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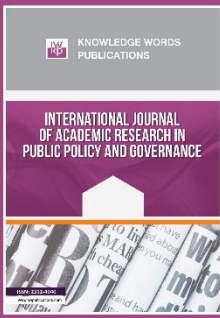
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## Redefining Human Rights in Nigeria: An Appraisal of Living Conditions in Internally Displaced Persons Camp

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### Abstract

Displacement stemming from multifarious factors turned millions to refugees in their own country and across international boundaries. This study appraised living conditions in Internally Displaced Persons (IDP) camps to justify whether human rights have been redefined in Nigeria. To achieve this, two pertinent questions were raised: Are there human rights principles or provisions on the treatment of IDP? How best can living conditions in IDP camps in Nigeria be described? Study is rooted in displaced aggression theory. Study derived data from secondary materials and content analytical method was adopted. Study found that two major Human Rights legal instruments credited to United Nations (UN) and African Union (AU), which Nigeria is signatory, provides specific guiding principles on treatment of IDP. However, in reality, treatment in IDP camps in Nigeria is yet to conform to guiding principles, as rights are nastily redefined through inadequate supplies of basic needs, deprivations and abuses resulting to unfavourable living conditions. Study concluded that rather than redefining the rights of IDP, Nigeria should wake-up to her obligations by conforming to the extant legal principles on treatment of IDP and recommended policy guide to addressing challenges contributing to redefinition of rights in Nigeria's IDP camps.

**Keywords:** Kampala Convention, Internally Displaced Persons, Human Rights, Nigeria.

### Background to the Problem

Displacement is a global phenomenon stemming from multifarious factors. The office of United Nations High Commissioner for Refugees (UNHCR, 2017, pp.1-3) confirmed that 65.6 million people are forcibly displaced globally as a result of persecution, conflict, violence and human rights violations in 2016. The Internal Displacement Matrix Centre (IDMC, 2017) reported that "by the end of 2016 there were 40.3 million people displaced inside their own countries as a result of conflict and violence in the world". Accordingly, UNHCR(2016) discloses total figures of internally displacement population due to conflict in some countries in 2016, among which are: Sudan (2.2 million); Yemen

(2.0 million), South Sudan (1.9 million), Ukraine (1.8 million), Afghanistan (1.8 million) and Somalia (1.6 million). More recently, precisely in January 2018, close to 700,000 Syrians were displaced from their homes due to conflict which was in addition to 6.5 million people already internally displaced (Beaumont, 2018, pp.1-3). In May 2018, particularly across African countries many people were displaced from their original home. In Muldug region of Somalia, a total over 700,000 people are displaced by flood. Similarly, in Menaka region in Mali about 9,500 people were recently internally displaced by natural disaster. And in Kenya, between 244,000 and 260,000 people are also estimated to have been displaced by flood (Assessment Capacities Projects, ACAPs, 2018).

However, in Nigeria, displacement majorly occasioned by conflict between National security forces and Insurgents has left many homeless. Consequently, many have turned to refugees in their own country and in neighbouring countries. To confirm this, UNHCR (2017, p.5) specifically reported that Boko Haram conflict has become a major factor that has steadily caused massive displacement and population movements from Nigeria across borders to Cameroon, Chad and Niger republic. More elaborately, International Organization for Migration (IOM, 2017, pp.1&7) in its tracking assessment report which covers camps, collective and transit centers, identified conflict among others as a major factor responsible for displacement in Nigeria: It reveals that 96% of IDP were displaced because of the ongoing Boko Haram conflict and 4% were displaced because of communal clashes in the areas assessed. For example: almost all the IDP identified in Borno, Gombe and Yobe were displaced by insurgency. In Taraba, 76% of interviewed IDP attributed their displacement to communal clashes, 22% to the conflict and 2% due to natural disasters. In Bauchi, the conflict accounted for the displacement of 70.5% of all interviewed IDP. In Adamawa, 97% of the population was displaced by Boko Haram conflict and the remaining people were displaced due to communal fighting (IOM, 2017, pp.1&7). In Benue, 80,000 people have been registered to be internally displaced due to herdsmen/farmers conflict (Premium Times, 2018). Notwithstanding, more recent figures from the report of the round XXI displacement tracking assessment by the International Organization for Migration (IOM) which covered the period of 22 January to 02 February 2018 identified 1,782,490 individuals as displaced in most affected states, representing a 4.5 per cent increase (79,810 people) in comparison to the 1,702,680 individuals identified in round XX in December 2017 (IOM, 2018 p.2). As at 28 February 2018, 203,899 Nigerian refugees displaced by insurgency in Cameroon, Chad and Niger, while 2,181,218 are IDP (UNHCR, 2018, p.1). Accordingly, the International Committee of the Red Cross (ICRC, 2016, p.7) has estimated the total number of IDP in Nigeria to be over 2 million people, making Nigeria the six largest internally displaced population in the world...and observed that given the large scale of displacement and ongoing instability, the Federal and State Governments have continue to face a critical humanitarian situation.

The position of Nigeria among countries with displacement in the world notwithstanding, the increasing trend in the phenomenon cast the doubt as to whether Nigeria and its internal humanitarian agencies including National Emergency Management Agency (NEMA), State Emergency Management Agencies (SEMAs) as well as supports from international humanitarian groups/agencies and Non-Governmental Organizations (NGOs) are able to meet up with challenges in various IDP camps in the country (Health Sector Nigeria, HSN, 2017). As IDMC (2017) put it the "extent of attention, resources and political will seems not to match the scale of displacement and human suffering in IDP camps. Also, ACAPs (2016) noted that as insurgency and counterinsurgency have continue to destroy livelihoods and capacities for realization of the basic rights of the displaced

