

Resettlement Issues, Squatter Settlements and the Problems of Land Administration in Abuja, Nigeria's Federal Capital

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Key words: Policy Changes, Policy Inconsistencies, Squatter Settlements, Resettlement and Land Administration

SUMMARY

The first major policy statement made by Government in 1976, when it decided to move the Federal Capital of Nigeria from Lagos (in the coastal area) to Abuja (in the central part of the country) was for complete relocation of the entire inhabitants outside the new Federal Capital Territory, of about 8000 square kilometres. This was aimed at freeing the territory from any primordial claims, and to enable Government take direct control, plan and develop the new city without any encumbrance.

Careful enumeration later revealed that the figure was not 'few' – about 150,000 – 300,000 people. Uprooting such a huge population was thought to be unwise and could have delayed the take off of the project. It was then decided to allow the inhabitants to remain, but could be resettled within the territory, should their places of abode be affected by city development project. This major shift in policy direction can be said to be the root cause of problems of squatters and Land Administration within the FCT.

This paper examines these problems and its implications on land administration in the FCT. It argues that policy inconsistencies as well as lack of serious efforts and political will by the government have militated against a lasting solution to these problems within the FCT. Until these issues are properly addressed, the implementation of the Master Plan would be a very difficult task to accomplish in the long run.

It examines the recent new Government approach involving all stakeholders. It is expected that once this programs succeed, it would serve as a model for future resettlement programs within the FCT and possibly for Nigeria in general.

This pilot resettlement programme is involving about 5000 house holds. With active participation of the people, Government provided the plots of land, water and electric power. The site has been cleared and letters of intent given out to the affected people. Road construction within the site has commenced. Some of the affected people have also moved, taken effective possession and commenced development on site. The seriousness which the government has so far shown towards the implementation of this program gives a lot of cause for joy. It is the contention of this paper that so long as the Government remains focused on this particular program it would be a beacon of hope for the urban poor who have been trying to make a leaving in the urban informal sector.

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1. INTRODUCTION

Movement of people can either be forced or voluntary. Disasters, such as wars, floods and earthquakes, among others, are some of the reasons that could force Man to move out of an area that he is familiar with, to resettle in an entirely new area. Government acquisition of land for development projects is another cause. All over the world resettlement programs abound. Nigeria is no exception to these phenomena. Most programs involve Government decisions, which leave the affected people with very little room to manoeuvre (Jibril, 1990).

Having realized the inadequacies of Lagos as the Nation's capital, the Federal Government of Nigeria decided in 1976 to established a new Federal Capital in a location, "*with easy accessibility from all parts of the country by road, rail and air which would facilitate the administration of the country,... serve as a symbol of our unity and greatness and from the view point of national security, be less vulnerable to external aggression as it would be practically immune to sea-borne attack...*" (Gen. Murtala, 1976).

Accordingly a new Federal Capital Territory of about 8000 square kilometres in the central part of the country was selected and Government decided that:

"... The few local inhabitants in the area, who needed to be moved out of the territory for planning purposes, will be resettled outside the area in places of their choice at Government expense..."(Gen. Murtala, 1976)(See figure 2).

2. FCT RESETTLEMENT POLICY

The above quotation was the first major policy statement in respect of the establishment of the Federal Capital Territory (FCT), the Federal Capital Development Authority (FCDA) and above all the first major policy statement on resettlement issues within the FCT. Subsequently the FCT Act was enacted in 1976. The Act vests the entire 8,000 square kilometres of the FCT land area in the Federal Government of Nigeria. "*...the ownership of the lands comprised in the Federal Capital Territory shall likewise vest absolutely in the Government of the Federation.*" (FCT Act, 1976).

The Government wanted a principle of "equal citizenship" within the territory where no one can "claim any special privilege of "indigeneity" as was the case with Lagos. It wanted all the existing population to be moved out of the territory. That was the why it authorized not only a census of economic assets of all the inhabitants of the territory but also undertook to pay compensation for all their owners outside of the territory. (Mabogunje in Ayileka et al, 2001). The extremely high cost of doing this led to a change of policy.

