

LEFT WITH NOWHERE TO GO

STORIES OF SURVIVORS OF FORCED EVICTIONS IN NIGERIA'S MEGA CITY



AMNESTY
INTERNATIONAL





Aerial View of Demolition: A section of Otodo-Gbame littered with demolition debris, while some houses remain intact on 23 March 2017, after the forced evictions on 17 and 21 March 2017 ©Deji Akinpelu

INTRODUCTION

Survivors of forced evictions in Lagos, south west Nigeria are homeless and without livelihoods. They are the urban poor whose rights to adequate and affordable housing has been strangled by a mega city project.

These people want to return to their homes; they want their means of livelihood back.

In 2017, Amnesty International published a report, *The Human Cost of a Mega city: Forced Evictions of the Urban Poor in Lagos Nigeria* (AFR 44/7389/2017). The report documented how Lagos state authorities forcibly evicted over 30,000 residents of Otodo-Gbame community from their homes in three forced evictions between 9 November 2016 and 9 April 2017 and approximately 823 residents of Ilubirin community on four occasions. All the forced evictions occurred without prior consultations with affected residents.

Two years after, most of the evictees remain homeless and are living in desperate poverty. Many of them are living in deplorable conditions in several of the waterfront communities around Lagos. They had to ask residents of other waterfront communities to accommodate them, and in some cases up to 20 people are living in one room. The redistribution of Otodo-Gbame residents in other waterfront communities has resulted in increased pressure on the meagre resources available in those communities.

Survivors of the forced eviction who are mainly fishermen and fish sellers, reported that the eviction had destroyed their livelihoods. From June 22-24 2018, Amnesty International's researcher visited three waterfront communities, Ajah, Makoko and Oreta [Ikorodu] where most of the evictees from Otodo-Gbame now seek shelter.

The Lagos State authorities have failed to provide residents of Otodo-Gbame with alternative housing and/or compensation for the loss and/or damage to property caused by the forced evictions. They have also not provided any relief or rehabilitation for those who lost their livelihoods. While evictees are left homeless, the lands they formerly occupied is being developed into luxury real estate jointly owned by the state government and a private company.

The authorities have also failed to initiate independent investigations into the forced evictions and the excessive use of force by members of the police and military. Thousands of families are now separated and more than 100 children have been forced to stop their education. When Amnesty International spoke to the forcibly evicted families, they were unequivocal in their demands - they want their homes and means of livelihoods back.



Some Otodo-Gbame evictees waiting for the court decision on the contempt proceedings filed by them against Lagos state authorities. The court finally ruled that their eviction was unconstitutional.

12 April, 2017

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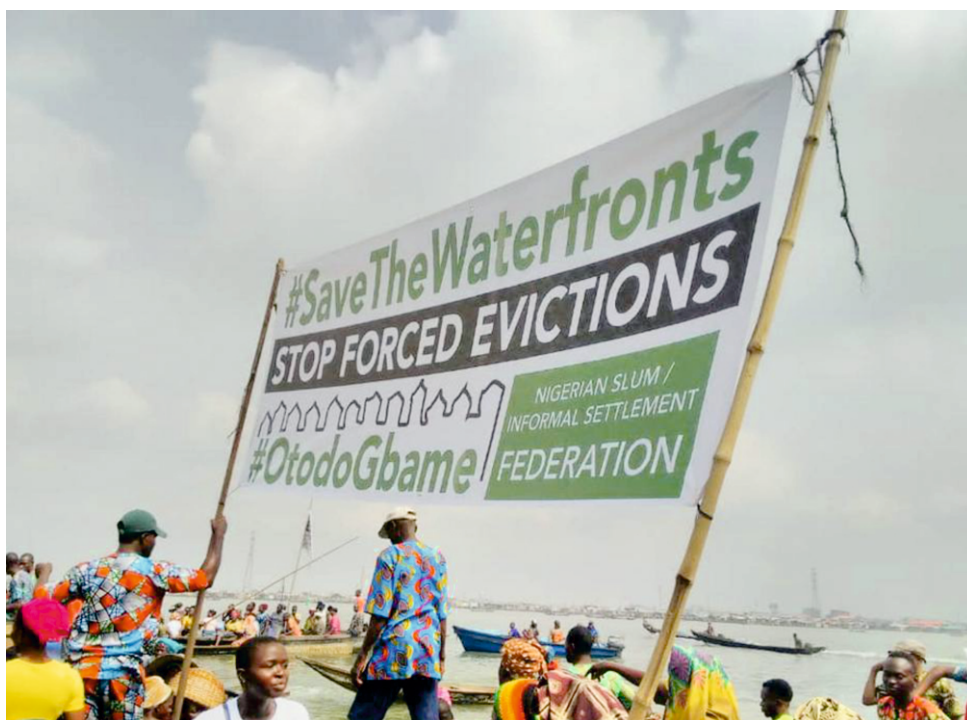
FORCED EVICTIONS IN OTODO-GBAME

