

Amnesty International
PUBLIC STATEMENT

AI Index: AFR 44/033/2012

6 July 2012

Nigeria: Forced evictions in Abonnema Wharf, Port Harcourt, are cruel and ignore due process

Amnesty International and Nigerian civil society organisations today condemned the forced eviction of thousands of people from Abonnema Wharf waterfront community, Port Harcourt, Rivers state, when their community was demolished between 27 June and 2 July.

The organizations call on the Rivers state government (RSG) to immediately provide temporary accommodation for all those people whose homes have been destroyed in the demolitions and who have not received any compensation from the government and have been left homeless. RSG should also provide emergency relief, including access to food, shelter, water, sanitation and health care services, and effective remedies for effected persons.

The evictions were carried out without adequate notice, compensation for all effected persons or provision of alternative accommodation and despite a High Court order granted in November 2011 restraining the Rivers State government from demolishing the community. Thousands of people have been left homeless and many are still forced to sleep outside on the street, in cars or shelter in nearby churches.

On Wednesday 27 June 2012, at approximately 7am, a bulldozer arrived at Abonnema Wharf waterfront and, under the supervision of heavily armed security forces (members of the Joint Task Force, Operation Polo Shield), began to demolish buildings in the community. Five days later, the entire community had been destroyed, with only a few buildings remaining.

Abonnema Wharf is the second major waterfront community to be demolished following the demolitions of Njemanze community in August 2009. There are indications that the government is planning further demolitions in the waterfronts.

According to RSG, the demolitions were carried out “for security reasons” following shooting in the community on Monday night. The community had been marked for demolition in May 2012 and the process of compensation of landlords was ongoing. Notice of demolition had not been given and residents did not know their homes would be demolished until the bulldozers arrived. They were not given time to collect their belongings and many people lost everything. The Commissioner for Urban Development told Amnesty International that it was unfortunate that they had not been able to complete the process before the demolitions were carried out.

The exact number of people who were living in Abonnema Wharf is not known, as no survey has been carried out, but in 2009 it was estimated by UN Habitat [Evictions and Demolitions in Port Harcourt, Fact Finding Mission Report, March 2009] to be more than 30,000 people, with small businesses and traders also within the community. However, it is reported that several people have left the community following increased threats of demolition from the government prior to the demolitions in June. According to one estimate between 10,000 and 20,000 people have been forcibly evicted

The undersigned organisations urge the RSG to adopt a moratorium on all evictions and demolitions in the waterfront areas, until adequate safeguards are put in place to ensure that all evictions comply with international human rights standards.

Background

Abonnema Wharf is one of over 40 waterfronts in Port Harcourt that the government plans to demolish. In July 2008, the Governor of Rivers State, Rotimi Amaechi, announced plans to demolish all waterfront settlements in the city as part of a programme of 'urban renewal'. The waterfront settlements, about 40 in all, are built on reclaimed land along the city's shoreline. It is estimated that between 200,000 and 500,000 people live in the waterfronts.

Abonnema Wharf is situated close to petroleum tank farms belonging to different oil companies. It is also home to displaced people from neighbouring Njemanze community, which was demolished in 2009.

Many of the residents are also workers of various government institutions and agencies. However, the Governor of Rivers State has repeatedly claimed that many residents of the waterfront communities such as Abonnema Wharf are "criminals". As a result, the Governor has issued several threats about his planned demolition.

Women in particular feel the impact of the forced evictions the most because their businesses and trading are often localized within the community. Many women are bread winners of their families. By demolishing communities such as Abonnema Wharf, the government has plunged hundred of small scale and informal business women into poverty and further deprivation and exposure to other human rights violations.

In November 2011, a Rivers State High Court issued an injunction against the Rivers State authorities, ruling that they should not evict and demolish the homes, businesses, churches and schools of Abonnema Wharf Community residents in Port Harcourt. In June 2012, the government had started paying compensations to landlords in the community. Prior to the payment of compensation, the government convened a meeting on 17 May 2012 to inform people of the compensation process and the planned demolition afterwards. This was in addition to other consultation sessions held in October 2011 and March 2012.

The authorities announced in May 2012 that they would demolish Abonnema Wharf but said this would not be until landlords were compensated and residents given notice to relocate. However, the residents did not receive any written or verbal notice for this demolition and were not offered any alternative housing and many property owners are yet to receive payments in the incomplete compensation process.

Communications on the compensation process have been entirely between some landlords and the Rivers State government. Tenants have been entirely excluded and do not receive compensation.

The Rivers State 2003 Physical Planning and Development Law No. 6 (Law No 6) provides safeguards for residents of buildings and structures in Rivers State and details what needs to be in place before a demolition can take place, such as adequate consultation process with affected residents, provision of adequate notice period to community residents and establishment of relevant bodies to oversee the process. However, the law has not been implemented.

Nigeria and each state in the federation is obliged under a range of human rights treaties, including the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights, to refrain from and prevent forced evictions. The UN Committee on Economic, Social and Cultural Rights has emphasized that evictions may be carried out only as a last resort, once all other feasible alternatives have been explored and only after appropriate procedural and legal safeguards are in place.

Signed:

Amnesty International

Centre for the Environment, Human Rights and Development (CEHRD)

Collaborative Media and Advocacy Platform (CMAP)

Concerned Citizens

Human Rights Social Development and Environmental Foundation (HURSDEF)

Ogoni Solidarity Forum

Peoples' Advancement Centre (PAC)

Social Action