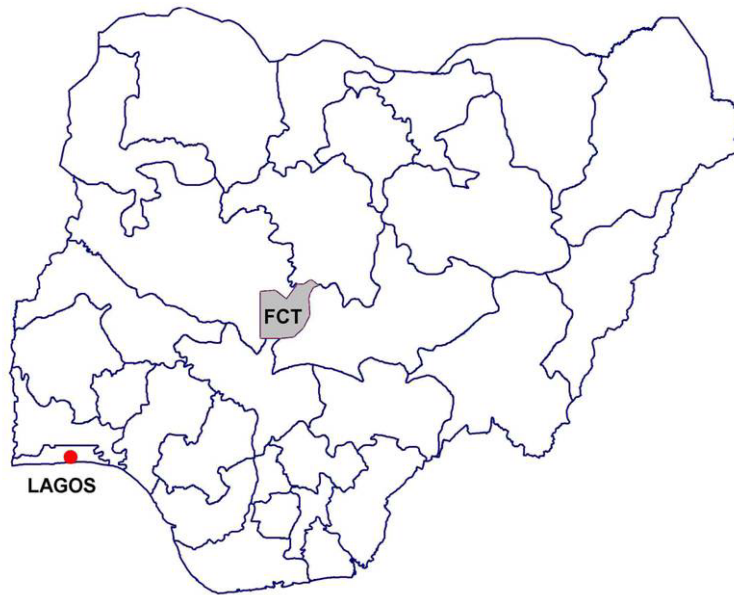


Figure 1: Map of Nigeria showing the location of Lagos and the new federal capital territory, (AGIS, 2006)

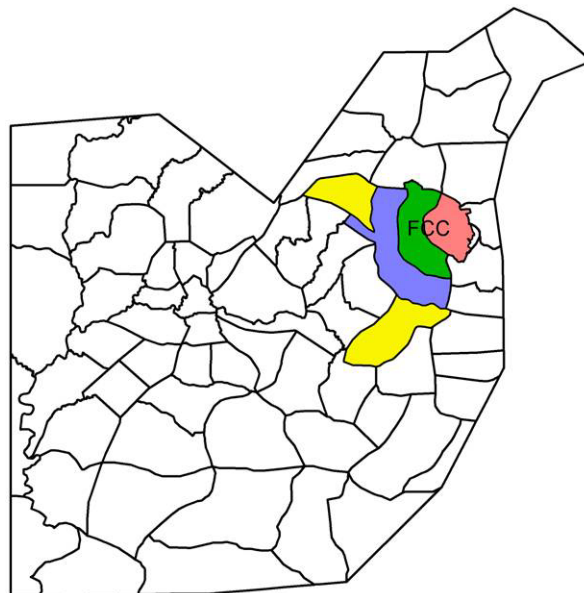


Figure 2: Map of the federal capital territory, showing the location of the city of Abuja (AGIS, 2006)

Resettlement as it affects the FCT was categorized into two:

- Those who opted to be moved out of the FCT, and
- Those that had remained but could be resettled within the FCT, should their places of abode be affected by development projects.

The main focus of this paper and indeed the concern of the day would be on the second category. For this category, the Master Plan of Abuja listed 40 villages that would be relocated in the initial stage of the City growth. These settlements are within the areas earmarked for the City development as well as the 5 kilometres of the Capital City site designed to protect the periphery of the City from development encroachments or unplanned expansion of existing settlements. Additional 85 villages would also have to be relocated as the City expands to the 3.1 million ultimate populations. (Master Plan, 1979) (See figure 3).

On the whole, the Master Plan estimated that about 264 settlements involving approximately 50,000 people then, could be relocated, assuming that all the elements of the Regional Plan contained in chapter 12 of the Master Plan were to be implemented. Although this represents a very high percentage of the total numbers of existing settlements, (42 – 46 percent), it must be recognized that this represents a total relocation programme, which would be executed over many years. It should also be noted that the Master Plan favoured the option of relocation within the FCT to existing villages, which already have some of the basic community facilities. (See figure 4). This option might better address the potential socio-cultural preferences of the population who could potentially be served through existing community facilities. (Master Plan, 1979).

