
UN-HABITAT ADVISORY GROUP ON FORCED EVICTIONS INFORMATION ON IMPORTANT CASES

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A: Threat of Eviction

- **Issues on the city, communities and families threatened with eviction**

- ♦ **Name and location of community threatened with eviction**

Chika, International Airport Road Abuja

- ♦ **Background on the city (size, location, etc.)**

Decree No. 6 of 1976 established the Federal Capital Territory (FCT) and vested ownership and control of the land therein in the Federal Capital Development Authority (FCDA). Abuja Federal Capital Territory (FCT) located in Nigeria just north of the confluence of the Niger and Benue rivers. It is bordered by the states of Nasarawa to the east, Niger West Kaduna to the north, and Kogi to the south. Lying between latitude 8.25 and 9.20 north of the equator and longitude 6.45 and 7.39 east of Greenwich meridian, Abuja is geographically located in the centre of the country. The federal Capital Territory has a landmass of approximately 8,000sq km, of which the actual city occupies 250sq km. It is situated within the Savannah region with moderate climatic conditions.

The use of the territory as the federal capital of Nigeria became effective December 12, 1991. Prior to this date, and still pending, are claims and counter-claims on the payment and non-payment of compensations for the land so acquired for the FCT in 1976. The issues related assumed the “settler – indigenes” dimension in the wake of transition to civil rule. During the current dispensation another variant of conflict with elements of government support is the “squatter – indigenes” discourse. The implication of these dimensions amongst other politicisation of the related issues is the *selective eviction, demolition and evacuation of families* in manner that divides the ranks of the residents. The entire process is akin to cumulative disempowerment; this is contrary to the set goals of the MDGs and the poverty eradication, which the government of Nigeria and President Obasanjo are renowned for preaching and seemingly paying lip service to.

- ♦ **Estimated number of families affected**

Over 0.8million people, directly, have been currently affected in the on going demolition exercise in Chika. The painful aspect is that a sizeable proportion of the displaced persons had gone to seek shelter and refuge in Chika after the loss of their sources of economic livelihood through the demolition of the corner shops in areas such as Wuse, Garki, Kubwa, Dantata, and Dei-dei villages. Children of school age were equally affected midstream an academic year with no where to continue their education as their parents and guardians have now lost their residences and cannot afford to send them to alternate schools. The number of those indirectly exposed to other dangers associated with evictions is yet to be computed; these include the pregnant women who are left with no shelter over their heads and means of livelihoods. The number of young girls now subjected to prostitution and other abuses has equally increased – the likelihood of HIV/AIDS infection exists.

- ♦ **Brief description of families background**

Most of the families affected are low-income civil servants, businessmen, farmers, market women, traders and their dependent relatives. Others affected include those providing support services to the fast growing Abuja FCT from the informal sector – the various skilled and semi-skilled persons in the construction industry, the hands that provide support services to the public service officials as drivers, cooks and stewards. The internally displaced persons who were affected by the Sharia implementation and violent conflicts in other parts of Nigeria such as Taraba, Benue, Plateau, Bauchi, Kano, Kaduna and Nasarawa States in the northern and middle belt of Nigeria and who fled for refuge in this community.

- **The case**

- ♦ **Background and history to the case**

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Since the promulgation of the decree establishing Abuja, the people living and working on the land before the promulgation of the decree were to be moved out, resettled and compensated, this was not to be due to policy inconsistencies, administrative summersaults and disregard for human rights. By an administrative fiat in 1978, Gen Olusegun Obasanjo, Head of State (as he then was) ordered that the resettlement and compensation policy be stopped. The people, who became christened *original inhabitants*, were to remain where they were until development of the city caught up with them. The numbers of these original inhabitants have since been swelled by millions of other Nigerians who were lured into the territory without adequate government approved accommodation.

Close to 30 years since this obnoxious policy was put in place and the settlements have burgeoned, the FCT administration has now embarked on forced evictions of these thousands of families on flimsiest of excuses ranging from infringing on a so-called master plan to beautification of the city. Many families have been and are being turned into Internally Displaced Persons (IDPs) as if there has been a natural disaster or war. Rape and assault of women, human trafficking and high rate of crime is on the increase. A lot of people have lost both shelter and their only source of livelihood through these dastardly evictions.

The latest communities to be so forcefully evicted are Aleita, Chika, Galadimawa, Gosa A., Gosa Sarki, and Sabon Lugbe, all along the Airport road. These communities are among the 49 settlements that have been pencilled for eviction. Others include Gwagwa, Karimu and Dei dei. According to the minister, three places have been earmarked for the resettlement of the original inhabitants; however, neither compensation nor rehabilitation is to be paid to them. Again on visitation to the places supposedly earmarked for the resettlement of the original inhabitants, we discovered that the places are just but bare virgin lands with no access roads, hospital, houses, water and electricity. One then begins to wonder, how these people are expected to build their own houses, water etc and still survive having destroyed their business which most of them solely depend for their income and sustenance of livelihood.

