

# URGENT ACTION

**AT LEAST A THOUSAND HOUSES AT RISK OF DEMOLITION**  
**The Governor of Kaduna State, Nigeria has threatened to demolish houses in Gbagyi Villa, Kaduna State, North West Nigeria. At least 1,000 houses have been marked with an X for demolition. Thousands risk being forcibly evicted.**

The Kaduna State Urban Planning and Development Authority (KASUPDA) has issued 21-day demolition notices to some residents of Gbagyi Villa, Kaduna State, on four occasions between 4 November 2015 and 16 March 2016. Amnesty International has seen these notices and some of the houses marked X. Residents say they have not been consulted about the planned demolition, and no alternative housing or compensation has been offered. The residents initiated a court case on 10 March and obtained an injunction against the planned demolition. Despite the ongoing court case, the Governor of Kaduna State visited the community on 21 July and publicly said that houses which have allegedly encroached on the land belonging to the Kaduna State Polytechnic, and built without title documents and building permits, will be demolished even before the conclusion of the court case.

Each of the houses marked for demolition has an average of five residents. Therefore, should the demolitions go ahead, at least five thousand people (including, men, women and children) will be left homeless and vulnerable to a range of human rights violations. Many of the residents, who are either the original farmland owners or those who bought land from its original owners, and their tenants, do not have the demanded title documents, as these are difficult and costly to obtain. However, many have legally obtained building permits or have made payments for obtaining the same. Despite this, their houses have been marked for demolition.

**Please write immediately in English or your own language:**

- Calling on the Nigerian authorities to immediately stop the planned forced eviction of residents of Gbagyi Villa and allow the court process to run its course;
- Urging them, that in line with Nigeria's international human rights obligations, to ensure that even where an eviction is justified, it is carried out only after appropriate safeguards against forced evictions including genuine consultation, adequate notice; adequate compensation and alternative housing for those who cannot afford to provide for themselves, have been put in place.

**PLEASE SEND APPEALS BEFORE 19 SEPTEMBER 2016 TO:**

Governor of Kaduna State

Mallam Ahmad Nasir El-Rufai

Twitter: @elrufai

Facebook: <https://www.facebook.com/Mal-Nasir-El-Rufai-for-Governor-Kaduna-State-141995288245609/?fref=ts>

-Nasir-El-Rufai-for-Governor-Kaduna-State-141995288245609/?fref=ts

**Salutation: Your Excellency**

General Manager, Kaduna State Urban

Planning and Development Agency

TPL. Saratu Musa Haruna

No.5 Ahmadu Bello Way, Kaduna,

Kaduna, Kaduna State Nigeria

**Salutation: Dear Madam**

**And copies to:**

The Executive Secretary of the National

Human Rights Commission

Professor Bem Angwe

National Secretariat

No 19 Aguiyi Ironsi Street Maitama

P.M.B. 444 Garki Abuja, Nigeria

**Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:**

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

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### ADDITIONAL INFORMATION

As a result of the threat to demolish their homes, members of the Gbagyi Villa community members instituted a case (*Joshua J. Nyam & 2.ors V The Governor of Kaduna State & 4 ors* – Suit no: KDH/KAD/218/2016) at the High Court of Kaduna State, on 10 March 2016. The court issued an injunction order on 7 April 2016 preventing the government from demolishing their houses pending the hearing of a case challenging the government's claim to the land. However, the Governor of Kaduna State, on Thursday 21 July 2016, visited the community and said, "These buildings will have to go... we will give everyone the opportunity to show that he or she has title to the land and approval to build. If you don't have these two the law will apply and we will take the buildings down ...this is a criminal conduct, the case in court is a civil matter...they are two separate matters".

The Chairman of Gbagyi Villa owner's association, Mr. Chris Obodumu and the Sariki Samari (traditional ruler) told Amnesty International that residents have not been consulted about the planned demolition, neither has any alternative housing nor compensation been provided. The notices state that the affected residents have built without obtaining planning permits from KASUPDA. The Governor also alleged that the community encroached on nearly 70 percent of land belonging to the Kaduna State Polytechnic. Amnesty International viewed copies of planning permit documents, and official receipts of payments for the processing of planning permits issued by KASUPDA to some of the developers of the houses at risk.

According to Chris Obodumu, "the Gbagyi people have lived here for hundreds of years". He also told Amnesty International that the previous governor of Kaduna state, Patrick Yakowa set up a committee in 2011, to settle a land dispute between the Kaduna State Polytechnic and the Gbagyi Villa. The terms of this settlement were documented in a White Paper and a sketch map produced by the then Surveyor General of the state, which in effect apportioned the land for the benefit of each party. Community members told Amnesty International that, following this settlement, the Polytechnic constructed a fence demarcating their land from that of the Gbagyi Villa. The community members insist that they have respected the boundaries agreed to and have not trespassed into the land belong to the Polytechnic.

The Kaduna state government is threatening to forcibly evict several communities in the State, in a bid to recover lands allegedly belonging to government institutions. Amnesty International has documented similar cases of four other communities facing threats of forced evictions, with court cases and injunction orders in place against the government. The Governor's remarks on Gbagyi Villa raises concern that these injunctions and court processes, may also be at risk of being violated.

Chapter 2 of Nigeria's 1999 Constitution, Section 16 (2) (d) directs the state to ensure the provision of suitable, adequate shelter for all citizens. Further, Nigeria 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 feasible alternatives have been explored and only after appropriate procedural and legal safeguards are in place. These include genuine consultation with the people affected, adequate and reasonable notice, adequate alternative housing and compensation for all losses. Governments must ensure that no one is rendered homeless or vulnerable to other human rights violations as a consequence of an eviction. These requirements apply to all evictions, regardless of the tenure status of residents.

Name: Inhabitants of at least 1,000 houses in Gbagyi Villa community in Kaduna State

Gender m/f: both

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