

Legal Perspectives of the Rights of Internally Displaced Persons in Nigeria



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ABSTRACT: The phenomenon of internal displacement has become a significant issue in Nigeria due to various factors such as conflict, violence, natural disasters, and socio-economic challenges. The rights of IDPs are crucial for ensuring their protection, dignity, and access to basic necessities during their displacement. This study focuses on exploring the rights of Internally Displaced Persons (IDPs) in Nigeria. The research aims to shed light on the legal frameworks, policies, and practical measures in place to protect and promote the rights of IDPs in Nigeria.

The findings of the research reveal both achievements and challenges in ensuring the rights of IDPs in Nigeria. While the Nigerian government has taken steps to address the issue through the adoption of relevant legislation and the establishment of institutional frameworks, significant gaps persist in the implementation and enforcement of these measures. IDPs continue to face various human rights violations, including inadequate access to basic necessities such as shelter, healthcare, education, and livelihood opportunities. Furthermore, the research highlights the role of non-state actors, including civil society organizations and humanitarian agencies, in supporting and advocating for the rights of IDPs. These actors play a crucial role in filling the gaps left by the government and providing assistance and protection to IDPs in Nigeria. The study concludes with a set of recommendations aimed at enhancing the protection and fulfillment of the rights of IDPs in Nigeria. These recommendations encompass legal reforms, strengthening institutional mechanisms, increasing resource allocation, and promoting collaboration between the government, civil society, and international partners.

By shedding light on the rights of IDPs in Nigeria, this research contributes to the existing body of knowledge on internal displacement and human rights. It provides valuable insights for policymakers, humanitarian actors, and researchers working towards improving the conditions and rights of IDPs, ultimately aiming for the realization of durable solutions for this vulnerable population.

KEYWORDS: Displaced Persons, Internally Displaced , Rights of Displaced Persons

1.0 INTRODUCTION

In Nigeria, the issue of internal displacement has become an issue of global concern.¹ The Boko Haram insurgency in the northeast has forced more than two million people to leave their homes. Other factors, including natural disasters and construction projects, have resulted in the displacement of millions more people. Demands for practical rights-based solutions to protect and help internally displaced people have increased in response to the crisis.²

In Nigeria, IDPs struggle with lack of access to justice in cases of human rights abuses, such as discrimination against racial and religious minorities, sexual assault, and deprivation of livelihood.³ Even when the majority of IDPs experience an improvement in their condition, certain groups with unique requirements or vulnerabilities have remained inaccessible to potentially long-lasting solutions. The old, the sick and the widows who are unable to reclaim the home they formerly owned, persons from minority groups who face discrimination, marginalization, exclusion, or those whose livelihoods depend on a particular affinity to their places of

¹ G.W. Akuto, 'Challenges of Internally Displaced Persons (IDPs) in Nigeria: Implications for Counselling and the Role of Key Stakeholders', *International Journal of Innovative Psychology & Social Development* (2017)(5)(2)21-27

² R. Adeola, "Nigeria's Constitution Holds the Key to Protecting Internally Displaced People." *The Conversation*, (June 28, 2016) <https://theconversation.com/nigerias-constitution-holds-the-key-to-protecting-internally-displaced-people-60971> accessed on December 4th, 2022.

³J.O. Ezeanokwasa, U.C. Kalu & F.O. Okaphor: 'A Critique of the Legal Framework for Arresting the Threat of Internal Displacement of Persons to Nigeria's National Security' *NAUJILJ* (2018) (9)(2)

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origin or settlement are just a few examples.⁴ The targeted support these people required to rebuild their lives may not have been available, and techniques or incentives that had compelled others to move in that direction may not have been efficient or accessible. Over the years, IDPs in Nigeria have faced a range of challenges. These challenges range from starvation to blatant human rights violations and also inadequate housing in IDP camps.⁵ According to **Adeola**, internal displacement is an overwhelming issue that necessitates changes to Nigeria's constitution. There are significant ramifications for the stability of the national political system from the rising wave of emigration in the north. It is essential that there be constitutional protection for displaced people because the constitution requires the government to protect the welfare of all Nigerians.⁶ Today, IDPs are amongst the most vulnerable populations in the country, and the need for addressing issues and challenges relating to their rights is inevitable. The Federal Government of Nigeria signed, ratified and deposited her instruments of the African Union (Kampala) Convention (which came into force on 6th December 2012) for the Protection and Assistance of IDPs in Nigeria.⁷ Despite being a signatory to the aforementioned convention, the absence of a specific internal law for IDP management is problematic to IDPs management agencies in Nigeria. In 2012, Nigerian government came up with a policy called National Policy for Internally Displaced Persons 2012.⁸ The said policy provides a framework for national responsibility towards prevention and protection of citizens and, in some cases, non-citizens, from incidences of arbitrary and other forms of internal displacement, meet their assistance and protection needs during displacement, and ensure their rehabilitation, return, re-integration and resettlement after displacement. Also, the policy aims to provide a framework for national responsibility towards prevention and protection of citizens and, in some cases, non-citizens, from incidences of arbitrary and other forms of internal displacement, meet their assistance and protection needs during displacement, and ensure their rehabilitation, return, reintegration and relocation after displacement. The policy spells out principles guiding humanitarian assistance and implementation of durable solutions in situations of internal displacement in Nigeria and has adopted the human rights-based approach and its principles.⁹

In addition, it has adopted the human rights-based approach and its principles. The intention is to accommodate as much as possible the provisions of existing international conventions, treaties and protocols on internal displacement, and guided by the dictates of international humanitarian and human rights laws. Moreover, the policy envisions an equitable and stable Nigerian society that is proactive and responsive to situations that could lead to internal displacement, where the right to life of dignity is guaranteed for all internally displaced persons, and where adequate measures and durable solutions exist to prevent and mitigate the impact of internal displacement on vulnerable populations.¹⁰

However, notwithstanding the approval of the National Policy For Internally Displaced Persons in Nigeria, the internally displaced persons are still suffering from none protection and gross violation of their rights which they ordinarily supposed to enjoy. Although the National Policy for Internal Displaced Persons 2012 which has been approved in 2021 made comprehensive provision for the protection of internally displaced persons in Nigeria, the said policy is not a binding law and therefore unenforceable. This situation results to further agitation for adequate protection of the rights of IDPs in the Country.

The rights of internal displaced persons has raised a critical issues of concern that needs to be addressed in Nigeria. As the Nigeria's displaced population keeps growing, the challenges with conflict and violence do not abate.¹¹ This results in gross violation of the rights of the internally displaced persons and has raised an issues on enforcement of their rights.

Although, the African Union Convention for Protection and Assistance of Internally Displaced Persons (IDPs), the National Policy on Internally Displaced Persons (IDPs) in Nigeria, and the UN Guiding Principles on Internal Displacement all offer helpful guidelines on displacement. Also, they have been incorporated into domestic law in many states including Nigeria, and the international community generally supports them. Moreover, many of the principles found in the Guiding Principles and the African Union Convention for the Protection and Assistance of Internally Displaced Persons are fundamental tenets of international humanitarian law.¹²

⁴ G. Frederick & Onwordi, 'Forced Displacement and Its Impacts on Internally Displaced Persons (IDPs) in North Eastern Nigeria' *ISJASSR* (2020) (3) (1) 120

⁵ A. F. Agbo 'The Challenges of Internally Displaced Persons and the Way Forward: The Nigerian Experience' *UCCLJ*(2021)(1)(1) ><https://doi.org/10.47963/ucclj.v1i1.221> accessed on November 10th, 2022

⁶(n 2)

⁷ Ibid

⁸ E. Agherario, 'Internally Displaced Persons in Nigeria: Issues, Problems & Solutions' *The Nigerian Lawyers* (September, 2021) available online at <https://thenigerialawyer.com/internally-displaced-persons-in-nigeria-issues-problems-solutions/> Accessed on 30th November, 2022

⁹ I. Ogunyemi, 'Nigeria Rolls-Out National Policy On IDPs, Humanitarian Open House' *The Tribune* (2022)> <https://tribuneonline.ng.com/nigeria-rolls-out-national-policy-on-idps-humanitarian-open-house/>> accessed November 3rd, 2022

¹⁰ Ibid

¹¹ (n 8)

¹² Ibid

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However, despite how lovely these provisions are, the policy's biggest flaw is that it has only ever been a policy and not a statute.¹³ This has raised a concern on the need for a specific legislation to protect internally displaced persons in Nigeria. The essence of having a specific legislation is to ensure effective implementation and the enforcement of the rights of IDPs in Nigeria and to remedy the current situation. In addition, chapter 4 of the constitution needs to be amended to include certain rights for their protection. Such a paragraph or rights could be stated as follows: "Every person shall have a right to be safeguarded and aided in cases of internal displacement." The judiciary can advance clarification on what protection and aid mean in the various situations of internal displacement. The Kampala Convention, which Nigeria has ratified, as well as the United Nations Guiding Principles on Internal Displacement should be cited by the judiciary in order to provide explanation.¹⁴

2.0 LITERATURE REVIEW

A broad study of the available literature for this research discusses the rights of IDPs in Nigeria together with the issues and challenges relating to their right. To further understand the scope and the focus of this research, it is imperative to examine some of the scholarly views on the above subject matter which has contributed to the development of this work.

There are several laws which protect the rights of internally displaced persons in Nigeria. Some of these rights are international while others are national. The International laws includes the UN Guiding Principles on Internal Displacement, the Kampala Convention etc.

Adeola¹⁵ in her paper titled '*Nigeria Holds the Key to Protecting Internally Displaced People*' noted that the Guiding Principles on Internal Displacement set 30 principles that were outlined or established to address the needs of those who are forcibly relocated abroad in accordance with international law. According to her, the United Nations Commission on Human Rights adopted the first global guidelines for internally displaced people in April 1998. The principles cover local integration in places where the people have been relocated as well as resettlement in another region of the country.¹⁶ The Guiding Principles state in Principle 6 that "displacement shall endure no longer than required by the circumstances." When internally displaced people may exercise their human rights free from prejudice due to their displacement and no longer require any special protection or aid related to their displacement, a durable solution has been reached.

