Forced Eviction as an Instrument for the Restructuring of the Egyptian City

Ibrahim Ezz El-Din

About the Researcher

Ibrahim Ezz El-din, co-founder and lead researcher at Diwan Alomran, holds a diverse academic background in the humanities from the Université de la Sorbonne, in linguistic and literary studies from Université Paris 8 in France, in addition to his studies in urban planning at the Faculty of Engineering, Al-Azhar University in Cairo.

His research interests focus on urban development, resisting forced evictions, achieving environmental and urban balance, and defending residents' rights. He has worked as an urban researcher at the Egyptian Commission for Rights and Freedoms, later as director of the Climate Initiative for Environmental Studies, and as a non-resident fellow at the Tahrir Institute for Middle East Policy.

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Contents

Abstract

This paper addresses the issue of forced eviction in Egypt as a prolonged and systematic practice associated with the rhetoric of "development" and "replanning," which, in essence, constitutes one of the most serious challenges to fundamental human rights, particularly the right to adequate housing and a dignified life. Although Egypt has acceded to binding international covenants and agreements that guarantee these rights, the study reveals a clear gap between the state's international obligations and its legislative framework and urban policies, which are often deployed to serve economic considerations at the expense of social justice.

Chapter One demonstrates that Egyptian laws—such as the Expropriation Law and the Unified Building Law—lack explicit provisions criminalizing forced eviction and grant the executive broad discretionary powers under the pretext of "public interest," without clear definitions or criteria for necessity. These laws also exclude effective consultation mechanisms with affected residents and fail to provide genuine safeguards during or after implementation. Remedies remain limited, and victims' compensation is often inadequate, as it is calculated based on the market value of the property without regard for broader social and economic losses.

Chapter Two reveals that, since 2014, urban development policies have assumed an investment-oriented character, premised on the State's transformation into a "real estate developer" through the New Urban Communities Authority (NUCA). Land and housing units have thereby been converted into instruments for profit rather than recognized as social rights. This shift has driven sharp increases in housing prices, including those of social housing units ostensibly targeted at low-income groups, making access to adequate housing increasingly difficult. Cases such as Warraq Island and Ras El-Hekma exemplify eviction-led policies that lacked free and informed consent as well as fair compensation, whereby populated lands were appropriated and repurposed for large-scale investment projects aimed at higher-income groups, while original residents were forcibly displaced.

The paper concludes that urban development in Egypt has come to reflect the State's transformation from a guarantor of the right to housing into an economic actor seeking profit maximization, thereby exacerbating social inequality and deepening problems of urban justice. In light of this, the study puts forward a set of key recommendations, including: reforming the legislative framework to criminalize forced eviction in line with international standards; redirecting urban policies toward social justice and the provision of adequate and affordable housing for vulnerable groups; strengthening community participation and transparency in planning and implementation; and ensuring effective remedies and fair compensation that uphold the dignity and rights of affected persons.

The paper thus affirms that balancing economic development objectives with the protection of human rights is not a secondary option, but rather an essential condition for achieving sustainable urban justice that respects human dignity and guarantees the right to housing and a dignified life.

Introduction

Forced eviction constitutes a major challenge to fundamental rights in many developing countries, and Egypt is a prominent example, where the government has pursued this policy for decades under slogans such as "development" and "replanning." International human rights standards are frequently disregarded, leading to serious violations of the right to adequate housing and to a dignified life, without sufficient compensation or genuine guarantees for affected communities.

These practices generate profound social, economic, and cultural impacts: they dismantle community ties, increase the vulnerability of already disadvantaged groups, and create unstable residential concentrations lacking basic services due to the absence of planned alternatives. Evictions are often carried out in a top-down manner without genuine participation by residents, thereby aggravating tensions and limiting their ability to defend their rights amid a lack of transparency and access to remedies. Economically, cleared land is allocated to investment projects that do not meet the needs of the original residents and deprive them of the option of return, thereby deepening social inequality and entrenching bias in favor of certain groups at the expense of weaker ones.

Despite Egypt's international commitments to protect economic, social, and cultural rights, domestic policies tend to align with government orientations rather than comply with international standards. The legislative framework is employed as a tool to facilitate forced eviction, exploiting the gap between domestic law and international obligations, such as those set out in the International Covenant on Economic, Social, and Cultural Rights (ICESCR).

domestic laws lack genuine safeguards; instead, they are instrumentalized to justify eviction under the pretext of "public interest," as in the Expropriation Law, without consultation or fair compensation. Rather than protecting residents, the laws are used to legitimize their removal and to confer legal form on practices that violate their rights, through an elastic conception of the "public interest" that is exploited to justify spatial and social exclusion.

The paper poses the following research question: What are the facets of the gap between Egypt's international obligations to respect and protect individuals' right to an adequate standard of living, on the one hand, and its domestic legislation and urban development policies, on the other?

To answer this question, the paper is divided into two parts: the first examines the gap between international instruments and domestic law by comparing Egyptian national legislation with international human rights standards and agreements; the second focuses on analyzing the general pattern of Egypt's urban development policies.

The paper also draws on the outcomes of a focused dialogue that brought together experts in law and urban development to identify feasible solutions that reconcile urban development with respect for human rights. It further provides recommendations to the Egyptian government regarding the legislative measures necessary to ensure community participation and the protection of residents' rights.