persons is in doubt. Besides, readings from contributions of extant scholarly literature on human rights and living conditions of IDP in Nigeria, showed that none of them systematically addressed the questions that this present study is bent to address. Hence, to clear doubt aforementioned and to bridge the gap in literature as well as the gaps between aspirations (principles) and realities (applications), in-depth appraisal into the living conditions in IDP camps to justify whether human rights are redefined to the contrary in Nigeria is essential academic venture. Equally, the fact that the problem under appraisal is yet unresolved, strongly gives relevance to this study. Primarily, the thrust of this study is to appraise living conditions in Internally Displaced Persons (IDP) camps to justify whether human rights have been redefined in Nigeria. To achieve this, study raised two pertinent questions: (i) Are there human rights principles or provisions on the treatment of IDP? (ii) How best can the living conditions in IDP camps in Nigeria be described? Study argued that any attempt to abandon IDP in suffering without meeting their basic human needs as provided by legal principles on the protection and treatment of IDP is tantamount to redefining human rights and it is not without implications and of global concern. Significantly, the recommendations of this research report is expected to serve as policy guide in addressing challenges that would be identified and ensuring the treatment in IDP camps in Nigeria conform with global standards as redefinition of rights would negate the fight against corruption and would ruin her had won democracy as well as international reputation of the Nigeria as a member of international community. It is equally expected that the entire research report is promising to provide hints for the human rights activists and legal practitioners to know the areas that the IDP in Nigeria camps requires voluntary assistance to restore their rights. In addition, it is significance as it is promising to bringing to the limelight of the IDP in camps in Nigeria the realization that they are protected by legal instruments and to advocate for the enjoyment of the provisions accordingly.

### Study Area

Nigeria is made up of thirty six (36) states including Abuja as the Federal Capital Territory (FCT). However, Agbugah (2016); Agu (2018); DTM Report (2018) revealed that IDP camps are majorly located in thirteen (13) states including Abuja within the borders of Nigeria, in three geopolitical zones viz: northeast, northwest and north-central (see Table 1).

**Table 1:** *Thirteen main states with IDP camps in Nigeria*

S/N	State with IDP camps	Capital city	Region Located
1.	Abuja	FCT	North-central
2.	Adamawa	Yola	Northeast
3.	Bauchi	Bauchi	Northeast
4.	Benue	Makurdi	North-central
5.	Borno	Maiduguri	Northeast
6.	Gombe	Gombe	Northeast
7.	Kaduna	Kaduna	Northwest
8.	Kano	Kano	Northwest
9.	Nasarawa	Lafia	North-central
10.	Plateau	Jos	North-central
11.	Taraba	Jalingo	Northeast
12.	Yobe	Damaturu	Northeast
13.	Zamfara	Gasau	Northwest

**Source:** *Agbugah (2016); Agu (2018); DTM Report (2018).*

The above list is further supported with Nigeria map showing the locations of various states where displaced persons are camped. Arrival to some of the states are noticeable before the year 2014, in 2015, 2016, 2017 respectively (DTM Report, 2018). However, the figures shown on the map represented number of IDP in the thirteen states in 2016 (see Figure 2).

**Figure 2:** Map showing locations of thirteen states in Nigeria with IDP camps at a glance.  
**Source:** Agbugah (2016).



### Conceptual Framework

Camp, IDP, living conditions, and human rights are conceptualized in order to discover operational variables, characteristics or indicators that will guide the appraisal in this study. Concepts are supported with available pictures from Nigeria situation. According to Webster (2018) *camp* is a place usually away from urban areas where tents or simple buildings (such as cabins) are erected as temporary shelter or residence for migrants including IDP and refugees. Simply put, Agu (2018) conceived camp as makeshift shelter provided for people who have been forced to leave their native homes. He added that camps help IDP find temporary shelter till their homes are safe to return to. In Nigeria, most of the IDP are sheltered camps and host communities. Figure 3 shows pictorial outlook of the nature of IDP camps in Nigeria.

**Figure 3:** Nature of IDP camps in Nigeria.



Source: *Agu (2018).*



Source: *UN Office for the Coordination of Humanitarian Affairs (OCHA, 2018).*



Windstorm Effect

Source: *Channels Television(2018).*

Generally, IDP camps are usually coordinated and managed. According to camp experts, Nunes and Roberson (2015, pp.1-2), the task of camp coordination and management is to ensure equitable access to services and protection for displaced persons living in communal settings, to improve their quality of life and dignity during displacement, and advocate for solutions while preparing them for life after displacement, which constitutes parts of their rights. In Nigeria, camps are managed by camp leaders or coordinators (civilians), military, Civilian Joint Task Force (CJTF) - a

civilian militia who support the military to provide security and they live inside the camps (Amnesty International, 2018).

*Who are IDP?* They are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular 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 human-made disasters, and who have not crossed an internationally recognized State border" (cited in Office of United Nations High Commissioner for Human Rights, UNCHR 2018). This definition reveals two understanding: First, IDP are compelled to move in anticipation of or in response to particular risks; secondly, they remain within national borders. Internal displacement is dynamic in nature: anyone can be, or become, another category of mobile population. Refugees, for instance, often begin as IDP; while returning refugees may become IDP if they are unable to return substantially to their communities of origin (IOM, 2017, p.3).

Generally speaking, UNCHR (2018) identifies the challenges that people forced to flee their homes faced - particularly in situations of armed conflict. Displaced persons suffer significantly higher rates of mortality than the general population. They also remain at high risk of physical attack, sexual assault and abduction, and frequently are deprived of adequate shelter, food and health services... More often than refugees, the internally displaced tend to remain close to or become trapped in zones of conflict, caught in the cross-fire and at risk of being used as targets or human shields by insurgents. They suffer discrimination, deprivation and hardship. More on challenges faced by IDP, the International Federation of Social Workers (IFSW, 2012) explains that they suffer marginalisation within their own country, faced emotional trauma of their uprooting experience, suffer loss of economic opportunities, breakdown of cultural identity, loosening of social and familial structures, interruption of schooling and increased poverty levels. They also suffer from grief relating to dead or missing family members and, in extreme cases, resort to begging in order to survive. The impact of displacement is felt more acutely by children, women with small children or heading the family, disabled and elderly people. It is very common to find that displaced people experience better conditions expressed by feelings of solitude (isolation), confusion, fear, pain by symptoms of mental illness, of lack of direction and a life plan, of becoming uncommunicative, unhappy and excluded. Figure 4 shows pictorial example of worrisome situation women, men and children including babies, boys and girls who have been displaced are facing in Nigeria.

**Figure 4:** *The pictorial outlook of IDP in Nigeria.*



Sources: *Human Rights Watch (HRW, 2016); UNHCR (2017).*



Source: Amnesty International (2018).



