

Squatter Resettlement/ Relocation Programme in Abuja, Nigeria and the Issue of Land Title Security

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Key words: Land Title Security, Policy Changes, Relocation, Squatter Settlements

SUMMARY

The creation of Abuja the new Federal Capital of Nigeria in 1976 and the subsequent development of the city and its territory led to massive construction work. Development has been going on for the past 30 years and this has led to a massive demographic change. As at 1976 the area was sparsely populated and was believe to have just about 300,000 people. This figure has risen to about 3 million now.

The initial conception was for the entire population to be moved out of the territory and be resettled elsewhere. Policy inconsistencies among other factors led to the development of massive squatter settlements within the Federal Capital Territory (FCT).

In 2003 government decided to take a bold step in order to address the issue of squatters with a view to relocate and provide a secured title of land to them. A Taskforce was set up for the relocation of all squatter settlements with particular emphasis on those occupying 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). 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.

When I wrote in 2006 about the programme I was full of confidence that for once the government of Nigeria has finally realised the need to tackle once and for all squatter problems, security of tenure and housing issue for the urban poor (at least within Abuja City). Unfortunately this programme developed some problems along the line and the implementation was any thing but successful. The Government succeeded in removing most of the squatters but fail to provide the needed security of tenure over the plots of land in the new location.

This paper examines the factors that led to the near complete failure of such a laudable programme. It discovered that the government, the private sector and even the squatters have their own share of the blame. It is my believe that the urban poor can still have hope of obtaining a secured title to land in Abuja if proper steps are taken to redress the shortcomings. It proper some suggestions for the future in order not to allow similar promising programme to derail again.

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1. INTRODUCTION

Until the year 1976 Lagos was the capital city of Nigeria. The final shift of the seat of government from Lagos to Abuja was effected in 1991. The serious congestion of Lagos as well as its location was a source of concern for the Federal Government of Nigeria. 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).

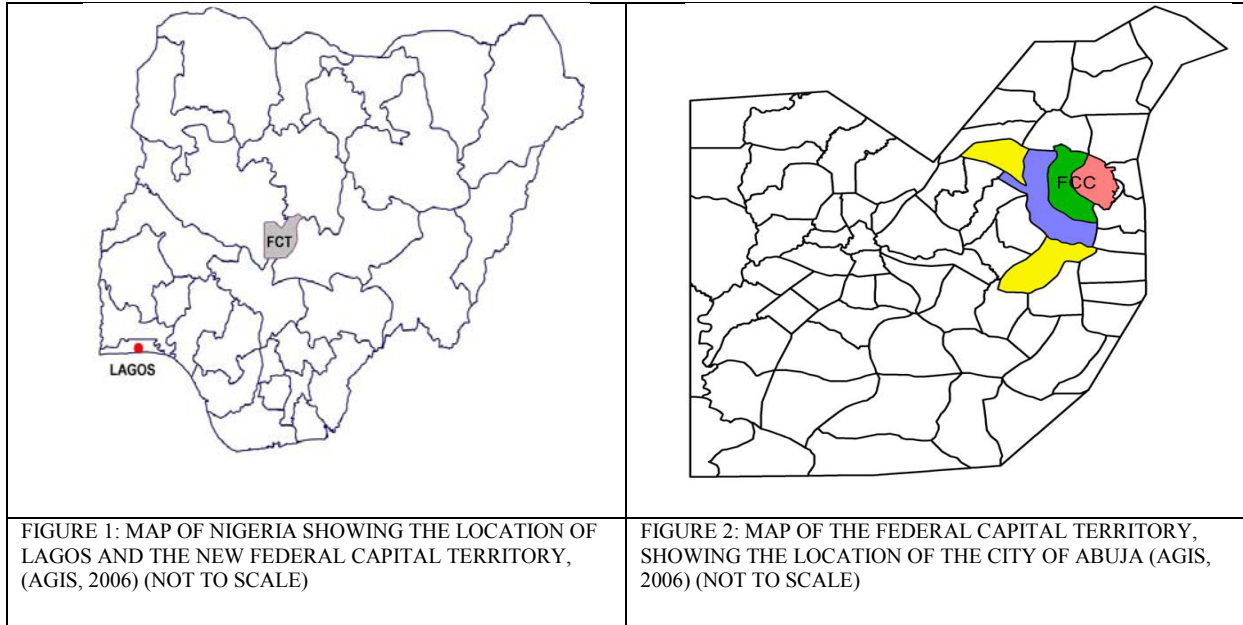
In 2003 a decision was taken about the fate of squatters and in 2005 the Federal Capital Territory Administration (FCTA) decided to embark on a serious resettlement programme after series of policy inconsistencies had led to the development of massive squatter settlements within the FCT. This programme was aimed at redressing the serious distortion of the Master Plan of the City and restoring it to its original concept. To do this means to confront the issue of squatter settlements within the FCT.

