

# The Egyptian Urban Planning Institutional Framework

Master's Thesis

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## Abbreviations

CAPWO	Cairo and Alexandria Potable Water Organization
CEO/EEAA	Chief Executive Officer of the Egyptian Environmental Affairs Agency
EEAA	Egyptian Environmental Affairs Agency
EEHC	Egyptian Holding Company
EgyptERA	Egyptian Electric Utility and Consumer Protection Regulatory Agency
EIA	Environmental Impact Assessment
ERA	Egyptian Railway Authority
ETA	Egyptian Tunnels Authority
GARBLT	General Authority for Roads, Bridges and Land Transport
GARPAD	General Authority for Reconstruction Projects and Agriculture Authority
GAFW	General Authority for Fish Wealth
GIS	Geographic Information System
GOE	Government of Egypt
GOPP	General Organization for Physical Planning
ISDF	Informal Settlement Development Facility
ISWM	Integrated Solid Waste Management
MHUUD	Ministry of Housing, Utilities and Urban Development
MIWR	Ministry of Irrigation and Water Resources
MODMP	Ministry of Defense and Military Production
MOF	Ministry of Finance
MOLD	Ministry of Local Development
MOT	Ministry of Tourism
MFTI	Ministry of Foreign Trade and Industry
MSEA	Ministry of State for Environmental Affairs
MWRI	Ministry of Water Resources and Irrigation
NACC	National Agency for Civil Coordination
NCPSLU	National center for planning state land uses
NUCA	New Urban Communities Authority
ORDEV	Organization for Reconstruction and Development of Egyptian Villages
PPA	Power Purchase Agreement
RBO	Regional Branch Offices
RETD	Real estate Tax Department
TDA	Tourism Development Authority
USAID	United States Agency for International Development
UNDP	United Nations Development Program
USAID	United States Agency for International Development

## Arabic terms

<i>Markaz (Pl.Marakiz)</i>	Rural district
<i>Sejel Ainee</i>	Parcel-based deed registration (system) or parcel-based deed register
<i>Zemam</i>	Boundaries of cultivated and uncultivated agricultural lands that have been historically surveyed by the Egyptian Survey Authority and included in the RETD's land and property tax registry and which are subject to the agricultural land or property tax as defined in article 1 law 143/1981 <sup>1</sup>
<i>Cordon</i>	Refers to the governmental administrative authority boundaries
<i>Ibni Baytak</i>	Build your own house
<i>El Zahiir El Saharawi</i>	Desert Backyard
<i>Awkaf</i>	Religious endowments
<i>El Tanseek El Hadari</i>	Civil Coordination

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<sup>1</sup> Law No.143 Official journal – Issue No. 25 (Supplement) on 31<sup>st</sup> August 1981

## **Abstract**

This research aims to map the regulatory framework involved in planning and governing the city components. The main three key questions are: How does the formal Egyptian urban planning system work? Is the process sectorized between different entities or integration occurs during planning? What are the main obstacles in the existing legal and institutional framework?

The dissertation identifies all the central institutions and affiliates involved in urban planning on different levels, in addition to the regional and local administrative system institutional and legal framework.

Infrastructure facilities management is an essential element and one of the main challenges of urbanism. As a result of identifying the authorities, it is found that the utilities management is centralized and several mandates overlap between different institutions.

Public land management comprises complex institutions framework, lack of land policy framework, ineffective land use planning, using old surveying boundaries to control public land.

Finally analyzing the existing institutional framework based on literature and reviewing critical comments from other authors experienced in the Egyptian urban planning field. The main findings of this dissertation are complex institutional organizational structure, highly fragmented legal framework and sectoral planning system and centralization.

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# CHAPTER 1: INTRODUCTION

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## 1. Introduction

### 1.1 Objectives

This research aims to map and identify the existing institutional and regulatory framework involved in planning and governing the city components. The urban management activity is controlled by several ministries: Ministry of Housing, Utilities and Urban Development (MHUUD), Ministry of State for Environment Affairs (MSEA), Urban Renewal and Informal Development Ministry, Ministry of Agriculture, Ministry of Tourism (MoT), Ministry of Industry and Ministry of Local Development (MOLD) as well as the local administrative system and infrastructure components; drinking water, sanitation, electricity, transportation and solid waste management in addition to the land management process. This study aims to provide a comprehensive understanding of the formal practice and answer the following questions:

- How does the formal Egyptian urban planning system work?
- Who are the governmental entities involved in the urban management?
- Is the process sectorized between different entities or integration occurs during planning?
- What are the main obstacles in the existing legal and institutional framework?

### 1.2 Introduction

Urban development and planning practices includes different institutions, organizations and authorities to plan, manage and implement the process. The existing institutional framework often involves conflicts of interest as well as repetitive functions between different entities. The existing structure of the planning process resulted in negative impacts on the urban development activities. Governmental bodies failed to deal with the informality challenge, although several policies were initiated targeting the low-income housing.

Egyptian housing policies failed to meet the majority of citizens needs, people started to build homes illegally either on public or private lands forming informal settlements. Cairo is the capital and the largest city in Egypt, it contains a vast population however about 70% of them lives in informal settlements (GTZ, 2009). Moreover during the Egyptian revolution security forces were dealing with civil



disorder and protestors, unprincipled persons took the chance to grab lands and build or expand illegally. A huge number of informal buildings exist with thousands of agriculture hectors urbanized (UN HABITAT, 2012, p. 24). In addition to the existing informality before the revolution. Challenges facing the Egyptian government are not limited to housing problems; the failure of providing affordable housing comes along with economic, social and technical complications.

To overcome the numerous challenges facing the government a reform of the local administration system in Egypt was one of the demands during the 25 January Revolution. The process of reforming the system includes several factors on the local level (Mahmoud N. , 2012) and subsequently on the central level. The research focuses on the legal framework shaping the current situation to picture the structure of the whole process so it could be reformed. In June 2014 a presidential decree was issued declaring the formation of **high council for legislation reform** responsible for preparing, researching and studying the laws, presidential decrees, cabinet decrees needed or that needs amendments according to the new constitution. In order to avoid any repetition, limitation, contradiction or ambiguity, and working on unifying and simplifying them according to the community, general state policies needs and national goals determined by constitution (Kamal & Gallal, 2014). Providing this study, aims to offer a guideline covering urban development legislations to facilitate the laws and decrees reform in urban planning sector.

One of the challenges in writing this thesis is to target and map the formal system rather than going into the informal parallel existing system. The idea of focusing on the official system is to understand how it works and why did it lead to urban informality in its cities and villages. The dissertation introduces first the political structure of the state including the different entities and their levels. Afterwards presenting the urban policies adopted by the state mainly to overcome the impact of population growth and number of immigrants moving from rural areas to cities on the urban environment.

Following with a comprehensive identification of the Planning institutions responsibilities and organizational structures. Organizational bodies are divided into central and local administration, the central level involve ministries and their affiliates while the local administration involves governorates, districts, towns, quarters and villages. This part depends mainly on laws, presidential decrees, cabinet decrees and ministerial decrees that form the institutions bodies and their competences.

Third chapter discusses the management of infrastructure and land management, through pointing out who are the key players in managing these facilities and what are the relationships between the central institutions, local administration and authorities in managing the utilities.

Afterwards analyzing the given information in the previous chapters as a database and collecting the sectored analysis done in other researches depending on case studies and facts to provide analytical insights on the planning system. Since each city or village planning in practice may have its own management circumstances and different stakeholders however several examples could be repeated.

### 1.3 Literature Review

Institutional planning system understanding is complex in Egypt, since several institutions are involved in the process through laws and decrees issued to regulate the whole process. Publications illustrating the urban planning system in Egypt are sectorized into different specialties, while the complete framework and organizational structure clarifying each entity role is missing.

Nowadays several urban initiatives are formed in Egypt addressing different issues. *TADAMUN* is one of them focusing and seeking the involvement of different stakeholders in the urban development through encouraging the inhabitants to demand their environmental rights and providing realistic alternatives for the urban challenges facing Egypt. Therefore *TADAMUN* has a section on their website called know your government, where the national, regional and local levels of the government are identified (TADAMUN,2014)<sup>2</sup>.

Shadow ministry of Housing<sup>3</sup> is a blog that criticizes the built environment policy in Egypt; the blog produces researches and papers regarding the different urban challenges. One of their publications is called *social justice and urbanism*, which was produced as an outcome of 25<sup>th</sup> of January slogan "Bread! Freedom! Social justice!". The research paper includes a chapter called urban management and the right in participation, where it presents and analyzes the failure of urban planning system. The first part identifies the urban management structure, which includes the five main urban components; housing and buildings, drinking water, sanitation, energy, transportation. The paper claims that the management of those entities should all be under one the responsibility of one body on the city level then decentralized on the villages and neighborhoods level, to assure the coordination between the 5 components. In reality the proposed system doesn't exist, instead a small part of these services is following the local government which is not prepared for controlling, while the other services follows the central government ministries (Shawkat, 2013).

*Urbanism and Local Governance* in Egypt is a book presenting the local administrative system in Egypt and its historical development, regional and physical planning, legislations regulating urbanism and finally the organizational structure. Focusing only on Ministry of Housing and the executive bodies in the local level without mentioning the other entities involved in the planning process. The authors propose combining the small local units into bigger units and creating big local entities as the regional system that can cope with the constant development. The proposed system strengthens the participation concepts and decentralization, however it needs reconsidering the local administration units size according to economic and social variables. Since the system that may be suitable for the capital doesn't have to fit for

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<sup>2</sup> [www.tadamun.info/know-your-government/?lang=en](http://www.tadamun.info/know-your-government/?lang=en)

<sup>3</sup> [www.shadowministryofhousing.org](http://www.shadowministryofhousing.org)

other regions ex: desert communities. The book suggests turning the planning regions into administrative regions after amending the necessary modifications, creating three administration levels: regional level-governorate level-municipal level (El-Azim & Alam , 2000).

David Sims in his famous book *Understanding Cairo* discusses in a chapter called governing Cairo an overview on the nature of the Egyptian government questioning if it is governing or “muddling through” criticizing the local administration competences and inter-agency coordination. In the same chapter Sims identifies the infrastructure governance focusing on Cairo, including potable water, sewerage, electricity and major roads concluding that greater Cairo high density justifies why the infrastructure systems work comparatively well (Sims, 2012, p. 251).

## **1.4 Methodology**

Identifying and mapping the key players roles in the planning process and understanding the formal process are the main objectives. The research depends mainly on literature review since the institutions formation and regulatory form is issued through laws and decrees, a review on the unified building code, local administration law and new urban communities law. In addition to other legislations related to the Infrastructure and land management.

Collecting the legislation data was through reviewing the laws formulating each entity concerned with planning. The researcher accessed the data base of all legislations organizing Egypt through the Comprehensive Legal Encyclopedia published by Legal Arabic Academy as a soft copy and updated through the internet beside accessing the entities websites and reviewing the mentioned regulations.

Analyzing the interconnections and relationships during the planning management process will depend on existing analyzed case studies carried out in other researches and on analyzing the provided framework in the previous chapters from this dissertation that relies on legislations.

## **1.5 Urban Policies and Programs**

This part provides an overview on some of the spatial policies regarding urban and housing sector, the government of Egypt (GOE) has a number of sectoral policies in addition to the new urban communities strategy, rather than a unified or an official urban strategy (World Bank, 2008, p. 54). New communities in the desert attempts to offer solutions for the urban challenges in the existing cities, resulting in different results than expected since it's initiating in 1970s.

### 1.4.1 National Policies

#### **National Urban Policy Study**

MHUUD<sup>4</sup> held a study called National Urban Policy Study funded by USAID in 1980-1981, which is counted as the only attempt to study the urban sector completely without sectoral distinguish. Resulting in a 25 working papers introducing recommendations for urban strategies promoting economic growth, living conditions, agriculture land protection, population growth limitation, improving urban development methods. Main recommendations involve supporting, strengthening and investing in the existing regions and cities; Cairo, Alexandria, Suez Canal cities and Upper Egypt towns as well as improving institutional framework and offering lands to encourage manufacturing. The study recommendation mainly focused on the existing towns and did not recommend developing new cities in the desert regions with utmost regional development significance (World Bank, 2008, p. 54). The Ministry did not implement national urban policy study recommendations.

### 1.4.2 Housing Policies and Programs

#### ***Ibni Baytak* Build Your Own House Program**

MHUUD formulated this program during the former president Mubarak re-election campaign. GOPP prepared plans for 50 areas to deliver 90,000-land plot for citizens, MHUUD provided contracts for citizens who applied to participate in the program (GOPP, 2012, p. 41). The sites are provided including services for citizens to build a standard unit of 63 square meters, with cash subsidies depending on the construction progress (Sims, 2012, p. 163).

#### **National Housing Program**

The government aimed to provide affordable housing located in new towns and governorates and to be managed by MHUUD. In 2005 the program was announced to build and distribute 500,000 units of 63 square meter or 40-35 square meters for rentals. Private sector participates in financing and constructing these units (Sims, 2012, p. 162).

#### **Social housing**

The program objective is to offer for the low income within five years one million housing units (400 thousand units in new cities and 600 thousand in governorates), the apartments areas provided by GOPP are 50 and 70 m<sup>2</sup> (GOPP, 2012, p. 43).

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<sup>4</sup> Named in 1980 Ministry of Reconstruction, Housing and Land Reclamation

### 1.4.3 Desert Policies

Satellite towns launched in 1974-75 aiming to attract populations industry and the interest of public and private investments. First generation towns<sup>5</sup> planned to function as independent city, offered tax-free and cheap prices for industrials lands with long installments periods, as well as developing workers housing. In mid of 1980s second generation was introduced to function as satellite cities surrounding greater Cairo, in correspondence with the third generation<sup>6</sup> functioning as sister or twins towns to provincial cities.

The second generation of new cities started attracting inhabitants after upgrading infrastructure to meet the private sector needs, i.e. new Cairo, the Sheikh Zaid and parts of 6<sup>th</sup> of October. However these settlements didn't fulfill the targeted populations (Slum Upgrading Up Close Experience of Six Cities , 2008, p.15).

#### **Desert Urban Development**

Beside the new urban communities development in the desert, other communities were developed by governmental entities away from NUCA including residential and industrial usages. State Housing Companies, Armed Forces and Ministry of Interior are developing project in the desert, which are not included in the official master plan for greater Cairo. GOPP states that these developments are more than 11 large desert lands extending 282 km<sup>2</sup>.

#### **El Zahiir El Sahrawi The Desert Backyard**

MHUUD initiated this new concept to use areas surrounding the cultivated Nile valley lands within 5 km by reclaiming the land and constructing new communities. Existing communities fronting desert lands has been reclaiming lands informally for decades along the desert border (World Bank, 2008, pp. 57,58).

### 1.4.4 Unplanned / Informal development Policies

In parallel two policies were adopted for informal settlements, one of them is demolition and the other is development. USAID, Japanese development agencies, the British, German governments and others supported upgrading plans and initiatives. Development plans includes an important key for the government, which is widening streets to access the settlement through administrative entities involving police, fire stations as well as local administrative units controlled and regulated by the state (Singerman, 2009, pp. 134,135). The development includes infrastructure (water, electricity and sewers) connections paid by the residents. In some cases the residents

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<sup>5</sup> Tenth of Ramadan, Sixth of October, El Sadat, El Obour, El Badr and New Ameriya

<sup>6</sup> New Assiut, New Thebes, New Minya, etc.

are already connected to these utilities yet they have to contribute again in the new installed grids (Singerman, 2009, p. 136).

Another point of view of policy makers, supports preventing installation of public utilities in order to make the clearance and demolition of the informal settlements easier (Singerman, 2009, p. 137).

### **Tahzim (Controlled Expansion) Policy**

General organization for physical planning (GOPP) initiated a policy to control the expansion called *Tahzim* in 2007, in Cairo, Alexandria, other small cities and towns. The policy aims to limit the expansion of the informal planning, illegal construction as well as providing houses and services that serves the existing informal area. Proposed contamination border identifies the available agriculture and desert land for preparing the master plan (World Bank, 2008, p. 14).

According to the Egyptian policy, urban expansion on the agriculture was strictly prohibited. Nevertheless the controlled expansion concept allows a controlled amount of building on the agriculture land, as these lands are close to the informal areas (World Bank, 2008, p. 14). Since 1970, the Egyptian government didn't initiate any projects on privately owned agriculture lands. Which creates a new experiment in managing and dealing with the procedures of the development and this radical departure necessitate trials and error flexibility (World Bank, 2008, p. 15).

GOPP prepared detailed plans following controlled expansion policy for more than 4000 acres, the project aims to accommodate six hundred thousand residents and twenty five thousand job opportunities. The planned area provides tenure security instead of building informally on the agriculture land and prevents further expansion (GOPP, 2012, p. 39). In the unified building code article No. 14 and 15 states that the detailed plans shall be prepared by the governorate in each level, however in the controlled expansion policy the GOPP is the one preparing the plans.<sup>7</sup>

#### **1.4.5 Relocation policy**

In 1960, Gamal Abd Al-Nasser built the first *masakin sha'biya* popular public housing hosting the evacuated inhabitants because of the public projects. Collapsed and unsafe houses inhabitants were also relocated, in fact the government provided low quality housing with mutual sanitary and one room per family and these houses are still used by the transferred families. In 1980, Egyptians living in historic monuments were also evacuated and supported by relocating them in areas far from Cairo center. Several events occurred like the ring road construction in 1990, the fire in Qal'at Al-Kabsh in 2007 and the collapse of Muqattam cliff in 2008. These events resulted in relocating the occupants from their residence location (Florin, 2009, pp. 293,294). Moving inhabitants from the city to desert periphery is a common act by the Egyptian government were

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<sup>7</sup> Annex

there is lack of services, transportation and job opportunities resulting in difficulties in commuting to the city and living an adequate life.

#### 1.4.6 Agriculture Policies

In 1978 GOE prohibited urbanization on agriculture land through issuing several decrees, even though the process of constructing on the cultivated land continued. In 1996 the military issued a decree stating that lawbreakers shall be presented under summery judicial courts, which worked for several years efficiently and its effectiveness declined afterwards until it was canceled in 2004 (World Bank, 2008, pp. 62,63).

#### Land Reclamation

MHUUD, MODMP and Ministry of Agriculture and Land Reclamation formed several programs to reclaim desert lands. Land reclamation programs was intended to serve as a part of regional schemes anticipating population movement to the reclaimed lands in accordance with other economic activities serving them. However the planned population movement didn't fulfill the agriculture, economic or housing expectations. Since individuals land reclamation activity was relatively small and the majority was sold to private investors that use irrigation technologies, which doesn't demand many labor force for agriculture activity. Resulting in a small number of workers moving to these areas and contradicting with the expectations of the government planners for reaching a notable population movement. (World Bank, 2008, p. 62).

#### 1.4.7 Environmental Policies

In 1997, Cairo governor claimed that the environment agenda includes demolition of thirteen informal areas and turning them into green space (Bell, 2009, p. 349; Abdel Akher 1997). "The governor included this policy as part of the environmental 'clean up' of Cairo" (Bell, 2009, p. 352). A political dimension interfered in using the environmental term in different cases, first concerning building a road to link the Cairo with the 6<sup>th</sup> of October city were informal settlements blocked the way and had to be demolished. Second, eviction from old Cairo for touristic purposes, third case concerning the intention of evacuating Waraq and Dahab Nile islands before the Egyptian revolution. The informal settlements areas became a 'contested space' as the state desired different usages for their locations using the environmental policy and inadequacy of the settlements as a tool (Bell, 2009, p. 354).

According to law No. 4/1994 concerning the Environment protection, any new establishment, projects, expansions or existing of new establishments must be subject to Environmental impact Assessment (EIA) before issuing a permit.



#### 1.4.8 Local Level Policies

##### **Shorouk National Program for Integrated Rural Development**

Organization for reconstruction and development of the Egyptian village (ORDEV) developed *Shorouk* program aiming to develop the rural areas and meet the urban areas standards. Throughout utilizing the local resources, increasing job opportunities by diversifying the local economic development, developing the public utilities services and developing the efficiency of local institutions. Accomplishing the programs goal depends on decentralization and public participation in all qualities of life at the rural communities level. Until 2017, 267 billion L.E is the assessed investment, “it is assumed that one third of the required investment will be financed through government budget”. One third of the program investments are to be oriented towards infrastructure, one forth to institutional development and the rest to economic development projects.<sup>8</sup> (ILO , 2004, pp. 25, 26)

#### 1.6 Planning Approaches

##### **Strategic planning**

The word “Strategy” was originally driven from the military use to put a plan for what must be done to win the war. Basically strategic planning is about reaching an organization long-term target by identifying certain decisions and activities (Routledge,2005).

According to the Egyptian building law **Strategic Plan** is defined as *the plan that determines the prospective vision of the urban development whether at the national, regional or governmental level as well as the city or village level. Such plans shall further identify the goals, policies, socio-economic development plans, urban environment necessary to realize the sustainabl development, future needs for the urban expansion, use of different lands, implemntation programs, priorities and mechanisms and sources of finance at the planning level* (Article 2 Law 119/2008).

- **National Strategic plan**

According to the Egyptian building law **The National Strategic Plan** is *the plan that sets out the urban developing goals, policies and programs for the whole area of the republic. It further indicates the national projects to be implemented, phases of implementation and role of both the public and private authorities in such implementation* (Article 2 Law 119/2008).

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<sup>8</sup> Annex



The deficiency of coordination between different plans on the different levels led to elaboration of a national strategic plan. Subsequently it can help to rapid the urbanization process in the desert along development corridors branching from the Nile valley towards the east and west and along the coastal areas.

#### ▪ **Regional Strategic plan**

According to the Egyptian building law **The Regional Strategic Plan** is *the plan that sets out the urban developing goals, policies and programs for each economic region, it further indicates the regional projects to be implemented, phases of implementation and role of both the public and private authorities in such implementation with the framework of the national strategic plan.*

#### **Incremental planning**

Incremental planning method means that the public policy is suited to address the situations gradually rather than holistically and comprehensively. Incrementalism was advanced as a substitute to comprehensive planning method. Comprehensive planning necessitates identifying the causes of the situation and all the possible options to resolve it. Nevertheless public policy making are not agreeable to this approach due to the time factor, insufficient material and resources. While policy makers are normally interested in results that corresponds to political objectives rather than comprehensive studies. It is hypothesized that they prefer incremental method as it minimizes the loss if an error occurred. Following this approach might be less efficient in facing challenge, for instance poverty suppression could not be solved using incremental approach. (Routledge, 2005)

#### **Participatory planning**

This planning approach is based on the idea of including the community members partly or entirely in the planning and decision making process (Salem, 2007, p. 16 : Hamdi, 1997). Community members or stakeholders refers to different categories of parties including inhabitants, civil society and private businesses. (Tadamun, 2014)

#### **Comprehensive planning**

An approach that tries to provide integrated solutions using the master plan, the plans comprises land usage future planning. The method of the comprehensive planning seems to include several dimensions (economic, social, urban, resources and environmental) (Salem, 2007 : Levy, 1999, p. 85).

#### **Planning approaches used by GOE**

GOPP switched from the **Comprehensive Planning** to **Strategic Planning** as the government orientation is changing towards **Participatory Physical Planning**, and applying decentralization in the local urban planning units. The United Nations program for human settlements supported GOPP. First steps taken were formulating the reference principles for preparing the strategic urban plans for villages in the whole country. “**The strategic planning for Egyptian villages**” program started in 2005, more than 4200 village (any rural unit includes a main village and number of *EIKAFR*) were prepared and approved until 2012 (Mohamed Nada, 2012, p. 6).

The report claims that preparing the strategic plans for villages was a tool to change the way of the planners approach to a **Participatory Planning** which is a down – top method. Since the preparation phase included a big number of consultants, local universities and consultants’ offices. Nevertheless the strategic plans of the villages’ budgets proposed wasn’t included in the general plans of the state budget, since providing the GOPP with the financial data wasn’t mandatory. Many proposed projects were not implemented which limited the practice in providing a vision, implementing the public participation process and determining the villages possession only, without moving to the projects implementation phase proposed in the plans (Mohamed Nada, 2012, p. 6).

“**Strategic planning for Egyptian towns**” program implementation started by GOPP. Despite the development of the planning thought in preparing strategic plans for towns, the challenge of linking the **Strategic Planning** with the budget and implementing the projects still occurs. Evaluating the **Strategic Planning** process for cities proposed that these plans should include preparing plans for private investments implementation. One of the main tools for assuring the **Local Strategic Planning Process** is to train and spread the awareness between decision makers, implementers and elected councils on the city level. Improving the planning units capacities in the governorate level is recommended to increase their performance in preparing the plans. Revising the plans regularly helps in gathering the stakeholders involved in local planning and updating the land usage and other dynamic urban information (Mohamed Nada, 2012, p. 6).

After working with the strategic planning approach, the **law number 119 year 2008 in the building code** was issued to identify the different levels in the **Strategic Planning**: regional level, local level including cities and villages. The third chapter is covering the details of **Strategic Planning** for cities and villages and its results. Hence the systematic strategic planning became the methodology used in physical planning (Mohamed Nada, 2012, p. 7).

In March 2011 the Egyptian government started through Ministry of Planning and international cooperation in reconsidering the planning system to transform it into **Participatory Planning** during preparing the yearly investment plans for the country. The economic and social 5 year-plans preparation phase is being developed to include the private sector and the civil society in identifying the short and long development vision. However since there is no link between the 5 year plan, investment yearly plan and **Strategic Plans** on all levels, in addition to the lack of connectivity between the

planning system and the available funding present through the state budget. These obstacles are the challenges confronting the decision makers (Mohamed Nada, 2012, p. 7).

New urban communities authority followed the **Comprehensive Planning Method** in planning all the “first, second generation” of the new cities and the “first settlement” planning located around greater Cairo region (Salem, 2007, p. 129).

Followed planning procedures started by collecting data and doing the sectoral studies for the new city (social studies – economic – environmental - infrastructure – transportation and roads – energy resources). Afterwards analyzing the situation and putting complete different alternatives to evaluate and choose the most suitable alternative. To achieve the economic and social plan according to the state general policy (Salem, 2007). The output of this process is a general plan that determines land uses for a period that reaches 20 or 25 years, and the population, services and industrial usage during the different development phases for the city. The general plans are divided into execution phases (Salem, 2007, p. 130).

NUCA exclusively followed the **Incremental Planning Method** instead of **Comprehensive Planning Method** during planning the sixth settlement *ElSheikh Zayed* according to their reports for planning the settlements No (6A), (6B). The report mentions that using the **Incremental Planning Method** permits experimentation with the least losses possible during the first phases for the new settlements. However it is mentioned earlier that a general plan for each settlement is already set and divided into execution phases, in addition to a detailed planning for each settlement. The procedures implemented during this case is not following the **Incremental Planning Method** as mentioned for the following reasons:

- The technical output for (6A) , (6B) is a general plan that illustrates land uses for twenty years.
- Incremental Planning Method is supposed to have a reaction according to the action taken in the planning, however in *ElSheikh Zayed* case it was planned from the beginning.

To implement the **Incremental Planning Method**, the procedures were supposed to start planning the first phase for each settlement within different alternatives for the development of this phase. According to different expected scenarios, according to the assumed relation between the new settlement and Cairo, and the private investors willingness to invest in this settlement (Salem, 2007, p. 131).

## 1.7 Strategic planning

### 1.6.1 General strategic plans

General Organization of Physical Planning (GOPP) prepare the strategic plans of the national, regional urban development as well as the governorates plans, in accordance with the studies conducted by the organization, competent bodies and consideration of military requirements for safety. Means, rates and standards for following up the plan realization are determined in the urban plans criteria prepared by the GOPP.

Supreme Council for Planning and Urban Development shall approve the strategic plans of the national, regional urban development as well as the governorates plans (Article 10 No.119/2008).

The Supreme Council for Planning and Urban Development may be a causative decree that realizes a national purpose –apply or exempt all or any building provisions mentioned in the general strategic plan on a specific building, city, are or parts thereof (Article 17 Law 119/2008).

### General local strategic plans

The governorate executive council in coordination with the General Administration for Planning and Urban Development through the latter regional centers prepare the local urban goals and policies at the governorate level, in pursuance of the needs determined by the local popular council of the governorate and within the framework of the national and regional goals and policies (Article 9 No. 119/2008).

