

**MIGRATION, INTERNAL DISPLACEMENT, PUBLIC DISORDER AND THE ROLE OF CRISIS MANAGEMENT FRAMEWORK: A FOCUS ON WOMEN AND THE MINORITY RIGHTS IN NIGERIA\***

**Abstract**

*Basically, crisis is a global phenomenon. It goes beyond communal and ethnic concerns to national, regional and international concerns. Given the inevitability of crisis in the social environment, the major concern is shifted to its management strategy in order to contend with its impacts. Sequel to these, many countries have responded differently to conflict management, though maybe guided by the international conflict management framework. However, some countries' responses to conflict management are poorly result oriented. Therefore, the aim of this article was to examine the rising spate of migration, internal disturbance, public disorder and the role of crisis management framework with specific focus on women and the minority rights in Nigeria. The research methodology was doctrinal approach, using expository and analytical research design. The main sources of data collection were various legal literatures from physical library and e-library. The findings of this study revealed that the level of crisis in Nigeria has risen to the point of causing internal displacement of persons, and this has infringed on women and the minority right with less response from the government. Therefore, it was recommended among others that international and regional organizations should encourage their member states to develop and enforce effective crisis management framework to check the malaises. Also, international or regional instruments should be amended in a way that they have enforcement power and punitive measures on member states, like Nigeria, where there is default in responding to crisis management. Finally, the significance of this article enriches stakeholders with relevant literature in human right, feminism, social order, and crisis management scholarship.*

**Keywords:** Migration, Internal Displacement, Public Disorder, Crisis Management Framework, Women and Minority Rights, Nigeria

**1. Introduction**

The rising spate of migration, internal disturbance, public disorder and the role of crisis management framework in relation to women and the minority right has to do with the rights of women, children and the physically challenged who are internally displaced in the Nigerian crisis situations. These crises range from *boko haram* terrorism in the Northern Nigeria, IPOB/Biafran secession in the Eastern Nigeria, kidnappings and oil militancy in the Niger Delta region, flood and ethnic/boundary crisis in the southern and Western Nigeria, and many others. In fact, most of these crises are interrelated and generally spread across the entire country. Minority rights are highly at stake in these crises situation. Women are more exposed to domestic violence. The girl-child is at the risk of being given out for early marriage. Child abuse gets to the intolerable level. Rape cases become alarming. The girl-child is being subjected to sex slavery. The child is consistently sexually abused. Starvation and trafficking in persons are being faced by the disadvantaged persons, who are the women, children and physically challenged. These persons are also deprived of formal education. In fact, there is resultant effect of internal displacement. It is reported that 92% of internally displaced persons (IDPs) were displaced by the insurgencies due to unmanaged crises and more than 70% of them are women and children.<sup>1</sup>

In Nigeria, the displaced persons are finding it difficult to regain pre-conflict way of living because of the poor living condition; faced with the rigors of long journeys, psychological trauma, safety challenge, harassment, frequent sexual abuse, children molestation, forced labour, poor sanitation which exposes members of the camps to infectious diseases, poor medical facilities which accommodate growth of infectious bacteria, fungi and virus in their bodies, poor feeding which exposes them to malnutrition, poor condition of infrastructure such as power, water, roads, lack of healthcare, security, education among other basic amenities. In all these, women and children are more vulnerable. The issue of the welfare, protection, assistance and promotion of the rights of internally displaced persons due to crises has of late become a national question, regional debate and international discourse. This is as a result of its negatives effects basically from poor crisis management framework.

Thus, crisis management framework is designed in an effort to manage these prevailing and perennial crises that result into these malaises. Human rights, fundamental rights issues, the jurisdictional legal framework, and the country's legal system are made punitive subject of jurisprudential interrogations. These backdrops and many other factors necessitate a critical focus on the topic of this research. The scope and objectives of this article are as well tailored accordingly.

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<sup>1</sup> 'Opinion Poll Report: The Plight of Women and Children in Nigeria's Crises and internal disturbance' *Online Database* <<http://ynaija.com/idp-women-children/>> accessed on 17<sup>th</sup> December, 2022.

