

THE NJEMANZE WATERFRONT COMMUNITY FORCED EVICTION WITH ITS SOCIAL AND ECONOMIC EFFECT ON THE PEOPLE

PREMABLE:

The Njemanze waterfront community located in Port Harcourt city is a densely populated area with about 15 thousand people including Children and Women. Its demolition on the 28th August 2009 during unfavourable climatic conditions of rainy season, under the watchful eyes of the Rivers state commissioner for Urban Development, Hon. Osima Ginah was an indication of Government's inconsiderateness. According to the international human rights law in accordance with general principles of reasonableness and proportionality evictions is not to take place in particularly bad weather or at night unless the affected persons consent otherwise. The massive demolition of structures in Njemanze and other waterfront communities in readiness for the Silverbird Show did not seek adequate or genuine consultation of evictees and compensation was only made to selected few.

Again, the Rivers State Government did not comply with the relevant provisions of the land use Act and her own laws on revocation of a right of occupancy and payment of compensation. Most landlords lost out from the compensation as payment were made to only select few favoured by the government. The case of tenants was a forgotten one by the government.

There are global laws and standards against forced eviction which Nigeria is a party which the Rivers State government chose to respect in the breach in this regard. The Rivers state government should have, as a matter of law make necessary enquires through genuine consultations, set up panels and hold several meetings with community and provide adequate compensation before demolition. According to the international Covenant on Economic, Social and Cultural Rights (ICESCR), the Rivers State, as one of the political subdivision of the Federal Republic of Nigeria, a state Party to this covenant, is legally obligated to respect, protect and fulfil the right to adequate housing. In line with General comment No.7 on forced Eviction by the committee on Economic, Social and Cultural Rights for evictions to be considered as lawful they may only occur very exceptional circumstances.

To make matters worse, by the provisions of the National Inland Waterways Acts, 1979, the waterfronts are out of the control of the Rivers State government because it fall under the control and jurisdiction of the National Inland Waterways Authority [NIWA]. According to the Act “ no person including a state has the right to erect permanent structures, reclaim land; undertake acquisition or lease/ hire of properties within the right –of –way without the written consent , approval or permission of the authority”

In spite of the foregoing restraining factors, the Rivers State government went ahead to demolish the community. This resulted to the displacement of households resulting in fragrant violations of the rights of the inhabitants and untold hardship.

Aim:

The research aimed at finding the social and economic effect of demolition on some of Njemanze waterfront community members. It therefore underwrites the violation of rights to housing by government that ought to provide the basic needs of the people. The research also aims at keeping track on the evictees and documenting their post eviction experiences.

Justification

The Njemanze waterfront evictees suffer psychological, emotional and physical impacts. They have experienced job loss, hunger, repression, homelessness, lack of access to education, prostitution, restiveness, hunger. Some of the evictees sleep under the flyovers, churches. While some have gone back to their villages, others have been forced to put up with their friends and relatives in other overcrowded communities in the slums of Port Harcourt. The demolition impunity through forced eviction creates a worrisome situation where people are left with nothing other than lots of hazards and threat of life. The Rivers State Government neglect, refusal to apply the provision of the Land Use Act and lack of respect for human dignity during the demolition are the essence of this work.

METHODOLOGY:

The main methodology was in-depth one-on- one interview. The researcher identified some of the evictees. They were selected based on experiences and familiarity of the researcher having monitored the eviction. For this, an interview was carried out to hear directly from some of the evictees to ensure reliability in the report and photographs of a few evictees were taken. In order to represent the feelings of evictees, this report reproduces the words of the interviewees during the interview as presented under oral interviews. The questions were asked in pidgin, a local variation of English with root in Portuguese. The researcher did not use any gadgets. He relied on what he could write down in the process.



DISPLACED CITIZENS WATCHING THEIR HOUSES BEING DEMOLISHED



THE DEMOLISHED NJEMANZE COMMUNITY IN PORT-HARCOURT

ORAL INTERVIEW WITH EVICTEES



Mr. Bariyema Komene narrating his Experience.

“My name is Bariyema S.G Komene, 37years old, a Civil servant working with the University of Port-Harcourt Teaching Hospital. I am married with four children; the first daughter is in Primary 4, the second in Primary 1, the third in Pre-Nursery. My wife was trading on foods stuff when we were at Njemanze. I was living in a self-contained apartment but now I am squatting with a friend, my children are in my village because all of us can not be accommodated there. I built the house at Njemanze based on the agreement between me and the landlord. The demolition affected me badly because I was not there to pick anything from my house. My children lost all their social contact and friends and even the school at home is not the same with the one at Port-Harcourt. My advice to the State government is to look into the plight of the people and settle us because we are all indigenes of the State. My Phone No. is 08060777650”



Mr.Datubo West, Acting Chairman of Njemanze tenants.