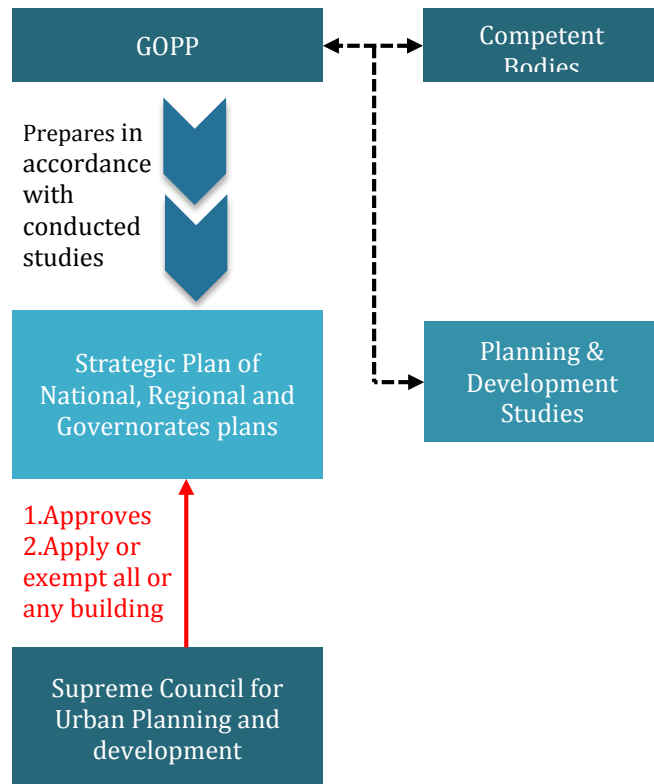
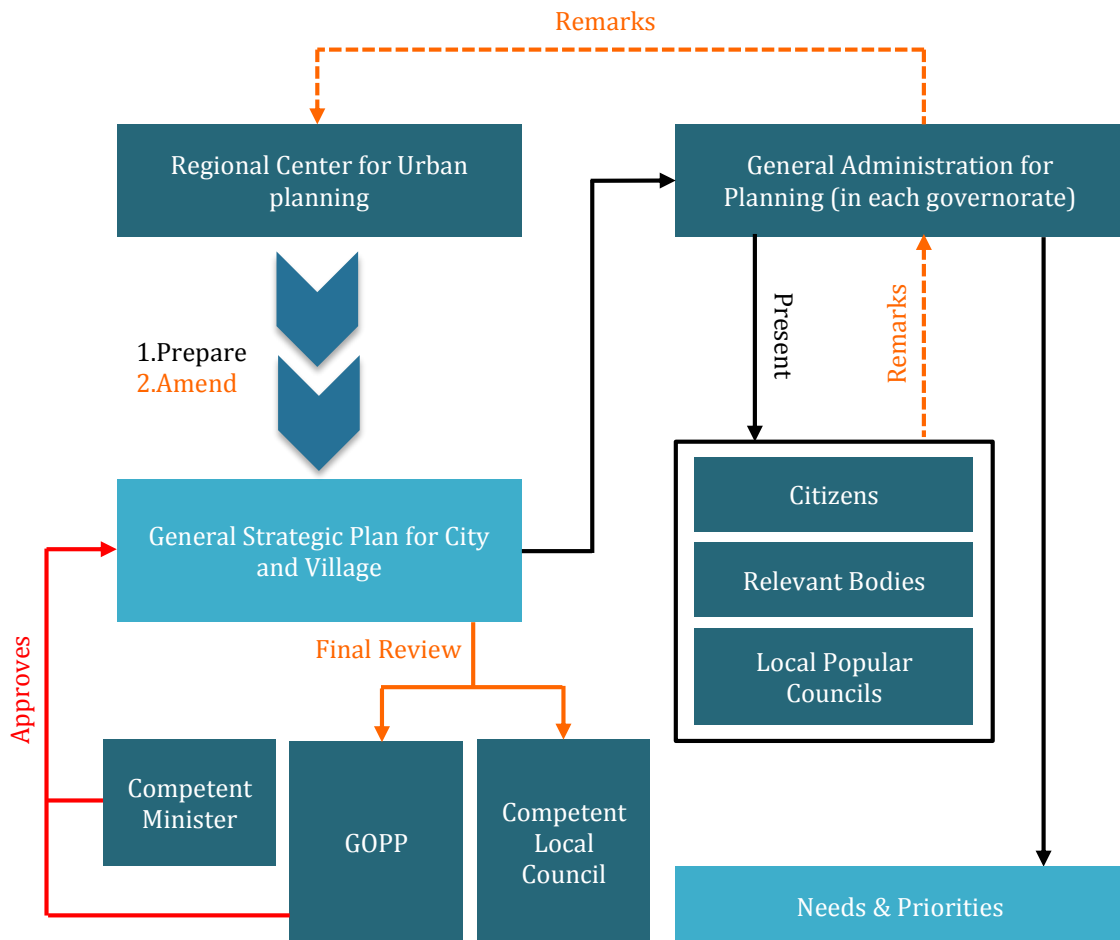


Figure 1 National, Regional and Governorate Strategic Plans Preparation Process

Source: Own Illustration based on Law 119/2008



**Figure 2 General Strategic Plans for City and Village (Local Level)**  
 Source: Own Illustration based on Law 119/2008

The General Administrations for Planning and Urban Development at the governorates according to the criteria of the urban plans prepared by the General Administration for Planning and Urban Development and in cooperation with the competent local unit, local popular councils, competent executive bodies and representatives of the civil society; identify the needs and priorities of the urban development at the local level within the framework of the local and regional goals and policies and propose the necessary projects and work plans of such.

The regional centers for urban planning and development shall undertake to prepare the city and village general strategic plan<sup>9</sup> project through experts, consultants specialized

<sup>9</sup> It is the plan of the city or village that identifies the future needs of the urban expansion, projects and plans of the socio-economic development and the urban environment needed to realize the sustainable development at the local level within the framework of the future vision of the governorate plan that includes the city or the village. It further defines the urban area of the city or the village, uses of different lands, planning and building requirements within the urban area, implementation programs, priorities and mechanisms as well as the source of finance (Article 2 Law 119/2008).

engineering, consultancy bodies and offices registered at the General Administration for Planning and Urban Development (Article 11 Law 119/2008).

General Administration for Planning and Urban Development within the local unit present the general strategic plan project and receives remarks from citizens, relevant bodies and local popular councils (Article 12 Law 119/ 2008). Afterwards the Regional Center for Urban Planning and Development conduct the preliminary technical review of the plan according to the expressed remarks and shall carry out necessary amendments as per the executive regulations (Article 12 Law 119/2008). At the end the GOPP perform the final review of the draft plan and approve the same, while the competent minister<sup>10</sup> or representative shall grant such approval thereof after submitting the same to the competent local council (Article 12 Law 119/2008).

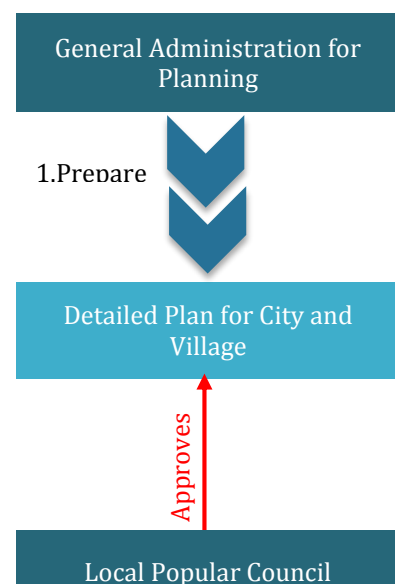
Beside the mentioned process for planning on the local level, executive regulation for law 43/1979 article 7 states that the governorate is responsible in the housing, urban and facilities sector to propose urban planning projects within its scope and approving the plans and public projects related to housing, construction and facilities.

### Detailed plans<sup>11</sup>

The General Administration for Planning and Urban Development in the governorates prepare the detailed plans for cities and villages based on the general strategic planning and approving it according to the provisions of this law and its executive regulations (Article 14-15 Law 119/2008).

A decree by the competent governor approving the detailed plans for downtown, re-delineation, unplanned industrial, artisan and urban expansion areas and those of peculiar value shall be issued, after the approval of the local popular council at the governorate (Article 16 Law 109/2008).

The provisions listed in the general and detailed strategic plans of the cities and villages shall be deemed binding building provisions as those stipulated with regard to the regulation of building works. The local units shall ensure the application of the provisions contained in all plans. Local units are not allowed to issue a site or building license in the



**Figure 3 Detailed Plans for City and Village**  
 Source: Own Illustration Based on Law 119/2008

<sup>10</sup> Competent minister is the minister of Housing, Utilities and Urban Development wherever mentioned in the unified building code 119/2008 (Article 2)

<sup>11</sup> It is the executive plan of building and planning requirements, implementation programs of the areas of lands allocated for use and infrastructure at the general strategic plan approved for the city or the village that includes all projects of comprehensive development in terms of the urban design, land division or sites coordination proposed to be implemented in the general strategic plan (Article 2)

absence of an approved detailed plan, without prejudice of to the provisions of article 15<sup>12</sup> (Article 17 Law 119/2008).

### **Land division<sup>13</sup>**

The **Competent Governor** shall-upon the proposal of **GOPP** issue a decree approving land division projects and conditions thereof. Including the commitment to implement the internal public utilities or the amendment of such projects or those established within the scope of the urban area of the city or village. Without prejudice to the planning and building requirements approved in the general strategic or detailed plan (Article 20 Law 119/2008).

No amendment may be allowed in an approved or existing division except after approving such amendment according to the terms and conditions in the law and its executive regulation (Article 21 Law 119/2008). Same provisions and procedures of land division shall apply on the division projects at the industrial and artisan areas (Article 23 Law 119/2008).

### Re-delineation areas<sup>14</sup>

Administrative body authorized with planning and organization<sup>15</sup> shall announce the re-delineation areas as identified by the general strategic or detailed plan as areas subject to land uses alteration. The procedures for identifying such areas are listed in the executive regulations.

The **Competent Governor** shall issue a decree stating such areas that are deemed of a special nature- and procedures to be followed together with identifying the priorities of preparing the renovation and improvement projects at such areas (Article 24 Law 119/2008).

### Unplanned areas<sup>16</sup>

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<sup>12</sup> Annex I

<sup>13</sup> Division of land parcel into multiple plots (Article 2 Law 119/2008)

<sup>14</sup> *Areas that need to be renovated and improved, such areas shall be identified in the city or village general strategic plan including:*

- *Areas or regions of high building density where most of its buildings are worn out and need replacement through re-planning and construction.*
- *Areas or regions of some worn-out buildings that lack basic utilities and services, such buildings do not need to be completely replaced. Instead, that buildings or parts thereof will need to be replaced to supply the basic utilities and services in a view to improve or upgrade the said areas or regions. (Article 2 Law 119/2008)*

<sup>15</sup> The authorized administration is not specified, and several administrative bodies are involved in planning and organization

<sup>16</sup> *Areas erected in violation of the laws and regulations of planning and building, and it shall be identified in the general strategic plan approved for the city or village. (Article 2 Law 119/2008)*

The administrative body authorized with planning and organization<sup>17</sup> shall announce the unplanned areas-identified in the general strategic or detailed plan as being areas subject to improvement and development. Bases for identifying such areas and way of dealing with them are listed in the executive regulations (Article 25 Law 119/2008).

The administrative body authorized with planning and organization shall in cooperation with the local popular council and civil society representatives, identify the most important projects required for the improvement of the area. In addition to determining priorities thereof in light of the state financial resources allocated for such purposes as well as the resources available from local contributions or any other bodies (Article 25 Law 119/2008).

The administrative body authorized with planning and organization shall design the development and improvement plan for the area. The same steps followed in the preparation and approval on the detailed plan shall be followed in preparing and approving the improvement plan for the unplanned area (Article 25 Law 119/2008).

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<sup>17</sup> ISDF was established through a presidential decree it is responsible for preparing plans for informal areas, however several other entities are authorized with planning and organization.



# CHAPTER 2: Central Institutions Relevant To Urban Planning And Affiliates

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## 2. Central Institutions Relevant to Urban Planning and Affiliates

This chapter describes the existing ministries involved in physical planning system and their affiliates responsibilities, regulatory framework and organizational charts. Ministries follow the central government and elected president appoints the ministers under the parliament supervision (Shawkat, 2013, p. 15).

Planning levels starts at the national level then it cascades down to regional and local levels, these plans provides guiding instructions and objectives for the following plans. Which is then reflected on the different sectoral activities and observed as the cause of their success or failure. Central institutions and their affiliates start developing their own plans and programs according to the objectives identified in the five-year plan (Salheen & El Khateeb, 2008 , p. 4).

### 2.1 Prime Minister

#### 2.2.1 Supreme Council for Planning and Urban Development

Supreme Council for Planning and Urban Development is established to have a public juristic personality and a domicile at Cairo city. Such council is set up under the presidency of the prime minister, the membership of the competent ministries, heads of bodies authorized with the urban development and uses of state lands, ten experts specialized in relevant issue. The constitution of the council and lay down of the statute therefor shall be made upon a decree by the president of the republic (Article 3 Law 119/2008).

#### Responsibilities

- Approve the general goals and development as well as the civil coordination at the national level
- Coordinate between the ministers and bodies authorized with urban development and uses of state lands to laydown and implement the national

strategic plan

- Propose and express the opinion in draft laws related to urban development.
- Evaluate the general results of implementing the national strategic plan as well as the regional strategic plans and enable development partners to carry out their roles and responsibilities in order to realize the national goals
- Approve the identification of the re-delineation areas and approve their plans, implementation programs, priorities and mechanism in addition to sources of finance thereof according to the proposal of the competent governor
- Adapt and approve execution plans, programs, priorities and mechanisms and sources of financing for the new urban development projects established outside the urban area of the city or the village, according to the strategic plans of the governorates and regions approved by the national strategic plan (Article 4 Law 119/2008)
- Approve general polices and plans identified by the national agency for civil coordination NACC (Article 29 Law 119/2008)
- Issue a decree upon the bases and requirements of preserving areas, buildings and establishments of distinct value prepared by the NACC (Article 32 Law 119/2008)
- Issue a decree specifying areas of distinct values according to NACC proposal (Article 33 Law 119/2008)

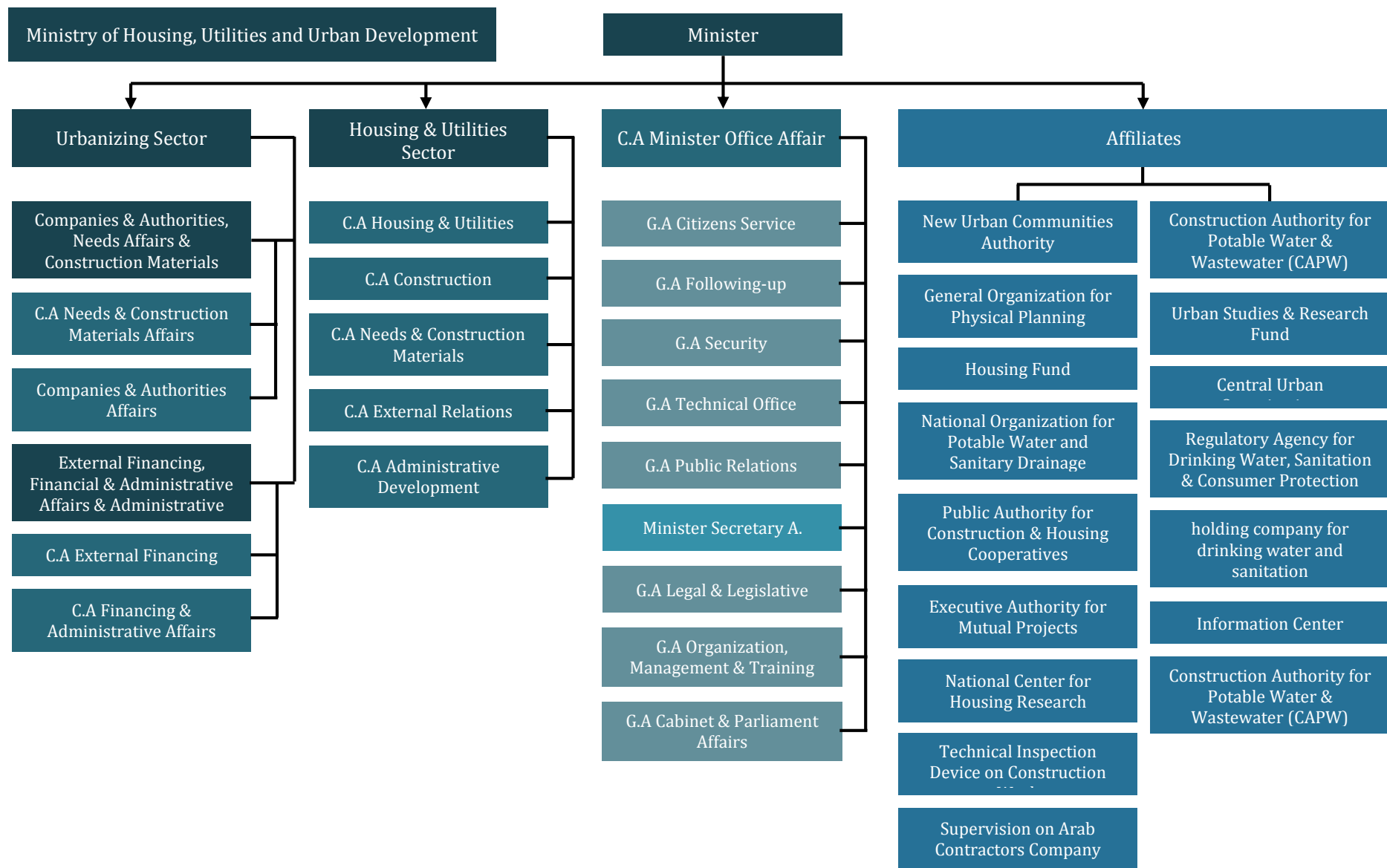
## **2.2 Ministry of Housing, Utilities and Urban Development (MHUUD)**

MHUUD is concerned with the economic, urban and social development (Ministry of Housing , 2010)

### **Responsibilities**

- Drawing housing and urban development polices
- Preparing plans and programs within the national policy framework
- Supervision of urban planning activities and projects in governorates, towns and villages within the national policy
- Preparing plans and executive programs for drinking water and sewage, identifying the standards and technical conditions and supervising their execution during the design, execution, operation and management phase
- Studying and preparing the general regional planning for regions with economic and social priority according to the cabinet decision about the projects included in the planning
- Studying and preparing urban development plans for cities, villages, new communities and desert by means that ensure benefiting from the geographical location and environmental capacities, as well as supervising the plan and overcoming the technical and financial obstacles

- Preparing technical and applied researches in the different majors related to the Ministry
- Setting criteria and patterns for the housing sector including designing principles, execution regulations for construction work according to law and decrees issued in this regard
- Setting the designs needed for the public and housing buildings, following up the supervision and suggesting the general policy regarding the building maintenance
- Conduct needed studies for investing Arab and Foreign money included in the expertise scope of the Ministry.
- Organize and coordinate between the activities of authorities and bodies working in the housing, utilities and urban development field and organizing the participation in local and international meetings and conferences
- Setting training programs for the specialty fields in the Ministry
- Draw the general policy to stimulate the cooperative sector
- Providing assistance and monitoring the cooperative housing societies
- Providing assistance and follow up in all fields for local units, as well as examining the technical planning and organizational work in the units. (Ministry of Housing , 2010)



**Figure 4 Ministry of Housing, Utilities and Urban Development Organization Structure**  
 Source: (Ministry of Housing, Utilities and Urban Development , 2014) (El-Azim & Alam , 2000)

### 2.1.1 General Organization for Physical Planning (GOPP)

Established according to presidential decree No. 1093 year 1973 (GOPP, 2012, p. 4). GOPP is a state body authorized with mapping the general policies of the sustainable urban planning and development, preparing plans and programs of such development at the national, regional and governmental level. Together with reviewing and approving the urban plans at the local level within the framework of the national, regional and local goals and policies for sustainable urban planning and development.

The authority shall verify the implementation of such plans and programs pursuant to the referred to goals and policies. The authority shall further report to the competent minister in this regard to be then presented before the Supreme Council of Planning and Urban Development (Article 5 Law 119/2008).

#### Responsibilities

- Set out the national program for preparing the urban development strategic plans at its different levels
- Prepare the urban development strategic plans at the national, regional and governmental levels in addition to the general strategic plans for cities and villages
- Review, approve and follow up the implementation of the general strategic plans for cities and villages and urban area thereof
- Prepare the specialized sectoral researches and studies on urban planning and development
- Prepare urban plans criteria and monitor their implementation
- Organize the exercise of the urban planning and development
- Develop and improve the abilities of urban planning departments at the local units
- Improve the implementation mechanisms of the strategic plans at its different levels along side with the detailed plans
- Evaluate and update the data and urban indicators in coordination with data center at different levels
- Propose and express the opinion in laws, regulations and decrees regulating the urban planning and development (Article 6 Law 119/2008)
- GOPP is mandated to enhance the local communities to identify the main concerns and coincide on the development plan. Including encouraging the participatory planning in planning the local communities, vitalizing the local economics and aiding them in adapting sustainable development plans, programs and projects. Supervising the plans and programs during implementation is the role of the GOPP (GOPP, 2012, p. 5)

## **Organizational structure**

GOPP involves several departments specialized in different sectors including regional planning, urban planning, infrastructure, social sciences, etc. A regional center for human settlement planning and development is established following the GOPP in the seven economic regions. To enhance the authorities decentralization, the regional center overtakes the GOPP responsibilities in the economic regions (GOPP, 2012, p. 5).

# General Organization for Physical Planning

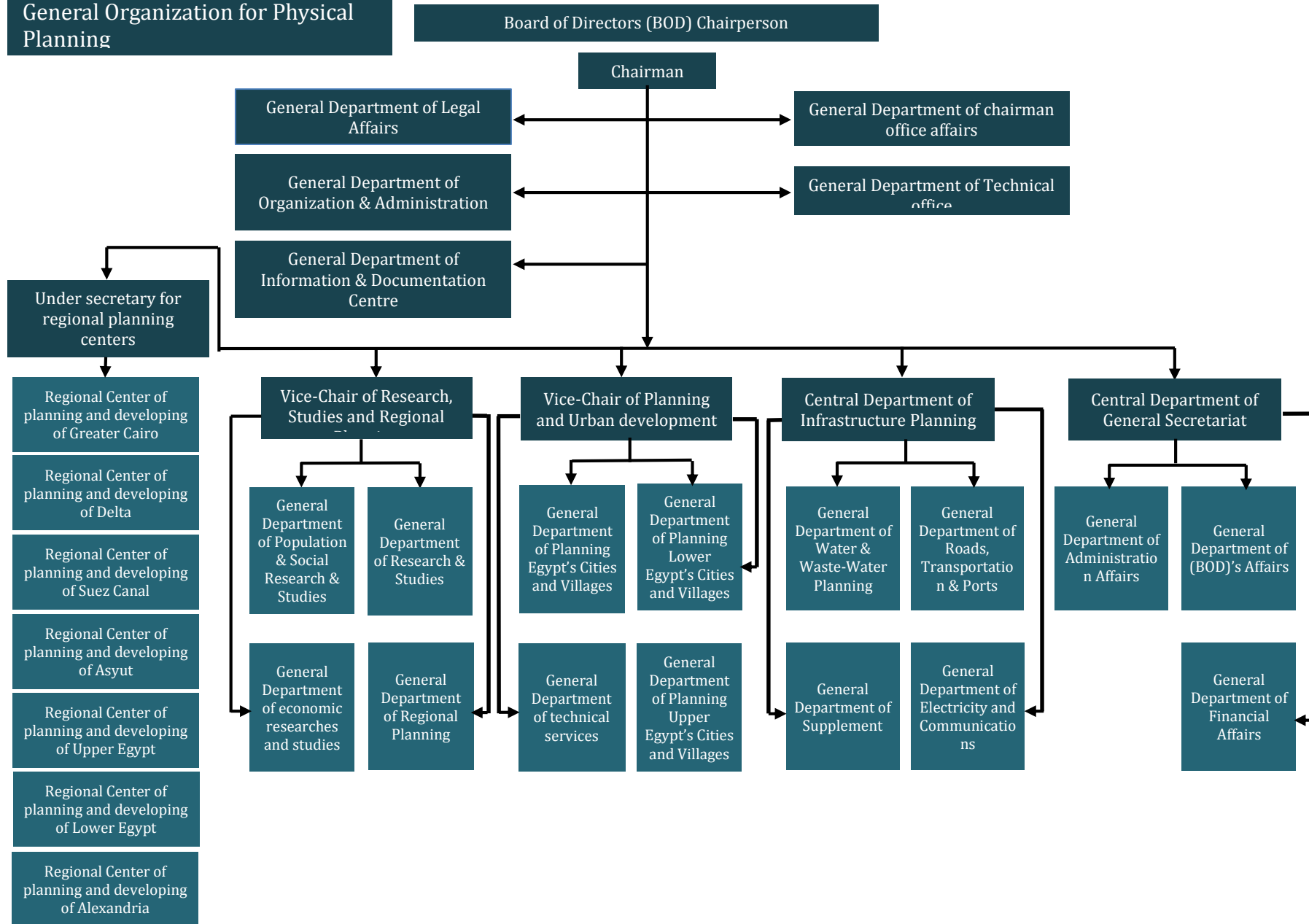


Figure 5 GOPP Organization Structure  
Source: (GOPP, 2012)

## Regional Center for Urban Planning and Development

### Responsibilities

At each region, Regional Center for Urban Planning and Development following the General Organization for Physical Planning shall be founded to carry out the competences of the authority in the region. Such regional centers shall further provide the technical support for the urban planning and development general administrations at the region governorates. Also those centers are assigned to follow up the preparation and implementation of the cities and villages plans at such governorates. The competences of such centers shall be issued by decrees by the competent minister (Article 7 Law 119/2008).

The Regional Centers for Urban Planning and Development is responsible to prepare the general strategic plan project for the city or the village. Afterwards the general administration for planning and development in the concerned governorate receives notes from citizens and relevant stakeholders. Subsequently the regional center reviews the notes and carry out the necessary amendments (Article 11,12 Law 119/2008).

#### 2.1.2 Urban Studies and Research Fund

Authority responsible for delegating and supervision of preparing projects related to urbanism including economic, social and technical issues. The research fund provides technical and consultancy experience necessary for development and feasibility study. Besides executing decrees and recommendations of the **consultant urban committee** in the following expertise:

- Preparing technical studies for new urban communities location in coordination with concerned authorities in the state
- Proposing financial resources for studies and setting the spending policy according to priorities
- Held competitions between consultant offices, to choose best projects
- Establishing information and documentation center (El-Azim & Alam , 2000, p. 234)

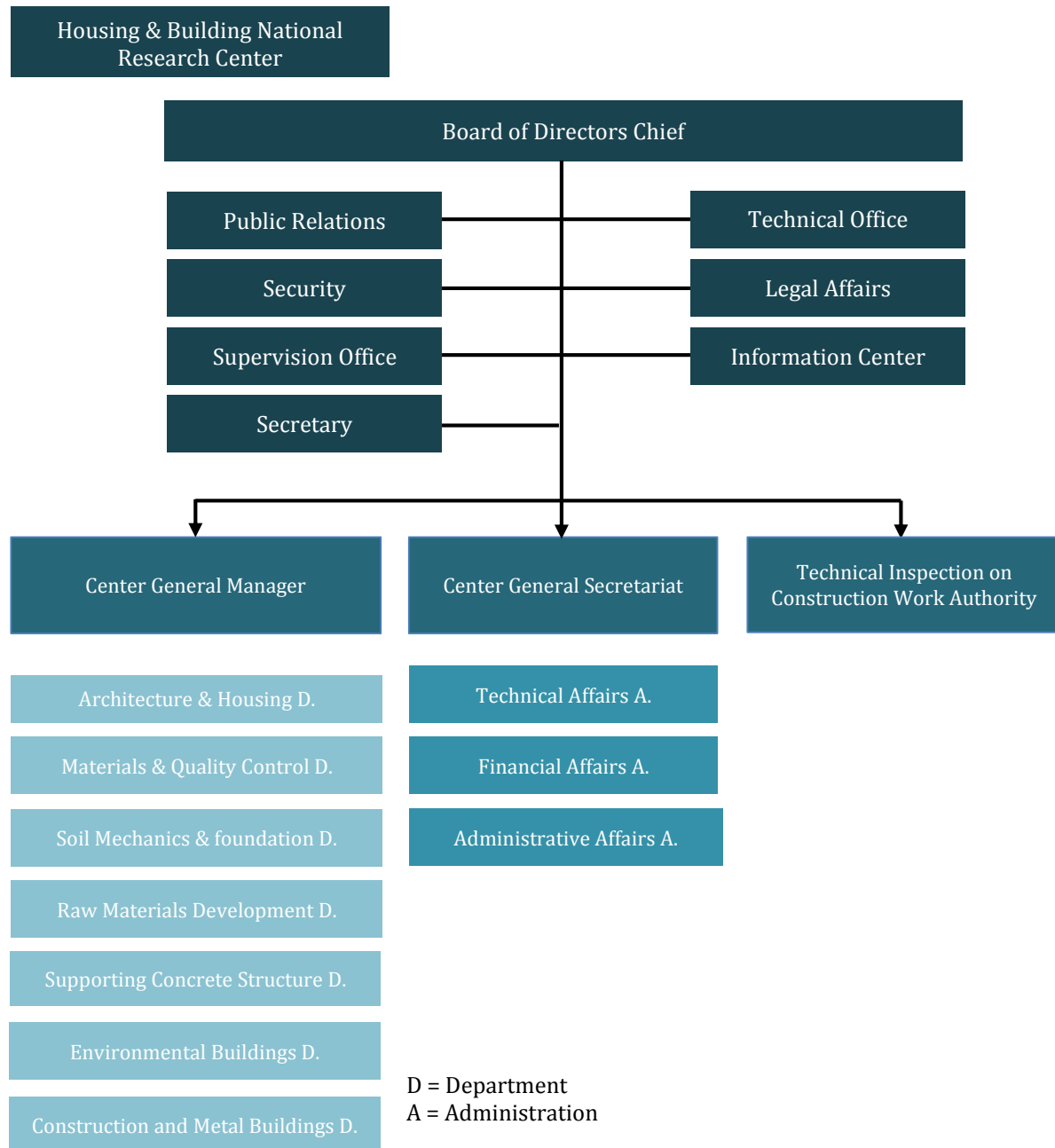
#### 2.1.3 Housing and Building National Research Center HBRC

HBRC is an independent governmental research institute, acting as a research center for planning sector and involved with GOPP in development plans and projects. The establishment is supervised by MHUUD (Salheen & El Khateeb, 2008 , p. 7).

### Financing



Financed through annual governmental fund as well as finances drawn from the joint research work done with international agencies such as UNESCO. Research studies are also held in cooperation with local agencies such as the Egyptian Academy for Scientific Research and Technology (Salheen & El Khateeb, 2008 , p. 7).



**Figure 6 Housing & Building National Research Center Organization Structure**  
 Source: (El-Azim & Alam , 2000 , p. 235)

#### 2.1.4 New Urban Communities Authority (NUCA)

NUCA has a juristic and independent personality, subject to the provisions of the law on public administration (Article 27 Law 59/1979). The authority is the states machinery responsible for establishing the new urban communities (Article 2 law 59/1979) and preparing relevant general and detailed plans in accordance with the state general plan (Article 7 law 59/1979). Until the new urban community is handed over to the local government as stated in article 50<sup>18</sup> in law 59/1979, it shall have all powers, competences and financial resources prescribed by the law for local units (Article 13 Law 59/1979). It may establish agencies for the development of the new urban communities (Article 27 Law 59/1979)<sup>19</sup>.

Ministries, local units, organizations and other agencies should provide all the details, data, research and reports connected with NUCA work (Article 48 Law 59/1979).

### **Responsibilities and powers**

- Approvals and licenses required for establishment, erection, and administration and operating all activities, projects and services falling in its powers (Article 13 Law 59/1979)
- Discussing, proposing, drawing, implementing and following up the plans, polices and programs for the establishment of new urban communities. In accordance with the economic and social development plan according to the general policy of the state
- Conducting studies to select the suitable locations for the new communities
- Organizing and exchanging consultations with ministries, authorities and departments related to urbanization activities and other related field
- Following up the plans implementation for rehabilitation of new urban communities. Besides providing the financial and technical support to overcome the challenges during implementation and evaluating achievements
- Carrying out general and detailed planning for selected sites. Furthermore implementing the work through bids or through direct contracting in accordance with regulations. The authority supervise the implementation directly or the development agency in the new urban community
- Studying the best approaches for executing regional utilities and establishing internal utilities for the new urban communities. The establishments are

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<sup>18</sup> A decree of the cabinet shall be issued at the proposal of the quarter to which the authority is attached, to hand all new urban communities after completion of their constituents and basic utilities, to local government units in order to exercise their powers according to the aw on organization of local government. The decree issued according to the previous clause shall determine the rights and obligations of each of the competent authority and local unit.