## **2. Nature of Migration in Nigeria and Implication**

Migration is the movement by persons from one place to another, especially rural setting to urban setting or a given country to another country. It is a form of relocation and which can hardly take place without any compelling reason. Thus, migration most often has some pushing or propelling factors. Ordinarily, migration occurs at basically two levels, rural-urban migration (which may be intra or inter-state) and inter-country migration. Other associated names are immigration and emigration. In Nigeria, for instance, migration occurs beyond just two levels of rural-urban migration and inter-country migration. There is intra-country migration which happens as intra-state migration and inter-state migration. In other words, people do not just migrate from their rural community to urban communities in search for 'greener pastures'. Rather, people also migrate from one rural community to another rural community, from one urban setting to another urban setting, and from urban community to rural community. These happen due to insecurity, hunger and starvation, natural occurrence like desert encroachment and flood, including man induced flood, political violence, ethnic crisis, and a host of other factors. Normally, migration supposed to be planned and well thought of. However, the state of the country has prompted forced migration and in fact, unplanned. This is closely associated with internal displacement. Migration can happen in the night or day in an effort to seek for safety. Apart from the negative causes of migration, on the other hand, migration can expose women and children to trafficking, girl child sex slavery, child sexual abuse, women molestation, abuse of persons living with disability, hunger and starvation due to unemployment or no empowerment, wide spread of illiteracy due to poor or no education, health challenges due to poor or no health facility and many others. These basically border on women and the minority rights.

## **3. The Nature of Internal Disturbance and Public Disorder in Nigeria and Implication**

### **The Nigerian Civil War (1967-1970)**

Sir Abubakar Tafawa Belewa who was the Prime Minister of Nigeria in the first republic together with Samuel Ladipo Akintola who was the Premier of the Western region and Ahmadu Bello who was the Sarduna of Sokoto in the Northern region were all murdered in January, 1966 during a military coup. Revenge attacks were made on Nigerians of South-East origin after a counter military coup in July, 1966 where Aguyi Ironsi, the Head of State was murdered. Sequel to this, the Igbos broke away from the rest of Nigeria and called their land, the Republic of Biafra. This compelled the Nigerian government led by General Yakubu Gowon to declare war on the secessionist Biafran.<sup>2</sup> It led to a long, bloody and heart-rending civil war. During the civil war, among other things, soldiers indiscriminately raped women and girls. After a protracted war with starvation, death etc., the Biafran army later surrendered to the Nigerian army. However, this armed conflict continues though in a different dimension as the Igbos are being marginalized and underrepresented in the political, economic and social affairs of the country.

### **Lagos, Abiola June 12 Crisis of 1993**

The Honorable (Hon.) Bashorun M. K. O. Abiola, the presidential candidate for a leading political party called the Social Democratic Party (SDP) was believed to have won the election in June, 1993. However, the results were declared null and void, so there was a protest uprising, which started in Lagos and spread to other areas of Nigeria. Some of these protestors raped women and committed other atrocities in the course of uncontrolled mob action which lasted for some days in the streets of Lagos.

### **Ogoni, Rivers State Crisis (1993-1994)**

General Ibrahim Babangida, the former Nigerian military Head of State, sent soldiers to Ogoni land in January 1993 until 1998, because there was conflict in the area. These soldiers assisted a special police force called the Rivers State Internal Security Task Force (RSISTF). This police force and the soldiers were sent to Ogoni land to keep the peace. Unfortunately, during this period the police and soldiers raped more than two hundred (200) married women, young girls and teenagers. The number of women raped was so large that the Human Rights Violation Investigation Commission (HRVIC) only allowed seven (7) of the rape victims to testify during its sitting in Port Harcourt in January-February 2001.<sup>3</sup>