Source: Agu (2018).

The living conditions of the displaced persons is paramount if they must feel they are human beings. As Stock Exchange(2018) puts it, *living conditions* is the circumstances of a person's life - shelter, food, clothing, safety and access to clean water. It is the generality of the circumstances under which people live. Similarly, World Bank (2018, p.4) points out that good living condition include access to good schools, healthcare, electricity, food, safe water and other critical services. This made Elsevier (2014, p.4) stresses that good life cannot be achieved without having good living conditions, and that living conditions affect people's lives, as it represents a direct factor for people to live happily and with contentment. However, it must be noted that the right givers play a vital role in helping IDP to experience good living conditions by complying with human rights legal principles on internal displacement. Interestingly,

Mclean and Macmillan (2003, pp.250-251) conceived *human rights* as special sort of moral entitlement. They attach to all persons equally, by virtue of their humanity. They specify the minimum conditions for human dignity and a tolerable life. Human rights, according to the United Nations (UN, 2018) are rights inherent to all human status. It include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and many more. Everyone is entitled to these rights, without discrimination. Hence, Galtung cited in Rourke (2004, p.478) suggests that:

*The most fruitful way to think about human rights is to begin with the idea that "ultimately they are supposed to serve basic human needs" These basic human needs which generate corresponding rights include: "survival needs to avoid violence": The*



*requisite to avoid and the right to be free from individual and collective violence. "Well-being needs to avoid depression" (unhappiness/sadness): The right to adequate nutrition and water; to movement, sleep, sex, and other biological wants; to protection from diseases and from adverse climatological and environmental impacts. "Identity needs to avoid alienation": The right to self-expression: to realize their potential, to establish and maintain emotional bonds with others; to preserve cultural heritage and association: to contribute through work other activity; and to receive information about and maintain contact with nature, global humanity and other aspects of the biosphere. "Freedom needs - to avoid repression": The right to receive and express opinions, to assemble with others, to have a say in common policy; and to choose in such wide-ranging matters as jobs, spouse, where to live, and lifestyle.*

To this end therefore, it is crystal clear that human rights is expected to serve man with his social, political and economic needs and perhaps desirable conditions of living, however, applying or operationalizing these rights in some so called democracies appears to be problematic and it has affected living conditions across the countries of the world.

### **Displaced Aggression Theory**

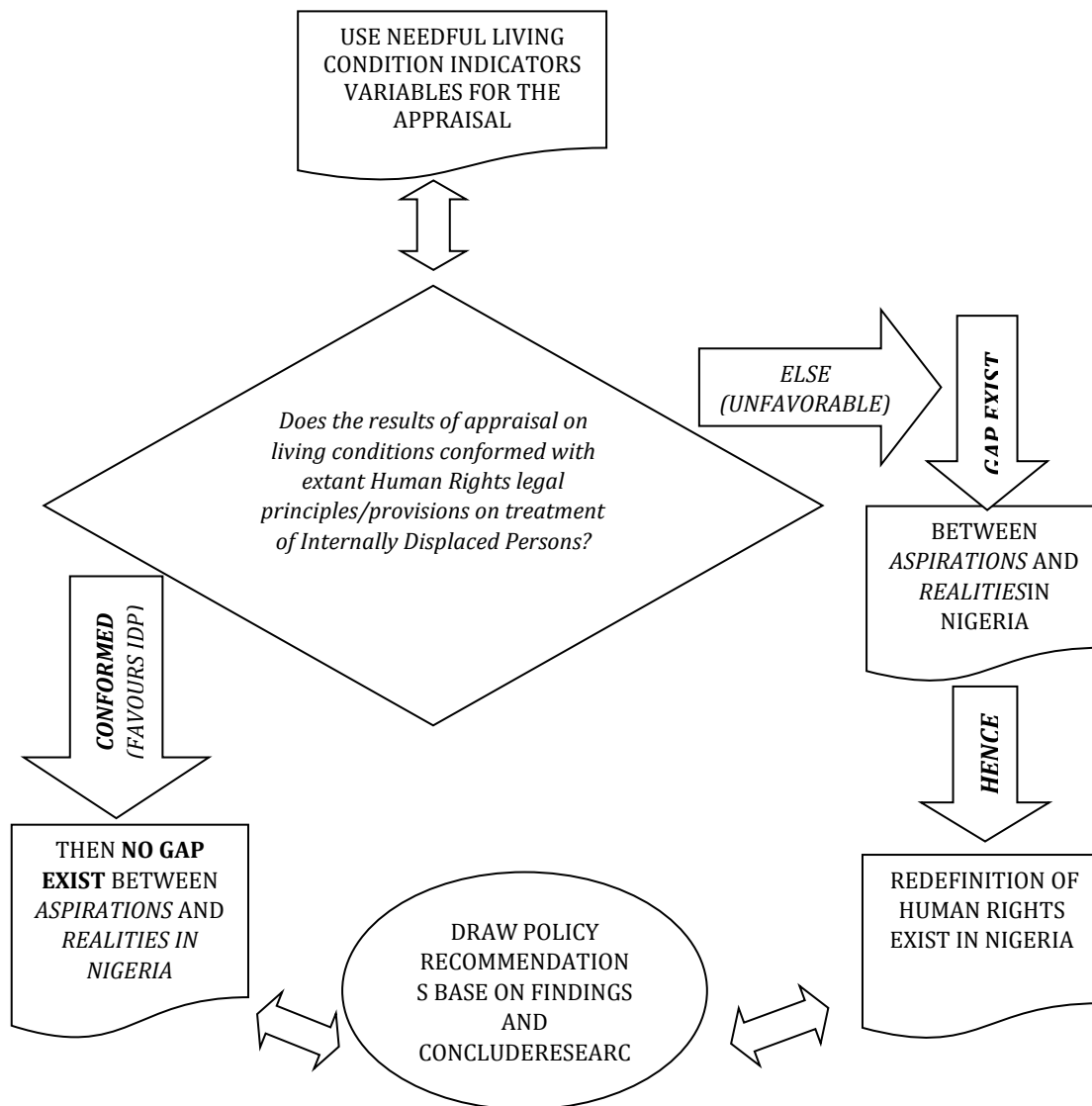
Study is rooted in social psychological theory, particularly the displaced aggression theoretical explanations and supported by the social inclusion theory. Dougherty and Pfaltzgraff (1990) disclosed that displaced aggression is a neo-Freudian hypothesis which stem from the frustration-aggression and gained scientific prominence with publication of Dollard, Doob, Miller, Mowrer, and Sears 1939. Simply put, Miller and Pollock (2018) conceived that displaced aggression is an aggressive behavior directed at a person or other target that is not the source of the aggression arousing provocation or frustration. That it occurs when it is impossible or unwise to respond aggressively toward the source of the provocation or frustration. As Moghaddam (2010) puts it, displaced aggression theorists postulated that aggression comes to play as a result of triggered frustration by extraneous factors. Displaced aggression is expressed when aggrieved people cannot retaliate directly against the source of provocation and, instead, subsequently transfer aggression against a seemingly innocent target. That relations are never fully loving - always also involving hostile, aggressive or antagonistic instincts. That the general meaning of transference is displacement of an emotion or attitude away from its obvious natural object and towards someone else. This explains why Edward and Yenda (2016) pursuit that the displaced people in Nigeria are people who became victims as a result of their vulnerability due to the absence of the requisite capacity of possessing the monopoly of the use of force to defend themselves. The implication of the displaced aggression by the Insurgents has been severe and destructive. It included the destruction of lives of innocent civilians, uniform men and women, the displacement of many people from their homes and their means of livelihood; the massacre of people based on their belief systems, particularly non-Muslims and moderate Muslims, who do not share their ideological principles, and the crumbling of the economy in the northern Nigeria. The aim of which is to establish an Islamic caliphate in the region, and, if it is possible overthrow the State to the full practice of Islam. Hence, as reported by ICRC (2016, p.7); UNHCR (2017, p.6) and IOM, (2018 p.2), the displaced aggression by Insurgents against the innocents in the Nigeria has forced millions of people to migrate out of their original home creating humanitarian situation and insecurity in the country. To support the displaced aggression theory with social

