

How People Face Eviction—in Egypt



A report of

HOUSING AND LAND RIGHTS NETWORK
Habitat International Coalition



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How People Face Eviction in Egypt

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I- Introduction

HIC-HLRN has taken part in the project “How People Face Evictions,” in cooperation with the Building and Social Housing Foundation (England), a long-standing HIC Member organization, and the Development Planning Unit of City University of London. The host organization in Istanbul was Konut Hakki Koordinasyonu (Housing Rights Coordination Association). The project entailed gathering written testimonies from practitioners in the defense against forced evictions. Dr. Hasanain Kishk of the National Center for Social and Criminal Studies and member of the Committee in Solidarity with Agricultural Reform Farmers presented the cases from Egypt, following a standard questionnaire. Most of the eight case studies involved urban cases of eviction Turkey (Istanbul), China (Huangzhou), Argentina (Buenos Aires), Brazil (Porto Alegre), Dominican Republic (Santo Domingo), Pakistan (Karachi) and South Africa (Durban). In consultations with the organizers, HIC-HLRN proposed to introduce rural evictions cases from Egypt, two of which were discussed in the seminar: `Izbat Marshaq and Sarandu villages. (See summaries, including the third, urban case of Qal`at al-Kabsh, annexed to this report) The following notes are reflections by Bashir Saqr, Peasant Solidarity Committee—Egypt, on the participation of the Egyptian delegation, consisting of Bashir Saqr and Hasanain Kishk.

The objective of the seminar was to foster interaction by sharing a variety of experiences in order to compare different conditions, as well as differentiate between real and artificial divergences. In fact, such differentiation actually reveals the common factors among experiences, creates a common ground for understanding, and helps lay the foundation for transnational cooperation among peoples.

II- The Seminar

Most presentations in the seminar related to forced evictions from houses and urban areas, such as those cases from Pakistan, Dominican Republic, Brazil, Argentina and Turkey. In addition, one case was from China; however, the delegate providing that case was unable to travel to Turkey for security reasons. As for Turkey, evictions focused on the capital, Istanbul.

Our visits to some areas in the Turkish capital were helpful as we were able to know about residents' views, which are different from those of the region's mayor. It also helped to show properly the scale of the problem in such an important capital as Istanbul.

The contributions by participant delegates were somewhat effective. However, the Egyptian delegates focused on expulsion from cultivated land (which is their area of specialization). This asymmetry limited the effectiveness of their contribution. One shortcoming was the limited Arabic translation (available

only on a single day and only during the time the Egyptian presentation), which also impeded full participation.

In the countries subject to discussion—which have diverse political systems—evictions took place in city centers and provincial capitals. Poor residents were forced to move to the peripheries. The eviction methods varied with the type of the ruling regime and its philosophy on the purpose and process of eviction.

Beneficiaries of the evictions were mainly the gangs that plunder land (called “mafias”). We objected the term “mafia,” because it makes those beneficiaries anonymous and obfuscates the reality that they often consist of local governors, former officials and business giants with close relations to the regime.

In some cases, evicted residents were resettled in new and remote locations, creating huge costs and obstacles for them in accessing work, services, education and maintaining their security. In other cases, people received modest compensations that were by no means adequate, given the tremendous costs and losses inflicted upon them and their children.

Evictions are usually associated with a “development” project lead or owned by a businessman or groups of businessmen. Poor people are sometimes evicted in the context of speculation and sky-rocketing land prices, a situation that generates huge profits for the beneficiaries.

Although participants made notes on different cases, most remarks were general and did not deal with the details. I believe that offering details on processes of forced eviction, the beneficiaries, ways of resistance, the role of the media, the impact on the public opinion, the role of the judiciary, the adoption on the part of the residents of the strategies proposed by activists, available alternatives by the state or NGOs, would be of utter importance. It is inadequate to present the problem and ways of resistance, but there should be a discussion on the validity of resistance methods, particularly when state polices are concerned.

The weight of forced eviction cases could vary from one society to another, due to factors including the proportion of the area of land inhabited by people (housing, cultivation and industry, etc.) relative to the total area of the state, land prices and prices of materials used in construction, the availability of public utilities, etc. Thus, the problem assumes various dimensions in accordance with these factors. As for Egypt, the population occupies around 5% of the land area, which severely limits the alternatives for adequate dwelling space. When somebody loses his or her land, he or she loses the house in most cases. So, the problem in Egypt—especially in the case of rural evictions—takes on a greater weight, compared with many other countries.

III-Outside the Seminar

Days of the seminar were punctuated by the following events:

- On 4 February, Istanbul was engulfed by a general strike organised and led by six major unions¹ in protest against the treatment of Tekel tobacco company workers, made redundant and forced to become “temporary workers.” Because Turkey is one of the world’s major tobacco producers and great numbers of people work in growing and manufacturing tobacco, the participation in the strike was huge. Participants in the seminar joined the demonstration for two hours in solidarity.
- We also took part in a demonstration in another day. In both cases, we did not see a single policeman during the events. They appeared only afterwards.
- We visited a number of eviction sites in the Turkish capital, and talked to some of the victims, as well as regional governors.
- We attended a meeting at one of Istanbul's theatres run by Habitat in Turkey where residents talked about procedures of forced evacuation and various dimensions of the problem.
- Before we left the country, we visited the Turkish Academy for Socialist Thought, where we spent hours evaluating the seminar.

