



PACK AND GO

Bulldozer is coming!



The Struggle for
Housing Rights
in Port Harcourt
'Watersides'



SOCIAL DEVELOPMENT INTEGRATED CENTRE
www.saction.org



Copyright © 2010 Social Development Integrated Centre (Social Action)
All rights reserved

ISBN: 978 - 978 - 49967 - 5 - 4

Published by:
Social Development Integrated Centre (Social Action)
33, Oromineke Layout, D-Line
Port Harcourt, Nigeria
Tel/Fax +234 84 765 413
www.saction.org

Photographs: Courtesy of Social Action

Design and layout:
Divine Graphics,
2 Ishola Close, Ipaja, Lagos, Nigeria
Tel: 08056224806

Printed by:

Abbreviations

ACHPR	-	African Charter on Human and Peoples' Rights
AIDS	-	Acquired Immune Deficiency Syndrome
EIA	-	Environmental Impact Assessment
HIV	-	Human Immunodeficiency Virus
ICESCR	-	International Covenants on Economic, Social and Cultural Rights
MDG	-	Millennium Development Goals
MoU	-	Memorandum of Understanding
PDP	-	Peoples Democratic Party
PPP	-	Public private partnership
SERAC	-	Social and Economic Rights Actions Center

Acknowledgements

This publication is a product of interactions with members of Waterfront communities in Port Harcourt, Rivers State, Nigeria, who have been struggling to secure their rights to housing and livelihoods. The investigations and interviews have been conducted by staff and volunteers of Social Action's paralegal resource centre in Port Harcourt, including Menidin Egbo, Romeo Need, Styvn Obodoekwe and Celestine Akpobari. We thank Margaret Owhonda, Esq. for the assistance with legal opinion. Betty Abah participated in compiling the reports for this publication.

In the effort to solidarise and support communities affected by forced evictions in Port Harcourt, Social Action has counted on the active collaboration of Stakeholder Democracy Network and Amnesty International.

We thank the Ford Foundation supporting Social Action's community resource centres and the work to promote accountability in resource management in Nigeria.

Contents

Abbreviations	i
Acknowledgement	ii
Table of Content	iii
1. Introduction	1
2. From Marshes to Homes	2
How poor people reclaimed the waterfronts from the creeks	2
Rainbow Town: Pains for the Poor, Rainbows for the Rich	4
Partnership for whom? The story of Silverbird and Abonemma Wharf	8
Petrol Tank Farm in Residential Area?	10
3. Arbitrariness and State Illegality	12
How the government disobeys its own laws	
4. What the People Demand!	15

contents

Introduction

At least a quarter of the population of Port Harcourt, capital city of Rivers State, will be rendered homeless if the State government continues demolitions and forced evictions in 41 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.

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.

Residents and concerned citizens

groups have expressed alarm and protested arbitrary demolition of homes, often carried out without consultation with residents, and with disregard to the laws of the land and ongoing litigation. Instead, the government has used brute force against protesting residents. Soldiers and Mobile Police, which provide cover for government bulldozers, have shot at least 12 people, including peaceful protesters, in 2009 alone."

The position of the Rivers State government is that demolitions of Waterfront communities are necessary to enable 'urban renewal' of Port Harcourt. Government has also described the communities as havens for criminals. But the Waterside communities in Port Harcourt have a long history, with dwellers there constituting a mix of people with varied aspirations and occupations.

With forced evictions either effected or threatened, what is at stake is whether the rights of citizens, including the right to housing, will be protected or breached by political office holders that have sworn to abide by national laws. Very often, laws are disregarded by

those that should protect it, while the victims of impunity lack the resources to seek redress.

In this publication, we present another example of a government opting for forced evictions in the name of 'urban renewal' without addressing the social circumstances that create precarious living. The evictions militate against attainment of Millennium Development Goals (MDG) targets. Forced evictions could accelerate the withdrawal of children from schools by the affected parents, increase the rate of child mortality/poor maternal health in most affected families. Forced evictions would result in increasing the scale of poverty among the displaced persons, thereby enhancing the chances of prostitution and the prospects of HIV/AIDS among female victims.

We herein present the stories of the victims of government plans. It is the story of the 'the people' - their hope and industry during decades of government neglect, dictatorship and corruption, and their struggles to protect their rights to housing, livelihoods and dignity



Water Front settlements: Endangered

FROM MARSHES To HOME

Despite the criminalization of the Port Harcourt waterfronts settlements by the state government, and the determination to evict them forcefully, they have a long and thriving economic, political and socio-cultural history

The Port Harcourt 'Watersides'

The story of the emergence of 'Waterside' settlements in Port Harcourt is intricately linked to the cultures of the Niger Delta, where communities are situated on the banks of rivers and creeks that support artisanal fishing, and remain the main route for transportation to many communities in the region. People from some of the communities transferred this lifestyle to the areas around Port Harcourt after British colonial rulers established the town as a designated sea port to transport produce from the Nigerian hinterland to Europe. Port Harcourt was later to become an important administrative centre, first during colonial rule and later as capital city of Rivers State in post-independent Nigeria.

Originally built on land provided by Okrika and Ikwerre communities, following the 1913 Hargrove Agreement, British colonial administrators and the government of the post-independence Eastern Region of Nigeria did not make immediate provision for the members of communities from the ethnic minorities of the Niger Delta that sought livelihood opportunities in the fast growing city. These people moved into marshes and mangroves swamps along the creeks to build homes on land they reclaimed with their bare hands. Mangrove swamps along the waterways surrounding the southern part of Port Harcourt were reclaimed with the Chikoko soil which people dug from under the waters and deposited on the marshes. It is on the Chikoko platform that they built their homes and work places. Most of the reclamations cover marginal lands bordering the Bony River."

The historical artisanal fishing of the early waterfront settlements and the attendant petty trading added much to life in the city. These enterprises provided livelihood for waterfront residents who were highly patronized by the rest of the city dwellers. Local sea food processing joined to swell the population of the waterfront settlements over the years. The business chain arising from fishing was a major feature of life in Port Harcourt.



Displaced, disoriented waterfront residents

STORIES

We Can't Survive Outside Water

— Pa Harrison Dickson Wokoma

Octogenarian, Harrison Dickson Wokoma, a retired civil servant and clergy who arrived 'Angala-Pele Poku' (as Abonemma wharf waterfront community was then called by early settlers) in 1942, now looks very much like a fish out of water.