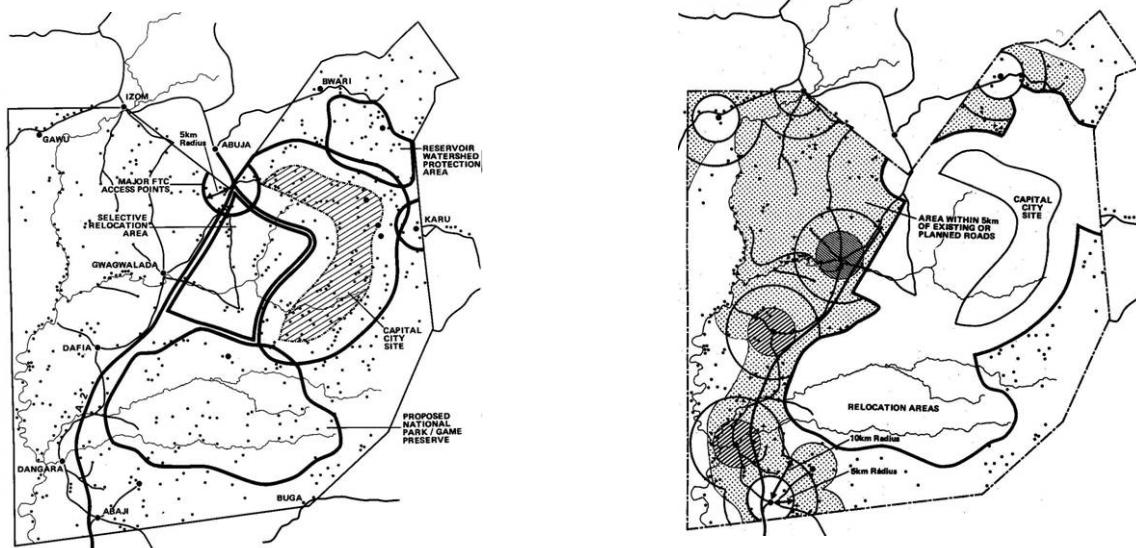


Figure 3 and 4: Recommended settlement and relocation areas (Abuja Master Plan, 1979)

3. POLICY CHANGES

Between 1976 and 2003, (a period of 27 years) there has been about four major policy changes affecting resettlement within the FCT.

3.1 The First Policy Change (1978)

As earlier mentioned an ecological survey was conducted in 1977 and the report indicated that a large part of the territory was still infested with tsetse-fly whilst the river courses still provided breeding grounds for the simulium fly, the carrier of the disease vector giving rise to river blindness. To evacuate all the human population whose farming activities had helped to keep down and destroy much of the habitat favourable to the tsetse-fly was to compromise the future health status of the population of the new capital. In the circumstance, the decision to evacuate all the inhabitants had to be revised and compensation and resettlement undertaken only in respect of those occupying the site chosen for building the city. (Mobagunje, 1977).

In addition to the above, a detailed study of the area in question, had made it clear that the local inhabitants within the Territory were far from being ‘few’ in fact well over 316,000 people were enumerated and not the 25,000-50,000 earlier thought. It was then estimated that the funds required for their compensation entitlement and resettlement outside the FCT were put at over 1.8 Billion Nigerian Naira. In these circumstances, resettlement costs would have been astronomical, and would have delayed the development of the new capital. (Mobagunje, 1977).

The above two reasons necessitated a major shift in resettlement policy which was announced by government in July 13, 1978 and it states in parts thus:

“...those not affected by the first phase of resettlement, but wish to move out of the territory may do so, but such people will have no claims on the FCDA, as they have not been forced to leave. This in effect means that inhabitants (indigenes) not moved out during the present exercise who decide to stay will now be deemed to be citizens of the FCT and FCDA will soon appoint an administrator to administer them and look after their welfare. The present land area gazetted as FCT will remain. The site cleared for the building of the capital itself will be evacuated and resettlement of the people so evacuated can take place within or outside the territory. The meagre funds available now should be spent more on development of infrastructure rather than on payment of compensation...” (Gen. Obasanjo, 1978).

3.2 The Second Policy Change (1992)

On December 2, 1992 the Government made a complete U- Turn and opted for “Integration Policy” for those who have chosen to remain in the FCT as against complete resettlement. Accordingly Garki Village within Garki II District of the City in Phase I was allowed to remain, except for the people to be affected by the construction of access roads and other infrastructures (See figure 5).

3.3 The Third Policy Change (1999)

In 1999 the “Integration Policy” was reversed for that of complete resettlement again. Settlements of Jabi, Kado, Gwarinpa among others within Phase II of the City were slated for resettlement outside the FCC. Actual construction work started at the end of 1999 on the new site in Jibi resettlement town outside the FCC to the north. Most of the houses were

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completed and ready for occupation by end of 2002. While the people affected were fully prepared for movement to the new location, another policy change happen. In preparation for the 2003 general election the additional security personnel brought into the Federal Capital Territory occupied the buildings under the resettlement scheme. The Government looked the other way - perhaps out of political expediency? (See figure 6).



