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Nigeria: Mass forced evictions in Lagos must stop

Amnesty International calls on the Lagos State government to stop any further evictions of residents from the Ijora-Badiya area on the outskirts of Lagos city.

"The community's right to housing and to a fair hearing and due process must be respected," the organization urged today.

Recent mass evictions of residents from the Ijora-Badiya area have affected more than 5,000 people and there is fear that the total number of people affected could rise further, if the evictions resume. The estimated number of houses destroyed is 35-40% of the community.

The community was given 48 hours notice to leave their homes by the Lagos State Government on 16 October, without the court order for evictions required by law. According to government, the area needed to be "cleaned up" because it is regarded as having become a haven for prostitution and robbery.

Forced evictions started on 19 October and stopped temporarily in the afternoon on Monday 27 October. They have reportedly not resumed yet. The evictions took place despite the fact that the community reportedly had legal title to the area given to them by the Federal Government as compensation for having been previously moved from another area in Lagos. Some of the people concerned are also legal tenants of land owned by the Railway Corporation.

"The illegal forced evictions in Ijora-Badiya violate the right to adequate housing as a component of the right to standard of living, including the right to adequate housing, as recognised in Article 11.1 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), to which Nigeria is a state party.

The evictions also violate the right to due process, as stated in the 1999 Constitution of Nigeria, and which is recognised in international human rights standards, including Article 14 of the International Covenant on Civil and Political Rights (ICCPR), to which Nigeria is a state party. It is also a violation of the right to protection against unlawful interference with privacy, family and home as recognised in Article 17 of the ICCPR.

Amnesty International is concerned over the arbitrary detention of Debo William Ilurimi and Benson Ojutiwon, residents of the Ijora-Badiya area and others who may have been detained in connection with the forced evictions.

"Those detained should be promptly charged with a recognisable criminal offence and brought to trial in accordance with international standards or be released without delay. Any further arbitrary arrest or detention violates the fundamental human rights of an individual as stated in the International Covenant on Civil and Political Rights," Amnesty International added.

Background

The evictions were carried out by the Lagos Special Task Force on Environment and Special Offences Unit backed by the police force despite a pending application in court for an injunction to stop the plans, lodged by the Social and Economic Rights Action Centre, a Nigerian human rights organization.

During the evictions, two men, Debo William Ilurimi and Benson Ojutiwon were arbitrarily arrested on 20 October by the special police force when they were trying to prevent their homes from being demolished in the area of Ijora-Badiya. They were detained without charge in the Alausa police station in Lagos, and released on bail on the 24 October. One of the men, Debo William Ilurimi, sustained injuries to his right eye during the arrest, as reported by The Social and Economic Rights Action Centre, Lagos, Nigeria.

The recent evictions should be seen in the light of a previous and similar case. In July 2000, the community of Rainbow Town in Port Harcourt, Rivers state, was levelled to the ground by bulldozers sent by the state government while armed police stood guard. The estimated number of people affected is near to 1 million. The government stated the reason for the evictions as "urban renewal". It had no plans for resettlement or compensation for the victims. Furthermore, the evictions took place despite cases pending in the courts against them, thereby contravening the provisions of fair hearing and due process as spelt out in the 1999 Constitution.

The Committee on Economic, Social and Cultural Rights, in its General Comment number 7, defines forced evictions as "the permanent or temporary removal against their will of individuals, families and/or communities from their homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection".

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