IV- Discussions on the sidelines of the seminar

I took the initiative in starting scattered discussion with one of the organisers and some of the participants:

Dangers arise when the slogan of organising the masses without laying the foundation for such process, particularly in underdeveloped countries. A prime consideration is the level of organizers’ and participants’ consciousness; that is, real awareness of the mechanisms of the ruling regime, its orientations and stance vis-à-vis the poor. By the same token, the awareness of the different technical and professional aspects of cases of eviction is of similar importance.

Hopes should be raised among the poor and abused people. Losing hope would make them turn their backs on the organizers. Moreover, they could express their anger through other channels, most likely fascism.

Three prerequisites for raising hope are:

- First, clarifying the actual situation that explains the dimensions and methods used to realize this assault on people.
- Second, explaining the implications and the consequences of the assault on residents, which often results in eviction and many other difficulties.

¹ Turkish Confederation of Labour Unions (Türk-İş), the Hak Workers Union Confederation (Hak-İş), the Confederation of Progressive Trade Unions (DİSK), the Civil Servant Unions Confederation (MEMUR-SEN), the Public Workers Unions Confederation of Turkey (KAMU-SEN) and the Confederation of Trade Unions of Public Employees (KESK).

- Third, illustrating the various methods of resistance and their viability and probabilities of success, for both the general population and those who could be hurt, in preventing this assault.

Broadening and deepening ties between activists and the harmed population and getting acquainted with the problem and its details is so important to finding solutions.

Raising people's awareness in each case about the relationship between eviction and the ruling regime, and whether each case is directly and strongly related to this regime (e.g., the abusive laws and power of the ruling elite) or whether it is weakly and indirectly related to it.

Finally, it is relevant to follow up the subsequent activities by participant delegates and the cases discussed in Istanbul. These issues need further discussion.

Bashir Saqr
Peasant Solidarity Committee—Egypt

23 February 2010

Eviction from Agricultural Land and Housing

Case Studies from Egypt: 1997–2009

Dr. Hasanain Kishk

Introduction

This paper contains three case studies; two on the expulsion of peasants from agricultural land (land eviction), and one on housing evacuation in an urban area.

The two phenomena of eviction—from agricultural land and housing—form part of the social repercussions of the economic transformations that have been taking place since the 1970s in Egypt, with the State adopting a policy that seeks to liberalize the economy in industry, agriculture and services.

The result of such policy is very hard on working classes in both rural areas and cities. Families in these social classes suffer from inadequate wages to pay for essential needs (food, health, education, housing, transportation and entertainment), in addition to suffering from unemployment, as each family has one or more unemployed persons. A growing number of children leave school because they are obliged to work. Women are also obliged to work, and for even longer hours than before. It has become increasingly difficult to access housing, and more difficult, if not impossible to receive medical treatment. Hundreds of thousands of workers lose their jobs due to the privatization policy (early retirement, labor layoffs and dismissals). Hundreds of thousands lose secure agricultural land tenure and are expelled from the land. They cope with increases in the prices of agricultural inputs. All this, and more, in light of the continuing rise in the prices of goods and services.

The following are the most significant means by which farmers are evicted from agricultural land:

1. **The abolition of guardianship** (الحراسات) imposed on large landowners, whereby their heirs recovered 66% of 123,000 feddans in the late 1970s previously placed under "receivership," in accordance with agricultural reform laws of 1952, 1961 and 1969. This resulted in excluding a number of poor and small farmers from the tenure structure as tenants of these lands, as well as the increased concentration of land in the hands of agricultural capitalism.
2. **The liberalization of agriculture** with liberalizing prices of production requirements, such as the seeds, fertilizer, pesticides and fuel used in agricultural machinery, loan interest rates and agricultural land rent. Law 96 of 1992 represents the cornerstone of peasant eviction from agricultural land, as land leases became restricted to one year and rent was raised from LE200 per feddan, before the law was passed, to LE800, during the five-year transition period, to LE2500 in 1997. In

2009, rents reached LE6,000 in some villages. Over 250,000 tenants have been evicted as a direct result. They cannot have new land whether by way of alternative land compensation, according to state promises, or through leasing, due to high lease rates. This means that reparation of damage caused by eviction from agricultural land is restricted.

3. **Fraud** committed by the heirs of large landowners accompanied by police and Agrarian Reform Authority complicity. In some villages, this leads to eviction of farmers from land on which the tenants had been paying installments for 40 years. Lands have been appropriated and distributed to farmers in accordance with Agrarian Reform laws.

Ministry of Agriculture data point to the decline in areas less than five feddans held by farmers from 52.5%, in 1981, to 47.2% of total agricultural land in 2000, with an increase in their proportion of all land holders, from 90% to 90.4%. Data also indicate an increase in the ratio of the areas held by those who have five feddans or more, from 47.3%, in 1981, to 52.8% in 2000, with a decrease in their proportion to total holders, from 10% to 9.6%.

This means that small farmers are being evicted from agricultural land in favour of medium and large agricultural capitalists. This paper presents two cases of dispute over land. The first case is in `Izbat `Izbat Marshaq, Dakirnas, Dakhliyya Province. The second case is in `Izbat Sarandu, Buhaira, Damanhūr Province. We have based our research mainly on the publications of the Peasant Solidarity Committee—Egypt, the majority of which was prepared by Bashīr Saqr.

With relation to housing eviction, violations of the right to adequate and secure housing are on the rise. These violations are widespread in slum areas, the numbers of which increase each year. As social polarization increases, the rich become a minority, while the poor increase to become a majority accompanied by an increase in the number of slum areas all over Egypt. There are 1,221 slum areas in Egypt, with 81 in Cairo alone, covering 45% of the capital's area with a population of about eight million. Those settlements extend from Shubra, in the north, to Faisal and Tersa, in the Haram District. Shacks represent the most backward, deteriorated housing, which blatantly is in violation of basic human rights to housing, which is a condition for the fulfilment of rights to health, environment and services.

