

URGENT ACTION

HUNDREDS AT RISK OF FORCED EVICTION

Hundreds of people are facing forced eviction from their homes in Port Harcourt after the Governor of Rivers State told their community their homes would be demolished. Some 15 buildings had already been demolished, leaving over 100 people homeless.

The Governor of Rivers State visited residents living along Port Harcourt's disused railway line on 6 February, and announced that they had seven days to leave before the buildings they live in were demolished. The residents were not consulted about the demolition; they did not receive any written notice, were not offered any alternative housing or compensation and will be left homeless and vulnerable to a range of other human rights violations if the demolition goes ahead as planned.

The exact number of people living along the railway line is not known, as no survey has ever been carried out, but it is estimated to be home to be several hundred people, some of whom have been living there since the 1990s, with small businesses and traders also within the community.

The Rivers state government did not tell the community of the reasons for the demolitions but demolished approximately 13 houses and two churches in the same community on 27 January. The residents first received verbal notice of the governor's intention on 20 January. According to community residents, the governor visited the community, and told people they had seven days to leave before their homes would be demolished. On 23 January, officials from the Rivers state Commission of Urban Development, accompanied by armed police and soldiers, came to the community and told residents that bulldozers were coming and they should leave. On 27 January, a bulldozer arrived, accompanied by armed police and soldiers, and the buildings were demolished. Over 100 people were left homeless, according to residents, and many were forced to sleep either on the street, or with friends and relatives in the remaining buildings. Three weeks later none of those evicted have been re-housed or received any form of emergency relief or compensation for what was done to them.

Please write immediately in English or your own language:

- Call on the authorities to stop all forced evictions, as a matter of urgency;
- Urge them to suspend future evictions until adequate legal and practical safeguards are in place;
- Urge them to ensure that people living along the railway who have already been evicted are provided with adequate alternative housing and emergency relief, including food, water, sanitation and health care services

PLEASE SEND APPEALS BEFORE 22 MARCH 2012 TO:

Governor of Rivers State

Chibuike Rotimi Amaechi

Office of the Governor

Government House

Port Harcourt

Rivers State, Nigeria

Facebook page:

<http://www.facebook.com/#!/ChibuikeAmaechi>

[aechi](#)

Twitter: @ChibuikeAmaechi

Salutation: Your Excellency

And copies to:

Managing Director/CE

Nigerian Railway Corporation (NRC)

PMB 1037

Ebute Metta

Lagos, Nigeria

Fax: +234 1 5831367

Copies also to:

Minister of Lands, Housing and Urban Development

Ms Ammal Pepple

Federal Ministry of Lands, Housing and Urban Development

Mabushi

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.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Many of the residents living along the railway had been making regular payments to the Nigeria Railway Corporation to live on the land and possessed Certificates of Occupancy (the legal right to live in their structures) issued by the Corporation.

On 28 August 2009, Njemanze informal settlement in Port Harcourt was demolished as part of the state authorities' urban renewal programme for the city. It is estimated that up to 17,000 people were forcibly evicted from their homes. These evictions were carried out without prior and genuine consultation with residents and without the provision of adequate notice, compensation or alternative accommodation and legal remedies. Thousands of people, including children, women and the elderly were left homeless and vulnerable to other human rights violations. Two years later many of the evicted residents are still struggling. Some remain homeless, including young boys who now live under a flyover. Others have found a place on a neighbouring waterfront but are struggling to earn a living after losing their livelihood. Widespread demolitions are planned along Port Harcourt's waterfronts, despite earlier state government promises that no evictions would take place. The Rivers State government claims the demolition of the waterfronts is necessary to implement the main strategy document for the city's redevelopment programme, the Greater Port Harcourt Master Plan. But the plan has been developed without consultation with the communities affected. The state governor has also repeatedly stated that "the demolition exercise [will] sanitize and check criminal activities" in the city. Thousands of people have already been forcibly evicted from their homes, and over 200,000 more remain at risk.

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 other feasible alternatives have been explored and only after appropriate procedural and legal safeguards are in place. These include genuine consultation with the affected people, prior adequate and reasonable notice, adequate alternative housing and compensation for all losses, safeguards on how evictions are carried out, and access to legal remedies and procedures, including access to legal aid where necessary. Governments are also required to 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, including those living in informal settlements.

Chapter 2 of Nigeria's 1999 Constitution, Section 16 (2) (d) directs the state to ensure that suitable, adequate shelter is provided for all citizens. However, as with other provisions on social and economic rights, this falls within the Constitution's "directive principles". As such, it is not justiciable and therefore remains unenforceable in Nigeria's courts. Provisions of Chapter 4 of the Constitution do guarantee the right to acquire a home and the right to privacy of the home.

Under the Land Use Act (1978) it is lawful to revoke the right of occupancy where it serves the greater public interest. The Act provides for the payment of compensation and, in the case of residential buildings, for the option of relocation. Forced evictions are not prohibited under Nigerian law, nor is the right to adequate housing legislated.

To express solidarity with the waterfront communities in Port Harcourt, please see the People Live Here campaign:

<http://www.people-live-here.org/>

<http://www.facebook.com/peoplelivehere?sk=info>

Name: Hundreds of people living along Port Harcourt's disused railway line

Gender m/f: Both

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