**EGYPT**

*The purpose of the Housing Rights and Human Rights Brief is to provide a succinct overview of housing rights and human settlements-related human rights within a specific country. It is designed for project designers to familiarize themselves with the human rights situation in the country that they are working in. The Housing Rights and Human Rights Brief is not intended to be a comprehensive analysis of all human rights, yet to provide an overview of housing rights and other human settlements-related human rights within the national and the UN Delivering as One contexts. Further, this Brief is not intended to cover the entire legislative and regulatory framework of the country concerned.*

*The Brief outlines specific articles of the Constitution, national and local legislation, and other human settlements-related policies and acts. It further explains specific international legal commitments, with particular emphasis on the key conventions that the country has signed and/or ratified. UN reviews and recommendations, particularly the Universal Periodic Review process, are also outlined. The final section provides information on previous UN-Habitat projects in the country and links for further information and elaboration.*

Table of Contents

|  |  |
| --- | --- |
| Chapter | Page |
| Summary | 2 |
| National Legal Framework relating to Human Rights in Urban Contexts | 3 |
| Government Structures and Institutional Setup | 4 |
| International Conventions | 6 |
| UN Reviews (UN Country Team, Special Rapporteur Reports, UNDAF and other Delivering as One initiatives, including Human Rights Up Front) | 7 |
| Universal Periodic Review (UPR) and Human Rights Council | 7 |
| UN-Habitat Engagement at Project Level | 9 |
| Further Information | 12 |

**Revision History**

|  |  |  |
| --- | --- | --- |
| Revision | Date | Author |
| 1 | 23/10/2015 | SN |
| 2 | 12/11/2015 | SN |
| 3 | 09/12/2015 | SN |
| 4 | 25/01/2016 | SG |
| 5 | 10/01/2016 | UN-Habitat Egypt Office |

**Summary**

The Arab Republic of Egypt is governed under its 2014 Constitution which is the fundamental law in the state. The Constitution was passed after a referendum in January 2014. The Constitution provides for fundamental human rights and freedoms, among them, the right to decent, safe and healthy housing. The Constitution also provides for the development of a national housing plan that upholds environmental particularity, and guarantees the contribution of personal and collaborative initiatives in its implementation.

The Ministry of Housing, Utilities and Urban Development is the relevant institution in the implementation of the right to adequate housing in Egypt. Apart from achieving its goal of accelerating development rate in desert, rural and urban areas, it is in charge of formulating housing and urbanisation policies and overseeing their implementation.

Egypt developed a National Urban Development Framework that runs till 2052, and which is expected to make major changes in the country’s urbanization and housing sector. Egypt’s National Housing Program (NHP) covered the years 2005-2013, whereas the current Social Housing Program (SHP) covers the years 2013-2017. The Social Housing Program envisions to provide low-cost housing through thousands of housing units during its implementation period.

Egypt is a State Party to the International Covenant on Economic, Social and Cultural Rights, which includes the right to adequate housing as a component of the right to an adequate standard of living. Egypt has also ratified all of the major international human rights conventions.

United Nations review mechanisms have generally given positive feedback on the continual pursuit of improved housing, although have noted the shortage of adequate housing and the issue of homelessness. UN-Habitat has worked on a number of projects in Egypt focusing on a wide range of interventions. For example, UN-Habitat has recently supported the Egyptian government in the drafting of the Egyptian National Housing Strategy with the main objective to “Enable every citizen to realize his or her right to dwell and pursue a decent livelihood in a stable, secure, and well-served environment, without distinction as to social or income categories, and in particular ensure honourable housing for those categories that are not able to house themselves.”

**Legal Framework**

***Constitution[[1]](#footnote-1)***

The Arab Republic of Egypt is governed under its 2014 Constitution which is the fundamental law in the state. The Constitution was passed after a referendum in January 2014. The Constitution provides for fundamental human rights and freedoms, among them, the right to decent, safe and healthy housing.