I: `Izbat Marshaq, Dakirnas, Dakhliyya Province Incidents

The `Izbat Marshaq case demonstrates the conflict over agricultural land between the heirs of large landowners and the State (the July 1952 authority), on the one hand, and farmers, on the other.

The conflict started with the first Agricultural Reform Law, Law 178 of 1952, which restricted maximum land ownership to 200 feddans per person, and 400 per family. The second law, Law 127 of 1961, set maximum ownership at

100 feddans per individual, while the third law, Law 50 of 1969, reduced the maximum limit to 50 feddans per individual and 100 per family.

The State distributed land in excess of the ceiling to small and poor farmers.

Land distribution took either of two forms: ownership to farmers, what is called the "taken over" or "appropriated" land, where farmers pay installments over 40 years to the Agricultural Reform Authority; and land that farmers lease from the Agricultural Reform Authority on behalf of large landowners or their heirs, "land under guardianship (أراضي الحراسة).

The second stage of the conflict over land started with the issuing of many laws that reflect policies contrary to that of Agricultural Reform in a number of aspects, the most significant of which are:

1. The abolition of guardianship (حراسة): Accordingly, land under guardianship was released (Law 69 of 1974).
2. Full liberalization of the tenancy relationship in 1977 in accordance with Law 96 of 1992. This resulted in raising the rent of agricultural land from LE200 per feddan, before 1992, to LE2,500 per feddan, in 1997, then to up to LE6,000 now in some villages. Heirs of land owners recovered lands under guardianship أراضي الحراسة land from tenants by virtue of this law.
3. The liberalization of the prices of seeds, fertilizers, pesticides, fuel and credit (loan prices were raised) and agricultural machinery which raised the cost of machine rental.

Basic data on `Izbat Marshaq

The cultivated area in the hamlet is 400 feddans. Its means of agricultural production are not available and/or are costly, particularly fertilizers. The hamlet cultivates crops that serve as food for families and livestock feed: rice, wheat and clover. A small portion of the crops is sold in the market. There are problems with land irrigation, particularly in the summer. Short rotation periods represent the most important irrigation problem.

The conflict over agricultural land

The area of land that Zainab al-Atrabi's family owned before the 1952 Revolution was more than 2,800 feddans, in addition to 9,623 square meters of construction land. Zainab al-Atrabi alone owns over 450 feddans of the mentioned land.

The area subject to the first and second Agricultural Reform laws in `Izbat al-Marshaq amounted to 204 feddans, the area that Zainab al-Atrabi owned in the village. Al-Atrabi owned over 450 feddans in various regions before the first Agricultural Reform Law was passed.

- The Agricultural Reform Authority sold four feddans (a house and a fruit garden), then divided the remaining 200 feddans into two parts:

- The first part: An area of 100 feddans of appropriated land (أرض استيلاء), which the State confiscated in accordance with the first and second laws. The land was distributed to small and poor farmers who paid its price over 40 years, until 2004. This land is located in five basins.* At the time this area was distributed to 50 families.
- The second part: **Land under guardianship** that was distributed to farmers to cultivate as leased land. The Agricultural Reform Authority manages the land and collects rent on behalf of the owner or her heirs. This land is located in the same five basins (50 small tenants).
- The release of land enabled large landowners to exclude the mediator, the Agricultural Reform Authority, between them and the farmers.

Most of the area was controlled by tenants until Law 96 of 1992 was passed, which was enforced, following a transitional grace period of five years, in October 1997, owners got back 100 feddans, 41 of which they sold immediately. Tenants vacated the land to be leased to those able to pay the high rent. The law forced the poorer farmers to vacate the land, which caused them and their families serious social harm.

- As for the other 100 feddans (appropriated land), Zainab al-Atrabi used forged documents and interpretations of loopholes in the Agricultural Reform Law to obtain two successive court rulings, the second of which was issued in 1990, to recover 50 feddans by virtue of each ruling. Zainab al-Atrabi's heirs recovered the appropriated land after recovering the land under guardianship, while the Agricultural Reform Authority failed to appeal the ruling, thus exposing its complicity with the heirs against the farmers.
- The Authority removed the names of the farmers cultivating Atrabi's land from the Agricultural Reform Association and placed them to the Credit Land Agricultural Association as leasers, although they had paid the full value of the land over 40 years. Thus, the Association is left with the two choices of either accepting to sign lease contracts with the heirs and risk being evicted from the land in accordance with Law 96 of 1992, or refuse to sign the contracts and risk trial for having stolen the land, in which case they will be evicted and jailed.
- One of the farmers said: "We paid the full value of the land over 40 installments, from 1964 until 2004. We received ownership cards from the Agricultural Reform Association. Despite all this, al-Atrabi's heirs obtained rulings to reclaim the land. If the Agricultural Reform Authority wanted to give the land back to the heirs, why then did it accept the installment amounts from us after the heirs obtained a final verdict to recover the land?"

Peasants face land eviction rulings

The farmers, supported by leftist leaders and lawyers, appealed the first verdict on the basis of fraud before the prosecution. The Dakhaliyya Attorney

General ordered the enforcement documents to be kept in custody. The commander of the security forces in charge of enforcing the ruling on 8 June 2005 declined to enforce the ruling after learning that the farmers had paid the full price of the land and that they had ownership cards from the Association. This means that he discovered the fraud. However, police forces returned on 12 July 2005, led by another commander, to enforce the false sentence after the falsification of the execution form by adding: "even through the use of force." The farmers' lawyer filed a report to the Attorney General requesting that enforcement documents be kept in custody on the grounds of their falsification.