inclusion theory, Ejiofor *et al* (2017) explained that social inclusion is concerned with groups of people who need assistance due to their prevailing situation. Social inclusion is a result of the action taken positively to change the circumstances of these people, in this case the displaced persons. It is the opposite effect to the social exclusion occasioned by force displacement. The social inclusion theory supports the reintegration of the IDP into the larger society. It follows that in Nigeria, IDP are expected to be reintegrated into the society as it would allow for better management of the crisis, enhanced security and living conditions of the affected millions of the displaced.

### **Methodology**

Study depend on secondary sources of data gathering. They comprises of library and internet materials including scholarly books, journal articles and reports of humanitarian organizations and stakeholders that have the grasp of the conditions of IDP in Nigeria. Through deductive and comparative techniques, relevant aspects of the materials were extracted. Study results are dominantly qualitatively presented with the aid of tables. Majorly, content analytical method was adopted. The secondary materials used were adequate as it provide answers to the research questions raised in the study. Authors to the materials are acknowledged accordingly. As part of methods, Figure 5 shows how researcher systematically and logically arrived at conclusion of this research report.

Figure 5: Research Analytical Technique



Source: Designed by the authors.

### Findings and Discussion

#### Human Rights Principles on Treatment of IDP: *The Aspirations*

United Nations (UN, 1998) Guiding Principles on Internal Displacement is a worldwide major legal instruments on the treatment of IDP. Table 3 and Table 4 show that there are principles relating to protection during displacement and principles relating to humanitarian assistance in favour of displaced persons.

**Table 2:** *Section III - Principles Relating to Protection during Displacement*

Principle	Articles
10	<p>1. Every human being has the inherent right to life which shall be protected by law. No one shall be arbitrarily deprived of his or her life. Internally displaced persons shall be protected in particular against: (a) Genocide; (b) Murder; (c) Summary or arbitrary executions; and (d) Enforced disappearances, including abduction or unacknowledged detention, threatening or resulting in death. Threats and incitement to commit any of the foregoing acts shall be prohibited.</p> <p>2. Attacks or other acts of violence against internally displaced persons who do not or no longer participate in hostilities are prohibited in all circumstances. Internally displaced persons shall be protected, in particular, against: (a) Direct or indiscriminate attacks or other acts of violence, including the creation of areas wherein attacks on civilians are permitted; (b) Starvation as a method of combat; (c) Their use to shield military objectives from attack or to shield, favour or impede military operations; (d) Attacks against their camps or settlements; and (e) The use of anti-personnel landmines.</p>
11	<p>1. Every human being has the right to dignity and physical, mental and moral integrity. Internally displaced persons, whether or not their liberty has been restricted, shall be protected in particular against: (a) Rape, mutilation, torture, cruel, inhuman or degrading treatment or punishment, and other outrages upon personal dignity, such as acts of gender-specific violence, forced prostitution and any form of indecent assault; (b) Slavery or any contemporary form of slavery, such as sale into marriage, sexual exploitation, or forced labour of children; and (c) Acts of violence intended to spread terror among internally displaced persons. Threats and incitement to commit any of the foregoing acts shall be prohibited.</p>
12	<p>1. Every human being has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention.</p> <p>2. To give effect to this right for internally displaced persons, they shall not be interned in or confined to a camp. If in exceptional circumstances such internment or confinement is absolutely necessary, it shall not last longer than required by the circumstances.</p> <p>3. Internally displaced persons shall be protected from discriminatory arrest and detention as a result of their displacement.</p> <p>4. In no case shall internally displaced persons be taken hostage.</p>
18	<p>1. All internally displaced persons have the right to an adequate standard of living.</p> <p>2. At the minimum, regardless of the circumstances, and without discrimination, competent authorities shall provide internally displaced persons with and ensure safe access to: (a) Essential food and potable water; (b) Basic shelter and</p>