♦ **Minimum information on the legal grounds of the case**

Decree No.7 of 1976 vested all land in the Federal government. It also created a federal capital development authority and was charged with the physical development of the territory. A master plan drawn by an international firm Messrs International Planning Associates, a USA based team of architects and city planners recommended that all people living in the 8,000sq km territory were to be resettled outside the territory, but this was changed by an administrative fiat, however, the decree was not amended to fit into the changes that were made.

♦ **Reasons given for the eviction (official and other)**

The reason so adduced to the evictions and demolitions is the implementation of the master plan and the beautification of the city.

♦ **The main events that have taken place so far (with dates)**

The massive evictions and demolition exercise started in June 2004. Some parts of Kubwa were demolished in June 2005; Dantata village on the 28th November 2004, several other satellite towns, business places and markets outside and within the metropolis have been taking their turns since January 2005 to date. The latest of the eviction and demolition started on the 28th November after the Federal Executive Council meeting pronouncement that vowed to continue with the evictions on the 23rd November 2005.

♦ **Names of authorities implementing the eviction**

Mallam Nasir El-Rufai, Honorable Minister, (FCT), The Presidency / Chairman of the Federal Capital Development Authority Nigeria through the Department of Development Control

• **The answer to the eviction**

♦ **Level of organisation of the affected community (including names of organisations, their approach, strengths and weaknesses)**

The community affected is well organized through their community leaders. These organizations include the Gbagy Development Association, Internally Displaced Persons, Yoruba, Hausa, Igbo, Tiv, Jukun, Fulani, Igala, South South, Association and Garki/Jiwa Chiefdom Youth Associations. Their strength lies in the numbers and collective decisions taken, while their weaknesses is that of lack of capacity to engage the authorities.

♦ **Names of supporting agencies working in alliance with the affected community**

(i) Women Environmental Programmme (WEP), Abuja; (ii) Community Action for Popular Participation (CAPP), Abuja; (iii) Justice Development and Peace Commission, Abuja; (iv) Social and Economic Right

Action Centre, Lagos; and (v) Center for Peacebuilding and Socio-Economic Resources Development (CePSERD), Abuja; (v) IANSA (International Action Network on Small Arms) Women Network Nigeria.

♦ **Actions taken so far by the community and/or supporting agencies to resist the eviction and / or to develop creative, alternative solutions**

The community on their own had contracted an agency that developed a development plan for them. Also in an effort to follow their own development, had initiated a number of plans such as the building of a hospital, police station, well laid out roads, planned housing scheme, markets etc. it is worthy of note that in November 11th 2004, the Federal Capital Development Authority through the wife of the Minister in the Presidency and Chairman of FCDA presented an award to Chika community for best self organized and developed community. So it is ironic that same government that presented an award to this very community is destroying it again.

Other actions include:

- Seeking legal advice on the subject matter;
- Advocacy and mobilization to enlighten and enlist support for the victims; and
- Approach NGOs for intervention.

The NGOs after being contacted, took the pains of holding an interactive forum to review the subject matter. It was discovered that the issue of demolition and urban beautification by government through eviction is a matter of national concern – an issue that can and may be affected in other parts of the FCT and country as a whole. The concerned NGOs have sought legal interpretation of the relevant laws; commenced advocacy and enlightenment on the issues; and moving towards the establishment of a coalition/alliance around the subject matter.

The National Human Rights Commission has been contacted to enable us bring to the fore the Human Rights dimension of the exercise. The commission as government agency is impaired and cannot do much, particularly with the “ouster clauses” in some of the laws i.e. the FCT Act, 1976 and the Land Use Act of 1978.

♦ **Consultations held and alternative housing and/or compensation offered by the authorities to the affected community (if any)**

The communities held several consultative meetings with the Federal Capital Development Authorities to present their case, organized press conferences, but the authorities had already made up their mind, therefore it was difficult to convince them.

No alternatives, no compensation nor rehabilitation has been offered to the community. The people are even subjected to police harassment and intimidation to leave the vicinity.

• **Follow up**

♦ **Strategies for future action discussed / developed / proposed to deal with the threatened eviction**

The strategies for future action being considered include:

- Detailed fact finding research on Chika to capture the true essence of the facts and circumstances;
- Documentation of all relevant laws, policies and regulatory pronouncements or instruments;
- Mobilization of other NGOs to be involved in the subject and the establishment of a network / coalition / alliance;
- Advocacy and Mobilization of domestic and international Support to dissuade the federal government from carrying out further evictions;
- National Focus and Strategy Meeting to review the subject from a national perspective and consider the linkages with Poverty Eradication and MDGs;
- Hold a Forum to discuss the “conflict sensitivity of the governmental initiatives leading to the evictions and destruction of citizens properties”
- Consideration of Legal Review and Amendments to relevant laws;
- Develop resource ICT materials for Public Enlightenment and Awareness on how to avoid being a victim or casualty of such exercises;
- Establishment of a “help – line and center” to counsel and assist developers, people and communities;

♦ **Important events anticipated (e.g. dates set for eviction, planned actions, court cases,**

development of alternatives, etc.)