Another one of the farmers threatened with eviction said: "We were dreaming of improving our lives, enjoying stability and raising our kids. The State and the Pashas' heirs thought we didn't merit that. Agricultural Reform staff, the Registry and the feudal heirs allied against us under the nose of all the officials, after had we paid them the full price of the land. They threw us on the street. But we will not let them achieve their goal. We will defend our land and the only vocation we know."

On Sunday, 21 May 2006 aggression started against the farmers in `Izbat Marshaq, which includes 30 houses, using between 16 and 29 Central Security vehicles full of soldiers, in addition to four armored vehicles and 10–12 police cars and fire-fighting vehicles. Facing these forces, in the courtyard where the ruling was to be executed, stood 600 farmers and their families, including women and children, in addition to six journalists, four of whom were foreigners. The bloody battle began with waves of Central Security soldiers carrying sticks, shields and smoke grenades amid shouts and threats. The cries of female peasants and children could be heard. Some female peasants were thrown into the canal, while a number of farmers were wounded and 22 male and female peasants, in addition to the journalists, were arrested. The battle resulted in the injury of 12, five of whom were soldiers and officers, and six of farmers.

The battle lasted one hour and a quarter. Farmers and a journalist were beaten in detention places. The journalist received an exceptional share of brutal beatings. After having been kept in detention for three to four days, the court immediately ordered the release of all defendants without bail. Protests from foreign embassies and international farmer organizations, particularly the largest such organization worldwide, Via Campesina which includes 100 million farmers, in addition to the French Peasant Confederation led by Jose Bove, played a vital role. Egyptian human rights organizations condemned the acts of violence, detentions and torture committed by security forces. The Committee in Solidarity with Farmers also made an active contribution by writing to a number of newspapers about the "Bloody Sunday" incidents, in addition to press coverage.

Feudal heirs obtained rulings to evacuate areas of land that had been distributed to farmers and for which farmers paid over 40 years, which ended in 2004, 2005 and 2007. However, despite the fraud and the complicity of the Agricultural Reform Authority, they weren't able to implement the rulings. The

farmers had documents proving their ownership of the land. They learned to act as one cohesive group. They had leaders and efficient lawyers, in addition to solidarity from human rights organizations and international farmer organizations.

II: Incidents in Sarandu, affiliated to al-Bernūgy village, Damanhūr, Buhaira Governorate

Basic data on Sarandu

Sarandu is a small hamlet home to 1,500 people with a cultivated area of 450 feddans, 90 of which are owned and 260 leased. Farmers there suffer from the high prices and lack of production inputs that they buy from the black market. Farmers borrow from crop merchants and pay after harvest at the prevailing price which subjects them to exploitation. Farmers cultivate rice, wheat, corn, and clover, as well as small areas of cotton. The crops are mostly for the consumption of farmers' families and livestock. Most farmers are wage farmers outside the village. There are irrigation difficulties as the water is scarce and they rely on groundwater wells because Nile is inadequate. There are no educational, health or transportation services.

The conflict over agricultural land

Nawwar property was placed under guardianship by Presidential Decree in 1965. This property was 12,000 feddans at the time (in the areas of Nadina, Hafs, al-Bernūgy, New Manshiyya and other Buhaira Governorate villages). Decisions to release hundreds of feddans from guardianship were issued in collusion with the Agricultural Reform Authority staff in many of these villages. Collusion has also allowed the Nawwar family to sell hundreds of feddans, although the release was only temporary. Moreover, it is illegal to release hundreds of other feddans because it is considered emergency property (ملكيات طارئة) since the Committee that released the land did not have records stating areas and borders, nor did it perform an on-the-ground inspection. Nevertheless, the Committee gave the land to the Nawwar family, which doesn't have any ownership documents for most of the land it claims to own, which means they got the land illegally. The Nawwar family expelled hundreds of farmers from agricultural land in the villages of Damanhūr with the enforcement of Law 96 of 1992 in 1997.

In the hamlet of Sarandu, the landowner Salah Nawwar, in collusion with the Damanhūr police, fabricated cases against farmers in early 2005, and ordered a brutal attack on them to compel them to vacate their land. They fabricated more than 15 cases against tens of male and female farmers. The charges varied between bullying, destruction and the possession of firearms. Officer Muhammad Ammar contributed the persecution of farmers, case fabrications through fraudulent investigations and the detention of farmers and their leaders in order to intimidate them, as well as threatening them to force them to vacate the land. Damanour courts acquitted the farmers in all the cases.

At 3:30 am on the dawn of Friday, 4/3/2005, while the farmers were sleeping, 10 Buhaira Security Forces' trucks, accompanied by a number of police cars full of informants and officers, surrounded Sarandu. The forces attacked the homes of the seven farmers Muhammad al-Garf, Muhammad al-Faqi, Ibrahim Abu Kalīla, Hamdy al-Hussary, Abd al-Hamīd Khallaf, Mahmūd Hashim and Khamīs al-Faqi. The seven farmers were arrested and detained at the Damanhūr police station.

The second part of the scenario started at 7:30 am as a group of Nawwar family members arrived, accompanied by tens of armed convicts and criminals driving a number of agricultural tractors, a trailer loaded with barbed wire, machetes, weapons, ammunition and flammable liquids.

