affairs staff, dated 26 September 2018, clearly show that it was her decision not to go, not because of security restrictions (Attachemnt 3).

When the Special Rapporteur indicated again her wish to visit the Island, she received a phone call the following working day, which was 1 October 2018, by a senior Foreign Ministry official, in which he relayed an offer for two alternative timings by the relevant authorities. The first coincided with a scheduled meeting on 2 October 2018 with H.E. the Minister of Foreign Affairs, and the second was in the early morning of 3 October 2018, the last day of her visit. She eliminated the first option as she expressed her keenness on meeting the Minister, and declined the second because she needed to prepare for the end-of-visit press conference.

The claim that a request to meet with persons from the Al-Warraq Island allegedly detained was not granted is blatantly dishonest. The Special Rapporteur indicated at the organisational meeting on 24 September 2018 at the beginning of the visit that she might make such a request. She was told by a senior Foreign Ministry official that it should

have been made early on in order to allow enough time for coordination; however, she was assured that the Ministry would do its best to accommodate the request, pending the receipt of the full names and case numbers. She promised to send these details in a few hours, yet the names of the said persons were provided by one of her support staff by email three days after (Attachment 4). The names were received in English, hence could be mistaken in Arabic, and the case numbers were not provided. A Ministry of Foreign Affairs staff responded with an email, urging the Special Rapporteur and her team to provide the necessary information by the morning of 30 September 2018 at the latest, in order to follow through with the request, given the limited time hitherto remaining (Attachment 5). To date, this information has not been provided.

**Second, concerning the alleged acts of intimidation and reprisals against those who cooperated or sought to cooperate with the Mandate-Holder in connexion to the visit:**

The Government of the Arab Republic of Egypt wishes to confirm its full respect and observance of the assurances given that no person or group of persons who cooperated or sought to cooperate with the Mandate-Holder will be subject to intimidation or any act of reprisals in relation to visit, by any branch of the Government, in accordance with Article (c) of the Terms of Reference for country visits by Special Procedures Mandate-Holders of the United Nations Human Rights Council.

In this context, the Government wishes to draw attention to the fact that the Special Rapporteur communicated by email with a senior Foreign Ministry official on 18 October 2018 in the afternoon, claiming that a resident of Doweiqah whom she had met during her visit had disappeared, alleging that he was detained for two days by the police (Attachment 6). She indicated that she was going to send an urgent appeal regarding this issue and other concerns via the Permanent Mission in Geneva. The message did not provide any information on the said person, or even address the crucial issue of establishing that the alleged detention was in relation to interaction with the Mandate-Holder, not due to charges on a non-relevant issue. However, the senior official replied immediately affirming that urgent contacts were underway to verify the issue, and requested the full name and ID number of that person in order to follow through with the issue (Attachment 7).

Within 90 minutes, the Special Rapporteur replied that the person had been released and returned to his home, and signalled that she was going to send a communication once she received more detailed information on his detention and release and his subsequent well-being, while keeping herself abreast of developments affecting the community of Doweiqah and its members (Attachment 8). The senior official reply urgently requested the Special Rapporteur to provide the full name and ID number, given the seriousness of the allegations, highlighting that the Ministry of Interior had to mobilize personnel and resources, that could have been otherwise allocated, to investigate the matter, and expressing hope that it does not turn out to be that someone was playing the Special Rapporteur into a false report case (Attachment 9). A further letter from the Permanent Mission of the Arab Republic of Egypt in Geneva was sent out to the Head of the Special Procedures Branch at the Office of the High Commissioner for Human Rights requesting the same information, but to no avail (Attachment 10). To date, the Special Rapporteur has not provided the requested information.