### **Odi, Bayelsa State (1999)**

On 20<sup>th</sup> November, 1999, soldiers burnt the community of Odi in Bayelsa State to the ground in revenge for the killing of twelve (12) policemen. The young men of Odi killed these policemen, but the soldiers directed their anger at the women and raped them indiscriminately. There was a public outcry at the raping vengeance of the soldiers. The Hon. Dr. Chuba Okadigbo, the former Senate President, led a senate delegation to Odi on 23<sup>rd</sup> November, 1999 to find out the truth about the rape crimes committed by the soldiers. The courageous rape survivors of Odi town were about fifty in number.<sup>4</sup>

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<sup>2</sup> J Ezeilo, 'The Reality of Rape and Sexual Violence against Women in Nigeria.' In *A Cry for Justice* (Women's Aid Collection, 2003) p. 1.

<sup>3</sup> Human Rights Violation Investigation Commission (HRVIC) on Ogoni Land' *Online Database* <[http://www.google.scholar.edu/rapereportinogonicrisis\\_1994](http://www.google.scholar.edu/rapereportinogonicrisis_1994)> accessed on 17<sup>th</sup> December, 2022.

<sup>4</sup> The Africa Center, 'Nigeria: Odi Massacre Statements' *Online Database* <<https://www.africa.upenn.edu>> accessed on 17<sup>th</sup> December, 2022.

### **Umuleri/Aguleri, Anambra State (1999)**

In April 1999, a fight broke out between the two neighbouring communities of Umuleri and Aguleri in Anambra State. Lives were lost and property destroyed from both communities. Above all, the warring men ruthlessly violated women, girls and any vulnerable individual.<sup>5</sup> Similar event also occurred in Choba, Rivers State on 21<sup>st</sup> October, 1999.<sup>6</sup>

### **Tiv/Jukun Clashes, Taraba and Benue States (2001)**

In May 2001, a fight in Wakari L.G.A. of Taraba State between a Fulani herdsman of Jukun origin and a Tiv man called Mr. Iyortimin Umande, led to the death of Mr. Umande. The fight broke out because Mr. Umande did not want the cattle to graze on his farm. In October of the same year, twenty-two (22) soldiers mistakenly believed to be Jukuns, were captured and killed by the Tivs. When soldiers were sent to the area to keep the peace in the conflict areas of Benue and Taraba, they went on a wild killing and raping spree.<sup>7</sup>

### **The EndSARS Protest and the Lekki Toll Gate Massacre**

EndSARS is a decentralized social movement, and series of mass protests against police brutality in Nigeria. The police brutality include killings, assaults, harassment and lack of freedom of expression caused by SARS officials in Nigeria; The slogan calls for the disbanding of the Special Anti-Robbery Squad, a notorious unit of the Nigerian Police with a long record of abuse on Nigerian citizens. EndSARS protests began as a call to end police brutality and extrajudicial killings that have become endemic in Nigeria. Harassment and unfair treatment by the police are rife, and it dates back to the military era when soldiers unlawfully arrested citizens and violated their rights.<sup>8</sup> According to Amnesty International, at least 12 people were killed in the EndSARS protests, while dozens were injured, including at Lekki tollgate in Lagos on 20<sup>th</sup> October, 2020 where witnesses live streamed soldiers shooting at protesters draped in or waving Nigerian flags. The army and Nigerian government continue to deny anybody was killed at Lekki tollgate, and atrocities at other demonstrations have scarcely been acknowledged.<sup>9</sup>

The aftermath of police brutality is indelible in the Nigerian history. Most victims who were inflicted with injuries have become handicaps leading to being dependent and begging for survival. Families of victims who lost their lives from police brutality, the EndSARS protest, and the tollgate massacre are still languishing in ugly memory of the gruesome murder of their loved ones, especially for families whose loved one was the bread winner of the family. The bastardized effect of this is hugely faced by the women – mothers, wives, dependent sisters – who now become motherless and/or widows. Children also are very pathetic as they have become orphans and some turn to social vices constituting nuisance to the society. Also, the plight of persons living with disability can just be imagined.