<sup>19</sup> Law No. 59 year 1979 Published in official journal Issue No. 48 in 11/29/1979

executed either through the authority or the competent development agencies or by any other method the authority considers suitable

- Concluding loans or obtaining grants in accordance with regulations to assure adequate financing for projects
- Assisting in providing equipment and materials for implementing the projects (Article 28 Law 59/1979)
- Propagate for marketing of selling, leasing or using the new urban communities land
- The authority has the power to divide the new urban community into towns, villages, areas and districts. In addition to setting in advance construction conditions and descriptions to them

## **Board of Directors**

### Competences

The board has supreme control of the authority's affairs it has the power to:

- Lay the policies for new urban community establishment
- Approve the draft-planning budget and the long, medium and short-term projects plans
- Identify the most suitable design for every new urban community
- Approve the draft annual budget and the closing account of the authority
- Draw the policy for the new urban community management approaching transferring of duties to the local government units
- Approve the authority's organizational structure and establishing the development agencies of the new urban communities
- Consider the periodical reports submitted on the progress of work and financial situation
- Consider all issues within the scope of the authority's power (Article 36 Law No. 59/1979)

## **Board of Directors Membership**

The Board is membership is made up of:

- The chairman
- Members among main leadership of the authority
- Representatives from sectors, ministries and concerned departments
- A number of experts (Article 30 Law No. 59/1979)

A presidential decree appoints the chairman of the board of the authority (Article 29 Law No. 59/1979). The chairman has all same powers provided for ministers and the authority's deputy's chairman have all powers given to ministry first under secretary (Article 35 Law No. 59/1979).

A decree to form the board has to be issued by the president (Article 30 Law No. 59/1979).

Chiefs of development agencies of the new urban communities attend the board's meetings. While each of them holds a counted voting with respect to subject related to their powers (Article 30 Law No. 59/1979).

## **Chairman of the Board of Directors**

### Competences

- **The chairman is eligible to identify the regulations authority without being restricted to laws and regulations applicable to the governmental administrative agencies** (Article 39 Law No. 59/1979)
- Carrying out the decisions of the board
- Supervising the work of the authority and developing the work system
- Giving proposals on internal regulations and submitting it to board of directors
- Signing loan contracts after the approval of the board to finance the projects
- Accepting wills, grants, donations and aids after the approval of the board of directors
- Chairman of the board provides all document and details needed to the competent agencies (Article 40 Law No. 59/1979)

Decisions of the chairman are final unless the decision concerns one or more ministries, which shall be approved by the prime minister (Article 41 Law No. 59/1979)

## **Financing**

### Authority Capital

- Funds as appropriative for it by the state
- Selected lands for the establishment of new urban communities
- Other lands provided to the authority by the state
- Fixed and movable assets reverting to the authority (Article 31 Law No. 59/1979)

### Resources

- Appropriations allocated by the state
- Proceeds and returns from using lands owned by the authority
- Loans, grants, subsidies, donations and wills (Article 32 Law No. 59/1979)

The funds of the authority are considered as special funds (Article 31 Law No. 59/1979) NUCA have a special budget and annual fiscal year, while the annual surplus devolve annually to the public treasury (Article 33 Law No. 59/1979).

### **Development agencies**

NUCA may establish agency for developing the new urban community and according to each case the responsibilities and powers are identified by NUCA (Article 44 Law No. 59/1979).

### **Real Estate Sub-Committee**

The committee is formed in each urban community agency, under the presidency of the agency chairman and membership of:

- Deputies of the chairman of the agency
- Heads of financial, projects affairs, real estate, legal and development affairs (Article 5 Law 3/2001)

### **Competences**

- Determine the needs of the new urban community in relation to the different utilization of the lands, in cooperation with technical affairs to cope with the general and detailed plan approved for the community
- Distribute the activities
- Study the applicants reservation applicants and checking up their details and documents
- Recommend the allocation of lands according to the utilization in accordance with the general planning of the community
- Follow up the execution of projects to guarantee their compliance with the planning regulations and approved schedule
- Propose solutions for problems facing the urban community agencies (Article 5 Law 3/2001)

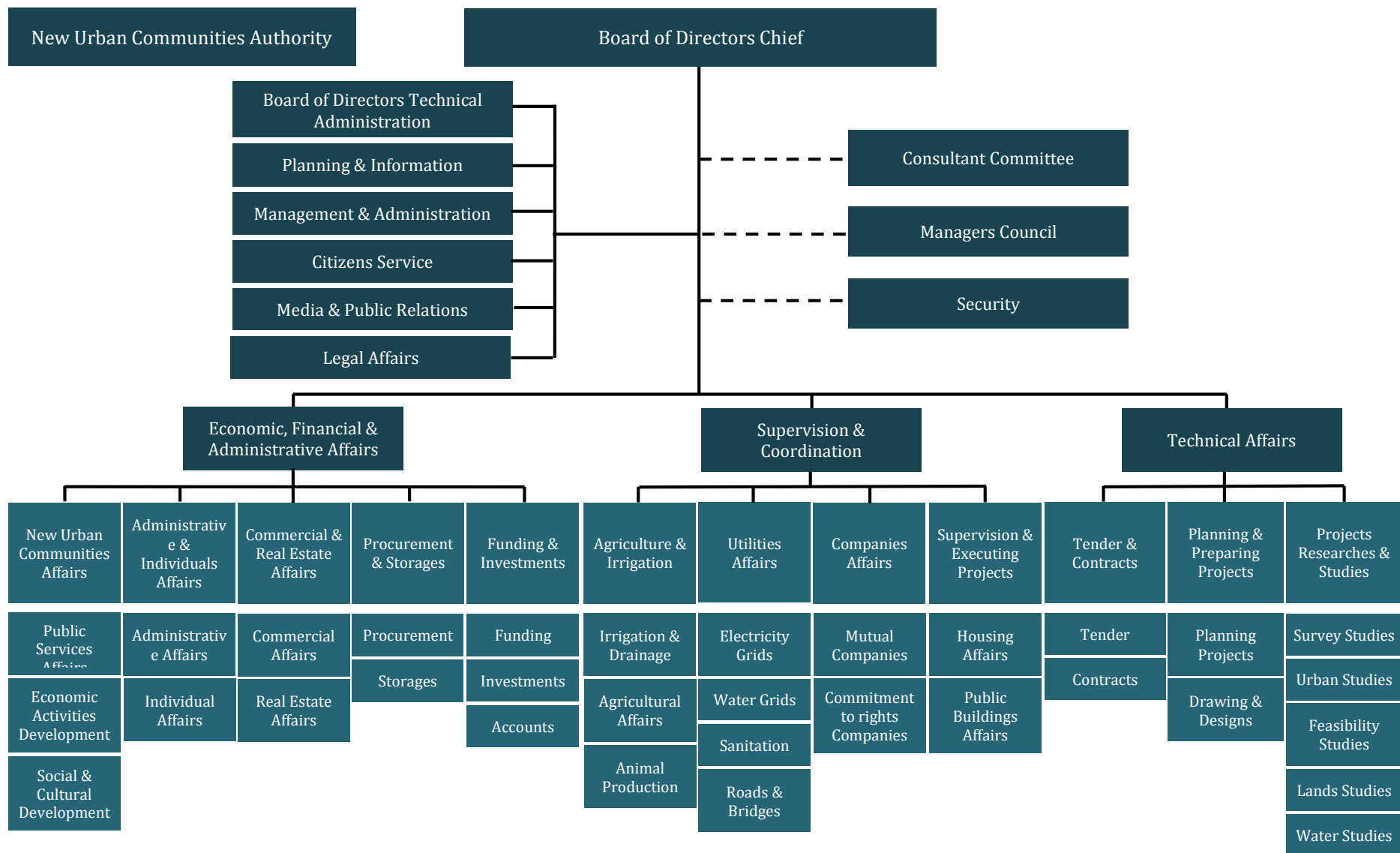
### **Principal Committee**

Constituted in the authority by a resolution from the chairman of the board of directors. The committee membership includes occupants of leading posts in board of directors in addition to experts (Article 6 Law 3/2001).

## Responsibilities

- Revision and approval of recommendations submitted by the sub-committees formed at new communities agencies
- Revision and approval of recommendations submitted by the committee in charge of determining the land and real estate prices.
- Deciding upon the sub-committees proposals

**Resolutions of this committee are only operative after having them approved by the chairman of the board of directors (Article 6 Law 3/2001).**



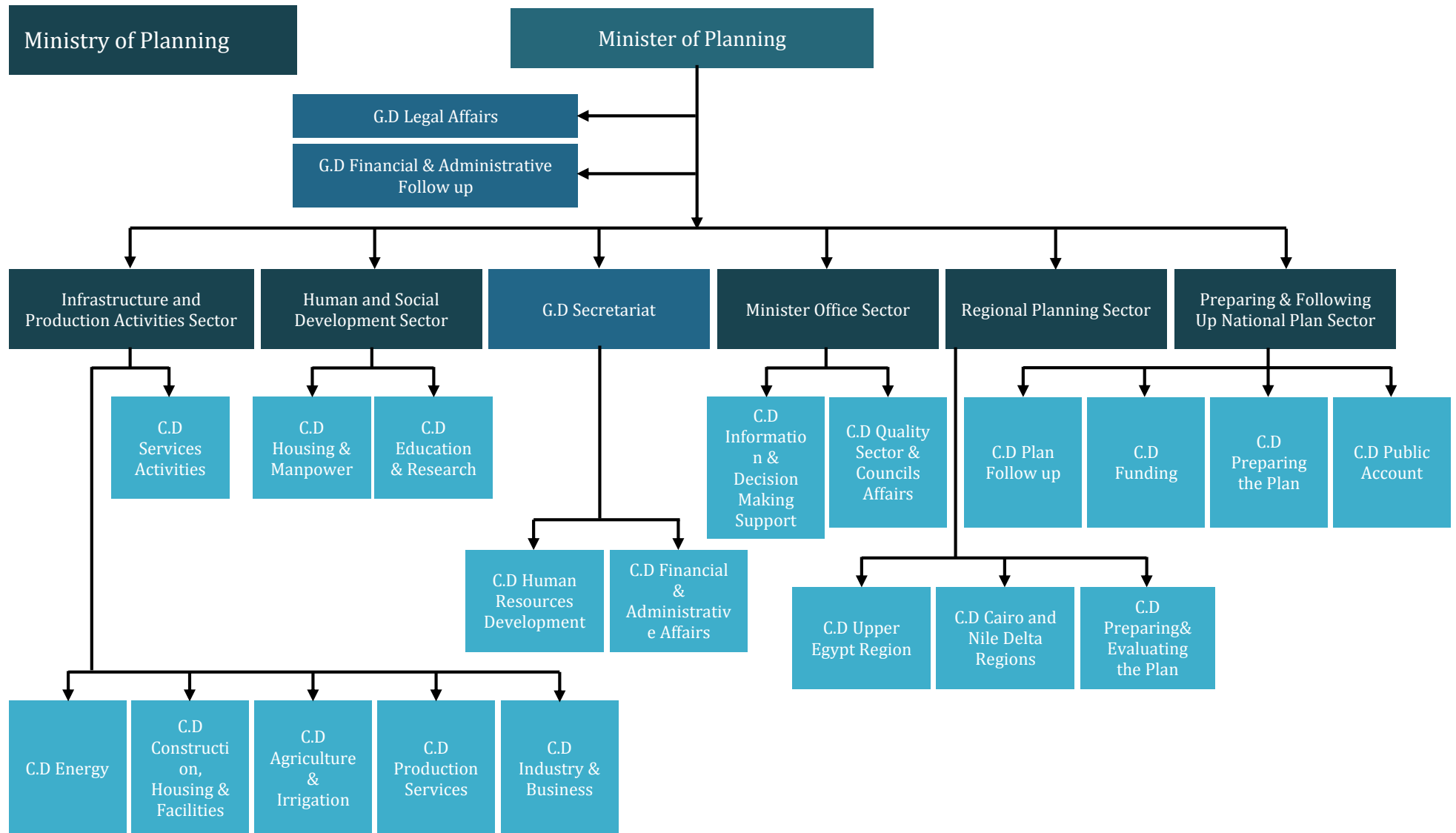
**Figure 7 New Urban Communities Authority Organization Structure**  
 Source: (El-Azim & Alam , 2000 , p. 226)

## 2.3 Ministry of Planning

### Responsibilities

- Enhance economic sustainable development and social justice through efficient planning, managing and distributing the general investments
- Set suitable framework for the private sector and civil society participation. In order to achieve the general state policies and implementing its programs and projects on the national and regional level. While assuring transparency, questioning and community interaction
- Crystallization of the sustainable economic and social general state goals through formulating strategic frameworks for sustainable development
- Coordinate between ministerial production and services plans on the national and regional level
- Prepare mid range plans for economic and social development on the national level while considering the spatial dimension of the programs plans and projects
- Prepare the annual plan for economic and social development. As well as annual programs for public investments distributed on sectors and spatial areas to achieve the short and long development goals
- Set integrated framework for field supervision in order to familiarize the positives and negatives that might confront the projects implementation. Moreover finding technical solutions for them as well as predicting the problems and offering suitable solutions
- Develop the planning methods and prepare studies and researches related to planning
- Provide all the economic data needed to support the planning decisions and prepare indicators and reports for the economic and social performance supervision periodically

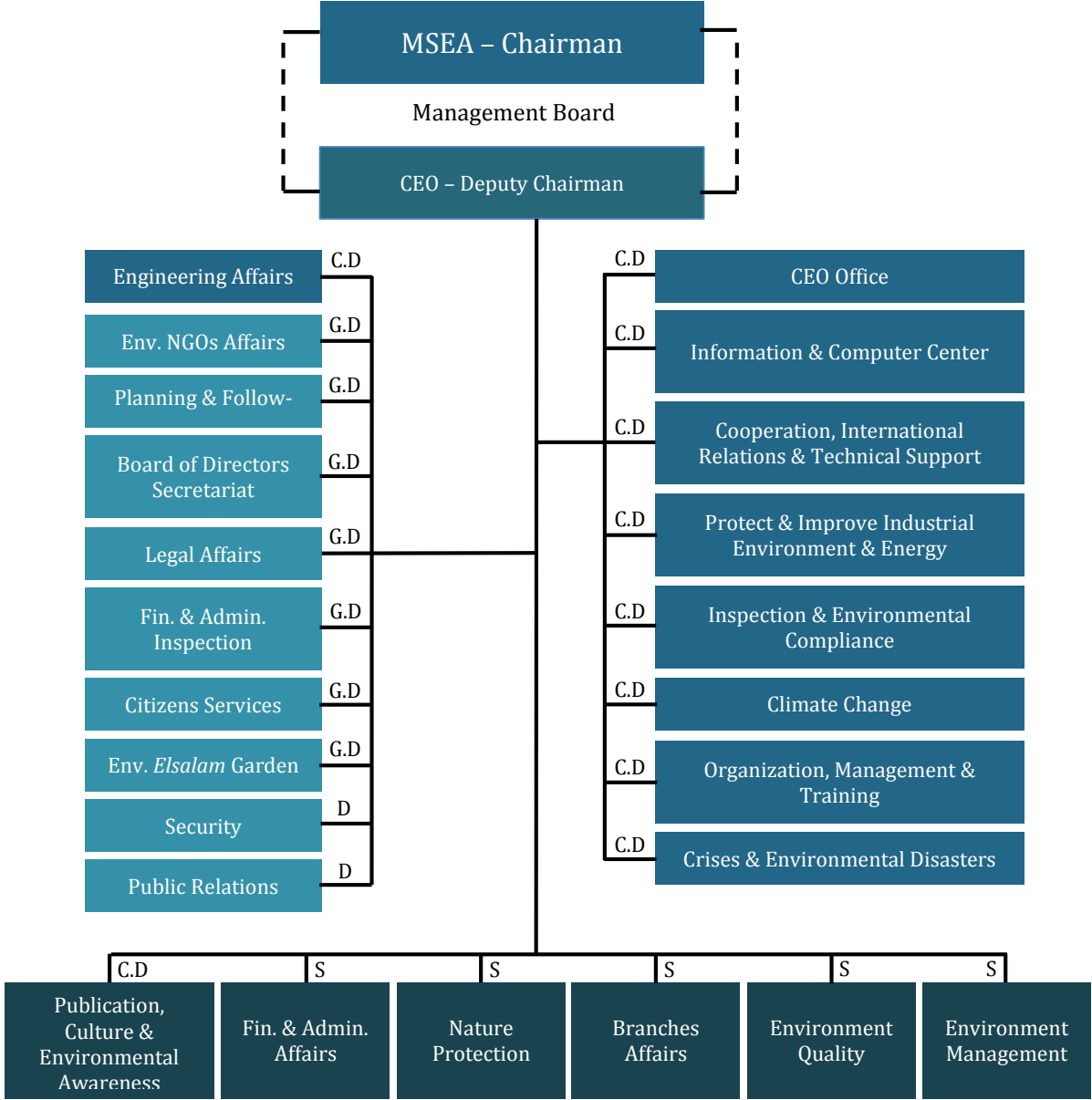




**Figure 8 Ministry of Planning Organization Structure**  
 Source: (Ministry of Planning , 2013)

## 2.4 Ministry of State for Environmental Affairs (MSEA)

### Ministry of State for Environmental Affairs



S: Sector  
 C.D: Central Department  
 G.D: General Directorate  
 D: Department

Figure 9 Ministry of Environment Organization Structure  
 Source: (EEAA)

### 2.7.1 Egyptian Environmental Affairs Agency (EEAA)

Established in 1982 and restructured by law 4/1994 for the environment protection, EEAA acts as the executive arm of the MSEA.

#### **Responsibilities**

- Formulating environmental policies
- Preparing necessary plans for environmental protection and environmental projects, following up their implementation, and undertaking pilot projects
- Preparing draft legislation and decrees related to the fulfillment of its objectives
- Formulating the national plan for environmental protection and related projects
- Setting the standards and conditions to which applicants for construction projects must adhere before working on the site and throughout operations
- Preparing Environmental Contingency Plans and supervising their implementation
- Participating in the preparation of an integrated national plan for the coastal zone management of the Mediterranean and the Red Sea areas
- Preparing an annual report on the state of the environment to be submitted to the President and the Cabinet of Ministers

## Administrative Council of EEAA

### Membership

- Chairman: Minister of Environmental Affairs
- Vice chairman: Chief Executive Officer of the Agency
- Representatives from ministries concerned with environmental affairs, Non-governmental Organizations (NGOs), the State Council, the Public Business Sector, the Universities and Scientific Research Centers

### 2.7.2 Regional Branch Office (RBO)

RBO within its geographical area has the authority and powers of EEAA (Article 1 Law 56/2000).

### Responsibilities

- Developing a regional environmental protection plan including the proposed projects and develop environmental maps and provide them to EEAA
- Following up the plans implementation in governorates and support the local authorities in developing governorate protection plans
- Enforcing decrees concerned with environmental protection and implement the environmental policies
- Follow up implementation of law 4/1994, and its executive regulations in cooperation with local responsible agencies in governorates
- Oversee facilities environmental compliance plans adopted by EEAA. Furthermore implementing appropriate administrative and legal measures in cooperation with local concerned agencies
- Follow up the compliance of the facilities to the terms adopted by EEAA within the RCO geographical area in coordination with competent agencies
- Review and declare the environmental impact assessment studies for the facilities. **CEO/EEAA issue a decree determining the mentioned facilities**
- Participate in managing the unsafe materials and waste in coordination with EEAA Environmental management sector and the local agencies
- Follow up the local unit fulfillment to locate waste facilities and their compliance to the environmental standards
- Collecting environmental data and developing annual reports on the environmental status and submit it to EEAA
- Carry out environmental training plan and public awareness programs
- Receive environmental complaints raised by individuals, private or governmental organizations and take the necessary actions
- Providing environmental technical support

- Strengthen the cooperation between MSEA, EEAA and governorates (Article 2 State Minister for Environmental Affairs Decree No. 56/2000)

## **2.5 Urban Renewal and Informal Settlements Ministry**

### **2.3.1 Informal Settlement Development Facility (ISDF)**

The facility goal is to inventory the informal areas and develop them, putting an architecture plan, providing infrastructure. The ministries, the concerned party and local administrative unit shall provide the ISDF with the technical data and expertise needed (Article 2 Presidential decree 305/2008)<sup>20</sup>.

#### **Responsibilities**

- Inventory of the informal settlements all over Egypt
- Categorizing the informal settlements through a technical committee
- Develop the general policies for developing the unsafe areas
- Supervising the planning of the unsafe areas
- Develop a plan for the development of informal settlements in accordance with the urban schemes and the priority of removing the unsafe areas
- Monitor the implementation of the informal settlements development plans in collaboration with the provinces
- Encouraging civil society and business sector to contribute to the informal settlements development
- Inventory of facilities and units established in the unsafe areas
- Develop a plan to remove buildings and structure built in unsafe areas
- Following up providing accommodation for those who are evicted
- Prepare periodic reports on the results of the work of technical concerned committees, to take necessary measures for the development of unsafe areas (Article 4 presidential decree 305/2008)

#### **Financing**

- Allotted appropriations in the general budget
- Loans held for the facility
- Subsidies, grants, donations and bequest accepted by the board of directors of the facility
- Facility return investments
- Any other resources determined by the law (Article 9 presidential decree 305/2008)

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<sup>20</sup> Presidential decree No. 305 Official Journal – Issue 42/ Bis on 18<sup>th</sup> October 2008

The fund has a special budget within the state budget and special accounts were the surplus from this special account is rescheduled to the next fiscal year plan (Article 10 presidential decree 305/2008).

### **Organizational Structure**

Board of directors is formed to manage the ISDF, with the presidency of Ministry of Local Development, and the membership of six members representing ministries. The members represent ministry of Finance, Electricity, Energy, International Cooperation, Economic Development and Housing. in addition to three representatives from the civil society institutions, business sector and civil associations chosen by the cabinet president (Article 3 Presidential decree 305/2008).

The facility has an executive manager, responsible for managing its affairs and supervising the technical, administrative and financial issues (Article 6 Presidential Decree 305/2008). Legal affairs and media unit follows the executive manager directly (Informal Settlement Development Facility, 2012). The executive manager is assigned through a decree by the cabinet president.

Technical affairs unit includes the technical studies for inventory and categorizing the priorities for developing the informal settlements. In addition to preparing the executive plans for developing unsafe areas, coordinate with urban planning to provide essential infrastructure, constructing housing, providing training, development and monitoring the work execution. Executive affairs unit responsible for housing and essential infrastructure ex: paving roads, water, sanitation and electricity. Informational system unit includes information planning and assuring high efficiency in working with these systems. Financial and administrative unit includes the financial supervision and monitoring for the facility (Informal Settlement Development Facility, 2012).

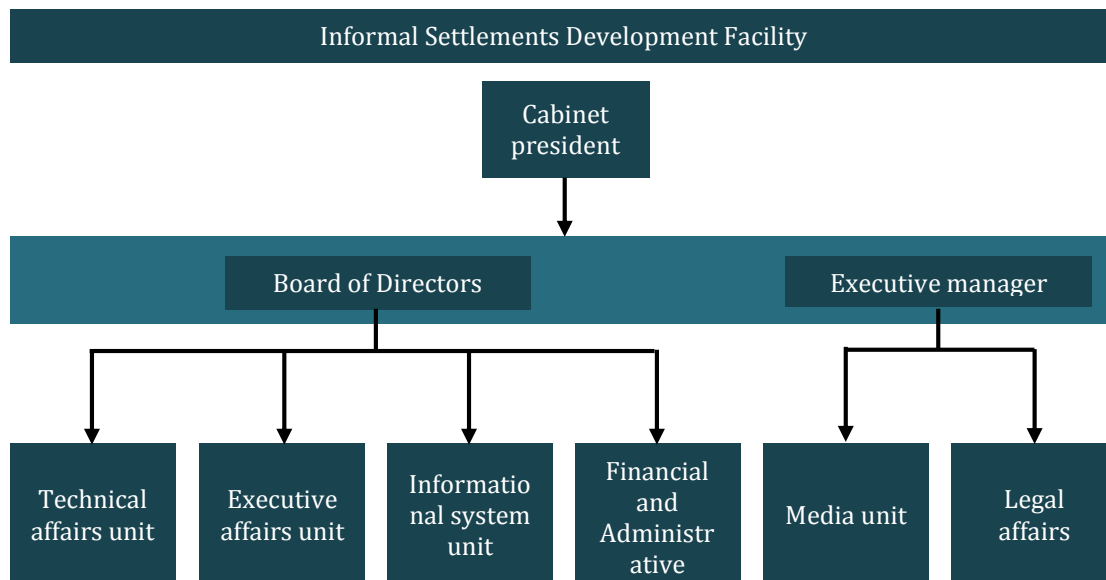


Figure 10 ISDF Organization Chart  
Source: Own Illustration

## 2.6 Ministry of Agriculture and Land Reclamation

### Responsibilities and powers

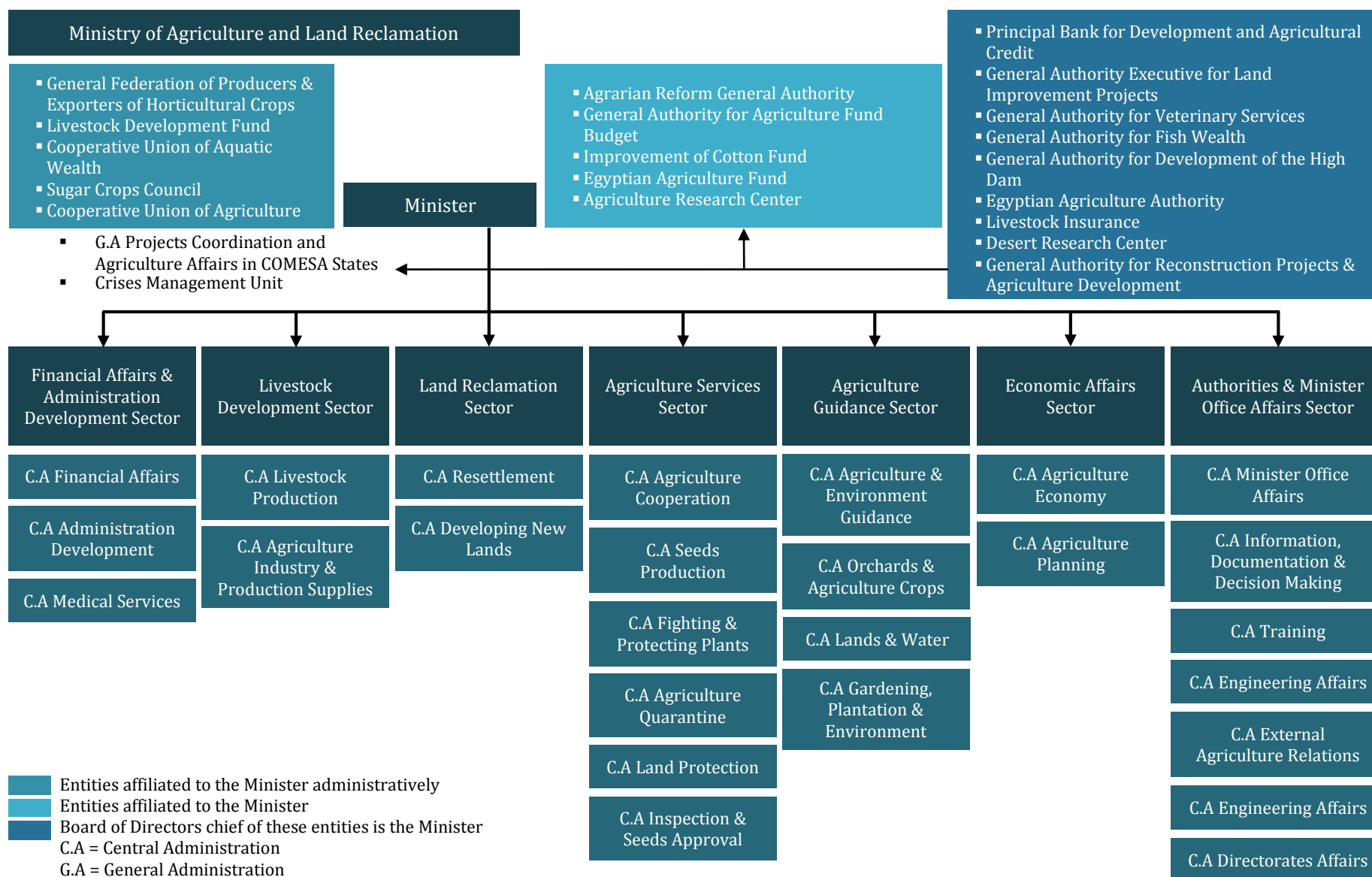
- Setting general policies for land reclamation field and horizontal expansion on the republic level through surveying lands utilizable for reclamation. Relying on water resources identified by MWRI according to reclamation programs agreed by the two ministries
- Studying methods for providing essential elements of land reclamation. As well as upgrading efficiency and tools of implementation in order to achieve the state goals on the green revolution field
- Participating with MHUUD in setting policies and programs related to **new communities**. Besides coordinating with other competent ministers in public utilities planning and services related to land reclamation projects
- Supervising sectors affiliates to the ministry and evaluating their projects implementation
- Studying mutual agriculture and industrial projects in areas of land reclamation, formulating deals either on the local or international level. Then distribute it on different sectors and supervising the projects implementation
- Supervision on execution of disposal of reclaimed, fallow or desert lands according to laws
- Supervision and coordination between the authorities working in land reclamation field to achieve accuracy during implementation
- Carrying out studies and researches related to agriculture, livestock and fish production

- Drawing the **resettlement policy** in the reclaimed lands to distribute the high density concentrated in cities (Article 1 Presidential Decree 264/1978) <sup>21</sup>

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<sup>21</sup> Presidential decree No. 264 – Official Journal 20 July 1978 – Issue No. 29





**Figure 11 Ministry of Agriculture and Land Reclamation Organization Structure**  
 Source:

## 2.7 Ministry of Tourism

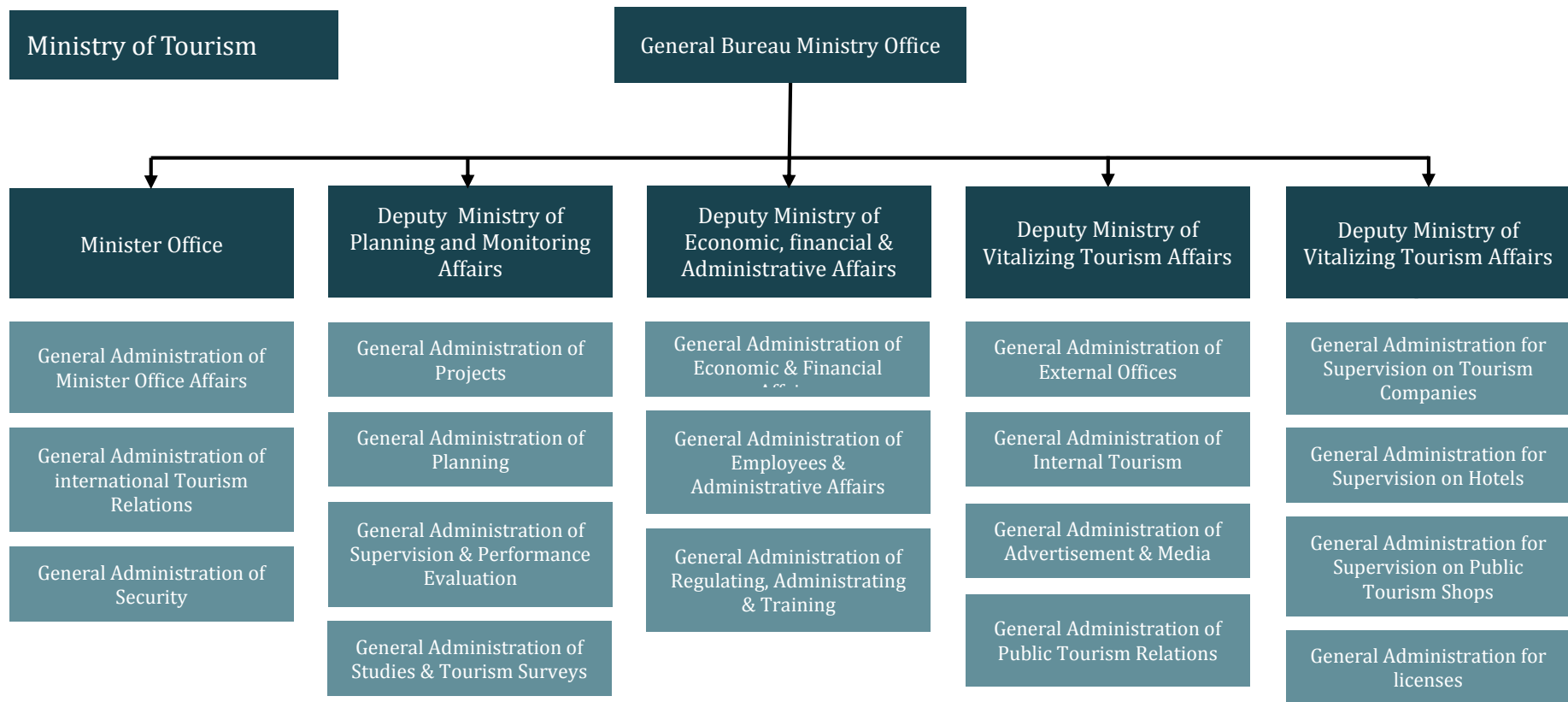
Ministry of tourism aims to participate in national economic development through technical planning for tourism comprehensive development (Article 1 Presidential decree 712/1981)<sup>22</sup>.