The main issue and/or flaw with the United Nations Guiding Principles on Internal Displacement is that they are a soft law that is not legally obligatory on governments. As a result, the governments choose how to put the guiding principles into practice. No one agency or organization has been named the global leader on the protection and aid of internally displaced people at the international level.¹⁷

According to the African Union's Kampala Convention, also known as the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, covers internal displacement brought on by armed conflict, natural disasters, and extensive development projects in Africa. It became official in October 2009. Of the 55 African Union member nations, it has been ratified by 27 and signed by 40 as of right now. The Convention became effective on December 6, 2012, 30 days after the 15th state ratified it. One of the goals of the convention, according to Article 2(a) of the Convention, is to improve regional and national initiatives that avoid or lessen internal displacement, outlaw it, target its causes, and find lasting solutions. While Article 3(d) mandates that states parties uphold the human rights of internally displaced people, including their right to humane treatment, non-discrimination, equality, and equal protection under the law.¹⁸

Furthermore, Article 9 of the Convention, states that parties must defend the rights of those who have been forcibly displaced within their own country:¹⁹ All of these clauses strongly highlight the importance of the Guiding Principles as the first and most comprehensive international expression of the protection and aid of internally displaced people. This was described by Adeola as the clearest statement to date of the contribution of the Guiding Principles to subsequent enforceable norms on internal displacement, even though it has been modified in some ways to better reflect the African situation.²⁰

Regarding the national rights, **Adeola** pointed out that the Federal Republic of Nigeria's Constitution is the guiding law from which all other laws in Nigeria are derived. The Fundamental Objectives and Directive Principles of State Policy are outlined in Sections

¹³A. Jimoh, 'UN urges Nigeria to Pass IDP Policy into Law' available online at <https://www.dailytrust.com.ng/news/general/un-urges-nigeria-to-pass-idp-policy-into-law/184668.html> accessed December 9th, 2022

¹⁴ (n 2)

¹⁵ (n 2)

¹⁶ Ibid

¹⁷ Ibid

¹⁸ African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa 2012

¹⁹ Ibid

²⁰ R. Adeola, 'The Kampala Convention and the Right Not to be Arbitrarily Displaced', *Forced Migration* available at [://www.fmreview.org/GuidingPrinciples20/adeola](http://www.fmreview.org/GuidingPrinciples20/adeola) Accessed on 13th November, 2022

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13 to 24 of Chapter 2 of the Constitution. Regarding issues related to economic, political, social, and environmental concerns, the guiding principles describe policy priorities.²¹

According to Section 14(2), the main goal of government must be the safety and wellbeing of the people. In order to maintain social order, section 17 requires the state to apply its policies to all of its residents. It especially acknowledges the need to safeguard children, teenagers, and the elderly. The fact that the provisions of Section 6(6)(c) of the constitution make them non-justiciable is a drawback of enshrining protection for IDPs in the directive principles, as is claimed by numerous scholars.

Moreso, the Internally Displaced Persons National Policy 2012 is the Policy that first made provision for the basic rights guaranteed to all people by the 1999 Constitution while simultaneously acknowledging the unique vulnerability of women and children and providing them with extra protections. Then it specifies requirements for the provision of humanitarian assistance by national and international humanitarian organizations as well as safeguards against displacement. The term of "internally displaced persons" (IDPs) adopted under the policy is extremely broad, including any form of human-induced displacement, including that brought on by violence, human rights violations, natural disasters, and other factors.²²

Further, the policy in chapter three recognizes a number of rights for internally displaced people (IDPs), which are divided into general and special rights in order to guarantee that IDPs' human rights are upheld even when they are subject to displacement. All displaced people have some general rights, which include the right to protection from displacement, the right to protection and support both during and after displacement, and the rights of IDPs to relocation, local integration, and voluntary return. The specific rights, on the other hand, are protections that are given to specific groups of people who require special care. These rights includes children's rights, women's rights, people with disabilities' rights, and rights of senior people's rights are among the rights of those who have been internally displaced.²³

However, the primary issue and/or flaw with the policy is that, however how lovely its provisions are, it has only ever been a policy and not a statute.²⁴ As a result, **Jimoh** argued that Nigeria needs a specific legislative to protect internally displaced people, or the constitution's Chapter 4 should be amended to include relevant provisions.²⁵

Thus, despite the International frameworks and the national policies and framework, yet ODPs are still going through various challenges that he law needs to address. According to survey by **Onugba & Chukwu**²⁶, children are the most vulnerable and numerous people in the Bakassi IDP camp. Due to their delicate and vulnerable nature, they are more negatively impacted by the IDP camp's harsh conditions.

Grace²⁷ argued that the government is primarily in charge of resolving the issues facing IDPs. To achieve this, actionable efforts must be taken to stop arbitrary displacement, protect and support IDPs, and find long-term solutions to their issues. Legislation on IDPs is required because it is difficult to coordinate development and humanitarian measures to lessen the effects of displacement on children when there is no legal or regulatory framework that outlines duties and obligations. Other reforms including proper implementation, excellent governance, social justice, and other elements should be included to local legislation on IDPs.

In essence, Nigeria has the sole Responsibility to Protect to Internally Displaced Persons within its territory by meeting their basic needs and protecting its citizens because it is a signatory to the United Nations (UN) and African Union (AU) agreement on protecting citizens against crimes against humanity. Nigerian people' homes and lives have been at danger due to the Boko Haram insurgency, herdsmen killings, and natural disasters like flooding. Due to the nation's security issues, people have lost their lives, houses, and other possessions, and they are unable to live fulfilling lives.

3.0 HISTORICAL BACKGROUND AND CONCEPTUAL FRAMEWORKS

This section deals with the conceptual frameworks and the discussion on some basic concepts such as the meaning and definition of rights, internal displacement, internally displaced persons together with its conceptual frameworks such as the rights of IDPs in Nigeria, theories on the rights of IDPs, history of internal displacement globally and within Nigeria and historical development of the legal frameworks on internal displacement in Nigeria. It further discusses several other concepts such as internal displacement, rights, protection, armed conflicts, natural disaster, human rights violation and discrimination. In addition, this chapter extensively discusses the impacts of internal displacement in Nigeria.

3.1 Internal Displacement

²¹ (n 2)

²²National Policy on Internally Displaced Persons in Nigeria 2012

²³ Ibid

²⁴ (n 13)

²⁵ Ibid

²⁶Onuoha Chima. Emmanuel, and Chukwu, Nma-Njoku Alexandra, 'Challenges of Internally Displaced Persons (IDPS) in Bakassi IDP Camps in Cross River State: The Roles of Social Workers and Non Governmental Agencies', *International Journal of Sociology and Anthropology Research*(2022) (8)(1) pp.10-23

²⁷ (n 1) pp21-27

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According to the Kampala convention, internal displacement is defined as the involuntary or forced movement, evacuation, or relocation of an individual or a group of individuals within internationally recognized boundaries.²⁸ Based on this definition by the Kampala Convention, the concept of internal displacement occurs or is said to have occurred when there is: an involuntary movement of Persons or Groups of Persons; a forced movement of Persons or Groups of Persons; an evacuation or relocation of Persons or Groups of Persons within the Recognized Area; or a combination of these events.

3.2 Internally Displaced Persons

An internally displaced person is a person or group of people who have been forced or required to flee or leave their homes or places of habitual residence, particularly as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights, or natural or man-made disasters, and who have not been able to return home.²⁹

By the virtue of the provisions of the United Nations Guiding Principles for the protection of IDPs, Internally Displaced Persons is defined as:

*"person or group of persons who have been forced or obliged to flee or leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflicts, situations of generalized violence, violations of human rights, or natural or man-made disasters who have not crossed an internationally recognized border"*³⁰.

Properly speaking, the definition of IDPs provided above by the UN Guidelines makes clear the following points:³¹ Internally displaced persons are persons who are forced to leave their homes or places of habitual residence because of or in order to avoid the effects or consequences of the following: armed conflicts, situations of generalized violence, violations of human rights, natural or man-made disasters, and the people affected by the aforementioned threats are typically the most vulnerable.

The UN Human Rights Office of the High Commissioner distinguished between an internally displaced person and a restate. According to the 1951 Convention on the Status of Refugees, a "refugee" is a person who,

*"who is outside the country of his nationality due to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership in a particular social group, or political opinion; or a person who does not have a nationality and finds himself outside the country of his former habitual residence as a result of such events but is unable or unwilling to return due to such fear"*³²

This term has been broadened for some states by later international instruments (such the Cartagena Declaration on Refugees and the Convention Governing the Specific Aspects of Refugee Problems in Africa), which include those escaping the overall impacts of armed conflict and/or natural disaster.³³

A necessary requirements for someone to be deemed a "refugee" is crossing an international border. Therefore, even if they have many of the same circumstances and difficulties as those who do, those who have been forcibly displaced from their homes but are unable to or opt not to cross a border are not called refugees. These internally displaced people don't have a unique status under international law or circumstances-related rights, unlike refugees. "Internally displaced person" is only a descriptive word.³⁴

The justification and prevailing opinion has traditionally been that, in accordance with recognized principles of international law, IDPs should benefit from the protection and aid of their own home government since, unlike refugees, they do not leave their country.

3.3 Protection

The definition of the term "protection" means "to be protected."³⁵ It can also refer to a state of being protected or an act of protection.³⁶ According to the aforementioned definitions, "protection implies the act done specifically or primarily to ensure safety and security of the thing" or the "individual" protected.