"Does development mean the same thing as destruction? Is this development? Did Rivers State not get its name 'Rivers' from the beautiful community settlement we already had at the waterfront before the state was created in 1967? I am a Kalabari man and like every Ijaw person, we stay by the river... Separating a fish from the river means nothing but death. Any attempt to remove us from here is to kill us and I hope the oil boom is not turning to oil doom!"

"We the poor and helpless have always been their target. In August 2009, they demolished Njemanze waterfront community. Now,



Governor Amaechi wants to send the rest of us away.....and kill us before our time.....!

FROM MARSHES TO HOME

Then Came Oil

With the discovery and large scale exploitation of petroleum in the Niger Delta from the 1950s, Port Harcourt was to become the main base for technical as well as administrative operations for majority of the transnational oil corporations and servicing companies competing for the vast reserves of oil and gas in the region. The city thus became one of the fastest growing urban centres in Nigeria. Large influx of job seekers swelled the population. With scarce accommodation, minimal opportunities and low incomes, rents skyrocketed beyond the reach of the poor. Many had no other options for accommodation apart from the waterfront settlements. By the 1970s, the waterfronts had been developed into sprawling slum communities.

Landlords emerged to offer rooms to tenants. Unlike the early days, the demographics changed. No longer was the waterfronts home to only fishers. Today, policemen, junior civil servants, artisans and casualised workers in the petroleum industry return home everyday to their families in the 'Watersides'. But state supported amenities remained almost non-existent, as government mostly ignored the communities for decades. In spite of the increasing population of Port Harcourt during and after the periods covering the 'oil boom' from the 1970s, successive governments did little to improve conditions in the settlements.

Today, besides Bundu community, no other Waterside community has the presence of government by way of projects. Bundu has a primary school, which is insufficient for the huge population of children in the community. Most parents send children to the numerous privately owned and unregulated nursery and primary schools scattered at the Waterside communities.

In 1975, the government created the Port Harcourt Master Plan. But the Master Plan, which was never seriously adhered to by government, did not contemplate these waterfront communities as part of the city of Port Harcourt."

Fuelling Conflicts

Meanwhile, years of petroleum exploitation brought oil pollution with record oil spills and, gas flaring. The Niger Delta became the reference point for polluted wetlands and farmlands, and the example of how petroleum enriches governments and companies but impoverish local populations. Community protests were met with brutal government clampdown, with massacres in some cases. Oil industry violence led to destabilising of 'host' communities, as witnessed in Umuechem, Ogoni, Odioma, Edabagberi, Choba, Rumuekpe etc. The oil multinationals destroyed communal solidarity, divided families and groups in order to dispense with any



The battle of their lives: Women protesters in black

challenge. The once peaceful and hospitable communities of the Niger Delta drastically turned volatile. The Watersides of Harcourt gradually became home to those who were now escaping from environmental devastation and state repression.

Oil Violence, Poverty and the Politics of "Greater Port Harcourt City"

The return of civil rule in Nigeria in 1999 after years of military misrule coincided with increased incidents of violence in the region with many bloody clashes resulting from mismanaged relations between the oil and gas corporations and their host communities. But violence has also been linked to general elections in 1999, 2003 and 2007, which were heavily rigged by powerful politicians linked to the ruling Peoples Democratic Party (PDP). It is widely acknowledged that gangs were armed by the politicians to unleash mayhem and murder in brutal bids to secure political office and control

of enormous petroleum revenues. At a point, the clashes, murders and other acts of criminality involving rival gangs made living in Port Harcourt almost unbearable.

The same politicians that have been implicated with sponsoring the gangs, or 'cults', as they are often called, blamed the waterfront communities and other slum settlements for the violence in the city of Port Harcourt. In July 2000, the government of Rivers State, then headed by Dr. Peter Odili, demolished Rainbow Town, displacing thousands of people. After demolishing the place and sacking the residents, the land was reportedly shared among the politicians in that administration. The current governor, Mr Chibuike Amaechi, who was then the Speaker of the State House of Assembly, was alleged to be among the politicians loyal to Odili that received several plots of land at the Rainbow settlement after the forceful eviction of the poor residents."

STORIES

We are Homeless, my Children Have Left School

—Komene Godknows
(from Gokana, Ogoni)

I am a civil servant; I work at the Federal Ministry of Health. I am married with three daughters; one in primary one, another in pre-nursery and the last one, breast-feeding. They are now in Bori because there is no accommodation for them here. As for me, I squat with one of my friends at Abonemma Wharf after I was displaced from Njemanze. My children have left school.

Governor Amaechi came to Njemanze and took us unaware and demolished all our houses. I was in the office, before I came back, they had sent the swamp bogey to Njemanze, all my properties were destroyed, and nothing remains.

RAINBOW TOWN:

PAINS FOR THE POOR, RAINBOW FOR THE RICH

Prior to its demolition, Rainbow Town at the Trans Amadi area of Port Harcourt was populated by about 12,000, according to estimation by UN-HABITAT. The residents were made up of the families of artisans, petty traders, retirees and other poor and less privileged members of the society. The first evictions were in July 2000 during the administration of Dr. Peter Odili. It was also among the first settlements used by Governor Rotimi Amaechi to kick off his demolition agenda.

In the later case, the eviction notice was seven days long. But even before the seven days elapsed, and long before the residents could overcome their initial shock, the bulldozers rolled in, accompanied by fierce-looking security men. In a matter of hours, residential houses, shops, and other structures became mere shreds. In the



At the mercy of government and weather

course of the demolition, residents who attempted to recover their belongings were brutalized by the security

operatives. The beating and shooting of residents in the process attracted widespread criticisms.

STORIES

No, We Are Not Criminals!

—Evangelist Gift George
(Women Spokesperson)

I am a Kalabari woman from Abonemma Wharf community. I was born and brought up in this land. I am 45 years old. My parents lived here. I was born and bred here. I grew, married and had my eight children here.

Government has condemned here as a criminal society, but I think it is wrong. There is no place you do not find criminals. Even where those in government are operating from, you find criminals. Of course, criminals should be known by the government. Waterfront is for poor people but government wants to sack the poor and take over their land. They just want to use this place for their tank farms for their companies. Why should they continue to oppress the poor?

This land is older than the state and the country. In 1913, Abonemma Wharf community already existed. It was waterfront



communities that gave birth to Port Harcourt... We are fishermen, as Kalabari Ijaw fishermen and women, we stay here and it is through this way that we go to other communities.

I have been living fine, as you can see. Three of my children are in the university. They were born here. Even though I am a widow, I have been able to take care of them because even if I am hungry, I sell my goods and get money to take care of them. People living in this community do not suffer too much deprivation because even if you do not have, you can be sure that there would be something to eat. If you have things to sell, people will buy. Our children go to school, our children are graduates and undergraduates. We have people of different categories. We know that we are not criminals.

