



NATIONAL UNION OF TENANTS OF NIGERIA

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

**An NGO Partner to the United Nations Human Settlements Programme (UN-HABITAT), Nairobi
(A Member of the International Union of Tenants, Sweden)**

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)

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By E-mail Delivery

1st December 2008

NUTN/HO/UN-HABITAT/ED/02

THE EXECUTIVE DIRECTOR

United Nations Human Settlements Programme
UN-HABITAT Headquarters' Office, Nairobi, Kenya

Through: **Mrs. Mariam Yunusa (UN-HABITAT)**

E-mail: Mariam.Yunusa@unhabitat.org

Dear Madam,

SPECIAL APPEAL FOR UN-HABITAT'S URGENT MISSION TO RIVERS STATE:

We humbly write to draw your attention to our complaint to the Federal Ministry of Housing and Urban Development dated 30th September 2008 with the supporting statement thereof, a copy of which was endorsed to you, and are constrained to earnestly appeal to you to grant us an urgent mission to Rivers State, preferably before 12th December 2008, to help address the subject matter of the complaint, which has now escalated to a widespread displacement of civilian population in Port Harcourt by the state government.

We had, in our aforesaid complaint, a copy of which was equally endorsed to the President of Nigeria, drawn the attention of federal government to the wanton destruction of houses in Port Harcourt and sought the federal government's intervention, but up till now the federal government has remained adamant to the situation. Joined with this complaint was a protest letter written by the Centre on Housing Rights and Evictions (COHRE) and addressed to the President, seeking also the federal government intervention, but the same has received no attention up till date, while people are being rendered homeless in Port Harcourt daily.

In addition to the above, we have employed and exhausted all local remedies at our disposal including, in particular, the intervention of the National Human Rights Commission and the Federal High Court, but all yielded no fruits, as their intervention made no meaning to the state government. Record of intervention of the National Human Rights Commission and the restraint order of the Federal High Court in the matter are hereto attached as annexures A and B respectively.

Notwithstanding the intervention of the National Human Rights Commission and the Federal High Court of Nigeria, the state government had, in a press briefing held last week, threatened to demolish the entire Abonnema Wharf and Njemanze Waterfronts including upto Isaac Boro Park and Education Bus Stop by 15th of this month. The state government has also threatened and stood by its threat not to relocate any resident of the affected areas. A copy of a newspaper publication to this effect is hereto attached as annexure C.

The areas marked for demolition by 15th of this month are communities by right and constitute upto one-fifteenth of the Port Harcourt main-city and control a population estimate of more than 150,000 people; and are predominantly occupied by the underprivileged families, especially the low-salary earners and the self-employed who could not secure or afford housing in the inner-city due to high cost of rentals and acute shortage of accommodation.

The purpose, for which the residents of the aforesaid areas are to be displaced is to pave way for the construction of a cinema hall known as "Silverbird-Showtime" and owned by one Ben Bruce, being the proprietor of Silverbird Group of Companies Limited. A second-look at the publication herein referred to as annexure C tells more about the cinema hall and its involvement in the displacement of residents.

The threatened displacement of the aforesaid residents cannot be underestimated, recalling that barely last week, upto one-fourth of two major streets namely Bonny Street/Creek Road were completely brought to an extinct with no fewer than 25,000 persons rendered homeless for no just cause. Of special attention is another major destruction that brought down the totality of Gambia Lane and Anyama Street over the weekend, with no fewer than 100,000 residents rendered either homeless or jobless amid the high level of unemployment and acute shortage of accommodation in Port Harcourt and Rivers State as a whole.

Before now, the state government had, between the months of June and October 2008, destroyed several buildings in Port Harcourt, with no fewer than 200,000 families or over 15 percent of Port Harcourt population rendered both homeless and jobless. This action has forced majority of the victims to go back to their villages at the expense of their children's education and the physical and mental health of their families, and has now subjected them to both poverty and hunger.