	<p>housing; (c) Appropriate clothing; and (d) Essential medical services and sanitation.</p> <p>3. Special efforts should be made to ensure the full participation of women in the planning and distribution of these basic supplies.</p>
<b>19</b>	<p>1. All wounded and sick internally displaced persons as well as those with disabilities shall receive to the fullest extent practicable and with the least possible delay, the medical care and attention they require, without distinction on any grounds other than medical ones. When necessary, internally displaced persons shall have access to psychological and social services.</p> <p>2. Special attention should be paid to the health needs of women, including access to female health care providers and services, such as reproductive health care, as well as appropriate counselling for victims of sexual and other abuses.</p> <p>3. Special attention should also be given to the prevention of contagious and infectious diseases, including AIDS, among internally displaced persons.</p>
<b>22</b>	<p>1. Internally displaced persons, whether or not they are living in camps, shall not be discriminated against as a result of their displacement in the enjoyment of the following rights: (a) The rights to freedom of thought, conscience, religion or belief, opinion and expression;(b) The right to seek freely opportunities for employment and to participate in economic activities; (c) The right to associate freely and participate equally in community affairs; (d) The right to vote and to participate in governmental and public affairs, including the right to have access to the means necessary to exercise this right; and (e) The right to communicate in a language they understand.</p>
<b>23</b>	<p>1. Every human being has the right to education.</p> <p>2. To give effect to this right for internally displaced persons, the authorities concerned shall ensure that such persons, in particular displaced children, receive education which shall be free and compulsory at the primary level. Education should respect their cultural identity, language and religion.</p> <p>3. Special efforts should be made to ensure the full and equal participation of women and girls in educational programmes.</p> <p>4. Education and training facilities shall be made available to internally displaced persons, in particular adolescents and women, whether or not living in camps, as soon as conditions permit.</p>
<b>Source:</b> <i>UN (1998, pp.1-14).</i>	

**Table 3: Section IV - Principles Relating to Humanitarian Assistance**

Principle	Articles
24	<ol style="list-style-type: none"> <li>1. All humanitarian assistance shall be carried out in accordance with the principles of humanity and impartiality and without discrimination.</li> <li>2. Humanitarian assistance to internally displaced persons shall not be diverted, in particular for political or military reasons.</li> </ol>
25	<ol style="list-style-type: none"> <li>1. The primary duty and responsibility for providing humanitarian assistance to internally displaced persons lies with national authorities.</li> <li>2. International humanitarian organizations and other appropriate actors have the right to offer their services in support of the internally displaced. Such an offer shall not be regarded as an unfriendly act or an interference in a State's internal affairs and shall be considered in good faith. Consent thereto shall not be arbitrarily withheld, particularly when authorities concerned are unable or unwilling to provide the required humanitarian assistance.</li> <li>3. All authorities concerned shall grant and facilitate the free passage of humanitarian assistance and grant persons engaged in the provision of such assistance rapid and unimpeded access to the internally displaced.</li> </ol>
26	Persons engaged in humanitarian assistance, their transport and supplies shall be respected and protected. They shall not be the object of attack or other acts of violence.
27	<ol style="list-style-type: none"> <li>1. International humanitarian organizations and other appropriate actors when providing assistance should give due regard to the protection needs and human rights of internally displaced persons and take appropriate measures in this regard. In so doing, these organizations and actors should respect relevant international standards and codes of conduct.</li> <li>2. The preceding paragraph is without prejudice to the protection responsibilities of international organizations mandated for this purpose, whose services may be offered or requested by States.</li> </ol>
<b>Source: UN (1998, pp.1-14).</b>	

Similarly, study found that although there are no specific consideration for the IDPs in the Nigerian constitution apart from general fundamental principles on Human Rights. Notwithstanding, Nigeria as an African Union (AU) member country signed the Kampala Convention on 23<sup>rd</sup> October 2009 and ratified it on 17<sup>th</sup> April, 2012 which placed Nigeria under the obligation to provide protection and assistance for the Displaced Persons camped within her territorial jurisdiction, which also stresses compliance with international laws on human rights and including the United Nations Guiding principles on Internal Displacement. Significantly, Article 7 and 9 of the Kampala Convention are specific on the treatment of IDP among others (Table 4).

**Table 4:** *African Union Convention for the Protection and Assistance of IDP*

<b>Article 7</b>	<b>Protection and Assistance to Internally Displaced Persons in Situations of Armed Conflict</b>
	<p>3. The protection and assistance to internally displaced persons under this Article shall be governed by international law and in particular international humanitarian law.</p> <p>4. Members of Armed groups shall be held criminally responsible for their acts which violate the rights of internally displaced persons under international law and national law.</p> <p>5. Members of armed groups shall be prohibited from: (a) Carrying out arbitrary displacement; (b) Hampering the provision of protection and assistance to internally displaced persons under any circumstances; (c) Denying internally displaced persons the right to live in satisfactory conditions of dignity, security, sanitation, food, water, health and shelter; and separating members of the same family; (d) Restricting the freedom of movement of internally displaced persons within and outside their areas of residence; (e) Recruiting children or requiring or permitting them to take part in hostilities under any circumstances; (f) Forcibly recruiting persons, kidnapping, abduction or hostage taking, engaging in sexual slavery and trafficking in persons especially women and children; (g) Impeding humanitarian assistance and passage of all relief consignments, equipment and personnel to internally displaced persons; (h) Attacking or otherwise harming humanitarian personnel and resources or other materials deployed for the assistance or benefit of internally displaced persons and shall not destroy, confiscate or divert such materials; and (i) Violating the civilian and humanitarian character of the places where internally displaced persons are sheltered and shall not infiltrate such places.</p>
<b>Article 9</b>	<b>Obligations of States Parties Relating to Protection and Assistance during Internal Displacement</b>
	<p>1. States Parties shall protect the rights of internally displaced persons regardless of the cause of displacement by refraining from, and preventing, the following acts, amongst others: (a) Discrimination against such persons in the enjoyment of any rights or freedoms on the grounds that they are internally displaced persons; (b) Genocide, crimes against humanity, war crimes and other violations of international humanitarian law against internally displaced persons; (c) Arbitrary killing, summary execution, arbitrary detention, abduction, enforced disappearance or torture and other forms of cruel, inhuman or degrading treatment or punishment; (d) Sexual and gender based violence in all its forms, notably rape, enforced prostitution, sexual exploitation and harmful practices, slavery, recruitment of children and their use in</p>

hostilities, forced labour and human trafficking and smuggling; and (e) Starvation.

