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BROKEN HOMES BROKEN LIVES

END FORCED EVICTIONS IN CHAD

HOUSING IS
A HUMAN RIGHT

AMNESTY
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TENS OF THOUSANDS OF PEOPLE HAVE BEEN MADE HOMELESS AFTER BEING FORCIBLY EVICTED FROM THEIR HOMES IN N'DJAMENA, THE CAPITAL OF CHAD, SINCE FEBRUARY 2008. HOUSES AND OTHER STRUCTURES HAVE BEEN DEMOLISHED IN SEVERAL NEIGHBOURHOODS.

The first wave of demolitions followed an armed attack on N'Djamena in February 2008 by a coalition of opposition armed groups. Shortly afterwards, on 22 February 2008, Chadian President Idriss Déby Itno issued a decree authorizing the destruction of what were called illegally constructed buildings and structures. The first decree applied to two neighbourhoods of N'Djamena – Gardole and Walia Angosso. The destruction was later extended into other areas such as Farcha, Atrone and Chagoua.

Houses were still being demolished in late July 2009, and more and more people are at risk of being forcibly evicted.

Most of the forced evictions have been carried out by the security forces. They order people to leave their properties and bar any residents who are not at home from returning.

LACK OF DUE PROCESS

Flouting the law and denying due process, the authorities did not consult residents before evicting them. In many cases residents were given little or no time to relocate.

In the neighbourhood of Diguel Est, for example, residents with ownership papers appealed to magistrates to intervene. A court issued an injunction in favour of the residents, but the mayor of N'Djamena

ignored it and ordered the houses to be demolished. This led to the magistrates union threatening to strike.

Amnesty International has confirmed that many evictions were illegal and in violation of international human rights standards and Chadian law.

WHAT ARE 'FORCED EVICTIONS'?

A forced eviction is the removal of people against their will from the homes or land they occupy without legal protections and other safeguards.

Evictions should not be carried out until all other feasible alternatives have been explored, genuine consultation has taken place with the affected communities and appropriate procedural protections are in place. In particular, there should be adequate and reasonable notice for affected people before any eviction, and no one should be rendered homeless or vulnerable to other human rights violations as a consequence of eviction. Where those affected are unable to provide for themselves, the government must ensure that adequate alternative housing, resettlement or access to productive land is available.

Not every eviction that is carried out by force constitutes a forced eviction – if appropriate safeguards are followed, a lawful eviction that involves the use of force does not violate the prohibition on forced evictions.



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Above: Demolished houses in Farcha, N'Djamena, May 2008.

Right: Apollinaire Nodjihoudou Djeria, in front of the ruins of his house in Chagoua, N'Djamena. Apollinaire's house was demolished in December 2008, in defiance of a court order.

Front cover: Demolished homes in Chagoua 2, N'Djamena.

Back cover: A Chadian woman whose family home was destroyed in Farcha, N'Djamena, May 2008.



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N'DJAMENA BEFORE, N'DJAMENA AFTER

Amnesty International has used satellite imagery to illustrate the scale of destruction in some residential neighbourhoods in N'Djamena.

Using commercially available satellite imagery, Amnesty International documented housing demolitions in N'Djamena, Chad, at three points in time: 7 January 2008, 8 November 2008 and 27 January 2009. The images covered eight districts and an area adjacent to N'Djamena international airport. They show the damage caused by the forced evictions. In all, more than 3,700 structures were destroyed in about 385 days. The satellite images supplemented the information gathered in research missions by Amnesty International delegates who visited N'Djamena in May 2008 and May 2009.

The evidence obtained by using satellite imagery and geospatial methodologies paints a distressing picture of the pace of housing demolition in N'Djamena. While the images alone cannot tell us which demolitions were legal and which violated both Chadian and international law, the sheer scale indicates a frightening level of human suffering.

COMPOSITE IMAGE



JANUARY 2008



This page: Analysis of these images from Djari and Dembe shows that 324 homes and small business premises were completely demolished between November 2008 and January 2009.