This paper examines the programme which started in 2005 amid high expectations but turn up to be a disappointment. It examines the factors that led to the near complete failure of such a laudable programme as far as issueing secured title documents is concern. It discovered that the Government, the private sector and even the squatters have their own share of the blame. It is my believe that the urban poor can still have hope of obtaining a secured title to land in Abuja. It proper some suggestions for the future in order not to allow similar promising programme to derail again.

2. LAND POLICY IN NIGERIA

Policies are conceptual frame works for Government decisions that are aimed at giving directions to development and distribution of resources. Land is the most important resources of any Country in the world, one for which everybody clamours for. Individuals and organisations interested in development within their own capacity will therefore require clear policy guidelines on all Land issues to help them in their project planning and investment decisions as they relate to real estates. The Land Use Act of 1978 was enacted in order to evolved a policy of equitable land redistribution within the Country.

It is the principal law guiding land Acquisition, resettlement and its allocation to all eligible Nigerians, Private, Corporate and Government Organisations. The law was **then** conceived as a progressive piece of legislation designed to introduce a comprehensive National Law Policy that gives every Nigerian the right to use and enjoy land in the Country. It is therefore the law currently in force which controls the use and administration of land in the entire Nation.



The law apart from harmonizing the two major tenure systems in the Country into one, it abolished the FREE SIMPLE INTEREST (FREEHOLD) and made every landowner a tenant of the Government by vesting all land in each state of the Federation in the State Governors and Local Government Chairmen and in the FCT, the land is vested in the President of Nigeria. In both cases the land is to be held in trust for the use and common benefit of all Nigerians, for the realization of equity, fairness and justice in the control and management of land, resettlement and compensation.

The aim of this policy is to ensure that the operation of Land Administration and Management is not only based on the principles of equity but also for efficiency and flexibility along with the broader goal of helping all citizens especially the Urban poor to gain access to affordable, suitably required and approximately located land with adequate security of title and tenure, However the law has come under strong criticisms as a result of the way and manner that some state Chief Executives are operating. Consent for Morgages and other transactions that Governors are required by the law to grant before such transactions could be perfected are often delayed or even refused without any valid reasons. Proponents of Free Market economy have similarly been very critical about certain section of the law – for instance the law does not ascribe any real value to bare land. So compensation are not paid on land but on the improvement that was made on it. What an allottee is granted is the usufruct right – the right to use the land - and ground rents are paid annually by the allottee. It is however common knowledge in Nigeria that people buy and sale bare land freely in clear violation of some sections of the law.

It is therefore not surprising that the President of Nigeria included Land Reform as one of his seven point agenda for moving the country forward. To buttress this, a bill seeking to amend the Land Use Act of 1978 was recently sent to the National Assembly (i.e. Nigeria's parliament – the law making body for the country). The principal goal is to make land more readily assessable (to a great majority of its citizens), more secured and easy to be pledged as a collateral in accessing mortgages. It is aimed at making the law to be in tune with the operations of free market economy which the country is practicing now.

3. FCT RESETTLEMENT POLICY AND THE ISSUE OF SQUATTERS

The FCT Act was enacted in 1976. It 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 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). A slight policy change in 1978 allowed the indigenous population to remain within the territory.

Between 1976 and 2003, (a period of 27 years) there has been about four major policy changes affecting resettlement within the FCT. ‘...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’ (Jibril, 2006).(see table 1).