2. States Parties shall: (a) Take necessary measures to ensure that internally displaced persons are received, without discrimination of any kind and live in satisfactory conditions of safety, dignity and security; (b) Provide internally displaced persons to the fullest extent practicable and with the least possible delay, with adequate humanitarian assistance, which shall include food, water, shelter, medical care and other health services, sanitation, education, and any other necessary social services, and where appropriate, extend such assistance to local and host communities; (c) Provide special protection for and assistance to internally displaced persons with special needs, including separated and unaccompanied children, female heads of households, expectant mothers, mothers with young children, the elderly, and persons with disabilities or with communicable diseases; (d) Take special measures to protect and provide for the reproductive and sexual health of internally displaced women as well as appropriate psycho-social support for victims of sexual and other related abuses; (e) Respect and ensure the right to seek safety in another part of the State and to be protected against forcible return to or resettlement in any place where their life, safety, liberty and/or health would be at risk; (f) Guarantee the freedom of movement and choice of residence of internally displaced persons, except where restrictions on such movement and residence are necessary, justified and proportionate to the requirements of ensuring security for internally displaced persons or maintaining public security, public order and public health; (g) Respect and maintain the civilian and humanitarian character of the places where internally displaced persons are sheltered and safeguard such locations against infiltration by armed groups or elements and disarm and separate such groups or elements from internally displaced persons; (h) Take necessary measures, including the establishment of specialized mechanisms, to trace and reunify families separated during displacement and otherwise facilitate the re-establishment of family ties;... (j) Take necessary measures to safeguard against environmental degradation in areas where internally displaced persons are located, either within the jurisdiction of the State Parties, or in areas under their effective control; (k) States Parties shall consult internally displaced persons and allow them to participate in decisions relating to their protection and assistance;... among others.

3. States Parties shall discharge these obligations, where appropriate, with assistance from international organizations and humanitarian agencies, civil society organizations, and other relevant actors.

**Source:** *Kampala Convention (2009, pp. 11-14).*



**Living Conditions in IDP Camps in Nigeria 2014-May 2018: *The Realities***

Table 5, Table 6 and Table 7 presented evidences or realities of the living conditions in IDP camps located within the borders of Nigeria and it shows that the rights of the displaced persons are grossly redefined, deprived, denied and violated in the country contrary to the provisions or prescriptions of the UN Guiding principles and the AU Kampala convention which Nigeria is signatory.

**Table 5: *The status of the living conditions in IDP camps.***

<b>Appraised/ Assessed Indicators</b>	<b>Status</b>	<b>Why? (The challenges)</b>	<b>The consequences on IDP</b>	<b>Treatment of IDP in camps by authorities ('right givers')</b>
Shelter and Housing	IDP camps and displacement sites often congested shelters or isolated in insecure or inhospitable areas, making them vulnerable to exploitation and abuse.	(i) Due to continuous displacement by insurgency; (ii) Makeshifts are poorly constructed in some camps; (iii) IDP camps and camp-like settlements are disorganized, flood-prone; (iv) Not adequately funded due to lack of proper planning.	(i) IDP Camp shelters or tents and other valuables were destroyed by windstorms as such many were injured and stranded especially during raining seasons.	Not in conformity with Guiding Principle 18, Article 1 and 2(b) on the Human Rights of Internally displaced persons (see Table 2).
Food supply or access to food	Food are always in short supply (Inadequate), not regularly supplied (food assistance does not last from one distribution until the next, especially as the intervening time sometimes extends beyond	(i) Stealing/diversion of IDP food allegedly by camp officials; (ii) Lack of clear definitions of camp;(iii) Inability of humanitarian agencies or organizations to access some camps due to	(i) <i>Many have died due to starvation, hunger or severe malnutrition - extreme food insecurity.</i> (ii) IDP girls, sneaking out to indulge in prostitutions due to food insecurity (offering of 'sex for food' is palpable).	Not in conformity with Guiding Principle 18, Article 1 and 2(a); Principle 24, Article 1 and 2 as well as Principle 26 on the Human Rights of Internally displaced (see Table 2, Table 3) and Kampala

	a month), food is provided without any spices to make it edible, while in some not provided at all.	security threat and attacks on humanitarian staffs by insurgents; (iv) Assistance to meet minimum food needs, became largely cut-off during the rainy season due to bad roads. (v) Inadequately funded due to lack of proper planning;		Convention Article 7 (5) (Table 4).
Non-food items	Non-food items needed in the camps such as: firewood, soaps (bathing and washing),blank ets, mosquito nets among others are not provided in most camps.	Inadequate/lack of proper planning.	<i>(i) IDP are forced to sell some of their food assistance package to buy or obtain other basic items thereby causing their food to run out faster and food inadequacy. (ii) IDP are often forced to beg between distributions, and go days hungry without eating after their food might have run out and as they wait for the next distribution.</i>	Not in conformity with Guiding Principle 18, Article 1 and 2(a); Principle 24, Article 1 and 2 as well as Principle 26 on the Human Rights of Internally displaced (see Table 2, Table 3) and Kampala Convention Article 7 (5) (Table 4).
Water and sanitation/hygiene.	<i>(i) In most camps water is in short supply (Inadequate), not regularly supplied, while in some camps</i>	(i) Inability of the humanitarian agencies to access some camps due to security threat by insurgents;	<i>(i) Vulnerable children are acutely malnourished leading to diarrheal diseases and many have died due to lack of portable water</i>	Not in conformity with Guiding Principle 18, Article 1 and 2(a) on the Human Rights of Internally