“I am Datubo West, a male of 50 years of age with three children. I lived in two bed-rooms before the demolition of Njmanze but now I am in one room with my children and wife, you can imagine how horrible it is for all of us to live in one room.Right now I am staying at Abonema wharf Waterfront community. During the demolition at Njemanze waterfront by the government of Rivers State I lost all my properties. I used to deal on assorted drinks worth about 1.5 Million Naira but now I am doing a casual work at motor-park so that I can survive and the money from the daily pay is too small for our up-keep. At Njemanze my business was booming. I also supply drinks in large quantity, but due to the demolition my business has collapsed. My wife is only selling small cooked food to support.

The State government should eradicate poverty not to cause more tension in the system, they should have provided an alternative arrangement before the demolition, and this singular attitude can cause some anti-social activity. My advice to the government is that they should change their mind and come to the aid of the less –privileged so that crime rate will be minimised. My Phone is 07038218418”



TOM BARITUAIPRE

“My name is Tom Barituaipre. I am 33 years old, and I was staying at Njemanze before the sudden demolition by government. I am still the Secretary of Tenants Association of the demolished Njemanze. The association used to settle dispute among members and other crises as may arise.

On the demolition there was no proper notice only that houses were marked and that was not enough information given to us. During the demolition the government brought in the Joint Task Force to chase people out and I was unable to take my property. We suffered a lot because the bulldozers came unannounced and properties worth millions of naira were destroyed. Now some one helped me and those who do not have friend are sleeping in some churches, some are in uncompleted building while others are sleeping under the bridge. I think government have a rethink and look into our condition because we do not have money to pay for house rent since they did not give us an alternative accommodation, for now I am staying at Abonema waterfront Community, my phone number is 07041899187”



Mrs. Ibiforu Kalibor

“I am Mrs. Ibiforu Kalibor, 27 years old, I am now living in Abonema Community after the house I was renting was demolished by government bulldozers. My son get sick because we have no place to sleep due to stress and now they are in the village with my grandmother. My children are no longer in school because we lost the accommodation at Njemanze and I don't have money to pay for a bigger accommodation for all of us as their father has abandoned them since eight years now. I am the bread winner of the house, unfortunately the bulldozer destroy all our properties.

I need some assistant so that I can train my children in school because I missed that opportunity when I was a child. The house at Njemanze I paid for three years but I have only stayed for one year before I lost the house, my phone is 07039573458”

EME EFIONG EKPOGO

“My name is Eme Efiong Ekpogo. I am married with one daughter. My wife and my daughter are in my village in Uyo, Akwa Ibom State. I am a furniture maker and I stayed at Njemanze before the demolition. For now I am staying with one of my sister at Ojoto Street Port-Harcourt. I think the government can not demolish a Community because of cultism. Yes they used to disturb, sometime they entered my house and collected all my property but that is not a good reason for demolition. Government should provide employment for youths My phone number is 080734997351”

Mr & Mrs AKPABIO

“We are Mr. and Mrs. Akpabio. We have four children and they are all in School. The Njemanze demolition affected us negatively as we now live at No.3 Gambia Street in Port-Harcourt. We do business for our survival, but two of our children are at Eket- Community in Akwa Ibom State. I help my wife in selling drink now at motor –park. But the business was better in Njemanze. Government should not take the law into their hands because we are poor people suffering now and no compensation or resettlement”

ANSELEM DIPERE,

“I am Mr. Anselem Dipere. I was a tenant in Njemanze before it was demolished by the government. I now stay at No.16 Lumumba Street, and I am retired from Nigerian Railway Corporation. I am depending on my pension. I am married with six children. Daily saving is one of my businesses and I use that to train by children. My biggest set back is this demolition because I am disorganised completely. Some tenants that were staying at Njemanze have died out of frustration. For example one Vincent Jimmy Apkan Ntah a 69 year old from Mkpato Enin L. G.A died recently. My phone number is 08061632394”

JOSEPH MARK

“I am Joseph Mark. I started staying at Njemanze waterfront since 1976 when there was only few houses there. The demolition has make many of us wonderer. Some people are still hanging around because they have no where to go. Now I am staying with a friend at Ugu Street Port-Harcourt. During the demolition I travelled to my village but before I came back all my property was scattered by the bulldozer, now my four children with my wife are in the village. I used to see them once every month. I am 55 years old. Government should understand that they make us to be stranded because if you do not have where to stay you can not do any business here and house rent is very exorbitant because there fewer houses for many people”

ELIZABETH APKAN

“My name is Mrs. Elizabeth Apkan. As my house in Njemanze was demolished I now stay with someone but I not happy because everyday they tell me to park and I have no money to pay for house now. I want the NGO and the Civil Society to help us, I have no money to start selling as I used to do. My children are at home because all of us can not stay with my neighbour who assisted me”