In addition, the communication contained numerous unfounded allegations, including intimidations and demolition of homes, without any details about the individuals in question or the areas in which the said demolitions took place. One allegation was that there were demolitions of as many as 15 multi-floor apartment buildings after the visit in two areas, without naming these areas. The Government of Egypt wishes in this regard to inform that no demolitions whatsoever took place after the visit in any area under or planned for development. Another allegation was that demolitions were carried out in lower floors of a building, while individuals living in upper floors had not vacated the building, a matter that defies logic as the building would have collapsed had it been the case. As explained to the Special Rapporteur during her visit, all inhabitants of areas under or planned for development are offered to choose one of three options: 1) immediate relocation to a home in another newly developed area; 2)

financial remuneration to find alternative housing for the duration of the development of their area in which they will be allocated a comparable unit; or 3) negotiated financial compensation. No individuals are forced to evict their homes.

A third allegation in the communication was that some interlocutors reported that they were subject to a travel ban, but the communication did not specify when the judicial decision to impose a travel ban on them was enacted, or in which cases, so as to establish the relationship with the visit. A further allegation was that a person was attacked in the street by an individual with a metallic object two days after meeting the Mandate-Holder and sustained injuries, claiming that the timing of attack raises suspicion that the assault may have been linked to the interaction with the Special Rapporteur, in a flagrant circumstantial speculation and without even establishing the identity of the said attacker and his/her relationship to the Government. The communication went on and on to make similar anecdotal allegations, without providing any details, so as to allow the competent authorities to verify the information and initiate investigations into the violations, if any, within the due course of law. The Government regrets that the Special Rapporteur on the Situation of Human Rights Defenders was dragged into signing the communication.

### **Conclusion:**

The Government of the Arab Republic of Egypt would like to highlight that when it extended the invitation to the Special Rapporteur on Adequate Housing to make an official visit to the country, it was cognisant that she would seek all sorts of information from various other sources before, during and after the visit. Plenty of information is readily available on the internet anyway. The Government had no reason to hide anything, but had every reason to show everything, assuming that the Special Rapporteur would make an enlightened judgement on the validity of the information she receives and the reliability of her unofficial sources.

Obviously, the Mandate-Holder came into the country with certain prejudgements and inhibitions, and was unable to act objectively or overcome them. This was evident from the photos she posted on her Instagram account during the visit, along with negative comments, even before she heard what the Government had to say about these issues. It is clear that she has a habit of jumping into conclusions. In fact, serious questions arise about the compatibility of making those postings on social media during the visit with the mandate.

The Government of the Arab Republic of Egypt wishes also to reiterate that by withholding information necessary to thoroughly investigate the allegations contained in the communication by the competent authorities, the Special Rapporteur is in fact obstructing justice, hence depriving victims of the said violations –if true- from applicable redress, while also encouraging impunity for the perpetrators, once again, if true.

The Government is keen on fulfilling its commitment to the promotion and protection of human rights, and to the realisation of its obligation under Article 78 of the 2014 Constitution to provide “adequate, safe and healthy housing to all citizens, so as to secure human dignity and uphold social justice”. The Government is more keen on the well-being of its citizens than any outsider; after all it is responsible first and foremost before its people. The culture of fear that the Special Rapporteur referred to in press statements and the communication exists only in her head.

The Government deeply regrets that the Special Rapporteur on Adequate Housing rushed without justification to issue a press statement on 4 December 2018, containing the same unfounded allegations, before the lapse of the 60 days given to the Government in the said communication to respond. This action on her part comes in stark violation of paragraphs 6 (a), and 8 (c) & (d), of the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council, adopted by Council Resolution 5/2 of 18 June 2007. Moreover, the Mandate-Holder appeared on the same day on a televised broadcast by Al Jazeera Media Network, repeating the same unfounded allegations. The said network is a tabloid journalism agent of a foreign government, famous for its politically motivated media campaigns against Egypt, and has well-known affiliations with terrorists and terrorist groups, such as Bin Laden and ISIS.