	<p><i>water is not provided at all IDP source for water in from a long distance locations.</i></p> <p>(ii) Most camps lack sanitary materials such as detergent, waste bin, toilets and brooms.</p>	<p>(iii) lack of clear definitions of camp; (iv) Inadequately funded due to lack of proper planning.</p>	<p><i>source. (ii) IDP suffered to get water from far distance locations to their camps. (iii) Due to lack/inadequate water, sanitation or healthy environment is difficult to maintain in many camps.</i></p>	<p>displaced (see Table 2) and Kampala Convention Article 7 (5) (Table 4).</p>
Clothing	Information Not available	Information Not available	Information Not available	-
Access to healthcare or medical services	Facilities to carter for IDP health challenges were also inadequate and lacking in majority of the camps.	(i) Inability to access some camps due to security threat (attack on humanitarian personnel by insurgents; (ii) lack of clear definitions of camp; (iii) Inadequately funded due to lack of proper planning.	(i) IDP resulted to self-help using herbs as alternative; (ii) IDP who are sexually abused could not receive medical treatment in most cases; (iii) pregnant women, nursing mothers and children that have little or no access to quality medical healthcare have witness avoidable deaths. (iii) IDP with HIV diseases has no required medical care.	Not in conformity with Guiding Principle 18, Article 1 and 2(d) as well as Principle 19, Articles 1, 2 and 3 on the Human Rights of Internally displaced (see Table 2) and Kampala Convention Article 7 (5) (Table 4).
Access to electricity	Information provided in literature not sufficient on this variable.	Information not sufficient.	Information not sufficient.	-
Security issues	Remain largely unmet given the magnitude	People who should protect IDP: Government	(i) Loss of confidence in security forces;	Not in conformity with Guiding Principle 10,

	continuous insecurity in IDP camps.	officials, camp leaders, vigilante groups, policemen, civilians, and soldiers and other authorities are allegedly not committed to providing adequate security as expected.	(ii) Spread of fear and suspicious among IDP; (iii) IDP are raped and sexually exploited (women and girls); (iv) Many women and girls are allegedly coerced to become "girlfriend" and "wife" are sexually abused by people who supposed to protect them. (v) Camp with high concentrations of IDP are targeted by Insurgents and infiltrated by militants; (vi) IDP lack freedom to move out and relate with others outside camps due to fear of force arrest and detention; (vii) Loss of dignity as many feel ashamed of their living conditions.	Article 1(a), (b), (c) and (d); Article 2(a) and (d); Principle 11, Article 1(a) and (b); Principle 22 Article 1(c) on the Human Rights of Internally displaced persons (see Table 2) and Kampala Convention Article 7 (5) (Table 4) and Article 9 (Table 5).
<p><b>Sources:</b> <i>Generated by Cross-comparing Credible Recent Works/Reports: Channels Television (2018); REACH Initiative (2018); UNHCR (2017); HRW (2017); UNCEF (2018); News Agency of Nigeria (NAN, 2018); NOIPolls (2016); Metro (2016); Alabi (2017); Abiola (2017); Metro (2017); FEWS NET (2018); UNDP (2018); Amnesty International (2018).</i></p>				

Quantitatively, a survey conducted among 23,994 displaced persons has more to tell in support of the above on the living conditions in IDP camps in Nigeria.

**Table 6:** *Trend of main needs in IDP camps*

DTM Round	Security	Water for washing and cooking	Sanitation and hygiene	Drinking water	Medical	Medical services	Non-food items	Food
Round 19	1%	1%	1%	2%	4%	8%	13%	70%
Round 20	1%	1%	1%	2%	5%	8%	14%	69%
Round 21	1%	0%	1%	2%	5%	8%	13%	70%

**Source:** *Displacement Tracking Matrix (DTM) Round XXI Report - (February 2018).*

Table 6 showed that 70 per cent classified food as their main unmet need. Notably, 13 per cent pointed to non-food items; 8 per cent identified shelter; 5 per cent highlighted medical services as a key unmet needs, which are consistent with previous assessment findings. Hence, the need for food has been consistently high among others (DTM Round XXI Report, 2018). Nevertheless, study further discovered abuses suffered in camps by IDP that violate their human rights and worsen their living conditions.

Table 7 below, shows the evidence of abuses in IDP camps within the borders of Nigeria.

**Table 7:** *Abuses in IDP camps in Nigeria*

Appraised / Assessed Indicators	IDP camps	The consequences on IDP ('Right Owners')	Who are the Abusers?	Treatment of IDP in camps by authorities ('Right Givers')
Sexual Abuse and Exploitation	Sexual abuses are reported in most IDP camps in Northeast, Northwest and North central.	(i) Large numbers of IDP are raped without legal justice;(ii) Many are infected by HIV and other sexually transmitted diseases.	'Right Givers': People who should protect women and girls: Government officials, camp leaders, vigilante groups, policemen, civilians, and soldiers and other authorities have allegedly raped and sexually exploited	Not in conformity with Guiding Principle 11 Article 1 and 2(a) and (b) on the Human Rights of Internally displaced persons (see Table 2).
Drug Issues	In some camps in Northwest, Northeast and North central, Female IDP are allegedly drugged.	(i) IDP are sexual infected with HIV and other sexually infections without quality medical		Not in conformity with Guiding Principle 11 Article 1 and 2(a) and (b) as well Principle 22, Article 1(c) on the Human Rights of

		treatment and legal justice. (ii) IDP are Impregnated and denied. (iii) Affected IDP suffered emotional trauma without legal justice.	women and girls in camps.	Internally displaced persons (see Table 2).
Freedom of movement issues	IDP rights to freedom of movement is largely restricted, particularly in Northeast and some part of North-central due to insecurity and these are inhumanly exploited.	(i) It made IDP offered "Sex for freedom of movement" in and out of the camps; (ii) IDP are Impregnated and denied; (iii) Affected IDP suffered emotional trauma without legal justice.		Not in conformity with Guiding Principle 22 Article 1(c) on the Human Rights of Internally displaced persons (see Table 2) and Kampala Convention, Article 7 (5d) (see Table 4).
Trafficking	Children in IDP camps across Nigeria are being trafficked within and across borders.	IDP are exploited in various ways by traffickers and used as slaves and object for trading - sold for humiliating prices.		Not in conformity with Kampala Convention, Article 7 (5f) (see Table 4).
<b>Sources:</b> <i>Generated by Cross-comparing Credible Reports:</i> <a href="#">Aqbuqah</a> (2016); <i>NOIPolls</i> (2016); <i>UNHCR</i> (2017); <i>HRW</i> (2017); <i>UNCEF</i> (2018); <i>News Agency of Nigeria (NAN, 2018)</i> ; <i>REACH Initiative</i> (2018); <i>Amnesty International</i> (2018).				