Development does not start from the waterfronts; it starts from having better drainage system, better water supply, having better schools, improving our youths so that they can no longer be going for militancy; providing them jobs, uplifting them to higher levels in life.

I am the women spokesperson and I will stand to the final in defence of the community.

FROM WATERSIDES TO HOMELESS



Massive protest organised by Social Action in Port Harcourt

In 2007, following widely condemned and disputed elections, the government of Rivers State started talking about how to “transform” the slum communities into modern housing estates. New governor, Amaechi, who took office following a major judicial ruling on October 25, 2007, launched the “Greater Port Harcourt City” project with promise to provide water supply and drainage systems, business districts, as well as to restore the beauty of the old city under an “urban renewal policy.”^{ix}

Governor Amaechi’s intentions for the waterfronts were boosted in March 2009 by the recommendation of the Justice Kayode Eso-led Rivers State Truth and Reconciliation Commission, which was inaugurated by the governor on 29 November 2007 to examine cases of insurgency, violence and the extent of involvement of public officials in administrative lapses and rights abuses in the state since May 1999. In its report submitted to the state government on March 10, 2009, the Commission supported the demolition

of slum settlements in Port Harcourt, echoing the earlier position of the governors. This was premised on account of the alleged security threat posed by criminal groups using those areas as hideout. But the Commission suggested 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.^x

A bill for the establishment of the

STORIES

They Want to Frustrate Us

—Inyang Anthony

I am from Mkpát Etim Local Government Area of Akwa-Ibom State. I have operated a poultry farm here in Abonemma Wharf community since 2005. Normally, it can take between 800 and 1000 birds. Because of the threat of demolition, I have not been able to put birds in my poultry in order to resume operations.

I am a retired staff of NNPC. I came into Abonemma in 1998. I studied computer science at the diploma level. I am over 50



and have a large family, a family of about 9 and all of us are living here. Some of my children are about to enter university.

This place is not for criminals. Whatever happens here happens every other place.

What we need is facility upgrading and not eviction. Nobody hates development, but it has to be approached using normal methods. In Bonny, Finima was developed before the LNG took over, it was planned, and some areas were developed by the government and people moved over to the developed area before the areas from where they vacated were developed. If government has interest in this area, they should move people to agreed areas before embarking on any project here.

Government’s plan to demolish here is a plan to frustrate us. It will be a disaster for them to demolish without adequate alternative arrangement.

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 contains plans of the new city project. The idea is to have an integrated urban development process that accommodates multi-stakeholder participation. The proposals include the development of a large area that cuts across eight of the twenty three local government areas of the state, among which are Port Harcourt, and parts of Oyigbo, Okrika, Ogu/Bolo, Obio/Akpor, Ikwerre, Etche and Eleme. The total area to be covered by the project is some 1,900 square kilometre (190,000 Hectares) of land. This area is projected to cater for about two and a half million people in 50 years.^{xi}

Some of the reasons given for the development of the “Greater Port Harcourt City” project include:

- Controlling of the development pattern of one of Nigeria’s fastest growing cities
- Modernising the city and re-inventing the former “Garden City” status of the state capital



Governor Amaechi, running the poor out of town

STORIES

I Have Nowhere Else to Go

—Garuba mohammed

I am from Gwadabawa in Sokoto State. I can’t remember the time I came here because my father brought me here as a child. And since, I have not known any other place of abode other than Abonemma wey I know. I have been here for more than 20 years now. It is here I married and had my two children. And it is here I have been operating my provision business.

I have no qualms at all living here. All our lives revolves around here, so I see no reason why they should demolish here and throw us away. We can’t agree with government on that because there is simply no other place to go. Where do I start from? What other business so I do? My only advice to government is to let us be. If they want to help us, they can, but not demolition, because we will be stranded.

There are so many of us Muslims here. Most of us sell provisions. We even have a mosque in this place.

- Improving the standard of living of the people and providing for better living environment and social services infrastructure
- Accelerating economic growth through the creation of right business environment and good governance
- Encouraging and boosting private investment.

But while the Rivers State government went into demolition frenzy in the waterfronts, it did not make any prior plans for alternative housing as recommended by the Justice Kayode Eso-led Commission.

Considering that waterfront communities are densely populated with women and children making more than two-third of the population, it was expected that the government would have done more in providing basic amenities capable of improving their welfare, rather than opting for forced evictions, and the sentencing of



Mobile policemen battle ready against protesters



Pulling down buildings, lives and livelihood



Prayer for the dead; SA's Celestine Akpobari, Niger Delta activist AnnKio Briggs and others at a concert for the victims of the October 12 shooting in Bundu Ama Community, PH



Bulldozer is in town: Run for your life!

hundreds of thousands into homelessness. Instead forced evictions could destroy the social and economic

networks needed for meaningful economic life and therefore amount to a denial of the fundamental rights to

life, dignity and liberty enshrined in the Nigerian Constitution and other national and global instruments.

STORIES

My Wife Left Me Because of the Demolition

—Tulu Kama

(Chairman of Njemanze Waterfront)

I am 47 years old and have lived in Njemanze for 15 years. Before the demolition, I was a petty trader selling provisions and food stuffs. I was married with four children. My wife has deserted me because of the condition and she left with 3 of our children. They are in the village now, leaving me with one here in Port Harcourt. She went to the village because there is no place to stay here. She has followed another man. As for my business, I lost everything, I did not pick one pin out of my goods, I ran away because they came with thugs, soldiers, MOPOL (Riot Policemen) and started harassing everybody, so I ran away. Now I am no longer doing any business again, I am looking for work. I sleep in church,

Christ Army Church. They do not have hostel or boys' quarters, when night comes, we just beg them and sleep in the church there. The church is in Okwelle Street in Mile 2.

When they said they wanted to demolish it, we wrote to the government that we do not want demolition. They refused. Then, they came surprisingly, took us unawares and demolished this place, we are still pleading with them that they should help us because some of us, we don't have where to stay.

We are frustrated, so we still plead that the government should do something. The demolition was 2009. They said they wanted to use this place for ring road. We do not know why they should use all this place for ring road. They also said that Silverbird Cinema wanted to buy the place. That was what Osima Ginah told us...Before the demolition, the government sent thugs to come and deroof houses. As they were deroofing, they were selling the properties instantly. We reported to the Police and the person doing that was arrested. He said he was sent by Osima Ginah, Commissioner for Urban Development, but they used government influence to release him. As they freed him, under 2 weeks, they came with bulldozers and demolished the place without giving us quit notice.