### **Powers and Responsibilities**

- Preparing the general policies for tourism development, identifying the investments methods, available resources and developing new resources within the national policy for economic and social development
- Drawing policies for assuring integrated cooperation between sectors and authorities related to tourism
- Preparing general national touristic plans and programs and identifying requirements for implementation and working on providing them
- Carrying out studies and researches to recognize all related resources and requirements for planning, monitoring and evaluation
- Preparing primary and feasibility studies for touristic projects
- Supervising developing touristic area and constructing different touristic buildings
- Preparing and issuing needed legislations for implementing the general policy of the ministry concerning financial and administrative affairs (Article 2 Presidential decree 712/1981)

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<sup>22</sup> Presidential decree No. 712 - Official Journal 31 December 1981 – Issue No. 52



**Figure 12 Ministry of Tourism Organization Structure**

Source: Own Illustration Based on Presidential Decree Article 3 No. 1951 Year 1974 - Official Journal 31 December 1974 Issue No. 52 (supplement)

## 2.8 Ministry of Foreign Trade and Industry (MFTI)

Presidential decree No.361 Year 1999<sup>23</sup> and No.420 Year 2005<sup>24</sup> regulates the responsibilities and power of Ministry of Industry. It mainly focuses on the industrial activities except for the following practice; “Preparing plans for industrial development on the national and governments level“ (Presidential Decree No. 361 Year 1999 Article 1).

## 2.9 Ministry of Defense

In the official planning process Ministry of Defense is responsible for approving all plans on the national, regional and local level. However MOMDP is involved in housing, hotels and other projects independently.

## 2.10 Ministry of Culture and *al Tansiq al Hadari* Civil Coordination

In 1993, the Ministry of Culture name changed to Ministry of Culture and *Al Tansiq Al Hadari* Civil Coordination and a new office in the Ministry was established. The founded office is responsible for the aesthetic values of all structures and cities in Egypt. Changing the name provided area for the Ministry to intervene in the public urban space (Adham, 2009, p. 59).

### 2.11.1 National Agency for *El Tanseek El Hadari* Civil Coordination<sup>25</sup>

Established by presidential decree 37/2001, the agency has a domicile at Cairo city and a regional center at each economic region to carry out the agency competences. Upon a resolution by the agency head, branches and offices shall be established throughout Egypt in governorates, urbanized cities, tourist areas, new urban communities and areas of distinct value (Article 28 Law 119/2008). The national agency is responsible for realizing the civil coordination goals prescribed in the presidential decree.

### Responsibilities

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<sup>23</sup> Presidential decree No.361 – 27 October 1999- Issue No. 43 (Supplement)

<sup>24</sup> Presidential decree No. 420 – 31 December 2005- Issue No. 52 (Supplement)

<sup>25</sup> Works that realize the aesthetic and civil values regarding the exterior form of buildings, architectural and historic space as well as the visual appearance for all urban areas in the republic in parallel with preserving natural elements and locations (Article 27 Law 119/2008)

- Draw the general policy of civil coordination and lay down detailed and executive plans and programs in coordination with competent bodies
- Propose and express opinion in draft laws and regulations related to civil coordination
- Lay down standards and criteria for civil coordination
- Prepare detailed researches and studies in the civil coordination field
- Coordinate with competent bodies to realize the goals and objectives of civil coordination (Article 29 Law 119/2008)
- Prepare civil coordination project to develop and improve certain areas and supervise the implementation (Article 30 Law 119/2008)
- Prepare bases and requirements of preserving the areas, buildings and establishments of distinct value (Article 32 Law 119/2008)
- Identify areas with distinct values according to the requirements set (Article 33 Law 119/2008)
- Prepare unique designs for areas and buildings of value, natural or cultural locations (Article 34 Law 119/2008)

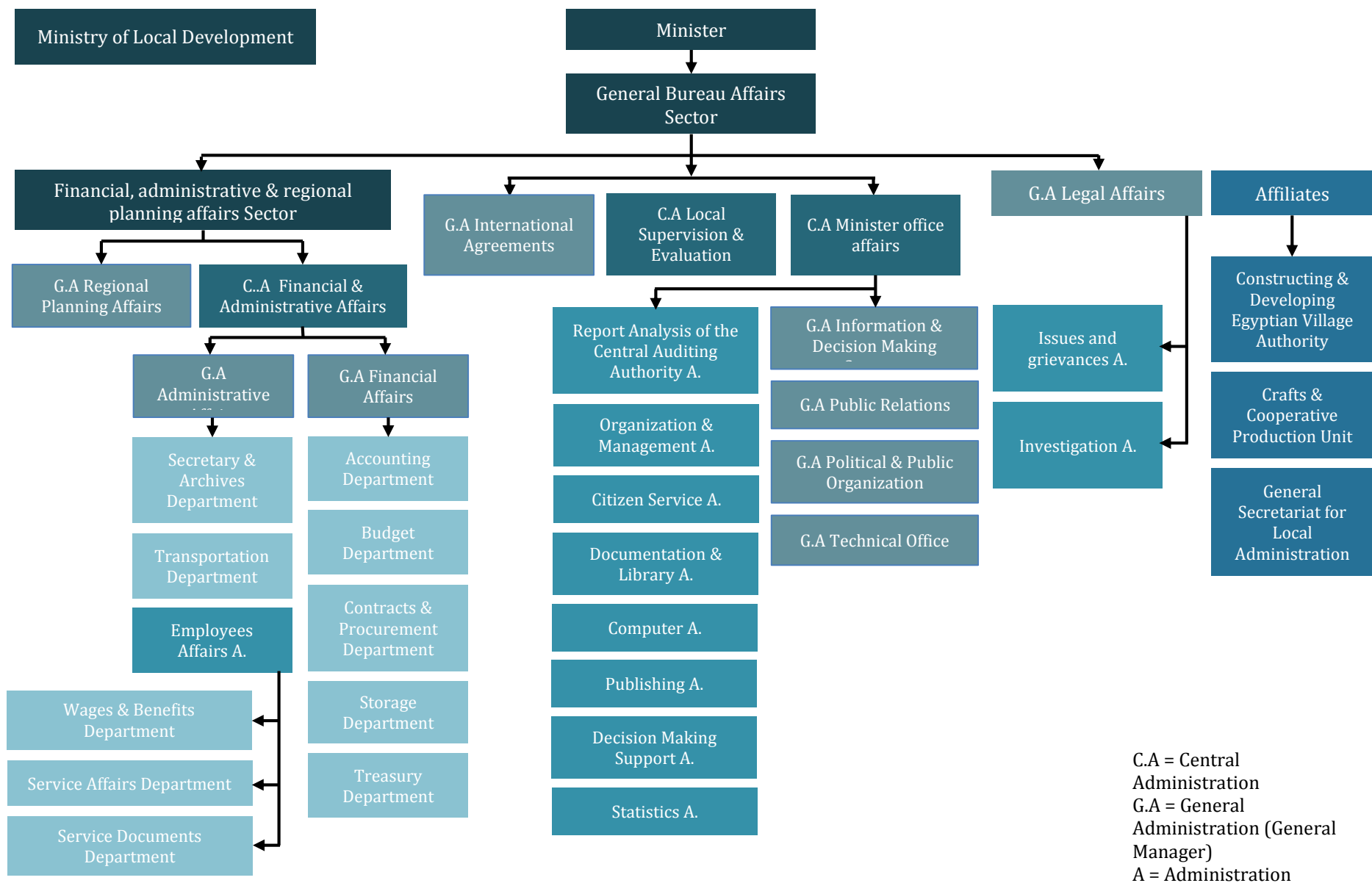
## 2.11 Ministry of Local Development

The Local Development Ministry objectives are to coordinate between different efforts working on developing local communities and units in all governorates. Besides participating with competent ministries and governorates to develop and enhance the local units and contributing in the economic and social development by participating with governorates (Presidential decree No.380/1999).

### Competences

- Planning, filling resources and supervising programs execution
- Assure the coordination between governorates in attracting investments; executing services projects and choosing the best way to manage it
- **Assure the national goal in controlling the population growth**
- Coordinating with governments to:
  - Registering the economic, social state for the poor villages, hamlets, neighborhoods and informal settlements
  - Framing the necessary projects to enhance the services level in the mentioned areas (Drinking water – sanitation – electricity – roads – schools – healthcare units – general hygiene). As well as the economic situation and determine the feasibility of each project, the time needed for executing it and its funding program
  - Determining the required goal for the population growth on the different levels and framing the programs that helps in reaching this goal

- Assembling the governorates projects and determining the proper funding sources
- Participation with Ministry of Agriculture and governments in preparing and documenting maps. The maps specifies towns and villages cordons and supervising the commitment of this maps after approving it
- Founding a central database about poor and informal areas including: housing situation – social and services situation – natural resources – problems and challenges. This database has to be prepared from the existing registered information in the villages database
- Proposing the financial distribution allocated for local development projects on the governorates level. According to the agreed criteria that specifies the development and areas priorities.
- Checking the rules regulating the quarrying in governorates and reaching unified rules that serves development
- Carrying out studies and researches related to local development, slums development and limiting repeating its occurrence. Through supporting these developments success via participating with competent authorities and experts
- Developing the General Secretariat for Local Administration in a way that ensures meeting all the needed local rural and urban development. According to the state policy
- Participating in preparing and training the human resources to manage the local units and supervising their performance
- Developing the awareness in villages and neighborhoods. To introduce the importance of public participation in developing projects and maintaining public utilities
- Participating in providing loans
- Participating with governments and environmental affairs authority in identifying the projects priority for environmental projects, providing resources for these projects and supervising its execution
- Suggesting legislations, regulations and decisions needed to push the local development and productive cooperation (Presidential decree No.380/1999)



**Figure 13 Ministry of Local Development Organization Structure**  
 Source: (Ministry of Local Development )

### 2.7.1 Organization for Reconstruction and Development of Egyptian Villages

The organization was founded through presidential decree no. 891/1973. The governorate has a vast Interest in reconstructing the villages to improve the living quality in Egypt. The organization follows minter of local development, while it depends on a number of permanent and temporary committees. Including experts in addition to its organizational structure. Formation of such committees is specified through a decree issued by minister of local development. Organization for reconstruction and development of Egyptian villages (O.R.D.E.V) communicated with all governmental authorities and local units. In order to get the available data, surveys and reports to aid in planning, implementing and supervising the projects. In addition to carrying out studies, development researches and providing technical support for villages development projects (Ministry of Local Dvelopment ).

#### **Responsibilities**

The organization is responsible for implementing the state general policy concerning building and developing the Egyptian village. In coordination with the ministries, local units and stakeholders through:

- Proposing general plan for village development
- Working on the plan implementation according to an approved timeframe
- Implementation supervision and providing periodical reports to the minister of local development
- Evaluating the available capabilities in the local units and identifying the support needed either financial or technical experience
- Carrying out studies and researches for the village development regarding social, economic, urban, technical and implementation aspects. In cooperation with stakeholders and specialist experts
- Prepare and implement training programs and other needed programs to implement the reconstruction village plan (Ministry of Local Dvelopment )



## Organization for Reconstruction and Development of Egyptian Villages

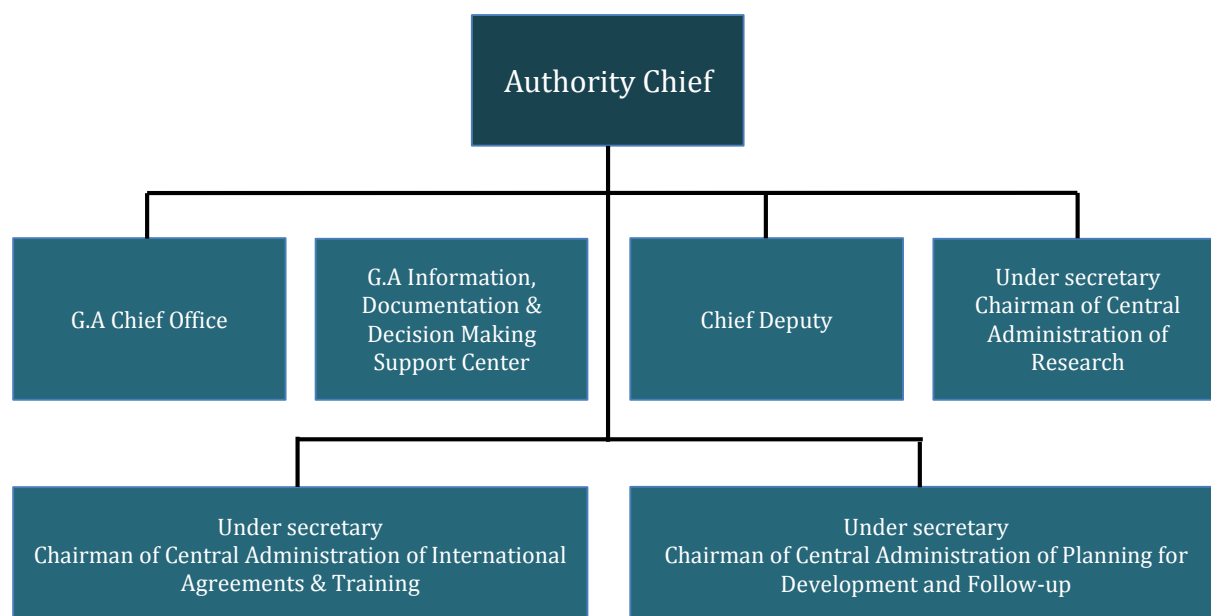


Figure 14 O.R.D.E.V Organization Structure

### 2.7.2 Local Administration<sup>26</sup> General Secretariat

It follows the minister of local development. The secretariat is responsible for mutual affairs of local units, studying and examining the matters received from these units. As well as organizing international and local conferences concerning training affairs, consultation for local government, unifying legal issues and generalizing the guiding practices in certain governorates. Furthermore it shall assist in preparing studies and researches related to subjects submitted by the Cabinet and Supreme Council for Local Administration. Then notify the local units and follow up their execution (Article 6 Law 43/1979)<sup>27</sup>.

<sup>26</sup> The expression Local government is substituted by local administration in law No, 43/1979 and the other laws and regulations (law No. 145 Article 1, Official journal – Issue No. 23 9<sup>th</sup> June 1988)

<sup>27</sup> Article 6 substituted by Law 50/1981 official journal – issue No. 26 on 25<sup>th</sup> June 1981

Table 1 Preparing and Approving Plans on National, Regional and Local Level (Based on law 118/2008 & World Bank, 2007)

N=National, R= Regional, L= Local

Institution	Prepare Plans and Set Policies			Approve Plans			Prepare Plans and Set Policies	Approve Plans
	N	R	L	N	R	L		
Central Level								
1. Supreme Council for Urban Planning				○	○	○		Approve general goals and policies of the urban planning and development. Approve identification of areas of peculiar value and re-delineation, plans, priorities and implementation progress according to the proposal of minister of culture and minister of housing. Approve new urban development execution plans, programs, priorities and financial sources (Article 4). Approve strategic plans (Article 10). Approve national agency for civil coordination policies and programs (Article 29).
2. Ministry of Housing, Utilities and Urban	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				Prepare plans and programs within the national policy framework. Preparing general regional planning	

Development							<p>for regions with economic and social priority.</p> <p>Preparing urban development plans for cities, villages, new communities and desert land.</p> <p>Drawing housing and urban development policies.</p> <p>Preparing plans and executive programs for drinking water and sewage (Ministry of Housing , 2010).</p>	
3. GOPP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			○	<p>Mapping general policies of sustainable urban planning and development and preparing plans and programs (Article 5).</p> <p>Prepare urban plans criteria and manage its implementation.</p> <p>Preparing strategic plans (Article 10).</p>	Review and approve urban plans (Article 5).
4. Regional Center for Planning and Urban Development		<input type="checkbox"/>	<input type="checkbox"/>				<p>Carry out GOPP competences in the region (Article 7).</p> <p>Prepare general strategic plan (Article 11).</p>	
5. NUCA			<input type="checkbox"/>				<p>Prepare general and detailed plans for new cities/communities.</p> <p>Lay policies for establishing new urban communities (Board of Directors).</p>	

6. Ministry of Planning		<input type="checkbox"/>						
7. Ministry of Agriculture and Land Reclamation	<input type="checkbox"/>		<input type="checkbox"/>			<input type="radio"/>	Setting policies for land reclamation, horizontal expansion and resettlement policy. Participating in setting policies related to new communities and other projects related to land reclamation.	For all cities and villages with agriculture land within the administrative boundaries.
8. Operation Authority for Military Force (Ministry of Defense)				<input type="radio"/>	<input type="radio"/>	<input type="radio"/>		For national security requirements, it is one of the main reasons for delaying plans.
9. Egyptian Authority of Antiques (Ministry of Culture)						<input type="radio"/>		For locations or areas with historical value.
10. Ministry of Awkaf						<input type="radio"/>		For areas with land owned by ministry of Awkaf.
11. Ministry of State for Environmental Affairs						<input type="radio"/>		For areas with environmental value (e.g. Natural protected areas or parks).
12. EEAA	<input type="checkbox"/>						Prepare the national plan for environmental protection and related	

							<p>projects.</p> <p>Participating in preparing integrated national coastal plan (Mediterranean &amp; Red Sea).</p> <p>Formulating environmental policies.</p>	
13. Regional Branch office of EEAA		<input type="checkbox"/>					Prepare environmental protection plan and environmental maps.	
14. Informal Settlement Development Facility	<input type="checkbox"/>						<p>Prepare policies for developing unsafe areas.</p> <p>Develop plan for informal settlements development (with the priority of removing unsafe areas).</p>	
15. Ministry of Tourism	<input type="checkbox"/>						<p>Prepare national touristic plans.</p> <p>Prepare policies for tourism development and policies for integrated cooperation between authorities related to tourism.</p>	
16. Authority for Tourism Development		<input type="checkbox"/>	<input type="checkbox"/>			<input type="radio"/>		For coastal and tourism areas.
17. Ministry of Foreign Trade and Industry	<input type="checkbox"/>		<input type="checkbox"/>				Prepare industrial development plans (Article 1, Presidential decree 361/1999).	

18. National Agency for <i>El Tanseek El Hadari</i> Civil Coordination	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				Draw general policy of civil coordination. Prepare detailed and executive plans. Prepare projects to develop and improve certain areas. Prepare unique designs for valuable locations.	
19. Local Development Ministry	<input type="checkbox"/>						Planning resources. Participating with ministry of agriculture and governments in preparing and documenting <b><i>cordons borders maps.</i></b>	
20. Organization for Reconstruction and Development of Egyptian Villages			<input type="checkbox"/>				Proposing general plan for village development.	

Figure 15 Planning and Development Activities done by Central Institutions  
Source: Own Illustration

Institution	Implementation, & Supervision	Evaluation & Studies	Support & Coordination	Preparing laws & Other activities
Supreme Council for Urban Planning		Evaluate implementation results.	Coordinate between ministries and other entities.	Prepare and provide opinion in laws. Issue a decree upon the

				requirements of preserving distinct value areas. Issue a decree specifying areas of distinct values.
Ministry of Housing, Utilities and urban Development	Supervision of planning activities on the local level. Supervising the urban development plans on the local level.	Studying geographical location and environmental capacities on the local level. Technical researches related to the ministry. Studies for investments within the ministry scope.	Coordination between different stakeholders working in housing and urban field. Provide training programs. Providing assistance in all fields for local units.	Setting criteria and patterns for housing sector. Setting designs for public housing and maintenance policy.
GOPP	Improve implementation mechanism of strategic and detailed plans. Supervise plans and programs implementation.	Prepare sectoral researches related to urban planning and development. Evaluate and update the data at different levels.	Advance urban planning departments on the local level. Encourage participatory planning on local level.	Organize urban planning activities. Propose and express opinion in related laws.
Regional Center for Planning and Urban Development	Follow up planning and implementation on the local level.		Provide technical support on local level	
Urban Studies and Research Funds	Supervise preparing projects related to	Preparing technical studies for new urban	Provide technical and consultancy experience.	Choose best projects through competitions.

	urbanism.	communities location.		Establishing information center.
Housing and Building National Research Center		Holding research activities related to planning sector, in cooperation with GOPP and different agencies.		
New Urban Communities Authority	Implementing and following up plans and policies for establishing new communities. Supervise the implementation.	Studies for new communities selection. Evaluate achievement. Studying best technics for utilities execution.	Organizing and exchanging consultations with different entities. Providing financial and technical support during implementation. Assisting in providing equipment to execute projects.	
New Urban Communities (Board of Directors)			Consider the submitted periodical reports.	Chairman identifies the authority regulations. Approving draft planning budget and the long, medium and short term projects plans.
EEAA	Following up implementation.	Preparing annual report on the state of environment studies.		Preparing legislation and decrees drafts.



		Setting standards for projects.		
Regional Branch Office of EEAA	<p>Following up implementation on governorates.</p> <p>Implement environmental policies, laws and decrees.</p> <p>Oversee facilities environmental plans.</p> <p>Follow up facilities environmental terms fulfillment.</p> <p>Follow up local units fulfillment to waste management and environmental standers.</p>	Developing annual reports on the environmental status.	<p>Support local units in preparing protection plans.</p> <p>Coordinate with local units in:</p> <p>Implementing administrative and legal measures.</p> <p>Managing unsafe and waste materials.</p> <p>Providing environmental training plan and awareness program.</p> <p>Providing technical support.</p> <p>Strengthen cooperation between MSEA, EEAA and governorates.</p>	<p>Review and declare EIA studies.</p> <p>Receive environmental complaints and proceed accordingly.</p>
Informal Settlement Development Facility	<p>Supervising the unsafe areas planning.</p> <p>Monitor the development plans.</p>	<p>Inventory of informal settlements and categorizing them.</p> <p>Inventory of facilities</p>	Encourage civil society contribution.	

		existing in the unsafe areas. Prepare reports on the work results.		
Ministry of Agriculture and Land Reclamation	Supervising the ministry affiliates and authorities working in land reclamation projects implementation. Supervising execution of land disposal.	Studying methods for providing and upgrading essential tools. Evaluating affiliates projects implementation. Studying mutual agriculture and industrial projects. Prepare studies related to agriculture, livestock and fish production.	Coordinate between authorities working in land reclamation field.	
Ministry of Tourism	Supervising development and construction of different touristic areas and buildings.	Prepare studies recognizing all related resources, requirements for planning, monitoring and evaluation. Preparing feasibility studies for touristic projects.		Preparing and issuing legislations for implementing general policy.
Ministry of Culture and Civil Coordination <i>al</i>				Responsible for the aesthetic values of all

<i>Tansiq al Hadari</i>				structures and cities in Egypt.
National Agency for Civil Coordination <i>El Tanseek EL Hadari</i>	Supervise civil coordination projects implementation.	Prepare researches and studies in civil coordination field.  Prepare standards for civil coordination and requirements of preserving areas of distinct values.  Identify areas with distinct value.	Coordinate with competent bodies.	Propose and express opinion in draft laws related to civil coordination.
Ministry of Local Development	Supervising programs execution.  Identify environmental projects priority in coordination with governments and environmental authority.  Supervising the environmental projects execution.	Establishment of central database about poor and informal areas.  Preparing studies related to local and slums development.	Coordinate between different stakeholders in all governorates.  Develop General Secretariat for Local Administration.  Participating in training human resources.  Raising awareness in villages and neighborhoods.	Suggesting legislations and regulations needed for local development.
Organization for Reconstruction and	Working on general plan for village development	Preparing studies for villages development and	Provide training programs to implement	

Development of Egyptian Villages	implementation.	preparing periodical reports to the minister of local development. Evaluating local units capabilities.	the reconstruction village plan.	
Local Administration General Secretariat	Follow up studies execution.	Studying mutual local affairs. Assist in preparing studies held by the Cabinet and Supreme Council.	Organize conferences concerning training and consultation.	

## 2.12 Summery

This chapter identifies the different central institutions relevant to urban planning and affiliates responsibilities see Table 1. Several bodies are involved in preparing plans on the central, regional and local level:

- MHUUD, GOPP and the National Agency for Civil Coordination are responsible for drawing plans and preparing policies on the national, regional and local level
- Regional Center for Planning and Urban Development and the Authority for Tourism Development are responsible for preparing plans on the regional and local level
- NUCA and Organization for Reconstruction and Development of Egyptian villages prepare the plans on the local level
- Ministry of planning and the regional branch office of EEAA prepare plans on the regional level
- Ministry of Agriculture and Land Reclamation set policies on the national and local levels
- Ministry of Foreign Trade and Industry prepare plans on the national and local levels
- EEAA, Informal Settlement Development Facility and Ministry of Tourism prepare policies and plans on the national level
- Local Development Ministry plan resources on the national level

Regarding approving the plans:

- Supreme Council for Urban Planning and Operation Authority for Military Force approves the plans on the 3 levels
- GOPP, Ministry of Agriculture and Land Reclamation, Egyptian Authority of Antiques, Ministry of *Awkaf*, Ministry of State for Environmental Affairs and authority for Tourism Development are responsible for approving plans on the local level

# CHAPTER 3: Regional And Local Administrative System

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## 3 Regional and Local Administrative System

### 3.1 Introduction

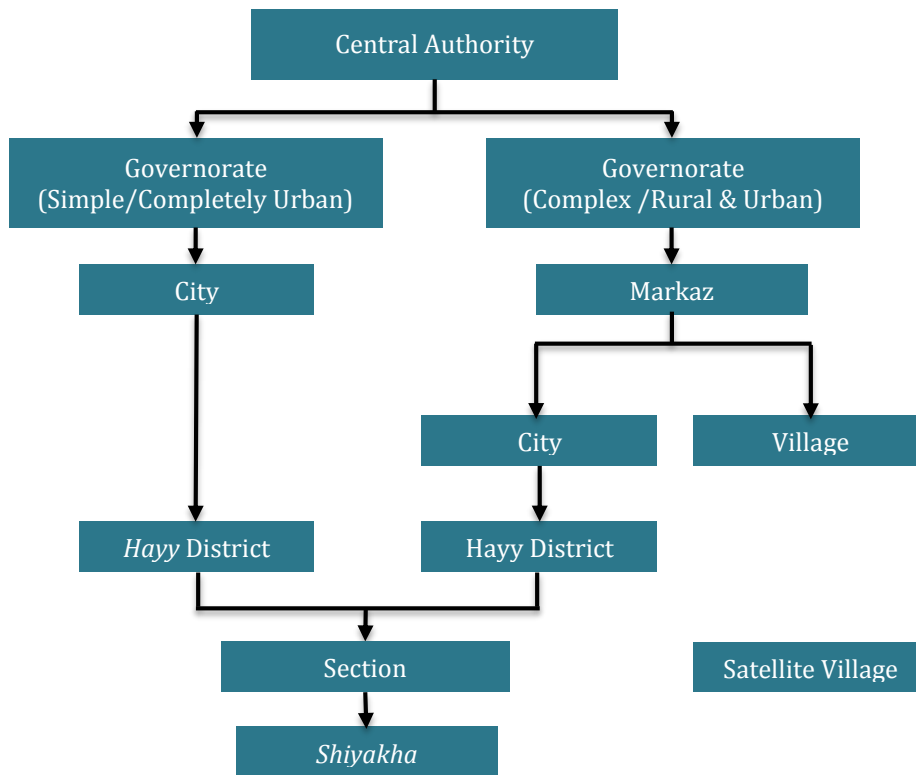
On the regional level dividing Egypt into planning regions was proposed to the ministerial committee of local development in 1974. This committee agreed on the concept. Afterwards a special committee was formed to develop a proper division scheme. It decided upon the fundamentals that will be used for dividing the country into regions. Based on the following;

- Not considering the regional level as a local administrative level and considering it as a planning level preserving decision making obligatory power without its execution
- Adhere to the current administrative borders of governorates as much as possible and rethink about it in the future according to the actual practice
- The geographical nature of the region
- Considering reasonable population densities between the regions
- Economic integration
- Existence of an urban center or more as big cities, universities or a nucleus for these universities (El-Azim & Alam , 2000, pp. 181, 182)

On the local level Egypt is divided administratively into 27 governorates according to the state information service. The governorate is the highest level within the local administrative system that includes five levels (Governorate, Markaz, City, District “in cities the districts are divided into sections then Shiyakhat”, village). All the administrative levels have a legal status (Article No. 1 law 50/1981). Governorates are either entirely “Urban” or combination between ‘Urban” and “Rural” areas (State Information Service , 2014). The urban governorates does not contain *Markaz* as shown in Figure 16. Law no. 43/1979<sup>28</sup> amended by laws no. 106/1987, 145/1988, 9/1989, 84/1996, and 96/2003 organizes the local administration system.