Figure 5: Garki Village integration scheme quickbird satellite image 2003 (AGIS, 2006)



Figure 6: Jibi resselement village taken over by the Nigerian police force (fieldwork 2005)

3.4 The Fourth Policy Change (2003)

What happened in the year 2003 set the clock of resettlement programme years back. The new administration decided to take a bold step to resettlement. It approaches the issue with new vision, complete sense of direction and dedication. Having realized that it would be practically impossible to implement the original provisions of the Abuja Master Plan, without

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a well articulated resettlement policy in place, it embarked on the restorations of the original provisions of Master Plan. One of the cardinal principles of this policy is of course the complete resettlement of all areas hitherto earmarked for resettlement by the Plan (as earlier seen in paragraph 2 of this paper).

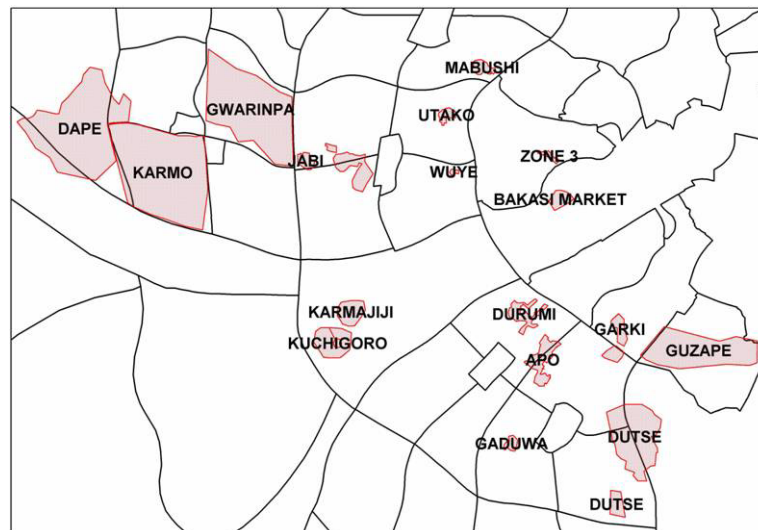


Figure 7: Federal capital city squatter settlements (AGIS, 2006)

4. WHAT ARE THE IMPLICATIONS OF THESE POLICY CHANGES?

These series of policy changes and inconsistencies by Government have a lot of serious implications on the implementation of the provisions of both the Abuja Master Plan and the Regional Development Plan of the FCT.

As earlier seen, the FCT Act was enacted with the initial intension of getting every person residing within the Territory evacuated, (Section 1[3], FCT Act, 1976). That is why the Act vested all land within the FCT absolutely in the Federal Government. This effectively alienated the original inhabitants from their ancestral land. Section 297, Subsection 2 of the 1999 Constitution of the Federal Republic of Nigeria further affirms the above provision, that: “The ownership of all lands comprised in the Federal Capital Territory, Abuja shall vest in the Government of the Federal Republic of Nigeria” (FGN, 1999).

On the other hand, other Nigerians perceived movement into the Territory as license to enter into any parcels of land without any restriction. This effectively laid the solid foundation for squatter settlements within the FCT.

Meanwhile, Section 7(1) of the FCT Act has prevented any form of development ‘within the FCT’ ‘unless the written approval of the Authority has been obtain by such person or body...’ In line with this, Section 44(2) of the FCT Development Control Regulations also states:-“It shall be unlawful to commence the excavation for... or the construction of any building or other structures...without the permit from Development Control Department”.

Since development control apparatus were inadequate, those provisions of the law and regulations were not strictly imposed, hence the rampant cases of illegal development within the Territory. It is therefore the contention of this paper that these series of inconsistencies and changes on Government resettlement policy has led to the springing up and massive development of squatter settlements within the areas earmarked for the City and other areas within the FCT, particularly those very close to the City (See Figure 7 and Table 1).

The initial target for movement from Lagos to Abuja was put at the year 1986. So the initial implementation strategy for the Master Plan envisaged that the workers would be housed in the “Accelerated District” within the Phase I Area of the cities development. This “Accelerated District” was to be developed for low-income workers to prevent the emergence of shanty towns in the periphery of the capital city. It was also to serve as a “model” for testing out the detailed plan concepts. The decision to move the date forward from 1986 to 1982/83 lead to the emergence of number of shanty-towns and squatter settlements occupied by workers and the growing service population in such places as Karu / Nyanya, Karmo and Gwagwa. These settlements developed rapidly and were generally unplanned, overcrowded and lacking in basic amenities and infrastructure. (Mabogunje in Ayileka et al 2001).