Partnership for whom? The story of Silverbird and Abonemma Wharf

When on the 8th of September, 2008, fourteen authorised leaders of Abonemma Wharf community

appended their signatures to a Memorandum of Understanding (MoU) to allow the construction of SilverBird Showtime project, a stand-

alone 8-screen cinema in the community, they did not know that there was more to the agreement than what was signed with one Mr.

STORIES

Government's Agent Shot and Paralysed me

—Mark Bomoye (from Sagbama)

I am from Sagbama in Bayelsa State. I live at Dockyard waterside; I have been there for about 15 years. I am a Welder; I work at Abonemma Wharf, NPA as a contractor. I am 25 years, I am not yet married but I have a child and I was planning to marry. I stay with my younger ones, we are five in number and I take care of them.

On October 12, 2009 I was on my way to work when I spotted a group of people at Bundu junction, the same junction where I normally board the bus to work. They were protesting, wearing black, and dancing in the middle of the road. Then I saw two armoured cars by the side of the road. I asked them what was the matter. Just then I sighted one of my friends Andrew and asked him what is the matter? Then all of a sudden I saw armoured tank and a Hilux van as they were speeding toward the area. Then they started shooting sporadically as they sped past. I fell flat on the ground and remained there for some time because the shooting was too

much. Then I stood up, but I didn't know they were still nearby. All of a sudden, they shot at me from behind the Hilux van. The bullets caught me in my waist.

But at first I didn't know I had been shot. When I saw the wound, I leapt to a friend's place. He it was who carried me down to a place where they gave me a concoction to drink and then washed the wound with kai-kai (local gin).

At Teme Hospital where I was later taken, I was treated free of charge. That day, the place was filled with wounded people.

I have lost my job. I am still in serious pains. I can't stand straight because the bullets passed my stomach. When the weather is cold, I will start feeling very terrible. As it is, I can't do any work. Things are so difficult for me and my family now.

But the most painful aspect of it to me is government's indifference. The government has been busy lying that people attacked them first. It's all a lie! If I wasn't there, I would have believed it; It was a peaceful protest. People wore black, tied palm fronds and were dancing. It was a peaceful demonstration; there was no weapon, they only used something to block the road. I was surprised.

Government must come and see us because we have suffered a lot...

¹ Médecins Sans Frontières (MSF) operates a Trauma Centre at Teme Hospital in Port Harcourt

Sampson Fibresima representing SilverBird Showtime Limited and Hon. Osima Ginah- Commissioner for Urban Development, representing the Rivers State government.

According to a UN Habitat report on Evictions and Demolitions in Port Harcourt, an earlier agreement between Rivers State government and SilverBird which gives 80% equity of the entertainment complex to SilverBird and the remaining 20% to the Rivers State government, was signed on 24th January, 2008. This was nine months before the parties deemed it necessary to involve community people. The said agreement, which is being implemented under the public-private partnership (PPP), grants the SilverBird Group a lease of land for 99 years.

The agreement between Rivers State

government and SilverBird, drafted in same manner oil mining leases have been used to dispossess oil bearing communities, simply indicates that every building within 2 km radius of the private entertainment complex is to be demolished. Communities to be affected by the demolitions would include Njemanze Waterfront, Abonemma Wharf Waterfront, Elechi-Beach Waterfront, Agwu Waterfront, the whole of Education Bus-Stop and Isaac Boro Park as well as Azikiwe, Iloabuchi and Ojoto Streets.

While citizens of Abonemma Wharf community were expectant of an implementation of the MoU that would provide jobs for the people, they were shocked when information started filtering in that demolitions were planned for their homes. That fear became a reality to residents of Abonemma and Njemanze when the Rivers State government started by

demolishing the Rivers State Integrated Cultural Centre popularly called 'Obi Wali Centre' a public property. They were worried that if a publicly owned property could be brought down for a private cinema, then nothing would stop the Governor from rendering them homeless.

UN-Habitat has estimated that up to 150,000 people would be rendered homeless if the deal to build a private entertainment complex is implemented.

Such practice of wholesale evictions is prohibited under **Article 14 of the African Charter on Human and people's Rights (Cap 10 of the Law of the Federation of Nigeria)**, which states, *inter alia*, **that land can only be acquired by government in the overall public interest.**



Petrol Tanker; disaster waiting to happen

But Abonemma Wharf faces an even greater danger in the form of increasing construction of petroleum tank farms belonging to major oil firms at very close proximity to the community. This makes it look more like a community sitting on a keg of gun powder.

and Dozzy) owned by top government functionaries and retired military officers were busy constructing new storage tanks in Abonemma Wharf community, which explains why they have a high presence of military personnel in the community.

The fear by community members are not unfounded. On August 31, 2004, a chemical explosion at Shell Kidney Island resulted in massive environmental pollution in the community. The community also witnessed repeated occurrences of

STORIES

They Took my Boy Away

—*Blessing Iwari (from Okrika)*

I remember clearly what happened in the morning of 12th October, 2009. I was in the Creek Road Market where I had gone to buy something because I operate a small restaurant business in Bundu. When I heard the gun shots, I quickly rushed down because we got information that they would come to scatter Bundu. I entered my house through the back door as my people had locked the gate. People from the junction were running towards our area to save their lives. I saw many people, both women and men, unknown faces. As I was about to enter my room I heard "who dey there, come on open the door". Before I knew what was happening the man broke the door open with his leg, and entered. They were shouting "where are those boys, oya begin to come out, come out". As I heard that, I ran and entered the bathroom. My four children, my nephew, five of them, were with me. My nephew's name is Ifeanyi Ejimadu, a 22 year-old undergraduate.

So, once I heard the shout, "all these boys who ran into this place make una come out." I came out myself. They were two army men in the compound. They began to break doors to grab boys that ran inside. Ifeanyi was in the room. Then one of the soldiers took hold of him and the other man held two other boys. I ran after them pleading, 'please leave my children for me; they are not criminals, they came to visit



Mrs. Iwari: Bruised, bereaved, battered.

me".

But one of the men just shouted back, 'shut up!' and the next thing, he carried his hands up and hit me across the face. That was how they took the boys away.

And till today, we are yet to see Ifeanyi. He is a student at the Rivers State University of Science and Technology (UST), Port Harcourt. The army people were pulling him by the trouser and saying he was among those disturbing Port Harcourt, disturbing Bundu. I know him very well. He was not a criminal. He was like a son to me. I was the one helping him to finance his studies.