In the legal sense, protection simply refers to a method or practice that offers security for an object, a person, and other things outside human beings, such as animals.³⁷ According to Collins English Dictionary³⁸, protection is defined as "laws and other official measures intended to safeguard people's liberties and rights." In addition, Inter-Agency Standing Committee Internally

²⁸ Article 1 (L) of Kampala Convention

²⁹ Article 2 of the UN Charter on Internal Displacement, 1998

³⁰ Parag. 2, United Nations Guiding Principles on Internal Displacement 1998

³¹ Ibid

³² UNHROHC, 'About Internally Displaced Persons' available online on <https://www.ohchr.org/en/special-procedures/sr-internally-displaced-persons/about-internally-displaced-persons> Accessed June 10th, 2023

³³ Ibid

³⁴ Ibid

³⁵ A. U. Abonyi, 'Analysis of the Concept and Nature of Legal Framework for Animal Welfare Protection in Nigeria' *COOU Journal of Commercial and Property Law*(2018) (1)(1) pp. 288-305).

³⁶ A. A. Uchechukwu, 'Protection of the Rights of Victims of Internal Displacement in Nigeria: A Task Impossible Without Enabling Legal Framework' *The Journal of Property Law and Contemporary Legal* (2019)(11)(1)

³⁷ Ibid

³⁸ M. Guha, *Collins English Dictionary* (Reference ed.) *Reference Reviews*(2016)(30)(4) pp.20 - 28. <https://doi.org/10.1108/RR-02-2016-0029> Accessed on May 1st 2023

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Displaced Persons Protection Policy defined protection as "...all activities aimed at obtaining full respect for the individual's rights in accordance with the letter and the spirit of the relevant bodies of law" (i.e. human rights law, international humanitarian Law, refugee law). This is to avoid and/or lessen the immediate impacts of a particular pattern of abuse, as well as to restore dignified circumstances of life through reparation, restitution, and rehabilitation. Protection therefore entails creating an atmosphere that promotes respect for human beings.³⁹

3.4 Right

According to the 9th edition of the black law dictionary, a right is something that is due to a person by a just claim, legal guarantee, or moral principle. It is something that is appropriate under law, morality, or ethics (know right from wrong).⁴⁰ Also, Legal Dictionary defined a right as an entitlement to something, including ideas like fairness or due process.⁴¹

The court in Plethora of cases gave a legal definition of the term "right". In the case of *Omon v Ekpa*⁴², the court defined a legal right as a right the law recognizes and such right can be enforced by the person entitled to in a law court. It is a party's right recognised and safeguarded by the rule of law, the infringement of which would be a legal wrong done to the plaintiff, even though no action is taken. This definition was also given a judicial recognition in the case of *Oko v A.G. Rivers State*⁴³.

3.5 The Rights of IDPs

IDPs, or internally displaced persons, are individuals or groups who have been forced to flee their homes due to armed conflict, violence, human rights abuses, or natural disasters but have not crossed an international border. The rights of IDPs are crucial for their protection and well-being. Therefore, IDPs are entitled to the same rights and freedoms as any other individuals within their country. They should not be discriminated against based on their displacement status, ethnicity, religion, gender, or any other characteristic.⁴⁴

Also, IDPs are entitled to certain rights such as the right to life, liberty, and security of person. They should be protected from arbitrary killings, torture, violence, or any other form of physical or mental harm. IDPs have the right to an adequate standard of living, including access to essential goods and services such as food, water, shelter, healthcare, and education. The government and humanitarian organizations have a responsibility to provide assistance and support to meet their basic needs.⁴⁵

Moreso, IDPs have the right to move freely within their own country and choose their place of residence. They should not face arbitrary restrictions on their movement, and their right to return to their original homes should be respected. In addition, they have the right to access information about their situation, including the causes of their displacement, available assistance, and opportunities for durable solutions. They should be able to participate in decision-making processes that affect their lives and be involved in finding solutions to their displacement.⁴⁶

Furthermore, IDPs have the right to seek durable solutions to their displacement, which include voluntary return to their homes when it becomes safe and feasible, local integration in the area they have fled to, or resettlement in another part of the country. During or after displacement, IDPs have the right to the protection of their property rights. They should be able to reclaim their land, possessions, and other assets left behind due to their displacement.⁴⁷

These rights are supported by various international and regional frameworks, including the Guiding Principles on Internal Displacement, which provide a comprehensive framework for the protection and assistance of IDPs. Governments, humanitarian organizations, and the international community have a responsibility to uphold and promote the rights of IDPs and provide them with the necessary support and protection.

3.6 Theories on the Rights of IDPs

The rights of internally displaced persons (IDPs) in Nigeria are governed by various national and international legal frameworks. Here are some key theories and principles that underpin the rights of IDPs in Nigeria:

3.6.1 Human Rights Theory: This theory emphasizes that IDPs are entitled to the same fundamental human rights as any other individual, regardless of their displacement status. These rights include the right to life, liberty, security, food, water, shelter,

³⁹ Inter-Agency Standing Committee Internally Displaced Persons Protection Policy (1999)

⁴⁰ Garner B., *Black's Law Dictionary*, (9th ed. West Publishing Company Dallas) pp. 353 and 397

⁴¹ "Legal Dictionary – Law.com." Law.com Legal Dictionary, A. (Ed.) (2004) Available online at dictionary.law.com/Default.aspx?selected=1857#:~:text=Search%20the%20Definitions-all%20words%20any%20words%20phrase,in%20property%2C%20real%20or%20personal. Accessed 5 Apr. 2023.

⁴² (2019) 15 NWLR (Pt.1696) 504 CA

⁴³ (2021) 14 NWLR (Pt.1795) 63 SC

⁴⁴U. Fidelis & J. N. Aloh, 'Expanding the Frontier of Legal Protection of Refugees and Internally Displaced Persons in Nigeria' (2017)13

⁴⁵ Ibid

⁴⁶ Ibid

⁴⁷ Ibid

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education, and healthcare, among others. The Nigerian Constitution and international human rights treaties, such as the Universal Declaration of Human Rights, serve as the basis for protecting the rights of IDPs.

According to Article 3 of the Universal Declaration of Human Rights (UDHR), “Everyone has the right to life, liberty, and security of person.”⁴⁸ Also, article 11 of the International Covenant on Economic, Social and Cultural Rights (ICESCR): “Everyone has the right to an adequate standard of living...including food, clothing, and housing.”⁴⁹

Further, chapter IV of the Nigerian Constitution makes provisions for the protection of the fundamental rights of citizens.⁵⁰

3.6.2 Non-Discrimination Theory: According to this theory, IDPs should not face discrimination based on their displacement status. Discrimination can take various forms, such as denial of access to basic services, unequal treatment, stigmatization, or exclusion from decision-making processes. The principle of non-discrimination is enshrined in both national and international legal frameworks, emphasizing that IDPs should be treated without any distinction, such as race, religion, gender, or displacement status. According to article 2 Convention on the Rights of the Child (CRC), “States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind.”⁵¹ Also, article 2 of the African Charter on Human and Peoples’ Rights (ACHPR) provides that “Every individual shall be entitled to the enjoyment of the rights and freedoms recognized and guaranteed in the present Charter without distinction of any kind such as race, ethnic group, color, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or other status.”⁵²

3.6.3 Right to Protection Theory: This theory highlights the obligation of the state and relevant authorities to ensure the physical safety and security of IDPs. It emphasizes that IDPs have the right to be protected from violence, abuse, exploitation, and any form of harm. The Nigerian government has a responsibility to provide adequate security measures, prevent human rights violations, and prosecute perpetrators. For instance, the constitution under section 14 (2) (b) provides that ‘the security and welfare of the people shall be the primary purpose of government’.⁵³

In addition, Principle 3 of the Guiding Principles on Internal Displacement domesticated in Nigeria provides that “Authorities in power have the duty and responsibility to take all feasible measures to provide protection and security for internally displaced persons...without discrimination.”⁵⁴ Also, article 3 of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) provides that “Internally displaced persons have the right to...adequate protection by the state...from human rights abuses.”⁵⁵

3.6.4 Right to Dignity and Assistance Theory: According to this theory, IDPs are entitled to live with dignity and receive necessary assistance to meet their basic needs. This includes access to adequate housing, clean water, sanitation, healthcare, education, and livelihood opportunities. The government and humanitarian actors have a responsibility to ensure that IDPs receive appropriate support and services to improve their living conditions and restore their lives. Pursuant to the provisions of the Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organizations (NGOs) in Disaster Relief, “All people have the right to respect and dignity and should be treated humanely.”⁵⁶ Also, Inter-Agency Standing Committee makes provisions under Operational Guidelines on the Protection of Persons in Situations of Natural Disasters, that, “Displaced persons should...receive assistance and protection without discrimination...and in a manner that respects their dignity.”⁵⁷

3.6.5 State Responsibility Theory: This theory places the primary responsibility for protecting and assisting IDPs on the state. The Nigerian government has the duty to enact laws, develop policies, and allocate resources to address the needs and rights of IDPs. It involves establishing institutional frameworks, providing security, and collaborating with relevant stakeholders to facilitate durable solutions for IDPs, such as voluntary return, local integration, or resettlement.

Article 8 of the African Union Convention on Internal Displacement (not yet in force) provides that “The State has the primary responsibility to provide protection and humanitarian assistance to internally displaced persons within its jurisdiction.”⁵⁸ Also, the

⁴⁸ Article 3 of Universal Declaration of Human Rights 1948

⁴⁹Article 11 of International Covenant on Economic, Social and Cultural Rights 1966

⁵⁰ CFRN 1999 (as amended)

⁵¹ Article 2 of Convention on the Rights of the Child 1989

⁵² Article 2 of African Charter on Human and Peoples’ Rights 1981

⁵³ CFRN 1999 (as amended) s14(2)(b)

⁵⁴Principle 3 of Guiding Principles on Internal Displacement 1998

⁵⁵ Article 3 of Kampala Convention 2009

⁵⁶The Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organizations (NGOs) in Disaster Relief 1994

⁵⁷ Operational Guidelines on the Protection of Persons in Situations of Natural Disasters 2006

⁵⁸ Article 8 of Kampala Convention 2009

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Nigerian Constitution under section 41 provides that “Every citizen of Nigeria is entitled to move freely throughout Nigeria and to reside in any part thereof, and no citizen of Nigeria shall be expelled from Nigeria or refused entry thereby or exit therefrom.”⁵⁹

These theories and principles guide the understanding and implementation of the rights of IDPs in Nigeria. However, it is important to note that despite these frameworks, challenges remain in ensuring the full realization of these rights, and ongoing efforts are needed to address the needs of IDPs in the country.

