

## The right to shelter: House demolition and forced eviction in Africa



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**The aftermath of house demolitions in the Cambamba I neighbourhood of the Angolan capital, Luanda.**

***"[T]he practice of forced evictions constitutes a gross violation of human rights, in particular the right to adequate housing." UN Commission on Human Rights***

Across Africa hundreds of thousands of people each year are forcibly evicted. They are removed from their homes without notice or compensation and in many cases are left homeless, stripped of their possessions. Often they are displaced far from sources of clean water, food, sanitation, livelihood or education.

Forced evictions violate international law, yet many governments justify them on

the grounds that they are essential for the development of infrastructure or in preparation for international events. The tragic outcome in most of these cases is that the poorest and most vulnerable members of society are placed at even greater risk.

The UA network has recently worked on forced eviction cases in Angola and Equatorial Guinea, as well as taking

action in 2005 on the Zimbabwean government's forcible eviction programme, known as "Operation Murambatsvina" (meaning drive out the rubbish, and referred to by the police as 'restore order').

In Sudan, approximately 1,800,000 people, driven from their homes by prolonged conflict, face forced eviction from camps around the capital, Khartoum. They are often left on barren land in the desert.

In Ghana, hundreds of residents from the Dudzorme Island (in the Digya National Park) were forcibly evicted from their homes in 2006. On 8 April, some evictees were reportedly forced into an overloaded ferry, which subsequently capsized, leaving around 30 people dead according to official sources, while many may never be accounted for.

In the last year in Kenya, tens of thousands of people, including Indigenous peoples, were violently evicted from forests with no resettlement arrangement. Many informal settlements in the capital, Nairobi, have been subject to intermittent demolitions. However, Kenya is adopting guidelines to prevent and remedy forced evictions.

Forced evictions in Angola's capital, Luanda, since 2001 have left thousands of people homeless when their homes were destroyed. Police and security guards have shot at, beaten and kicked residents, including pregnant women, and arrested those who tried to resist the evictions.

In May and November AI called on the African Commission to adopt a resolution condemning the practice of forced evictions in Africa. AI also calls on African governments to acknowledge that adequate housing is a human right, and to publicly commit to an immediate halt to forced evictions.

### **Oil fuels evictions in Equatorial Guinea**

Rufina, a widow with three children, was forcibly evicted from her home, in the Atepa district of the capital, Malabo, on 22 July.

She was already at work when the then Prime Minister and the Minister of Urban Planning arrived with a demolition team at 8.30am. They were accompanied by soldiers, who slapped and shoved anyone who complained or resisted the demolitions.

Rufina's neighbour phoned, telling her to come home urgently, but by the time she arrived at midday her house and all her possessions had been destroyed. Her children, all aged under 10, were driven out of the house.

Recent forced evictions in Malabo have left hundreds of families homeless and AI fears that more will follow. In mid-November, over 360 families in areas of the capital, Malabo, were given 15 days to leave their homes before they are demolished between 15 and 30 November (see UA 304/06, AFR 24/012/2006, 14 November 2006). These families have not been given adequate notice of the eviction. The authorities have not consulted the affected communities. The communities have not been offered adequate alternative accommodation or compensation, nor have they been given the opportunity to contest the evictions in court. According to reports, demolition work has already begun in one neighbourhood, known as Obras Públicas, in order to build a new car park for a casino..

Equatorial Guinea is Africa's third main oil producer. The new wealth from recent oil production has led to pressure on the land for commercial purposes, as well as luxury housing. President Teodoro Obiang Nguema has on several occasions publicly expressed his wish to eradicate "chabolismo" (shanty towns) which he says make the city look ugly and may put off investors. However, many of the houses demolished recently were solid structures in well-established neighbourhoods where the majority of the occupants had titles to the land.

### **No place like home - Angola**

Some 600 families in the Angolan capital, Luanda, were forcibly evicted in March when state forces swept into their neighbourhoods and destroyed their homes. Police and private security guards reportedly shot at, beat and kicked residents, including a pregnant woman and a woman carrying a baby on her back. A youth was beaten by seven police officers and a private security guard. A boy of about six was shot in the knee (see UA 303/05, AFR 12/012/2005, 2 December 2005).

During the 27-year-long civil war in Angola, hundreds of thousands of people were displaced by the conflict, fleeing to Luanda where they

established informal settlements. But four years after the war ended, demand for land in Luanda for private and public development has increased. Thousands of poor families in these settlements are being made to give up their homes to make way for more powerful interests.

