



JOINT PUBLIC STATEMENT

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Nigeria: Thousands of people forcibly evicted from their homes: Thousands more at risk

Amnesty International, Justice & Empowerment Initiatives (JEI), and the Nigerian Slum/Informal Settlement Federation are deeply concerned about the mass forced evictions and destruction of properties which took place in the informal settlement of Ijora Badia, Lagos on Friday, 18 September 2015 and the failure of the state government to protect those whose rights have been violated as it is required to do under international law.

Agents of the Ojora of Lagos (the traditional ruler of the Ijora Badia community), escorted by scores of Police officers on Thursday, 17 September, marked houses throughout the community for demolition, purportedly in execution of a judgement of the Lagos State High Court granting the Ojora title to the said land – a case in which the vast majority of residents now being evicted were not parties and had no opportunity of due process. Less than 18 hours after the marking of houses and the handing out of notices – which did not include the official warrant of possession from the sheriff – around 12 midnight that same night, bulldozers were moved to Ijora Badia East under the cover of darkness.

At about 10 am yesterday, 18 September, residents reported the presence of heavily armed security personnel who ordered them to move out. By late morning, there were more than 8 police vehicles and both police and army throughout the community. The bulldozers started demolishing houses at about 12 noon, rendering thousands of people homeless and vulnerable to other human rights violations. Given the lack of notice, many were not able to save their valuable possessions – and hundreds slept outside last night, with eyes open to protect their families and properties.

We condemn this unlawful act and the use of state agents to perpetuate it. We emphasize that less than one day's notice is wholly inadequate and contrary to the requirements of international law.

Despite the judgement in favour of the Ojora, we wish to emphasise that repossession of the disputed land should never be by way of forced eviction. For any eviction to be lawful, there must be genuine consultation with the affected community, inclusion of every affected individual, adequate notice, and provision for alternative adequate accommodation for those rendered homeless. Evictions that fail to meet these requirements constitute forced evictions, strictly prohibited in all circumstances under international law binding on Nigeria. The UN Committee on Economic Social and Cultural Rights and other bodies have been very clear on this. Therefore, regardless of the court judgment, the forced

evictions that have just taken place are unlawful and amount to a serious violation of the human rights of those affected.

JEI estimates that there are 450-500 structures that will be affected in the ongoing demolition, with as many as 10 families/households in each structure. Last night, Pastor Aworetan, a resident of Ijora Badia East, told Amnesty International, *“Many people here are crying, lamenting and cursing. We have lost everything and we have nowhere to go. Some of us will sleep in the open tonight, some will sleep on the rubble of their demolished houses. There is a woman here sitting by the railway line with her children, the children have no clothes on, because they rushed out when the bulldozers started demolishing. This demolition has so far affected 10,600 people. It is dark now and they cannot continue, the caterpillars are parked, but police are still here. When they continue tomorrow, and move to Badia West, [thousands more] people will end up being affected.”*

The Lagos State government has once again failed in its responsibility to protect those residing within its borders. Only two years ago, in February 2013, the State government carried out demolitions that devastated the lives of 9,000 residents of the same Badia East community which has now been ravaged again. We strongly condemn this repeated disregard for human rights.

It is the responsibility of every government actor (national, state and local) to respect, protect and fulfil the rights of those who live within their borders. These responsibilities are not optional, but obligatory under the International Human Rights instruments to which Nigeria is a State Party. Article 11.1 of the International Covenant on Economic Social and Cultural Rights (ICESCR) provides for the right of every person to adequate housing, and the obligation of the State to secure the enjoyment of this right whilst prohibiting forced evictions. This provision is complemented by Article 17 of the International Covenant on Civil and Political Rights (ICCPR), which guarantees that everyone has a right to the protection of the law against any arbitrary or unlawful interference with their homes and family life.

The UN Committee on Economic, Social and Cultural Rights has emphasised the State’s obligation not only to refrain from carrying out forced evictions, but further to *“ensure that the law is enforced against its agents or third parties who carry out forced evictions ... [t]hat provision [Art. 17.1 ICCPR] recognizes, inter alia, the right to be protected against ‘arbitrary or unlawful interference’ with one’s home. It is to be noted that the State’s obligation to ensure respect for that right is not qualified by considerations relating to its available resources”*.

We therefore call on the Government of Lagos State and the Nigerian Police Force and other security forces to cease the ongoing forced eviction before it displaces thousands more residents, to urgently and adequately compensate those already affected, and to provide urgent relief and alternative accommodation for those who have been rendered homeless by the sudden demolitions which took place yesterday, 18 September, in the Ijora Badia community in Lagos State. We also call upon the state government to ensure that the law is enforced against third parties and state agents who are responsible for the serious violations of human rights that have taken place today.

Signed:

Amnesty International, Nigeria

Justice & Empowerment Initiatives – Nigeria (www.justempower.org)

Nigerian Slum / Informal Settlement Federation