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)

By the year 2003, the FCT administration concluded that the only way out of the problem, 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. This new thinking led to the targeting of squatter settlements all over the Federal Capital Territory.

When I wrote about the programme that time, I did say that ‘People at first received the new initiative with mixed feelings. Going by past records many people did not give it any chance of successes’ I was however very optimistic because the programme was to be ‘...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.’ (Jibril 2006).

Squatters all over the world tend to receive little sympathy from government circles. Many of these settlements are perceive as problem areas – areas prone to crime and lot of vices. For instance Neuwirth in his work on squatters quoted one of the local press in India of having the impression **that ‘several things are common in squatters all over the world, high crime rate, congestions, neglected kids, refusal to move out’**. (Neuwirth, 2006, p 252). This about sums up the general views about squatters the world over. In Nigeria the Government more or less views such settlements as an eye sore that deserve to be removed at all cost.

However there are a lot of other writers that have some sympathetic views about squatters. They believe that they have their uses, since **‘...the very same squatters who are driving them to work and cleaning their houses and hauling the materials for new building rising next to their clothes, and taking care of their kids’**. (Neuwirth, 2006, p 252.). De Sato is of the view **‘that if squatters gain legal title to their land they can be a creative and energizing force in their economies’**. Similarly Neuwirth expresses the sentiments that **‘squatter communities may be illegal, but that doesn’t make them criminal’**.

He believes that ‘the true challenge is not to eradicate these communities but to stop treating them as slums – that is, as horrific, scary, and criminal – and start treating them as neighbour hoods that can be improved’. The idea of ‘knocked down and build new’ in most cases produces housing that is not affordable to the people who are living there because ‘squatters are interested, hard-working, and responsible adults, who can make decisions for their communities. They can equally ‘define the trade-offs, that will be acceptable and without them, any work to upgrade their communities will be doomed to fail’.

So when the FCTA decided to relocate all squatters, it targeted Idu – Karmo as pilot project. This area covers more than 5000 hectares and was to be relocated to Pegi 33 kilometers from the city center of Abuja at the southern part of the FCT (see figures 3 & 4).

As far as the law is concern, the people removed from the old location do not have the legal authority over the land that they were occupying. However the issue of social justice comes in to play here. The issue of living in a plan and decent environment is of paramount importance and should be taken seriously by any government. In this era of sustainable development and with the activities UN organizations such as UNEP and UN- Habitat no government could be said to be doing justice or any good to her citizens, by allowing them to remain in slum or squalid conditions.