‘Article 41: Housing

The state commits to the implementation of a housing program that aims at achieving balance between population growth rates and the resources available, maximizing investment in human energy, and improving its features, within the framework of achieving sustainable development.’

‘Article 78: Housing

The state guarantees citizens the right to decent, safe and healthy housing, in a way that preserves human dignity and achieves social justice.

The state shall draft a national housing plan that upholds environmental particularity, and guarantees the contribution of personal and collaborative initiatives in its implementation. The state shall also regulate the use of state lands and provide them with basic facilities, as part of a comprehensive urban planning framework for cities and villages and a population distribution strategy. This must be done in a way that serves the public interest, improves the quality of life for citizens and preserves the rights of future generations.

The state shall draft a comprehensive, national plan to address the problem of informal areas that includes providing infrastructure and facilities and improving quality of life and public health. The state shall also guarantee the provision of necessary resources to implement the plan within a specified timeframe.’

**Government**

***Political System***

Egypt has a semi-presidential system of government. In 2011, during the Egyptian Revolution, President Hosni Mubarak resigned. After his resignation, the Supreme Council of the Armed Forces assumed executive power and suspended the Constitution in 2012. The same year, Egypt elected its fifth President, Mohamed Morsi. Army chief general Abdel Fattah el-Sisi deposed Mohamed Morsi and was elected the sixth President of Egypt in 2014.

***Ministry of Housing, Utilities and Urban Development[[2]](#footnote-2)***

The Ministry of Housing, Utilities and Urban Development (MHUDD) is the relevant institution in the implementation of the right to adequate housing in Egypt. Apart from achieving its goal of accelerating development rate in desert, rural and urban areas, it is in charge of formulating housing and urbanisation policies and overseeing their implementation. Drafting housing and urban policies, the study and preparation of plans and programs for urban development, and coordination between plans and production and services programs under the national plan of the state are all under the mandate of MHUDD. Additionally, MHUUD supervises the planning of towns and villages as well as housing projects of various kinds and levels in accordance with the general policy of the State.

***The National Housing Program***

In 2005 the government of Egypt launched an initiative called the National Housing Program (NHP) which aimed to construct 500,000 subsidized housing units over six years spread throughout the country The National Housing Program is considered to be one of the most important projects to overcome the problem of inadequate housing. The program did this through the provision of adequate and appropriate housing for young people with limited income to provide thousands housing units. It was also envisioned to solve the housing problem in Egypt, which is one of the biggest problems facing Egyptian citizens. The program ended in 2013 and while it implemented a large number of units , its ability to meet real demand and affordability is still questionable.

***The Social Housing Program***

The Social Housing Program (SHP) was premised upon affordability of housing, affordability being one of the seven components of the right to adequate housing. It was initiated in 2011 by the Ministry of Housing. In April 2011, the Minister of Planning and International Cooperation prepared a proposal for a “National Social Housing Program”. This new program called for building a colossal amount of low-cost housing – some one million units in five years, i.e. a level of annual production more than twice that of the 2005-2011. The Ministry of Housing, the new Social Housing Fund, the Housing Development Bank, and New Urban Communities Authority would be the implementing agencies, and housing projects are to be located in the new towns as well as in governorates.

***National Urban Development Framework (2014-2052)[[3]](#footnote-3)***

The vision of the government of Egypt is expressed in this framework, which serves as the outline to induce institutional transformations through a number of legislations. It also serves the purpose of complementing past efforts to restructure the national economy since the 1990s.

**Judiciary**

No legal decisions regarding housing could be sourced.