On a final analysis, it must be noted that domestically, the constitution of the Federal Republic of Nigeria does not specifically make provisions for the protection of IDP. Importantly, the constitution of Nigeria provide for the generality of her citizens fundamental human rights and IDP cannot be excluded from enjoying such rights. Nevertheless, from the above research findings/results, it is crystal clear that IDP have rights under international and regional legal instrument on human rights of displaced persons: The 1998 UN Guiding Principles on the treatment of Internal Displacement worldwide, and The 2009 African Union (AU) Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), which Nigeria is

signatory and has ratified. By appending signature and ratifying the extant human rights legal principles, Nigeria has avowed or promised to comply with the tenets of the legal instruments and Nigeria cannot afford to undermine this responsibility by acting to the contrary as revealed in this research report. In all ramifications, Nigeria is obliged to take responsibility to protect and assist the displaced persons within her territorial jurisdiction rather than callously redefining: depriving, abusing and exploiting the displaced persons ('Right Owners').

As the research result revealed, it is glaring that the 'Right Givers' have not been able to adequately provide shelter/housing, food including non-food items, water and sanitation, healthcare, security in IDP camps but instead, have unsympathetically redefined the rights of the IDP in some manner which is worth recapitulating here: starving women and girls to 'offer sex for food'; 'sex for freedom of movement'; forcing them to 'become girl friends'; forcing them into marriage; drug-raping them; trafficking them with humiliating prices; attacking humanitarian staffs/ workers/personnel and IDP camps; as well as diverting food supplies meant for IDP, what was said to be the highest unmet need, among others. All these are serious crimes against humanity and it must be urgently addressed.

### **Conclusion**

Nigeria supposed to be an example in conforming to extant international and regional human rights legal frameworks for other African countries to emulate but study has revealed that Nigeria is yet to set such precedence. Study has established that there is a gulf between legal aspirations and the realities in IDP camps in Nigeria as the living conditions and protection of rights in IDP camps in the country is to the contrary. However, any further callous redefinition, deprivation, denial and abuse of IDP rights by the 'Right Givers' has a serious implication: It will not only make the international community to see the present fight against corruption in the country as a mere propaganda but it will constitute a damage to the hard won democracy as well as a ruin to the international reputation this present government claim to be building. Rather than redefining the rights of displaced persons, Nigeria should wake-up to her responsibilities and obligations by conforming with the extant human right legal principles relating to protection and assistance to Internally Displacement among others.

Significantly, this research report would not only serve as source of reference to other researchers in social and behavioural sciences as well as in art and humanity, the recommendations would serve as policy guide to addressing challenges identified and ensure that the treatment in IDP camps in Nigeria conform with international and regional standards on the treatment of the displaced persons. Equally, the recommendations bridges the gaps identified between aspirations and the realities in IDP camps within Nigeria's territorial jurisdiction, which makes this study report unique to extant literature and must read for policy makers. The entire report provides hints for the human rights activists and legal practitioners to know the areas that the IDP in Nigeria camps requires voluntary assistance to restore their rights. It represent a limelight to the IDP in camps in Nigeria to realized that they are protected by legal instruments and to advocate for the enjoyment of same.

### **Recommendations**

In order to address the challenges depriving displaced persons from enjoying their human rights and to create an enabling environment for a better living conditions in various in IDP camps

across the country, the following recommendations must be put into consideration and acted upon by all concerns on this crucial matter:

- i. The continuous displacement portrays a serious insecurity in Nigeria particularly in the northern region, hence there is need to adequately provide and strengthen security in the states under the threat of insurgency and herdsmen where there are IDP camps, as this will allowed relief materials to get to the displaced persons without hiccup or interruptions.
- ii. Similarly, Nigeria should ensure strict compliance with extant legal provisions on the issues relating to providing security for the protection of humanitarian groups, because if attack persist, it will continue to hinder supports from groups and would further worsen the situation as Nigeria alone may not be able to provide adequately for displaced persons in various camps under her territorial jurisdiction.
- iii. There is need for Nigerian stakeholders to strengthen collaborations and properly plan with international humanitarian agencies/groups to construct a fairly strong, durable, organize and adequate shelters/housings/settlements for the displaced persons in affected states.
- iv. Adequate information of all camps in Nigeria should be made available to humanitarian organizations, agencies or groups rendering assistance to displaced persons to ensure that displaced persons in various camps across the country are provided for without discriminations or exceptions.
- v. Plans should be put in place to ensure adequate and regular supply of food, non-food items, access to sources of portable water supply, medical services and sanitation in IDP camps as this would reduce hunger, malnutrition, sickness, and mortality rate.
- vi. There is need to call to order camps officials including soldiers, Civilian JTF members and others who are allegedly diverting/stealing relief materials including food or non-food items from reaching IDP camps.
- vii. The Federal, State, Local Government authorities in Nigeria should strengthen synergy to make adequate arrangement for the relocation of IDP leaving in camps that are cut-off from relief materials due to flood as fast as possible.
- viii. The government officials, camp leaders, vigilante groups, policemen, civilians, and soldiers and other authorities who are expected to providing security in various IDP camps but allegedly abusing and exploiting IDP sexually, drug raping them, forcing female IDP into girlfriends and deceitful marriage, impregnated and denying them to suffer more hardships and traumatized; making IDP offered “sex for food and sex for freedom of movement” as well as engaging in child trafficking in IDP camps should be investigated by personalities with reliable integrity and those proved guilty by the Court of law should face their judgment accordingly. As this would serve as deterrence to others and would reduce suffering, emotional trauma the female IDP are facing.
- ix. Legal practitioners, human rights experts, organizations, civil society should rise-up to defend IDP whose rights have been violated to ensure justice prevails.
- x. IDP who are sexually abused should be given adequate medical attention.
- xi. Federal Government should intensify more effort towards providing adequate security across the northern states to ensure that IDP who are willing to return back to their original home are reintegrated in accordance with the provision of extant international and regional legal instruments.



- xii. The Lawmakers should make necessary effort to ensure that the extant international and regional legal provisions on IDP are domesticated or embedded as part of the country's constitution to strengthen operationalization and enforcement accordingly.

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