The attack started in an area about one kilometer from the village houses, closer to the villages and hamlets neighboring al-Hamdiyya, al-Bernūgy, al-Manshiyya al-Kebira, al-Manshiya al-Saghīra, Habīb and Abu Tāhir. A large number of bullets flew in every direction. The forces reached the land to be taken by force from its farmers Muhammad Ragab Khalil and others. Tractors starting crushing wheat and clover plants about to mature in preparation for plowing and planting the land to confirm a new reality to prove Nawwar family's ownership of the land. Nearby village farmers responded to the appeal of solidarity with the Sarandu farmers. Men, women and children all rushed to defend their land. The battle lasted about half an hour, after which the attackers began to withdraw. Some tractors burned, some cars fell into the canal and the assault was stopped.

By midday about 20 Central Security vehicles accompanied by a number of police cars had reached Sarandu, turning it into military barracks. They started destroying houses, torturing and displacing inhabitants, arresting male and female farmers and young girls (eight men and 35 women and girls). Officer Muhammad Ammar, called the "executioner," used the house of wanted farmer Muhammad Sulaiman Hasanain to hold, interrogate and brutally torture detainees. A woman, Nafīsa al-Marakbi was subjected to physical and psychological torture that caused her death at the age of 38, on 15 March 2005. Policemen removed her veil, touched her breasts and stomach and threatened to sexually assault her. A number of women were exposed to the same treatment. When Nafīsa was released at 3 am she was in an extremely poor physical and psychological condition. Damanhūr General Hospital doctors who received Nafīsa at 9 AM of the same day said she was in a coma when brought by her family, and died at 6 AM on March 15. The officer they call the "executioner" placed a number of detained women and girls in a police trucks and tied their hair together. This mobile detention place toured neighboring villages to keep them away from the media and human rights organizations. About 29 women were released while the rest were held at the Damanhūr police station.

The police subjected Nafīsa's family to severe pressure to force them to testify that her death was natural. Other unlawfully detained farmers were also pressured to change their statements before prosecution and frame the 27 detainees, including their lawyer Muhammad Muhammad Abd al-`Aziz Salāma, for the possession of weapons, murder, destroying tractors and vehicles, and stealing crops. Their detention periods ranged between 30 and 75 days.

Defendants were the farmers' lawyer Muhammad `Abd I-`Aziz, five university students (`Imad Muhammad Al-Faқи, Gābir Muhammad Radi, Mustafa Abd al-Rahīm and Alaa Abd al-Hamīd); an armed forces recruit (Muhammad al-

Shannāwi); seven women and girls (Samah al-Garf, Kawkab `Abd al-Mon`im, Rasmiyya Khalaf, Rania Samir, Mabruka Qabil, Rihab Guma`a and `Aida Abdallah), in addition to 13 farmers (Mustafa al-Garf, Muhammad Ragab Khalīl, Abu Talib Abdallah, Gumaa Abd al-Mun`im, Ahmad Khallaf, Muhammad Antar, Karam al-Faqi, `Abd al-Rāzik Abu al-Ela, Muhammad al-Gizawi, Mabruk `Abd al-`Aziz, `Abd al-Mun`im Basiūny, Adil al-Bakly and Salah Abd al-Gawad).

The case was heard before the Damanhūr Emergency Supreme State Security Court and was postponed to 19 January 2007. In March 2007 the court acquitted the lawyer and sentenced two defendants in absentia to 15 years of hard labor, another two defendants to seven years, acquitting the rest of the defendants, including all the women.

A large body of lawyers cooperated to defend the farmers and their lawyer, including lawyers from the Justice Center for Political and Social Studies, the Hisham Mubarak Law Center, al-Nadīm Center for the Rehabilitation of Victims of Violence, the Association for Human Rights Legal Aid, the Arab Network for Human Rights Information, the Egyptian Center for Housing Rights, the Egyptian Association against Torture, the Center for Socialist Studies, the Bar Association's Freedoms Committee and the Land Center for Human Rights.

The United Nations Human Rights Council expressed solidarity with the farmers and their lawyer. In its report issued during the second session held between 18 September and 6 October, 2006 the Council criticized the human rights violations committed by the Egyptian government in 2005, citing the Sarandu incident as the gravest.²

Leftist journalists, bloggers and political activists also expressed solidarity with the farmers in many of the conflict sites against the large land owners' heirs and the State authority (as was the case in the 39th annual Kamshīsh conference commemorating the martyrdom of a peasant leader on 30 April 2005).

Participants in the Mediterranean Peoples Farmers Forum, held in Barcelona between 16 and 19 June 2005, also expressed solidarity with Egyptian farmers, including the Sarandu farmers.

Solidarity continued until the court ruling that acquitted 14 of the farmers and their lawyer on 16 June 2008. However, the military prosecutor (under Egypt's long-running state of emergency laws) decided to hold a retrial before another court, which demonstrates the military guardianship over court authority and

² As recorded in the reports of four Special Rapporteurs: "Extrajudicial, summary or arbitrary executions," report of the Special Rapporteur, Philip Alston, E/CN.4/2006/53/Add.1, 27 March 2006, pp. 66–67; "Violence against Women," Report of the Special Rapporteur on violence against women, its causes and consequences, Yakin Ertürk, E/CN.4/2006/61/Add.1, 27 March 2006, pp. 23–25; "Promotion and Protection of Human Rights: Human Rights Defenders," Report of the Special Representative of the Secretary-General, Hina Jilani, Addendum, E/CN.4/2006/95/Add.1, 22 March 2006, pp. 84–86; Torture and other cruel, inhuman or degrading treatment or punishment," Report of the Special Rapporteur, Manfred Nowak, Addendum, E/CN.4/2006/6/Add.1, 21 March 2006, p. 70.

that the "independence of the judiciary" is a mere illusion. Preventing citizens from appearing before their natural judge is a waste of the authority of judicial rulings, as well as a blatant interference in the affairs of the judiciary, according to Counselor Mahmūd al-Khudairi, Vice-President of Court of Cassation.