Finally, the Government of the Arab Republic of Egypt would like to stress that the Special Rapporteur on Adequate Housing would do a much better job in the discharge of her mandate if she focuses on examining the heap of information provided to her during and after the visit about the efforts underway in the area of housing, more than her focus on talking to the media about unverified allegations. If she had done so, she perhaps could have fulfilled the promise she made during the meeting in Cairo with the Ministry of Foreign Affairs on 2 October 2018 to send an advance copy of the visit report by the beginning of December 2018, for review by the Government within a period of one month, in order to make the necessary factual corrections, so that the report could be submitted as scheduled to the fortieth session of the Human Rights Council in late February 2019. Had she had sincere dedication to the cause of providing adequate housing to people around the world, it would have helped her overcome the craving for media lights glamour. After all, Special Procedures Mandate-Holders of the United Nations Human Rights Council have an integrity to preserve.

Cairo, 31 December 2018

## **Attachment 6**

### **New Cities and Social Development Projects in Egypt**

#### Contents

#### First: Development of Asmarat neighborhood

##### Achieved Objectives:

- 1- 4,100 individuals benefited from health activities.
- 2-1088 between teachers and students benefited from the Educational activities.
- 3-2900 children and young people benefited from sports activities.
- 4-13690 individuals including women and students benefited from Social activities.
- 5-Cultural activity benefited 375 students / students
- 6-camps benefited 130 families
- 7- Legal activity benefited 4000 master

#### Second: Development of Al-Assal area - Suman - Ezbet Gerges

##### Introduction

##### Methodology for preparing the Action Plan

##### Form (1) Stages

##### Part 1: Monitoring the current situation.

- 1.1 General description of Cairo Governorate - Toc420493902
- 1.2 General description of the Northern Region
- 1.3 General description of the area
  - 1.3.1 Ezbet El Assal
  - 1.3.2 Samaan Workshop
  - 1.3.3Ezzat Gerges

##### 1.4 Describe the early stages of development

- 1.4.1 Urban Development:
- 1.4.2 Community Development:

##### Part Two: Time Plan

- 1.2 Timetable for implementation

##### Part Three: Financial Plan

## "Ending the slums ... building Egypt"

### Developing Asmarat District

#### Introduction:

The Asmarat project in Mokattam started in May 2016 as an attempt by the State to improve the individual's standard of living, in order to participate in the development of this neighborhood, the National Council for Women approached the official authorities concerned to study the needs of the neighborhood residents and organize a series of cultural / sports / social activities to change negative behaviors to positive behaviors.

Following the approval of the Council in July 2016, he prepared an integrated plan of action to serve the people of the neighborhood and provide groups of service activities in all areas of social / health / educational / sports and education.

#### Achievements inside the Asmarat district:

**First: Approximately 1088 between 1088 teachers / teachers and pupils benefited from the educational activities including:**

1. Training of 20 teachers / teachers from the schools of life in Egypt in the primary and intermediate stages on the scientific methods in the preparation of lessons and the use of modern strategies in planning.
2. Payment of tuition fees to all pupils of the 133-year-old school in Tahia, Egypt, who were unable to pay their expenses. After paying the expenses, all textbooks were delivered.
3. Training 500 students / students in the literacy program
4. Distribution of the number of 50 external books benefited by the number of (50) students / students from the primary stage.
5. Provide paperwork for professional activities used by teachers within the classroom.
6. Payment of school expenses to 50 students / children of widows and divorcees.
7. Provide a set of school tools for the preparation of exams and control rooms.
8. Providing a range of hygiene tools for the school of living in Egypt.
9. Training of 20 teachers including teachers of Arabic language and directed to the literacy program and how to implement the program and how to use books and pamphlets for the program, which lasted five consecutive days to raise the efficiency of schoolchildren and improve their literacy level.
10. Preparation of a summer camp for two months under the title of learning to play for 300 students and students which aimed at raising awareness of the importance of accepting the other - Honesty - improved creative talent and thinking.





