

AFR 44/043/2009
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UA 228/09 - THOUSANDS FACING FORCIBLE EVICTION

NIGERIA

The government of a southern Nigerian state has begun forcibly evicting people to make way for a commercial development: thousands of people are at risk of forced eviction and destitution. Demolition crews arrived in Njemanze community with bulldozers to begin work on 28 August, accompanied by police and soldiers. According to UN-HABITAT, some 45,000 people live in the two settlements being targeted, Njemanze and Abonnema Wharf, in the capital of Rivers State, Port Harcourt. Thousands of those living in both settlements are at risk of forced evictions. Some have lived there for 15 years or longer. Many of those facing forced eviction claim the state government's consultation on the planned evictions was not adequate. The governor of Rivers state has announced he will compensate only the owners and not the tenants or owners of buildings constructed without permission. The people who live there have received no adequate alternative housing.

The waterfront is one of the most densely populated areas of Port Harcourt. The state governor has repeatedly stated that demolitions along the waterfront are "to sanitize and check criminal activities." The government is obliged to carry out evictions only as a last resort, and never as a punitive measure. They must explore all feasible alternatives to evictions, and avoid or minimise the use of force.

The inhabitants of Njemanze and Abonnema will be evicted, according to UN-HABITAT, to make way for a development called "Silverbird Showtime." A Memorandum of Understanding (MoU) between the Rivers State Government and the company Silverbird Ltd agrees to ensure "peaceful evacuation and relocation of present occupants."

The Rivers State government have not followed their own Physical Planning and Development Law 2003. Under this law, they should have established an "Urban Renewal Board," which would have declared the waterfront communities an "improvement area," for which it would have prepared an improvement plan. This law also requires the government to provide alternative housing for all the occupants affected. They have done none of this.

PLEASE WRITE IMMEDIATELY in English or your own language:

* Calling on the Governor of Rivers State to stop immediately all forced evictions in the waterfront area of Port Harcourt and ensure that no one is rendered homeless.

* Urging the governor to conduct a genuine consultation with those affected, and, if any are to be evicted because there are no other feasible alternatives, to respect their rights to adequate and reasonable notice of any eviction, and adequate alternative accommodation.

PLEASE SEND APPEALS BEFORE 9 OCTOBER 2009 TO:

Governor of Rivers State
Rotimi Amaechi
Government House
Port Harcourt, Rivers State
Nigeria

Email: gov@riversstatenigeria.net govthouse@riversstatenigeria.net

Salutation: Your Excellency

And copies to:

Minister of Works, Housing and Urban Development
Dr. Hassan M. Lawal,
Federal Ministry of Works, Housing and Urban Development
9th Floor, federal Secretariat Towers
Shehu, Shangari Way
Abuja, Nigeria

Also send copies to diplomatic representatives accredited to your country.

NIGERIAS AMBASSAD
BOX 628
101 32 STOCKHOLM
FAX 08-24 63 98
E-post: nigerian.embassy@swipnet.se

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

ADDITIONAL INFORMATION

The population of Port Harcourt grew rapidly from almost 215,000 in 1973 to more than 835,000 in 2006. Greater Port Harcourt has approximately 1.2 million inhabitants. Since 2000, the Rivers State government has prepared urban renewal programs. The Greater Port Harcourt development plan, adopted in April 2009 aims to "re-establish the urban order." The government has bought the buildings put up with permission in the waterfront areas from their owners, which makes the government the landlord of those living there.

Njemanze and Abonnema Wharf are within a two-kilometre radius of the project site of the development "Silverbird Showtime." It consists of an eight-screen cinema, which opened in April 2009, and planned commercial buildings, including a theme park, a conference centre, shopping mall and hotel. The government of River State provides 20 percent of the investment in this private business, and receives 20 percent of the profits in return. It is expected to lease the land to Silverbird for 99 years. The affected area will, according to the MoU, undergo "urban renewal."

According to UN-HABITAT, at least 200,000 people will be affected if the Rivers State government goes ahead with the demolition of all the 41 waterfront communities in Port Harcourt, which it intends to do. UN-HABITAT estimates that "the Silverbird Showtime project alone will lead to land clearance affecting between 100,000 and 150,000 people."

On his first day in office, 27 October 2007, Governor Ameachi stated that, "Within [my time in office], government will take several actions that may require sacrifices from us all for the common good. Expanded civil works, demolitions of illegal structures etc. will definitely cause pain and discomfort; we should all view it as our own contribution to a better society. The planned demolition of the waterfronts as proposed by the last administration is hereby suspended. We believe that the concerns of the residents of these waterfronts should be carefully considered before a final decision is reached on this matter." Months later, he announced the demolition of the waterfronts. The first demolitions were carried out in June 2008. In the past year, Governor Ameachi has repeatedly stated that he would demolish all structures at the waterfronts. A forced eviction is the removal of people against their will from the homes or land they occupy without legal protection and other safeguards.