Lagos State authorities in defiance of a landmark Lagos High Court ruling forcibly evicted over 30,000 residents from the Otodo-Gbame community in three forced evictions: 9 to 11 November 2016; 17 and 21 March 2017; and on 9 April 2017.

According to the residents of Otodo-Gbame, on the night of 9 November 2016, at about 11.30pm a bulldozer escorted by police officers and some unidentified armed men, began demolishing people's homes in the Community, while the police chased residents out with gunfire, and set fire to homes and commercial structures. Eyewitnesses told Amnesty International that some residents drowned in the nearby lagoon as they ran from the gunfire. Following this forced eviction, only about 4,700 residents remained in Otodo-Gbame. Some of them still had their homes intact, while others who had lost their homes took shelter with their neighbours or slept in canoes, makeshift sheds, and in the open. On 17 and 21 March 2017, police, military, Lagos State Taskforce officers, and unidentified armed men in a similar incident forcibly evicted many of the approximately 4,700 remaining residents of Otodo-Gbame amidst gunfire and teargas. The demolition team came with five bulldozers which they used to demolish all structures on the land, and many structures on water. After this, evictees returned to the community and sought shelter with those whose homes had not been demolished, while many slept in the open, in makeshift sheds and their canoes. On 22 and 26 March, the demolition team returned to demolish the remaining structures on the water, but they were prevented by the protests of evictees and residents. On 9 April 2017, police, the Lagos State Taskforce and armed men (wearing Taskforce vests for the first time), returned forcibly evicting Otodo-Gbame residents. The demolition team used two bulldozers and fire to destroy the structures and properties of residents. Evictees told Amnesty International that the police were shooting live ammunition and

teargas sporadically to chase away residents. Following this forced eviction, evictees were unable to return to the land and they moved to other waterfront communities, where they continued sleeping in canoes, or living with family and friends. According to evictees who were present during these events, nine people died from drowning as they fled the gunfire. Some 15 others remained unaccounted for since November 2016. During the forced evictions on 9 April 2017, the police chased residents out of the community using gunfire and teargas, at least two men were hit by bullets. One of them was 20-year-old Daniel Aya who was hit in the neck and died. A second victim, 26-year-old Monday Idowu, was hit in his upper abdomen but survived. Both were shot by a police officer while trying to salvage their families' belongings when they were shot by a police officer. Amnesty International saw and received pictures of seven bullet casings and nine teargas canisters recovered from Otodo-Gbame community by evictees, following the forced evictions of 9 to 11 November 2016, 17 and 21 March 2017. All attesting to the unlawful eviction, excessive use of force and firearms, unlawful destruction of property and arbitrary deprivation of life which took place in Otodo-Gbame.

Many of the evictees told Amnesty International that they have not been able to recover from the impact of the forced evictions. They face loss of livelihoods, homelessness, separation from their families and a halt to their children's education.



