

PRESS STATEMENT | APRIL 11, 2017
DEMOLITION OF OTODO-GBAME COMMUNITY IS ILLEGAL AND MUST STOP!

SPACES FOR CHANGE (S4C), Centre for Children's Health, Education, Orientation and Protection (CEE-HOPE), Communities' Alliance Against Displacement (CAAD) concerned members of the human rights and legal community in Lagos State, unanimously condemn the continuing attack and demolition of the homes and properties of predominantly urban poor residents of Otodo-gbame community in Eti-Osa Local Government Area, Lagos State. These attacks which started on November 9, 2016, and repeated continuously in April 2017, have left scores dead, injured, hospitalized, while rendering thousands homeless. These attacks and demolitions, continuing with the tacit approval of the Lagos State Government, constitute gross violation of fundamental human rights. We condemn these infringements in very strong terms, and call on the Lagos State Government to take immediate steps to redress these injustices by compensating, resettling and rehabilitating the displaced persons without further ado.

Otodo-gbame is one of the fishing communities situate along Lagos creeks and coastlines in the upscale Lekki area of Lagos where land prices are prohibitive, and far beyond the reach of average income earners. As was the case of Maroko in July 1990, Otodo-gbame residents dwell on prime land, coveted by property developers and powerful private actors, who have strong connections and access to the corridors of power. Consequently, the residents have since 2014, endured incessant attacks from persons determined to take over their land. The lead actors in the land-grabbing campaign are the Elegushi Family and the Lagos State government through its ministries, namely: the Ministries of Environment, Physical Planning, and Waterfront Development respectively, and the Kick-Against-Discipline Task Force (KAI).

The recurrent invasion of the community and the accompanying demolitions are characteristically, ruthless and bloody, executed with the active connivance of security agencies, especially the Nigerian Police Force and the Nigerian Security and Civil Defense Corps (NSCDC). No safety measures are ever adopted during the demolitions to protect the children, young women, the aged, the sick and the most vulnerable members of the community, leading to physical injury, loss of lives, properties and livelihoods. The Government has failed, or refused to communicate to local residents and concerned civil society organisations, the reasons for these attacks. Until last week, the Lagos State Government moved from outright denial of complicity in the recurrent demolition of Otodo-gbame to brazenly taking sides with the Elegushi Family.

Broken and devastated by these attacks, residents of the community have approached the Lagos courts seeking legal protection in respect of their customary title to Otodo-gbame land and for the judicial resolution of the land dispute between them and Elegushi Family. Court orders have been brazenly flouted. Judicial directives have been ignored. Parliamentary resolutions have been scuttled. Residents are desolate, and in despair, wondering what next to do, especially as the very institutions established to protect them from harm have repeatedly failed to do so. With the support of various civil society organisations, Otodo-gbame residents have in addition to judicial action, organised several press briefings, petitions, rallies, and led protests which drew public attention to the Lagos State Government's arbitrary interventions. Lagos State authorities remain cold to these entreaties, and unyielding in their determination to dehumanize the urban poor, and push them deeper into poverty.

By publicly taking sides with the Elegushi family, destroying the properties of Otodo-gbame residents, using brute force to forcefully evict them from their communities, and the failure to

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make adequate arrangements to allow the removal of the evictees' property prior to the demolitions, the Lagos State Government has violated the Otodo-gbame peoples' rights to life, property, privacy, human dignity and other interconnected rights. Chapter 4 of the 1999 Nigerian Constitution guarantees these fundamental human rights, and obligates the state to respect, protect and fulfil them. The Lagos State Government has also violated provisions of the Lagos State Urban and Regional Planning and Development Law, 2010. Part IV of the State Law requires notice of demolitions be given to potential evictees. It also specifies the time-span for such notices, and procedure for treating all responses, representations, and objections to such notices ordering demolitions. Failing to follow the procedures mandated by its own State Law amounts to the type of nauseating executive impunity, which the Nigerian Supreme Court strongly condemned in the notable case of *Governor of Lagos State v. Ojukwu SC.241/1985*.

Despite several years of advocacy and protest by Otodo-gbame residents and collaborating human rights organizations, the Lagos State Government led by Governor Akinwunmi Ambode has provided no assistance of any sort to the displaced families and continues to justify the demolitions. Even though they have been presented with evidence of the dead, poor health of women and children, disruption of children's education, and separation of families in the wake of the demolition, the state governor and his commissioners have, on several occasions, shown brazen disregard for the humanitarian crisis in Otodo-gbame. More tellingly, the connivance of state agents with private actors to undermine the rule of law and dehumanize the urban poor is unacceptable in a democracy. Concerned Nigerian organizations, lawyers and stakeholders in the human rights and legal community condemn in very strong terms, this dangerous trend of perpetrating illegality, hiding under the cloak of officialdom.

In light of the above, we make the following demands on the Lagos State Government to:

1. Halt all ongoing and scheduled demolitions across the state;
2. Requires the Lagos State Emergency Management Agency (LASEMA) to swiftly provide humanitarian assistance to the victims including items such as building materials, first-aid, food items, clean water, among others;
3. Stay action on all planned demolitions and allow the courts to fully determine all pending matters involving Otodo-gbame land in order to give the affected persons and communities the opportunities to state, prove their claims, and ventilate their grievances.
4. Compensate, resettle, and rehabilitate the displaced families in Otodo-gbame.

Signed:

SPACES FOR CHANGE

CEEHOPE

CAAD

Concerned members and stakeholders in the human rights and legal community in Lagos State