**International Conventions[[4]](#footnote-4)**

Egypt has ratified all of the major human rights conventions, including the Covenant on Economic, Social and Political Rights, which includes the right to adequate housing as a component of the right to an adequate standard of living.

|  |  |  |  |
| --- | --- | --- | --- |
| [Treaty Description](javascript:__doPostBack('ctl00$PlaceHolderMain$dgReports$ctl00$ctl02$ctl00$ctl03','')) | [Treaty Name](javascript:__doPostBack('ctl00$PlaceHolderMain$dgReports$ctl00$ctl02$ctl00$ctl04','')) | [Signature Date](javascript:__doPostBack('ctl00$PlaceHolderMain$dgReports$ctl00$ctl02$ctl00$ctl05','')) | [Ratification Date, Accession(a), Succession(d) Date](javascript:__doPostBack('ctl00$PlaceHolderMain$dgReports$ctl00$ctl02$ctl00$ctl06','')) |
| Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment | CAT |  | 25 Jun 1986 (a) |
| International Covenant on Civil and Political Rights | CCPR | 4 Aug 1967 | 14 Jan 1982 |
| Convention on the Elimination of All Forms of Discrimination against Women | CEDAW | 16 Jul 1980 | 18 Sep 1981 |
| International Convention on the Elimination of All Forms of Racial Discrimination | CERD | 28 Sep 1966 | 1 May 1967 |
| International Covenant on Economic, Social and Cultural Rights | CESCR | 4 Aug 1967 | 14 Jan 1982 |
| International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families | CMW |  | 16 Feb 1993 (a) |
| Convention on the Rights of the Child | CRC | 5 Feb 1990 | 6 Jul 1990 |
| Convention on the Rights of Persons with Disabilities | CRPD | 4 Apr 2007 | 14 Apr 2008 |
| Convention Relating to the Status of Refugees | Refugee Convention |  | 22 May 1981 (a) |
| Protocol Relating to the Status of Refugees | Protocol Relating to the Status of Refugees |  | 22 May 1981 (a) |

**UN Agencies**

UN review mechanisms have generally given positive feedback on the continual pursuit of improved housing, noting yet the shortage of adequate housing and the issue of homelessness.

***Universal Periodic Review (2010 and 2014)***

*The Universal Periodic Review (UPR) is a unique process which involves a periodic review of the human rights records of all 193 UN Member States. The UPR is a significant innovation of the Human Rights Council which is based on equal treatment for all countries. It provides an opportunity for all States to declare what actions they have taken to improve the human rights situations in their countries and to overcome challenges to the enjoyment of human rights. The UPR also includes a sharing of best human rights practices around the globe. Currently, no other mechanism of this kind exists.*

First UPR[[5]](#footnote-5)

The report noted that economic, social and cultural rights enjoyed a high priority and Egypt developed plans and policies notably relating to the rights to food, to adequate housing, and to access to social services. With regard to housing, Egypt referred to its national plan which envisaged the construction of half a million housing units for persons of low income, which plan would be completed in the next few months.

‘Recommendation 52: Continue to strengthen its efforts in ensuring housing for all Egyptian citizens.’

Second UPR[[6]](#footnote-6)

The report noted that Egypt designed a comprehensive housing strategy for the period 2012-2027 that aims to provide housing to limited-income families, women breadwinners, persons with disabilities and others. A law on social housing had also been issued.

‘Recommendation 166.262: Strengthen the national legislative framework to fight illiteracy, reach the integral development of all segments of the population and regions, improve the standard of living of its citizens, including vulnerable groups of the population, and provide housing and other economic and social rights.’

‘Recommendation 166.272: Intensify its efforts to ensure the establishment of the housing strategy 2012-2027.’

***Report of the United Nations High Commissioner for Human Rights (2010 and 2014)[[7]](#footnote-7)***

*The Report provides a comprehensive review of the Human Rights situation in a given country and is presented to the Human Rights Council.*

It was noted in the 2010 report that the principle of non-discrimination as defined in Article 40 of the Constitution refers only to Egyptian citizens. There was concern about reports that some migrant workers and their families suffer from discrimination in the area of employment, housing, limited access to health and education and from social stigmatization.