We cannot categorical state when dates for evictions are set, as it is now, any time the minister feels like demolishing a community, he dose so without due notice to such communities. In many cases, he goes on air announce within twenty-four hours of such demolitions.

♦ Reasons why this is a good focus case for the Advisory Group. Ideas on what the Advisory Group could do to contribute to the successful resolution of the case.

Forced eviction constitutes a gross violation of human rights. According to the United Nations Committee on Economic, Social and Cultural Rights (the body responsible for monitoring compliance by States Parties to the International Covenant on Economic, Social and Cultural Rights), forced eviction denotes “the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection”.

In addition to being a major violation of the rights to adequate housing, and the prohibition of forced evictions recognized by the International Covenant on Economic, Social and Cultural Rights (Ratified by Nigeria in 1993), forced eviction is a brazen violation of the right to life, right to a fair hearing, right to the dignity of the human person, the right to a private and family life, and the right to property guaranteed by the Constitution of the Federal Republic of Nigeria, and the African Charter of Human and Peoples’ Rights (Ratification and Enforcement) Act 1990. It further violates the objectives of the Millennium Development Goals (MDGs) specifically the target to have achieved by 2020 a significant improvement in the lives of at least hundred million slum dwellers. It is worthy of note that, the residents of these communities were neither given the opportunity nor given adequate notice(s) prior to the demolitions, neither were there any plans by the government to resettle, rehabilitate or compensate the evictees. The only whiff of indication of the government’s intentions came via radio and TV announcements five days prior to the demolitions.

Whilst it is undebatable that the government has a responsibility to ensure a planned and orderly development of the FCT, this however does not and cannot justify the indiscriminate large-scale forced eviction of hundreds of thousands of people without any planning and provision of effective legal remedies such as adequate notice, compensation, resettlement and rehabilitation.

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B: INNOVATIVE CASES AND POSITIVE APPROACHES ON AVERTED EVICTION

Issues on the city, communities and families threatened with eviction

- **Name and location of community that was threatened with eviction**

Chika, along International Airport Road, others include Pyakasa, Kuchingoro, Garamajiji, Sabon Lugbe, A Gosa, Gosa, Alieta,

- **Explanatory features on the city in which the community was threatened with eviction**

Chika located along International Airport Road has a population estimated to be 800,000 with about 6000 houses, well laid out access roads and drainages, markets, police station, public hospital built by the community themselves, privately owned hospitals, businesses etc. The community have a development management team in place, land lords associations, tenants associations and community leaders for the management and governance of the place. On the issue of security, apart from the police station which they have collectively built and requested the government to deploy police in the community; they also have a local group called vigilante that ensures peace and security in the community. The community tax themselves to implement their development agenda.

- **Estimated number of families affected**

The numbers of houses evicted are estimated to be 6000 while numbers of families affected are estimated to be 70,000.

- **Brief description of families background**

Most of the families affected are low-income civil servants, business men, market women traders, unemployed youths and internally displaced persons who were already affected by the Sharia implementation, violent conflicts in other parts of Nigeria such as Taraba, Benue, Plateau, Bauchi, Kano, Kaduna and Nasarawa States in the northern and middle belt of Nigeria and who ran for refuge in this community.

- **Reasons given for initial threat of eviction (official and other)**

The reason for the threat and eviction as stated earlier is no other than the implementation of the master plan and beautification of the Federal Capital Territory, Abuja.

- **The case**

- **Background and history to the case**

Since the promulgation of the decree establishing Abuja, the people living and working on the land before the promulgation of the decree were to be moved out, resettled and compensated, this was not to be due to policy inconsistencies, administrative summersaults and disregard for human rights. By an administrative fiat, Gen Olusegun Obasanjo, Head of State (as he then was) ordered that the resettlement and compensation policy be stopped. The people, who became christened *original inhabitants*, were to remain where they were until development of the city caught up with them. The numbers of these original inhabitants have since been swelled by millions of other Nigerians who were lured into the territory without adequate government approved accommodation.

Close to 30 years since this obnoxious policy was put in place and the settlements have burgeoned, the FCT administration has now embarked on forced evictions of these thousands of families on flimsiest of excuses ranging from infringing on a so-called master plan to beautification of the city. Many families have been and are being turned into Internally Displaced Persons (IDPs) as if there has been a natural disaster or war. Rape and assault of women, human trafficking and high rate of crime is on the increased. A lot of people have lost both shelter and their only source of livelihood through these dastardly evictions.