4.0 HISTORY OF INTERNAL DISPLACEMENT

Internal displacement has been a significant concern globally, affecting millions of people worldwide. According to the Internal Displacement Monitoring Centre (IDMC), there were an estimated 41.3 million internally displaced persons (IDPs) worldwide due to conflict, violence, and disasters in 2018 alone.⁶⁰

Internal displacement has a long history, with instances dating back centuries. Forced relocations, often driven by political or military factors, have occurred in various parts of the world. For example, the Trail of Tears in the United States during the 1830s led to the displacement of thousands of Native Americans.⁶¹ Also, the Vietnam War led to significant displacement within Vietnam and neighboring countries.⁶² In addition, the Guatemalan Civil War (1960-1996) resulted in internal displacement and forced migration of indigenous populations⁶³.

The twentieth century witnessed significant internal displacement as a result of political conflicts, including wars, decolonization, and authoritarian regimes. The World War II, has caused massive displacement in Europe, with millions of people uprooted from their homes.⁶⁴ Similarly, the partition of India in 1947 resulted in the displacement of millions along religious lines.⁶⁵

After World War II, the number of conflicts and civil wars increased, leading to the displacement of millions of people worldwide. For example, the Nigerian civil war (1967-1970) resulted in the displacement of over 2 million people, while the civil war in Sri Lanka (1983-2009) caused the displacement of approximately 500,000 people.⁶⁶

Since the 1990s, internal displacement has become a prominent global concern. Armed conflicts in countries such as Afghanistan, Iraq, Syria, and Colombia have generated substantial displacement.⁶⁷ Natural disasters, such as hurricanes, earthquakes, and floods, have also caused internal displacement, particularly in vulnerable regions.⁶⁸

In recent years, the displacement of people due to natural disasters has become a significant issue. For example, the 2004 Indian Ocean earthquake and tsunami resulted in the displacement of over 1.5 million people in Indonesia alone.⁶⁹ Similarly, the 2010 earthquake in Haiti caused the displacement of over 1.5 million people.⁷⁰

Thus, the history of internal displacement is long and complex, and it has affected millions of people worldwide. While conflicts and violence have been significant drivers of displacement throughout history, natural disasters have become a growing concern in recent years. The international community has taken steps to address this issue, including the adoption of the Guiding Principles on Internal Displacement and the establishment of the OCHA. However, the challenge of addressing internal displacement remains significant, and ongoing efforts are needed to protect and assist IDPs globally.

4.1 Historical Perspectives of Internal Displacement in Nigeria

The history of internal displacement in Nigeria can be traced back to the pre-colonial era before the British took over Nigeria. During this period, conflicts resulted from intertribal and interfaith violence, which on multiple occasions drove large numbers of

⁵⁹ CFRN 1999 (as amended)

⁶⁰ Internal Displacement Monitoring Centre (2019). Global Report on Internal Displacement. Retrieved from <https://www.internal-displacement.org/global-report/grid2019/> Accessed on May 14th 2023

⁶¹ Brands, H. W., *The age of gold: The California Gold Rush and the New American Dream* (Anchor 2002)

⁶² Zolberg, A. R., Suhrke, A., & Aguayo, S, *Escape from violence: Conflict and the Refugee Crisis in the Developing World* (Oxford University Press 1989)

⁶³ G. Grandin, *The blood of Guatemala: A history of Race and Nation* (Duke University Press 2000)

⁶⁴ Naimark, N. M., *Fires of Hatred: Ethnic Cleansing in Twentieth-century Europe* (Harvard University Press 2010)

⁶⁵ Talbot, I., & Singh, G., *The partition of India* (Cambridge University Press 2009)

⁶⁶ Hirsch, J. S., Smith, K. B., & Sommers, M. S., *Internal displacement: Global Governance and the Politics of Resettlement* (Oxford University Press 2018)

⁶⁷ ‘Global Report on Internal Displacement’ *Internal Displacement Monitoring Centre* (2020) available online at <https://www.internal-displacement.org/publications/2020-global-report-on-internal-displacement> Accessed January 3rd 2023

⁶⁸ Linnerooth-Bayer, J., & Mechler, R., *Insurance Against Losses From Natural Disasters in Developing Countries: Evidence, Gaps and the Way Forward* (Climate Policy 2012) (12)(4) 527-548.

⁶⁹ Kibreab, G., *Displacement and Forced Migration in the Horn of Africa: Historical and Contemporary Perspectives*. (Ashgate Publishing 2010)

⁷⁰ Internal Displacement Monitoring Centre, ‘Haiti: Overview of displacement situation (2011) Retrieved from <https://www.internal-displacement.org/sites/default/files/publications/documents/IDMC-Haiti-Overview-of-displacement-situation-April-2011.pdf> Accessed on December 20th, 2023

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people from their homes.⁷¹ The issue of displacement did not end even during the colonial period, as violence had been prevalent in Nigeria before it gained political independence in 1960. This is due to the fact that the British government implemented several new measures, such as taxation, which led to this violence. Two notable instances of this violence or uprising during the colonial era was the 1929 Aba women's riot in the East and the 1916 Iseyin-Okeho rebellion in the West.⁷²

After the British colonized Nigeria, the British government only created the various boundaries after the indigenous people's cultural geography had been formed. So, after Nigeria obtained her independence from the British Government in 1960, the infrastructure they left behind was defective and has greatly contributed to the escalation of tensions.⁷³ By the mid-1960s, several violent intercommunal clashes occurred in Nigeria.

The first of these clashes took place in Western Nigeria when Ladoke Akintola and Obafemi Awolowo parted ways. The division between them sparked a string of conflicts and crises, which inevitably resulted in more ethnic violence. As a result of the dispute, a state of emergency was proclaimed to prevent further disputes in the western region from intensifying.⁷⁴

A second instance of ethnic violence occurred in the Northern region. This happened in Kaduna, being the region's administrative centre and the city where the government is based. This resulted in killing of Sir Ahmadu Bello and the Sarduna of Sokoto on January 15, 1966, during a brutal coup d'état that was directed by Kaduna Nzeogwu, an Igbo ethnic stock, and which is the first major crisis to arise in Kaduna. The subsequent events, primarily between the Ibos and the rest of Nigeria, resulted in the civil war of 1967–1970.⁷⁵ The war between Ibos and Nigeria was called the Biafran war which led to the death of two million people and ten million people were displaced. In October 2001, approximately 500, 000 people were forcefully displaced from their homes owing to an ethnic violence that occurred in Nigeria, in which the majority returned to their homes by mid-2002.⁷⁶

In May 1999, the Niger Delta region experience its first significant violence after a civilian administration was established and was described as the largest violent incident that took place in this area with the return to civil rule. This conflicts resulted in the displacement of roughly 60,000 people during the Odi crisis in Bayelsa State.⁷⁷ The main conflict in this area was between the local militias—who emerged during this time as a result of the need to address long periods of neglect and deprivation—the Nigerian security forces, as well as the insensitivity of successive governments (military and civilian).

Following the inauguration of civilian administration in 1999, the northern region experience another wave of violence which caused the displacement of a number of people. These conflicts experienced was both interethnic and ethnoreligious conflict. The interethnic conflict erupted in Taraba and the north central states of Plateau, Nasarawa, and Benue; while ethnoreligious conflict erupted in various northern states including Kaduna, Zamfara, and Kano.

In Kaduna, the series of protests and violent clashes between Christians and Muslims in the city in February 2000 was sparked by the implementation of sharia law. During the crisis, the Igbo people who are typically Christians, were slain in large numbers as thousands of people fled the far north. This led to religious tensions in other areas as Christians and Muslims moved to areas where their respective faiths were more prevalent for safety reasons. Igbo gangs in the south murdered hundreds of Hausa migrants from the north, who were primarily Muslims, in retaliation for the violence in Kaduna.⁷⁸ Additionally, Plateau State, specifically Jos, experienced ethno-religious violence. As a result, thousands of people were displaced, and thousands more were killed.⁷⁹ Numerous people relocated permanently or temporarily to the neighbouring state of Bauchi.⁸⁰

In November 2008, disputed election results in the Plateau State caused intercommunal rioting, which considerably inflamed the nation. Due to the crisis, thousands people were reportedly forced to flee skirmishes between Christians and Muslims in Jos, the state capital.⁸¹ The indigenous (Christian) minority and settlers from the Hausa-speaking Muslim north were the main targets of the

⁷¹ Robert Sydney Smith, *Warfare & Diplomacy in Pre-Colonial West Africa* (University of Wisconsin Press 1989) 28.

