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Lagos, Nigeria



Press Statement

“Leave Abonema Wharf Community Alone”, Court Orders

A Rivers State High Court sitting in Port Harcourt has just issued an order of interim injunction against the Rivers State Government (RSG) after hearing an *ex parte* application brought by the Social and Economic Rights Action Center (SERAC). The interim order granted today, November 11, 2011 by Justice S.C Amadi restrains the Rivers State government and its agents, privies and officials from evicting and demolishing the homes, businesses, churches, schools and livelihoods of Abonema Wharf Community residents in Port Harcourt, Rivers State until the substantive suit is heard and determined on its merits. SERAC filed the substantive suit, JIM TOM GEORGE Vs RSG (*Suit No: PHC/2286/2009*) in November 2009, on behalf of the Abonema Wharf community.

This order became necessary in light of the renewed efforts by the Rotimi Amaechi-led Rivers State Government to demolish waterfront communities without an order of a court of competent jurisdiction, and in contravention of the state’s own laws and policies, particularly the provisions of the Rivers State Physical Planning and Urban Development Law 2003. If carried out, the demolitions would leave over twenty thousand people homeless, and push them deeper into poverty. The neighbouring community, Njemanze was demolished in August 2009 in a brash demolition exercise that displaced over ten thousand families, especially women and children.

Among other declaratory reliefs in the substantive suit, SERAC is praying the court to declare that the RSG’s scheduled demolition of Abonema Wharf community and the impending forced eviction of its residents without recourse to statutory safeguards, constitute massive violations of human rights, especially the rights to property, privacy, housing, human dignity, health and life, all of which are guaranteed by the 1999 Nigerian Constitution and the African Charter on Human and Peoples’ Rights. The suit is also challenging the Rivers State government’s “private property buy-out scheme”, under which landlords were to be paid some value for their properties that would then be pulled down to accommodate a private business owned by the Silverbird Group of Companies. Ordinarily, this seems fair except that landlords had no choice in the matter. It was *fait accompli*. The landlords that objected had no opportunity to opt out of the buy-out program. Refusal to accept the offer meant that the landlords would lose everything. It was a take it or leave it situation.

However, rather than furnish a justifiable legal or public interest purpose for its actions, the RSG merely labeled the threatened communities as hideouts and haven for “agents of cultism, violence and criminality.” This has become standard modality for states to engage in blackmail and negative branding in their efforts to justify illegality and unwillingness to abide by decent and democratic norms.

The court order represents a significant step forward in the community’s quest for housing justice, and reinforces confidence in the judiciary as the last bastion of hope for the common man.

Signed

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