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<sup>28</sup> Law No. 43 Official Journal – Issue No. 25 (supplement) on 21<sup>st</sup> June 1979



**Figure 16 Egyptian Local Administration**  
 Source: adapted from (World Bank, 2006, p. 15)

Head of urban planning authority claimed that the number of governorates would be 32 instead of 27<sup>29</sup>. To support development by redrawing the administrative boundaries by 2017, the new Governorates are:

- Central Sinai governorate will be created with boundaries on the Suez and Aqaba coast
- 10 of Ramadan governorate
- 25 January governorate will include Helwan and Tora districts
- Al-Alamein governorate will be created, extending south to the Qattara Depression
- Wadi Al-Natroun governorate up to Sadat city west of Cairo (Ahram Online, 2012)

Occasionally re-division of governmental boundaries or rural areas into urban areas occurs. However it's not frequent since re-classifying them into urban areas needs higher services and budget allocation. As a result some Peri-urban areas stay as

<sup>29</sup> Alexandria, Aswan, Assiut, Beheira, Bani Suif, Cairo, Dakahleya, Dumiat, Fayoum, Gharbeya, Giza, Ismalia, Kafr El Sheikh, Matruh, Menya, Monufeya, New Valley, North Sinai, Portsaid, Qalubiya, Qena, Red Sea, Sharkia, Sohag, South Sinai, Suez and Luxor. See Fig.17

“villages” despite that the population might exceed 150,000 citizens (World Bank, 2008, p. 44).

**Governorates:** Governorates are either entirely urban or complex, including one or several urban and rural communities (World Bank, 2006, p. 14). Through a decree from the president of the republic, the governmental borders could be one city ex: Cairo. The governor represents the governorate as well as the local governments units before justice and before the others (Article 4 Law 43/1979).

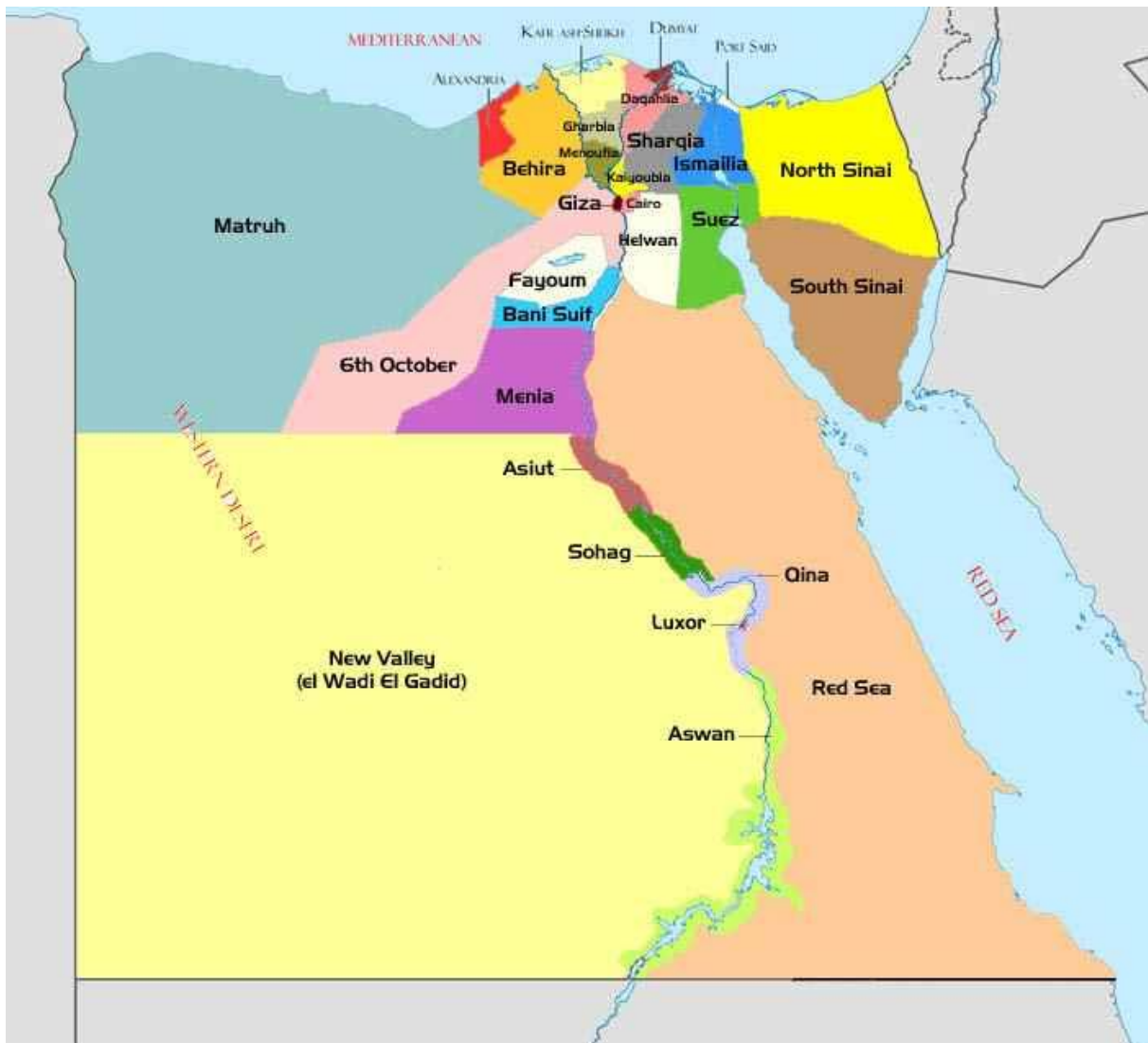


Figure 17 Egypt governorates map  
Source: (Ahram Online, 2012)



**Markaz, city and districts:** created through a decree issued by the prime minister after the approval of the governorate popular council. **Markaz;** comes after the governorate in the administrative hierarchy, including a capital city in addition to other cities and villages. **City;** exists in the urban and mixed governorates; some governorates has one city, which is considered as the capital of the governorate. In the mixed governorate a capital city of Markaz exists or as a fundamental city. District is divided into sections, which is divided to *Shyakha*. **Village;** there are two types of villages either village that is included in the local unit system or satellite villages, which is not considered as a part from local government units (World Bank, 2006, p. 14)

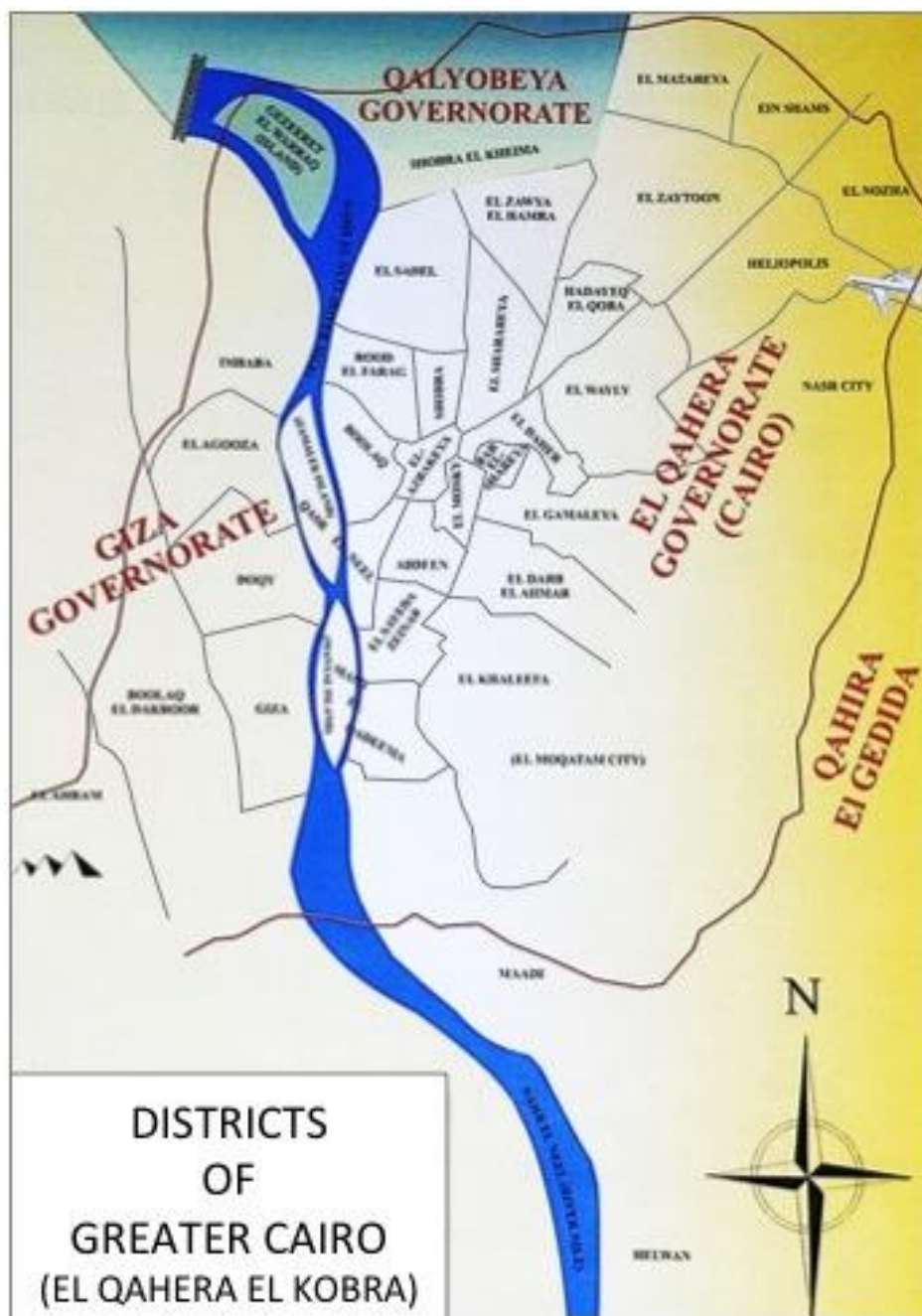


Figure 18 Greater cairo districts map  
Source: (El Kolaly & El Kolaly , 2008)

**Villages:** the village local unit borders may include a group of adjacent villages, through a decree issued by the governor. According to a proposal from the competent local popular council of the district and the approval of the governorate popular council.

Each unit in the local governorate has a **local popular council** and **executive council**; the first is formed by direct election according to article 3 in Law 43/1979 substituted by 84/1996<sup>30</sup>. The local popular council members shall include at least 50% workers and peasants. Head of the local popular council represents it before justice and before others.

Article 2 in law No. 43/1979<sup>31</sup> allows the local administration to manage and establish public utilities within the general policy and state general plan. However the national utilities shall have a decree issued by the president specifying the utilities managed and established by the governorate and the ones managed and established by the local administration units. In addition the governorate manages the utilities that are out of the local units competence.

### 3.2 Economic Regions and Regional Planning Authorities

Egypt is divided into seven economic regions by a presidential decree issued in 1977. The second article of the presidential decree states that each regional planning authority follows **Ministry of Planning** (Article 2 presidential decree 475/1977). Each region shall have a capital (Article 7 Law 43/1979).

1. Greater Cairo region, includes Cairo, Giza and Qalubiya
2. Alexandria region, includes Alexandria, Beheira, Matruh and Noubariya district
3. The Suez Canal region, includes Sinai, Port Said, Ismalia, Sharkia and part of the northern red sea governorate
4. The Delta region, includes Monufyia, Gharbyia, Kafr El-Sheikh, Damietta and Dakahliya
5. Northern upper Egypt region, includes the governorates of Beni Suef, Menia, Fayyoub and part of the northern Red Sea governorate
6. Assiut region, includes Assiut and the New valley
7. The Southern upper Egypt region, includes Sohag, Qena, Aswan and the southern part of the Red Sea governorate (state information service , 2009)

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<sup>30</sup> Law No. 84 Official journal – Issue No. 24/Bis on 21<sup>st</sup> June 1996

<sup>31</sup> Article 2 substituted by Law 50/1981

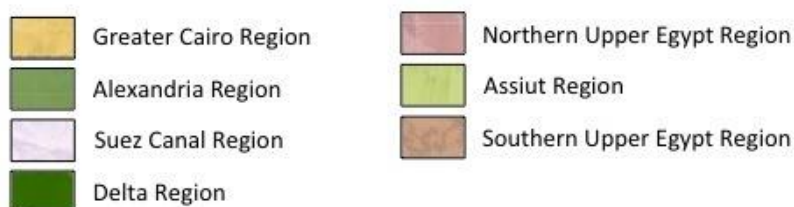
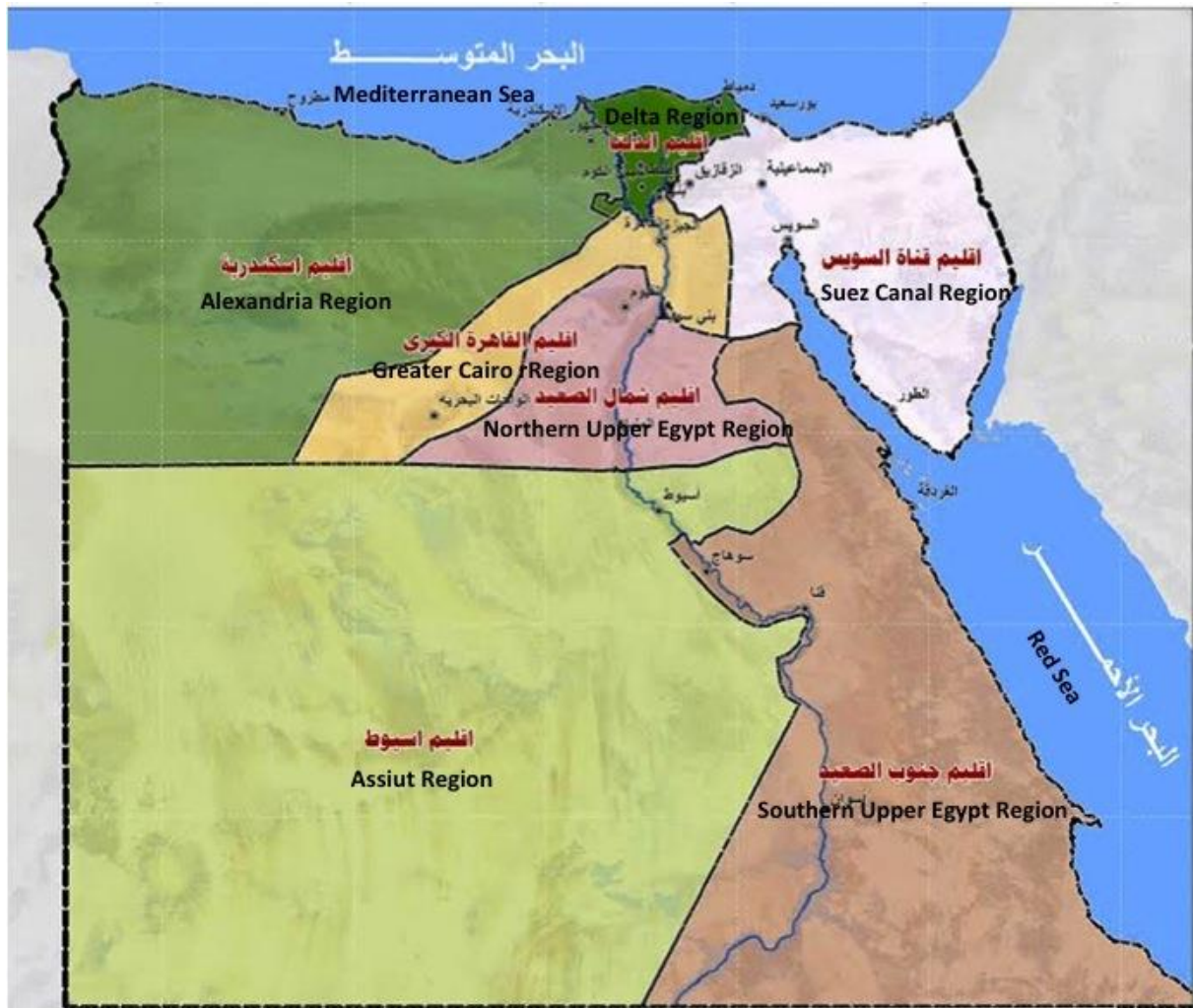


Figure 19 Egypt seven regions map  
Source: (GOPP, 2015)

### Responsibilities

- Studying social, economic and future circumstances of the region
- Prepare studies and researches required to determine the regional natural and human resources potentials. As well as the approaches for development and using it sufficiently
- Propose development trends
- Translating these trends into specified and studied projects
- Prepare the technical cadre required to held researches, studies and planning activities on the regional level

- Prepare the regional planning according to priorities and standards identified by the committee for regional planning. In addition to supervising the plan implementation after its approval

### 3.2.1 Supreme Committee for Regional Planning

According to article 8 law 43/1979<sup>32</sup>, for each economic region a Supreme Committee for Regional Planning shall be established. Following the **Minister of Local Development** (Article 2 presidential decree 475/1977). Under the leadership of the governor of the regions capital and the members include:

- The region governor: hold the presidency which shall be alternately each year among governors from the governorates constituting the region
- Governors of the governorates constituting the region
- Heads of local popular councils constituting the region
- Chairman of the regional planning authority as the general secretary of the committee
- Representatives of the competent ministries

#### Responsibilities

Coordination between plans of the governorates and the regional planning authorities suggested priorities. Reviewing periodical reports to follow up and study amendments suggested by the regional planning authority. The recommendation issued by the committee shall be provided to the Supreme Council for Local Administration (Law no 50/1981).

### 3.2.2 Supreme Council for Local Administration

According to Article 5 Law 43/1979<sup>33</sup> a Supreme Council for Local Administration shall be formed under the leadership of the **Prime Minister**, or whom he deputizes and the members includes:

- The minister of local administration
- The governors
- Heads of local popular council of the governorate

#### Responsibilities

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<sup>32</sup> Article 8 first paragraph substituted by Law 145/1988

<sup>33</sup> Article 5 substituted by Law 50/1981

Reviewing all what is concerned with local administration system. Regarding the support, evolution, laws proposals, regulations and decrees having effect on the local society.

### **3.2.3 Inspection and Follow Up Department**

Inspection and follow up department was introduced to enhance the accountability in the local governorates. In articles 6-bis and 6-bis A by law 43/1979<sup>34</sup>, it is in charge of applying the administrative and technical inspection system. To the employees of the different local administration departments, as well as supervising, monitoring and following up the local units work.

Some employees of the inspection and follow up department will be determined by the capacity of law investigation officers. Concerned by the crimes committed by the employees of the local units.

### **3.2.4 General Administration for Planning and Urban Development**

A general administration for planning and development shall be established at each governorate. To prepare - within its administrative scope - the detailed plans in accordance with planning and building requirements. For the areas of different land uses as well as the programs and properties of the comprehensive development projects in the general strategic plan. Which is approved for the city or the village under the supervision of regional center for urban planning and development (Article 8 Law 119/2008).

## **3.3 Governorates**

### **3.3.1 Governor**

Each governorate shall have a governor appointed or released through a decree issued by the president of the republic. The governor shall be treated as a minister (Article 25 Law 43/1979)<sup>35</sup>.

The governor is responsible for:

- Acting as the representative of the executive power. And shall supervise the execution of the state general policy over all services utilities and production (Article 26 Law 43/1979)<sup>36</sup>
- All powers and executive competences of the ministers and shall be the head of all machineries and local utilities

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<sup>34</sup> Added as per Decree Law 115/2011

<sup>35</sup> Law No. 43 year 1979 Article 25 substituted by law No. 26 year 1982 official journal – issue No. 15 on 15<sup>th</sup> April 1982

<sup>36</sup> Article 26 first paragraph substituted by 145/1988



- Governor is also required to supervise the national utilities within the governorate and responsible for all branches of the ministries. Whose competences have not been transferred to the local units, except the judicial authorities (Article 27 Law 43/1979)<sup>37</sup>
- Submitting periodical reports to the minister of local administration on the work results of different activities practiced by the governorate. Minister of local administration, submits to the prime minister periodical reports on work results in different governorates after studying them (Article 29- Bis Law 43/1979)<sup>38</sup>

### 3.3.2 Local popular council of Governorate

In each governorate, a local popular council shall be formed (Article 10 Law 43/1979)<sup>39</sup>. Taking charge of controlling the various utilities included in the governorate competences. In addition to carrying out the plans regarding the local development and their follow up. Within the framework of the general plan and the authorized budget, the governorate local popular council is responsible for:

- Determining the projects of the social and economic development plan, and the proposal of the annual budget of the governorate. Following up its execution and approving the proposal of the final statement account
- To support the local projects, the council shall specify the public participation plan
- Approving the general projects to fulfill the requirements of housing and proposing projects of urban planning and reconstruction
- Approving on establishing the utilities, which will bring public benefit for the governorate
- Practicing the competences connected with the projects of the district local popular councils. That these councils are not able to carry out (Article 12 Law No. 43/1979)<sup>40</sup>

Governorate local popular council in relation with other local popular council within the scope of the governorate shall be concerned with the following:

- Supervision and control of the works and activities of these councils
- Authorizing or objecting the resolutions issued by these councils within the limits stated by the executive regulations
- Approving the proposals of the councils to establish or to cancel local units within the scope of the governorate (Article 13 Law 43/1979)<sup>41</sup>

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<sup>37</sup> Article 27 are substituted by Law 50/1981

<sup>38</sup> Article 29-Bis added by Law 50/1981 and substituted by law 145 1988

<sup>39</sup> Article 10 substituted by law 145/1988

<sup>19</sup> Article 12 substituted by law 50/1981

<sup>41,21</sup> Article 13 & 19 are substituted by Law 50/1981

Governorate local councils have the right to question the governor, governor's assistances, heads of departments and the chairman of public authorities within the governorate scope (Article 19 Law 43/1979)<sup>42</sup>.

### **3.3.3 Governorate executive council**

In each governorate an executive council shall be formed and headed by the governor and the membership of:

- Deputies of the governor
- Leaders of administrative districts, towns, quarters, heads of departments, machineries and public authorities within the scope of the governorate
- Secretary general of the governorate, and he shall be the secretary of the council (Article 32 law 43/ 1979)

The executive council is responsible for:

- Following up the works, which are entrusted, to the executive machineries of the governorate and valuating the level of performance
- Preparing the governorate budget, and distribution proposal of the credits allocated for investments in the local units
- Assisting the governor in laying down the administrative and financial plans. Setting the decrees and recommendations issued by the local popular council into force
- Laying down the general rules for managing and investing the lands of the governorate
- Laying down the rules regarding housing and reconstruction planning projects
- Studying and expressing opinion about the subjects submitted to local popular council from the technical, administrative and legal aspects
- Studying and investigating, what is forwarded to it by the governor or the local popular council

## **3.4 Administrative division *Markaz***

### **3.4.1 Chief of the markaz**

Each markaz shall have a chief, selected by the prime minister. The chief shall have the powers of deputy minister and director of department in the financial and administrative matters (Article 44 Law 43/1979)<sup>43</sup>.

### **3.4.2 Markaz local popular council**

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<sup>43</sup> Article 44 is substituted by Law 50/1981

In each administrative division *Markaz*, a local popular council shall be formed (Article 39 Law No. 43/1979)<sup>44</sup>.

*Markaz* local popular council responsible for:

- Supervision and control on the works of the local councils of the towns and villages located within the scope of the *markaz* and to authorize their decisions
- Supervision on the various utilities comprising the local character
- Confirming project of the plan, and project of the annual budget of the *markaz* and following up its execution and authorizing the budget of final account.
- Defining and confirming public participation plan through self-efforts and capabilities on the *markaz* level, in the local projects
- Proposal of establishing the different utilities
- Approving the rules for organizing local public utilities in the district (Article 41 Law 43/1979)

### 3.4.3 *Markaz* executive council

In each *markaz* an executive council shall be formed and headed by a chairman and the membership of:

- Directors of services and production departments and chiefs of towns and villages falling within its scope including: interior – education – health – housing – agriculture – veterinary – irrigation – social affairs – social insurance – manpower – funding – electricity – culture – *Awkaf* – *ELAzhar* – finance – development agriculture ban <sup>45</sup> (Article 60 Executive Regulation Law 43/1979)<sup>46</sup>
- Secretary of the *markaz* (Article 45 Law 43/1979)

The council with the assistance of the *markaz* chief, is responsible for laying down the administrative and financial plans. As well as executing the resolutions of the *markaz* local popular council and shall take charge of:

- Furnishing the towns and villages with administrative and technical needed requirements
- Providing financial aid to the towns and villages whose own finances are not sufficient
- Carrying out the projects which the towns and villages are unable to undertake
- Studying and proposing the execution of joint projects which serve more than one local unit within the *markaz* scope
- Coordination between the projects of the towns and villages
- Following up the works run by the *markaz* executive machineries

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<sup>44</sup> Article 39 is substituted by Law 84/1996

<sup>45</sup> Executive councils of *Markaz*, city or quarter membership include the membership of the same services and entities.

<sup>46</sup> Article 60 is substituted by Prime minister decree No. 314 official journal issue No.15 on 15<sup>th</sup> April 1982



- Preparing the project of the *markaz* budget, and proposing distributions of the credits allocated for investments
- Studying and expressing opinion about the subjects submitted to local popular council from the technical, administrative and legal aspects
- Studying and expressing opinion about the investment subjects run by the governorate
- Studying and investigating, what is forwarded to it by the governor or the local popular council (Article 46 Law 43/1979)

### 3.5 Towns

#### 3.5.1 Chief of the town

Each town shall have a chief. Having the powers of the ministry deputy, and the director of the department in the financial and administrative matters concerning the town machineries and budget (Article 55 Law 43/1979).

#### 3.5.2 Town local popular council

A local popular council shall be formed on the town level (Article 47 Law 43/1979)<sup>47</sup> and shall be responsible for:

- Control and supervision on the quarter's councils and coordination between them
- Control on the various utilities
- Comprising local character within the scope of the town
- Confirming project of the plan, and project of the annual budget of the town and following up its execution and authorizing the budget of final account.
- Proposing plans for raising productive efficiency (Article 49 Law 43/1979)

#### 3.5.3 Town executive council

The executive council shall be formed in each town, headed by the chief of the town and the membership of:

- Directors of services and production departments in the town
- The town secretary

The council with the assistance of the town chief is responsible for laying down the administrative and financial plans and carrying out the resolutions of the town local popular council. In addition to studying and investigating the submitted subject by the local popular council or the town chief, the executive council shall specially take charge of the following:

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<sup>47</sup> Article 47 is substituted by Law 84/1996

- Following up the works, which are managed by the town executive machineries, and valuating the level of performance
- Preparing the project of the town budget, and proposing distribution of the credits allocated for investments
- Control of collecting the town finances
- Providing assistance to the local utilities, establishments and machineries
- Participation with another local unit to establish or to manage works or utilities after the approval of the town local popular council
- Laying down rules which guarantee good work progress
- Studying and expressing opinion about the subjects submitted to local popular council from the technical, administrative and legal aspects.
- Studying and expressing opinion about the investment subjects run by the governorate
- Studying and investigating, what is forwarded to it by the governor or the local popular council (Article 57 Law 43/1979)

### **3.6 Quarters**

#### **3.6.1 Chief of the quarter**

There shall be a chief for each quarter, having the powers of the ministry deputy, and the director of the department in the financial and administrative matters.

#### **3.6.2 Quarter local popular council**

It is permissible to divide the governorate comprising one town, or the greater towns into quarters and a local popular council shall be formed in each quarter.

The council shall take charge of control and supervision on the various utilities, and shall be responsible for:

- Confirming project of the plan, and project of the annual budget of the quarter and following up its execution and authorizing the budget of final account.
- Proposing plans for raising productive efficiency (Article 61 law 43/1979)
- Collecting the finances stipulated to the town local council in Article 51. With the exception of the finances, which the town local popular council decides to collect directly by the other machineries of the town (Article 62 law 43/1979)

#### **3.6.3 Quarter executive council**

Formed in each quarter, headed by the chief of the quarter, and membership of:

- Directors of services and production departments in the town
- The town secretary

Quarter executive council shall take charge of assisting the chief of the quarter in laying down the financial and administrative plans. Moreover it shall study and investigate the subjects that may be submitted by the local council or the chief of the quarter, it shall specially take charge of:

- Control on collecting the fees stipulated to the quarter local council
- Laying down rules which guaranteed good work progress
- Following up the works managed by the executive machineries of the quarter, and valuating the level of performance, good execution of the projects and services
- Proposing the credits, which shall be allocated for investments on the quarter level

### **3.7 Village**

#### **3.7.1 Chief of the village**

There shall be a chief for each village, having the powers of the ministry deputy, and the director of the department in the financial and administrative matters.

#### **3.7.2 Village local popular council**

- In each village, a local popular council shall be formed; the council within the general policy scope shall take charge of control on various utilities. In addition to proposing the village development plan, from economical, social and reconstruction point of views
- Proposing the budget project, and confirmation of the final account project
- Proposing the facilities of public participation by their self efforts
- Spreading agriculture awareness
- Proposing to establish various public utilities in the village (Article 68 Law 43/1979)

#### **3.7.3 Executive council**

Headed by the chief of the village, and the membership of:

- Directors of the executive machineries: interior – education- social affairs – health- agriculture- housing – village bank (Article 61 Executive Regulation Law 43/1979)<sup>48</sup>
- The village secretary

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<sup>48</sup> Article 61 is substituted by prime minister decree No. 314/1982

## Responsibilities:

- Village executive council shall take charge of assisting the chief of the village in laying down the financial and administrative plans. Besides executing the resolutions and recommendations of the village local popular council
- Study and investigate the submitted subjects by the local popular council or the chief of the village
- Control of collecting the village funds
- Providing assistance to the utilities, establishments and local machineries
- Laying down the rules which guarantee good work progress
- Investigating the public requirements of utilities, services and projects necessary for the economic, social and reconstruction development for the village

## 3.8 Financing

### 3.8.1 Finances of Governorates

**Common finances with all the governorate, includes the following:** Article 35 Law 43/1979<sup>49</sup> states that the governorate shall take half of the additional tax on the exports and imports, movable estate tax, trade and manufacture within the governorate. While the other half shall be deposited in the balance of common finances. However law no 187/1986<sup>50</sup> cancelled the exports and imports additional tax. The minister of local development is obliged to issue a resolution for the distribution of the proceeds of the common finances on the different governorates.

