

**CIVIL SOCIETY INITIATIVES – LITIGATION, ADVOCACY AND ORGANIZATION: IMPACTS ON STRENGTHENING THE SECURITY OF TENURE OF THE URBAN POOR**

A PRESENTATION AT THE CONSULTATION ON SECURITY OF TENURE FOR THE URBAN POOR.

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One of the reasons given for the establishment of the GGCN a few years back was the need to strengthen and expand community-based and community-led advocacy through its paralegal centres for natural resources accountability in the gulf of guinea countries. It was to educate and empower communities to act as custodians of their livelihoods ,rights, environment and natural resources which were under severe threat as a result of inadequate or poorly enforced available policies and legislations.

It is under this initiative supported by Ford Foundation that Social Action carries out her housing rights campaign in Nigeria.

This project, therefore, offers an opportunity to deepen the process of community advocacy in realising the rights of community members through solidarity building, complementing and linking community-based activities with national, regional and international advocacy.

## **ORIGIN OF WATERFRONT COMMUNITIES IN PORT HARCOURT.**

The Waterfront communities have existed for decades, in some cases, predating the city of Port Harcourt. They accommodate hundreds of thousands of citizens made up of fishers, junior civil servants, artisans, traders, and a large army of the unemployed that have escaped environmental degradation and loss of livelihoods in oil bearing villages of the Niger Delta.

At least a quarter of the population of Port Harcourt, capital city of Rivers State, would have been rendered homeless if the State government had succeeded in carrying out planned demolitions and forced evictions in 42 Waterfront Communities. From governments own estimates, 200,000 people would be affected by forced evictions.

The UN Habitat (2009) and other organisations estimate that the number of victims would be significantly higher considering the size of the communities that are popularly called 'Watersides'. These settlements have been home to millions of families with low incomes in a city that is the operational centre of the oil and gas industry in Nigeria.

## AVAILABLE LEGAL INSTRUMENTS FOR ADVANCEMENT OF TENURE SECURITY

Since the adoption of the Universal Declaration of Human Rights by the United Nations in 1948, there have been progressive development of norms and legal instruments that seek to protect the right of all humans to adequate housing. Within those universally accepted instruments is the obligation of governments to protect citizens against forced and arbitrary evictions.

As a federating unit within Nigeria, Rivers State is legally bound by *all the international human rights treaties ratified by the Nigerian Government since 29 July, 1993, especially the African Charter on Human and peoples' Rights and International Covenant on Economic, Social and Cultural Rights (ICESCR).*

- The 1999 Constitution of the Federal Republic of Nigeria
- Rivers State Physical Planning and Development Law (2003)
- Recommendations of the Justice Kayode Eso-led Rivers State Truth and Reconciliation Commission, which was inaugurated by the governor on 29 November 2007 and submitted its report on March 10, 2009
- A bill for the establishment of the Greater Port Harcourt City Development Authority, passed by the State House of Assembly on March 24, 2009, and signed into law by the Governor in April 2009

Interestingly, all the local legislations most of which came into being during the administration of the present Governor either as Speaker of the State House of Assembly or as Executive Governor recommends that:-

the “*destruction and dismantling of all waterfront houses around Port Harcourt*” should make way for provision of “*alternative accommodation for the residents*” of the affected areas.

## **☐ SUCCESSES WITH LITIGATIONS IN ADVANCING TENURE SECURITY.**

From our experience thus far, both the conventional and customary courts have been manipulated to always be on the side of government most of the times.

These courts are yet to provide any alternative to evictions neither has the state provided any legal or social assistance to affected families and communities. We've only had an injunction from a Federal High Court sitting in Port Harcourt restraining Mr Amaechi the Governor from demolishing the community in suit no FHC/PH/CS/563/2008.

Every available piece of legislation, decisions, policies and practices that supports tenure security are seen to have been observed more in the breach.



# ORGANIZATION, MOBILIZATION AND ADVOCACY: GAINS AND CHALLENGES

In the absence of a credible judicial system that protects citizens from dictatorial tendencies, one thing that has worked in our case, is community organizing and solidarity building.

The gains can be seen from the inability of the state to continue demolitions of 40 waterfront communities as planned in 2007. The Bundu community non violent resistance against demolitions of October 12, 2009 remains a very strong statement and gains.

The communities now speak with one voice contrary to what we met in 2008 when some sections of the community has unrestricted access to the media both print and electronic, declaring their support for demolitions.

- ESTABLISHMENT OF A PARALEGAL/COMMUNITY RESOURCE CENTRE DEDICATED TO HOUSING RIGHTS
- TOWN HALL MEETINGS
- WORLD HABITAT DAY
- ABUJA ADVOCACY VISIT
- ESTABLISH COLLABORATIONS WITH SERAC, NHRC, COHRE AND AMNESTY INTERNATIONAL
- TRAINING COMMUNITY LEADERS

## CHALLENGES

- ◆ Adequate financial resources to open more paralegal centres in some threatened areas.
- ◆ Constant harassment and intimidation from the various state security outfits.
- ◆ A weak judicial system that does not protect the poor in society
- ◆ The land use act of 1978.

## RECOMMENDATIONS

- Immediate moratorium on forced evictions and the restoration of the rights of all evicted persons.
- Abrogation of the 1978 Land Use Act
- Wide consultations with residents/home owners in waterfront communities as part of measures to foster a culture of people-oriented urban renewal.

- Provide temporary shelter for the immediate accommodation for the affected people, as most of them do not have anywhere to go after eviction and are sleeping in odd places, like uncompleted buildings, abandoned vehicles, markets, under flyovers, and so on.
- Rebuilding the demolished communities and to ensure that those displaced are returned. Or pay full compensation for all affected communities and individuals, including landlords and tenants to enable the inhabitants rebuild their houses, other structures and livelihoods.







**USE TO SERVE THE FISHING COMMUNITY BEFORE.**



**VAST FARMLANDS THAT ARE LOCKED AND HEAVILY POLLUTED**





**A ROAD TO RUMUEKPE WITH FOUR OIL COMPANIES INCLUDING sHELL**



**ORGANIZING AND MOBILIZING COMMUNITY PEOPLE FOR NON VIOLENT ACTION IN OGONI LAND GRAB CAMPAIGN.**



**IN COURT OVER LAND GRAB IN OGONI WITH  
NUMBERS YOU CANNOT IGNORE.**



**Collaboration with Community people and SERAC on land grab in Ogoni**



**HOUSE TO HOUSE COMMUNITY  
MOBILIZATION**

# HOUSING RIGHTS CAMPAIGN IN PORT HARCOURT





**WORLD HABITAT DAY CELEBRATION IN PORT HARCOURT**







## MAJOR CHALLENGE



THANK YOU!

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