The latest communities to be so forcefully evicted are Aleita, Chika, Galadimawa, Gosa A., Gosa Sarki, and Sabon Lugbe, all along the Airport road. These communities are among the 49 settlements that have been pencilled for eviction, interestingly, only very few of these communities that are to be affected have been made known to the general public. Others include Gwagwa, Karimu and Dei dei. According to the minister, three places have been earmarked for the resettlement of the original inhabitants; however, neither compensation nor rehabilitation is to be paid to them. Again on visitation to the places supposedly earmarked for the resettlement of the original inhabitants, we discovered that the places are just but bare virgin lands with no access roads, hospital, houses, water and electricity. One then begins to wonder, how these people are expected to build their own houses, water etc and still survive having destroyed their

business which most of them solely for their income and sustenance of livelihood.

- **The main events of the case (with dates)**

The evictions and demolition exercise started in June 2004. Some parts of Kubwa were demolished in June 2005; Dantata village on the 28th November 2004, several other satellite towns, business places and markets outside and within the metropolis took their turns between January 2005 to date. The latest of the eviction and demolition started on the 28th November after the Executive council meeting pronouncement that vowed to continue with the evictions on the 23rd November 2005.

- **Minimum information on the legal grounds of the case**

Section 14 of the Nigerian Constitution is specific on providing and ensuring adequate basic social amenities for its citizens. The same constitution talks about the rights to housing and it is to noted that Nigeria is a signatory to most of the UN conventions including the UN Habitat Agenda

- **Name and brief description of the authorities and/or agencies engaged in enabling and leading the alternative process**

Women Environmental Programme (WEP) Community Action for Popular Participation (CAPP) are both non-governmental organizations registered in Nigeria with the mandate of addressing the gender injustices on environmental issues as well as break the barriers that tend to hinder gender equity in socio-economic sphere of the life of women and children, educating the communities on their rights and responsibilities for good governance.

- **The answer to eviction**

Level of organisation of the affected community (including names of organisations, their approach, strengths and weaknesses)

The community affected is well organized through their community leaders. These organizations include the Gbagy Development Association, Internally Displaced Persons, Yoruba, Hausa, Igbo, Tiv, Jukun, Fulani, Igala, South South, Association and Garki/Jiwa Chiefdom Youth Associations. Their strength lies in the numbers and collective decisions taken, while their weaknesses is that of lack of capacity to engage the authorities.

- **Name of community organisation/s involved in brokering the solution**

Women Environmental Programme, Community Action for Popular Participation and Justice Development and Peace Commission

- **Names of supporting agencies working in alliance with the affected community**

As of now, only the NGOs have been supporting and working in alliance with the community.

- **Impact on existing policies, legal frameworks and jurisprudence**

It is sad to state that there is little or no impact on existing policies, legal frameworks nor jurisprudence, as the government decide who wins a case. Which means the judiciary is under the control of the government

- **Impact on communities, people and their organizations**

Currently thousands of people especially women and children are rendered homeless while some sleep under the trees and uncompleted buildings, rape is on the increase, there is increase in rate of crime. The various community associations and organizations can no longer meet, as most of them are looking for places where they can perch and again how to feed their families. A lot has lost their lives due to the fact that they only source of livelihood has been taken away, food, shelter. Some have turned to begging on the streets.

- **Current status of the community (houses have been built? Infrastructure has been gained? Etc.)**

The demolition is still being implemented, only a few houses are left standing, but we are certain that in two- three days, everything would have been finally brought down.

Key ingredients for stopping evictions

- **Role of the local and national media involved**

The local and national media have consistently reported these cases both in print and electronic to avert the situation, however, it has not made any difference to the implementing authority.

- **What have been the key ingredients for stopping evictions?**

Women Environmental Programme and Community Action for Popular Participation, both NGOs together with the leaders of the affected communities, have constantly intervened through advocacy visits to the Minister, the parliamentarians and have researched and published findings on the evictions but so far nothing has deterred the minister from the evictions. Several public hearings have been conducted, where all the local chiefs and community leaders, business men, women groups attended, but even at such forums, the Minister could not be convinced as to why he has to find better ways of integrating the people into the master plan of his outright eviction.

- **Reasons why this is a good focus case for the Advisory Group. Potential for the case to be used as a centre for learning and advocacy through exposure and exchange.**

- **Follow up**

Next steps to be taken (if any)

- Temporary shelter for the displaced persons especially women and children
- Continued advocacy to restrain the Minister from further demolitions
- Reintegration of the community into the Abuja master plan
- Institution of legal action
- Setting up of commission of inquiry

- **Available additional information**

- **Full address contact persons**

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