Special finances of the governorate, includes the following:

- One quarter of the receipts of the original and additional tax stated for lands in the governorate
- Taxes and duties on motorcars, motorcycles, trucks, bicycles, and means of transport, licensed from the governorate
- Returns of investing the governorate funds
- Taxes and other duties imposed for the benefit of the governorate
- Governmental subsidies
- Contributions, donations, and wills, provided the approval of the prime minister

A special account shall be established for financing economic housing projects, includes the following:

- Amounts allocated for the purpose of economic housing in the governorate

Proceeds of rents and premiums of possessing the building units owned by the governorate

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<sup>49</sup> Article 35 is substituted by Law 50/1981

<sup>50</sup> Law No. 187 Official Egyptian Gazette - Issue No.34 (Annex) on 21<sup>st</sup> August 1986

- Loans
- Subsidies, contributions and wills

### **Finances of the governorate local popular council**

The governorate local popular council shall establish an account for services and local development, including the following:

- Fees imposed by the governorate popular council in favor of this account
- Profits of the productive projects financed by the account
- Contributions, donations and wills, which the local popular council of the governorate approves to allocate them for this account (Article 37 Law 43/1979)

#### **3.8.2 Finances of *Markaz***

The *markaz* local popular council shall establish an account for the *markaz* services and development, including the following:

- The allocated budget by the governorate local popular council for the district
- Proceeds of the district investments and revenues of the utilities run by it
- Governmental subsidies
- Contributions, donations and wills, approved by the prime minister
- Loans concluded by the council (Article 43 law No. 43/1979)<sup>51</sup>

#### **3.8.3 Finances of Towns**

- The allocated funds in favor of the town by the governorate local popular council
- Proceeds of improvement recompense imposed on the lands, which benefited from the public works

Fees imposed by the town local popular council within its scope on the following:

- Registrations
- Licenses
- Road constructions
- Public utilities, industrial and commercial structures
- Commercial and fishing ships
- Private markets
- Consumption of water, electric current and gas within the limit of 1% of the consumption value. If the council did not take charge of exploiting these utilities by itself
- Utilization of seashore and coasts or their exploitation
- Renting taxes paid by occupants of built real properties

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<sup>51</sup> Article 43 is substituted by Law 50/1981

- Recompense, which is imposed by the council on the exploitation or use of public utilities belonging to the town
- Revenues of investing the town funds, and utilities managed by it (Article 51 Law 43/1979)
- Governmental subsidies, contributions, will and donations approved by the prime minister (Item 10 of Article 51 Law 43/1979)<sup>52</sup>
- Loans concluded by the council (Article 51 Law 43/1979)

The town council resolution in respect of imposing the duties stipulated upon article 51 shall not be applicable except after the approval of the *markaz* local popular council and the governor.

It is permissible for the governor to request from the council a report, or to amend a certain local fee and allowed to ask the council to cancel a fee (Article 53 Law 43/1979). If the council refuses to respond to the request the matter shall be submitted to the governorate local popular council. If the dispute continues, the matter shall be submitted to the cabinet and the decision shall be final. (Last paragraph of Article 53 Law 43/1979)<sup>53</sup>

#### 3.8.4 Finances of Villages

- Revenues of the village funds and the utilities, which are managed by it
- Funds allocated by the governorate popular council for the village
- Governmental subsidies
- Contributions, donations and wills, approved by the prime minister
- Loans concluded by the council

A special account shall be established for services and local development, whose finances are composed of:

- 75% of the proceeds of the duties imposed according to the provisions of article (37), collected within the scope of the village.
- The finances of the projects, which are run on the basis of capital turnover
- Recompense of taking possession of buildings
- Rents of the housing buildings and utilities
- The share of social services from the profits
- Subsidies, contributions, donations and wills approved by the prime minister (Article 70 Law 43/1979)

The finances of the account of services and local development in the village, shall be employed according to the village local popular council determination for the following purposes:

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<sup>52</sup> Item 10 of Article 51 is substituted by Law 50/1981

<sup>53</sup> Last paragraph of Article 53 is substituted by Law 50/1981

- Financing the productive projects and local services, according to a local plan, to be laid down and approved by the governorate popular council
- Completing the projects included in the general plan, which the credits stated for them in the village budget are not sufficient for their completion. Establishing the projects which are being carried out by self efforts, pursuant to the priorities which shall be proposed by the village local council
- Raising level of performance for the local services

Institution	Prepare Plans and Set Policies			Approve Plans			Prepare Plans and Set Policies	Approve Plans
	N	R	L	N	R	L		
Local Level								
21. General Administration for Planning and Urban Development			<input type="checkbox"/>				Prepare detailed plans within its administrative scope (Article 8) Identify needs (Article 11) Prepare detailed plans for cities and villages (Article 15)	
22. Governorate executive council in cooperation with GOPP			<input type="checkbox"/>				Prepare local urban goals and policies according to the needs determined by local popular council (Article 9)	
23. Competent Governor						<input type="radio"/>		Approve detailed plan after the local popular council approval (Article 16)



### 3.9 Summery

Egypt is divided into seven economic regions. Beside the economic regions a local administrative system exists including five administrative levels: governorates, Markaz, City, District and village.

Governorates are either fully urban or composed of rural and urban/complex governorates. Complex governorates contains the Markaz level while the fully urban doesn't include it. Markaz, is under the governorate in the organizational pyramid, it comprises one capital city, cities and villages. City administrative level exists in all governorates, some governorates comprises one city. Districts split into sections, which is then divided to *Shayakha*. Village is a component in the local administrative system, which is under the Markaz in the organizational pyramid.

All the units in the local governorate contain local popular council and executive council. Local popular councils are elected while the executive councils members are appointed as well as the governors and chiefs of the local units.

Financing the different governorates occurs through the minister of local development. Each governorate has special finances including taxes on vehicles, governmental subsidies and contributions and wills approved by the prime minister.

# CHAPTER 4: Infrastructure Facilities

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## 4 Infrastructure Facilities

Infrastructure facilities are crucial element in the urban planning and development, since the regulating system of these utilities is essential for the urban life. Drinking water and sanitation, electricity, roads and transportation and the solid waste management are the urban components discussed in this chapter as a part from the whole planning system occurring in Egypt. Elaborating these urban components tries to investigate of there is a link between MHUUD, GOPP and other entities responsible for spatial planning and the governmental (central and local) entities responsible for infrastructure. The local dimension concerning the utilities planning and maintenance is also questioned and elaborated during this chapter.

Several sectors responsibilities are completely carried by central governments, and it dominates exclusively 93% from the country's investment in the urban sector. Those ministries individually manage the services away than the local units (Shawkat, 2013, p. 15). New Urban Communities Authority that follows MHUUD has a different management system than the existing cities. Sectoral ministries work through new urban communities entities to establish and provide services (Shawkat, 2013, p. 12).

The budget allocated for urban activities within the last 5 years is 10 % from the general state budget. Sectoral ministries take 9.2% from the 10% of the general state budget, leaving 0.88% for all the governorates (Shawkat, 2013, p. 12). In addition to this distribution between the central and local budgets, the geographical distribution also plays a role. The urban development budgets in the period between 1998-2002 reached 22% for the new urban communities only, which accommodates 2% of Egypt population (World Bank, 2008, p. 61).

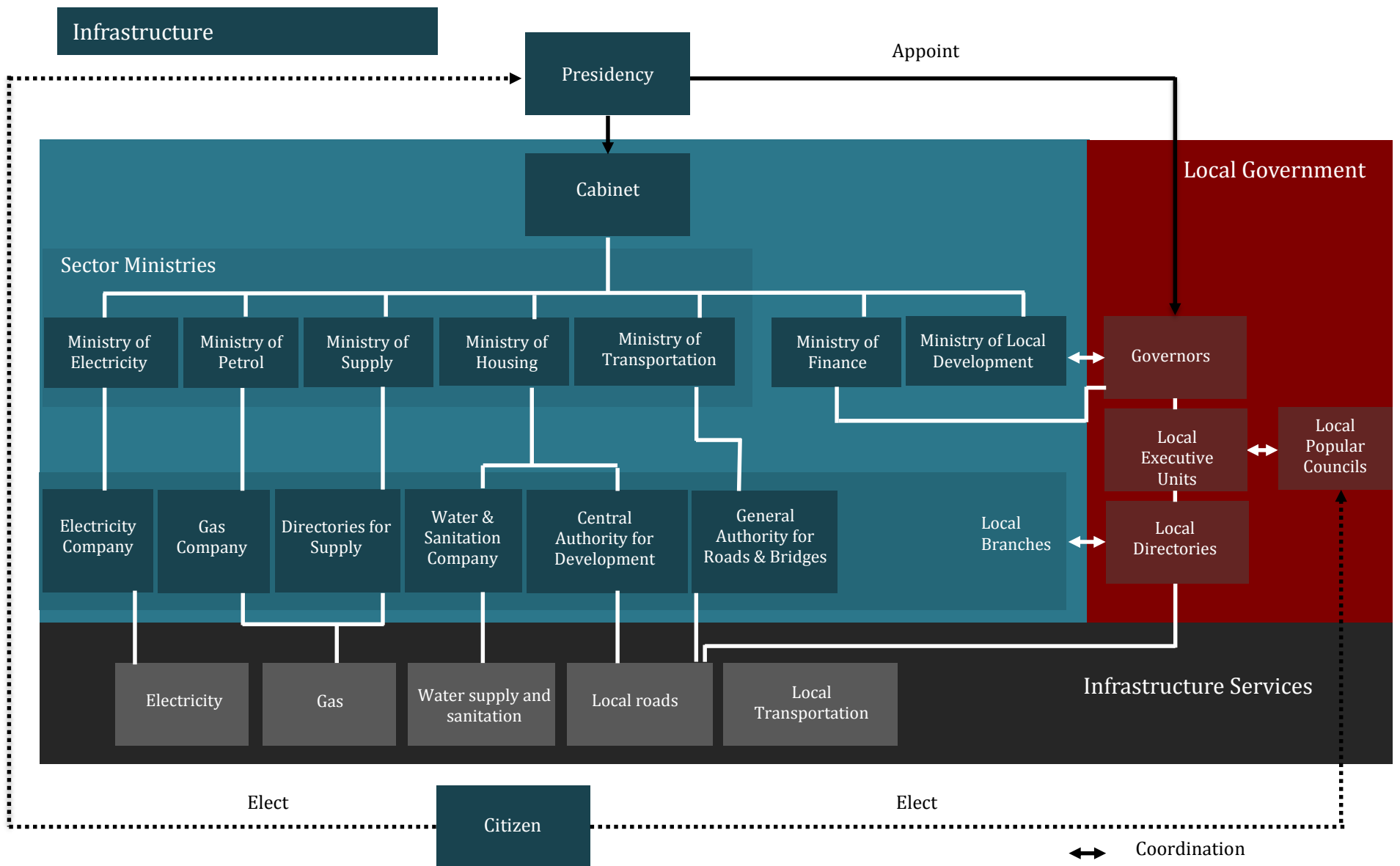


Figure 20 Infrastructure - current situation in existing cities  
 Source: Adapted from (Shawkat, 2013, p. 14)

## 4.1 Drinking Water and Sanitation

Several ministries set the water sector policies in Egypt:

- MWRI is responsible for determining, planning and executing the water development resources plan (MWRI, 2013)
- MHUUD is responsible for studying and preparing the drinking water and sanitation plans and execution plans. Putting the regulations and standards descriptions of the plan and supervising the execution, operation and management (Ministry of Housing , 2010). MHUUD worked on a policy document in 2010 including a new reform concerning the financing strategy. It will come from user charges with a mild incremental increase, debt financing and government subsidy (MENA-OECD, 2010, p. 64)
- MSEA is dealing with environmental aspects in the water resources (MENA-OECD, 2010)

Cairo and Alexandria Potable Water Organization (CAPWO) is responsible for constructing wastewater treatment facilities and potable water stations in Cairo and Alexandria. The National Organization for Potable Water and Sanitary Drainage (NOPWASD) is responsible for constructing the water and wastewater treatment facilities in the other governorates (FEMIP, 2008, p. 34). It is considered as the main entity responsible for the main projects implemented in the water sector and financed from the state general budget (World Bank, 2008, p. 72). Egyptian Water Regulatory Agency is responsible for regulating freshwater distribution, sanitation and protecting the consumer (MENA-OECD, 2010).

Water and sanitation companies used to follow the local units for decades. Presidential decree 135 year 2004 was issued to transfer the fellowship of these companies to the Holding Company for Drinking Water and Sanitation that follows the Ministry of Housing. Presidential decree No. 39/2012, sets forth the organization of the Ministry of Drinking Water and Sanitation followed by the National Authority for Drinking Water and Sanitation, Executive Organization for Drinking Water and Sanitation, Holding Company for Drinking Water and Sanitation and Potable Water and Sanitary Drainage & Egyptian Water Regulatory Agency. In February 2014 Ministry of Drinking Water and Sanitation returned and joined MHUUD again. Ministry of Housing is managing the Holding Company, but there are water stations in the Egyptian villages owned by the private sector and under the holding companies supervision. There is a sanitation station that follows the large private sector also under the holding companies supervision (Shawkat, 2013, p. 15). The institutional policy is established on the principle of efficiency performed by parastatal entities management. Entities continue to be owned by the state while they are monitored and controlled by an independent state agency (Development cooperation Ministry of Foreign Affairs of the Netherlands, 2010).

## 4.2 Electricity

Same as the drinking water management, electricity was centralized in 2000. When law No. 164 for year 2000 combined all the regional electricity companies to the Electricity Holding Company that follows Ministry of Electricity and Energy. Ministry of Electricity manages the Holding Company of Electricity in Egypt. Nevertheless the law allows privatizing the company or the companies that follows it and some electricity stations belongs to the private sector. Yet the electricity is sold out to the citizen through the holding companies (Shawkat, 2013, p. 16).

Article 19 in the executive regulations of the local administration law 43/1979 states that the local units each within its scope is responsible for approving the electricity distribution plan, supervising electricity distribution branches, approving construction and maintenance of electricity structures plans and constructing and maintaining the public lighting grid besides extending it to different areas.

New and Renewable Energy Authority (NREA) was established according to Law 102/1986 setting the following responsibilities; surveying, evaluating and developing the energy resources to use it within the state general policy for energy sector. Prepare technical, economic and environmental studies to develop new and renewable energy resources. Identify the sectors that need to be supported by new energy resources rather than the traditional ones, through cooperating with the competent entities in the state. NREA is responsible for implementing production and using new and renewable energy projects as well as providing technical consultancy. Prepare and implement training and marketing programs to publish renewable energy usages (NREA).

Egyptian Electric Utility and Consumer Protection Regulatory Agency (EgyptERA) established through presidential decree No. 326 in 1997 and reorganized under the presidential decree No. 339 in 2000. Board of directors was formed in 2001; the boards chairman is the Minister of Electricity and Energy (EgyptERA , 2011). While the authority is not part from the ministry structure and it has a legal mandate, which is outside the ministerial control (MENA-OECD, 2010). EgyptERA is responsible for assuring that the electric power generation activities are performed according to the laws and regulations. Also for reviewing regularly the electric power consumption plan, setting regulations, cost control, reviewing technical performance, quality monitoring, raising awareness, consumer protection and licensing (EgyptERA , 2011). The financing relies on: funds allocated in the state budget, issuance and renewal of licenses given to different service providers, proceeds from provided services and investments performed by the agency, donations, subsidies and grants that are in accordance with the objectives of the agency (EgyptERA , 2011).

Private sector was involved by 9% of installed capacity in fiscal year 2008/9. Participating in long-term contracts with Egyptian Electricity Transmission Company. The three gas fired steam generators were sold to Malaysian operator Powertek, the contracts overall performance was successful, despite the concerns regarding the hard currency clause in the power purchase agreement (PPA) contract, which caused the Egyptian pound to decline in 2001-3. Egyptian Holding Company (EEHC) current investment is relying on “soft” financing from World Bank (MENA-OECD, 2010, p. 54).

In 2010, Egypt had “eight licensed private electricity producers, which account for 10% market share and twelve licensed private electricity distributors with a combined market share 1%” (MENA-OECD, 2010, p. 54).

### 4.3 Roads and Transportation

Road sector in Egypt is governed through a central authority called General Authority for Roads, Bridges and Land Transport (GARBLT) for the intercity network and the governorates authorities for local roads (MENA-OECD, 2010, p. 31). General authority for roads, bridges and land transport is the official body responsible for managing main roads and bridges; planning, construction, operating, maintenance and safety works all over Egypt (MENA-OECD, 2010, p. 32). GARBLT follows Ministry of Transportation (MOT) (World Bank, 2008, p. 49).

MOT is responsible for all regional roads and it participates with the local administrations, MHUUD and NUCA in managing part of the local roads, all bridges and underground tunnels. Some regional and axial local roads are offered for cooperation with the private sector (Shawkat, 2013, p. 16). Nevertheless the governorates hold the responsibility of constructing and maintaining regional roads as well as all roads types, bridges and tunnels (Article 18 Executive Regulation Law 43/1979). In reality roads and bridges departments on the city councils and district *hay* level finance, repave and repair local roads and bridges. (World Bank, 2008, p. 49)

The Ministry participates in a part of the local transportation, either ground or river, but all the regional transportations as the railway and busses are the ministries responsibility. Several buses lines and railways are managed by the private sector under the Ministry of Transportation supervision (Shawkat, 2013, p. 16). In addition the Ministry has a holding company for the largest road and bridge construction companies in Egypt (MENA-OECD, 2010, p. 32).

The Egyptian Railway Authority (ERA) manages the railways, yet the coordination between ERA and MOT is weak. ERA finds difficulties in operation and management since the fares are subsidized, the Authority needs funds to keep the operation working efficiently. Egyptian Tunnels Authority (ETA) is a national authority responsible for Cairo metro system; it manages separately than other transportation systems (World Bank, 2008, p. 49).

On the central level the projects are financed through allocated budget for GARBLT or to an affiliate of MHUUD called the Central Reconstruction Agency *El Gehaz El Markazi lil Tamir*. Its branches are located in the Egyptian regions (World Bank, 2008, p. 49).

Within each local unit, stakeholders determine their needs and present them to the governorates. Afterwards the governorate unify the local units needs and present it to the Ministry of Local Development (MOLD). MoLD draws a unified plan according to the local units need and presents it to Ministry of Economic Development. The Ministry includes it in the national economic plan and presents it to Ministry of Finance (MOF)

for funding approval. After approval by Ministry of Finance, projects are included in the national budget (MENA-OECD, 2010, p. 32).

Public sector companies mostly perform road maintenance, as they offer low prices during tender. Some observers point out that it's due to lower wages in the public sector and fuel subsidies. While industry observers declare that the quality of work is low and insufficiently monitored by GARBLT (MENA-OECD, 2010, p. 32).

#### 4.4 Solid Waste Management

The informal recycling covers the whole country, since the informal waste collectors used to recycle about 80% of the collected waste. Privatization of waste collection resulted in disturbing the informal sector and their loss of the main source of income. The new system failed to integrate the informal collectors in the waste management process (GTZ, 2010, p. 8).

Causes of the limitations of the current SWM are technical, administrative, legal and financial. The following are some of the causes:

- Deficiency of infrastructure throughout Egypt
- Lack of sufficient collection services, transportation, storage and sanitary landfill space
- Lack of policies and strategies for the solid waste management
- Lack of skilled employees that have the capabilities to operate the system
- Absence of environmentally safe tools
- Lack of infrastructure to operate the construction, health care, workshops and other types of wastes
- Absence of information on SWM patterns
- Inefficient financing for SWM
- Lack of public participation (Egyptian Environmental Policy Program Support Unit, 2010, pp. 7,8)

Several authorities and ministries are responsible for the solid waste management (SWM), some ministries are responsible for technicalities and the other ministries are concerned with the financial and organizational affairs (Milik, 2010). *“SWM is divided between the Ministry of State for Environmental Affairs, Ministry of Local Development, Ministry of Housing, Utilities and Urban Development, Ministry of Health, Ministry of Water Resources and Irrigation, Ministry of Agriculture and Land Reclamation, Moreover Ministries of Finance, Investment, Trade & Industry, Communications & Information Technology and Interior are important stakeholders”* (SWEEPNET, 2010, p. 19).

Egyptian Environmental Affairs Agency (EEAA) as the technical and executive body of Ministry of State for Environmental Affairs (MSEA) is responsible for determining the national policies, legislations, action plans, planning guidelines, monitoring and human resources development for all types of waste (SWEEPNET, 2010, p. 19).



2010 , p. 42). EEAA role is mostly limited to advisory, since its mainly responsible for setting guidelines and supervision. However EEAA is committed to approve the environmental impact assessment (EIA) for new lands, industrials projects and environmental activities (Milik, 2010, p. 50). EEAA responsibilities include assisting the governorates in specifying the landfills all over Egypt. Also checking the EIA waste treatment and disposal facilities performance with the local authorities and monitor the environmental register facility (Milik, 2010, p. 51).

Ministry of Local Development sets national policies, legislations and guidelines in cooperation with MSEA/EEAA (SWEEPNET , 2010 , p. 42). The Ministry finances local projects in cooperation with Ministry of Defense (Milik, 2010, p. 52). Ministry of Housing, Utilities & Urban Development is responsible for construction and demolition waste. Ministry of Health is responsible for healthcare waste through assuring safe disposal of all generated medical waste through Egypt. The Ministry has an executive authority supervising private and governmental medical institutions, clinics, labs and pharmaceutical companies. Ministry of Water Resources and Irrigation is concerned with the Nile river protection (Milik, 2010, pp. 51,53). Ministry of Agriculture and Land Reclamation is responsible for setting national polices, legislations, guidelines and managing the agriculture waste (SWEEPNET , 2010 , p. 42). Ministry of Finance role is approving the budget for SWM (Milik, 2010, p. 52). Ministry of Trade and Industry is responsible for industrial waste (SWEEPNET , 2010 , p. 42).

On the local level Municipalities, cleansing and beautification authorities and governorates implement the system, train and develop the human resources, monitoring and inspection. In addition the governorate sets the regional strategies and action plans. International private companies are concerned with the integrated solid waste management projects (ISWM), while the national private companies are concerned with the SWM projects. Zabbaleen is the informal sector that collects, transports, sorts and recycle the households' waste. NGOs projects are concerned with SWM and improving the businesses of the Zabbaleen (SWEEPNET , 2010 , p. 42). RBO participates in managing the unsafe materials and waste in coordination with EEAA Environmental management sector and the local agencies within the geographical framework (Article 2 State Minister for Environmental Affairs Decree 56/2000).

#### **4.5 Summery**

Infrastructure facilities comprising drinking water and sanitation, electricity, roads and transportation and solid waste management are crucial elements in the urban development and planning. The institutional framework of these elements is elaborated in this chapter.

Regarding the drinking water and sanitation, MWRI and MSEA are concerned with the water resources. However MHUUD is the one undertaking the preparation of the plans and policies. The water and sanitation companies currently follows the Holding Company for Drinking Water and Sanitation that follows MHUUD.



Electricity companies also follows the Electricity Holding Company that follows Ministry of Electricity and Energy. Local units each within its scope hold several responsibilities concerning approving plans, branches supervision and constructing and maintaining public lighting. NREA is responsible for developing new and renewable energy resources. The Minister of Electricity chairs EgyptERA, however EgyptERA legal mandate is separate from the ministerial control. Its responsibilities is concerned with assuring the fulfillment of laws and regulations, setting regulations, cost control and quality monitoring.

Concerning roads and transportation, GARBLT follows MOT and it governs the intercity network. While the governorates authorities manages the local roads. MOT is concerned with all regional roads and participates with local units. MHUUD and NUCA are also involved in governing local roads, bridges and tunnels. ERA manages the railways and ETA manages Cairo metro system. Public sector companies perform road maintenance following a Holding Company that follows MOT.

The informal collectors took most of the solid waste management role until privatization of waste collection. The new system failed to integrate the informal sector. The following ministries are all concerned with solid waste each within its scope; Ministry of State for Environmental Affairs, Ministry of Local Development, Ministry of Housing, Utilities and Urban Development, Ministry of Health, Ministry of Water Resources and Irrigation, Ministry of Agriculture and Land Reclamation, Moreover Ministries of Finance, Investment, Trade & Industry, Communications & Information Technology and Interior.

On the local level, cleansing and beautification authorities and governorates are responsible for implementing the SWM system. International private companies are concerned ISWM, while the national private companies are concerned with SWM projects. Currently the informal collectors still exists, working on collecting, transporting, sorting and recycling waste.

# CHAPTER 5: Public Land Management

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## 5 Land Management

### 5.1. Introduction

Land Management term in this chapter is used to represent the institutions involved in the public lands activities including: ownership, control, allocation and disposal. The public land is an essential aspect in the planning process; hence this chapter will first focus on the governmental entities involved in the public land management activities. Which were not mentioned in the central institutions chapter, since they are exclusively dealing with the land management activities rather than the spatial planning activities. Lands are classified to different types either according to the land soil type as agriculture lands and desert land. Later an overview is presented concerning the main challenges facing the management process.

### 5.2. Institutions Involved in Land Management

#### 5.2.1 National center for planning state land uses (NCPSLU)

Established in 2001 through presidential decree No. 153, to bridge the limited coordination and lack of information difficulty. The entity first followed the prime minister, who is the chief of the board of directors, which includes 17 ministries and authorities (the chief position latter was assigned for the Deputy Prime Minister). In 2005 the prime ministerial decree No. 467 identified that the board of directors includes: Minister of Agriculture and Land Reclamation (as Chair), directors of NCPSLU and Military Survey Department, and Representatives of the following ministries: Defense and Military Production, Culture, Housing, Awqaf, Irrigation and Water Resources, Interior, Petroleum and mineral Resources, Power and Energy, Civil Aviation, Planning and Local Development, Environment, transport, Communications and Information Technology, Agriculture and Land Reclamation, Investment and Tourism (World Bank, 2006, p. 33).

#### Responsibilities

- Support the state land use decision making in order to achieve the best benefit from the economic, human resources, environment, etc. through:
  - Survey lands allocated for all ministries, governorates, governmental entities, investors councils by classifying it into (Invested – not invested)

- Survey the invested lands and how far did it accomplish
- Survey the lands which is not invested, studying the reasons and setting best solutions to activate the investment plan, setting time schedule and supervising its execution to achieve the objectives of the investment plan
- Survey lands that are not allocated yet and preparing needed analytical studies to recognize:
  - The necessary lands for achieving the state plans for the present, near and distant future in coordination with ministries and different state bodies
  - The needed lands for investments and preparing analytical study for different activities and identifying the needed regulations (time schedule-land prices-employment rates-financial predicted revenue) and announcing it to all investors through NCPSLU website
- Prepare detailed maps for state land usages outside the *Zemam* in accordance with general plan map
- Prepare applications for identifying state land uses relying on GIS
- Working on forming unified measurement system for the GIS in the state
- Working on automating all the NCPSLU activities while considering the confidentiality and securing the information
- Creating a dynamic website to link the center with different stakeholders
- Activating the coordination between ministries regarding the state land management (NCPSLU)

### **Responsibilities in coordination with other specialized authorities**

- Survey and reform lands outside the reins and preparing general plans for its development within the general state policy framework
- Prepare land use plans for public lands outside *Zimam* for all purposes after coordination with MODMP
- Providing each ministry a map with the lands usages allocated for their activities, the ministry will individually own the full authority for allocating and supervising the development and disposal usage
- Survey the annual program for development plans, land uses, net revenues and expenses for land development in each ministry
- Coordinate between ministries regarding land pricing regulations, disposing system, collecting its price and regulating its protection
- Assuring that the state treasury receives the net revenue from land development allocated for each ministry
- Coordinating with MODMP about different land uses outside the *Zimam* without contradicting with state defense plans
- Participating in choosing and identifying needed locations for main projects in the state (roads – railway lines – ports and airports – economic areas and others)

- Preparing special public lands studies outside *Zimam* which are not allocated for a certain land use and coordinate between public authorities for using these locations
- Retain all information related to public lands outside Zimam, allocated lands for each ministry, annual uses for these uses and the remaining unallocated land stock
- Document *cordons* borders for cities and villages and prepare special studies for extensions or modification for governorates; with desert and without desert hinterland
- Provide opinion regarding ministries requests and different state authorities for modifying land uses already allocated or allocating new lands
- Supporting the specialized authorities in the state to implement *sejel ainee* system
- Provide opinion regarding conflicts over lands between ministries, public authorities and local units or between these bodies and individuals (NCPSLU)

### 5.2.2 New Urban Communities Authority

NUCA selects the sites necessary for new urban communities establishment (Article 7 Law 59/1979). The prime minister issues a decree after the approval of the cabinet for allocating the land; it binds all ministries, departments and machineries concerned with the state property (Article 9 Law 59/1979).

A distance of land surrounding the new community not exceeding 5 kilometers may not be disposed, utilized or exploited in any way without the approval of NUCA. In addition to a distance of 100 meters on the two sides of the road leading to the new community following the same restrictions (Article 8 Law 59/1979).

Benefiting from the land or establishments of new urban communities shall be according to the rules set by the Board of the Authority. In case of contravention the board may cancel the licensee (Article 14 Law 59/1979).

As mentioned in NUCA responsibilities in the central institutions chapter all powers given to local units by laws shall be given to the authority. As well as approval of licenses required for establishments, operation and management of all projects and activities (Article 13 Law 59/1979).