⁷² Adesote Samson Adesola & Peters, Akin Ola, 'A Historical Analysis of Violence and Internal Population Displacement in Nigeria's Fourth Republic 1999' – 2011' *IJPCS* (2015)(2)(3) pp13-22

⁷³ Ibid

⁷⁴ Theresa U. Akpoghome, *Internally Displaced Persons in Nigeria and the Kampala Convention* (2015)

⁷⁵ Agbo Friday Ojonugwa, 'The Challenges of Internally Displaced Persons and the Way Forward: The Nigerian Experience' *CC FLJ* (2021)(1) (1) pp. 17-36

⁷⁶ Relief Web, 'Background Information on the IDP Situation in Nigeria' *IMDC*(2002) <https://reliefweb.int/report/nigeria/background-information-idp-situation-nigeria-0> Accessed on June 4th, 2023

⁷⁷ IDMC Report, 2009 Retrieved from www.internal-relocation.org Accessed on May 13th 2023

⁷⁸ 'The Miss World Riots: Continued Impunity for Killing in Kaduna' *Human Rights Watch* (July 2003) Available at <https://www.hrw.org/report/2003/07/22/miss-world-riots/continued-impunity-killings-kaduna> Accessed 5th May, 2023

⁷⁹ 'They Do Not Own This Place: Government Discrimination Against non Indigenes in Nigeria' *Human Rights Watch* (April 2006) Available at <https://www.hrw.org/report/2006/04/25/they-do-not-own-place/government-discrimination-against-non-indigenes-nigeria> Accessed on May 13th 2023

⁸⁰ Blench R., 'Migration :The City Is Our Farm' *DFID Position Paper* (6 September 2003)

⁸¹ 'Nigeria Floods: Death Toll in Ibadan Rises' *BBC News* (31 August 2011) Available at <https://www.bbc.com/news/world-africa-14735726> Accessed on May 14, 2023

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tensions.⁸² IDPs from both religious backgrounds are said to have found refuge in the same Makeshift camps around Jos City, which include makeshift camps inside of mosques, churches, army barracks, and hospitals. The Nigerian Red Cross registered approximately 14,000 IDPs in 13 camps at the beginning of December.⁸³

Following sectarian unrest in the city of Bauchi in February 2009, 4,500 and 5,000 people were displaced.⁸⁴ As violence escalated throughout Bauchi, more people sought refuge in schools and army barracks, while others fled to other cities like Jos. Some of the displaced people claimed that security personnel either failed to step in to quell the unrest or were absent from some locations, which let the violence spread.⁸⁵

Before Alhaji Yar'Adua granted an amnesty to the militants in the Niger Delta region, there has been a series of battles between terrorists and security forces in the area in August 2009 also resulted in the displacement of innocent civilians. One of such conflicts was between the government troops and militants of the Movement for the Emancipation of the Niger Delta (MEND), which was founded in 2005 after the fusion of various armed organizations, resulted in the displacement of thousands of people in May 2009. Operation Restore Hope was started by the Joint Task Force (JTF), which was tasked with re-establishing order in the Niger Delta. After beginning their offensive in the area of Warri in Delta State, the JTF eventually expanded it to include neighboring Rivers State.⁸⁶ The number of civilian casualties as a result of the fighting was unknown, and the reported numbers of internally displaced persons (IDPs) ranged from 1,000 people seeking refuge in a school and hospital in the regional capital, Ogbé Ijoh, to 10,000 Residents who were thought to have fled into the forest and were unable to return home.⁸⁷

Again, new displacement was caused by battles between an Islamic group and the Nigerian army in July 2009, which began in Bauchi and swiftly moved to the neighboring states of Borno, Yobe, and Kano. Between 3,500 and 4,000 persons are said to have fled the four states where there was unrest, the majority of them after fierce fighting in Maiduguri, the capital of Borno State. Police and army barracks provided shelter for IDPs.⁸⁸

The rise of the dreaded Islamic group known as Boko Haram, also known as the Islamic State of Iraq and the Levant, in the region's north, was one major cause of ethnoreligious conflict during this administration⁸⁹. Evidence suggests that this sect had carried out a number of attacks on the police station in Bauchi, which expanded to Maiduguri on July 26, 2009, even if it had not been as active in targeting and bombing public spaces and religious buildings as it is now.⁹⁰ President Alhaji Yar'Adua, who was from the area, passed away unexpectedly in early 2010, and the activities of the dangerous Islamic sect were brought to light by the emergence of His Vice, Dr. Goodluck Jonathan, first as the acting president and then as the actual president.

President Jonathan's victory in the general election in April 2011 signaled a transfer of power from the North to the South. Many political bigwigs in the Region (North) were not pleased with this development, and some of them made public promises to make the country impossible to rule for the Jonathan Administration.⁹¹ Political violence (post-election violence) erupted as a direct result of this in certain Northern States, including Bauchi, Kaduna, Kano, and Kastina, among others. About ten Corps Members from the Southern Nigerian states of Ondo, Osun, Lagos, and other regions were killed in Bauchi State as a result of the post-election violence that erupted there.⁹²

By the time the crises subsided, a new and more feared Islamic sect known as Boko Haram started to launch formidable frontal attacks on government security agencies, public institutions, places of worship, and symbolic monuments. They also began to assassinate prominent public figures and many other unfortunate people by frequently using bombs and other weapons of mass destruction. Due to the nefarious activities of this sect, in late December 2011, following a series of attacks carried out by the sect

⁸² 'Factbox: Nigeria's Boko Haram' *Reuters* (9th April 2012) Available at <https://www.bbc.com/news/world-africa-14735726> Accessed May 5th 2023

⁸³ International Committee of the Red Cross, 'Nigeria: Responding to Multiple Situations of Violence' (December, 2008) available online at <https://www.icrc.org/en/doc/resources/documents/update/2012/nigeria-update-2012-01-13.htm> Accessed March 14th, 2023

⁸⁴ Ibid

⁸⁵ R. Adeola, 'The Kampala Convention and the Right Not to be Arbitrarily Displaced', *Forced Migration* available at [://www.fmreview.org/GuidingPrinciples20/adeola](http://www.fmreview.org/GuidingPrinciples20/adeola) Accessed on 13th November, 2022

⁸⁶ (n 33)

⁸⁷ Relief Web, 'Nigeria: Thousands Flee Violence, Hundreds Suspected Dead' *IRIN* (22nd May 2009) available online at <https://reliefweb.int/report/nigeria/nigeria-thousands-flee-violence-hundreds-suspected-dead> Accessed May 1st, 2023

⁸⁸ Ibid

⁸⁹ Adejumo Theophilus Oyme, John A. Adams, and Gabrel T. Abumbe, "Terrorism and Abrahamic Religious Tradition: A Focus on Boko Haram Islamic Fundamentalism in the North Eastern Nigeria (2022) *Journal of Liberty and International Affairs* 8 (2):177201 Available at <https://ejlia.com/index.php/jia/artice/view/605> Accessed on May 10th, 2023

⁹⁰ (n 57)

⁹¹ Ajayi, Gboyega, 'The Travails of Democratic Governance in Nigeria: An Historical Perspective, Adeyemi College of Education, Ondo on Socio-Political Conflicts and Challenges of Democratic Being the Proceedings of the 4th Annual Conference of School of Arts and Social Sciences, Consolidation in Nigeria, 23rd26th April, 2012, pp.114

⁹² Ibid

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in which more than 100 people were killed and some 90,000 displaced made President Jonathan to declare a state of emergency in some local governments in some Northern States like Niger, Borno, Bauchi and others.⁹³

At a certain time, the sect released a threat message that the southerners should vacate the north within 2 weeks. Early in January 2012, after Boko Haram had warned Christians in the Hausa-dominated north to leave or risk retaliation, Igbo leaders in the south-east urged Igbo families to flee for safety in the south and provided a free shuttle bus service.⁹⁴ Since then, it has reportedly been reported that thousands of people have relocated and families have dispersed to send women and children to safer regions in the south-east, a situation reminiscent of the population movements from northern states sparked by the religious clashes in 2000.⁹⁵

Today, Boko Haram insurgency and counterinsurgency in the Northeast have resulted in the displacement of about 14.8 million people. A total of 142,000 new displacements were registered in the first half of 2019; of those, 140,000 were due to conflict and 2,000 were due to disasters.⁹⁶

4.2 Historical Development of the Legal Framework for Protection of IDPs

In Nigeria, two basic regulations or laws govern the protection of internally displaced persons in Nigeria and they include the National Emergency Management Act, 2007 alongside the National Policy on Internally Displaced Persons. This law works in pari passu with the Constitution of the Federal Republic of Nigeria, 1999, (As amended) which guarantees human rights in the entire country, of which, internally displaced persons are beneficiaries too.

4.2.1 Nigerian Emergency Management Act, 2007

Historically, in Nigeria, the framework for disaster relief and response had its foundation with the National Emergency Relief Agency (NERA) which was promulgated via Decree No. 48 of 1976. The Agency was tasked with arranging, delivering, and coordinating emergency relief for victims of natural catastrophes across the federation. NERA was created to collaborate with a network of organizations such as the Nigerian Red Cross Society, the Nigerian Armed Forces, and the Nigerian Police Force, all of which have duties and responsibilities that overlap. However, the need to expand the operational scope of the National Emergency Relief Agency (NERA), ostensibly to cater for all aspects of disaster management mitigation, preparedness, response and recovery, informed the establishment of the National Emergency Management Agency (NEMA) in 1999.⁹⁷

In other words, the NERA Act was replaced with the National Emergency Management Agency (Establishment) Act.⁹⁸ Hitherto, the NEMA Act remains the only law that primarily focuses on disaster relief and response in Nigeria, which indirectly include internally displaced persons in Nigeria. Nigeria is plagued by different disasters, however, most of these disasters do not have designated legislations to regulate these disasters—same as internally displaced persons problem. The National Emergency Management Agency (NEMA) was established via Act 12 as amended by Act 50 of 1999, to manage disasters in Nigeria. It has been tackling disaster-related issues through the establishment of concrete structures.⁹⁹ Currently, a bill for an Act to Amend the current NEMA Act is in the National Assembly and has scaled through second reading.¹⁰⁰