The farmers continued protesting the complicity of the police, the Agricultural Reform Authority and the Cooperative Society with the Nawwar family between the Sarandu farmers' collective protest on 4 March 2005 and the court's final verdict. On 5 November 2007, several hundred farmers gathered in the middle of the hamlet to protect against the Nawwar family's selling over 70 feddans of the disputed land to brokers, consultants and influential figures. The Agricultural Society had notified the farmers of the sale in preparation to expel them.

- The farmers suffered greatly due to their cohesive position around three the slogans of "No compromise with the Nawwar family!" "We will not sell one karat of the land to this family!" and "Nobody will buy the land in the farmers' possession!" Only 11 farmers remained committed to the three slogans before the verdict. Other farmers, the majority of about 70 farmers, held varied positions as follows: Evict the farmers from the land permanently in exchange for a small sum of money,
- Evict farmers from part of the land in exchange for keeping another part,
- Buy the land from the Nawwar family.

These different positions resulted from the intense pressure the farmers were subjected to, including torture, security pursuit, murder and continuous threats, as well as due to the weakness and dispersion of farmer collective protest movements in the Buhaira province, the Nile Delta, and in Egypt's rural areas as a whole. This is due to the absence of union or political organizations that express the peasants' conditions, unites them and lead them towards achieving their goals.

The Nawwar family and its allies dealt with individual farmers, rather than a united and coherent group, and thus succeeded in dividing their unity and cohesion. Negotiations were individual rather than collective; hence, the negative repercussions emerged for the above-mentioned reasons.

III: The Qal`at al-Kabsh Incident, Sayida Zainab, Cairo Governorate

Al-Kabsh area is one of the slums located in the heart of Cairo. The majority of the population consists of poor workers and artisans. The homes consist of thin wooden rooms or shacks. The area, similar to all slums, suffers from the lack of services and facilities. The Qal`at al-Kabsh problems date back to the early nineties of the twentieth century (1993) when the State granted citizens a number of housing units to use as temporary shelter.

The State was removing the citizen's houses within the framework of what it called "development." It has indeed completed two phases of new housing. The handing over of apartments was governed by corruption. Bribes ranged between LE2,000 and LE4,000 for a poor citizen to obtain their right to an apartment. Sayida Zainab municipal staff used different means to stall the listing of people eligible for alternative housing.

The Qal`at al-Kabsh incidents started on morning of Tuesday, 20 March 2007, when 200 rooms and more than 250 wooden houses and kiosks burned. The massive fire started in one of the wooden rooms and resulted in the displacement of more than 1,000 people who found themselves without a shelter.

Violent clashes took place between the residents and fire victims, on the one hand, and the Central Security forces, on the other, while the former attempted to salvage whatever they could of their possessions. As is customary, the Cairo governor arrived, remaining at a distance from the fire site. There were announcements that none of the families was going to spend a night without shelter and that the governorate was going to give each family an apartment in Salam City [one of the planned new towns]. It was also announced that the area was listed in the third stage of the development project.

Citizens slept on mattresses in surrounding streets. On Saturday, 21/3/2007 about 300 Qal`at al-Kabsh residents protested in front of the People's Assembly. They were demanding that the Assembly Speaker and Sayida Zainab representative Fathi Surūr find them alternative housing. They were shouting: "Suzanne, tell the truth. Are there apartments for us or not?" [referring to first lady Suzanne Mubarak] Early on Thursday, 22 March 2007, only two days following the fire, people woke up to about 20 Central Security vehicles and two bulldozers in the fire area [ostensibly] to remove the rubble. The residents clashed with the forces, which [actually] were trying to evict the area in preparation to demolish it.

The forces used tear gas, and violently attacked the residents. About 17 women and citizens were wounded, in addition to 10 policemen. The police arrested five of the residents that the Interior Ministry described as "citizen inciters." Numerous People's Assembly representatives (from the Muslim Brotherhood, independents and some opposition party representatives)

submitted a number of complaints and urgent statements about the incidents of Qal`at al-Kabsh and [other] slum areas.³

[Local and international housing rights and general human rights organizations formed solidarity with the Qal`at al-Kabsh residents. These organizations, including al-Marsad Human Rights Monitor, Egyptian Center for Housing Rights and the Housing and Land Rights Network of Habitat International Coalition, worked cooperatively in local and international advocacy.⁴

Citizens then started filing complaints and reports to officials to obtain alternative apartments. However, their attempts failed.

On Thursday, 3 March 2007, after residents and their families spent 45 days without shelter, they demonstrated in front of the Abdīn Palace [presidential offices] and the Cairo Governorate building, close to the palace. They decided to submit their complaints to the Attorney General. When they arrived at nearby Tahrīr Square they were subjected to a brutal police attack. Three women among the demonstrators fainted. The police used electric batons and slapped the demonstrators.

On Monday, 7 May 2007, a force of 6,000 central security troops, six Cairo Governorate bulldozers and dozens of workers demolished the remaining kiosks. The police kidnapped a large number of the men and threw them in the desert on the Bani-Swaif and Qattamīyya roads. Policemen assaulted women and children, which resulted in many injuries.