Opposite above: This image shows the effects of continuing demolitions in N'Djamena: by 8 November 2008, 2,522 homes and other structures had been destroyed; by 27 January 2009, a further 1,136 houses and small business premises had been completely demolished.

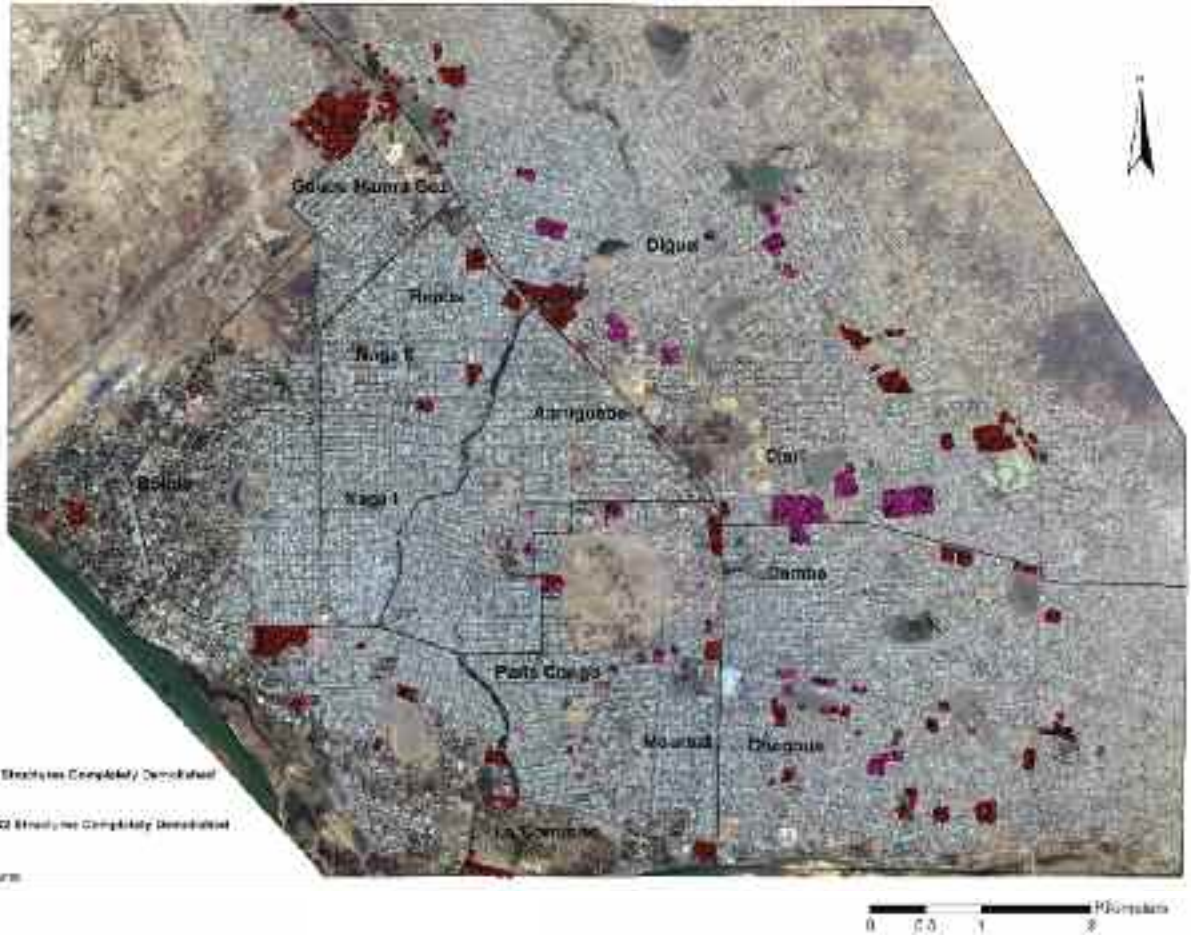
JANUARY 2009



Opposite below: These two close-ups show housing demolitions in the neighbourhood of Chagoua 2, in the 7th district. Residents lodged a complaint in court, which ruled that planned demolitions should cease, pending a final decision. Despite this order, the mayor of N'Djamena continued to demolish the houses.