### **The 2022 National Flood Mayhem**

African countries, especially Nigeria, have been experiencing flood almost every year. In almost a decade, Nigeria has not experienced the high level of flooding and damage it has experienced this year. The flooding was caused by heavy rainfall and climate change as well as the release of water from the Lagdo Dam in neighbouring Cameroon, which began on the 13<sup>th</sup> of September, 2022. Flooding, which affected Nigeria, Niger, Chad, and the surrounding region, began in the late rainy season of 2022 and ended in October. The implication of the flood cannot be overemphasized. According to THISDAYLIVE report, it led to about 1.3 million displaced persons, who are mostly women, children and the physically challenged. Also, about 2,407 persons were injured and about 603 persons were dead due to the flooding.<sup>10</sup> In fact, the havoc wreaked by the flood negatively impacted deeper on the socioeconomic development of the country. Apart from lives lost, injuries sustained and persons displaced, there was by extension fuel scarcity and shortage in food supply. The girl child, in pretense of assistance by her assailant or in her effort to run for survival, was exposed to rape, prostitution, sex slavery, trafficking and the rest. Women and children were generally sexually abused, domestic violence got to increase, children could not have at least basic education, and many other debase situations which the government poorly managed to avert or contend the crises.

### **The Tool of Rape in Crisis Situations**

Rape is used as a tool of war in Nigeria, whether civil war, armed conflicts in tribal, inter-ethnic, interstate, or national level. The military or aggressors use rape as a weapon of warfare during times of conflict. The cowardly fighters who commit these disgusting crimes of rape do not care about whom, how, why, or where these crimes are committed. The aim

<sup>5</sup> IOSR Journal, 'Inter and Intra Community Conflicts' *Online Database* <[https://www.iosrjournals.org\\_papers.series-2](https://www.iosrjournals.org_papers.series-2)> accessed on 17<sup>th</sup> December, 2022.

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*

<sup>8</sup> This Day Newspaper, 'What led to EndSARS Protests?' 20<sup>th</sup> October, 2021.

<sup>9</sup> E Akinwotu, 'The Lights went out and the Shooting started: EndSars Protesters find no Justice one Year on' The Guardian. 1<sup>st</sup> November, 2021.

<sup>10</sup> THISDAYLIVE, 'Flooding and Need for More Dams in Nigeria.' *Online Database* <<https://www.thisdaylive.com/index.php/2022/10/25>> accessed on 18<sup>th</sup> December, 2022.

of these fighters is simply to rape women in order to intimidate, humiliate and spread bad blood, especially when the aggressors cannot get their men target and enemies.<sup>11</sup> The sordid experiences of the rape survivors included:

- (a) Gang-raping that means being raped by more than one man at the same time. Most of the women were raped by between 2 or more men each time.
- (b) Beating to submission by the state law enforcement agents
- (c) Raping in front of their children
- (d) Accusations of encouraging the soldiers to rape them
- (e) Abandonment by families
- (f) Raping while in search of food for children or grandchildren
- (g) Engaging in forced oral sex
- (h) Aversion to sex, even with husbands, after the rape.
- (i) Raping by state law enforcement agents to intimidate the women to reveal the whereabouts of their husband and sons.
- (j) Suffering of mental depression and confusion
- (k) Sustaining of numerous health complaints including urinary tract infections, waist pains, chest pains, menstrual disorders, vaginal pains, irregular vaginal bleeding, constant vaginal bleeding, fainting spells, sexually transmitted disease (STDs), damaged wombs and piles.<sup>12</sup>

It is to be noted that rape is not just punishable as a mere crime in Nigeria, but equally as violence against persons.<sup>13</sup> The Violence Against Persons (Prohibition) Act 2015<sup>14</sup> gives a very compressive definition of rape as when a person intentionally penetrates the vagina, anus or mouth of another with any other part of his or her body or anything else without consent or with incorrectly obtained consent, where it is obtained by force, threat, intimidation or by use of substance et cetera. The definition is more comprehensive and elaborate however, its application is limited only to Abuja. Currently, only eighteen states have domesticated it, while many have not, there the researcher advocates for spontaneous response by other states, so that women, girls and minorities will be adequately protected. Also, Childs Rights Act<sup>15</sup> provides that sex with a child is rape and any who has sexual intercourse with a child is liable to imprisonment for life upon conviction. However, the law has not been adopted by many states in Nigeria.