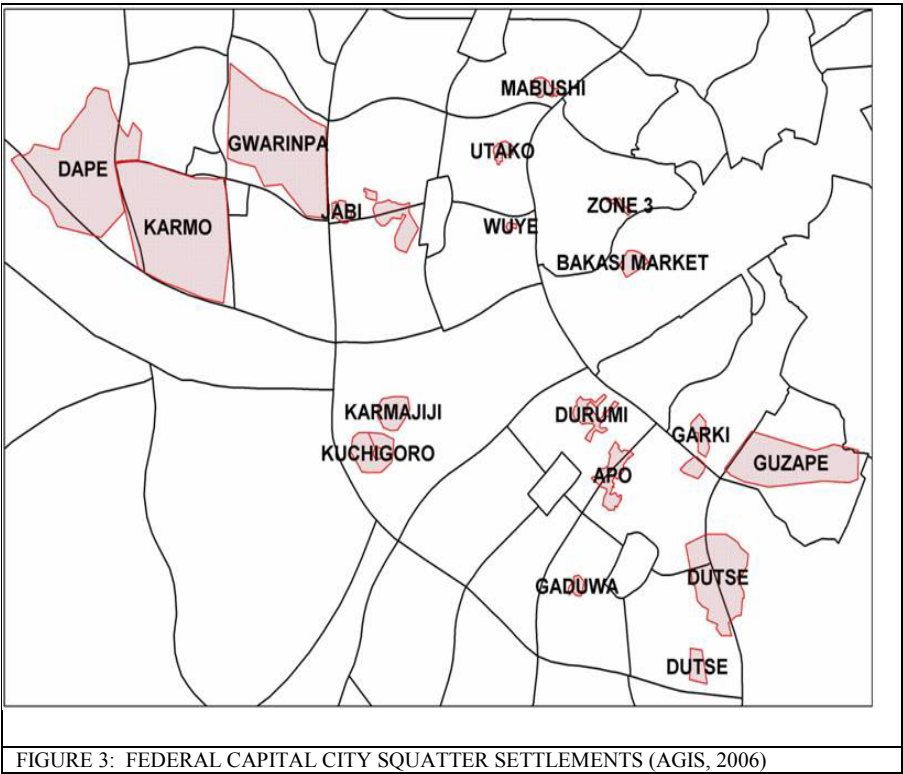


FIGURE 3: FEDERAL CAPITAL CITY SQUATTER SETTLEMENTS (AGIS, 2006)