#### Land Allocation

*The head of the competent urban community agency shall inform the real estate affairs at the authority of the recommendations of the sub committee in connection with the reservation applications to have them submitted to the principle committee at the authority, or to the competent committee, as the case may be, to look into approving these recommendations.*

*The real estate affairs at the authority shall notify the resolutions of the principal committee to the competent urban community agency, which shall, in turn, inform the*

*parties concerned of the resolutions of the principal committee in relation to allocation (Article 12 Law 3/2001)*

### **5.2.3 Industrial Development Authority (IDA)**

The Authority is the responsible entity for executing the industrial policies that are set by the competent Ministry of Industry and Trade and other entities that fall under it. Encourage and motivate investments in the industrial sector. Set and execute land development for industrial purposes policies and make it available for investors and facilitating the process of obtaining the industrial license, in return it may have:

- Study the legislation related to the industry and propose what it believes in this regards
- Prepare studies and sectoral and geographical industrial development plans and to follow up and encourage its execution
- Setting the public policies and the necessary plans to develop the industrial areas in coordination with governorates and other concerned authorities. The Authority is the only entity that may decide in establishing industrial areas requests or expansion and set rules and conditions related to that, whether the industrial areas that it established or the ones managed by the governorates or other public entities or private sector
- Specifying the lands allocated for industrial purposes in coordination with the NCPSLU
- Setting the rules and regulations that allows private sector companies to establish and provide facilities for the industrial areas. Provide the space and land in it for investors and license their establishment and management for the industrial areas
- Determining the activities and industrial products as well as the related services activities that are practiced in the industrial areas in coordination with The Environment Affairs Authority and provinces and other state authorities or the private sector
- Establishing the organized rules and regulations to take advantage of and grow the industrial areas lands and price them for investors. And coordinating with provinces or other state authorities or the private sector that handles the providing of facilities. In addition to managing the industrial areas to make them available for investors and that is done through the facility fund referred to in article 10 of this journal
- Establishing general rules to motivate investors inside the industrial areas and attaching this with specified standards for production, operation and exporting or for any other purpose of growth. And to work on setting up the atmosphere for investing in the industrial areas in coordination with the public authority for investing and duty free areas, and for these rules to be presented to the cabinet of ministers for reviewing and approval
- Establishing the rules and regulations for approvals and the necessary licenses

for industrial projects and issuing them and issuing reregistration certificates in the industrial archives and for the entity to assign whomever they think is fit from any of the assigned state's authorities to issue approvals and licenses

- Issuing approvals and licenses to establish industrial projects outside of the industrial areas and that in cases that requires so accordingly to the procedures and conditions that the authority council may determine or set
- Following up and evaluating the industrial projects in coordination with the assigned entities to insure that the usage of the industrial lands conditions are not violated
- Establishing the public policies and the necessary plans to train those who work in the industrial field, and to supervise sponsored projects whether it is by grants or foreign debt that fall under the assigned Ministry of Industry and Trade, and that is in coordination with the state agencies and the private sector that operate in this field, which leads to the qualification of the labor and enhancing the abilities accordingly to the industrial requirements and standards
- Establishing the policies and the necessary mechanisms to connect between the development of the industrial sector and the scientific and technological research activities related to it, and that is to benefit from the research results and the scientific projects to answer the needs of the industrial growth
- Registration of companies and experienced entities that are involved in the field of establishing, evolving and modernizing the complete engineering systems related to industrial and technological service activities accordingly to the regulations that are set by entity's council management
- Issuing books, magazines and publications related to promoting for the areas and the industrial projects and the advertising material for it in collaboration with the public investing entity and the duty free areas

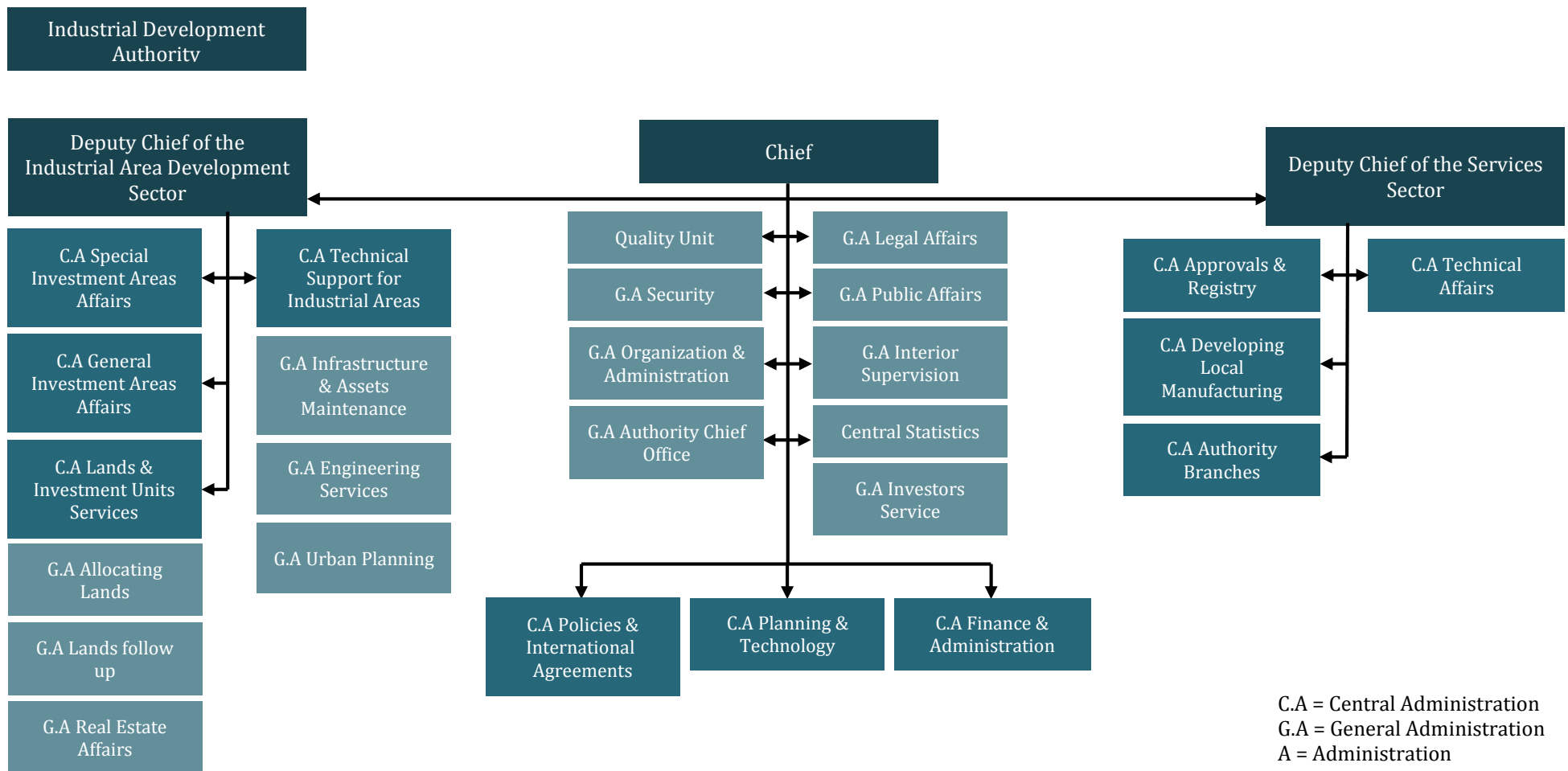
### **Board of directors**

It is formed through the decision of the prime minister on the following bases:

- The entity's president
- Two vice presidents
- A councilor from the state's council and is chosen by the councils president.
- Six representatives from the Industrial, investment, local growth, (occupation, facilities and developed societies), finance and environmental ministries and for each to propose a competent minister
- Three specialists and those of experience are to be chosen by the competent Minister of Industry and Trade<sup>54</sup>

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<sup>54</sup> Law No. 350 Official Journal – Issue 42/Bis on 23<sup>rd</sup> October 2005



**Figure 21 IDA Organization Structure**  
Source: (IDA, 2014)

#### 5.2.4 Tourism Development Authority (TDA)

Presidential decree No. 374/1991 was issued concerning the organization of TDA. The Authority is a general economic authority, with a legal personality and its head office is located in Cairo affiliated to the Minister of Tourism and the authority may establish branches in governorates (Article1). TDA objective is to develop tourism areas within the general policy framework and economic plan (Article 2).

#### **Responsibilities**

- Setting up plans for tourism areas development
- Prepare and review the projects assessments, studies and programs necessary for developing tourism areas
- Implementing essential projects
- Collecting the costs of services from the beneficiaries of the projects
- Supervision on the tourism development implementation plan
- Managing, exploiting and using the lands allocated for purposes of establishing areas in desert lands (Article 2)

Exploiting the allocated lands occurs through TDA establishment of tourism projects or allocating the land for investor (Article 2 Prime Minister decree 2908/1995)<sup>55</sup>. Regulations and conditions organizing the TDA allocated lands are released in the prime minister decree No. 2908/1995 (TDA, 2012).

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<sup>55</sup> Official Journal – Issue 48 on the 30th of November 1995



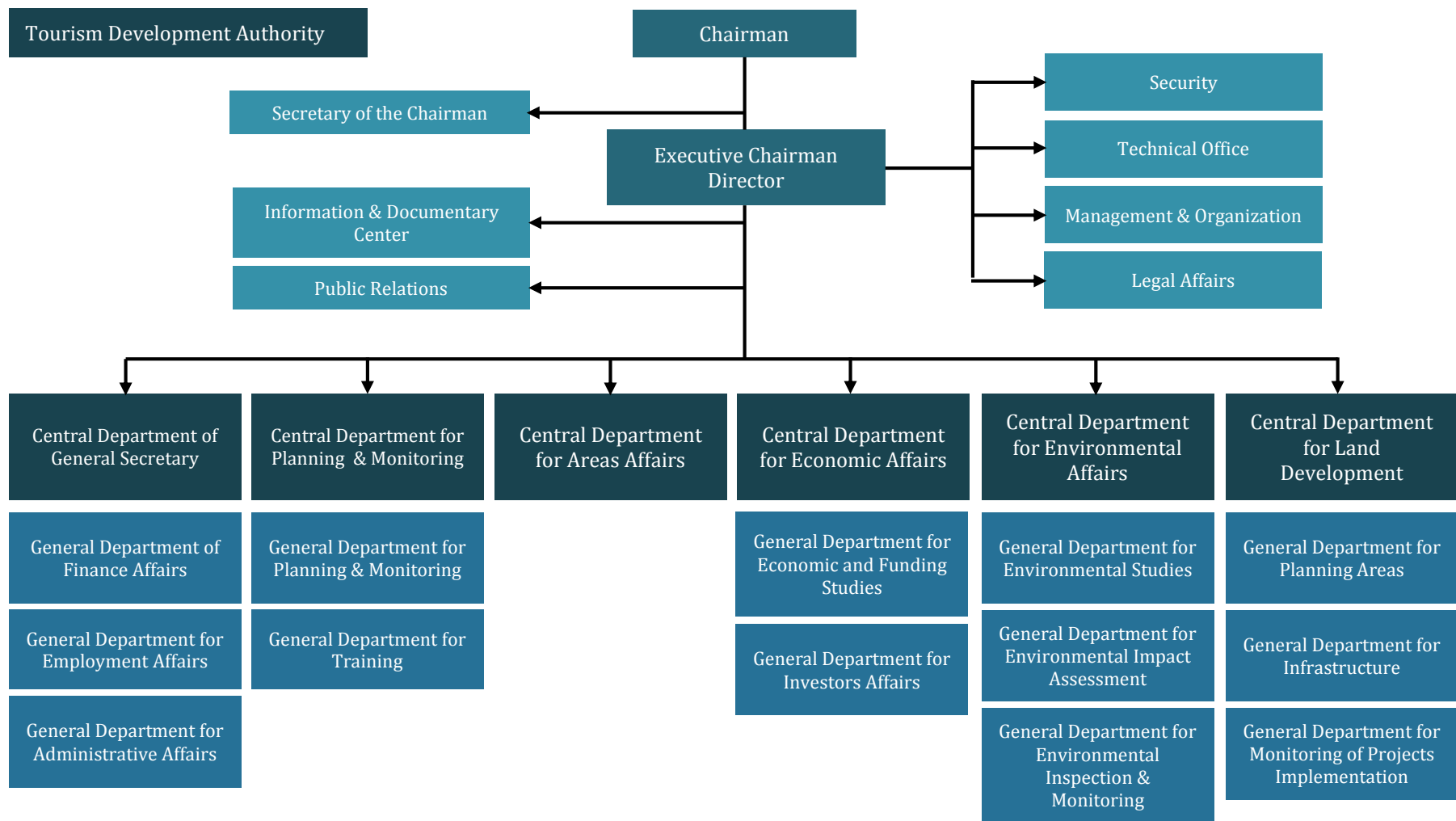


Figure 22 Tourism Development Authority Organization Structure  
 Source: (World Bank, 2006, p. 37)

### 5.2.5 General Authority for Reconstruction Projects and Agriculture Development (GARPAD)

Presidential decree No.269/1975 was released concerning GARPAD establishment. The Authority includes the institutions and former entities working on the lands reclamation and farming field (GARPAD).

#### Responsibilities

- Draw general policy for fallow land reclamation, exploitation and urbanization
- Participate and coordinate with competent governmental entities in planning public facilities and special services in the reclaimed lands (Irrigation and sanitation-electricity grids-drinking water and roads projects-etc.)
- Survey and classify the fallow land that could be reclaimed and develop water resources in the desert lands
- Prepare technical and economical studies for land reclamation projects
- Coordinate the cooperation between foreign entities and governmental authorities regarding reclamation land plans and agriculture (GARPAD)

#### Board of Directors

- Board of directors' chief
- Board of directors' chief of the General Institution for Land Reclamation
- Board of directors' chief of the General Institution for Farming and Land Development
- MIWR first secretariat
- MALR first secretariat
- Director of Agriculture Research Center
- Chief of the state Council Competent *Fatwa* management
- The following ministries are represented: MOP, MOF, MTI, MODMP and MOLD
- Authority's sectors directors
- Three experienced chosen by MALR (Tadamun)

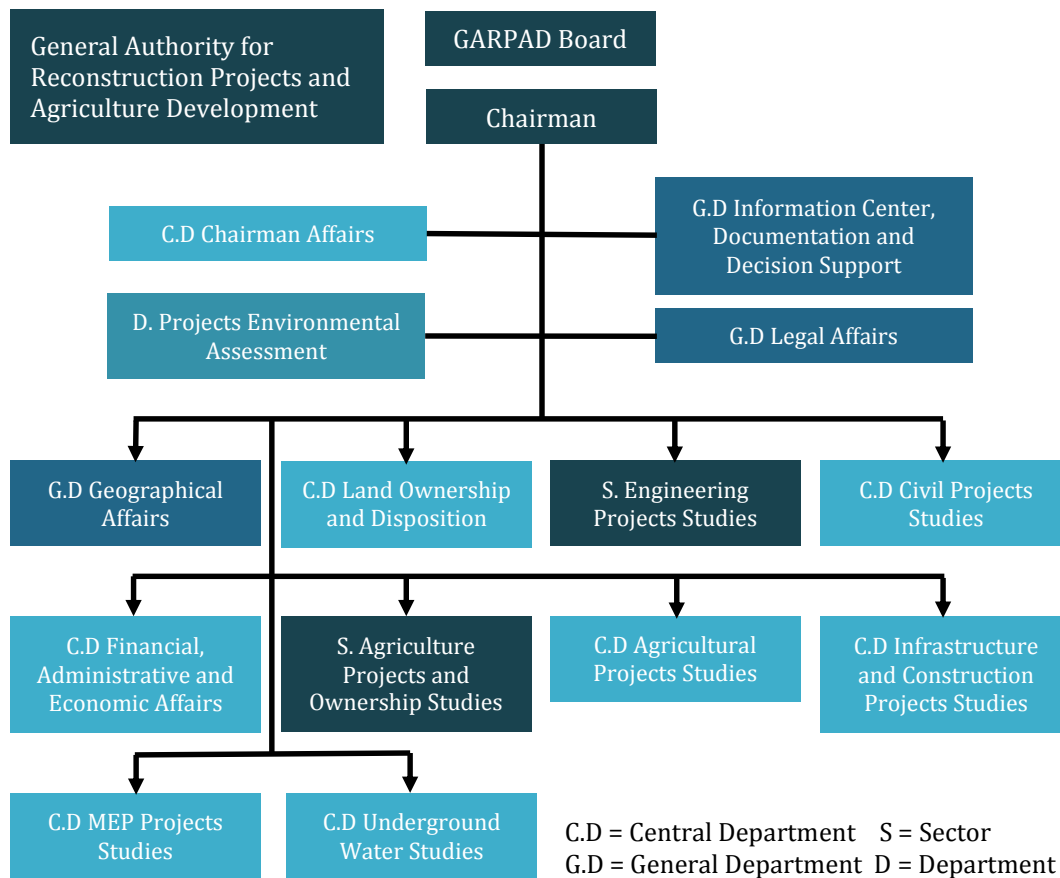


Figure 23 GARPAD Organization Structure  
Source: (World Bank, 2006, p. 76)

### 5.2.6 Ministerial Committee for Reclaimed Lands Outside *Zemam*

#### Responsibility

- Survey the reclaimed lands areas and the suitable lands for reclamation outside *Zemam* in order to include it inside the *Zemam*
- Survey reclaimed lands areas allocated and distributed on companies and individuals and wasn't used in the agriculture production
- Proposing suitable way to provide reclaimed lands and the land that are not allocated yet, with attached standards, pricing and selling rules for investment companies and individuals
- Prepare preliminary feasibility study in areas outside *Zemam*
- Topics provided by the prime minister<sup>56</sup>

Cabinet decree No. 1831/ 2004 states that a permanent ministerial committee for reclaimed land outside *Zemam* shall be formed including the membership of:

<sup>56</sup> Official Journal – Cabinet Decree - 27th of October in 2004

- Minister of MOF
- Minister of MHUUD
- Minister of MWRI
- Minister of Justice
- Minister of MALR
- Minister of MSEA
- Minister of Investment
- Minister of MFTI
- The committee may invite whoever is needed from ministers, experts or competent people

### 5.2.7 Egyptian Survey Authority

#### Responsibilities

- Covering Egypt with topographic maps in several scales
- Support national land registration in collaboration with Real Estate Office (Abd & Saad, 2006, p. 2)
- Regulating and producing all survey and mapping activities (Ibrahim, p. 2)

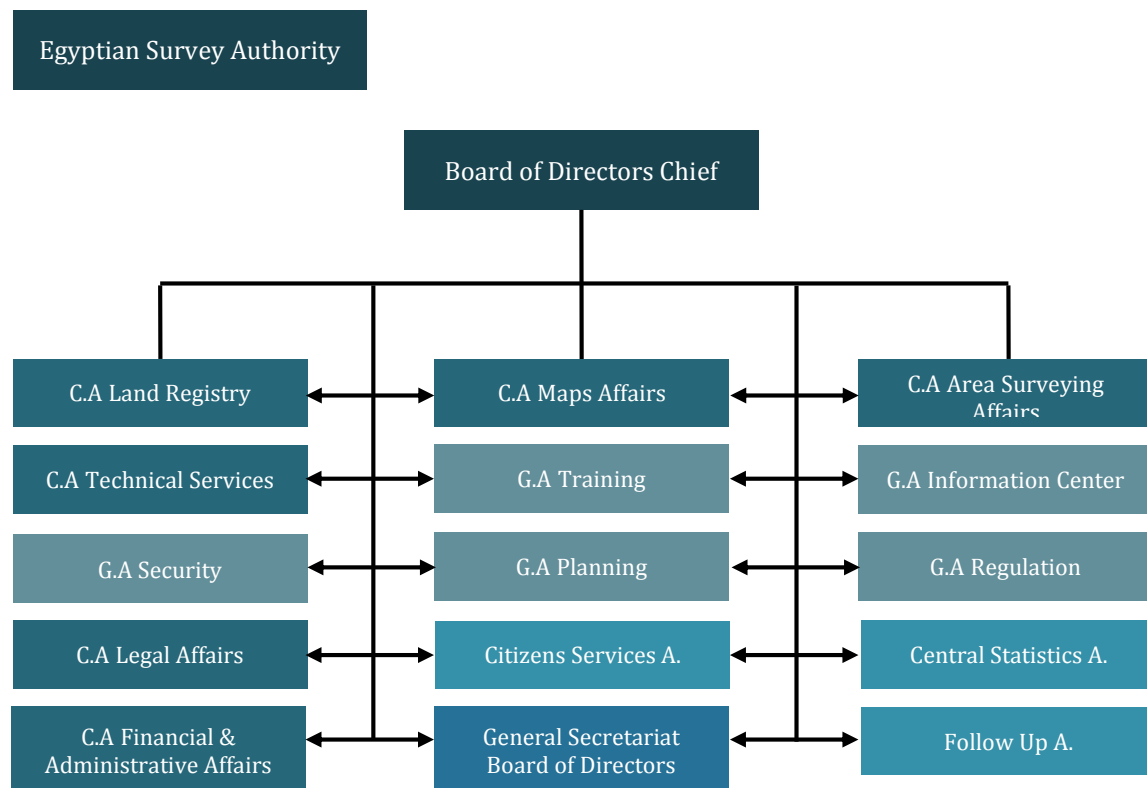


Figure 24 Egyptian Survey Authority organizational chart  
Source: (Egptian Survey Authority , 2012)

## 5.2.8 Governor

On the local level the **Competent Governor** sets the regulations of land disposal after the approval of the local council. Prime ministerial decree was issued to regulate the rules for disposing the following lands; state-owned land set for construction, lands owned by local units which are set for construction and lands located within the *zeman* suitable for reclamation. However the regulations specified by the governor are not applied to lands and properties evacuated by Armed Forces or allocated for Ministry of Interior that are determined by presidential decrees (Article 2 Prime Minister Decree 2903 year 1995)<sup>57</sup>.

## 5.3. Land Types

### 5.3.1 Agriculture Land

Agriculture land tenure is secured and its ownership is widely acknowledged, even the built up areas that were originally agriculture land. “Land is easily bought and sold and subdivided, with most transactions carried out through simple civil *ourfi* contracts” (World Bank, 2008, p. 40). Agriculture land is easily converted into urban use by dividing the agriculture strip into smaller plots. In fact building land price is between 8 and 12 times the agriculture land price. The government prohibits building on agriculture land, thus no procedures or guidelines exist for changing the usage as well as the unfeasibility of granting any fees from the urbanization activity (World Bank, 2008, p. 41). Nevertheless in 2007, GOPP introduced an important policy called *Tahzim* in Cairo and Alexandria allowing the construction on the agriculture land by a certain quantity, aiming to control the unplanned expansions (World Bank, 2008, p. 14).

According to law of agriculture land protection, it is prohibited to construct any buildings on the agriculture land or taking any actions to divide the land to build on it. The fallow land included in the agriculture land is considered under the control of agriculture land law, exceptions of the prohibition are:

- Lands inside the urban space in villages, decided through a decree by minister of agriculture and minister of housing
- Lands used for general benefit projects done by the government after the agriculture minister
- Land used for livestock or agriculture production projects, through a decree by minister of agriculture

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<sup>57</sup> Prime Ministerial Decree No. 2903 Official journal – Issue No. 48 on 30<sup>th</sup> November 1995

- Land located in the village space, where the owner has a private house or a building that serves the land, within the limits issued in the Ministry of Agriculture decree
- Any of the above cases has to have a permit from the competent governor before constructing any buildings or projects except for the general benefit projects (Article 52 Law 116/1983)<sup>58</sup>

A decree was issued on 2006, providing 498 village permits to build and construct after the approval of the competent governor according to article 152 from the agriculture law<sup>59</sup> and the detailed planning approved by GOPP (Article 1 Law 359/2006).

Several entities are involved in allocating agriculture land. On the local level, the governorate manages the land reclamation within the *zemam* and the extended lands for 2 KMs in accordance with the state general policy. After taking the Ministry of Agriculture opinion, the governorate decides upon the rules of land disposal. As well as studying land reclamation methods, construct and manage agriculture clusters in reclaimed areas, regulating the new communities affairs and providing services (Article 11 Executive Regulation Law 43/1979).

Outside *Zemam*, GARPAD is involved in allocating agriculture lands, however several other central entities also control public agriculture lands such as NUCA that allocates lands for reclamation usage. MODMP and Ministry of Interior control and use their own reclaimed lands. In addition Holding Companies affiliated to MWRI practice land reclamation projects on their lands. (World Bank, 2006, p. 75)

### 5.3.2 Desert Land

The president issues after the approval of cabinet according to the proposal provided by minister of defense, the strategic areas with military importance from the desert land, these lands are not to be owned. Subsequently the president issues a decree after the approval of the cabinet according to the competent minister, to identify the areas included in reclamation, new urban communities or touristic lands (Article 2 Law 7/1991)<sup>60</sup>.

**TDA** is responsible for managing and using the lands allocated for touristic uses. **General Authority for Reconstruction Projects and Agriculture Authority (GARPAD)** is responsible for managing and using the lands allocated for reclamation and aquaculture **NUCA** is responsible for lands allocated for new urban communities.

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<sup>58</sup> Law No.53 Official Journal - issue No. 32 on 11<sup>th</sup> August 1983 amending agriculture Law 53/1966

<sup>59</sup> Agriculture law No. 53/1966 amended by 116/1983

<sup>60</sup> Law No. 7 Official Journal – Issue No. 10 (Supplement) on 13<sup>th</sup> March 1991

The authorities are considered as owners, obligated to execute their tasks in coordination with **Ministry of Defense and Military Production** (Article 2 Law 7/1991).

Each of the **Local units** within its scope is responsible for managing and using the lands set for construction work or cultivation, owned by the local unit or by the state inside the *zemam*. Lands that fall outside the scope of *zemam* by 2 kilometers are to be reclaimed according to a national plan developed by **Ministry of Agriculture and Land Reclamation**. The plan is executed through the ministry or by determined authorities in coordination with the competent governorate. Since **GARPAD** is responsible for managing and using the lands allocated for reclamation or aquaculture. The cabinet determines the **Governorate** share in managing and using these lands outside the *zemam* (Article 4 Law 7/1991).

**GARPAD** prepares drawings and special specifications for public services and utilities needed to construct the reclamation and aquaculture projects whether inside the *zemam* or outside. It is also responsible for execution supervision or it may permit the responsibility to another entity depending on the specifications agreed upon with specialist governmental organizations (Article 5 Law 143/1981).

The lands complying the law 7/1991 usages in any other activity than the specified ones is prohibited. Unless a presidential decree is issued after the approval of the cabinet according to the proposal given by the competent minister, then it could be reallocated to other entity or use. If a disagreement occurred between ministries, general authorities or local units about who is responsible for the land, the cabinet declares a binding decision (Article 5 Law 5/1991).

**GARPAD** disposes the uncultivated lands included in the national plan through three years lease. If the tenant proved seriousness in land reclamation the lease would be changed to ownership by the price of the land before reclamation minus the paid amount of money for the lease (Article 12 Prime Ministerial Decree 2906/1995)<sup>61</sup>.

Desert uncultivated land allocated for projects not included in the national plan and its disposal is not announced. A request is given to **GARPAD** determining the area and all location data needed of the land aimed for ownership. Afterwards normal lease contract is formed for one year renewed automatically if an irrigation source is obtained, to get the approval of different authorities during this period including **MWRI** and other **Competent Authorities**. The contract is terminated if these approves are not granted, without returning the money paid in lease (Article 27 Prime Ministerial Decree 2906/1995). Transforming the lease contract into ownership requires payment of the full price while signing the primary sale contract (Article 28 Prime Ministerial Decree 2906/1995). Article 29 claims that it is prohibited to dispose the land without **GARPAD** approval.

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<sup>61</sup> Prime Ministerial Decree No. 2906 Official Journal – Issue No. 48 on 30<sup>th</sup> November 1995

### 5.3.3 Cultivated Desert Lands

Cultivated desert lands<sup>62</sup> are subject to a decree issued by **GARPAD** board of directors identifying the disposal method and the type of potential buyer according to the area nature and the state general policy. Article 60 states that land disposal occur through a public auction or without an announcement. Public auction procedures; board of directors determines the price of the land after consulting the technical committee (Article 31 Prime Ministerial Decree 2906/1995). Article 32 regulates the announcement of the public auction through publishing it in a well-distributed newspaper; the advertisement shall include the land specifications (area, location...etc.). The unannounced cultivated lands prices are also identified by the board of directors to be disposed to certain social categories; war veterans or families of war martyrs, small farmers, college/institutes/agriculture school graduates and former civil servants (Article 43 Prime Ministerial Decree 2906/1995).

In addition, cultivated desert lands may be disposed without public announcement for the purpose of developing the national economy (Article 62 Prime Ministerial Decree 2906/1995). If a certificate from the **Competent Administrative** entity is not attached to the lease or buying request approving the project, then the request is referred to the **Competent Administrative** unit. The entity provides consultation in the matter (Article 66). A report including these projects is then presented to the GARPAD board of directors. If the board agrees on the project a decree is issued then the **Competent Minister of Land Reclamation** refers the board of directors' decree to the **Cabinet** for consideration (Article 67 & 68).

### 5.3.4 Riverbank Lands

Riverbank lands stands for the state or individuals owned lands located between the river Nile and its branches, the *zemam* of village and city includes these banks and its transformations. Where the area confined between the shore and the border is determined on the survey maps through the *zemam* line. The transformations developed from the river changes sometimes offers new lands, islands or subtract parts of the existing lands. (Article 76 Prime Ministerial Decree 2906/1995).

**GARPAD** in coordination with the **Tax Real Estate Office** is responsible for surveying the riverbank lands transformations annually, either owned to the state or individuals. A survey committee is formed through a decree from the **GARPAD** Chief with the membership of representatives from **GARPAD**, **Tax Real Estate Office** and members from the Local Popular Council (Article 79). The Authority is also responsible for authorizing the updated information, features and borders in each city and village *zemam*, later a decree revealing this data is issued by the **Ministry of Agriculture**

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<sup>62</sup> The dried lakes are considered as reclaimed and agrarian lands subject to cultivated desert lands regulations (Article 75 Prime Ministerial Decree 2906/1995)



(Article 85). **Egyptian Survey Authority** Prepares in coordination with **GARPAD** and **Tax Real Estate Office** a map with scale 1:2500 including all the date of the riverbank lands (Article 87).

State owned cultivated, leased and cultivated lands by possessors disposal is possible by other mean than the public auction, in addition to the fallow lands that can be leased or disposed through a decree from the **Minister of Agriculture** for agriculture usage. If the fallow land disposal is for other purposes it will require the approval of the competent administrative entity (Article 89).