The irony of the demolitions is the illegal and naked use of members of the Joint Military Task Force (JTF) who, in the cause of enforcing the demolitions, subject the victims of the exercise to both public torture and inhuman/degrading treatment; whereas the JTF was constituted by the federal government specifically to check the activities of the armed Niger-Delta militants, and is not to be used by the state government against the innocent and defenseless civilian residents.

Also ironic in the entire demolitions is the flagrant disobedient to court order, with particular reference to the most beautiful 3-storey building at 177 Niger Street that was brought down despite a restraint order of court. Another instance of the state government's disobedience to court order is that of the premises opposite the state high court, where the entire buildings were demolished against the order of court and on the very date and moment the very court that gave the order was hearing case.

It is the scale of these displacements, especially the impending demolitions of the totality of Abonnema Wharf/Njemanze Waterfronts etcetera, which is expected to be concluded by 15th December 2008 and displace upto 100,000 families, that has propelled us to appeal to you for an urgent mission to Rivers State to help arrest the situation in order to save the affected families from being displaced.

We shall be grateful if this appeal is given a priority urgent attention.

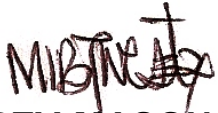
Yours faithfully,

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

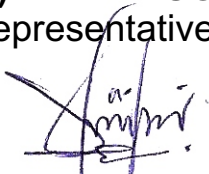


C. W. ENWEFAH
Secretary-General

and on behalf of the affected residents:



(1) REV. MASON WEST
Representative



(2) LAWSON PEDRO
Representative



(3) RICHARD RICHARDSON
Representative



(4) REV. T. UDOIONG
Representative



(5) ASHLEY COLE EGBA
Representative



(6) AGNES ALEXANDER
Representative



(7) UDEMSON UMABAH
Representative



NATIONAL HUMAN RIGHTS COMMISSION

ESTABLISHED BY THE NATIONAL HUMAN RIGHTS ACT, 1995

SOUTH-SOUTH ZONAL HEADQUARTERS

Tel: 084 -

PLOT H, BLOCK 157, PORT-HARCOURT TOWNSHIP,

NO: 203, BONNY STREET, PORT-HARCOURT, RIVER STATE

E-Mail: info@nigeriarights.org

Website: <http://www.nigeriarights.org>

Our Ref: C/2008/61/SSZ/43 Your Ref: _____ Date: 03/11/08
All Correspondences to the Executive Secretary

The Chairman,
National Union of Tenants of Nigeria,
N25B Abonnema Wharf Road (UTC Function)
Diobu, Port Harcourt,
Rivers state.

Sir,

**RE: APPEAL FOR FEDERAL GOVERNMENT INTERVENTION
A MATTER OF HOUSING RIGHT VIOLATION IN RIVERS STATE.**

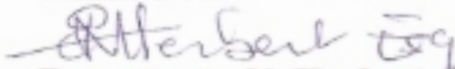
This commission is in receipt of your complaint to us dated 30/09/08 on the above subject matter.

The complaint borders on human right violations resulting from the Rivers State Government Urban renewal programme carried out by the Ministry of Urban Development which started in June 2008 and aimed at clearing the City of Port Harcourt and restoring its Garden City Status. It particularly stressed the use of military personnel to forcefully eject the affected persons from these legal structures and informal settlements without provision of alternative accommodation, compensation or adequate time to relocate.

Thus, to pre-empt further violation of citizens housing right especially occupants of legal structures, and draw the attention of the Federal Government of Nigeria, we hereby request to meet with your goodself and some affected victims of Abonnema Wharf and Njemanze Waterfronts at the Commission's South-South Zonal Office, No.203 Bonny Street, Port Harcourt on **Friday 14th** November, 2008 by 10: 00am prompt.

While awaiting your arrival, please be assured of our highest esteem and consideration.

Thank You.



Barr. Emily N. Herbert (Esq)

Zonal Coordinator

South- South Zone

For: Executive Secretary.

IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE PORT HARCOURT JUDICIAL DIVISION
HOLDEN AT PORT HARCOURT

SUIT NO: FHC/PH/CS/563/2008

IN A MATTER OF FUNDAMENTAL
HUMAN RIGHTS ENFORCEMENT:

BETWEEN:

- 1. PASTOR TIMOTHY UDOIDION
 - 2. MR. FRANCIS OSAS UGBOYA
(Suing for themselves and on behalf of tenants of Abonnema Wharf Road, Port Harcourt known and referred to as members of the Abonnema Wharf Rd Unit of National Union of Tenants of Nigeria
- } - PLAINTIFFS

AND


- 1. THE EXECUTIVE GOVERNOR OF RIVERS STATE OF NIGERIA
 - 2. THE ATTORNEY-GENERAL OF JUSTICE OF RIVERS STATE
 - 3. THE HON. COMMISSIONER OF URBAN DEVELOPMENT, RIVERS STATE
- } - DEFENDANTS


ORDER

UPON THIS MOTION EXPARTE dated the 11th Day of August, 2008 and filed the same day, praying the court for the following reliefs:

- 1. **LEAVE** to apply for the enforcement of the Applicants fundamental human rights to life, to dignity of human Person and to private and family life as enshrined in Section 33(1), 34(1) and 37 of the Constitution of the Federal Republic of Nigeria and reinforced by Articles 4

A/mu in 200853200





and 5 of the African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act and Articles 3,5, and 12 of the Universal Declaration of Human Right; and, until the final determination of the substantive application, granting that this Leave shall operate as a stay of any action by the Respondents to demolish the buildings or any part thereof occupied by the Applicants at the premises situate opposite the Integrated Cultural Centre (by Abonnema Wharf Road), Port Harcourt while the Applicants are in physical occupation, and as a further stay of any other action relating to the subject matter of this application.

2. **AN ORDER** granting Leave to the Applicants to sue for themselves and on behalf of the other tenants of the building situate opposite the Integrated Cultural Centre (by Abonnema Wharf Road), Port Harcourt known and referred to as members of Abonnema Wharf Road unit of the National Union of Tenants of Nigeria.
3. And such further Order or other Orders, as this Honourable Court may deem fit to make in the circumstances.

AND AFTER READING the affidavit in support of motion sworn to by Pastor Timothy Udoidiong, male, Christian, adult and citizen of the Federal Republic of Nigeria now residing at buildings opposite the Integrated Cultural Centre (at Abonnema Wharf Road), Port Harcourt, Rivers State and filed at this Court's Registry:

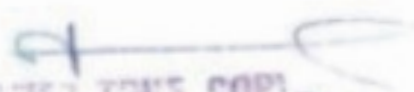
AND AFTER HEARING A. A. EPELE Esq. with him D.W. WUKU Esq. of Counsel for the applicants move in terms of the motion paper;

IT IS HEREBY ORDERED AS FOLLOWS:

- 1) The applicants are granted Leave to enforce their Fundamental Human Rights to life, to dignity of human person and to private and family life as enshrined in sections 33(1), 34(1) and 37 of the 1999 Constitution of Nigeria; And under Articles 4 and 5 of the African Charter on Human and Peoples' Right Ratification and Enforcement Act.

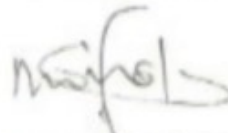



HON. JUSTICE E.S. CHUKWU
PRESIDING JUDGE

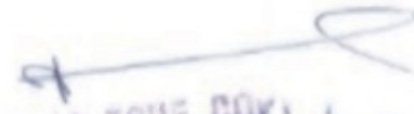

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SECRETARY
FEDERAL HIGH COURT
PORT HARCOURT
SP/08

- 2) The applicants are hereby granted leave to sue for themselves and on behalf of the other tenants of the building situate opposite the Integrated Cultural Centre (by Abonnema Wharf Road), Port Harcourt, known and referred to as members of Abonnema Wharf Road Unit of the National Union of Tenants of Nigeria.
- 3) That suit is adjourned to the 11th day of November, 2008 for hearing of the motion on notice.
- 4) The motion on notice must be served on the Respondents at least 8 clear days before the next adjournment.