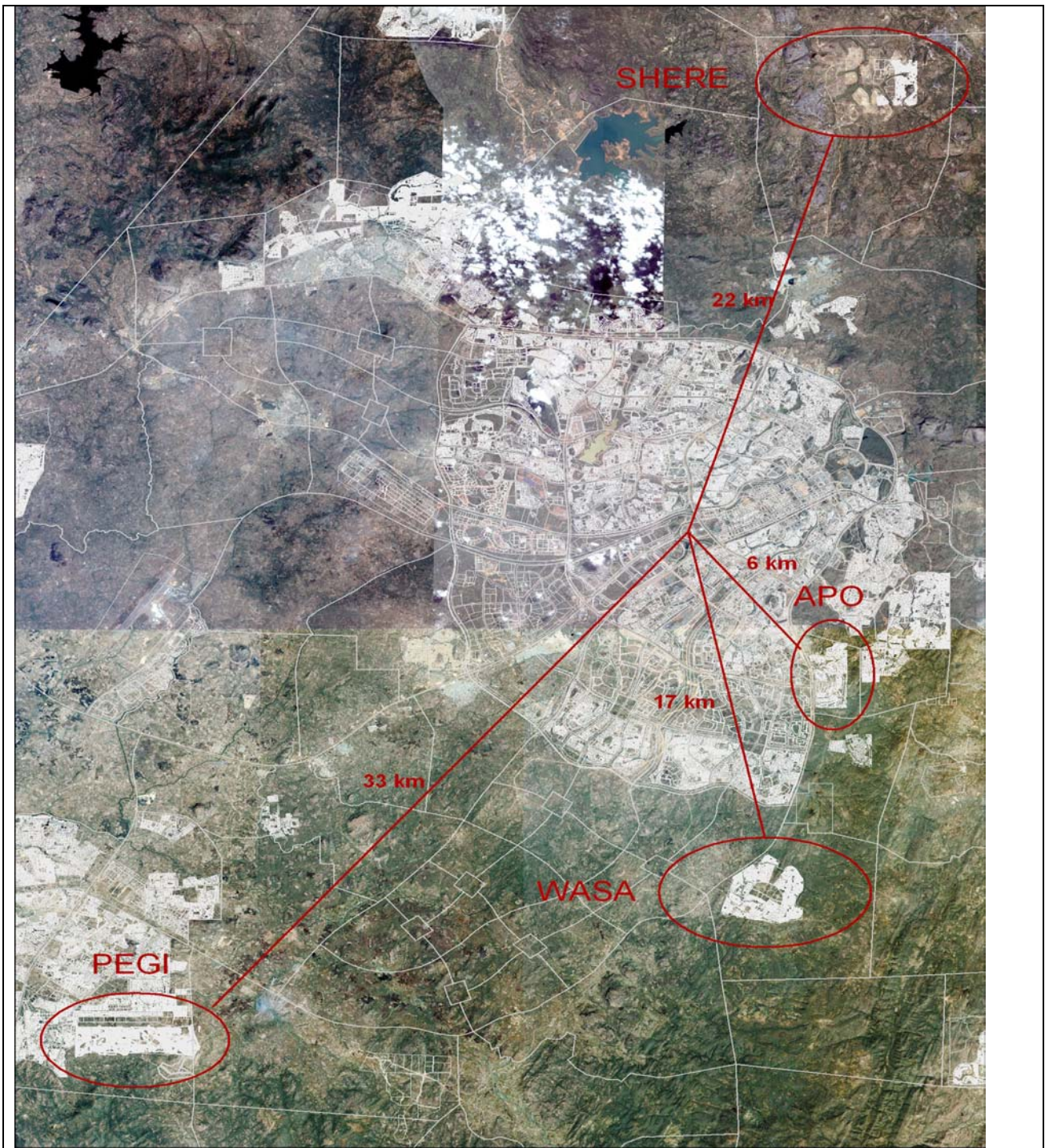


FIGURE 4: ALL THE RELOCATION SITES FROM THE CITY CENTRE OF ABUJA. (SOURCE AGIS 2009) (NOT TO SCALE)

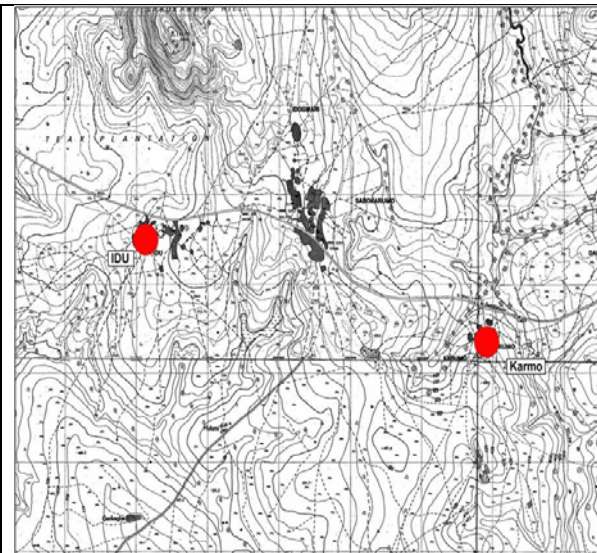


FIGURE 5: IDU-KARMO SETTLEMENT BEFORE THE FCT DEVELOPMENT TOPO MAP 1967 (AGIS, 2006) (NOT TO SCALE)

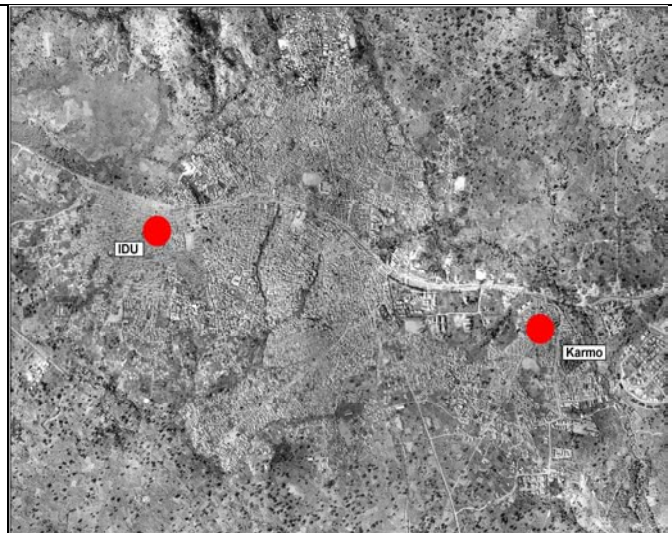


FIGURE 6: IDU- KARMO ARIAL PHOTO 2000 (AGIS, 2006) (NOT TO SCALE)

One would have thought that this premise was the motivating factor that led the issue of relocating the people in the first instance. This was what motivated my humble self in 2006 to have the full confidence about the whole project particularly on the issuance of title documents to the people In fact I do share the views of Do Satos on the issue of title documents. Unfortunately later events proved my enthusiasms to be wrong.