ID	NAME	TYPE	AREA ha	DISTRICT
1	BAKASI MARKET	MARKET	20.7	CENTRAL AREA
2	ZONE 3	MECHANICS	5.9	WUSE I
3	GARKI	VILLAGE / MARKET	19.0	GARKI II
4	GUZAPE	VILLAGE	225.8	GUZAPE
5	GARKI VILLAGE	MARKET	14.7	GUDU
6	APO	VILLAGE / MARKET	46.8	DURUMI, GUDU
7	DURUMI	SQUATTER	32.3	DURUMI
8	MABUSHI	SQUATTER / MARKET	15.5	MABUSHI
9	KATAMPE	VILLAGE	13.9	KATAMPE
10	GADUWA	VILLAGE	9.4	GADUWA
11	DUTSE	SQUATTER	189.0	DUTSE
12	DUTSE	VILLAGE	21.1	DUTSE
13	WUMBA	VILLAGE	5.3	WUMBA
14	MADA	SQUATTER	165.4	OUTSIDE FCC
16	KURBO	SQUATTER / MARKET	54.5	OUTSIDE FCC
18	KUCHIGORO	OLD VILLAGE	3.7	KUKWABA
19	KUCHIGORO EXT	SQUATTER	59.9	KUKWABA
20	KARMAJIJI	SQUATTER	37.9	KUKWABA
21	WUYE	SQUATTER	2.4	WUYE
22	JABI	SQUATTER	14.0	JABI
23	JABI	SQUATTER	4.3	JABI
24	JABI/DAKIBIYU	SQUATTER	51.6	JABI, DAKIBIYU
25	UTAKO	SQUATTER	11.9	UTAKO
26	KARMO	SQUATTER	524.0	KARMO
27	GWARINPA	SQUATTER	408.0	GWARINPA 1
28	DAPE	SQUATTER	455.0	DAPE
	TOTAL		2412	

Table 1:- List of squatter settlement within the FCT (final report stage 1, AGIS, 2004)

5. SQUATTER SETTLEMENTS WITHIN THE FCT

So many reasons could be adduced for squatting as a solution to solve housing needs, farming needs etc., the world over. The focus of this paper is however on squatting solutions to 'housing needs' and to a little extent 'work-place needs' within the FCT. For this reason the following points are peculiar to the FCT in Nigeria.

The initial policy change on resettlement as a result of health and other cost considerations might look good and plausible reasons on the face of it. It however set the trend and contributed greatly to the development of unplanned/squatter settlements within the FCT. It gave people the impetus and made them believe that Government was not very serious with the issue of resettlement.

The initial Government Policy of housing development through the FCDA made people expect too much from Government. Even though it wanted to set the pace and encourage people to move into an area that was hitherto least developed in the country and lacking in the most basics of all social amenities. People were at first reluctant. They lack confidence to provide housing at the initial stage. In short there was general apathy to invest in the development of the new capital city at the beginning. So the FCDA took the initiative to provide houses. After sufficient confidence was built, Government did not see the need to continue with that type of development again and so pulled out in 1991 from large scale housing provisions. It did this at a time when the private sector was yet to produce enough housing stock at affordable rate for the ever growing population of the Territory. The consequences are of course acute shortages of housing stock within the city and its immediate environs. The only solution was recourse to squatting solution by people mostly not engaged in the formal sector and therefore not entitled to any form of Government housing provisions. To further compound the problems, the few private developers did not build for low income earners – people mostly engaged in the informal sector. They were more interested in developing big mansions that yields higher returns.

The law governing land administration in Nigeria does not ascribe any value to bare land. It only recognized compensation for unexhausted improvement on land. Over the years these compensation rates for crops, economic trees and houses have been on the low side. People therefore find it more expedient to sell their customary holdings at a much higher rate to individuals and other private concerns, than to wait for government acquisition and compensation which at any rate is far below the expectations of the customary title holders.

At the initial stage of the City's development, quite a number of the local inhabitants do not seem to realize that the entire FCT landmass is vested in the Government of the Federation. Though they hold customary titles, they are not supposed to alienate (after 1976, the year the FCT Act gained legal force), without the consent of the Authority. This provision of the law was observed mostly in breach thereby leading to the flourishing of a vibrant illegal land market. This 'market' became the easiest way of land acquisition by squatters.