We heard that the army people shot him dead. I had to travel to my mother's place to tell them.

STORIES

The Bullets Battered my Hands

—*Victor Opium (from Abua)*

I am from Abua/Odual Local Government Area and 29 years old. I was doing a successful electrical business and carry out electrical works with a firm.

It was on the October 12, 2009. Government came with military force - Army, Police and Navy at the protest ground and started opening fire at people at the Prison/Bundu Junction.

On that day, community people men, women, children were protesting against the plan of the government to demolish Bundu. Then, government agents came and started shooting at the protesters. I was one of the victims who were shot by the soldiers. They came with three armoured cars and about 15 open vans. They opened fire and shot people. It was around 9am to 10 am and I was with the people carrying out protest when I was shot on the hand. The bullet entered through my palm and came out through the back of my arm. When I looked at my hand, I saw the opening and I was bleeding seriously. About 2 hours after the shooting, my sister took me to Teme Hospital for treatment.

When we reached there, I saw other people wounded on that day of the incident. People shot by the government. I saw about nine people in Teme Hospital, some had even died. Some were shot in the stomach, some in the leg, and my own was on the hand. I am yet to start making use of the hand. They dropped me from work because of my condition. I still have pains till now. Right now, I can no longer lift anything that has weight no matter how small again.

It was a peaceful protest, nobody attacked the government people. Since I was discharged, I have been using my money to buy drugs.

Jim Tom George, a community leader expressed this fear during a Town Hall Meeting and media briefing organised by Social Action at the waterfront on 27 January, 2010. According to George, *'while the water front communities and the civil society are designing strategies of resisting further demolitions, the government was busy allocating part of their land to importers of refined petroleum products who have turned the community into a tank farm'*

George further revealed that three different companies (Messrs Sigmund, Shorelink



George: Crying out



Waterfront slum: Need resettlement, not mere demolition

spillages in January, February and May 2007. And between 9 and 10 August, 2008.

Noting the havoc and health hazards the petroleum tank farm has caused citizens residing around the area, Social Action through it's Port Harcourt

Paralegal Centre in June 2010, made a demand on the Rivers State Commissioner for Environment to produce copies of the Environmental Impact Assessment (EIA) certificates granted the companies. During a meeting in August 2010, the Commissioner, Hon. Kingsley Chinda,

expressed his disapproval at such development and directed his office to officially communicate this position to Social Action in writing. Up till the time of going to press, staff of the Environment Ministry are yet to comply with the Commssioner's directive.

STORIES

I Lost my Foot; the Stress Killed My Wife

— William Tamuno
(from Okrika)

I am from Okrika. I have lived at 42 Enugu Waterfront for about 20 years. I am about 44years old. I do tailoring work at Enugu waterfront, I have my workshop there. Bundu and Enugu waterfront share a border. The Governor made a vow to demolish all waterfronts. The government claim they want to beautify this place. They also allege that criminals are living here. But we the Okrikans are saying to the governor, if you want to demolish, or make the place beautiful, fine. But he should relocate us to somewhere before doing that, take us to a better place then, after demolition, we will come back to our place again. The government's response was that the governor said no, that dem go demolish

am because dem be government. We have our rights, they cannot just push us out like that.

We demonstrated. We said no. But instead of talking with us, he sent his men with armoured cars. When they came, they jumped down from their vehicles, well armed and in uniforms. At first, they shot teenagers to scare us. The women had to find their way, leaving we the men, they pointed their guns at us and started shooting.

They shot at us face to face, some fell down and died immediately, some got injuries; they even took some and ran away. They packed some dead bodies into their Hilux vans and ran away.

Presently I cannot walk with my legs, I cannot wear shoes.

The government has not bothered to even say sorry. I have children with me; I lost my wife after the incident. She died in February this year, 2010. She went to market and on her way back she fell down and died. She left my house without sickness and on her way back, she died. We have left that to God.

ARBITRARINESS AND STATE ILLEGALITY

—How the government disobeys its own laws



Omehia: Began the onslaught against the poor

On the surface, it all looks like a commendable urban renewal bid. But the Rivers State governors, since Peter Odili, have succeeded, by the manners and approaches used, in violating state, national and international instruments that seek to protect citizens rights.

Rivers State Physical Planning and Development Law (2003)

In what appears to be an ironic twist, the Rivers State Physical Planning and Development Law

(2003) was passed into law at the time that current Governor Chibuike Amaechi was Speaker of Rivers State House of Assembly. The law contains processes to be followed for urban renewal initiatives. Such processes were enshrined in the law to prevent impunity on the part of state officials and the forceful evictions of persons or groups deemed not to possess legal title. However, as governor, Amaechi has supervised massive demolitions and forced evictions even before the requisite institutional frameworks, such as the Rivers State Urban Renewal Board, are established.

According to the provisions of the law, "Where the Urban Renewal Board proposes to make an order for the demolition of a building or part thereof used for human habitation it shall provide the persons likely to be displaced from their homes by the order, alternative accommodation and or site and or financial assistance by way of a grant or loan or guarantee either directly or through other authorities, on such terms and conditions as the Urban Renewal Board shall deem fit." The Rivers State Physical Planning and Development Law also stipulate that there should be Participation of residents (Section 85); Comprehensive information of affected residents (Section 86); Consultation, communication and participatory monitoring to be



Mobilising against oppression

ARBITRARINESS AND STATE ILLEGALITY

institutionalised (Section 86). These sections were provided to ensure some level of guarantee of tenants' right to alternative housing.

If the government had properly applied its own laws, it would have set up the Rivers State Urban Renewal Board to perform such statutory roles as:

- To provide the residents to be likely affected with all relevant information as regards the purposes, contents of the proposed improvement area, power vested in the board, the facilities to be provided and benefit to be derived.
- Consult with relevant authority in the area to ascertain the views of the residents on the proposed improvement area, and the exercising of powers relating thereto. Set up appropriate liaison or committee for collective monitoring, made up of the representatives of the residents to monitor the progress of the rehabilitation, renovation or upgrading in the area and informing other relevant authorities. Informing other relevant statutory bodies of the planned improvement area.
- Hold regular meetings with the liaison or consultative committee, assist with or without other persons or body in assisting resident(s) in the area to draw up or implement plans for improvement of the neighbourhood.
- Provide mortgages to persons or groups.
- Pay compensation promptly on the terms and conditions stipulated to a person who suffers injury from the acts of the Board.

Instead of setting up the Urban Renewal Board, the Rivers State Commissioner for Urban Renewal and other aides to the Governor directly handled all matters relating to demolitions.