Chapter One: Forced Eviction and International and Domestic Legal Obligations

Chapter One focuses on demonstrating and analyzing the gap between international law and Egyptian law regarding the right to housing. Although Egypt has signed several binding international treaties, this right is not clearly reflected in domestic legislation, which, in practice, results in violations of the "right to adequate housing" and the absence of protection from forced eviction.

Forced Eviction in International Law

Egypt is a State Party to the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR). Article 11(1) of the ICESCR obliges States Parties to respect, protect, and facilitate each individual's enjoyment, without discrimination, of the right to "an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions."[1] The Covenant further requires States Parties to take the necessary measures to ensure the realization of this right. Fulfilling the obligation to protect individuals from forced eviction constitutes part of this duty. Importantly, the prohibition of forced eviction by States Parties is considered an immediate obligation, not contingent upon the availability of resources.[2]

The UN Committee on Economic, Social, and Cultural Rights has defined forced eviction as:

> "The permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection."[3]

It is worth noting that evictions, even if involuntary, are not prohibited per se if they comply with the law, observe international human rights standards, and provide all necessary safeguards for those affected by Forced Eviction.

This definition clarifies that forced eviction encompasses two forms of population displacement: the first is permanent, meaning the irreversible expulsion of individuals from their homes or land without the possibility of return; the second is temporary, for a defined period, with the possibility of return. For an eviction to be prohibited, it must be carried out against the will of those removed, without

[1] International Covenant on Economic, Social and Cultural Rights, Article 11(1) (available at the following link).

[2] Office of the United Nations High Commissioner for Human Rights (OHCHR), Fact Sheet No. 25 (Rev. 1), 2014, p. 25 (available at the following link).

[3] Committee on Economic, Social and Cultural Rights, General Comment No. 7 on the right to adequate housing (Article 11(1) of the Covenant), 1997, para. 3 (available at the following link).

providing or enabling access to any form of protection, and in violation of applicable law and human rights standards. The definition further underscores that eviction applies to individuals, families, and communities regardless of whether they own the land or housing; mere occupation—as tenants, users, or holders—suffices. This reflects the broad scope of protection intended to ensure the widest possible coverage for those affected by eviction.

Forced eviction constitutes a grave violation of human rights[4], infringing not only upon individuals' economic and social rights, but also their civil and political rights, such as the right to life, personal security, privacy, and the peaceful enjoyment of possessions.

Accordingly, the Committee on Economic, Social and Cultural Rights (CESCR) has emphasized.

States' obligation to refrain from coercing occupants to leave their homes except in exceptional circumstances, and to take all appropriate measures to safeguard their rights as enshrined in international human rights law.[5]

Given that forced eviction is often associated with urban development projects, the Basic Principles and Guidelines on Development-Based Evictions and Displacement set out a range of measures that States must adhere to before, during, and after eviction in order to safeguard the rights of affected persons. Among the general obligations incumbent upon States are the prohibition of forced eviction, the review of domestic legislation to ensure adequate protection against such violations, and the imposition of appropriate civil and criminal sanctions on any party carrying out forced eviction in contravention of applicable law and international human rights standards.[6]

Measures the State Must Take Before Eviction

Eviction and the forced dispossession of housing and land must constitute a measure of last resort for the State, permissible only where no other alternatives exist, and must not be carried out under the pretext of "public interest" except as an exceptional measure with clear and reasonable justification.[7] Accordingly, before initiating eviction, the State has a duty to explore all available alternatives through consultation with all persons who

[4] Office of the United Nations High Commissioner for Human Rights (OHCHR), Fact Sheet No. 25 (Rev. 1), 2014, p. 6 (available at the following link).

[5] Committee on Economic, Social and Cultural Rights (CESCR), General Comment No. 7 on the right to adequate housing (Article 11(1) of the Covenant), 1997, paras. 4 and 9 (available at the following link).

[6] Human Rights Council, Implementation of General Assembly Resolution 60/251 of 15 March entitled "Human Rights Council": Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, Miloon Kothari, UN Doc. A/HRC/4/18 (2007), Annex I: Basic Principles and Guidelines on Development-Based Evictions and Displacement (hereinafter "Basic Principles and Guidelines on Development-Based Evictions and Displacement"), para. 22 (available at the following link); Committee on Economic, Social and Cultural Rights (CESCR), General Comment No. 7 on the right to adequate housing (Article 11(1) of the Covenant), 1997, para. 9 (available at the following link).
Basic Principles and Guidelines on Development-Based Evictions and Displacement, paras. 37, 38, and 41 (available at the following link).