Tied to 5.3 and 5.4 above, the local Traditional Rulers got seriously involved in the operations of the illegal land ‘markets’ and subsequent outright alienation of their ancestral land. Rather than wait and get ‘meagre’ amount from government as compensation, they found it more expedient and lucrative to sell out rightly, outside government regulatory bodies.

Squatters found out that instant fortune can be made out of the illegal operations of land market. They exploited the weakness of the Government apparatus. The result was the flourishing of squatter settlements. The general believe was that one can obtain a parcel of land develop, rent out and almost immediately recoup his/her initial investments. Two years rent are payable at the first instance in most cases and no any form of taxes are ever paid to government. So, before the government could acquire the land for any developmental project, they (‘developers’) would have recouped their initial investments and even made some profits. They were therefore ever ready to build regardless of the risk involved.

In most developing nations government departments are known for their slow and inefficient way of doing business. Government officials in charge of land acquisition tend to create serious huddle for development purposes over the years. In a lot of cases, it takes years after obtaining formal governments grant to complete the processes of obtaining title with stringent conditions. It equally takes another couple of years to obtain building plan approval from the relevant approving authority. This has made some serious developers resort to quacks and illegal land markets, leading to the development of unplanned and squatter settlements.

People moved to Abuja because of the relative peace enjoyed by the inhabitants. This massive influx of people into the territory coupled with weak development control apparatus, contributed also to shortages of houses, and subsequent growth of squatter settlements.

Lack of a well developed Mortgage Institutions did not give much room for private developers to provide enough housing scheme for low income earners hence squatter development in Abuja.

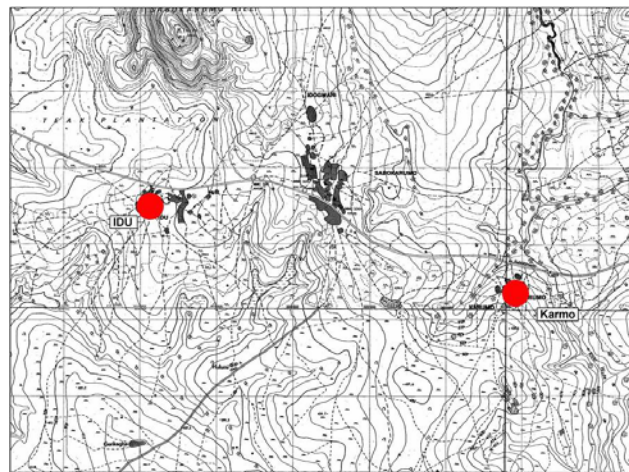


Figure 8: Idu-Karmo settlement before the FCT development topo map 1967 (AGIS, 2006)

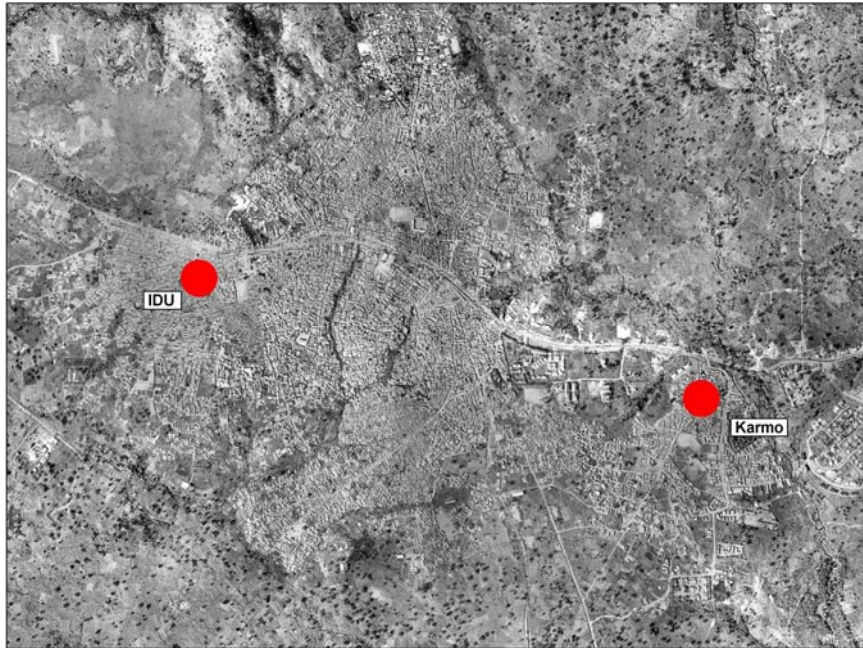


Figure 9: Idu-Karmo aerial photo 2000 (AGIS, 2006)