There were also concerns about the massive housing problems faced by the population, as acknowledged by the delegation of Egypt. Forced evictions without alternative housing or compensation had occurred in poor communities. In Cairo, people who cannot afford housing were living in cemeteries. Egypt was urged to combat the acute housing shortage by building or providing, low-cost rental housing units.

In the 2014 report, it was recommended that Egypt ensure that ownership of houses and land is formally registered; establish legal definitions for adequate housing, informal settlements and security of tenure, including with regard to the Egypt 2052 Plan; and ensure that persons affected by forced evictions have access to an adequate remedy and compensation.

***Committee on Economic, Social and Cultural Rights (2000)[[8]](#footnote-8)***

*The Committee specifically reviews states that have ratified the ICESCR on their compliance with the rights enshrined in it, including the Right to Adequate Housing.*

The Committee was concerned about the massive housing problems faced by the Egyptian population, as acknowledged by the delegation of Egypt, and which have been exacerbated by the deregulation of rents and an acute shortage of low-cost housing. Furthermore, forced evictions without alternative housing or compensation being provided have been occurring in poor communities like the potters’ village and the “Ayn Hilwan” area in Cairo. The Committee was particularly concerned that in Cairo people who cannot afford housing were living in cemeteries.

The Committee strongly urged Egypt to seek assistance, including international cooperation, in order to collect the statistics and information necessary to formulate effective strategies to address problem areas such as unemployment, poverty, housing and forced evictions.

The Committee also urged Egypt to combat the acute housing shortage by adopting a strategy and a plan of action and by building or providing, low-cost rental housing units, especially for groups in vulnerable situations. In this connection, the Committee reminded Egypt of its obligations under article 11 of the Covenant and refers to its General Comments No. 4 on the right to adequate housing and No. 7 on forced evictions, to guide the Government’s housing policies

***United Nations Country Team (UNCT)[[9]](#footnote-9)***

*The UNCT ensures inter-agency coordination and decision-making at the country level. The main purpose of the Country Team is for individual agencies to plan and work together, as part of the Resident Coordinator system, to ensure the delivery of tangible results in support of the development agenda of the Government.*

No relevant information on the right to adequate housing could be sourced.

***United Nations Development Assistance Framework (UNDAF)[[10]](#footnote-10)***

*The UNDAF is the strategic programme framework that describes the collective response of the UN system to national development priorities. The UNDAF forms the overall framework for the UNCT’s work between 2013 and 2017.*

The analysis showed that with an average of 700 litres of water per head, Egypt is now considered ‘water poor,’ and faces challenges related to poor sanitation, health coverage, and housing for the poor.

‘UNDAF Outcome 1.1: Government is operating with efficient and adequately resourced mechanisms of awareness creation, equitable targeting, delivering and monitoring of social protection services and access to adequate and affordable housing, for children, young people, rural women, elderly and other vulnerable groups.’

**UN-Habitat[[11]](#footnote-11)**

UN-Habitat has worked on a number of projects in Egypt. UN-Habitat projects in Egypt include:

**Strategic Urban Development Plan for Greater Cairo Region**

UN-Habitat supports General Organization of Physical Planning (GOPP) in preparing the vision and strategic urban development plan for the Greater Cairo Region and its affiliated mega cities. The project adopts a decentralized and integrated approach to address urban development and land management issues, as well as identify urgent socio-economic and environmental concerns. The project utilizes sustainable human development-oriented strategies which take into consideration the needs of residents, the spatial identity and idiosyncrasy of the region. The project achieves an adequate distribution of population, activities, and services that fulfill the needs of a growing population.

This urban development plan is a comprehensive development framework focused on keeping minimum negative socio-economic impact and bridges community trust and accountability through comprehensive participatory planning process.