[7] Office of the United Nations High Commissioner for Human Rights (OHCHR), *Fact Sheet No. 25 (Rev. 1)*, 2014, p. 33 (available at the following link).

may be affected. To this end, the State must provide residents with advance written notice that eviction is under consideration, and ensure the provision of transparent and sufficient information regarding the plan and its rationale, including the absence of viable alternatives, the measures to be taken by the State to mitigate the impacts of eviction, resettlement plans, opportunities to comment on or challenge the plan, and to propose alternatives, as well as the provision of necessary legal assistance. Where no agreement can be reached on an alternative to eviction, recourse to an independent body, such as a court of law, must be available to adjudicate the matter.[8]

The State must also ensure that eviction complies with the principle of proportionality. Accordingly, the harm caused must not outweigh the benefits achieved for society as a whole. To this end, before any eviction, the State must conduct a comprehensive assessment of its impacts on the community. Such an assessment should not be limited to reconstruction costs and housing prices, but must also encompass the risks of impoverishment, displacement, unemployment, social disintegration, and other consequences.[9] In this context, the State is obliged to take all necessary measures to protect individuals and groups from any form of discrimination during eviction processes, giving particular consideration to the impact of such operations on the most vulnerable groups, including women, children, the elderly, and persons with disabilities.[10]

Measures the State Must Take During and After Eviction

When eviction is unavoidable, the State must provide all necessary guarantees to protect those affected and ensure respect for human rights standards when carrying out the eviction. This includes conducting the eviction in the presence of government officials, with the identity of those carrying it out duly established, as well as facilitating access for independent observers to monitor the process. The eviction must not compromise the dignity of those affected, lead to their displacement, or be carried out at night, inclement weather, or during public occasions.[11]

The State must also take all necessary measures to protect against discrimination targeting the most vulnerable groups, and to minimize the impact of eviction on them, including women and children.[12] In addition, the State is required to follow up with those who have been evicted, to provide them with the necessary relief and assistance, to assess their diverse needs, and to respond to the impacts of eviction on their livelihoods, rights, and the surrounding communities, while also

[8] Basic Principles and Guidelines on Development-Based Evictions and Displacement, para. 33 (available at this link).
[9] Office of the United Nations High Commissioner for Human Rights (OHCHR), *Fact Sheet No. 25 (Rev. 1)*, 2014, pp. 35–36 (available at the following link); Basic Principles and Guidelines on Development-Based Evictions and Displacement, para. 32 (available at the following link).
[10] Committee on Economic, Social and Cultural Rights, General Comment No. 7 on the right to adequate housing under Article 11(1) of the Covenant, (1997), para. 10 (available at this link)
[11] Office of the United Nations High Commissioner for Human Rights, Fact Sheet No. 25 (Rev. 1), 2014, p. 37 (available at this link).
[12] Basic Principles and Guidelines on Development-Based Evictions and Displacement, paras. 45–51 (available at this link).

guaranteeing the security of tenure of their new housing and lands.[13]

Effective Remedy and Reparation

The State must ensure the availability of all effective remedies and provide appropriate reparation for the harm suffered by those affected by eviction. This includes providing fair compensation, alternative housing, as well as restoring people to their homes and lands whenever possible.[14] It should be noted that compensation must not be limited to cash payments or confined to the market value of the vacated property.[15] To be fair, compensation must be paid before the eviction,[16] assessed on a case-by-case basis, and cover all losses incurred by those affected by the eviction decision. Such losses include damage to personal and real property, loss of assets and goods, potential benefits and income, as well as other economic and social losses such as loss of employment opportunities, education, moral harm, and the costs of legal assistance, services, and the eviction process itself.[17]

The State must also provide those affected by eviction with suitable alternative housing and land in order to minimize the impact of such measures and to guarantee their fundamental rights, including the right to an adequate standard of living, the right to privacy, the right to health, education, and work.[18] Similarly, if the State decides to resettle the population elsewhere due to the impossibility of returning them to their original communities, such resettlement must not take place unless there is a comprehensive strategy in place that fully respects human rights standards and ensures that those resettled are guaranteed all of their fundamental rights without discrimination.[19]

Forced Eviction in Egyptian Law

Urban development processes in Egypt, along with the accompanying eviction measures, are regulated by a set of laws, most notably: Law No. 59 of 1979 on the Establishment of the New Urban Communities Authority and its amendments,[20] which provides for the creation of urban communities outside existing cities and villages or in redevelopment areas within them; Law[21] No. 10 of 1990 on the Expropriation of Real Property for Public Benefit and its amendments; and

[13] Office of the United Nations High Commissioner for Human Rights, Fact Sheet No. 25 (Rev. 1), 2014, pp. 43–44 (available at this link).
[14] Basic Principles and Guidelines on Development-Based Evictions and Displacement, para. 59 (available at this link).
[15] Basic Principles and Guidelines on Development-Based Evictions and Displacement, para. 60 (available at this link).
[16] Office of the United Nations High Commissioner for Human Rights, Fact Sheet No. 25 (Rev. 1), 2014, p. 41 (available at this link).
[17] Office of the United Nations High Commissioner for Human Rights, Fact Sheet No. 25 (Rev. 1), 2014, p. 41 (available at this link); Basic Principles and Guidelines on Development-Based Evictions and Displacement, paras. 60–63 (available at this link).
[18] Office of the United Nations High Commissioner for Human Rights, Fact Sheet No. 25 (Rev. 1), 2014, p. 42 (available at this link).
[19] Basic Principles and Guidelines on Development-Based Evictions and Displacement, paras. 55–56 (available at this link).
[20] Law No. 59 of 1979 on the Establishment of New Urban Communities, Article 1 (available at this link), as amended by Law No. 1 of 2018, Article 1 (available at this link).
[21] Law No. 10 of 1990 on the Expropriation of Real Property for Public Benefit (available at this link), as amended by Law No. 24 of 2018 (available at this link).

the Unified Building Law No. 119 of 2008, which regulates construction, urban planning, and urban coordination.[22] Although these three laws constitute a fundamental legal basis conferring legitimacy on eviction processes in Egypt, they do not provide sufficient protection for the rights of those affected by eviction in line with international human rights standards and international law.