In addition to the disdain for its own laws, the Rivers State government also ignored orders by a Federal High Court to halt the demolitions while court cases initiated by affected residents were still

pending.

When residents of Abonemma Wharf Road, under the umbrella of Abonemma Wharf chapter of Tenants Association of Nigeria, obtained an injunction from a Federal High Court sitting in Port Harcourt restraining the Government of Rivers State from demolishing the community, the court order (suit no FHC/PH/CS/563/2008), was flagrantly ignored. Form 48 of the Federal High Court informed Governor Amaechi and his Commissioner of Urban Development to "take notice that unless you obey the directions contained in this order, you will be guilty of contempt of court order and will be liable to be committed to prison". But the government dared the judiciary, embarking on the demolition of parts of Abonemma Wharf at a time that the matter was still pending in court.^{xii}



Regional and International legal instruments

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).

Incidentally, it was cases of human rights

abuses in Ogoniland of Rivers State that resulted in a ruling by the African Commission on Human and Peoples Rights which affirmed housing rights as being protected by the African Charter on Human and Peoples' Rights. In SERAC versus Government of Nigeria (2001), the Commission examined massacres and abuses of Ogoni community members and concluded that "the implied right to housing (including protection from forced eviction), which is derived from the express rights to property, health and family, was violated by the destruction of housing and harassment of residents...^{xiii}

In 1975, the ICESCR, which was adopted in 1966 by the United Nations General Assembly, came into force. The Covenant committed member countries like Nigeria to protect the rights of people to work,

health, education, and an adequate standard of living. Specifically, Article 11(1) of the Covenant recognizes "the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The State Parties will take appropriate steps to ensure the realization of this right...^{xiv}

Accordingly, by the ICESCR standards,^{xv} forced eviction can only be regarded lawful and justified only in exceptional circumstances, including where there are no feasible alternatives. Moreover, certain conditions must be met before any evictions are enforced. These include:

- (1) States must ensure, prior to any planned forced evictions, and particularly those involving large groups, that all feasible alternatives are explored in consultations with affected persons, with a view to avoiding or at least minimizing, the need to use force.
- (2) Forced evictions must not result in rendering individuals homeless or vulnerable to the violation of other human rights. Government must, therefore ensure that adequate alternative housing is available to affected persons.
- (3) Finally in those rare cases where eviction is considered justified, it must be carried out in strict compliance with

international human rights law and in accordance with schemed principles of reasonableness and proportionality.

In 2007, the United Nations appointed Special Rapporteur on adequate housing presented *Basic Principles And Guidelines On Development-Based Evictions And Displacement* (Annex 1 of the report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living),^{xvi} for the attention of governments. The main intention of these guidelines is to ensure the protection of likely affected persons from rights violations following UN human rights instruments and to provide states with minimal standards needed to protect the general welfare of the evicted persons.

Sections 37-44 of the document deals with measures to be taken prior to eviction. There is explicit recommendation that urban or rural development process should be with the full participation of those likely to be affected and must have inter alia:

- Appropriate notice to all potential affected persons that eviction is being considered and that there will be a public

hearing on the proposed plans and alternatives;

- Effective dissemination of information in advance...and a proposed comprehensive resettlement plan specifically geared towards addressing efforts to protect vulnerable groups.
- Providing an avenue where those likely to be affected, with their advocates could challenge the eviction decision and/or to present alternative proposal and to articulate their demands and development priorities.

Section 43 suggests that eviction should not lead to the homelessness of individuals or lead to the violation of other rights. It further places obligation on the state to adopt all possible measure, to the maximum of its available resources, especially for those unable to provide for themselves, to ensure they have access to adequate housing, resettlement or productive land.

Section 60 prescribes that eviction must be done only as a last resort with adequate compensation to cover every accessible loss. In cases where land is taken, the evicted should be compensated with land commensurate in

quality, size and value or better.

Viewed against the Habitat Agenda (1996),^{xvii} practises by the Rivers State Government are in conflict with the universally accepted view that governments commit themselves to "protecting all people from, and providing legal protection and redress for, forced evictions that are contrary to the law, taking human rights into consideration; [and] when evictions are unavoidable, ensuring, as appropriate, that alternative suitable solutions are provided".

We find that, in spite of the existence of laws and universally accepted conventions on human rights, the government of Rivers State has forcefully thrown out tens of thousands of residents from homes without a clear framework for providing alternative shelter. Adequate notices were not given to the affected persons. Compensations were not paid or were grossly inadequate, when paid to selected landlords. The real residents were not consulted by the government. Nothing has been paid to them to offset the losses from the massive damage caused by officials and soldiers. In some of the communities where demolitions have been effected, tenants were deliberately stopped from removing their household items.

SUCCESS STORIES

The Waterfront Made Me – Chief Sampson Jack

(Importer/Exporter and Managing Director-Niger Delta Links (BIG SAM) Transport Company)

Chief Sampson Jack is a name to reckon with in the import and export business in Port Harcourt, and indeed the entire Niger Delta region. He has his hands, as they say, in many pies. One of them is the Niger Delta Links, owners of the Big Sam Transport Company. The headquarters of his expansive business is located at 4 Anokuru Street in Mile One area of Port Harcourt. Yet the man behind the enormous wealth comes across as humble.

In his early 50's, Chief Jack spoke about his younger days at the waterfront communities with much relish and infectious reminiscence. He narrated how, as a teenager, he arrived Port Harcourt to try his luck at life, and the place he could afford was only the waterfronts. He started out working at the Marine Park which was a gate way to the Kalabari communities of Bakana and Degema. He continued on the job until he was able to own a boat from where he made money that enabled him train as a carpenter.

Upon his graduation, he relocated to Njemanze from Abonemma Wharf where he set up a furniture company. According to him, he did so well in furniture business that he was called upon to furnish the house of Dr Nnamdi Azikiwe, the first President of Nigeria following his death on May 11, 1996. His furnishing expertise saw him clinching another big contract to furnish the Government House in Port Harcourt during the administration of Colonel Musa Shehu as the Military Administrator of Rivers State. And from the furniture business, he realised enough money with which he ventured into transportation and export and import.

The chief flew into a rage when asked about his opinion over the state government's allegation that the waterfront communities were a haven for criminals.



