



Nairobi floods: Halt arbitrary evictions disguised as 'evacuation'

May 4, 2024, Nairobi, Kenya—The ongoing heavy rains have occasioned massive floods and unprecedented disasters in the form of loss of lives, injuries, and destruction of properties and infrastructure. Such calls for collective, responsive actions to foster the people's safety and dignity.

Against this background, the government of Kenya ordered residents within "high-risk fragile ecosystem areas" to vacate immediately or within 24 hours on Thursday. It claimed it would evacuate, relocate and protect the exposed communities from the devastation of ongoing floods. But it became a driver of gross injustice and unwarranted violence, specifically targeting the poor in the people's settlements.

Even before the government's deadline elapsed, and without sufficient notice or proper consultation, bulldozers descended on the Mukuru Kwa Reuben and Kiamaiko areas in Nairobi in a case of forced and arbitrary eviction that left thousands of locals homeless. Yet, more affluent neighbourhoods that flooded even more and sat on riparian land were left untouched, highlighting a selective, punitive, and discriminatory expedition.

The demolitions and forced evictions happened against the backdrop of systemic and arbitrary displacements that continued to target indigent communities in Kenya over the years.

The regime, aiming to appear "responsible," did not offer alternative shelter for the affected families but insisted that they move to "higher ground." The ongoing evictions contravene our constitution, the United Nations Guiding Principles on Evictions, the United Nations Guiding Principles on the Assistance and Protection of IDPs, and the latest cabinet's decision to relocate and evacuate affected families humanly.

Indeed, forced evictions of this nature are prohibited in all circumstances for grossly violating fundamental rights and freedoms, including the rights to adequate housing, food, water, health, education, work, security, human dignity, fair administrative action and freedom of movement.

The timing of this action by the Kenyan State is deeply callous and barbaric: the rains are pounding, infrastructure is destroyed, there is no alternative shelter, and schools are about to open, yet students don't know how they will report back.

This regime must begin by identifying alternative shelters for all the people at risk of being swept by the floods. The evictions must not bring more harm and exposure to the people. Where evictions have happened, victims must receive adequate compensation, reparation, and access to housing. We also caution the public against dangerous maneuvers that may put their lives at risk, like crossing or driving through flooded roads.

Signed:

Kenya Human Rights Commission (KHRC)

Mazingira Institute

Social Justice Center Working Group