Lack of Effective Criminalization of Forced Eviction in Egyptian Law

Egyptian laws do not provide sufficient safeguards to prohibit and penalize forced eviction. While Article 63 of the Egyptian Constitution prohibits the arbitrary forced displacement of citizens in all its forms and considers it a crime not subject to a statute of limitations, this constitutional provision is not reflected in domestic legislation. Neither the Egyptian Penal Code nor the laws regulating urban development contains a clear definition of the crime of forced displacement or of forced eviction if it is considered a form of displacement.

Accordingly, the elements of the crime of forced eviction are not defined under the law, nor is there a specific penalty prescribed for such an act. This undermines the avenues of redress for this crime, hinders the imposition of legal responsibility on its perpetrators, and obstructs the provision of reparation for its victims.

Forced Eviction Not an Exceptional Measure Given the Vagueness of "Public Interest"

The laws regulating urban development rely on the pretext of "public benefit" to justify eviction and expropriation, granting broad powers to the executive authority in determining what constitutes such benefit. For example, Article 6 of Law No. 59 of 1979 on the Establishment of the New Urban Communities Authority provides that the determination of public benefit and the necessary expropriation for that purpose shall be made by a decision of the Council of Ministers.[23] Likewise, Article 2 of Law No. 10 of 1990 on the Expropriation of Real Property for Public Benefit sets out a non-exhaustive list of works deemed to serve the public benefit, such as water and sanitation projects and energy projects. However, the law grants the Council of Ministers the authority to add any other works to this list. The expropriation decision for public benefit is to be issued by the President of the Republic or by whoever he delegates, accompanied by a statement of the project to be implemented, a general plan of the project, and the properties to be expropriated for its implementation.[24] The law does not impose on the State any obligation to pro-

[22] Unified Building Law No. 119 of 2008, Article 1 (available at this link).
[23] Law No. 59 of 1979 on the Establishment of New Urban Communities, Article 6 (available at this link).
[24] Law No. 10 of 1990 on the Expropriation of Real Property for Public Benefit, Article 2 (available at this link), as amended by Law No. 24 of 2018, Article 1 (see the amendment to Article 2 of the original law) (available at this link).

vide sufficient justification for the reasonableness and proportionality of the project's impact on society, nor does it require the State to demonstrate that it has explored and exhausted all other alternatives to eviction.

This ambiguity in the concept of public benefit, together with the broad discretionary powers granted to the executive authority to determine what may fall under it without a clear justification of the necessity of expropriation as a last and exceptional resort after the exhaustion of all possible alternatives, opens the door to the arbitrary use of public benefit as a pretext for implementing large-scale projects that may not conform to the principles of reasonableness and whose benefits are disproportionate to the harm they may cause to certain segments of society.

Absence and Limitations of Consultation Mechanisms with Affected Residents

Egyptian laws regulating urban development vary in the extent to which they incorporate mechanisms for consultation with residents before carrying out eviction operations. For instance, Law No. 59 of 1979 on the Establishment of New Urban Communities does not guarantee consultation with those affected by eviction. The law grants the New Urban Communities Authority (the state body responsible for establishing such communities under the law) the power to select sites for new urban developments and to prepare their master plans, but without any reference to engaging with the affected local communities to explore alternatives to eviction.[25] Similarly, the Law on the Expropriation of Real Estate for Public Benefit No. 10 of 1990 does not provide for consultation with those affected by expropriation decisions; it merely requires that they be notified of the decision already taken. The law stipulates that the expropriation decree for public benefit shall be issued, officially published, and posted on the façade of the property subject to expropriation. Thereafter, a committee undertakes an inventory of the properties to be expropriated and notifies the affected persons of the inventory date so that they may attend and indicate their properties and rights to the committee.[26]

By contrast, the Unified Building Law No. 119 of 2008 is more advanced in its provisions regarding consultation with residents and joint planning with them. The law stipulates that the identification of priorities and needs for local urban development in the governorates shall be carried out with the participation of local units, local councils, and representatives of civil society.[27] Moreover, the preparation of the general strategic plan for cities and villages must include economic and social studies of the existing situation in the area and its impact on the urban environment, as well as on women, the poor, marginalized groups, and their basic needs.[28] Once the draft plan has been prepared, the General

[25] Law No. 59 of 1979 on the Establishment of New Urban Communities, Article 7 (available at this link).
[26] Law No. 10 of 1990 on the Expropriation of Real Estate for Public Benefit (available at this link), as amended by Law No. 24 of 2018, Article 1 (see the amendments to Articles 3 and 5 of the original law) (available at this link).
[27] Unified Building Law No. 119 of 2008, Article 11 (available at this link).
[28] Executive Regulations of the Unified Building Law No. 119 of 2008, issued by Ministerial Decree No. 144 of 2009, Article 13 (available at this link).

Directorate for Planning and Urban Development is required to present it to citizens, civil society representatives, the private sector, non-governmental associations, and the local popular council, and to hold a public hearing to respond to their questions, receive their comments, and submit them to the planning authority for consideration and incorporation as necessary.[29]

Although these procedures are relatively positive in terms of promoting the participation of residents and consulting them about the future development of their area, they do not explicitly provide for consultation with affected persons regarding the eviction process itself, nor the measures to be taken to mitigate its impact on them pending the completion of the project.