"My brother", he responded, "what the government is doing is to give a dog a bad name just to hang it. Since we started hearing about kidnappings in Rivers State, how many have been traced to the waterfront? If they are looking for criminals, the Government House in Port Harcourt is the first place to go and then Ogbogoro bush" (Ogbogoro is a coastal community in Emohua Local Government Area in Rivers state). And he added: "Ogbogoro has the worst history of criminality in Rivers state, if you don't know, let me tell you that almost all kidnapped persons here in the state were rescued from Ogbogoro bush but

Governor Amaechi will not go there..."

Chief Sampson further explained that Abonemma Wharf community was the first settlement along the waterfront because of the presence of the seaport where colonial masters shipped their timber logs, palm produce and other raw materials from the hinterland. The presence of this port also attracted companies like UAC, PZ, GsB Oliveth etc.

But the business mogul also has at his fingertips the list of the successful who have their roots at the waterfronts: "These waterfront communities that are being called names by the governor today have produced great sons in this state. The late politician and oil magnate, **Chief Marshall Harry** started life in Abonemma Wharf community. Go to that community, you will see the hotel he built-Haris Plaza; go to Niger Street in Town area, you will see Land Canaan Hotel built by **Chief Gasken Egede West**. There are many others like **Chief Walter Akpana**- a Mariner; **Mr Wellington Granville**-a Mariner and dealer on House boat, tug and barges; **Late Madam Tobimba West**-Hotelier/Transporter, **Late Chief Wilfred Annyedokiari**- who was a contractor and many others too numerous to mention", he added.

WHAT THE PEOPLE DEMAND!

- ❖ Immediate moratorium on forced evictions and the restoration of the rights of all evicted persons.
- ❖ Wide consultations with residents/home owners in waterfront communities as part of measures to foster a culture of people-oriented urban renewal.
- ❖ Provision and/or improvement of social services in the waterfronts.
- ❖ 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 in order to enable the inhabitants to rebuild their houses, other structures and livelihoods.
- ❖ Where restoration may not be possible (e.g., due to projects of national or public interest within the principles of human rights and democratic society), authority should provide inhabitants the opportunity to choose where to be resettled.
- ❖ If after extensive consultation with all concerned and there is any need for demolitions, then adequate alternative must be provided residents, as was the case of Finima Community in Bonny who were resettled when their land was to taken by the Nigerian government.
- ❖ Immediate release of all persons still missing since October 12, 2009, including Ifeanyi Ejimadu, an undergraduate of the Rivers State University of Science and Technology.
- ❖ The Rivers State government should respect at all times, the housing rights of residents of waterfront communities.
- ❖ That for now, our houses are not for sale as buying and selling must be a mutually agreed transaction.
- ❖ 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.
- ❖ Take positive steps to bring down costs of renting accommodation in Rivers State as it is becoming impossible for the common masses to rent houses in Port Harcourt.

REFERENCES

ⁱUN-HABITAT, *Evictions and Demolitions in Port Harcourt: Report of Fact Finding Mission to Port Harcourt City*, 12-16 MARCH 2009

ⁱⁱAmnesty International reported security forces shot at least twelve peaceful protesters and others in Bundu waterfront on 12 October 2009 with eyewitnesses counting up to six dead bodies. See 'Just Move Them': Forced Evictions in Port Harcourt, Nigeria. Available at <http://www.amnesty.org/en/library/asset/AFR44/017/2010/en/990f1f95-6731-4a57-a6c6-cc6f0ea37ddc/afr440172010en.pdf>. Other reports suggest that at least 8 persons were killed in the Bundu shootings. See "Killing of Residents, AC, Watchdog, Others Condemn Bundu Invasion", *Independent Monitor*, 15-18 October 2009.

ⁱⁱⁱUN-HABITAT, *Evictions and Demolitions in Port Harcourt: Report of Fact Finding Mission to Port Harcourt City*, 12-16 MARCH 2009

^{iv}UN-HABITAT, *Evictions and Demolitions in Port Harcourt: Report of Fact Finding Mission to Port Harcourt City*, 12-16 MARCH 2009

^vSocial Development Integrated Centre (Social Action), *Fuelling Discord: Oil and Conflict in Three Niger Delta Communities*, 2009. Available at http://saction.org/home/saction_image/fuelling_discord.pdf

^{vi}"Shattered Lives", *National Point*, Vol. 1 No 40, March 24, 2008

^{vii}UN-HABITAT, *Evictions and Demolitions in Port Harcourt: Report of Fact Finding Mission to Port Harcourt City*, 12-16 MARCH 2009

^{viii}**National Point, December 17, 2007.**

^{ix}Greater Port Harcourt City information brochure (Government of Rivers State)

^x*The Rivers State Truth and Reconciliation Commissions report of March 10, 2010*

^{xi}Greater Port Harcourt City information brochure (Government of Rivers State)

^{xii}"Shattered Lives", *National Point*, Vol. 1 No 40, March 24, 2008

^{xiii}http://www.escr-net.org/caselaw/caselaw_show.htm?doc_id=404115

^{xiv}<http://www2.ohchr.org/english/law/cescr.htm#art11>

^{xv}The right to adequate housing (Art.11.1): forced evictions : 05/20/1997.CESCR General comment 7. Available at

<http://www.unhchr.ch/tbs/doc.nsf/0/959f71e476284596802564c3005d8d50?Opendocument>

^{xvi}<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G07/106/28/PDF/G0710628.pdf?OpenElement>

^{xvii}The Habitat Agenda was initiated within the framework of the United Nations and adopted by 171 governments at Habitat II, Istanbul 1996. See <http://www.unescap.org/huset/habitat.html>

MEMORANDUM OF UNDERSTANDING BETWEEN SILVERBIRD SHOWTIME LIMITED AND RIVERS STATE GOVERNMENT

MEMORANDUM OF UNDERSTANDING

This MEMORANDUM OF UNDERSTANDING (MOU) is made the day of *Sept* 2008, BETWEEN SILVERBIRD SHOWTIME LIMITED and THE RIVERS STATE GOVERNMENT (jointly referred to as the "Partners") of the first part;

AND

The duly authorized representatives of ABONNEMA WHARF COMMUNITY (hereinafter called the "Community") of the second part.

The Community and the Partners hereinafter collectively referred to as the "Parties".

WHEREAS:

- A. The Rivers State Government in furtherance of its Public/Private Partnership Policy for promoting investments, development and operation of social services facilities for the use and benefit of residents and visitors to Port-Harcourt metropolis had earlier entered into a Memorandum of Understanding with Silverbird Showtime Limited to collaborate in the construction and operation of a Mixed Use Mall/Multi-Purpose Complex and a Children's Theme Park to be located at the former Rivers State Integrated Cultural Centre and Isaac Boro Park respectively (hereinafter called the "Project").
- B. The Parties desire to establish and promote cordial relations throughout the construction and operation of the Project and wish to enter into this MOU to record and clarify their intentions in relation to the Project.