4.2.2 National Policy on Internally Displaced Persons (IDPs) In Nigeria

The idea to develop a National Policy on Internally Displaced Persons was first conceived by the National Commission for Refugees, where a draft was prepared in 2003. This gave rise to a working document which was given to a Presidential Committee to Draft a National Policy on Internally Displaced Persons to further develop into a comprehensive National Policy. The Committee was charged with developing a framework that would enhance the prevention of Internal Displacement, propose best practices for the management of Internally Displaced Persons including the protection of their human rights and the need to mitigate their sufferings once displacement has occurred.¹⁰¹ The methodology adopted by the Committee included calling for Memoranda from the general public, holding public hearings as well as conducting interviews at various Internally Displaced Settlements.¹⁰²

⁹³ International Crisis Group, 'Crisiswatch Database' (2nd January 2012) available online at <https://www.crisisgroup.org/crisiswatch/january-2012> Accessed on April 15th, 2023

⁹⁴ Mark Lobel, 'Boko Haram Bombed My Church' *BBC News* (15 March 2012) available online at <https://www.bbc.co.uk/news/world-africa-17369800.amp> Accessed on May 3rd 2023

⁹⁵ Jane Labous, 'Nigeria's Igbo Tribal Elders Call for Evacuation Due to Violence' *Voice of America* (30 January 2012) Available online at <https://www.voanews.com/a/nigerias-igbo-tribal-elders-call-for-evacuation-due-to-violence-138322529/159527.html> Accessed on May 15th, 2023

⁹⁶ Lenshie Nsemba Edward and Henry B. Yenda 'Boko Haram Insurgency, Internally Displaced Persons and Humanitarian Response in Northeast Nigeria' *International Journal of Humanities and Social Studies* [2016] (4) (8) 10

⁹⁷ Fowowe, Adetomiwa Isaac, An Examination Of The Legal Framework Of Disaster Relief And Response In Nigeria' *SSRN* (2022)

⁹⁸ Ibid

⁹⁹ Ibid

¹⁰⁰ 'Bill to Amend NEMA ACT Passes Second Reading' *Vanguard* (2017) www.vanguardngr.com/2017/07/bill-amend-nema-act-passes-second-reading accessed 21st May, 2023

¹⁰¹ National Policy on Internally Displaced Persons (IDPs) in Nigeria 2012

¹⁰² Ibid

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The Policy outlines roles and responsibilities for the Federal, State and Local Governments, non-governmental organizations, community based organizations, IDPs camp host communities, civil society groups, humanitarian actors both nationally and internationally and the general public. In addition, the policy educates persons about their rights and obligations before, during and after displacement. In 2008, a committee was established to fine-tune the policy particularly with regards to an implementation of the framework which was submitted in January 2009.¹⁰³

In February 2009, the President of the Federal Republic of Nigeria approved one of the recommendations for the expansion of the mandate and a renaming of the National Commission for Refugees to include the resettlement and rehabilitation of IDPs.¹⁰⁴

The National Commission for Refugees in concert with the office of the Attorney General of the Federation came up with a draft bill and submitted the original draft IDP Policy to the Federal Executive Council in October 2010. The Council thereafter directed that a further review of the Policy with particular emphasis on section 6 (i) of the original draft be effected. This was to integrate the present realities in Nigeria, considering that the original draft was in 2004, and to emphasize the commitment of the then present administration to finding durable solutions to displaced persons as well as finding lasting Peace and Security in displaced communities.¹⁰⁵

A Technical Working Group (TWG), comprising of different stakeholders, was constituted to work on the Council's directive and revise the policy and align it with the provisions of the African Union Convention for the Protection and Assistance of IDPs in Africa to which Nigeria is a signatory and has ratified. This TWG was extensively supported by national and international technical experts, with wide stakeholder consultations. The recommendations thereafter submitted by the TWG were geared towards saving lives, preventing of large-scale displacements, wanton destruction of property, engendering national unity, promoting human and socio-economic development, as well as protecting the human rights of all persons.¹⁰⁶

The adoption of the Policy however suffered serious delays before its final adoption, the consequence of which denied the country a number of opportunities which she could have accessed only if the policy were to be place while the policy was regrettably tucked away inside the shelf of one of the relevant federal ministries in Abuja at a period when the country is witnessing an upsurge in the number of displaced persons due to the on-going rebellion masterminded by the Boko Haram Islamist sect.¹⁰⁷

4.3 The Impact of Internal Displacement in Nigeria

Internal displacement in Nigeria has had far-reaching consequences on various aspects of individuals' lives and the country as a whole. The following discussion highlights key impacts of internal displacement:

4.3.1 Humanitarian Crisis: Internal displacement has resulted in a severe humanitarian crisis in Nigeria. Displaced individuals often encounter significant challenges in accessing basic necessities, including food, clean water, healthcare, and education.¹⁰⁸ Insufficient sanitation facilities in displacement camps further contribute to the heightened risk of disease outbreaks and health-related issues.¹⁰⁹

4.3.2 Economic Consequences: Internal displacement exerts substantial economic consequences on both individuals and the nation. Displaced persons are often forced to abandon their homes, livelihoods, and income sources, resulting in unemployment, decreased productivity, and increased poverty rates among the affected population.¹¹⁰ Moreover, the government's allocation of resources to provide assistance and support to displaced persons strains the country's economic capacity.

4.3.3 Social Disruption: Internal displacement disrupts social structures and community cohesion. Displaced individuals face the separation of families and the fragmentation of communities as they flee their homes. Psychological trauma, loss of social networks, and an augmented risk of violence, including gender-based violence, are prevalent among displaced populations.¹¹¹ The education of children is also severely impacted, impeding their long-term prospects.

4.3.4 Security Challenges: Internal displacement contributes to security challenges in Nigeria. Displaced individuals are often susceptible to exploitation, including recruitment by armed groups (Internal Displacement Monitoring Centre, 2020). Competing for limited resources and tensions between host communities and displaced populations can give rise to conflicts and further

¹⁰³ Ibid

¹⁰⁴ Ibid

¹⁰⁵ Ibid

¹⁰⁶ Ibid

¹⁰⁷ 'National Policy on IDPs Gather Dust As Victims Groan in Pain' *Civil Society Legislative Advocacy Centre*, (Abuja 30 April 2015) www.cislacnigeria.net accessed 20 May, 2023

¹⁰⁸ Internal Displacement Monitoring Centre. (2020). Nigeria: A crisis unfolding. Retrieved from <https://www.internal-displacement.org/sites/default/files/publications/documents/2020-IDMC> Accessed May 3rd 2023

¹⁰⁹ Kibreab, G. (2015). Internal displacement in Nigeria: A consequence of war and development. *Journal of Refugee Studies*, 28(2), 169-186.

¹¹⁰ Abubakar et al, (2015). The UCL–Lancet Commission on Migration and Health: the health of a world on the move. *The Lancet*, 386(10009), 2606-2654.

¹¹¹ Onyango M. A et al , ' Impact of displacement on the rights and well-being of internally displaced persons in Africa', *Journal of Human Rights Practice* (2018)(10)(1) 49-72.

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displacement. Overcrowded camps or informal settlements, where displaced persons reside, can also foster an environment conducive to criminal activities.¹¹²

4.3.5 Long-Term Displacement: Internal displacement in Nigeria frequently leads to protracted situations, with individuals and families enduring years of displacement.¹¹³ Prolonged displacement hampers individuals' ability to rebuild their lives and obstructs efforts toward achieving durable solutions. Additionally, it places additional strain on host communities, infrastructure, and resources.

5.0 CONCLUSION

This paper highlights some conceptual issues on the rights of IDPs in Nigeria. It accounts for the history of internal displacement globally and narrows it down to Nigeria. It finds that internal displacement in Nigeria can be traced back to the pre-colonial era where people were displaced due to inter-ethnic wars and was later worsened during the post-colonial era as result of series of civil war. The paper also discussed the historical development of the laws relating to the rights of IDPs in Nigeria. Further, it examined the various possible causes of internal displacement in Nigeria.

6.0 RECOMMENDATIONS

To effectively address the challenges faced by internally displaced persons (IDPs) in Nigeria and ensure the protection of their rights, it is crucial for the government, humanitarian organizations, and society at large to take concerted and comprehensive action. The following recommendations outline key steps that can be taken to safeguard the rights and well-being of IDPs in Nigeria:

6.1 Strengthen Legal Frameworks:

a. Enact comprehensive national legislation: Nigeria should develop a comprehensive legal framework specifically addressing the rights, protection, and assistance of IDPs. This legislation should be aligned with international human rights standards, including the Guiding Principles on Internal Displacement.

b. Ensure implementation and enforcement: Existing laws and policies related to IDPs must be effectively implemented and enforced at all levels of governance. Adequate resources should be allocated to institutions responsible for protecting and promoting the rights of IDPs.

6.2 Enhance Security and Protection:

a. Improve physical security: The government should prioritize the protection of IDPs by increasing security presence in camps and host communities. Collaborative efforts between security forces and humanitarian agencies can contribute to a safer environment for IDPs.

b. Prevent gender-based violence (GBV): Establish specialized protection mechanisms and safe spaces for women and girls to reduce the risk of GBV. Conduct awareness campaigns, provide psychosocial support, and ensure that perpetrators are held accountable.

6.3 Ensure Access to Basic Services:

a. Education: Develop inclusive education programs for IDP children, ensuring access to quality schooling and vocational training opportunities. Partner with NGOs and international organizations to support the provision of educational materials, teachers, and infrastructure in IDP settlements.

b. Healthcare: Strengthen healthcare services in IDP camps and host communities, ensuring access to primary healthcare, reproductive health services, mental health support, and immunization programs.

c. Water, sanitation, and hygiene (WASH): Improve access to clean water, sanitation facilities, and hygiene education in IDP settlements. Regular maintenance and monitoring should be undertaken to prevent disease outbreaks.