### **Second: Health Activities for 4100 beneficiaries**

With the aim of providing a range of health services to the residents of the neighborhood, the following services are provided:

- Organizing a health convoy to detect hepatitis viruses and a symposium aimed at raising awareness on protection and methods of prevention of hepatitis viruses which benefited 2700 people of Asmarat (women - children - men).
- Organizing a convoy of all specialties which benefited 400 people from Asmarat (women - children - men)
- Implement 2 medical carriages for early detection of breast cancer and conduct the necessary radiation by providing a mobile unit equipped with a mammogram •organizing a medical convoy to detect liver viruses and provide treatment for cases of disease
- Organizing a convoy for all specialties
- Organizing a medical convoy for the early detection of rheumatic heart disease in children.
- Provide health seminars aimed at raising awareness on health and protection from infectious diseases and methods of prevention and personal hygiene.
- Preparation of a range of medical supplies and delivery to the medical center in the neighborhood.
- Reimbursement of health insurance expenses for students of the School of Life of Egypt.

Preparing a room for a doctor inside the school and provide it with the necessary equipment and sanitary equipment.

### **Third: sports activity and recreational trips benefited from the number of 2900 between children and youth and their families**

1. The Council has carried out a series of sports activities aimed at creating a new generation that is aware of the value of science, equality, belonging to the homeland, has the moral values that help to renounce violence and terrorism, and to empower young people with leadership skills through community sports activities.
2. Organizing an open day to meet with the youth and children of the neighborhood to learn about their problems in which 200 people participated.
3. Organizing a sports marathon in which 400 children participated.
4. Organizing two sports days aimed at raising awareness of the importance of the role of women in the family and society and the importance of equality and non-discrimination and respect for others and raising the slogan "girl and boy one value". Number of students who participated equal to 220 students / students over the course of two days.
5. Organizing a sports camp under the name of "a precious child" which aimed at raising awareness of the importance of acceptance of the other, self-reliance and to

identify what is the gender and the importance of preserving the privacy and privacy of others. 200 students from primary and junior high school participated in the activities.

6. Organizing a three-day sports camp which aimed at raising awareness of children duties and rights, renunciation of violence, the importance of hygiene and on how to recycle the waste, in which 500 students attended from elementary and junior high school.
7. Organizing an educational sports camp under the title of Leadership Development, in which 400 students participated. The aim was to introduce the importance of leadership, the rules of command and the importance of cooperation with the leader.



#### Fourth: Social activities for 11190 women/students



1- Within the framework of the Council's efforts to develop the demographic characteristics of the Asmarat district, a national number card was issued for women in Asmarat district, in cooperation with the Civil Status Department of the Ministry of Interior.

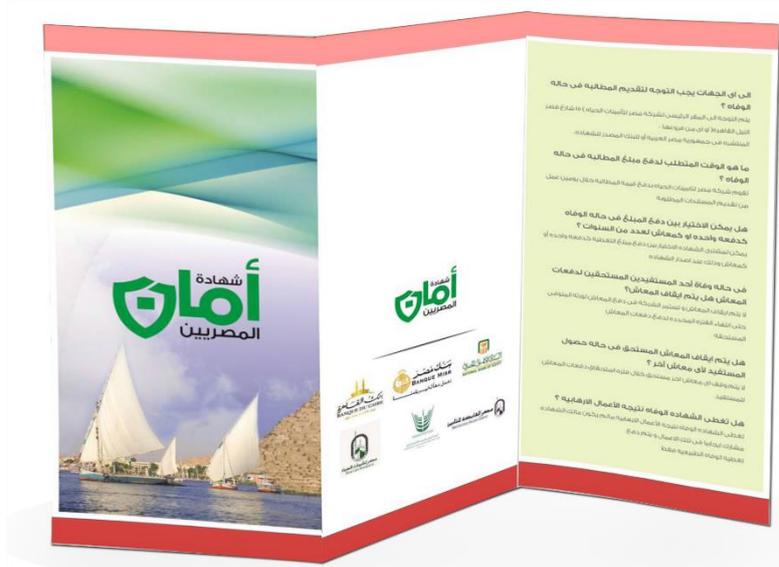
2-Implementation of the campaign of Knocking doors that targeted 400 women, took three days to educate women about the importance of participation in local elections and how to cope with the economic crisis through rationalization of consumption.