Lack of Safeguards During and After Eviction

None of the laws governing urban development processes in Egypt set out procedures for the implementation of eviction, nor do they specify standards to safeguard the rights of those affected during execution. For example, they contain no provisions requiring the presence of an official committee of government employees during the eviction, the involvement of independent observers, or rules regulating the use of force. Nor do they provide for consideration of the circumstances and dignity of those being evicted. Likewise, the laws do not require any follow-up measures with affected persons after eviction, such as monitoring their needs, responding to the impacts of eviction on their livelihoods, rights, and surrounding local communities, or ensuring the security of tenure of their new housing and lands.

Limited Remedies and Reparation

The laws governing urban development processes in Egypt vary in terms of the availability of effective remedies and reparation for those affected by eviction operations. For example, Law No. 59 of 1979 on the Establishment of New Urban Communities does not provide mechanisms for redress or appeal against the decisions of the New Urban Communities Authority. When new urban community projects overlap with land owned by individuals or entities, the Authority negotiates with the owner on the price and conditions of expropriation. If an agreement cannot be reached, expropriation is carried out pursuant to the Law on the Expropriation of Real Estate for Public Benefit, in return for monetary or in-kind compensation.[30]

It is noteworthy that this law does not take into account the rights of those affected who are not owners of the properties or lands. As for Law No. 10 of 1990 on the Expropriation of Real Estate for Public Benefit and its amendments, compensation is limited to the

[29] Executive Regulations of the Unified Building Law No. 119 of 2008, issued by Ministerial Decree No. 144 of 2009, Article 14 (available at this link).

[30] Law No. 59 of 1979 on the Establishment of New Urban Communities, Article 5 (available at the following link).

appraised value based on the prevailing prices of the properties at the time of issuance of the expropriation decision, in addition to 20% of the appraised value. Both owners and rights holders may challenge the compensation assessment before the Court of First Instance.[31] Other impacts of eviction and the losses resulting therefrom, based on the circumstances of each case, or the provision of the necessary legal assistance, or even the establishment of a resettlement strategy for those whose properties have been expropriated, the absence of which threatens to render them homeless.

As for Unified Building Law No. 119 of 2008, since it primarily regulates urban planning processes, it addresses the temporary eviction of residents pending the planning of areas and the subsequent resettlement of the population therein. Pursuant to this law, the competent administrative authority in charge of planning and regulation negotiates with the property owners within the planning zone and agrees with them on the redistribution of ownership after the completion of the reorganization of the area.[32] Until the reorganization is completed, the administrative authority is required to provide alternative housing for both owners and non-owner occupants. While the Executive Regulations of the law stipulate the State's obligation to provide alternative housing of the same size and standard, they do not explicitly require that such housing meet the minimum standards of adequate housing, nor that the alternative residential area guarantee secure access for the relocated persons to their basic rights, such as health, education, work, and others.[33]

If no agreement can be reached with the owners regarding the redistribution of ownership after the reorganization of the area, their properties are expropriated pursuant to the Law on the Expropriation of Real Estate for Public Benefit. They are then given the choice between receiving immediate compensation equivalent to the appraised value of their share of the land before the implementation of the reorganization project, or deferred compensation after the completion of the project equivalent to the new value of their share of the land, after deducting the portions allocated for roads and public utilities and the costs of implementing the project.[34] In this manner, property owners of lands subject to reorganization are left with two options: either to accept the new allocations after reorganization, or to have their properties expropriated for public benefit in exchange for compensation calculated based on the appraised value of the expropriated land—without accounting for other impacts

[31] Law No. 10 of 1990 on the Expropriation of Real Estate for Public Benefit, Articles 6 and 9 (available at the following link), as amended by Law No. 24 of 2018, Article 1 (see the amendment to Article 6 of the original law) (available at the following link).

[32] Unified Building Law No. 119 of 2008, Article 24 (available at the following link).

[33] Executive Regulations of the Unified Building Law No. 119 of 2008, issued by Ministerial Decree No. 144 of 2009, Article 66 (available at the following link).

[34] Unified Building Law No. 119 of 2008, Article 24 (available at the following link).

of eviction and the resulting losses based on each case's circumstances, and without any resettlement strategy. As for non-owners, their only option is alternative housing as outlined above.

In conclusion, a review of the first axis reveals that the legal framework governing urban development processes in Egypt does not provide all the safeguards required against forced eviction in accordance with international human rights standards. There is no explicit provision criminalizing and penalizing forced eviction. Forced evictions are often justified under the pretext of "public benefit," without a precise definition of this concept or a clear justification for the necessity of evicting residents as an exceptional measure after exhausting all alternative solutions. Moreover, procedures for consultation with those affected by eviction decisions are not effectively guaranteed under Egyptian laws, particularly those leading to expropriation for public benefit. The laws also lack genuine safeguards for the rights of persons affected during and after the eviction process, or clear consideration of the impacts of such operations on their varying circumstances and needs. In addition, reparation measures are limited, as compensation is assessed solely on the market value of the expropriated property, without accounting for other impacts resulting from eviction, nor the adoption of clear resettlement strategies ultimately leading to the fragmentation of social ties.

