
**ADVISORY GROUP ON FORCED EVICTIONS
INFORMATION ON IMPORTANT CASES**

**The Case of Zaerzara Community- Port Said Governorate- Egypt
Egyptian Center for Housing Rights**

A: Threat of Eviction

• **Issues on the city, communities and families threatened with eviction**

1- Name of community threatened with eviction:

Zaerzara Community

Location:

Port Said governorate, in the North East of Egypt



2- Background on the city:

Size: The total acreage of Port Said governorate is 134496 Miter Sq

Population: 700.000 persons

Location: see the map

Please see: <http://www.port-said.com/>

3- Estimated Number of Families Affected:

About 2500 families are affected (about 12500 persons)

4- Brief Description of families background

The community is a poor community, most of them are considered to be from the deprived categories. They work as retailers, till the duty free in Port Said was cancelled, they turned to different vocational works as carpenters, plumbers, etc.

• **The Case**

5- Background and History to the case

The two areas of Assalam Saree and Naser (public housing) were to be evacuate for the houses were being at risk of collapsing, but, for not executing the removal decisions for many years, many homeless persons started to take such houses as their homes, till one of this houses had collapsed and two persons had died, the governorate moved the residences to the area of Zerzara, which is basically a "trash hoe", the rest of the residences have been already living in wooden cottages in the area.

6- Minimum information on the legal grounds of the case

- At first, when the residences were evacuated from their first housing area to Zerzara, and took the houses at risk as their homes, they were paying the water and electricity bills for the governorate, which is considered a governmental recognition of the residences possession of these houses.

- Then, the government issued the decision to evacuate them from Zerzara area on the basis of their being not worthy of alternative houses, and that there is a plan to build houses on the place they live in- Zerzara.

- ECHR has filed 4 legal cases before the Administrative Cause Court in accordance to their right of possession recognized in the international law, even if it is in violation to the local and national laws, particularly article 11/1 of the International Covenant on Economic, Social and Cultural Rights and the General Comments of the Committee on Economic and Social and Cultural Rights as an interpretation for the mentioned article. ECHR also depended on the state's unlawful action to let the residences live in a place that constitute a governmental disaster, for it is a trash hoe and is considered to be a rich soil for biological pollution.

7- Reasons given for the eviction (official and other)

Official reasons: A) the government has plans to build on Zerzara area. B) the residences are not worthy of alternative housing.

Unofficial reasons: The governorate has the desire to get rid of the residences for they always complain and protest against the attempts to evacuate them.

8- The main events that have taken place so far

- In September 2001, the governorate evacuated the two areas of Assalam Saree and Naser. This evacuation order, which had been issued in 1992, said that all the "intrusive" homeless residences should be evacuated and sent to Zerzara area, they were violently forced to move to Zerzara area.

- ECHR had formed a lobby of NGOs to support the case. It also met with the Port Said governor, who decided to re-examine the residences situation and to grant those who deserve alternative houses and refer the rest to the public prosecution.

- ECHR organized a press conference in Cairo to clear the situation of the victims as they had been described from all the media as criminals, and that succeeded in changing the public opinion to the benefit of the victims.

- On 5/8/2002, there was a fire that destroyed a whole of 81 cottages and the governorate had not compensated any of the affected families. ECHR has filed a case to request compensations for the affected families, who rebuilt their damaged cottages and primitive drainage system which led to the spread of diseases in the area. The governorate then started to re-plan the area to build on it.

- Many death cases happened in the area especially between the children according to the inhuman circumstances, or fires.

- On Oct. 2003 the governorate has already provided about 1300 families alternative houses, and refused to give the rest for not being from the original residences of Port Said governorate, a condition that was imposed by the governorate in spite of it being a violation to the right to freedom of movement.

9- Names of authorities implementing the eviction

Port Said governorate department and its different agencies in addition to the State Security Department at Port Said "Police"

• The answer to the evectioin

10- Level of organization of the affected community (including names of organizations, their approach, strengths and weaknesses)

ECHR had tried to assist the affected community to form a kind of organization, but for reasons related to the national laws and the community bad economic situation; there was no possibility to do so. ECHR has instead formed a group of volunteers from the affected community to function as contact agents between the center and the community in order to gather them to meet with them when necessary.

11- Names of supporting agencies working in alliance with the affected community

In the beginning of the case it was only the Egyptian Center for Housing Rights that supported the affected community; that was because of a press campaign that pictured the residences as criminals and described them as "intrusive". ECHR has formed a group of NGOs to support the Zerzara community, the group did not last for long because of the governorate persistence not to respond to the NGOs.

12- Actions taken so far by the community and /or supporting agencies to resist the eviction and /or to develop creative, alternative solutions

- ECHR has called for forming a group of local community leaders of Port Said governorate, in support for the affected families, including the ECHR, a number of businessmen and one member of the parliament, who submitted a proposal to the governorate to allocate a land with its facilities, and ECHR is to search for a fund for the building expenses and the residences to play the basic role in planning and building. But because of the huge number of effected families(2500) we think it will be very difficult to find a finance for the project.

13- Consultations held and alternative housing and /or compensation offered by the authorities to the affected community (if any)

There were no consultations held to discuss the provision of alternative housing or compensation because the governorate has not recognized such rights for the affected families, and because of the military

background of the governor, who consider any work of ECHR or any other body as interference in his duty.

- **Follow up**

14- Strategies for Future action discussed /developed / proposed to deal with the threatened eviction

The ECHR is to form a group in solidarity with the affected community with the aim to stop the eviction, enhancing the life conditions of the victims, and get a fund for building alternative housing for them.

15- Important events anticipated

The Zaerzara community is continually threatened with eviction. Usually, an eviction date is set, but postponed for different reasons, either for security reasons (election) or for the intervention of the solidarity group. The plan of action depends on taking collective actions, and networking with interested bodies in order to obtain a temporarily housing for the Zerzara residences and/or to get an official promise to grant them an appropriate housing.

16- Reasons why this is a good focus case for the Advisory Group. Ideas on what the Advisory Group could do to contribute to the successful resolution of the case.

- The families are living in hellish circumstances, their lives and their children's lives are always in danger.
- Up till now, the date of examining the case in the court have not been set yet. The case is the process of preparation before the court commissioners "a judicial body that is responsible for preparing and submitting the final report to the court"
- Proposed interventions: launching a campaign in solidarity with Zerzara community to stop the eviction.

17- Full address contact person

Manal Tibe
Director
Egyptian Center for Housing Rights
33 Qasr El-Nil St, 9th floor, Tahrir, Cairo, Egypt
Tel: 00202- 3922194
Fax: 00202- 3952952
E-mail: echr@echr.org
Web: <http://www.echreg.org/>