3-The organization of an origami play (art folding paper) targeting 60 students which aimed to connect the concepts of border and privacy and how to protect themselves from harassment.

4-Organizing a meeting for 40 mothers of primary school children to raise awareness of the dangers of harassment and ways to protect their children.

5-Organizing a workshop for the families targeting 40 women in order to provide space to express themselves and their dreams and awareness using the art of painting and clay.

6- Issuing 3000 safety certificate for ladies In order to help the women in securing the future of their children and family members, and to obtain insurance coverage that contributes to the safety and psychological and social security of their families.



3000 women safety certificates were issued to women in Asmarat.

**The class of dual technical education benefited 60 students**

**The Council has established a dual technical education class for 60 male and female graduates of the preparatory school in Al-Asmarat.**





**Fifth: Cultural activity benefited 70 students / students**

- 1- Furnishing a library and providing it with books and entertainment stories for children.
- 2-Organizing an educational seminar to explore talents and enhance the positive energies of children targeting 50 students.
- 3-The Faculty of Fine Arts hosted a number of 21 girls from the neighborhood of Asmarat primary and preparatory schools to enhance their talents in the field of painting and to teach them the origins of drawing and coloring to support and refine their talents.



**Sixth: Legal activity benefiting 4,000 women**

- Organizing a legal symposium aimed at raising women's awareness on the law, providing free legal and social consultations, and referring poor women to the lawyers of the Women's Complaints Bureau.
- Raising awareness of the importance of women's participation in the presidential elections.
- Organizing an electoral committee in Al-Asmarat neighborhood in cooperation with the Supreme Elections Committee.
- **Seventh: Educational and cultural camps benefiting 30 boys and girls**
- The aim of the camp is to discover the talents of students through sports and cultural activities, lectures and the use of different arts to play an active role in society.
- **Camp I and Mama benefited 17 mothers and their children.**



The camp aims to help mothers change beliefs, customs and traditions and to raise their awareness about the need for non-discrimination between the sexes, deal with children, try to bridge the gap between mothers and their children, and introduce them to the needs of their children.

- Camp Anna and Papa benefited 27 parents and sons

The camp aims to help parents change beliefs, customs and traditions, raise awareness about the need for non-discrimination between the sexes, deal with children, try to bridge the gap between parents and their children and educate them about their children's psychological needs.



## Second: Development of the region of Assal - Semaan - Ezbet Gerges

- Introduction

Methodology for preparing the Action Plan

The action plan for the development of Al Assal area in Shubra - Northern Region - Cairo Governorate consists of six main phases, as shown in Figure (1):

1. Monitoring the current situation.
2. Communicate with the population.
3. Preparation of the urban plan.

4. Reparation of the time plan.
5. Preparation of the financial plan.
6. Preparation of the Cooperation Agreement.

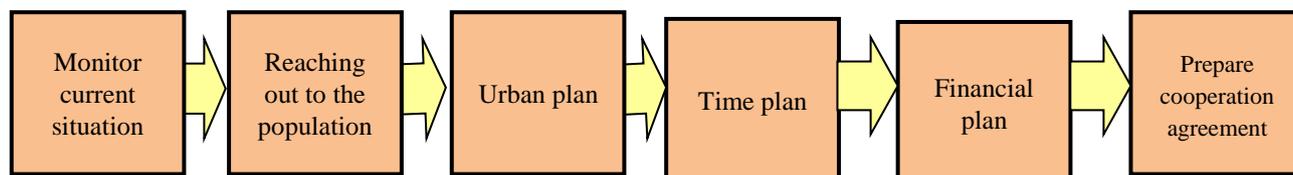
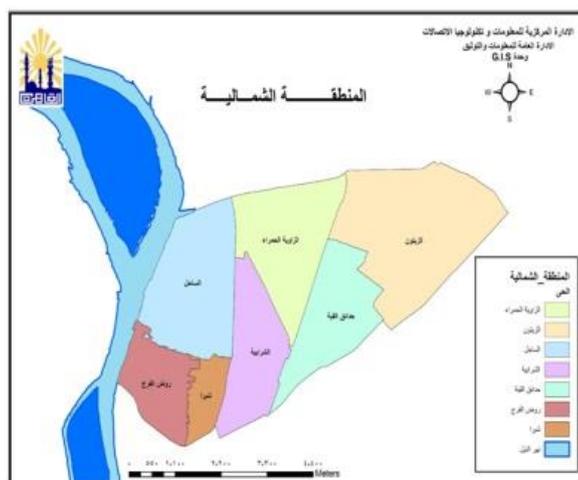