Chapter Two: The General Pattern of Egypt's Urban Development Policies

The paper now turns to the second axis, which seeks to answer the question: **why does the Egyptian government not endeavor to bridge the gap between domestic law and international law, so that Egyptian legislation would reflect Egypt's commitments under international instruments?** To answer this question, it is necessary to analyze the general pattern of urban development policies in Egypt, and to examine whether such policies guarantee citizens' right to adequate housing, safeguard this right, and are founded on the principle of free and informed consent.

Since 2014, urban expansion led by the Egyptian government—often associated with the forced eviction of residents—has been pursued as part of a strategy that, at least in theory, aims to address population growth, improve infrastructure, and create new urban communities to ensure affordable housing for eligible groups. The New Urban Communities Authority (NUCA)[35] plays a central role in implementing this strategy, as one of the most prominent governmental bodies operating under the supervision of the Ministry of Housing and responsible for planning and developing new cities since its establishment under Law No. 59 of 1979. The Authority's tasks include the construction of fourth-generation cities, the development of social, middle-income, and luxury housing projects, in addition to being the largest land developer in Egypt, relying for the financing of its projects on revenues generated from land sales, housing units, and commercial and industrial projects.

In practice, however, the outcome reflects a reality different from what has been publicly declared. The prices of social housing units have witnessed successive increases since the launch of the program, raising serious questions about the extent to which the Authority's policies align with the needs of the groups targeted by these programs.

Failure to Guarantee the Right to Adequate and Affordable Housing

The real value[36] of Egyptian workers' wages has declined significantly as a result of persistent inflation and the depreciation of the Egyptian pound. Between 2012 and 2017, workers lost more than a quarter of their purchasing power, with the average real wage decreasing by 28.4%. This decline affected workers in the private sector (by 25.2%) and

[35] New Urban Communities Authority, Ministry of Housing, Egypt. (available at this link).

[36] Hussein, Salma – Marwan, Farah. *Towards Fair Wages for All in Egypt: Options for Mainstreaming the Minimum Wage*. Egyptian Initiative for Personal Rights, 21 September 2023, last accessed 20 February 2025. (available at this link).

the public sector (by 10.7%). Following the flotation of the pound in 2016, the situation deteriorated further, with wages losing nearly 40% of their value. This contributed to an increase in poverty rates, affecting more than 30% of the population. In the same context, the Consumer Price Index (CPI) for housing and utilities, which reflects changes in housing costs and public services, and their impact on living conditions in Egypt, also rose, according to data from the Central Agency for Public Mobilization and Statistics (CAPMAS).[37]

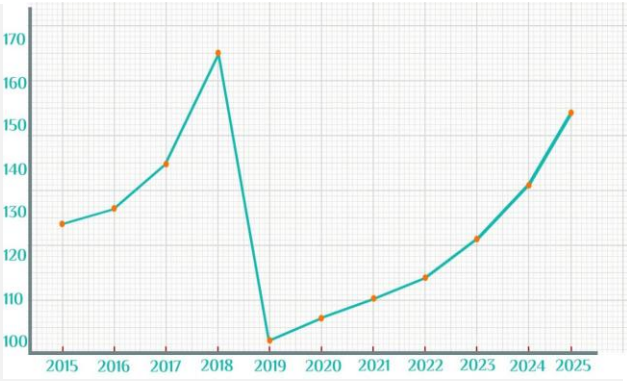

Figure 1: Evolution of Housing Prices in Egypt (2015–2025)

Figure 1 illustrates the trend of the Consumer Price Index (CPI) for housing and utilities in Egypt during the period from 2015 to early 2025. The index rose gradually between 2016 and 2018, reaching its peak in August 2018 at around 178.20 points. This was followed by a sudden decline in 2019, which may be attributed to economic interventions or new fiscal policies. Between 2020 and 2022, the index remained relatively stable, but began to rise again gradually starting in 2023, reaching 155 points, reflecting the return of inflation in housing costs and related services.

The Egyptian Government as Real-Estate Investor

Against this backdrop, the New Urban Communities Authority (NUCA) has turned housing projects into a tool for generating substantial financial returns, rather than focusing on providing adequate housing for eligible groups. For instance, the Authority launched the *Dar Misr* project[38] in 2014 as a middle-income housing initiative. However, prices rose sharply, with the average price per square meter increasing by 102% between 2014 and 2022. Initially priced at approximately EGP 3,134 per square meter, the rate rose to EGP 5,380 in 2020 and reached EGP 6,246 by 2022. This trend reveals how housing policies have shifted towards the commodification of housing,[39] deviating from the declared objective of supporting the middle class, as prices no longer align with the income levels of the targeted groups.

[37] Trading Economics. (n.d.). *Egypt – CPI Housing & Utilities*. Retrieved February 23, 2025. (Available via this link).
[38] Masrawy News. *100% Increase: How "Dar Misr" Apartment Prices Developed from 2014 to 2022*. 13 November 2022, last accessed 22 February 2025. (available at this link).

[39] Shokrallah, Salma & Shawkat, Yehia. *Government Policies Commoditize Housing*. Urban Observatory, 17 November 2017, last accessed 22 February 2025. (available at this link).

As for social housing, which is ostensibly intended for low-income groups,[40] it has not been immune to these price increases. Since the project's launch in 2014, the price of a 90-square-meter housing unit has risen from EGP 135,000 to approximately EGP 700,000 by 2024, influenced by several factors, most notably inflation, the flotation of the pound, rising interest rates, as well as reduced government subsidies, and shifting financing policies.