Survivors of forced evictions in Otodo-Gbame stand a flotilla of boats to protest their forced evictions 15 May 2018
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HOMELESSNESS AND DESPERATE POVERTY



Juliet Francis
June 23, 2018
© Amnesty International Nigeria



Hassanah Ibrahim
June 23, 2018
© Amnesty International Nigeria

“JULIET”

Juliet Francis, 35-year-old business woman and a mother of five now lives in Ajah waterfront community since the forced evictions on 9 April 2017. Since then, she has not been able to recover from the loss of her home and business. She told

“Before I had a bed to sleep on, now I sleep on cartons”

Amnesty International “I sell beer in Otodo-Gbame. Now I am not doing anything. No money, nothing. To eat is a problem. Here many people are just falling sick. Before I had a bed to sleep on, now I sleep on cartons. I had three

houses in Otodo-Gbame, everything is gone. I have five children and all of them are not going to school again.

“HASSANAH IBRAHIM”

70-year-old Hassanah Ibrahim is a widow and mother of three children. She was forcibly evicted from her home in Otodo-Gbame on 9 April 2017. She is currently living in Ajah waterfront community. She told

“Life here is really bad”.

Amnesty International. “I sell agidi (local delicacy made from maize) and firewood. All my firewood, over 200 were burnt at Otodo-Gbame. I

had two rooms in Otodo-Gbame, I sleep in one and cook in the other one. Here in this community, twenty people sleep in a room like this one behind me. Sometimes we the adults must sit up at night so that the children can get some space to lie down. It is also close to where people defecate, so we do not sleep at night because of the smell. Life here is really bad”.



Otodo-Gbame evictees stranded on the lagoon, watching their homes burn during the forced eviction on 9 April 2017
© Amnesty International Nigeria



Meg Ahounsu
June 24, 2018
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“MEG AHOUNSU”

Meg Ahounsu, a 55-year old mother of six children was forcibly evicted from her home in Otodo-Gbame on 9 to 11 November 2016. Since then, she has been living in Makoko, another waterfront community in Lagos. She told Amnesty International, “now I sleep outside just there on bare floor in the open space” (Tents made of bamboo which serve as homes to the evictees) The rain beats me and all my children with me. This community has tried for us. They brought us here with their boats from the day our houses were burnt with fire by government. I want to go back to Otodo-Gbame and continue my life there because I don't know where to start from here”.

“Now I sleep outside just there on bare floor in the open space”



John Avonda
June 23, 2018
© Amnesty International Nigeria

“JOHN AVONDA”

John Avonda, a 65- year-old fisherman who lived in Otodo-Gbame until he was forcibly evicted on 17 March 2017 told Amnesty International that he had lost his home and fishing tools. He said “before now, I was working. Now that we are here, I have been taking malaria drugs because I am not well. I cannot even count how many of us sleep in one room infested with mosquitoes. My boats, engine and nets were all burnt during the evictions at Otodo-Gbame. I had made a part payment for a land at Badagry (another location within Lagos state) but now the land had been taken from me because I have no means to complete the payment. My five children are no longer going to school”.

“My boats, engine and nets were all burnt during the evictions at Otodo-Gbame”



Ajah Waterfront, a community hosting
evictees from Otodo-Gbame
23 June, 2018
© Amnesty International Nigeria

LOST LIVELIHOODS



Meg Zannu
June 2018
© Amnesty International Nigeria

“MEG ZANNU”

Meg Zannu, a 55-year-old widow had lived in Otodo-Gbame for over twenty years. She was forcibly evicted from Otodo-Gbame on 17 March 2017. She now lives in Makoko waterfront community. In Otodo-Gbame, she earned her living from selling fish and agidi (local delicacy made from maize). “Now, I don’t sell anything. I lived in two rooms in