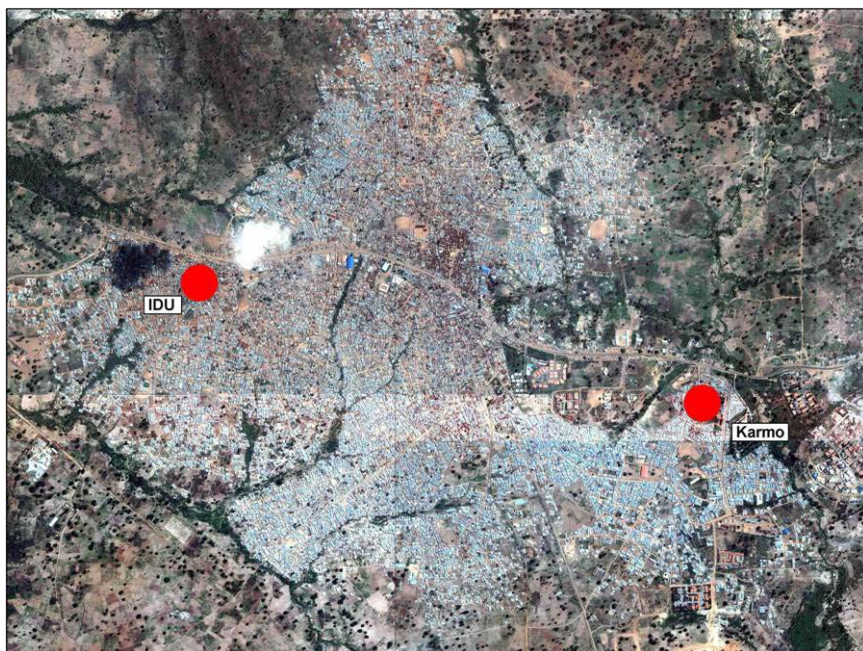


Figure 10: Idu-Karmo quickbird satellite image 2004 (AGIS, 2006)

6. THE NEW APPROACH

The above scenario has created serious concern to both the Government and the citizens of Nigeria:

The existence of these settlements within the City area and its environs is a serious distortion of the provisions of the Master Plan of the City as well as that of the Regional Development Plan of the FCT. Until something drastic is done, there can be no meaningful implementation of the provisions of the Master Plan.

These areas are also increasingly becoming breeding ground for unscrupulous elements leading to increasing crime rate within the city and its environs, a situation that was quite unthinkable at the onset of the development of the Territory. Nobody seems to be in charge in these areas because of the cosmopolitan nature of these settlements the traditional leadership has broken down.

Since nobody seems to be actually in charge, government has been losing a lot of revenue. Neither the FCT administration nor the Municipal Council has fared well in revenue generation and collection in these squatter settlements.

The existence of these squatter settlements is posing a serious health hazard not only to the people living within the settlements, but to other inhabitants of the FCT because of their squalid conditions.

The “integration policy” has also created an urban slum within what could have been a beautiful city (see Figure 5).

There are a lot of unregulated activities such as substandard educational and health institutions and facilities within these areas.

It was becoming increasingly obvious that if the Government wants to be taken seriously, it had to act fast and arrest the dangerous slide, which was fast turning the dream of ‘a city-beautiful’ a mirage.



Figure 11: Pegi relocation site for Idu-Karmo squatter settlement (field work, 2005)

By the year 2003, the FCT administration concluded that the only way out was a return to the original provisions of the Master Plan of Abuja which has suffered a lot of distortions. It is of interest to note that since the beginning of the implementation of the Plan in 1980 there has

not been any form of review. Ideally a plan should be review every five years. This was not the case with that of Abuja even though development has been going on at a fast rate for over 25 years. In 1999 a workshop on the “Review of the Master Plan” was held and the proceedings published in 2001. Nothing else happened. Meanwhile these settlements continued developing at alarming rate (see figures 8-10).