**Strategic Urban Planning for Small Cities in Egypt**

The project aims to enhance the planning methods and tools adopted by the Government of Egypt in order to produce strategic urban plans for 70 small cities, responding efficiently and realistically to local priorities. The plans focus on three key dimensions: urban-rural linkages to develop rural small and medium enterprises, sanitation issues including wastewater and solid waste management; and on improving the living conditions of slum dwellers. The project effectively identifies cross cutting themes, specifically governance and the needs of people in situations of vulnerability and environmental issues which require special attention at both planning and implementation level. Another key component of the project is supporting both national government to define national urban planning/development policies and performance standards, and local government in building land information management capacity.

**Achieving Sustainable Urban Development Priorities (ASUD)**

The project addresses capacity enhancement in the fields of planning urban expansion areas in existing areas and new cities. The project utilizes a town planning methodology that secures broad social inclusion for local communities. It also undertakes a critical examination of Egyptian New Communities and identifies key lessons learned for developing new cities. The project presents long and medium term development strategies and short term interventions that are in line with national priorities and reflect UN-Habitat’s Principles. Furthermore the project has integrated an urban economy component in the planning process to ensure that the new city (Al Alamein) has a sound economic base. It addresses the issues of lack of capacities in land legislation and management. On the national policy level, the project will inform the national urban policy and respectively enhance planning systems in Egypt. The project also tackled the issue of urban expansion and piloted land readjustment methodology in Banha with the aim of providing a feasible mechanism for sustainable planning of urban expansion areas.

**Safer Cities Free of Violence Against Women and Girls**

This project started in June 2012 and was completed in May 2013. It aimed to explore the condition of public spaces regarding safety of women and girls in order to propose and implement key interventions that enhance the safety and prevent violence against women and girls in public spaces.

The project employs an integrated community-based approach to address issues and forms of violence against women and girls in the public spaces. The project also aimed to increase the capacity of local governments and community groups - particularly youth and women - to practice good urban governance, which is characterized by the interdependent principles of sustainability, equity, efficiency, transparency, accountability, security, civic engagement and citizenship. The project highlighted a number of recommendations for key interventions to improve public space under which further funding was secured for a new project to implement these interventions. The Project built on this expertise and encouraged the creation of strong linkages between local authorities and the targeted communities. UN-Habitat will associate with the local NGOs working in the respective project locations.

**Public Spaces and the Right to the City**

The project aimed to increase the capacity of local governments and community groups – particularly youth and women – to practice good urban governance, which is characterized by the interdependent principles of sustainability, equity, efficiency, transparency and accountability, security, civic engagement and citizenship. The Project built on the ongoing participatory consultation mechanisms in the three intervention areas identified during the Safe Cities Project, and upgraded a school in an informal settlement, Ezbet El Haggana. ­

**Because I Am a Girl , BIAAG UP**

The overall purpose of BIAAG UP is to improve the quality of life for Egyptians through the creation of safe neighborhoods and communities free from violence against women and girls. In order to ensure ownership and sustainability of the intervention, the joint initiative between UN-Habitat and Plan Egypt will employ an integrated community-based approach to address issues and forms of violence against women and girls in public spaces. The project completed a full detailed design for the creation of community space in an informal settlement, Ezbet Khairallah, in Greater Cairo.

**Human Security through Inclusive Socio-Economic Development in Upper Egypt**

The project is a joint effort of the UN Industrial Development Organization (UNIDO), UN Women, International Labor Organization (ILO), UN-Habitat and the International Organization for Migration (IOM), funded by the United Nations Trust Fund for Human Security (UNTFHS) and the Swiss Agency for International Development. The project’s government counterpart is MoLD. The proposed project consists of package of interventions featuring mutually reinforcing protection and empowerment measures, designed to strengthen human security in Minya. Synergies with both governmental and development partners’ interventions will be sought to maximize impact to beneficiaries. The project is based on thorough human security analysis and its implementation follows a multi-sector approach for protection and empowerment tool. From a human security standpoint, the Human Security fora is a key empowerment to enhance community engagement and participation in local development. The HS fora are meant to establish enabling environment for local actors to take the lead in elaborating and implementing community-owned priority development interventions. The fora will be composed of local stakeholders, including community leaders, representatives of local NGOs, youth and women as well as representatives from local government. Its establishment and mandate will be coordinated with local executives and representatives at the Markaz and village level.