**“Where pigs live
is better than
where I am now”**

Otodo-Gbame. My house and all my wares were burnt during the forced evictions. I am squatting with my sister and her three children in their two rooms here at Makoko. She is the one feeding me. I have five children who are now

squatting in other communities. They were all going to school in Otodo-Gbame but now they have stopped because there is no money. I have no money to sell anything. Where pigs live is better than where I am now. I just want to go back to Otodo-Gbame”



Elizabeth Oke
June 2018
© Amnesty International Nigeria

“ELIZABETH OKE”

Elizabeth Oke, a widow and mother of three children was resident in Otodo-Gbame until the forced evictions on 9 April 2017. She told Amnesty International, “in Otodo-Gbame, I had two houses and one shop. I used to sell fish but now there is nothing to do. Here we are always falling sick.

Because of this running up and down and nowhere to stay,

**“...they [task force officials]
put teargas on my face,
since then, one of my eyes
cannot see very well”**

my husband died here in Ajah waterfront community. He was thinking too much about our condition, so he fell ill and died. He used to help me with the children but now there is

no one. My three children are no longer going to school. When they were burning down our houses at Otodo-Gbame, they [task force officials] put teargas on my face, since then, one of my eyes cannot see very well. You can see it”.



Residents of Otodo-Gbame and Ilubirin communities at a protest
15 November, 2017
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FAMILIES SEPARATED



Celestina Ahinsu
June 2018
© Amnesty International Nigeria

“CELESTINE AHINSU”

Celestine Ahinsu is a 42-year-old man. He is married and has four children. His family has been separated since the forced evictions on 9 April 2017. He told Amnesty International, “I was self-employed in Otodo-Gbame where I do electrical installations because I am a university graduate. Also, I was a landlord. I had a three-bedroom bungalow where I lived and ten rooms which I rented out to people. My wife also had four rooms which she rented out. I did not pick anything on the day of the forced evictions. I lost two refrigerators, one gas cooker, one plasma TV and generator. My wife used to sell foodstuff and recharge cards for telephone. We lost all. Since then, I took my wife and one of our children to Ibadan (another town outside Lagos state). Three of my children are here in Ajah waterfront community with me. Residents from Ajah waterfront community who came to our rescue brought us here where twenty of us sleep in a room. I have been brought down to ground zero with no hope”

“I have been brought down to ground zero with no hope”



Amusu Raymond
June 2018
© Amnesty International Nigeria

“AMUSU RAYMOND”

Amusu Raymond, a 65-year-old fisherman who lived in Otodo-Gbame until the forced evictions on 9 April 2017 told Amnesty International “I am not alright here. In Otodo-Gbame, I was living well as a fisherman. When I catch fish, my wife will sell the fish and we will have money. I had two canoes, two generators for powering my canoes, and nets. I lived in a three-bedroom house with my wife and five children. Now everything is gone. There is nothing to eat. My children have stopped going to school because we are scattered. My wife and two of my children now live in Ago Egun waterfront community and others are here with me. We are twenty people to a room here including those who took us in. It is very hot because this place is congested. We were free in Otodo-Gbame. Here there is no air. We just want to go back to our homes in Otodo-Gbame. That is where our fathers gave birth to us. It was a swamp, but we developed it. We have students here who are no longer going to school”

“We are twenty people to a room here”



The ruins of a demolished school in Otodo-Gbame Community. 27 march 2017
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Vivian Sosu
June 2018

© Amnesty International Nigeria

CHILDREN'S ACCESS TO EDUCATION STALLED OTODO-GBAME

“VIVIAN SOSU”

Like many of the children from Otodo-Gbame, 14-year-old Vivian Sosu stopped going to school since the forced evictions on 9 April 2017. Her parents lost all their belongings and livelihood due to the forced eviction. Her school was destroyed with fire during the incident. She is currently living at Ajah waterfront community in Lagos with her mother. Her father lives in another community with her siblings. She said: “All my books and uniforms were burnt in Otodo-Gbame. I wanted to be a doctor, now I can no longer continue my education because my parents cannot work here. We are just managing in this community. Twelve of us sleep in a small room and there are many mosquitoes here. I want to go back to school.”