People at first received the new initiative with mixed feelings. Going by past records many people did not give it any chance of success. Government however made it clear that it was not going to be ‘business as usual’ again. It started with the general restructuring and reorganization of the FCT administration. It scrapped the entire Ministry structure and the Minister took over the full control of the FCDA as the Chair of its Board of Directors. This singular act effectively removed the bureaucratic bottle necks normally associated with Government Ministry which hinders speedy implementation of laudable government programs.

Development Control apparatus and structures were strengthen. A Taskforce was set up for the relocation of all squatter settlements with particular emphasis on those sitting on the main bowl of the city. A pilot scheme was initiated and it targeted one of the biggest squatter settlements of Idu-Karmo within phase III and Industrial Area of the City. It covers an area of 524 hectares ;(more than the size of one residential district) within Phase III as well as part of the Industrial District. It was to relocate more than 5000 household heads most of whom are either ‘land lords’ or ‘tenants’. The date line for the relocation was fixed for November 2005 (see figures 9 and 10).

It was a private-public-partnership affair. The affected people, NGOs, Community leaders, Banks and Financial Institutions, Private Developers, Industries etc were all involved in the planning. After series of meetings it was decided that Government would provide plots of land for the affected people to build and move away from the squatter zones. ‘Letters of intent’ were issued instead of formal letters of grants. However the ‘letters of intent’ were enough to guarantee some form of financial assistance from banks, NGOs and other International donor agencies.

The idea is to issue formal titles with compatible conditions to the allottees. That way it could reduce the situation of out right sell and encourage the development of the scheme.

A new government agency – Satellite Towns Development Agency (STDA) – is in charge of the provision of roads, light, water and other forms of amenities at the new location.

7. LESSONS OF THE PAST

The Government has fully realized that past policy inconsistencies, general lack of seriousness and focus on its part and that of its officials has lead to a serious problem of squatting and the development of unplanned settlements within the FCT. This development has in turn contributed to the distortion of the Master Plan of Abuja. Without a well

articulated resettlement policy the implementation of the provisions of the Master Plan can not be achieved with any reasonable amount of success.

8. THE SIGNIFICANT DEPARTURE FROM THE PAST POLICY

The new approach of involving the people as well as other private developers instead of the old policy of ‘Government-would-do-it-alone’ (which failed woefully) has given hope to squatter that hitherto had no hope of owning a plot or a house with valid legal title.

A concession was given for the first time and squatters made to understand that they were occupying land illegally and could therefore have no claims whatsoever, if and when the Government decides to ejects them even if forcefully. They understood the new approach to be a great favour to them. The land rates and charges were reduced by one third of that normally charged in the city to enable them take advantage of the new initiatives.

9. CONCLUSION

From the response so far, this scheme has the chances of a very high rate of success where previous attempts have failed woefully. Though the relocation schedule is behind schedule there is a high degree of hope for success, going by the rate at which development is going at the new site (see figure11).

If and when this scheme succeeds it would defiantly set the phase for future resettlement scheme not only in Abuja, but in the entire Federation of Nigeria as whole. It would also be a beacon of hope for the urban poor, who may never have any real opportunity to afford a decent housing of their own and also make a decent living in the urban informal sector, with valid legal title documents and so a secured tenure.

Abbreviation list

AGIS	Abuja Geographic Information System
FCC	Federal Capital City (of Abuja)
FCDA	Federal Capital Development Authority
FCT	Federal Capital Territory
FCTA	Federal Capital Territory Administration
GIS	Geographic Information System
STDA	Satellite Town Development Authority

APPRECIATION

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BIOGRAPHICAL NOTES

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Working experience: over 15 years as lands officer in the administration of the Federal Capital Territory, Abuja. Has worked (during his national service year) as an instructor in map reading with the Nigerian Army School of Artillery, Kachia – Kaduna state, Nigeria, has also worked as a geography teacher in many secondary schools and a polytechnic in Nigeria; attended advance training program in Gavle – Sweden on land administration and geographical information, organised by Swedesurvey (the overseas agency for the national land survey of Sweden) sponsored by Sida, has served at various times as secretary of the , technical committee on rural lands within the FCT, ministerial committee for the appraisal of

physical planning and development issues within the FCT, land use and allocation committee of the FCT, taskforce on computerisation of the cadastral and land registry of the FCT, currently working with Abuja Geographic Information Systems (AGIS), a body that is the only official source of geospatial information for the Federal Capital Territory, Abuja - Nigeria,

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