6.4 Pursue Durable Solutions:

a. Facilitate voluntary and dignified return: Develop a comprehensive plan for IDP return, ensuring that it is safe, voluntary, and informed. Prioritize the rehabilitation and reconstruction of communities to create conducive conditions for returnees.

b. Local integration and resettlement: Promote local integration and resettlement options for IDPs who are unable or unwilling to return to their places of origin. Provide access to land, housing, livelihood opportunities, and social services in host communities.

6.5 Enhance Collaboration and Coordination:

a. Interagency cooperation: Strengthen coordination mechanisms among government agencies, humanitarian organizations, and civil society groups working with IDPs. Regular information sharing, joint planning, and cooperation can improve the effectiveness of interventions.

¹¹²(n 83)

¹¹³(n 84)

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b. International support: Seek and engage with international partners, donors, and organizations to mobilize resources and technical expertise to support IDP rights and humanitarian responses.

Addressing the rights of IDPs in Nigeria requires a multi-faceted approach that encompasses legal frameworks, security, access to basic services, and durable solutions. By implementing the recommendations outlined above, Nigeria can provide a solid foundation for protecting and promoting the rights of IDPs, enabling them to rebuild their lives with dignity and security. The commitment of the government, collaboration with stakeholders, and support from the international community will be vital in achieving lasting improvements for IDPs in Nigeria.

REFERENCES

Books

- 1) Abebe AM, *The Emerging Law of Forced Displacement in Africa: Development and implementation of the Kampala Convention on Internal Displacement* (Routledge; 2016)
- 2) Abubakar et al, *The UCL–Lancet Commission on Migration and Health: The Health of a World on the Move* (The Lancet 2015) 386(10009)
- 3) AU, *First Session of Conference of States Parties for the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa Concept Note* (2017), available at https://au.int/web/sites/default/files/newsevents/conceptnotes/32304-cn-concept_note__cosp_meeting_2017.pdf, accessed on 1 May 2023
- 4) Aristide RZ, Astru S & Sergio A, *Escape from violence: Conflict and the Refugee Crisis in the Developing World* ((Oxford University Press 1989)
- 5) Bryn AG, *Black's Law Dictionary* , (9th ed. West Publishing Company Dallas)
- 6) Cutts M, *The State of the World's Refugees, 2000: Fifty Years of Humanitarian Action* (Geneva: UNHCR Ed. Oxford University Press; 2000)
- 7) Ekpa S, *Formulating Legal and Policy Frameworks for the Protection of Internally Displaced Persons in Nigeria: A Case Study of Internal Conflicts on Jos, Plateau State* (PhD. Dissertation, University of Malaysia, 2016)
- 8) Erwin C, *Constitutional Law* (Wolters Kluwer Law & Business 2016)
- 9) Gaim K, *Displacement and Forced Migration in the Horn of Africa: Historical and Contemporary Perspectives*. (Ashgate Publishing 2010)
- 10) Grandin G, *The Blood of Guatemala: A history of Race and Nation* (Duke University Press 2000)
- 11) Guha M, *Collins English Dictionary* (Reference ed.) *Reference Reviews*(2016)(30)(4). <https://doi.org/10.1108/RR-02-2016-0029> Accessed on May 1st 2023
- 12) Henry WB, *The Age of Gold: The California Gold Rush and the New American Dream* (Anchor 2002)
- 13) International Refugee Rights Initiative (IRRRI), *Comparison of the Kampala Convention and the IDP Protocol of the Great Lakes Pact* (A Briefing Note by the International Refugees Rights January 2014)
- 14) Ian T, & Gurharpal S, *The partition of India* (Cambridge University Press 2009)
- 15) Joanne LB, & Rienhard M, *Insurance Against Losses From Natural Disasters in Developing Countries: Evidence, Gaps and the Way Forward* (Climate Policy 2012) (12)(4)
- 16) Kaldor M, *New and Old Wars: Organised Violence in a Global Era* (John Wiley & Sons 2012)
- 17) Kälin W, *How Hard is Soft Law? The Guiding Principles on Internal Displacement and the Need for a Normative Framework*. (In Unpublished Presentation Given During the Ralph Bunche International Relations Roundtable Meeting (2001)
- 18) Mayer RA, *Evaluating the Effectiveness of International Refugee Law: The Protection of Iraqi Refugees* (Martinus Nijhoff Publishers 2006)
- 19) Norman MW, *Fires of Hatred: Ethnic Cleansing in Twentieth-century Europe* (Harvard University Press 2010)
- 20) Phuong C, *The International Protection of Internally Displaced Persons*(Cambridge: Cambridge University Press, 2004)
- 21) Roseric A, *Internal Conflict and the International Community: Wars Without End?*(Taylor & Francis 2017)
- 22) Santner F, *Uganda's Policy Internally displaced Persons. A Comparison With the Colombian Regulations on Internal Displacement* (Int. Law Review, Derecho Int.l, Bogotá Colombia 2013)
- 23) Seidman B & Seidman A, *Readings on Law in Developing Countries in Africa* (2017).
- 24) Smith SR , *Warfare & Diplomacy in Pre-Colonial West Africa* (University of Wisconsin Press 1989)
- 25) Sommers M S, *Internal displacement: Global Governance and the Politics of Resettlement* (Oxford University Press 2018)
- 26) Theodor M, *Movement Policy on Internal Displacement* (International Review on Red Cross; 2009)
- 27) Theresa UA, *Internally Displaced Persons in Nigeria and the Kampala Convention* (2015)

Legal Perspectives of the Rights of Internally Displaced Persons in Nigeria

Journal Articles

- 1) Abonyi AU, 'Analysis of the Concept and Nature of Legal Framework for Animal Welfare Protection in Nigeria' *COOU Journal of Commercial and Property Law*(2018) (1)(1)
- 2) Abebe AM, 'The African Union Convention on Internally Displaced Persons: Its Codification Background, Scope and Enforcement Challenges' *Refugee Survey Quarterly* (2010)(29)(3)
- 3) Adeola R & Viljoen F, 'The right not to be arbitrarily displaced in Africa' *African Journal of International and Comparative Law* (2017)(25)(4)
- 4) Adesola AS& Peters OA, ' A Historical Analysis of Violence and Internal Population Displacement in Nigeria's Fourth Republic 1999' – 2011' *IJPCS* (2015)(2)(3)
- 5) Adetomiwa FI, 'An Examination Of The Legal Framework Of Disaster Relief And Response In Nigeria' *SSRN* (2022)
- 6) Agbo OF, 'The Challenges of Internally Displaced Persons and the Way Forward: the Nigerian experience' *UCCLJ*(2021)(1)(1) ><https://doi.org/10.47963/ucclj.v1i1.221> accessed on November 10th, 2022
- 7) Ajayi G, '*The Travails of Democratic Governance in Nigeria: An Historical Perspective*, Adeyemi College of Education, Ondo on Socio-Political Conflicts and Challenges of Democratic Being the Proceedings of the 4th Annual Conference of School of Arts and Social Sciences, Consolidation in Nigeria, 23rd26th April, 2012
- 8) Akatu GW, 'Challenges of Internally Displaced Persons (IDPs) in Nigeria: Implications for Counselling and the Role of Key Stakeholders', *International Journal of Innovative Psychology & Social Development* (2017) (5)(2)
- 9) Babalola. A & Omotoyin TJ, 'Humanitarian Law and Internal Displacement in Nigeria: An Urgent Need for Legal Framework' *International Journal of Law and Legal Jurisprudence Studies* (2017)(4)(3).
- 10) Cantor DJ, 'The IDP in International Law'? Developments, Debates, Prospects' *International Journal of Refugee Law*. (2018) (10)(2)
- 11) Chima OE. and Chukwu NA, 'Challenges of Internally Displaced Persons (IDPS) in Bakassi IDP Camps in Cross River State: The Roles of Social Workers and Nongovernmental Agencies', *International Journal of Sociology and Anthropology Research*(2022) (8)(1)
- 12) Ekpa S & Dahlan NHM, 'Legal Issues and Prospects in the Protection and Assistance of Internally Displaced Persons (IDPs) in Nigeria' *Journal of Law, Policy and Globalization* (2016)
- 13) Ezeanokwasa JO, Kalu UC. & Okaphor FE, 'A Critique of the Legal Framework for Arresting the Threat of Internal Displacement of Persons to Nigeria's National Security' *NAUJILJ* (2018) (9)(2)
- 14) Fidelis U & Aloh JN, 'Expanding the Frontier of Legal Protection of Refugees and Internally Displaced Persons in Nigeria' (2017)
- 15) Frederick G & Onwordi, 'Forced Displacement and Its Impacts on Internally Displaced Persons(IDPs) in North Eastern Nigeria' *ISJASSR*
- 16) Gaim K, 'Internal displacement in Nigeria: A consequence of War and Development' *Journal of Refugee Studies* (2015)(28)(2)
- 17) Giustiniani FZ, 'New Hopes and Challenges for the Protection of IDPs in Africa: The Kampala Convention for the Protection and Assistance of Internally Displaced Persons in Africa' *Denver Journal of International Law and Policy* (20) (39)
- 18) Kelson H 'Pure Theory of Law, Its Methods and Fundamental Concepts' *Law Quarterly Review* (1934)(50)
- 19) Loescher G, 'The UNHCR and World Politics: A Perilous Path. Refugee' *Survey Quarterly* (2001)(20)(3).
- 20) Magaji T, Ahmad MZ & LB, ' Assessing the Legal Frameworks for the Protection of Internally Displaced Persons (IDPs) in the North-Eastern Nigeria' *Asian Research Journal of Arts & Social Sciences*(2018)
- 21) Makolo H & Maidoh C, 'Legal and Institutional framework for the Protection of Internally Displaced Persons: The Nigerian Case study' *The Jury: Journal of Law Students Association of Nigeria University of Abuja* (2017)
- 22) Nicholas M, 'Protection Dilemmas and UNHCR's response: A personal View From Within UNHCR' *Int'l J. Refugee L* (1997) (9)
- 23) Nnamani SO, 'Institutional Frameworks for the Protection of Human Rights in Nigeria: An Appraisal' *Journal of Law and Jurisprudence* (Nnamdi Azikiwe University2011) (6)
- 24) Nsemba LE, and Yenda HB 'Boko Haram Insurgency, Internally Displaced Persons and Humanitarian Response in Northeast Nigeria' *International Journal of Humanities and Social Studies* [2016] (4) (8)
- 25) Obinna M, 'The State of refugees and internally displaced persons in Nigeria: A legal review' Nnamdi Azikiwe University *Journal of International Law and Jurisprudence* (2012) (3)
- 26) Onyango MA et al , ' Impact of Displacement on the Rights and Well-being of Internally Displaced Persons in Africa', *Journal of Human Rights Practice* (2018)(10)(1)
- 27) Oyme AT, Adams JA & Abumbe GT, 'Terrorism and Abrahamic Religious Tradition: A Focus on Boko Haram Islamic Fundamentalism in the North Eastern Nigeria' (2022) *Journal of Liberty and International Affairs* 8 (2) Available at <https://ejlia.com/index.php/jia/artice/view/605> Accessed on May 10th, 2023