The Qal`at al-Kabsh protests continued, consisting of sit-ins, demonstrations and hunger strikes. Oppression did not stop, either. Three of the women received prison sentences. On 25 December 2007 Abdīn Court sentenced each of the women to one year in prison on charges of inciting demonstrations, attacks on security personnel and the destruction of wireless radios during the women's demonstration on 21 October 2007 to demand alternative housing.⁵

Following are the testimonies of two of the Qal`at al-Kabsh residents from the Egyptian Organization for Human Rights' report issued on 5 June 2007⁶:

- Amīra Nahmidū Muhammad, 20 years old: "On Thursday, 22 March 2007, two days after the fire, I was in my room with my mother-in-law. Four policemen entered and forced us out of the room. We didn't want to leave, because we didn't want to lose our rights. They pulled, beat

³ *al-Masriyūn* (13 November 2007), <http://www.almesryoon.com/ShowDetails.asp?NewID=7324&Page=1>. عمر القليوبي ومحمد رشيد

⁴ See HIC-HLRN Urgent Action قوات الأمن المصرية تسعف ضحايا حريق منطقة قلعة الكبش-زينهم العشوائية بالقنابل المسيلة للدموع والاعتداء بالضرب

⁵ *al-Badīl* (27 December 2007), http://www.elbadeel.net/index.php?option=com_content&task=view&id=7628&Itemid=73. رامز صبحي, حبس 3 سيدات من قلعة الكبش عامًا بتهمة التظاهر

⁶ Egyptian Organization for Human Rights, "Harīq Qal`at al-Kabsh...Hal Yaftah Malaf al-'Ashwa'iat fi Masr?" (5 June 2007), at: <http://www.eohr.org/ar/report/2007/re0605.shtml>.

and threw me out on the ground. I am nine months pregnant. After that, they took me to the Munira Hospital."

- Ahmad Muhammad al-Sayyid, 23 years old: "On Thursday morning I found about 20 Central Security vehicles, loaders and bulldozers. Many soldiers came out of the vehicles with long sticks. They started pushing people, ordering them to leave their homes. When people refused, they sprayed us with tear gas. My foot was injured and I was taken to the hospital where I remained for two days."

Following are real testimonies from the same report from Tuesday, 8/5/2007, after the Security attack:

- At 6 AM, we find Central Security and police surrounding the area. They asked those living in the burned houses to come and get their rights. They started calling out people's names and taking their ID cards to give them apartment-allocation documents. However, we found people who were not Qal`at al-Kabsh residents getting apartments, while people who qualified didn't get apartments. They asked us to wait in the back. The bulldozers then demolished the remaining houses. We tried to stop them, but they threatened to detain us. They beat us in order to disperse us. They took some people away in the Central Security vehicles. We later learned that they threw them in the desert and in the mountain on the Qattamiya Road."
- "At 9.30 am the police took the women in the police car and they threw us in the desert on the road to Hilwan."
- "After the police kicked us out of the house, they took my husband and his brothers. They haven't returned yet. I am waiting with nine children. I don't know what to do or where to go."

The report indicates that members of the Egyptian Organization's fact-finding team saw the residents sitting amid the rubble of their burned homes. Some people sympathized with them and offered them food. A team from the Doctors' Syndicate Relief Committee provided them with some food and medicine.

Only some of the Qal`at al-Kabsh former residents obtained alternative housing, which was linked with many restrictions, such as corruption and bribes. The areas to which they moved were far, such as Salām and al-Nahda cities. Reparation has been very limited.

About 1,196 of the Qal`at al-Kabsh families still, to date (20 June 2009), suffer from difficult conditions in temporary housing that families received for "severe cases."

The protest of the Qal`at al-Kabsh residents' when the police attacked the area at times were characterized by spontaneity as the attacks came as a surprise at early morning hours. The sit-ins, demonstrations and protests, as well as the hunger strike and slogans were forms of objection involving a degree of awareness and organization.

In conclusion, all organizations worldwide working against eviction from housing and land should exchange expertise and be in constant solidarity through all means (emails, workshops, solidarity campaigns, bulletins, etc.).

Photos and details of the Qal`at al-Kabsh incidents can be obtained from the following sites:

www.aljazeeraatalk.net/forum/showthread.php?t=25802

Video:

www.arabist.net/arabawy/2007/05/31/qale%E2%80%99t-el-kabsh-slum

Photos and details of the incidents related to Marshaq and Sarandu can be obtained from the following sites:

Tadamon.kateib.org

hmlc-egy.org/taxonomy/term/178

egyptwatchman.blogspot.com/2008/06/blog-post_16.html

www.humum.net/country/topic.php?id=9

arabist.net/arabawy/2007/01/04/Sarandutrial

www.lchr-eg.org/103/list2005.htm

www.eohr.org/ar/report/2005/re0321.htm

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ANNEX 2



How People Face Evictions Istanbul, 4–7 February 2010

Programme: Exchange Seminar

I. Background

Forced evictions have been dramatically increasing worldwide. Despite the fact that evictions are taking place, some people-based initiatives are reducing the number of evictions, and some are quite positive to learn from. One of the key lessons from the Advisory Group on Forced Evictions to the Executive Director of UN-HABITAT, is that people-led movements are a key ingredient for successful solutions to forced evictions. However, work documenting actual practices and strategies is quite limited, and usually carried out by NGOs and advisory groups, but rarely give a full voice to the people active on the ground. In addition, the existing people-led networks have few opportunities at the global level to exchange experiences.