Since September 2004 the residents of four neighbourhoods in the Luanda municipality of Kilamba Kiaxi have lived under the constant shadow of repeated forced evictions and the recurrent demolition of their dwellings. The land where these neighbourhoods – Cambamba I, Cambamba II, Banga Wé and 28 de Agosto – are sited was apparently granted to the Nova Vida (New Life) housing project without prior consultation with residents or due legal process. This plunged them into a brutal cycle of forced evictions and other grave human rights violations.

Forced evictions in these areas started on 28 September 2004 when, without notice, heavily armed members of the Angolan National Police demolished an estimated 148 houses in Cambamba I and 192 houses in Banga Wé. A total of 1,180 people were left without shelter.

The Luanda provincial government reportedly said that the houses had been randomly and illegally built on land designated by the provincial government for private housing and development projects. This is not a valid reason for evicting people without consultation or due process and without access to alternative accommodation.

The residents attempted to pick up the pieces of their devastated lives and re-built shelters from the rubble. However, in September 2005 armed police returned and tore down most of the homes in Cambamba I and II, and Banga Wé once again without an eviction order or assurance of alternative accommodation or compensation. As before, many refused to leave and rebuilt basic zinc shelters where their homes had stood. Between November and December 2005, over 1,000 families were forcibly evicted and had their homes demolished.

In mid-April, residents from Cambamba I and II neighbourhoods assembled outside the National Assembly (The Angolan parliament) to hand a petition against the forced evictions to the parliamentarians.

On 2 May, the Prime Minister was called to answer questions regarding forced evictions in an extraordinary parliamentary session demanded by opposition parliamentarians. During the session, the PM accused the non-governmental housing rights organization SOS-Habitat of inciting people to occupy the land so that they could claim compensation, after the Kilamba Kiaxi municipal administration had already consulted and registered 100 residents to receive compensation. He stated that those occupying the land legally, be it in terms of statute or customary law would receive compensation. However, he said, the Luanda Provincial Government had stopped compensation payments because people who were not eligible were trying to take advantage of the situation and claim compensation.

### **No justice for victims of forced evictions in Zimbabwe**

In May 2005 the government of Zimbabwe launched Operation Murambatsvina (Drive Out Rubbish), a programme of mass forced evictions and demolitions, which resulted in an estimated 700,000 people losing their homes, their livelihoods or both. The victims were among the poorest people in Zimbabwe and as a direct consequence they were driven deeper into poverty and exposed to further serious human rights violations (see UA 148/05, AFR 46/011/2005, 1 June 2005).

Under international law the government is obliged to ensure access to effective judicial or other appropriate remedies for victims of human rights violations committed during Operation Murambatsvina. The government claimed it would provide housing to those who had lost homes, but a much publicized "rebuilding programme" – Operation Garikai/ Hlalani Kuhle (Better Life) – has in reality achieved almost nothing for the victims.

During a recent visit to nine sites, AI found that only a tiny fraction of the victims of Operation Murambatsvina have benefited from the "rebuilding programme".

By May 2006 only 3,325 houses had been constructed under Operation Garikai/Hlalani Kuhle compared to 92,460 housing structures destroyed during Operation Murambatsvina. Construction in many areas now appears to have stopped. The majority of the houses are uninhabited, and

uninhabitable. Many are unfinished – lacking doors, windows and even roofs. They do not have access to adequate safe water or sanitation. Moreover, despite their inadequacy, they are rarely available for purchase, and even if offered, are largely unaffordable. The process for allocating the new – albeit incomplete – houses lacks transparency and the criteria used to decide who gets a house or plot are unclear. Houses have been allocated to people who did not lose accommodation during Operation Murambatsvina.

Operation Garikai/Hlalani Kuhle is the only government response to the gross human rights violations perpetrated under Operation Murambatsvina. No other assistance or remedy has been offered by the government to the hundreds of thousands of victims. As such, Zimbabwe is clearly violating its obligation to provide effective remedy

and reparation to individuals whose human rights have been violated.

The government has also hindered victims' attempts to help themselves, frustrated humanitarian efforts to provide emergency shelter, and subjected some of the most vulnerable people to repeated forced evictions.

AI considers that the government, by such actions, has compounded its own failure to provide an effective remedy to the victims.

Until forced evictions are recognized as serious human rights violations – in Zimbabwe and elsewhere in Africa – and the victims assisted to rebuild their lives, forced evictions will continue to push hundreds of thousands of people deeper into poverty, and lay the foundations for further human rights violations.