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**FOURTH WORLD URBAN FORUM**  
第四届世界城市论坛  
**Networking Event on Niger-Delta**  
3rd - 7th November 2008 [Nanjing, China]

# **NATIONAL UNION OF TENANTS OF NIGERIA**

**Established under Decree No. 1 of 1990 of the Federal Republic of Nigeria, Rc 7899**

**Office: #25B Abonnema Wharf Road (UTC Junction), Diobu, Port Harcourt, Rivers State of Nigeria**

Tel: +2348035088614, E-mail: [info.nutn.yahoo.com](mailto:info.nutn.yahoo.com), Banker: United Bank for Africa Plc

**(Member of International Union of Tenants, Sweden)**

*Host - Nanjing 2008 World Urban Forum Networking Event on Niger-Delta*

**National President** HRM King (Prof) Frank Eke, CON  
**Chairman of Council** Alhaji (Sarki Hausawa) Isa Madaki  
**Secretary-General** C. W. Enwefah, B.Sc (Hon), DMS  
**Solicitor** Hon. D. W. Wuku Esq (MP)

2nd August 2008

**NUTN/HO/OGS/MUD/COM/02/08**

**The Honourable Commissioner**  
Ministry of Urban Development  
Rivers State Secretariat Complex  
Port Harcourt, Rivers State  
Federal Republic of Nigeria

Sir,

**RE: IMPENDING DEMOLITION OF BUILDINGS OPPOSITE  
THE INTEGRATED CULTURAL CENTRE, PORT HARCOURT:**

Further to our meeting with you on 1st July 2008 in connection with the captioned subject matter, we write to highlight the area of our disagreement with your ministry and to make our position clear on the affirmation by your ministry that the state government owed no obligation to either resettle or hold dialogue with occupants of the buildings opposite the Integrated Cultural Centre, Port Harcourt before carrying out demolition of the buildings.

We firmly stand on the information available to us and hereby emphasize that the buildings opposite the Integrated Cultural Centre, where the union maintains an office apartment, are not illegal structures, but houses built on legally acquired land and in strict conformity with the urban planning regulation of the state government hence, the occupants thereof are in lawful possession and entitled to due process of evictions before demolition.

We further stand on the information available to us and emphasize that absolute majority of the occupants of the buildings are rent-paying tenants, who belong to the economically underprivileged class and that committed their respective apartments to either residential use and or life support activities and require extreme efforts to be able to overcome the challenges of securing alternative housing in Port Harcourt.

We specifically emphasize and make clear our position that unless adequate alternative housing is provided prior to the demolition, the occupants of the buildings will, in the face of the acute accommodation shortage in Port Harcourt coupled with the resultant high cost of rentals, have nowhere else to relocate than to sit tight in their respective apartments as your ministry carries out demolition of the buildings.

Standing on Sections 33(1), 34(1) and 37 of the Constitution of Nigeria, as reinforced by Articles 4 and 5 of the African Charter on Human and peoples' Rights (Ratification and Enforcement) Act; Articles 3, 5, 12 & 25 of the Universal Declaration of Human Rights; and Articles 7 & 17 of the International Covenant on Civil and Political Rights, we contend that pushing down buildings while people are in physical occupation endangers the lives of the occupants, interferes with the privacy of their homes and subjects them to both mental torture and inhuman/degrading treatments in flagrant violation of the aforesaid laws.

Standing also on paragraph 42 of a working instrument entitled Concluding Observations of the Committee on Economic, Social and Cultural Rights Ref: *E/C.12/1/Add.23*, a copy of which is hereto attached as *Annexure A*, it is pertinent to draw the attention of your ministry to the need to adhere to the United Nations directive to Nigeria government to cease forthwith the practice of arbitrary and massive evictions of people from their homes, noting that such practice is inconsistent with the norms of Article 11(1) of the Covenant on Economic, Social & Cultural Rights (**CESCR**), to which Nigeria government is a signatory.

In the light of the foregoing, we advise that instead of using violence to evict the occupants of the buildings, your ministry may consider adopting due process of evictions as set out in paragraphs 13, 15 & 16 of the General Comment 7 on Article 11(1) of the **CESCR**, a copy of which is hereto attached as *Annexure B*. Adopting this process, which entails an opportunity for dialogue and resettlement, will help in ensuring that the buildings are both empty and vacant before your ministry embarks upon the demolition.

We believe that inasmuch as the proposed demolition is not for urban renewal purpose, but in the pursuit of a neo-liberal partnership with the Silver-Bird Group of Companies Ltd for the development of a multi-billion Naira resort centre; resettling the occupants of the buildings affected by this project is, therefore, feasible and within the available resources of both the company and the government, considering that the cost of such resettlement ought to form an indispensable part of the capital expenditure budget for the project.

Noting that paragraphs 17 & 18 of the aforesaid **CESCR** General Comment 7 discourage projects that involve displacement of persons from accommodation without provision of all appropriate protection, which particularly includes proper and reasonable notice, genuine consultations and adequate alternative accommodation etcetera; it is pertinent, therefore, to further advise that the state government undertakes necessary steps to ensure that this procedural protection is provided before embarking upon the demolition. This, will believe, will help reduce the scale of suffering that is associated with such demolition.

We shall be grateful, Sir, if the requests herein made are considered and granted.

Yours faithfully,

for: **NATIONAL UNION OF TENANTS OF NIGERIA**



**C. W. ENWEFAH**

Secretary-General

- cc: **The Rt. Hon. Chibuike Amaechi**  
Executive Governor of Rivers State  
Government House, Port Harcourt
- cc: **The Habitat Programme Manager**  
United Nations Office, UDB Building  
Abuja, Federal Capital Territory.
- cc: **The Secretary-General**  
International Union of Tenants (IUT)  
P. O. Box 7514, Stockholm, Sweden
- cc: **The Coordinator**  
Centre on Housing Rights & Evictions  
83 Rue De Montbrillant, 1202 Geneva
- cc: **The Coordinator**  
Habitat International Coalition  
11 Tiba Street, Muhandisin, Egypt
- cc: **The Coordinator**  
International Alliance of Inhabitants  
Via Bettella, 2/ter, Padova, Italy