ISSUED AT PORT HARCOURT under the seal of the Court and the Hand of the Presiding Judge this 29th day of October, 2008.



**AMADI, M. M. (MR)
CLERICAL OFFICER**



**CERTIFIED TRUE COPY
REGISTRAR
FEDERAL HIGH COURT
PORT HARCOURT**

Amachi/ Soberekon



Gov. Amaechi



Barr. Omehia

Can two separate judgments on the same issue coexist in the breast of Justices of concurrent jurisdiction? This is the vexed question on the lips of many following the ruling of the Court of Appeal sitting in Port Harcourt, the Rivers State capital in an application for substitution brought before it by the Accord Party gubernatorial candidate in the 2007 general elections, Chief Bekinbo Alalibo Soberekon.

With the removal of Barr Celestine Omehia from office as Governor of Rivers State and the immediate swearing in of Rt. Hon. Rotimi Chibuke Amaechi on the orders of the Supreme Court last year, October 25, the

PH: Silverbird Showtime Cinema Hall To Be Ready By February 2009

The big dream of Silverbird Group in Port Harcourt, the Rivers State Capital will soon become a reality as the cinema hall of the Mega gallery will be ready for commissioning next February. This was made

known by the Chairman of Silverbird Group, Mr. Ben Bruce, at a press briefing in Port Harcourt on Wednesday November 26, 2008.

The Group which revealed it provided an initial take-off of N20 billion for the project, also said it will provide a 4,000 square metre hyper market that will afford opportunities for other retailers to bring in their goods for sale.

The Chairman further disclosed that it will provide world class pharmaceutical products that will meet the required standard of the National Agency for Food and Drugs Administration and Control (NAFDAC). He said he has also partnered with government to lift the embargo on fabric importation to create room for foreign fabric manufacturers to come in.

Mr. Bruce who described himself as a 'dreamer' said the group will require an additional and space for a 2,000 capacity Car Park. He stressed that there is need to create investments that will guarantee jobs for youths in the Niger Delta region. He assured that Silverbird Group will bring opportunities that will amaze people of the state and called on foreign investors to use their expertise and invest heavily in the entertainment industry.

particularly in the region as a way of curbing youth restiveness and militancy. He also commended the State Government for its commitment to the Public-Private Partnership (PPP) initiative.

Also speaking, the State Commissioner of Urban Development, Barr. Osima Ginah, hinted that government will soon commence payment of compensation to owners of buildings at the Njemmanze the UTC junction to Isaac Bore Waterfront which has been

By Tamuno Osika
Reporter

The Commission clearly stated that no tenants but to landlords who are expected to settle their tenants.

Barr. Ginah also disclosed that the land given to Silverbird spans from the UTC junction to Isaac Bore Park. ###

Man Docked For Rape

31 year old man, Godspower Anumodu, has been

arraigned before a Chief Magistrate Court, Port Harcourt, for allegedly raping a 13 year old girl, one Princess Jackreec.

On charge No PMC/1672/08, the accused was said to have on the 28th day of October, 2008 at No2 Adelebu Street, Mile II Diobu, in the Port Harcourt Magisterial District did unlawfully detain one Princess Jackreec against her will and had sex with her, thereby committed an offence punishable under section 226(1), 218 criminal Code Cap 37 Vol. II Laws of Nigeria 1999 as applicable in Rivers State of Nigeria.

By Samuel Chinda
Assistant Editor

After hearing the charge against the accused, the presiding Chief Magistrate, M.O. Chukwu, ordered the case file be sent to the Director of Public Prosecution (DPP) for legal advice and granted the accused bail with the sum of two hundred thousand (N200,000) with two (2) sureties to produce four (4) passport photographs and also to show evidence of landed property within the jurisdiction while their addresses are to be verified by the prosecutor.

The Court later adjourned the case to December 10, 2008 for further hearing. ###