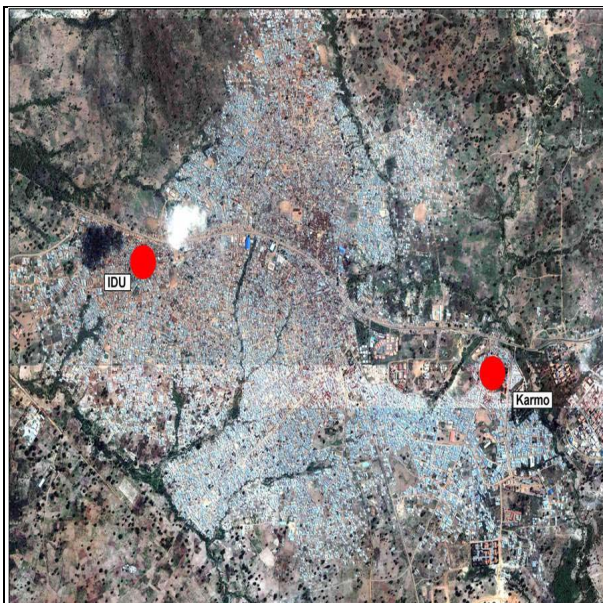


FIGURE 7: IDU-KARMO QUICKBIRD SATELLITE IMAGE 2004 (AGIS, 2006) (NOT TO SCALE)

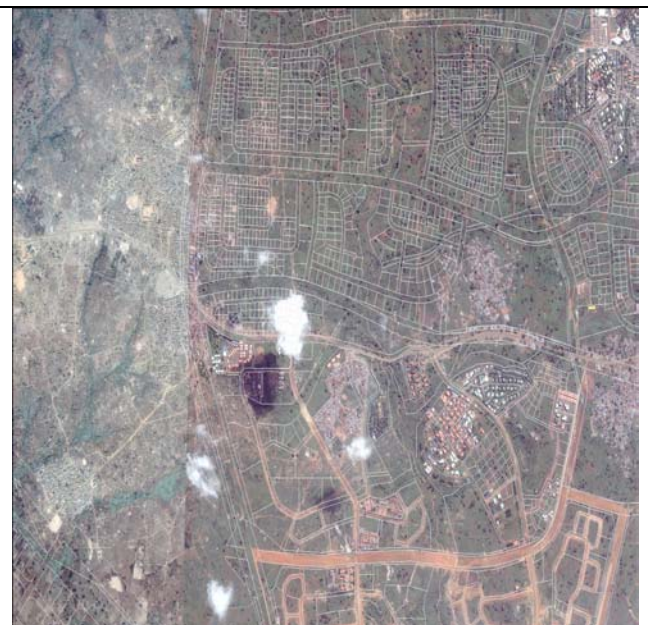


FIGURE 8: IDU-KARMO SATELLITE IMAGE 2006 AFTER THE DEMOLITION OF THE SETTLEMENT IN 2006 (AGIS, 2009) (NOT TO SCALE)

Letters of intent' were issued instead of formal letters of grants. However the 'letters of intent' were supposed to be enough to guarantee some form of financial assistance from banks, NGOs and other International donor agencies. At least that was the understanding then. 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.

This however did not help matters because of the hasty nature of the demolition exercise that was carried out by the government. The site for the relocation was cleared for the people to move in and commence construction work. Some construction work is going on the site but it sad to note that no single individual out of the over 5000 people that were issued with 'letters of intent' succeeded in processing his/her title document to the point of collecting a certificate of occupancy evidencing the grant. In fact nobody even collected a formal letter of grant– a right of occupancy in respect of the plot earmarked or set aside for these people. It should be noted that a 'certificate of occupancy' is the only title document acceptable to most banks and financial institutions in Nigeria. This means that none of the affected people is eligible to apply for any form of financial support or facilities from any bank. This is a serious negation of the original concept of the whole programme.