The 'How people face evictions' project is carried out in collaboration with social movements and organisations struggling for their right to housing and to stay in the places they live, in eight cities around the world: Turkey (Istanbul), Egypt (Dakhaliyah and Buheira), China (Huangzhou), Argentina (Buenos Aires), Brazil (Porto Alegre), Dominican Republic (Santo Domingo), Pakistan (Karachi) and South Africa (Durban). The project and this exchange seminar seek to hear people's voices on how they face evictions, to exchange, and mutually learn from one other in our practices and experiences.

The project is being conducted by the Development Planning Unit (DPU) – University College London, supported by the Building and Social Housing Foundation (BSHF) in England. This exchange seminar is being hosted by the Coordination for Housing Rights (CHR) in Istanbul.

II. Objectives of the Exchange Seminar

1. To present the results of the documentation of experiences for each city involved in the project.
2. To exchange concrete experiences and strategies in facing evictions.
3. To draw out lessons on what these various forms of resistance have in common as well as lessons on the causes of evictions.
4. To support and strengthen the social organisations resisting eviction in Istanbul.

III. Expected Results

It is hoped that by the end of the exchange seminar the following results will be achieved:

1. That all participants will learn from one other's experiences on how people face evictions in different parts of the world.

2. An increased knowledge and understanding of the current struggles taking place in Istanbul.
3. A consolidation of the lessons learned.
4. A review of each of the documented experiences for the final report.
5. Possible strategies for the future.

IV. Expected Documents from the Exchange Seminar

1. Eight updated case studies.
2. PowerPoint presentations on the experiences of each organisation.
3. A final report in three languages.

V. Methodology

This international seminar represents the second part of the Project, following the documentation of the experiences. It will take place over three and a half days and will include the following:

- Presentations of the experiences: 40 minutes each, with 20 minutes for discussion.
- Plenary sessions.
- Meetings with residents and representatives of various organisations in Istanbul who are committed to the right to housing, the resistance to evictions and the construction of alternatives.

VI. Programme

The exchange seminar will take place in Istanbul, 4–7 February 2010

Wednesday 3	Arrival of International participants in Istanbul
Day 1, Thursday 4	
9h00-9h30	Welcome from CHR, BSHF, DPU/ULC
9h30-10h30	Introduction of participants and expectations for the seminar
10h30-11h00	Coffee Break
11h00 -13h00	<ul style="list-style-type: none"> • Presentation of the programme for the seminar • Evictions and resistance: lessons learned <i>Coordinated by: Yves Cabannes</i>
13h00-14h30	Lunch
15h00- 20h00	<p>Presentation of the experiences (part 1)</p> <ul style="list-style-type: none"> • Istanbul • Porto Alegre • Durban • Karachi <p>Lessons learned</p>
20h30	Dinner
Day 2, Friday 5	

9h00-13h00	Meeting with social organisations in Istanbul – European side: Alibeykoy-Karadolap
13h00-14h30	Collective lunch
15h00-20h00	Presentation of the experiences (part 2) <ul style="list-style-type: none"> • Huangzhou • Santo Domingo • Egypt • Buenos Aires Lessons learned
20h30	Dinner
Day 3, Saturday 6	
9h00-13h00	Meeting with social organisations in Istanbul – Asian side: Gebze-Cumhuriyet Mahallesi
13h00-15h00	Lunch
15h00-19h00	International gathering of participants and social organisations in Istanbul. Open mass event. Coordinated by: CHR, DPU/UCL, BSHF Location: Bahçeşehir University, Beşiktaş Campus conference hall
Evening	Dinner
Day 4, Sunday 7	
9h00-12h00	Plenary session Lessons learned (introduction: Yves Cabannes) Evaluation and ways forward (Alp Antinors) Close of the event
Afternoon/evening	Departures

VI. Venue

The exchange seminar will take place at the Chamber of Architects in Karakoy
(address to follow)

VII. Participants

- Representatives of each of the participating cities
- Participants from BSHF and UCL/DPU
- Representatives of grassroots organisations in Istanbul

Buenos Aires, Argentina

- Carlos Cesar Armando, President, Federation of Informal Settlements and Low-income Neighbourhoods (FEDEVI)
- Cristina Reynals, International Relations and Capacity Building, FEDEVI

Durban, South Africa

- Zodwa Nsibande, Abahlali baseMjondolo

Huangzhou, China

- Eva Pils (to be confirmed), School of Law, The Chinese University of Hong Kong
- No representatives from local communities

Istanbul, Turkey

- Köksal Dogan, Coordinator, Coordination for Housing Rights
- Alp Antinors, Coordination for Housing Rights

Karachi, Pakistan

- Suneela Ahmad, Urban Research and Design Cell, DAP-NED-UET
- Tariq Aziz, Activist and Social Leader, Hasan Aulia Village

Porto Alegre, Brazil

- Gilmar Xavier Avila, National Movement for Housing Struggle (MNLM)
- Eduardo Solari, Utopia and Struggle autonomous community
- Edymar Cintra, National Coordination, MNLM

Santo Domingo, Dominican Republic

- Pedro Franco, Coopohabitat – People’s Urban Network
- Juana Iris Rivera, President of the Board of Residents of Nueva Dimensión / CODECOC

Dakhaliyah and Buhaira, Egypt

- Hassanein Kishk, National Centre for Social and Criminal Research
- Basheer Sakr, Solidarity Committee with Agrarian Reform Farmers

DPU/UCL, England

- Yves Cabannes, Professor, Chair of Development Planning
- Cassidy Johnson, Lecturer | MSc Building and Urban Design in Development
- Yasar Adanali, DPU Associate

Building and Social Housing Foundation (BSHF), England

- Silvia Guimarães Yafai, Head of International Programmes