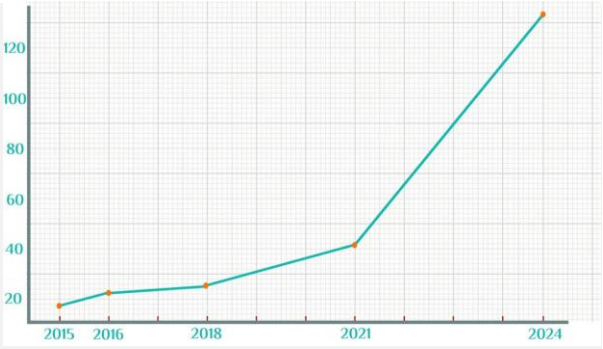

Figure 2: Rising Prices of Social Housing (2015–2024)

Figure 2 illustrates the upward trajectory of social housing prices during the period between 2015 and 2024. The increases were gradual until 2021, after which they accelerated markedly through 2024, indicating rising costs and the growing inaccessibility of these units to the very groups for whom they were originally intended.

Absence of Protection of Rights and Free Consent

Within the framework of the Egyptian government's orientation towards profit-making in the real estate sector, whether through direct investment or partnerships with local and international investors, an important question arises: Does the Egyptian citizen constitute an obstacle to achieving such profits?

Achieving profit requires acquiring as much land and housing as possible, which are often inhabited by residents in areas that the government describes as "slums" or "squatter settlements," allegedly established through illegal means. To address this question, the paper examines two case studies of areas targeted for urban development and investment: Warraq Island and Ras El-Hekma.

Warraq Island : located on the Nile in Cairo and connecting three governorates (Cairo, Giza, and Qalyubia), was designated by the government for transformation from a natural and agricultural environment into a highly profitable investment project.[41] It was planned to be incorporated into fourth-generation city[42] projects under the National Strategic Plan for Urban Development 2052.[43] To achieve this objective, residents faced repeated attempts to forcibly evict them from

[40] Veto Gate. *The Journey of Social Housing Apartment Prices Rising from EGP 134,000 to EGP 700,000*. 2 December 2024. (available at this link).

[41] ON TV. (3 October 2022). *Minister of Housing Responds to the Controversy over the Development of Warraq Island: It Was a Nature Reserve, and We Voluntarily Own 76% of Its Land* (video). Last accessed 24 February 2025. (available at this link).

[42] State Information Service (SIS). (13 September 2024). *Minister of Housing Follows Up on the Implementation Status of the Development Works of Warraq Island to Establish an Urban Community*. (available at this link).

[43] General Organization for Physical Planning. *National Strategic Plan for Urban Development and Priority Development Areas*. (available at this link).

their homes, leading to the New Urban Communities Authority (NUCA) acquiring approximately 76% of the island's area by 2022. Official estimates place the cost of the project at EGP 17.5 billion, while expected returns are projected to exceed EGP 122 billion over 25 years.[44]

Ras El-Hekma[45]: A similar approach was followed in the Ras El-Hekma project, where the State entered into a partnership with the United Arab Emirates[46] government in exchange for a 35% share of the profits, while granting the residents meager compensation. Whereas the government valued one feddan at EGP[47] 150,000, investors were offering to purchase it for up to EGP 1.5 million.[48] This stark disparity clearly illustrates that the State is acting as a real estate speculator, acquiring land at the lowest possible prices only to resell it at exponentially higher values while marginalizing the rights of the original landowners.

Through these two cases -Warraq Island and Ras El-Hekma- it becomes evident that the Egyptian government does not guarantee the right to adequate housing. Instead, land and housing are treated as purely investment assets rather than rights that must be protected. In both projects, the principle of free, informed consent was disregarded, as residents were compelled to leave their lands under direct and indirect pressures, without genuine dialogue or fair compensation. This transforms the role of the State from a protector of rights into a principal actor in their violation.

In August 2025, Decree No. 286 of 2025 was issued ordering the expropriation of 27 feddans in the Al-Salam[49] district of Cairo, with compensation set at EGP 7,700 per square meter, for the benefit of completing the "Ahalina 6" project, in which the square meter is sold at EGP 20,000.[50]

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[44] Previously cited: ON TV. *Minister of Housing Responds to the Controversy over the Development of Warraq Island*.

[45] "ADQ" Holding Company Leads a Consortium to Invest USD 35 Billion in the Arab Republic of Egypt. (23 February 2024). (available at this link).

[46] United Nations Human Settlements Programme (UN-Habitat). (15 April 2019). *Planning Project for the New Ras El-Hekma City with the Winning International Consortium*. (available at this link).

[47] Masr 360. (26 February 2024). *In Search of Fair Compensation: Ras El-Hekma… Who Are the Beneficiaries and Who Are the Affected?* (available at this link).

[48] Zawya Talta. (13 February 2024). *Residents of Ras El-Hekma: We Will Resist the Sale of Our City*. (available at this link).

[49] Decree No. 286 of 2025 Expropriating 27 Feddans in Al-Salam Second District, Cairo. Diwan Al-Omran, 16 August 2025. (available at this link).

[50] *Booklet of Terms and Conditions for Housing Projects (Ismailia, Cairo, Alexandria).* Diwan Al-Omran, 15 April 2025. (available at this link).