NOW THEREFORE, in consideration of the mutual promises hereinafter contained, the parties hereby agree as follows:

ARTICLE 1 – DEFINITIONS

The following terms shall have the meaning set forth below:

- 1.1 "MOU" shall mean this Memorandum of Understanding.
- 1.2 "The Parties" means collectively, ABONNEMA WHARF COMMUNITY on the one hand and Silverbird Showtime Limited and Rivers State Government on the other hand.
- 1.3 "The Project" means construction and operation of a Mall/Multi-purpose mixed use complex and the Children's Theme Park under construction at the location of the former Rivers State Integrated Cultural Centre and Isaac Boro Park respectively.
- 1.4 "The Project MOU" means Memorandum of Understanding between the Government of Rivers State and Silverbird Showtime Limited with respect to the construction and operation of the Project.

ARTICLE 2 – OBLIGATIONS OF THE PARTIES

- 2.1 Silverbird Showtime Limited, in its absolute discretion, undertakes to make a one-off financial contribution to the development of the Community to foster good relations between the Parties. This undertaking does not transfer, alter, abrogate or otherwise modify the obligations of the Rivers State Government under the Project MOU. Further, it shall continue to be an obligation of the Government of Rivers State to increasingly carry out developmental projects in the Community and to regularly be in consultation with the Community and other stake holders.
- 2.2 It is understood and emphasized by the Parties that the said financial contribution shall be a one-off gesture and not intended to create any continuing of obligation for the Partners.
- 2.3 The Partners hereby assure the Community that they will strictly comply with the provisions of all employment laws in Rivers State.
- 2.4 The Community shall continue to perform their civic obligations in collaboration with appropriate security agencies to protect against any form of communal hostilities, attacks, molestation of officers of the Partners, their agents, contractors, privies, suppliers and/or workers or any other person whatsoever at and around the Project site or otherwise obstruct any of the said persons in any manner whatsoever in the course of executing construction works for the Project. The Community further undertakes and agrees that upon completion and commissioning of the Project, the Community will ensure that the security of all persons visiting the facility and the integrity of the physical works for the Project will be maintained at all times.

ARTICLE 3 – MUTUAL COOPERATION

- 3.1 The Parties shall co-operate with each other and shall each use their best endeavours to further the purpose of this MOU and promote cordial relations between the Parties. In this regard, the Partners agree to ensure that the Contractor retained by the Partners for the construction of the Project will recruit qualified members of the community for sub-contract jobs and supply of materials for the Project.
- 3.2 It is understood by the Parties that this MOU is not intended to create a formal business partnership, joint venture or any form of commercial association between the Parties other than the limited purpose of creating and fostering good relations between them and for that purpose, neither party shall have the authority to make commitments on behalf of or to bind the other.

ARTICLE 4 - GENERAL

4.1 Entire Agreement


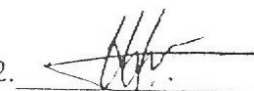
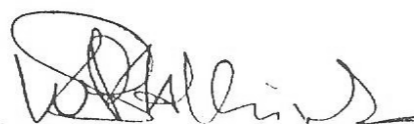


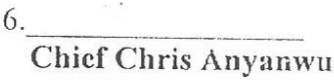
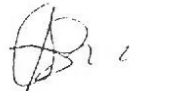


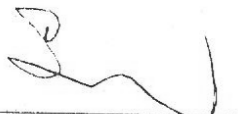

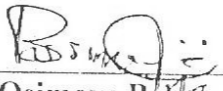


This MOU represents the entire agreement between the Parties with respect to the subject matter hereof.

4.2 Conflict and Partial Invalidity

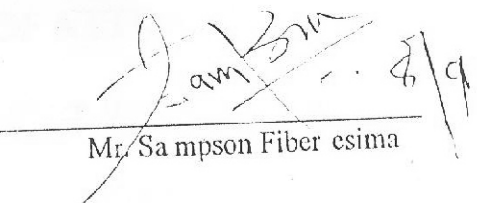
In the event that any provision of this MOU shall be proved to be invalid or unenforceable, such invalidity or unenforceability shall not be deemed to invalidate this MOU and this MOU shall be modified to the extent necessary to avoid or remove such cause of partial invalidity or unenforceability and shall otherwise remain in full force and effect.

IN WITNESS WHEREOF the Parties hereto have executed this MOU the day and year first above written in the manner appearing hereunder.

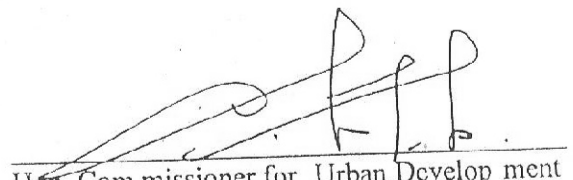
FOR: ABONNEMA WHARF COMMUNITY

1. 
Elder A O Jack
(Community Chairman)
2. 
Mrs Harvestba H Harry
(Community Secretary)
3. 
Hon Pakiribo I Amachree
(CDC Chairman)
4. 
Hon Jim Tom George
(Secretary CDC) (Chiefs & Elders Forum Chairman)
5. 
Chief Benoni J T Princewill
(Chiefs & Elders Forum Secretary)
6. 
Chief Chris Anyanwu
(Chiefs & Elders Forum Secretary)
7. 
Mrs. Oju Briggs
(Central Women Chairperson)
8. 
Mrs. Gift Jim George
(Secretary Central Women)
9. 
Chief A.J. Nglass
(H.O.A. Chairman)
10. 
Mr. S. Amachree
(H.O.A. Secretary)
11. 
Mr Isaac Wokoma
(Youths Chairman)
12. 
Mr. Osimaye Briggs
(Youths Secretary)
13. 
Comrade Afonyaa Jack
(Chairman AWWA)
14. 
Hon Teinbo-ofori M Amachree
(Secretary AWWA)

SILVERBIRD SHOWTIME LIMITED

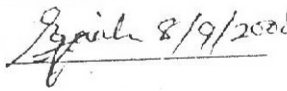

Mr. Sampson Fiberesima

OR: RIVERS STATE GOVERNMENT


Hon. Commissioner for Urban Development

WITNESSED BY:

1. Representative of the DG, State Security Service, PH
2. Representative of the Rivers State Commissioner of Police
3. Representative of the Project Consultants (Riverdrill Nig. Ltd)


8/9/2008