FIGURE 9: THE NEW PEGI RELOCATION SITE (SOURCE AGIS, 2009) (NOT TO SCALE)

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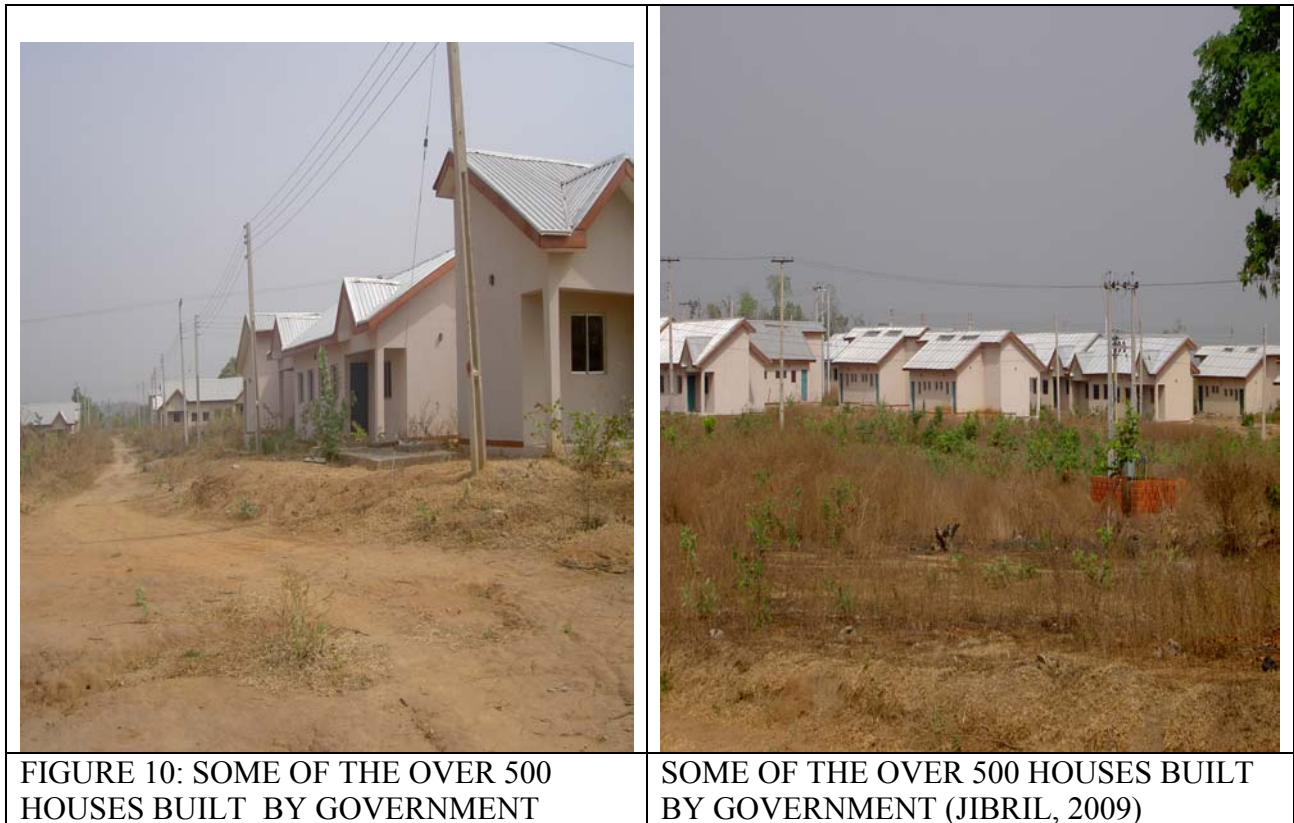


FIGURE 10: SOME OF THE OVER 500 HOUSES BUILT BY GOVERNMENT

SOME OF THE OVER 500 HOUSES BUILT BY GOVERNMENT (JIBRIL, 2009)

4. SO WHAT WENT WRONG

As earlier seen in this paper, between 1976 and 2003 there are four major policy changes concerning resettlement within the Federal Capital Territory of Abuja – Nigeria. ‘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’. The haste with which the Government went about implementing the relocation programme contributed significantly to the failure of the programme as far as issuance of title security is concern. Despite the initial good preparations - series of meetings with the affected people and their local leaders, involvement of financial institutions, Non Governmental Organizations (NGOs), and many other interested parties – the Government at the end decided to abandon all these preparations and rushed into the demolition of all the affected houses in the old location. At the time of this action more than 90% of the affected people were yet to take effective possession of their plots of land in the new relocation site.