All satellite images © 2009 DigitalGlobe (Image Source Quickbird Satellite)

N'DJAMENA DEMOLITIONS FROM 7 JANUARY 2008 TO 27 JANUARY 2009



JANUARY 2008



NOVEMBER 2008



NO ALTERNATIVES OFFERED

The vast majority of families who lost their homes have not received alternative housing or any other form of compensation. Some went to live with family members or relatives, others returned to their villages of origin. Many remained in their neighbourhoods, often living in the ruins of their old homes. Many refugees who fled to Cameroon in February 2008 are now unable to return to N'Djamena because their homes were among those demolished. They have no choice other than to stay in refugee camps in Cameroon.

REPERCUSSIONS

The demolitions of thousands of houses in N'Djamena will have serious economic and social repercussions for years to come. Many people lost not only their place of business but also vital tools and materials during the demolition process. Amnesty International delegates heard, for instance, of the destruction of many establishments where women, particularly older women and widows, have been deprived of their means of subsistence as a result of the destruction.

GOVERNMENT OBLIGATIONS

The Chadian Constitution clearly states in article 41: "Private property is inviolable and sacred. No one can be dispossessed except for a duly verified case of public interest and with fair and advance compensation". Article 17 further refers to the right to "the protection of private life and property."

Chad's 1967 national property law also specifies criteria and procedures to be used in cases of expropriation (when land is being taken from people with lawful title) and in cases of "*déguerpissement*", when people without lawful title are required to abandon the property.



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Forced evictions – evictions which are not carried out in accordance with the law – are prohibited by international human rights treaties including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the African Charter on Human and Peoples' Rights. Chad has agreed to be bound by these treaties.

Under international human rights law, evictions may be carried out only as a last resort, once all other alternatives have been explored and after genuine consultation has taken place with communities.

Governments must also ensure that no one is rendered homeless or vulnerable to the violation of other human rights as a consequence of eviction. Adequate alternative housing and compensation for all losses must be made available to those affected prior to eviction.

Above: Demolished homes and other buildings in Dembe, N'Djamena.

Right: Mme Dibie, aged 75, with neighbours in front of the ruins of her home in Farcha, N'Djamena, where she had lived for more than 42 years and supported herself by selling local beverages.





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'WE ARE BROKEN — JUST LIKE OUR HOMES'

A Chadian woman whose family home was destroyed in Farcha, N'Djamena, May 2008.

TAKE ACTION NOW

Please write politely to the Chadian authorities calling on them to:

- Cease all forced evictions and pass and enforce a law prohibiting forced eviction.
- Ensure that victims of forced eviction have emergency shelter, access to adequate clean water and sanitation and health services.
- Respect the rights of victims of forced eviction to an effective remedy, including access to justice and the right to reparations, including restitution,

rehabilitation, compensation and guarantees of non-repetition.

- Conduct a full, independent and impartial enquiry into the role of the police, military and other officials in carrying out forced evictions, and bring to justice all those suspected of having broken the law and committed human rights violations.

Please send your appeals to:

HE Idriss Déby Itno
President of Chad
Présidence de la République
BP74
N'Djamena, Chad
Fax: 00235 251 45 01

Mahamat Zène Bada
Mayor of N'Djamena
BP 439
N'Djamena, Chad
Fax: 00235 251 43 40

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Amnesty International is a global movement of 2.2 million people in more than 150 countries and territories who campaign to end grave abuses of human rights.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion – funded mainly by our membership and public donations.

September 2009
Index: AFR 20/005/2009

Amnesty International
International Secretariat
Peter Benenson House
1 Easton Street
London WC1X 0DW
United Kingdom
www.amnesty.org