Figure (1) methodology for preparing the work plan

### Part one: Monitoring the current situation

#### .1-General description of Cairo Governorate

It is considered one of the governorates with one city, located on the east bank of the Nile River with a length of 41.542 km and is bordered to the north by the provinces of Kalioubya and the east and south and west of the province of Giza and the east of Suez. Cairo governorate area is 214 square kilometers, which is administratively divided into four regions, the eastern, western, southern and northern regions. These areas are in turn divided into neighborhoods. The eastern region includes nine districts, the western region: consists of 8 districts, the northern region: consists of 7 districts, the southern region: consists of 10 districts with a total estimated population of 22.9 million (according to the 2016 census).





General description of the northern region

The northern region consists of 7 districts: Shoubra District, Al Zawia Al Hamra District, Hadayek Al Qubba District, Rawd Al Faraj District, Al Sharabiya District, Al Sahel District, Al Zaytoun District.

3.1 General description of the area

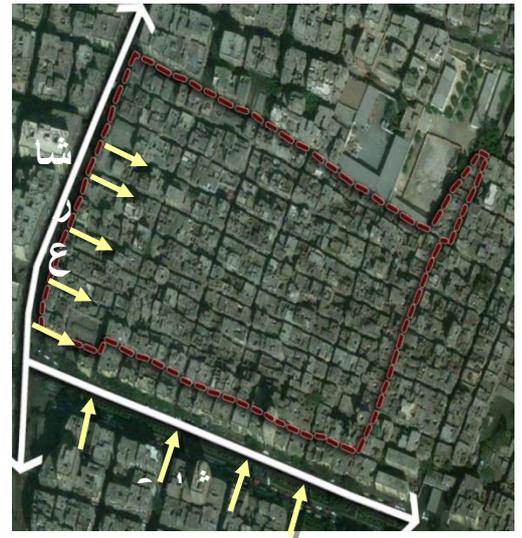
The Assal area is one of the oldest areas in Cairo. It is the oldest random zone, with an area of about 33 acres. The estimated population of this area is 26 thousand people, and this area falls under the areas of degraded urban construction of the proliferation of unsafe buildings.



Ezbat El Assal 1.3.1 -

Al-Assal area is located in Shubra district - in the northern region

- The area is about 14.5 acres.
- The area falls under the deteriorating areas due to the existence of a large number of unsafe buildings.
- There are many entrances to the area through two main roads in the Shubra area which are Ahmad Badawi and the Boulaqiyah canal.
- The estimated population of the total area of Al-Assal is 12,000 people



### 2.3.1 Samaan Workshop

- The Semaan workshop area is located in Shubra district - in the northern region.
- The degraded area is about 4 acres.
- The area falls under the deteriorating areas of construction due to the large number of unsafe buildings.
- The estimated population of the total area of Samaan workshop is 4000 people.



### 3.3.1 Ezbet Gerges

- The area of Girgis exists in Shubra district - in the northern region
- The area is about 14.5 acres
- The area falls under the deteriorating areas of construction due to the large number of unsafe buildings.
- There are many entrances to the area through two main roads in the Shubra area are Ahmad Badawi and Ahmad Hilmi
- Estimated population of the total area of Girgis (10000 inhabitants)

Description of the early stages of development:



#### 1.4.1 Urban Development:

A total of 69 properties (163 households / residential units) have been developed and renovated in Al Assal area, in addition to the development of the Sewage Service. The development of 40 properties (252 beds / housing units) is underway.

