

. KENYA - More than 50,000 people at risk of imminent forced eviction

Nairobi, April 23, 2010 (CISA <<http://www.cisanewsafrika.org/>>) – The Kenyan government should halt the proposed eviction of more than 50,000 people living alongside the country's railway lines until guidelines that conform with international human rights standards have been adopted, Amnesty International has said.

On 21 March, Kenya Railways published a notice giving residents 30 days to pull down their structures and leave, or risk prosecution. Most of those affected are slum dwellers in parts of Nairobi.

"People have been living and working on these lands for years and a thirty-day notice period is wholly inadequate," said Justus Nyang'aya, Director of Amnesty International Kenya.

"Without proper safeguards, the proposed mass evictions will have a devastating impact on people's access to water, sanitation, food and schools and could well create a humanitarian emergency."

"They will result in forced evictions, which contravene Kenya's obligations under international human rights laws."

"While it is recognised that the government is taking important steps to upgrade the railway system, for the tens of thousands of people living in the affected area, the demolition of homes and informal businesses will be socially and economically disastrous." Nyang'aya insists.

"To date, no comprehensive re-settlement or compensation plan has been announced and the government appears to have made no provision for those who will lose their homes, livelihoods, possessions and social networks as a result of the project." He claims Under international human rights law, evictions should only be carried out as a last resort and only after all other feasible alternatives to eviction have been explored in genuine consultation with affected communities. Governments are also obliged to ensure that no one is rendered homeless or vulnerable to the violation of other human rights as a consequence of eviction.

"Kenya's government is failing to deliver on its promise to put in place guidelines which comply with international human rights law regarding evictions and until it does, it should halt all mass evictions of this nature," said Justus Nyang'aya.

"To put 50,000 of your poorest and most vulnerable citizens at risk of homelessness is unacceptable," he added.

The estimated 50,000 people at risk of forced evictions used in this press release is based on government figures from a study commissioned in 2005.

As a state party to the International Covenant on Economic, Social and Cultural Rights, the Government of Kenya is legally obliged to respect, protect and fulfil the right to adequate housing, including the prohibition on forced evictions, as guaranteed under Article 11 (1).

The Kenyan government has made commitments to various international bodies that it will adopt eviction guidelines, which will incorporate safeguards and due process. To date, this commitment has not been honoured.

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