Legal Perspectives of the Rights of Internally Displaced Persons in Nigeria

- 28) Patrick LT, 'The Process and Prospects For the UN Guiding Principles on Internal Displacement to Become Customary International Law: A Preliminary Assessment' *Geo. J. Int'l L*(2003) (35)
- 29) Robert KG, 'Internal Displacement, the Guiding Principles on Internal Displacement, the Principles Normative Status, and the Need for their Effective Domestic Implementation in Colombia' *ACDI Bogota* (2009)(2) <http://www.corteidh.or.cr/tablas/r25153.pdf> accessed on May 5th, 2023
- 30) Uchechukwu AA, 'Protection of the Rights of Victims of Internal Displacement in Nigeria: A Task Impossible Without Enabling Legal Framework' *The Journal of Property Law and Contemporary Legal* (2019)(11)(1)

Periodicals

- 1) Adeola R, 'Nigeria's Constitution Holds the Key to Protecting Internally Displaced People' *The Conversation*, (June 28, 2016) <https://theconversation.com/nigerias-constitution-holds-the-key-to-protecting-internally-displaced-people-60971> accessed on December 4th, 2022.
- 2) 'Bill to Amend NEMA Act Passes Second Reading' *Vanguard* (2017) www.vanguardngr.com/2017/07/bill-amend-nema-act-passes-second-reading accessed 21st May, 2023
- 3) International Committee of the Red Cross, 'Nigeria: Responding to Multiple Situations of Violence'(December, 2008) available online at <https://www.icrc.org/en/doc/resources/documents/update/2012/nigeria-update-2012-01-13.htm> Accessed on January 9th 2023
- 4) International Crisis Group, 'Crisiswatch Database' (2nd January 2012) available online at <https://www.crisisgroup.org/crisiswatch/january-2012> Accessed on April 15th, 2023
- 5) Factbox, 'Nigeria's Boko Haram' Reuters (9th April 2012) Available at <https://www.bbc.com/news/world-africa-14735726> Accessed May 5th 2023
- 6) Jane L, 'Nigeria's Igbo Tribal Elders Call for Evacuation Due to Violence' *Voice of America* (30 January 2012) Available online at <https://www.voanews.com/a/nigerias-igbo-tribal-elders-call-for-evacuation-due-to-violence-138322529/159527.html> Accessed on May 15th, 2023
- 7) Jimoh A, 'UN urges Nigeria to pass IDP Policy into Law' *Daily Trust* (February, 2017) Available at <https://dailytrust.com/un-urges-nigeria-to-pass-idp-policy-into-law/> Accessed on May 7th 2023
- 8) Lobel M, 'Boko Haram Bombed My Church' *BBC News* (15 March 2012) available online at <https://www.bbc.co.uk/news/world-africa-17369800.amp> Accessed on May 3rd 2023
- 9) Michael O, 'Two New Camps Established in Maiduguri' *This Day Newspaper Live* (22 January, 2015)
- 10) National Policy on IDPs Gather Dust As Victims Groan in Pain' *Civil Society Legislative Advocacy Centre*, (Abuja 30 April 2015) www.cislacnigeria.net accessed 20 May, 2023
- 11) Ogunyemi I, 'Nigeria Rolls-Out National Policy On IDPs, Humanitarian Open House' *The Tribune* (2022)> <https://tribuneonlineng.com/nigeria-rolls-out-national-policy-on-idps-humanitarian-open-house/>> accessed November 3rd,2022
- 12) Relief Web, 'Background Information on the IDP Situation in Nigeria' *IMDC*(2002) <https://reliefweb.int/report/nigeria/background-information-idp-situation-nigeria-0> Accessed on June 4th, 2023
- 13) R. Blench, 'Migration :The City Is Our Farm' *DFID Position Paper* (6 September 2003)
- 14) 'Nigeria Floods: Death Toll in Ibadan Rises' *BBC News* (31 August 2011) Available at <https://www.bbc.com/news/world-africa-14735726.amp> Accessed on May 14, 2023
- 15) Relief Web, 'Nigeria:Thousands Flee Violence, Hundreds Suspected Dead' *IRIN* (22nd May 2009) available online at <https://reliefweb.int/report/nigeria/nigeria-thousands-flee-violence-hundreds-suspected-dead> Accessed May 1st, 2023
- 16) The Miss World Riots, 'Continued Impunity for Killing in Kaduna' *Human Rights Watch* (July 2003) Available at <https://www.hrw.org/report/2003/07/22/miss-world-riots/continued-impunity-killings-kaduna> Accessed 5thMay, 2023
- 17) 'They Do Not Own This Place: Government Discrimination Against non Indigenes in Nigeria' *Human Rights Watch* (April 2006) Available at <https://www.hrw.org/report/2006/04/25/they-do-not-own-place/government-discrimination-against-non-indigenes-nigeria> Accessed on May 13th 2023

Internet materials

1. Adeola R, The Kampala Convention and the Right Not to be Arbitrarily Displaced, Forced Migration <https://www.fmreview.org/GuidingPrinciples20/adeola> Accessed on 13th November, 2022
2. Agherario E, ' Internally Displaced Persons In Nigeria: Issues, Problems & Solutions' *The Nigerian Lawyers* (September, 2021) available online at <https://thenigerianlawyer.com/internally-displaced-persons-in-nigeria-issues-problems-solutions/> Accessed on 30th November, 2022
3. Bukar BA, 'Nigeria Needs to Take Responsibility for its IDPs' *Forced Migration Review* available online at <https://www.fmreview.org/young-and-out-of-place/bukar> Accessed May 3rd 2023

Legal Perspectives of the Rights of Internally Displaced Persons in Nigeria

4. Central Intelligence Agency 'The World Factbook' available at <https://www.cia.gov/the-world-factbook/countries/nigeria/>, accessed on 3 February 2023
5. Compilation and Analysis of Legal Norms, Part 1 E/CH.4/1996/52/Add, Section IV, http://id.cdint.org/content/documents/Compilation_and_analysis_of_legal_norms.pdf(accessed On April 4, 2023
6. Ekpa S &Dahlan NHM, 'Legal issues and prospects in the protection and assistance of internally displaced persons (IDPs) in Nigeria' (2016) Available online at <https://www.semanticscholar.org/paper/Legal-Issues-and-Prospect-in-the-Protection-and-of-Ekpa-Dahlan/478a511bc2142c91767b46793157e4cf1ac03b59> Accessed on May 5th, 2023
7. 'Global Report on Internal Displacement' Internal Displacement Monitoring Centre(2018) Available <http://www.internaldisplacement.org/assets/publications/2016/2016-global-reportinternal-displacementIDMC.pdf> Accessed on February 12th 2023
8. Global Report on Internal Displacement' *Internal Displacement Monitoring Centre* (2020) available online at <https://www.internal-displacement.org/publications/2020-global-report-on-internal-displacement> Accessed January 3rd 2023
9. Internal Displacement Monitoring Centre, 'Haiti: Overview of displacement situation'(2011)Retrieved from <https://www.internal-displacement.org/sites/default/files/publications/documents/IDMC-Haiti-Overview-of-displacement-situation-April-2011.pdf> Accessed December 20th 2023
10. Internal Displacement Monitoring Centre (2019). Global Report on Internal Displacement. Retrieved from <https://www.internal-displacement.org/global-report/grid2019/> Accessed on May 14th 2023
11. Internal Displacement Monitoring Centre, 'Nigeria: A crisis unfolding'(2020) Retrieved from <https://www.internal-displacement.org/sites/default/files/publications/documents/2020-IDMC> Accessed January 3rd 2023
12. Legal Dictionary – Law.com' Law.com Legal Dictionary, A. (Ed.) (2004) Available online at dictionary.law.com/Default.aspx?selected=1857#:~:text=Search%20the%20Definitions-all%20words%20any%20words%20phrase,in%20property%2C%20real%20or%20personal Accessed 5 Apr. 2023.
13. Relief Web, 'Report of the Representative of the Secretary-General on Internally Displaced Persons, Mr. Francis M. Deng, submitted pursuant to Commission on Human Rights resolution 2000/53'(UNCHR January 2001) available at <https://reliefweb.int/report/angola/report-representative-secretary-general-internally-displaced-persons-mr-francis-m-deng> Accessed February 12th2023
14. Report of the Representative of the Secretary General, Mr Francis Deng, Submitted Pursuant to Commission on Human Rights resolution 1995/57, Compilation and Analysis of Legal Norms,E/CN.4/1996/52/Add.2 (1995)
15. UNHROHC, 'About Internally Displaced Persons' available online on <https://www.ohchr.org/en/special-procedures/sr-internally-displaced-persons/about-internally-displaced-persons> Accessed June 10th , 2023



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