**Figure (10) Properties before and after development**



**Figure (11) Development of the market**



#### **1.4.2 Community Development:**

The Assal project is a national security project because it changes the life of the Egyptian citizens and guarantee them a safe and healthy home under the auspices of the state. The development of the community represents 75% of the project and the housing 25%. Other development efforts include:

- Teaching unemployed youth jobs related to architecture in the Arab Contractors School and their employment in the project.
- Work on small projects related to children to stop the street children phenomena.



Part Three: Time Plan

3.1 Timetable for implementation

Items	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Data collection on population																		
Field surveys on buildings & streets																		
Field surveys on each building																		
Photography & Documentary films																		
Conduct architecture report and recommendations for the general planning																		
Design the proposed architectural of buildings																		
Prepare construction and architectural drawings required for development																		
Calculate the quantities required for the contracting and measurements																		
Supervise the execution of the second stage																		
Supervise the execution of the third stage																		
Supervise the execution of the fourth stage																		
Supervise the execution of the fifth stage																		
Supervise the execution of the sixth stage																		
Supervise the execution of the seventh stage																		

Figure (15) Proposed timetable for the development of the Assal area

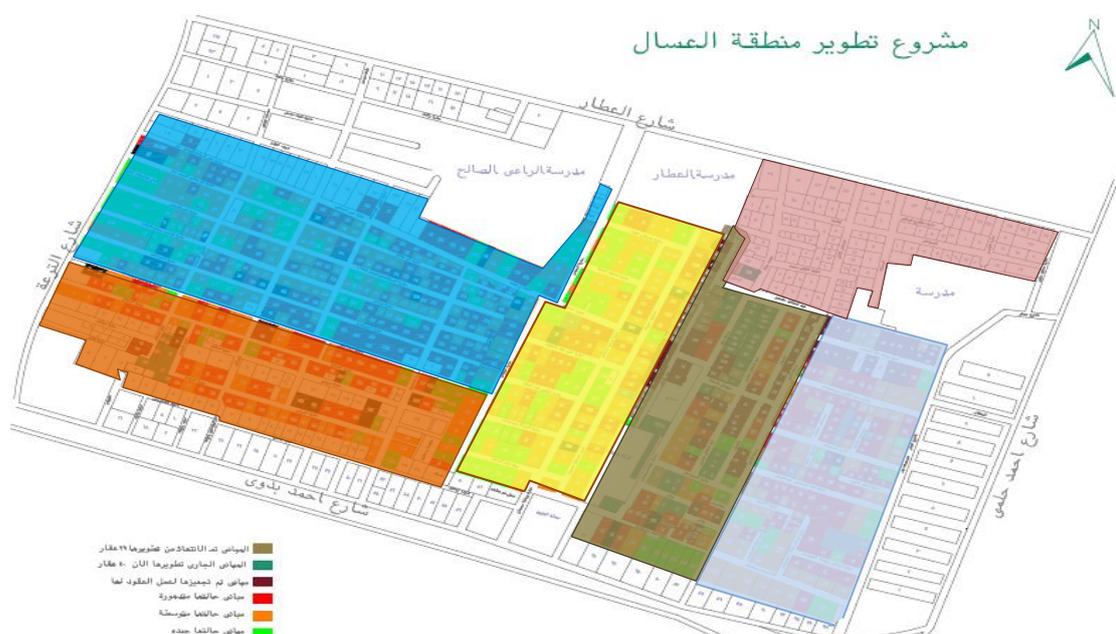


Figure (16) stages of development of the Assal area

## 5- Section IV: Financial Plan

### Monitoring the financial position of the first stages

In 2013, L.E. 85 million were allocated by the governorate to develop approximately 450 properties in Assal area, in addition to LE 6 million to renovate and replace the sewage network.

According to the survey and elevation of the field, about 650 properties were detected for restoration and development out of 900 property in the region of Assal.