**Urban Legislation Reform**

Since the January 25, 2011 revolution in Egypt, urban informality has been growing at an especially rapid rate. To address this issue, the UN-Habitat team has been working to understand the formal and informal processes that govern urban expansion in Egypt. This is being done through the work of two key projects: Urban Legislation Reform and Achieving Sustainable Urban Development. Under the Urban Legislation Reform project, UN-Habitat has been highlighting legal and institutional obstacles that are hindering the process of planned urban expansion. While the Law 119 lays out a specific process, this process is ridden with issues that make its implementation virtually impossible. At the same time, the ASUD project has been looking at land readjustment as a possible policy tool to address these challenges.

**Strategic National Development Support Project (SNDSP)**

The SNDSP project focus has been, and will remain during the proposed extension, to: enhance the development of sound territorial governance legal and institutional framework; provide technical support to national, regional and local stakeholders on strategic planning and budgeting; develop guidelines, manuals and tools; and pilot strategic and action planning. More specifically, the project’s overall goal is the cooperation of national and local stakeholders in the preparation and implementation of strategic development urban plans and budgets at the governorate.

**Further Information**

* Constitution of Egypt: <https://www.constituteproject.org/constitution/Egypt_2014.pdf> (translated by International IDEA)
* Ministry of Housing, Utilities and Urban Development : <http://www.moh.gov.eg/en/en_design/default_en.aspx>
* National Urban Development Framework (2014-2052): <http://gopp.gov.eg/wp-content/uploads/2015/01/GOPP-PA_2014.pdf>
* OHCHR Convention Ratification Status: <http://indicators.ohchr.org/>
* Universal Periodic Review: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/EGSession20.aspx>
* Report of the United Nations High Commissioner for Human Rights: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/138/61/PDF/G1413861.pdf?OpenElement>
* UNCT:http://undg.org/home/country-teams/arab-states/egypt/
* UNDAF: <http://www.unfpa.org/sites/default/files/portal-document/Egypt_UNDAF%202013-2017.pdf>
* UN-Habitat Egypt Summary: <http://unhabitat.org/egypt/>
* OHCHR: <http://www.ohchr.org/EN/Pages/WelcomePage.aspx>
* UN-Habitat: <http://unhabitat.org/>
* Universal Periodic Review: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRMain.aspx>
* Special Rapporteur on Adequate Housing: <http://www.ohchr.org/EN/Issues/Housing/Pages/HousingIndex.aspx>

1. <https://www.constituteproject.org/constitution/Egypt_2014.pdf> (translated by International IDEA). [↑](#footnote-ref-1)
2. http://www.moh.gov.eg/en/en\_design/default\_en.aspx [↑](#footnote-ref-2)
3. http://gopp.gov.eg/wp-content/uploads/2015/01/GOPP-PA\_2014.pdf [↑](#footnote-ref-3)
4. http://indicators.ohchr.org/ [↑](#footnote-ref-4)
5. http://www.ohchr.org/EN/HRBodies/UPR/Pages/EGSession7.aspx [↑](#footnote-ref-5)
6. http://www.ohchr.org/EN/HRBodies/UPR/Pages/EGSession20.aspx [↑](#footnote-ref-6)
7. http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/138/61/PDF/G1413861.pdf?OpenElement [↑](#footnote-ref-7)
8. Concluding Observations E/C.12/1/Add.44 [↑](#footnote-ref-8)
9. http://undg.org/home/country-teams/arab-states/egypt/ [↑](#footnote-ref-9)
10. http://www.unfpa.org/sites/default/files/portal-document/Egypt\_UNDAF%202013-2017.pdf [↑](#footnote-ref-10)
11. <http://unhabitat.org/egypt/> [↑](#footnote-ref-11)