Monday Idowu
June 23, 2018

© Amnesty International Nigeria

NO JUSTICE FOR THE DEAD AND INJURED


“MONDAY IDOWU”

Monday Idowu, a 27-year old gunshot survivor from the forced eviction of 9 April 2017 showed Amnesty International the scars from his injury on the day of the forced eviction. Till date no one has been arrested or charged for the incident.

*look at the scar on my body,
it was where I was shot
on the day we were chased out*

He had to raise funds from the community to pay for his treatment. He told Amnesty International, “we are just squatting in this community, look at the scar on my body, it was where I was shot on the day we were chased out of Otodo-Gbame. My friend Daniel Aya who was shot alongside with me died from gunshot wounds. Till date, nothing has been done about the case. The police officials who shot at me were not arrested. It was people who paid for my hospital treatment.”



↑  *Bullet casings found in Otodo-gbame on Sunday, 26 March 2017*
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EXCESSIVE USE OF FORCE AND FIREARMS

The use of excessive force, the use of firearms while conducting forced evictions, and arbitrary deprivation of life is a violation of a the right to life and contravenes the UN Basic Principles on the use of force and firearms by law enforcement officials. Firearms may be used as a last resort only in case of an imminent threat to life or serious injury. Their use by the police in this case was excessive and unlawful.



Satellite image of Otodo-Gbame taken on 11 May 2016.

GOVERNMENT HAS FAILED TO ACT IN ACCORDANCE WITH INTERNATIONAL HUMAN RIGHTS LAW

The UN Commission on Human Rights has also recognized that forced evictions constitute gross violations of human rights, in particular the right to adequate housing.¹

Nigeria is a State party to the International Covenant on Economic, Social and Cultural Rights (ICESCR) and other international human rights treaties, which require it to realize the right to adequate housing, and to prevent and refrain from carrying out forced evictions. Nigerian authorities, in violation of the country's human rights obligations, have failed to put in place safeguards against forced evictions before embarking on mass evictions.

1. United Nations Commission on Human Rights resolutions 1993/77 and 2004/28

The UN committee on Economic, Social and Cultural Rights, a body of experts that provides the authoritative interpretation of the ICESCR, defines a forced eviction as “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.”²

The Committee has emphasized in its General Comment no. 7 that evictions may be carried out only as a last resort, once all other feasible alternatives to eviction have been explored and all procedural protections are in place. These include “an opportunity for genuine consultation with those affected; adequate and reasonable notice for affected persons prior to the eviction; information on the proposed evictions, and, where applicable, on the alternative purpose for which the land or housing is to be used, to be made available in reasonable time to all those affected... government officials or their representatives to be present during an eviction; all persons carrying out the eviction to be properly identified; evictions not to take place in particularly bad weather or at night unless the affected persons consent otherwise; provision of legal remedies; and provision, where possible, of legal aid to persons who are in need of it to seek redress from the courts.”³

The Committee also states that adequate alternative housing and compensation for all losses must be made available to all those who cannot provide for themselves, regardless of whether they rent, own, occupy or lease the land or housing in question, and that evictions must not “render individuals homeless or vulnerable to the violation of other human rights.”⁴

The African Charter on Human and Peoples' Rights (African Charter), ratified by Nigeria, has been incorporated into Nigerian law.”⁵ The African Commission on Human and Peoples' Rights has affirmed in the case of SERAC and the Centre for Economic and Social Rights v. Nigeria that forced evictions contravene the African Charter, in particular Articles 14 and 16 on the right to property and the right to health, and Article 18(1) on the state's duty to protect the family. In that case, the African Commission stressed that “[a] though the right to housing or shelter is not explicitly provided for under the African Charter, the corollary of the combination of the provisions protecting the right to enjoy the best attainable state of mental and physical health, cited under article 16 (1), the right to property, and the protection accorded to the family forbids the wanton destruction of shelter because when housing is destroyed, property, health, and family life are adversely affected. It is thus noted that the combined effect of articles 14, 16 and 18(1) reads into the [African] Charter a right to shelter or housing.”⁶