This single action contributed significantly to the derailment of the programme. People became jittery because the old location was completely wiped out before the new location could be developed. The affected people became desperate and had to frantically look for alternative shelter elsewhere. Many could not develop in the new location because they had to use the meager resources at their disposal (which they could have utilize in the construction work in the new location) to rent new accommodation at exorbitant rates elsewhere.

As a fall out of the hasty nature of the demolition exercise, virtually all the financial institutions withdrew from participation. Very few people were able to negotiate for facilities to enable them commence development in the new location. There is also the lack of a well developed mortgage institutions in the country. This contributed significantly to the lack of financial outlay for the affected people. Even if these institutions were well developed the people were also very reluctant to take mortgages. They see such facilities as something oppressive as a result of the high interest rates.

The NGOs that could have served as pressure groups on the side of the affected people suddenly lost their voices and kept mute.

On the part of the 'victims' their lack of understanding of the whole issues at stake also contributed significantly to the failure of the programme. They were reluctant or too disorganized to protest and protect their interest. It seems that the affected people lack the level of organizational skills that would make them mobilized in order to defend their collective interest. Fear is also a significant factor because most of the affected people were operating from the perception that the Government has no responsibility for their housing needs. Because of the way and manner that they acquired their earlier titles in the old location they were more concern about getting new shelter elsewhere than pursuing the title documents in respect of the plots in the relocation site.

It is apparently clear that the GOVERNMENT was more interested in getting rid of the squatters in order to free what is perceived in Government circles as prime urban land for elitist development programme. It does not seem to have much interest in helping the urban poor to obtain a secured title and have a property of their own. This is most reprehensible.



FIGURE 12 HOUSES BUILT BY SOME OF THE AFFECTED PEOPLE , (JIBRIL 2009)

5. THE WAY FORWARD

Despite this serious set back to the acquisition of title documents one is can still be confident that the programme can still be salvage if and when the following are put in place. Do Satos strongly believe that granting title to squatters would go along way to help them. Nouwirth on the other hand has his reservations about that. He believe that they may not need title documents but all that they need is understanding from Government and a change in the way the elite view them. I feel that in the case of our situation in Nigeria squatters need both a secured title to land and a very good understand from their Government and its officials.

As earlier seen the initial arrangement where by ‘letters of intent’ were supposed to serve as a collateral did not work. The next stage was for the actual letters of grant for a right of occupancy to be issued. This also did not work out as planned as a result of the hasty nature of the demolishing of the old settlement. Government needs to reactivate the programme now. Though old taskforce was disbanded, there are three key departments that can handle this issue – Land Administration, Development Control and Resettlement & Compensation. These departments need to pull there resources together, co-operate and co-ordinate the processing and issuance of title documents to the affected people. The reduce land rates/charges should remain in order to assist the people.

Even the Government did realized its errors and apparent failure of the project, because at the end of the year 2006 it ordered the construction of 1000 units of low income houses at the new site. This was aimed at assisting those who lost out during the massive demolition exercise. In the end 527 units were constructed and fully ready for habitation. However none of them were allocated to anybody. In other words the houses are still empty (see Figure 10). Government should set up the machinery of allocating /selling these houses as quickly as possible to the affected people and make sure that title documents are also issued at the point of sale. It should also complete the remaining 500 units.

It is worth noting that even the construction of infrastructural development like roads and other services have stopped in the new site. The Satellite Town Development Agency needs to continue from where it stopped. This would further encourage the people to take effective possession of their plots and commenced some meaningful development in order to process their title documents.

A serious and concerted efforts need to be put in place in order to re-sensitized the affected people on the need to process their allocations to a logical conclusion in order to obtain a valid and secure title documents over their holdings.

6. CONCLUSION

In conclusion may I quote Robert Neuwirth that we don’t need to crush squatter ‘communities with our hard-nosed conception of property right.’ He believes and I share his views that squatters the world over needs ‘more focus groups, more debate, more discussion, more conversation.’ The cold also do with valid tiles in addition to understanding. The Government ought to be ready for that please.

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

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BIOGRAPHICAL NOTES

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