JOHN JACKRISS

“I am John Jackriss, 38 years old. Now staying at No.70 Ojike by Ilabuchi road, I live with my wife and three of my children. They were schooling when we were at Njemanze and now I make sure they still go to school. During the demolition they stop for a while, I do business while my wife Mrs. Anita Jackriss does phone call business. The demolition come as a surprise because there was a court injunction but government disregard the order and demolished Njemanze thinking or knowing that we cannot do him anything. During the demolition the army prevented people from taking their properties and the government has refused to dialogue with us. That is why we demonstrated to the government house when heard that they want to demolish our houses without any consultation or compensation. When the government says they demolish the place because of criminals is not true because pockets of criminal can not make you to demolish a whole community. The fact is that they are in business with Silver Bird Group. They are the people that masterminded the demolition; we hope that someday we shall ask for our right”

DIAMOND WEST

I am Mr. Diamond West. I am 39 years old, married with three children and we were all living at Njemanje waterfront before we were evicted from our houses during the rainy season last year under the supervision of the Commissioner of Urban Development Hon. Osima Gina. Since then my children no longer live with because of the difficulty in accommodation. At Njemanze we were stay in three rooms and the rent is four thousand per room, my children were all in school but now they live in my village Bakana in Rivers State. My children and I are temporarily separated due to the forced eviction that happened to us. At first the government told us that they will relocate us but all that was gimmick. They only paid landlords and they treated us as if we are not human. Very unfortunately I was not around during the demolition and my properties were all destroyed and my wife could not collect any of our property due to intimidation from the military. Most of the evictees are still hanging in the churches and I am one of them, a philanthropist women Bar. Nnena Pepple accommodated me in her church. We need adequate compensation to reduced the pains and injuries caused by this demolition. How could a government be so heartless to evict over 15 thousand people during a bad weather and many has died due to hypertension”

FINDINGS AND CONCLUSION:

This research reveals serious human rights violations as narrated by the victims. Right to housing and livelihood, right to life, torture and right to family life stand out in ordeals as related in the interviews. It has also exposed government recklessness and irresponsiveness to the plight of the poor, the most vulnerable. As show, many have lost their businesses, died in frustration and families forced to live apart. Social networks have been broken and children’s schooling truncated as many were forced to relocate to their villages.

The evictees are appealing to both Government and International Community to grant them help because they are now refugees in their home land. Nevertheless, we hope that through this report succour would soon come the way of the displace persons as they need financial support to start a new life and get on with their business. Mr. Diamond West, one of those who suffered from the Njemanze eviction had this to say, “This demolition has rendered us homeless and most of us have lost our families”. In the Beacon Newspapers published in vol.10.No.2 Friday, January 15-21, 2010, Anyakwee Nsirimovu, the founder and Executive Director of the Institute for Human Rights and Humanitarian Law (IHRHL), blamed the Rivers State government for demolishing the waterfront saying that the dwellers are entitled to alternative accommodation before demolition. According to him, poverty is not the only reason for slums dwellers as we all know, rather the inadequate

infrastructure are also the outward sign of failed policies , elements of bad government , inappropriate legal and regulatory frameworks, dysfunctional land market, corruption and the key among them is the lack of political will to improve on housing programmes.

The findings also show that the demolition is to pave way for the Silver Bird Cinema which has contravened the law of overriding public interest as required by the Land Use Act. It is also a clear demonstration of government insensitivity towards the poor. The evictees' interviews held strongly of government neglect and failure to provide basic amenities and economic opportunities for the masses.

The demolition in Rivers State particularly Njemanze waterfront has demonstrated government insincerity to the people as this has brought series of calamities to the community especially the neglect of child rights. So many young people particularly the males have been exposed to crime while the female suffer rape. Some families are disjointed due to lack of accommodation in other part of the oil rich city of Port-Harcourt.

Today Njemanze is a ghost land and the State government has not taken any step to ameliorate it. From the beginning of demolition story in Port-Harcourt the governor has consistently said, "Nobody will stop me from demolition of the houses in the waterfront except God" and true to his words Njemanze fell prey to his promise.

It could be recalled that the entire disputed waterfronts were land reclaimed by the ancestors who settled there some time before the 1913 and all the waterfront communities in Port-Harcourt were waterlog as they spent their hard earned money to reclaim and establish themselves. Now the right to housing by communities in the Niger-Delta, particularly Rivers State, has been violated by the government who took an oath to protect it citizen's life and property. It is also on record that several appeals and demonstrations to government fell on deaf ears.

Below are the guiding questions used for the research.

- How long have you lived in Njemanze?
- After the demolition where are you staying now?
- Where were you there during the demolition?
- Were you able to collect your property?
- Had your house rent expired before the demolition?
- Did government pay compensation or relocate the Njemanze tenants?
- Presently where you are staying are you with your wife and children?
- Are your children still in school?
- Did government meet with you before the demolition?
- Do you have a phone number?