#### **4. Internal Displacement of Women, Children and the Physically Challenged**

Internal displacement arises due to some reasons or causes including and without being limited to armed conflicts rising tensions and national uprising, generalized violence, human right abuses or violations and indeed manmade and natural disasters. It is imperative to observe that in the global internal displacement index, Africa ranks highest amongst the continents hit by internal displacement.<sup>16</sup> In most places internal displacement occur as a result of manmade factors and natural disasters. We have heard of building collapse, bridge collapse, we have also heard of natural disasters like earth quake, draught, flood as was witnessed in so many states in Nigeria between 2012, 2018 and recently in 2019.<sup>17</sup> In the flood of 2012 and 2018, states like Benue, Bayelsa and Anambra states were worst hit.<sup>18</sup> In all these instances, properties worth millions of naira were lost while many died in the process and others rendered homeless and displaced without trace of their family members and without hope of reuniting with them. Owing to all the above, there has been regional and international response on how to promote the protection, welfare and assistance to the citizens. This has also created national consciousness among states on measures and strategies towards addressing the menace of internal displacement.<sup>19</sup>

According to the Internal Displacement Monitoring Centre (IDMC), in the world today, there exist more than fifty million people internally displaced as a result of violent conflicts, development projects, disaster, and human rights violations.<sup>20</sup> It is a basic fact that the issue of internal displacement has remained a glaring humanitarian and human right challenge facing the international community.<sup>21</sup> The situation of IDPs is something similar to people who have fallen into a vacuum as far as the responsibility of the state is concerned.<sup>22</sup> On the other hand, they are often let down by the national authorities who

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<sup>11</sup> J Ezeilo, 'The Reality of Rape and Sexual Violence against Women in Nigeria' In *A Cry for Justice*, (Women's Aid Collection, 2003) p.1.

<sup>12</sup> *Ibid.*

<sup>13</sup> Violence Against Persons Prohibition (VAPP) Act 2015, section 1.

<sup>14</sup> VAPPA 2015

<sup>15</sup> CRA 2003 s 31(1) & (2)

<sup>16</sup> Internal Displacement, Nigeria Country Profile, 2009.

<sup>17</sup> African Internal Displacement Report, 2017.

<sup>18</sup> *Ibid.*

<sup>19</sup> National Policy Framework by Federal Republic of Nigeria, (FG Gazette, 2012).

<sup>20</sup> IDMC Global Review, 'People Displaced by Conflict and Violence' *Online Database* <[http://www:internal displacement.org](http://www.internal displacement.org)> Accessed on 2<sup>nd</sup> December, 2022.

<sup>21</sup> B Naika, *Internal Displacement and the 2030 Agenda for Sustainable Development Issues and Challenges* (New Delhi, Jawal Harial Nehru University, 2022).

<sup>22</sup> *Ibid.*

are expected to protect them hence leaving them frustrated as they have no status like refugees. There is international mechanism to assist them in their plight.<sup>23</sup> The refugees have many international treaties and conventions established by United Nation for their protection but the IDPs do not have similar bodies and hence the case of IDPs become a complicated issue especially with regards to women, children and other vulnerable groups. It is acknowledged that there is increasing awareness at the global level on the need for international response over IDP issues especially women and children, at any rate the response is still low.<sup>24</sup>

