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Lagos, Nigeria

NIGERIAN SLUM /
INFORMAL SETTLEMENT
FEDERATION



**JOINT PRESS STATEMENT: JEI & THE FEDERATION
CONDEMN CONTINUED HARASSMENT & THREATENED
EVICTION OF EVICTEES FROM TARKWA BAY & RESIDENTS OF
OTHER ISLAND COMMUNITIES BY THE NIGERIAN NAVY**

The Nigerian Slum / Informal Settlement Federation (Federation) and Justice & Empowerment Initiatives – Nigeria (JEI) today stand with evictees from Tarkwa Bay community and residents of other island communities in Lagos who continue to face harassment and a threat of imminent eviction by the Nigerian Navy and land grabbers in brazen defiance of subsisting court orders preventing further eviction and protecting the fundamental rights guaranteed to evictees and residents by the 1999 Constitution of the Federal Republic of Nigeria and other human rights laws.

It will be recalled that starting around 21 December 2019, the Nigerian Navy forcibly evicted tens of thousands of residents of island communities across Lagos from Abagbo, Abule Elepa, Abule Glass, Ajakoji, Akaraba, Bobukoji, Ebute Oko, Fashola, Idi Mango, Ilase, Inangbe Ilado, Kopiamy, Ogunfemi, Oko-Kate, Okun Alfa, Okun Babakati, Okun Gbogba, Okun Ilase, Okun Kobena, Sankin, Okun Sokpo, and Tokunbo, up to Okun Ayo and the well-known Tarkwa Bay community.

It will also be recalled that evictees from these communities and residents of other neighboring island communities also under threat joined hands in January 2020 to enforce their fundamental human rights and restrain further evictions through a suit filed on their behalf by Justice & Empowerment Initiatives – Nigeria (JEI) at the Federal High Court in Lagos. On 30 January 2020, Justice Liman of the Federal High Court in Lagos granted orders restraining the Nigerian Navy, the Ministry of Defense, and the Attorney General of the Federation from carrying out further evictions or otherwise harassing or intimidating evictees or residents of these communities.

Since the lock-down measures put in place in Lagos and across the country due to the COVID-19, recent evictees who are living in highly precarious circumstances have found themselves more vulnerable to the health and socio-economic impacts. Meanwhile, the suspension of ordinary court sittings due to the COVID-19 pandemic meant that the matter in court seeking emergency shelter and aid as well as reconstruction of the evictees homes was put on hold until a date as-yet uncertain.

In the face of subsisting court orders and an international consensus that all evictions / displacement should be stayed during the COVID-19 pandemic, the Nigerian Navy has throughout this period continued to harass, threaten, and intimidate evictees. On 22 April 2020, for instance, officers of the Nigerian Navy announced in Tarkwa Bay – where hundreds of impoverished and vulnerable evictees still live in remaining and makeshift structure among the rubble of their former homes – that everyone should leave the community and anyone remaining on the island would be “dealt with.”

In the final days of May 2020, these threats became more concrete when officers of the Nigerian Navy were seen meeting and looking at plans with a well-known individual who has been at the forefront of land grab efforts at Tarkwa Bay over recent years. The next day, a town crier went around the community telling all remaining residents to leave the community within the space of two weeks. The threat is rumored to extend to neighboring island communities of Ogogoro and Sabo Kodji, which have not faced prior evictions and are both covered by the subsisting court injunctions. Officials of the Nigerian Navy have confirmed receiving orders to address insecurity through eviction.

We are dismayed by the purported justification given for these forced evictions based on security operations, knowing that no law in Nigeria allows for the demolition of peoples' homes nor other forms of collective punishment without any due process of law. Rather, the Nigerian Constitution guarantees the presumption of innocence. Anyone suspected of a crime must be arrested, prosecuted, convicted, and sentenced before appropriate punishment can be imposed. Collective punishment and summary evictions as a form of punishment are illegal and unconstitutional.

Meanwhile, the apparent alignment between well-known land-grabber and officers of the Nigerian Navy further confirm fears that the evictions of Tarkwa Bay and island communities were in fact a take-over of high-value real estate. It will be recalled that in January 2020, the Lagos State Government and Nigerian Ports Authority announced plans to benefit from these forced evictions and the forceful takeover of the lands in question, while the people displaced suffer untold hardships. Indeed, the Lagos State Government on 23 January 2020 announced its intention to develop an elite tourist resort at Tarkwa Bay, while the NPA announced its intentions to expand the Apapa Port onto nearby Snake Island – another site of recent and threatened evictions – apparently without any regard for the rights to participation in such projects by the affected communities.

Forced evictions – the removal of people from the land or homes they occupy without sufficient legal or other protections – is a gross violation of international human rights law binding on Nigeria. The Nigerian Constitution and human rights law domesticated in Nigeria guarantee the rights to adequate shelter/housing, livelihood, due process of law, and dignity, among others. Indeed, a 2017 Lagos High Court judgment found that forced evictions without adequate notice and resettlement violate the fundamental human right to dignity enshrined in Section 34 of the Constitution.

Forced evictions are not only illegal and unconstitutional, they are counter-productive to security and to the development objectives Lagos and Nigeria as a whole. Forced evictions cause mass homelessness, loss of livelihood, separation of families, interruption of education, physical and mental health consequences and death. Displaced communities and families are pushed into worsened poverty, which can only undermine security, as well as urban and national development.

For years, the Federation and JEI have worked closely with urban poor communities like Tarkwa Bay, Okun Ayo, egogoro, Sabo Kodji, and other communities living under the current threat of eviction to implement community-led development and advocate for partnership with government to follow international best practices around community policing and community-led *in situ* upgrading that can produce win-win outcomes to improve quality of life, collective security, and development.

We call on the all government agencies involved to immediately halt the harassment and threatened eviction of Tarkwa Bay and other island communities in Lagos, to dialogue with communities on alternatives to eviction, while resettling and compensating those already evicted for their losses.

SIGNED:

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For a copy of the court order restraining the Nigerian Navy and others from further evictions or harassment of evictees/residents: <https://bit.ly/2UstYjb>

For more on the impacts of COVID-19 on the urban poor and on victims of forced eviction: <https://www.justempower.org/coronadiaries>

For a statement by the United Nations Special Rapporteur on the right to adequate housing on calling for a moratorium on evictions and protection for shelter during the COVID-19 pandemic: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25727&LangID=E>

For pictures and videos of the 2020 forced eviction of Tarkwa Bay and Okun Ayo and aftermath: <https://www.flickr.com/photos/justempower/sets/72157712780902478/>