

URGENT ACTION

HUNDREDS FORCIBLY EVICTED IN LAGOS, NIGERIA

At least 300 homes have been demolished and hundreds of residents have been left homeless as Lagos State officials carried out a forced eviction on 23 February in Badia East settlement in Lagos, Nigeria. Thousands more remain at risk of being forcibly evicted from their homes.

According to reports from Nigerian NGO, Social and Economic Rights Action Centre (SERAC), on 23 February the Lagos State Taskforce on Environmental and Special Offences (Enforcement) Unit carried out a forced eviction, demolishing around 300 houses in the presence of heavily armed police personnel. Demolitions are said to have continued on 24 February, leading to the destruction of further houses and structures. An estimated 10,000 people in the settlement remain at risk of forced eviction if the demolition continues.

The Lagos State Government (LSG) has failed to ensure that due process safeguards were in place before carrying out the evictions. The affected people were not provided with an opportunity for genuine consultation nor were they informed about the reasons for the eviction. The LSG also failed to provide adequate notice, and affected persons were not offered any alternative housing or compensation.

Hundreds of people – both homeowners and tenants – have been left homeless. According to eyewitnesses, they now sleep beside the railroad tracks that pass through the community, protecting the few belongings they could salvage before being forced from their homes by security forces armed with guns and batons. According to eyewitnesses, the police arrested three unarmed young men during the demolitions, and several residents who tried to resist the demolition were beaten by the police.

Reports by SERAC in Lagos indicate that the demolitions may continue in the coming days. Thousands of people, including women, older persons and children will be left homeless and vulnerable to a range of other human rights violations if the demolition continues.

Please write immediately in English or your own language urging the LSG to:

- Stop the forced eviction in Badia East, and ensure that legal and procedural safeguards including genuine consultation, adequate notice, and alternative housing for affected people are in place before carrying out any further evictions;
- Provide adequate alternative housing and emergency relief – including access to food, shelter, water, sanitation, healthcare services and effective remedies – to the people of Badia East whose homes have been destroyed;
- Initiate an independent enquiry into the use of force during the forced evictions in Badia East.

PLEASE SEND APPEALS BEFORE 9 APRIL 2013:

Governor of Lagos State
Babatunde Raji Fashola
Governor's Office
Ikeja, Lagos State
Nigeria
Email: brfgov@lagosstate.gov.ng
Salutation: Your Excellency

Commissioner of Physical Planning and
Urban Development
Olutoyin Ayinde
Lagos State Secretariat
Ikeja, Lagos State
Nigeria
Email: toyinayinde@yahoo.co.uk
Salutation: Dear Commissioner

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

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Lagos is Nigeria's commercial capital with a population of over 10 million people, and Badia East is an informal settlement in the city. The land in Badia East is the subject of ongoing litigation in the Lagos State High Court (*Aromire & Ors v. Daniel & Ors*, Suit No LD/443/2002) between the Ojora Chieftaincy family and residents of the community, some of whom are represented by SERAC. Badia is one of the communities slated for slum upgrading under the \$200 million World Bank-funded Lagos Metropolitan Development and Governance Project (LMDGP).

On Monday 25 February 2013 hundreds of the residents of Badia East marched to the Lagos State governor's office where they staged a 6 hour protest and they demanded an audience with the governor. Leaders of the community attempted to enter the governor's office to register their protest but were prevented from entering by security forces. The governor refused to come out to meet with the protesters but three Commissioners in charge of the ministries of Physical Planning and Urban Development; Housing; and Agriculture came out to meet with the protesters, reportedly only allowing two questions to be asked by the protesters. According to representatives / spokespeople of the protesting residents, the answers given by the commissioners did not address the concerns of the protesters regarding the ongoing forced eviction in Badia East.

In July 2012 the LSG in a manner similar to the ongoing demolition in Badia East demolished parts of Makoko, another informal settlement, without adequate notice or consultation

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, safeguards on how evictions are carried out, and access to legal remedies and procedures, including access to legal aid where necessary. Governments are 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.

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.

Name: Hundreds of people forcibly evicted in Badia East settlement
Gender m/f: both

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