

Demolition of Makoko, 'the Venice of Lagos', is violence against human rights as well as urban beauty

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This month the Lagos State Government has begun demolishing Makoko, one of the world's most iconic informal settlements, evicting the community with a violence that has resulted in deaths of at least one neighbouring resident, and in direct contravention of international law.

Starting on Monday the 16th of July, the destruction of one of the world's most iconic shack settlements began. Makoko, a 'floating village' of timber homes built on stilts and [stretching out over marshland and the waters of Lagos Lagoon](#) in the middle of the Nigerian megacity, has been visited upon by Lagos State security forces [hacking down structures with machetes](#) (including [some with unattended babies sleeping inside](#)), [scattering residents with gunfire](#), and [shooting dead a nearby resident](#), having given them less than 72 hours' notice of their eviction.

But none of the reasons claimed by the Ministry justify sending out reckless men with weapons convinced of their authority to kill and to terrorise a community who are merely trying to lead economically rational lives in the name of urban 'beautification'.

Local human rights group Social and Economic Rights Action Center (SERAC) estimate that ["over 30,000 people, including women, children and the elderly have lost their homes and over 120,000 face imminent displacements."](#) Many families have been sleeping in their canoes under the nearby freeway viaduct known as the Third Mainland Bridge, which they claim [has caused some children to perish overnight](#).

As SERAC point out, Makoko is "one of nine slum communities" that was meant to be upgraded in a 200 million US dollar project agreed between the Lagos State government and the World Bank, entitled the Lagos Metropolitan Development and Governance Project (LMDGP), under which 'it is impermissible to demolish people's homes and properties without the provision of effective remedies.'

[The eviction notice](#) delivered by the Lagos State Ministry of Waterfront Infrastructure Development accused residents by saying "you have continued to occupy and develop shanties and unwholesome structures on the waterfront without authority thereby constituting environmental nuisance, security risks, impediments to economic and gainful utilisation of the waterfront such as navigation, entertainment, recreation etc.

"The state government is desirous of restoring the amenity and value of waterfront, protect lives and property, promote legitimate economic activities on the waterfront, restore security, improve water transportation and beautify the Lagos waterfront/coastline to underline the megacity status of Lagos State and has decided to clear all illegal and unauthorised development on its waterfront and water bodies."

The Ministry's other claims that it has pleaded with residents to remove themselves from living within 50 metres of mains power lines running across the site must be considered facetious, given

that wealthy residents of Lagos living just as close to such infrastructure have not been approached with the same demand.

It is undoubtedly true that the living conditions in Makoko constitute an 'environmental nuisance', since residents have been compelled to live without sanitation for so long. It is more myth than fact, however, that a shanty settlement poses 'security risks' any more than a formal poor settlement does. And it is naked elitist ideology to prioritise 'entertainment' and 'recreation' ahead of the lives and livelihood of men, women and children.

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Where is the international spotlight?

Whether Lagos State acted within its rights is debatable. The fact that residents did not have the necessary permissions to live over the waters of the lagoon according to Nigerian law is not an indication that residents were in the wrong, but that local politics has consistently engineered the legal framework to frustrate their enjoyment of rights to adequate housing and security of tenure which are guaranteed to them by international law, partly by escalating the cost and effort required to procure them.

In this way, rather than all of this death and destruction in the name of the 'beautification' of Lagos, Lagosians would realise the extraordinary beauty the city already contains.

That so many residents have been allowed to live within a condition of legal ambiguity in some cases for generations is a situation that demands the due process of judicial hearings to resolve, something Lagos State has summarily denied by the violence and spontaneity of its actions.

The international law itself is very clear. [Article 11](#) of the [International Covenant of Economic, Social and Cultural Rights](#), to which Nigeria acceded on the [29th of July 1993](#), states that "The States Parties to the present Covenant recognise 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 meaning of this right has been clarified several times. The UN body that supervises the treaty, the Committee on Economic, Social and Cultural Rights (CESCR) wrote in its [General comment 4](#) that "instances of forced eviction are **prima facie** incompatible with the requirements of the Covenant and can only be justified in the most exceptional circumstances, and in accordance with the relevant principles of international law." (Emphasis in original) It should be noted that settlements that constitute environmental health hazards are not 'exceptional circumstances' in today's world, nor under the terms of this Covenant.

In its [General comment 7](#) the CESCR wrote that "the State itself must refrain from forced evictions and ensure that the law is enforced against its agents or third parties who carry out forced evictions" and that "the State's obligation to ensure respect for that right is not qualified by considerations relating to its available resources."

In 2007 a UN Special Rapporteur on adequate housing tabled [guidelines for evictions and displacement](#) caused by developmental activities. Where evictions must occur, they "should be subject to administrative and judicial review. Affected parties must also be guaranteed timely access to legal counsel, without payment if necessary." "Due eviction notice should allow and enable those subject to eviction to take an inventory in order to assess the values of their properties, investments and other material goods that may be damaged. Those subject to eviction should also be given the opportunity to assess and document non-monetary losses to be compensated." And most importantly, "evictions should not result in individuals being rendered homeless or vulnerable".

On these and so many more counts, Lagos State has failed its people and broken international law. But for every count, so has the international community failed in enforcing the treaties it accords. [As I have written before](#), and as the United Nations Office of the High Commissioner for Human Rights explains in its [fact sheet](#), we do not have an international framework for enforcing the human right to housing that all Makoko residents should enjoy.

Nor have we heard any response from the World Bank, who had committed hundreds of millions of aid dollars to upgrading the community, nor from UN-HABITAT, whose representative aired [the possibility of general assembly sanctions](#) for such actions at a conference here in May.

In fact the only legal redress available within the international framework is for organisations such as SERAC or Amnesty International to appeal in writing to the CESCR for their 'observations as to the degree to which States parties are complying with their obligations under international law.'

A lost opportunity for community development and tourism

Apart from the obvious economic violence to the livelihoods of thousands of residents, it is important to spare a thought for the cultural violence done to Makoko as well. [From a distance](#), Makoko is [beautiful](#). The sight of its fleet of fishermen [setting out in self-made boats](#) with sails woven from industrial sacks is the most moving urban moment this city has to offer.

This is not a trite statement to make. The beauty of such moments are what sparks a tourism industry, something glaringly missing in Lagos. SERAC's Executive Director Felix Morka notes that '[half of the fish that is eaten in Lagos is produced in this community, so we can make Makoko a revenue-generating place by investing here and making it a place where tourists can always visit.](#)' Just like, say, the [floating markets of Bangkok](#), or the [Venice](#) with which Maroko is so often jokingly compared.

Rather than demolish the community, valuable effort could be made to improve its condition and its security, install supporting infrastructure and create entertainment and recreation opportunities for rich and poor alike derived from the existing unique qualities of the place, and creating additional employment for its residents. In this way, rather than all of this death and destruction in the name of the 'beautification' of Lagos, Lagosians would realise the extraordinary beauty the city already contains.

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