#### **5.4. Land management key challenges**

##### **Complex institutional framework governing public land**

Many governmental authorities from different sectors, geographical borders and locations are involved in the public land jurisdiction. Outside *Zimam*, central governments and affiliated bodies govern the public land while inside the *Zimam*, 26 governorates each within its borders through *Jihaz Himayat Amlak Al Dawla* State Land Protection Agency branch govern the public land. In many cases allocating lands necessitates approval from other governmental bodies. Currently confusion occurs due to the responsibilities overlapping and lack of coordination. (World Bank, 2006, p. 16)

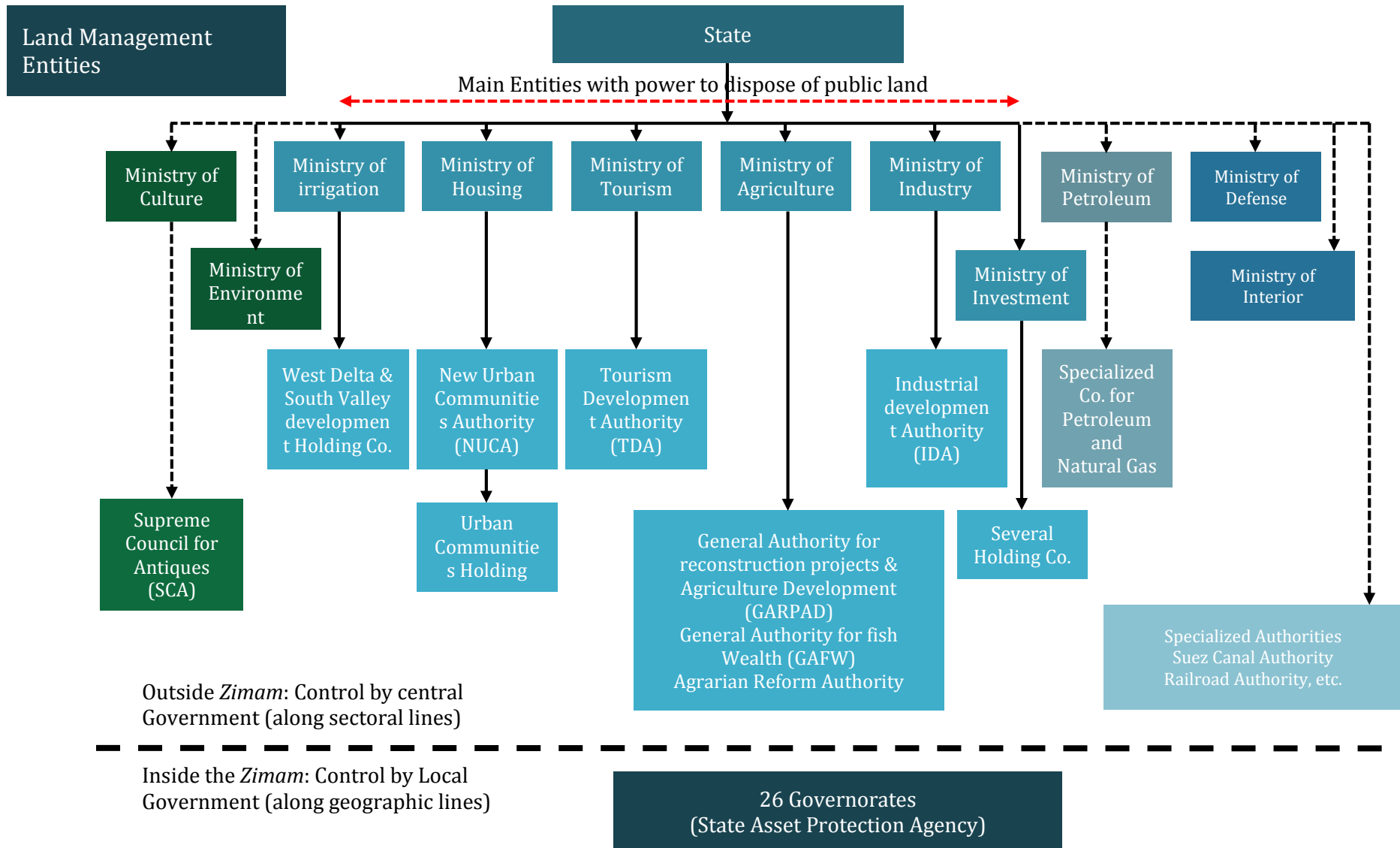


Figure 25 Complex institutional landscape governing control over public land  
 Source: (World Bank, 2006, p. 16; World Bank, 2006)

### **Highly fragmented legal framework**

Ministry of Justice stated that about 40 laws and decrees influence the public land management. These laws are not integrated and often conflicting resulting in the complex institutional framework and overlapping responsibilities. (World Bank, 2006, p. 17)

### **Lack of land policy framework**

Legislations affected by old policies still occur, without being restructured or reviewed to expose the present status or policies. “There is no national coherent land policy framework or a strategy governing the management of public assets in Egypt with clearly formulated policy objectives and procedures for the disposition and valuation of public lands, and leveraging such assets to achieve the governments policies for investment attraction and economic growth, equity and social development, and fiscal and environmental sustainability considerations.” (World Bank, 2006, p. 18)

### **Ineffective land use planning**

GOPP and NCPSLU, both have overlapping responsibilities concerning land uses planning. NCPSLU was established on 2001 and began functioning in 2005 concentrating on land information mapping. Law affiliates NCPSLU to the prime minister, however the Authority was assigned to the Deputy Prime Minister that was filled in 2001 by Minister of Agriculture (World Bank, 2006, pp. 18,19). Board of directors includes 17 ministers as mentioned earlier and the Minister of Agriculture is the chief of the board which results in creating a conflicting situation since NCPSLU is following the Minister of Agriculture and he/she is the chief of its board.

### **Lack of integrated public information system**

The public land information is scattered between different governmental entities, the information documentation is often not applicable, missing or contradicting with other land uses allocation. NCPSLU was established to overcome this problem; it started operating in 2005 and produced a map with scale of 1:1,000,000, offering extremely limited information. Providing a map with scale of 1:250,000 process was puzzling due to the lack of coordination from different entities that manage the lands, nevertheless the available data at these governmental bodies are not that accurate (World Bank, 2006, p. 19).

### **Using old surveyed boundaries to control public land**

*Zimam* is used in the legal framework to determine the governorate and other ministerial control over public land, however the historically surveyed boundaries are

no longer relevant to the existing situation. *Cordon* defines the administrative authority in governorates, however it is also outdated since cities and villages expanded and exceeded *Cordons*. (World Bank, 2006, pp. 19,20)

## 5.5. Summery

Land management activities over the public land involve different governmental institutions. NCPSLU board of directors' members includes representatives from most of the Egyptian ministries. NCPSLU responsibilities comprise supporting the land use decision-making, preparing land use maps and coordinating with different stakeholders regarding the public land management. NUCA indicates the crucial sites for new urban communities formation.

IDA is concerned with setting and executing land development for industrial purposes. IDA with NCPSLU specifies land allocation for industrial determinations. TDA set plans for tourism areas development within the general policy framework and economic plan. In addition to implementing essential projects and managing allocated lands for establishing areas in desert lands.

GARPAD draws the general policy for fallow land reclamation and participates with governmental entities in planning public facilities in reclaimed lands. Ministerial Committee for Reclaimed Lands Outside Zemam is responsible for surveying reclamation lands and providing suitable ways to deliver reclaimed lands that aren't allocated yet. GARPAD and the Ministerial Committee are both responsible for surveying suitable lands for reclamation. Egyptian Survey Authority regulates and produces all surveying and mapping activities.

On the local level, the governor sets regulations of land disposal. However these regulations doesn't occur on lands evacuated by Armed Forces or allocated for Ministry of Interior.

Land types section include agriculture, desert, cultivated desert and riverbank lands. Transferring agriculture land use into urban is legally prohibited, however the usage is easily converted by dividing the land into smaller plots. In 2007 *tahzim* policy was introduced to control the urban growth on agriculture land.

Authorities managing the desert lands are specified according to the land allocation. TDA, GARPAD, and NUCA each responsible for managing and using the lands allocated within its scope. During lands activities execution, the authorities are obliged to coordinate with Ministry of Defense and Military Production. On the local level, the lands located inside the *zemam* management is set to the local units each within its scope. Cultivated desert lands disposal is identified through a decree issued by GARPAD board of directors.

Riverbank lands means the lands located between river Nile and its branches. GARPAD, Egyptian Survey Authority and Tax Real Estate Office are responsible for preparing a map including the riverbank lands data.

# CHAPTER 6: Analysis

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## 6. Analysis

Previous chapters presented the legal institutional framework in the urban planning and development field. However the full understanding of the situation also needs more investigations in real life implementation. It could be studied through case studies clarifying the planning process and institutions involved on different levels of planning. Therefore this chapter basically depends on literature, reviewing critical comments from other authors who are experienced in the Egyptian urban planning field and worked on analyzing certain case studies. Returning back to the main questions of the research: the first and second questions (How does the formal Egyptian urban planning system work? Who are the governmental entities involved in the urban management?) Are already covered and answered in the previous chapters and summed up in summaries. The following questions will be further analyzed:

- Is the process sectorized between different entities or integration occurs during planning?
- What are the main obstacles in the existing legal and institutional framework?

### Sectoral Planning

The previous chapters introduced many ministries, authorities and entities involved in different types of activities. In the planning process the sectoral ministries are responsible to prepare their own policies and plans, during the absence of an integrated framework for these policies and plans. Regarding the infrastructure, no linkage occurs between roads, water and electricity authorities. Moreover the linkage within one sector is missing. It is said that the Transportation projects are following an overall master plan, although some projects seem to be implemented in an ad-hoc manner. David Sims claims that most of the projects implemented are initiated in a mysterious way (Sims, 2012, p. 263).

### Centralization

“Municipal government in Egypt is sick, and the majority of the population suffers. This illness is actually a political-institutional crises characterized by excessive centralization, lack of transparency and communication failures between the administrative apparatus and citizens” (Nefissa, 2009, p. 179; Elsaid, Planning for Sustainable Rural Development in Egypt ).

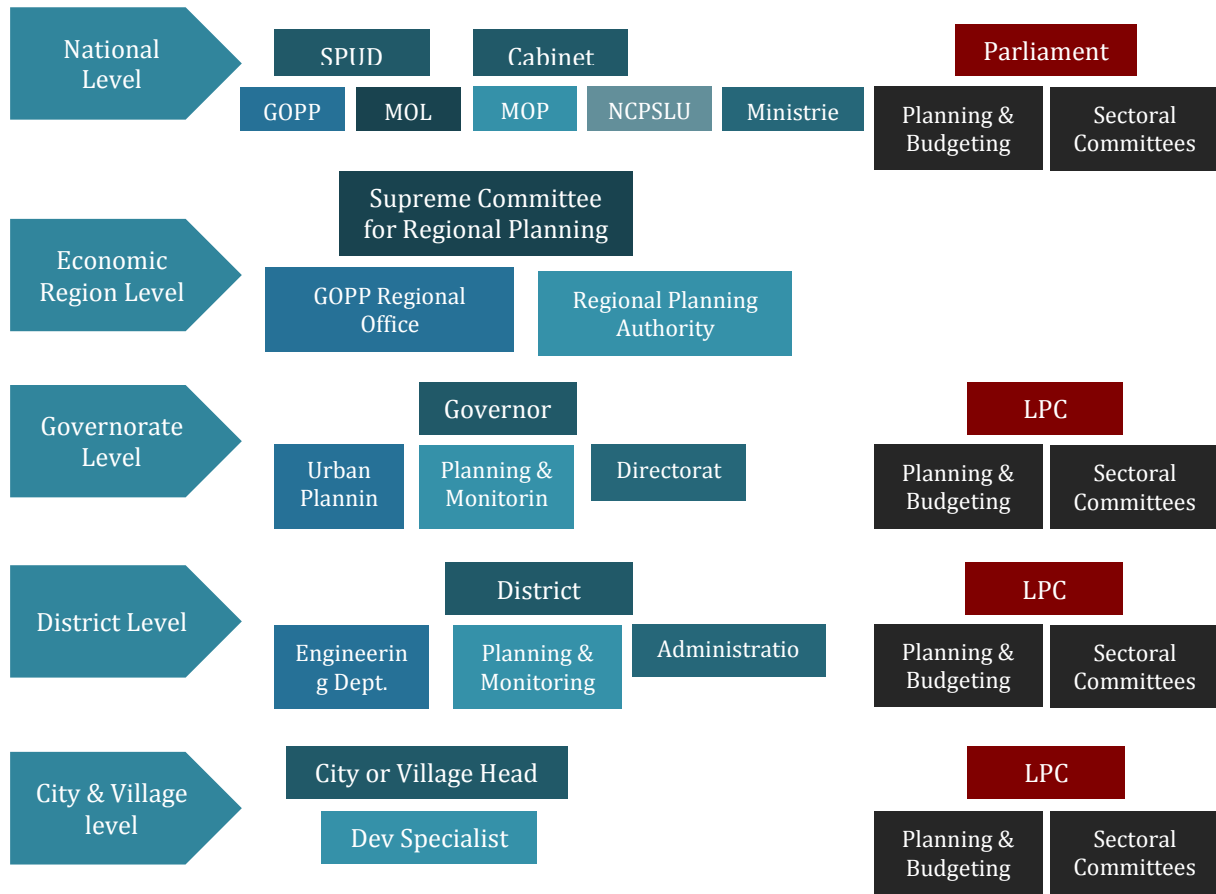


Figure 26 Key governmental entities involved in planning at the different levels  
 Source: (UN Habitat , 2012, p. 8)

On the national level, four governmental entities are involved in regional governance: MOP, GOPP, NCPSLU and SCPUD. On the regional level, economic regions were established in 1977; nevertheless these regions are not really involved in the planning. The economic regions don't have executive organization linking between them and central ministries. On the local level, the local administration law empowers the local units and transfers the powers from the central level to the local level (UN Habitat , 2012, pp. 8,9). Decentralizing the system in Egypt has been a raised subject accompanied with a variety of approaches and trails to distribute the different functions. However the absence of an integrated and unified approach identifying decentralization policy and action plan led to the continuity of a centralized planning system (UNDP, 2007, p. 5).

Several attempts occurred to decentralize the powers accompanied by creating regional or local units. one of these attempts is establishing development agencies as mentioned in article 44 law 59 year 1979 in the new urban community with specified powers and specialties to develop the community. Currently it is acting as an executive body to implement NUCAs instructions, although it lacks the power of decision-making. The board of authority wasn't also given the power and specialties that it was

established for, since currently it only propose recommendations that might be taken into consideration or not (Mahmoud N. I., 2007, p. 6).

### **Legislative and institutional obstacles**

In some cases the legislations doesn't provide concrete bases or regulations preventing ministers from taking positions that will lead to centralization or conflict of interest. For instance Law no 59 year 1979 states that the chief of NUCA position is appointed through a presidential decree. Decree no. 352 year 1980 appointed the minister of housing as the chief of NUCA without mentioning that he is the minister. Providing the competent minister this position increases the decision-making centrality. The act of issuing decrees to appoint the minister of housing as the chief of NUCA was repeated afterwards. Centralization in NUCA management led to reducing the new urban communities development process. Despite of the powers given by the law to the authority, it lacks the proper tools for implementing the approved plans, since developing new communities needs cooperation with different parties (Mahmoud N. I., 2007, p. 6).

Another case occurred in 2005, NCPSLU board of directors included representatives from several ministries. While the boards' chief was the Minister of Agriculture and Land Reclamation. Observing the situation leads to perceiving it as a sectoral controlled entity. Nevertheless the establishment of NCPSLU at the first place intends to affiliate it at as a higher level than the ministries (World Bank, 2006, p. 36).

Lack of specified regulations in the laws also creates challenging situations. For instance in the new urban communities Article 50 from law 59 year 1979 mentions that once the urban facilities are complete, the new community should join the governorate where the community is located within its scope. However no timespan is determined for moving the community responsibility to local units. Local units currently provide education, healthcare and provisioning without real cooperation in managing and planning the new community. No integration occurs between local authorities and NUCA, therefore conflicts in decrees and duality in housing and industrial projects occurs. The lands ownership in these areas is owned by the governorate that lead to competition between the projects of both sides (Mahmoud N. I., 2007, p. 7).

### **Lack of coordination**

Many central institutions and affiliates are acting in the planning process, depending on different activities as tourism, industry and agriculture. In each sector different stakeholders are involved and the integration between all of these sectors to create a comprehensive plan is an obstacle facing the urban planning in Egypt.

MOLD is responsible for coordination between ministers and governors. However it rarely coordinates between them or undertake solving the disagreements between elected officials and appointed ones. While the Supreme Council for Local

Administration responsible for resolving coordination challenges never actually met (Nefissa, 2009; Al-Ahram 2005).



## 6.1 Regional and Local Institutional Level

### 6.2.1 Governorates and local units

“The office of the governor is an important center of political power, since under each governor is a huge bureaucratic apparatus and a small army of government employees” (Sims, 2012). According to the local administration law, a wide authority is given to the local units concerning the local affairs, which is mentioned on papers only (Sims, 2012). However articles no 106-Bis and 106-Bis 1 in law No.43/1979 that gives the local popular councils of *marakiz*, towns, quarters or villages the authority to submit interpellations to chiefs of local units, chairman of executive machineries and public authorities working within the scope of the local unit. And come to a decision after discussing the interpellation. Afterwards the decision would have been given to the governor to refer it to investigation authorities. Article 6 in law 145/1988 canceled the two articles leaving the local councils with no authority to question what higher authorities are implementing in their areas of competences. The article also added that the words “interpellation” and “Interpellations” should be canceled wherever mentioned in law 43/1979 that regulates the local administration.

Greater Cairo governorates urban functions are very limited in reality, the national-level authorities overtake the responsibility of those functions. For instance traffic control and the Ministry of Interiors’ traffic units in each governorate manage vehicle licensing. The electrical distribution companies manage street lighting. Environmental affairs local units work is limited and overshadowed by the Egyptian environmental affairs agency. However each governorate has several administrative units to deal with these services (Sims, 2012).

On the local level there are urban control and physical planning department, however the GOPP overshadowed those local units and in any event their activities are very limited. Since the land use planning is restricted to vacant state owned desert lands. In greater Cairo, almost all the lands are already commandeered by NUCA, Military and security services (Sims, 2012).

Urban areas are divided into administrative districts, while the rural areas are divided to rural districts. These purely executive local districts units are particularly weak and mainly concerned by dealing with building control, permits and day-to-day problems (Sims, 2012). Ministry of Local Development appoints the district chiefs from a military or police ex-officers; they act as the main channel of the governor’s office (Sims, 2012).

The constitution issued on January 2014 states that “*The government shall ensure supporting the administrative, financial and economic decentralization. The law shall regulate methods of empowering administrative units to provide, improve and well-manage public utilities and defines the timeline for transferring powers and budgets to local administration system*” (Article 176). “*The state shall ensure the fulfillment of the*

*needs of local units in terms of scientific, technical, administrative and financial assistance, the equitable distribution of facilities, services and resources, and shall bring development levels in these units to a common standard and achieve social justice between these units as regulated by law “ (Article 177).*

From the previous chapters it is clear that the central level has the higher power in urban and public facilities management. Pointing out the decentralization of the powers in the constitution is a positive point. However no law projects are yet mentioned regarding transferring powers and empowering the local unit capacities.

General Administration for Planning and Urban Development referred in the regional and local administrative system chapter should be established. Though in reality few governorates founded these units. Several reasons resulted in this situation including lack of coordination, motivation and local “planning culture” (World Bank, 2008, p. 77; World Bank , 2008). Consequently the General Administration for Planning and Urban Development does not perform preparing the detailed plans as mentioned in the unified building law.

## **6.2.2 Financing**

All Egypt’s governorates almost totally depend on the central government budget allocations. About 80% of the total governorate budget comes from the central level and the remaining 20% generated from the local taxes and fees. A small percentage can be used by the governorate according to its own discretion (Sims, 2012). Peri-urban areas is growing rapidly, while centralized budget allocation system doesn’t put in concern the needed services and utilities for these areas. Hence during the annual budget allocation Peri-urban area do not take their share (World Bank, 2008, p. 47). Although article 178 in the constitution mentions that local units shall have independent financial budgets.

After reallocating the resources in the national budget under different classifications, governors don’t have the authority of switching allocations from one classification to another. Neither using it within the same classification under another category. The budgets follows the ministries, for instance the governorate cannot use the allocated funds for hospital to build a school (Elsaid, Planning for Sustainable Rural Development in Egypt , pp. 89,90). Alexandria and Qina governorates are the only independent governorates in collecting the fees to fund their own projects (UN HABITAT, 2012, p. 3).

Districts are staffed with a low level of employees, the district units are known as a corrupted entity, because of their activities are related to buildings control (many citizens pay bribes to let the local unit to look the other way) (Sims, 2012). “Employees are poorly trained and poorly paid, and resources, especially budgets for recurrent expenses, are very limited. There are no performance incentives (all advancement is by seniority), nor do local authorities enjoy own-source revenues or discretion over how to manage budget” (World Bank, 2008, p. 44).

### 6.2.3 Councils

Local peoples council exist throughout Egypt on the district, town, quarter and village level with elections each 4 years. According to law these council are meant to perform as the citizens' representation and oversight the executive governmental bodies (Sims, 2012).

Most of the local councilors before the 25 Jan revolution were from the ruling Party, which makes them appointed by the government (Nicholas Hamilton, 2012; Ben Nefissa, 2009). Sims add that the councilors tend to be from influential families and the councils activities mainly includes favoritism. During the revolution, demonstrators demanded for greater local administrative autonomy. Since the ruling party was dominating the elected local councils they lost their validity as genuine representatives of people. Protests viewed the existing councils as a corrupted entities and part of the whole corrupted power structure (UN HABITAT, 2012, p. 23).

Elected local popular councils are responsible for expressing the citizens needs and monitor the appointed civil servants. Nevertheless the elected officials report to the same appointed officials that they are supposed to check. Elected councils has no right to formulate the financial budget or the plan, it may only approve or reject the prepared budget or plan proposed by the appointed officials (Nefissa, 2009, p. 184).

According to law 119/2009 the powers of the local popular council was extended to encourage public participation. Yet the main planning procedures are controlled through the central institutions (UN HABITAT, 2012, p. 69). Though it is known that the local popular councils acts as civil servants from the ministries (Nefissa, 2009, p. 182).

Executive councils consist of directors of services and production departments including departments such as housing, electricity and other services. These facilities are technically accountable to the central ministries that they represent, while organizationally accountable to the head of the local unit. The existing institutional framework produced a challenge to serve the necessities of different bodies without a coordination plan on the local level (World Bank , 2007 , p. 70).

### 6.2.4 Governors and Local Units Chiefs

Citizens doesn't trust the elections process and the national democratic party ensures its power at all levels. Local popular council elections in urban areas participation is from 3 to 5% of the registered electorate. Despite that the local councils are elected, governors and mayors are appointed (UN HABITAT, 2012, p. 23).

Since the free officers movement in 1952, the appointed governors are high position generals either from the army or the police. According to a calculation based on the total number of of govnrns in 1960s,1970s and 1980s half of the governors have been noncommissioned officers (Nefissa, 2009; Kharbush 1995 pp.118,182). Appointing governors from the army and police background elaborates the state policy in controlling the local administrative level for political reasons.

Each district has multiple chiefs. Respectively each chief is responsible for administrative and financial matters, reporting to different authorities and approving actions from different levels.

#### 6.2.5 Muddling through

Lack of inter-agency coordination is one of the main problems and a constant jealous exists between governorates, main infrastructure, service authorities and the principle ministries (Sims, 2012). Daily problems slowly moves up the governorate structure until it reaches the governor, so he needs personally be involved probably more than once to solve the issue (Sims, 2012). Mysterious orders that come from the highest levels of political power, without logic or further considerations but are implemented (Sims, 2012).

Law 3/1982 for urban planning that was canceled and substituted afterwards with the unified building code 119/2008 highlighted the local governments role in preparing master and detailed plans at the city and village levels in cooperation with GOPP. Later 7 regional centers were established to support local governments to execute the urban planning tasks. The executed modifications to decentralize the urban planning process failed, due to the absence of technical and financial capacities within the local authorities. GOPP was required to prepare the plans instead of the local units, however the capacity of GOPP wasn't enough to cover the enormous planning tasks. Subsequently GOPP relied on private consultants, which incapacitated the technical quality of the staff and its responsibility of cooperating with local units to prepare detailed plans (World Bank , 2007 , p. 69).

Ben Nefissa claims that the government rejects reforming its local administrative system intentionally. Cause the regime refuse providing the local units with political authority as well as acknowledging public participation (Nefissa, 2009, p. 179). The governmental machinery is cloudy for Egyptians that one can rarely find a Cairene that is familiar with the district chief or the entities responsible for answering local problems (Nefissa, 2009, p. 180).

# CHAPTER 7: Recommendations

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## 7. Recommendations

### **Institutional reform**

This research introduced a mapping exercise for the current institutional structure involved in the planning process. A further step needs to be taken which is identifying the real responsibilities practiced by each institution, authority and entity since several mandates overlap. Afterwards a proposal for a new institutional framework based on the existing resources with clarified mandates and integration plan needs to be developed.

### **Unified Legal framework**

Identifying the institutions roles and responsibilities and the relationship between central institutions and local units needs to be reconsidered and managed based on the institutional reform. Presidential, ministerial and cabinet decrees and laws are being issued through years creating a huge and complicated legislative system. The practice of cancelling and substituting laws is very common which creates confusion while dealing with the legal framework. A revised unified legal framework will remove any confusion and affirm transparency for the community and different stakeholders interested in the planning process.

### **Decentralization**

Decentralization of the administrative planning system requires the decentralization of the political decision making as well. Implementing an active participatory planning method as mentioned in the first chapter is not possible without the will of the central government. An action plan for empowering the local level is required in addition to the political will. The decentralization authorization could be placed on different levels. It is an open question leaving a space for more investigation considering the previous scattered Egyptian practices in that field. In addition to studying the international experiences in urban planning decentralization.



## Annex

### Annex 1



Figure 27 The Strategic National plan for urban development 2052  
Source: (GOPP, 2012, p. 9)

### Annex 2

Article 15 Law No. 119/2008<sup>63</sup>

General administration for Urban Planning and Development in the governorates shall prepare the detailed plans for the city or the village and approve the same according to the provisions of the present law and the executive regulations thereof, within two years from the date of issuing the executive regulations implementing such law.

<sup>63</sup> Official Journal – Issue No. 19 (Bis A) – 11<sup>th</sup> May 2008

Lack of general plans or lack of approval on the general strategic plans shall give rise to laying down the rules and temporary provisions for the detailed plans by the general administration for urban planning and development to regulate to regulate the urban areas, within two months from the date of issuing the executive regulations hereof. The mentioned rules and provisions shall be issued upon a decree by the competent governorate after being presented to the local popular council and after coordination with the competent bodies at the Ministry of Defense. The rules and the temporary provisions shall apply till the preparation and approval on the plans stipulated in the previous paragraph.

The general administration for urban planning and development shall specify temporary building provisions for existing areas that lack such provisions, notably the streets lines and building heights to meet the lighting, ventilation, urban and architecture requirements as well as the civil defense, fire fighting, state defense safety requirements and environmental provisions as per the building densities identified by the executive regulations hereof. The total height of the building may not exceed 1.5 the width of the street at the maximum of 36 meters. Such temporary provisions shall apply till the preparation of the strategic and detailed plans mentioned in previous laws and the approval on the same.

#### Article 37

The local popular council of the governorate, shall establish an account for services and local development whose finances shall be composed of:

- The fees imposed by the local popular council for the governorate in favor of this account
- Profits of the productive projects financed by the said account
- The contributions, donations and wills, which the local popular council of the governorate approves to allocate them for this account
- 50% of the increase, which shall be realized in the governorate local finances over the allocation estimated in the budget

## Annex 3

### Detailed Plans Under Special Programs or Policies Examples

#### *Tahzim* (Controlled Expansion) Policy



Figure 28 Detailed Plan of El Marioutehay - Giza (GOPP, 2012, p. 40)

Prepared by: GOPP Although General Administration for planning prepares detailed plans in each governorate according to the unified building code



Build Your Home, Prepared by: GOPP



Figure 29 Examples of Detailed Plans for Build Your Own Home Project (GOPP, 2012, p. 41)

Social Housing Program, Prepared by: GOPP



Figure 30 Example of Social Housing Program Plan (GOPP, 2012, p. 43)

## Annex 4

**Table 2 Planning for Investment distribution of the Shorouk Program by rural development sectors and number of projects during the period from 1994 – 2002 (Elsaid, Planning for Sustainable Rural Development in Egypt , p. 103)**

Sector		Total Investment		No. of Projects
		Million L.E	%	
Infrastructure		538.9	28.7	13102
	Sanitation and Environment	428.8	22.8	9846
	Roads, Bridges and Communications	352	18.7	2642
	Electricity	105	5.6	3174
	<b>Total Infrastructure</b>	<b>1424.7</b>	<b>75.9</b>	<b>28764</b>
Human Development	Women & Child Development	91.4	4.9	1652
	Youth services	46.4	2.5	519
	Education Services	46	2.5	631
	Health Services	41	2.2	211
	Religious Services	27.1	1.4	532
	Cultural Services	18.5	1	95
	Performance Enhancing	35.8	1.9	489
	<b>Total Human Development</b>	<b>306.3</b>	<b>16.3</b>	<b>4129</b>
Economic development	Animal & Poultry Production	51.2	2.7	20106
	Craft & Industrial Workshops	32.3	1.7	5049
	Agricultural Machinery	15.6	0.8	2566
	Transportation of Goods	12.4	0.7	1394
	Software & Computers	10.1	0.5	5044
	Marketing Places	5.9	0.3	2015
	Milk & Honey	5.7	0.3	2837
	Agricultural Technology	3.4	0.2	939
	Other Projects	10.3	0.5	3295

	Total Economic Development	146.8	7.8	43245
Total		1877.8	100 %	76138

## Annex 5

### Egyptian law governing Housing, Urban planning and Development

1. Civil Code issued by Law 131, 1948
2. Law No.29/1958 for the rules of allocation of state owned land for free
3. Agriculture Law No.53/1966 and its amendments
4. Law No. 121/1974 for renting housing and other building uses and organizing the relation between owners and tenants
5. Law No. 169/1969 for Tax exemption on real estate and reducing rent values
6. Law No. 7/1965 for reducing renting value
7. Law No. 1/1966 for renovation, maintenance and raising the height of buildings
8. Law 52/1969 for renting housing and other building uses and organizing the relation between owners and tenants
9. Law No. 52/1975 for organizing local authorities
10. Law No.106/1976 for building codes
11. Law No.49/1977 for renting or selling housing and other building uses and organizing the relation between owners and tenants
12. Law No. 14/1979 for Cooperative Housing
13. Law No. 135/1981 for building or works violating the land subdivision law
14. Law No. 136/1981 for some issues related to renting or selling housing and other building uses and organizing the relation between owners and tenants
15. Law No.84/1968 for public roads amended by Law No.229/1996
16. President's decree No.1141/1972 for organizing the work of El-Awkaf Authority amended by decree No.724/1981
17. Law No. 59/1979 on New Urban Communities
18. Law No.143/1981 for desert land amended by Law No.55/1988
19. Law No.3/1982 for Physical Planning
20. Law No.31/1984 for regulations of allocation of private state land
21. Prime Minister decree No.857/1985 for the rules of sale of private state land to hand claimers amended by decree No.1107/1995
22. Law No.3/1986 for resolving consequences of Agrarian Reform Law and its executive regulations
23. Minister of Agriculture and Land Reclamation Decree No.211/1990 amended by decree No.33/1994 (legal) for conditions and procedures of granting building licenses in the exceptional cases stated in article No.152 of Agriculture Law

amended by Law No.116/1983

24. Law No.7/1991 for regulations concerning sale of private state property
25. Board of Directors of El-Awkaf Authority Decree No.91/1993 that sets the rules for land swapping of Waqf land
26. Prime Minister Decree No.2904/1995 regulating the transaction in land allocated to New Communities Authority The Military Ruling of the Prime
27. Prime Minister (as Deputy Military Ruler) Decree No.1/1996 that prohibits activities that cause agriculture land to become fallow or to build on it.
28. Law No.4/1996 for applying civil code on building spaces not subjected t rent control laws.
29. Law No.5/1996 for free disposition of State desert land 30) Law No. 101/1996 for amending law No.106/1976 for building codes

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