The Lagos State government has so far not taken any actions to provide remedies for the forced evictions in Otodo-Gbame. On 28 September 2018, Amnesty International wrote the Lagos State government but till date no response has been received. Amnesty International is therefore calling on the Lagos State government to immediately:

2. CESCR, General Comment 7: The right to adequate housing: forced evictions, UN Doc. E/1998/22, para. 3

3. Comment 7, The right to adequate housing, para. 15

4. CESCR, General Communication No. 155/96, para 60

5. The African Charter on Human and Peoples' Rights (ACHPR) was domesticated by Nigeria in 1983 as the African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act. The provisions of the ACHPR are binding and persons exercising legislative, executive or judicial powers in Nigeria are mandated to apply it and give it full recognition and effect

6. Social and Economic Rights Action Center (SERAC) and Center for Economic and Social Rights (CESR) v. Nigeria, Communication No. 155/96, para 60



A girl tries to salvage food immediately after a forced eviction in Otodo-Gbame on 17 March 2017
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RECOMMENDATIONS

To the government of Lagos state:

- Immediately set up a judicial inquiry into the forced evictions in Otodo-Gbame and prosecute those found responsible for human rights violations and crimes committed during the forced evictions; including unlawful eviction, unlawful destruction of property, excessive use of force and firearms by the police, arbitrary deprivation of life, violent attacks on the community by armed men, which resulted in the loss of lives, disappearances and injuries to residents.
- Declare a moratorium on mass evictions in Lagos state, until there are regulations in place to ensure that evictions comply with international human rights standards.
- Provide access to effective remedies including, adequate housing and restitution, access to essential services and adequate compensation to all those who have been forcibly evicted.

TAKE ACTION

Write to the Governor of Lagos state, by email (info@lagosstate.gov.ng) urging him to put in place a moratorium on mass evictions as a first step towards ending forced evictions in Nigeria.

SAMPLE LETTERS

His Excellency,
Governor Akinwunmi Ambode,
Governor of Lagos State.

We join Amnesty International Nigeria in calling on you as the chief executive officer of Lagos state, to:

- Immediately take all measures necessary to initiate an independent and impartial investigation into the serious human rights violations including unlawful eviction, unlawful destruction of property, excessive use of force and firearms by the police, arbitrary deprivation of life, violent attacks on the community by armed men, which resulted in the loss of lives, disappearances and injuries to residents against residents of Otodo-Gbame community in Lagos.
- Declare a moratorium on mass evictions in Lagos state, until there are regulations in place to ensure that evictions comply with international human rights standards.

- Ensure that people in Otodo-Gbame and others affected by the forced evictions in Lagos State have access to effective remedies and reparation.

GUIDANCE FOR ACTIVISTS

All individuals, including residents of informal settlements, have the right to adequate housing.

Residents of informal settlements should be free from intimidation, arrest, detention and forced evictions regardless of whether they own, rent, lease or occupy the home or land in question. When taking action on this issue, remember and reiterate this to members of the public, the media, or other activists. Make this clear if your campaigning activity is in collaboration with (or perceived to be in collaboration with) any other group or persons that publicly supports an end to forced evictions in Nigeria.

Amnesty International is a global movement of more than 7 million people who campaign for a world where human rights are enjoyed by all.

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 and are funded mainly by our membership and public donations.

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English, October 2018



Cover image: A bulldozer demolishing structures in Otodo-Gbame as an evictee watches, during a forced eviction on 17 March 2017.

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