In conclusion, a review of the second axis demonstrates that the general pattern of urban development policies in Egypt reflects the State's transformation from its genuine role as a guarantor of the right to housing and balanced development into an economic actor seeking to maximize profits at the lowest possible costs. This approach is manifested in the State's treatment of land and housing as investment assets, whether through the New Urban Communities Authority or via partnerships with local and international investors.

Conclusion and Recommendations

At the end of this paper, a link can be drawn between two factors: first, the gap in Egyptian urban legislation, which renders it inconsistent with international law in terms of prohibiting and criminalizing forced evictions; and second, the generation of massive financial returns from urban development projects, particularly through the sale of land and luxury real estate developments primarily targeting high-income groups, while marginalizing the most vulnerable. This approach clearly reflects a bias toward achieving economic profits at the expense of the rights of weaker groups, who are deprived of the right to adequate housing and forcibly displaced from their areas.

In this context, the government appears unwilling to seriously address the legislative gap concerning forced eviction, even if only through "formalistic" legislation aimed merely at appeasing domestic and international criticism. The reason is that genuine legislation prohibiting forced eviction and aligning with international standards would obstruct its economic interests tied to real estate projects, particularly given that the Egyptian economy relies heavily on the construction and real estate development sector as one of its main engines of growth.

This linkage between the legislative gap and economic interests reflects a fundamental contradiction between Egypt's international human rights obligations and its economic development priorities. On the one hand, Egypt is bound by international agreements to protect housing rights and prohibit forced eviction, including the provision of adequate compensation and alternative housing for those displaced. On the other hand, the State relies on profits from luxury real estate projects that require vast tracts of land, that is often expropriated from lower-income groups.

This contradiction deepens the problem of urban justice in Egypt, where urban resources are redistributed in an inequitable manner, thereby reinforcing social and economic disparities. It further exacerbates class polarization and leads to greater marginalization and social exclusion of vulnerable groups, who are pushed to the peripheries of cities in environments lacking infrastructure and basic services.

Thus, urban development is transformed from a tool for achieving social justice and improving quality of life into an instrument for maximizing economic profits and consolidating political power. This calls for a reconsideration of urban policies and the legislation governing them, in line with international human rights obligations. Addressing the issue of forced eviction in Egypt requires a comprehensive approach that combines legislative reforms, community participation, equitable urban planning, and the strengthening of accountability and transparency. Striking a balance between economic development and the protection of human rights is the only path to achieving sustainable and inclusive urban justice, guaranteeing the right to

adequate housing and respecting human dignity. On this basis, the paper offers a number of recommendations to the Egyptian government to promote urban development while ensuring that human rights are not violated.

Key Recommendations

Reforming the Legislative Framework for Protection against Forced Eviction

- Introduce an explicit provision in the Penal Code criminalizing the forced eviction of housing where such action contravenes the law and the provisions of the two International Covenants on Human Rights, and specifying the penalty applicable to anyone committing this offense.

Amending Relevant Laws on Urban Development and Forced Eviction

- Amend laws related to urban development and forced eviction to bring them into clear and direct conformity with international human rights standards. This includes incorporating a clear definition of forced eviction, ensuring all safeguards for the protection of those affected, and enhancing their ability to access and benefit from such protections.

Review of the Unified Building Law, the Expropriation Law, and Other Related Laws

- Insert explicit provisions requiring the State to conduct effective consultation with stakeholders, and to provide effective remedies and comprehensive reparation for those affected by eviction operations, including fair compensation and adequate alternative housing, before the implementation of any eviction decisions.

Restructuring Urban Policies to Achieve Social Justice

- Reconsider urban policies to make them more inclusive and equitable, taking into account the needs of the most vulnerable groups and ensuring a fair distribution of urban resources.

- End the commodification of land and real estate projects, and impose restrictions on speculative practices that drive up housing prices, exacerbate the housing crisis, and deepen social marginalization.

- Adopt effective and integrated social housing policies that guarantee the provision of adequate and affordable housing for low-income groups, along with mechanisms to protect their housing rights in the long term.

- Ensure the availability of the necessary social studies to properly address the needs of affected communities, given that their absence leads to the dismantling of social ties.

Ensuring Stakeholder Participation

- Engage local communities at all stages of planning and implementing urban development projects, from

identifying needs and priorities to evaluating impact. This must be done through effective participatory mechanisms that guarantee the representation of all affected groups, including the most vulnerable. This requires State recognition of residents' legitimate rights to the land they occupy, and the presence of elected local administrations committed to safeguarding community interests.

- Provide sufficient, transparent, and accessible information about urban development projects, and enable residents to defend their rights. This should include the establishment of effective communication channels between the government and citizens, and the wide dissemination of all relevant information.

Diwan Alomran

A research and consulting institution that studies and analyzes urban development issues from an integrated perspective that takes into account social, economic, and environmental dimensions. The institution's vision considers urbanism not merely as a physical space, but as a dynamic system reflecting the interactions between society and the state. Through this approach, Diwan Alomran seeks to formulate policies and strategies that achieve social justice, protect the right to adequate housing, and ensure the sustainability of resources and the environment.

Its work is grounded in the principles of protection, transparency, accountability, justice, and respect for human rights, with the aim of building cities that are more equitable, inclusive, and sustainable.

www.diwanalomran.com

info@diwanalomran.com