Indeed, UN efforts to improve capacity and response to internal displacement really started in 1992 when at the request of the United Nation's Commission on Human Rights, the UN Secretary General at the time, Boutros Gali appointed a representative, Francis Deng to raise awareness of the problem and investigate ways to improve protection response. Dens observed that unlike the refugees, there was no single UN organization or body responsible for protecting and assisting the internally displaced.<sup>25</sup> Until 1991, there was no agency created by UN for the IDPs and everything regarding them was done on collaborative approach coordinated or centred on the UN Inter Agency Standing Committee (IASC).<sup>26</sup> The committee was chaired by the UN Emergency Relief Coordinator. Internal Displacement Monitoring Centre (IDMC), internal displaced persons are persons or group of persons who have been forced or obliged to flee or leave their homes as a result of armed conflict or protracted crisis, the effect of armed conflict, generalized violence, violation of human rights, ethno religious and political conflict, extreme poverty, lack of access to equal socio-economic resources and balanced development, lack of unemployment among able bodied and frustrated youths, developmental and environmental-induced displacements, natural or manmade disasters and such persons who have not crossed an internationally recognized state border.<sup>27</sup>

The impact of internal displacement on IDPs in Nigeria is enormous. Not only that it forces them to leave their houses but also their properties are destroyed, looted and burnt down. Most of the IDPs have been deprived of their homes and sometimes their lands and livelihoods which result in the lack of access to necessities of life such as food, water and shelter.<sup>28</sup> While efforts are being made to address the above negative impact of displacement on IDPs, their vulnerability increases their barriers to accessing some basic items needed for life. These include health care services, basic education and safety of children of IDPs.<sup>29</sup> Most importantly, the IDPs lack access to justice, some of them especially the women and young girls are exploited, abused, raped, lived in overcrowded shelters and camps and a large number separated from their families without race or hope of reunion, some children, sick, old and the elderly are unaccompanied without help, special needs especially on women, children and other vulnerable groups are not attended to, there is ethnic and religious discrimination, sexual violence affecting the women and young girls are so humiliating and devastating. Their sexual rights are constantly violated and it has very long and lasting effects which may affect them psychologically, emotionally and socially throughout their life time. On the part of the state or country like Nigeria, displacement impacts on the expenditure profile of the government. This is because the IDPs must be provided with their basic needs, food, shelter and other needs like health care, address overcrowding, insecurity in the camp, all forms of criminalities, all these things take and involve huge amount of money.

##### **5. Protected Victims under the Policy Framework for IDPs in Nigeria**

Under the policy framework for IDPs in Nigeria, there are classes of victims who are affected and are protected. The affected victims are among others the following;<sup>30</sup> Children, displaced Women, persons with disabilities, Persons with Human Immuno Virus (HIV)/ Acquired Immune Deficiency Syndrome (AIDS), and displaced elderly persons.

##### **Children Victims**

Among the victims of internal displacement in Nigeria and other countries affected all over the world are the children.<sup>31</sup> They are the most affected victims of displacement and their vulnerability index in most of the areas affected by displacement due to poor crises management has always been high. The National Policy Framework for IDPs has created opportunities for their protection like other citizens both within the provisions of the constitutions of Nigeria, Child Rights Acts and other state Child Rights laws as well as within the provisions of international instruments like the United Nations Convention of Rights of the Child, the African Charter on Human and Peoples Rights, the International Convention for the

<sup>23</sup> F M Deng, *Divided Nations: The Paradox of National Responsibility* (New York, Macalester International, 2018) p. 79.

<sup>24</sup> V Marc and R S Brigitte, *Caught Between Borders: Response Strategies of Internal Displaced* (London, Pluto Press, 2001).

<sup>25</sup> 'UN Commission on Human Right Document' *Online Database* <[http://report\\_of\\_UN\\_sec\\_gen.E/CN/4/1992](http://report_of_UN_sec_gen.E/CN/4/1992)> Accessed on 2<sup>nd</sup> December, 2022.

<sup>26</sup> *Ibid.*

<sup>27</sup> UN Guiding Principles on Internal Displacement (Internal Displacement Monitoring Centre, IDMC, 2021), Introduction Part, Paragraph 2.

<sup>28</sup> *Ibid.*

<sup>29</sup> M T Laden, *Introduction to ECOWAS Community Law and Practice Integration: Migration, Human Rights, Peace and Security in West Africa* (Zaria, ABU Press Nigeria).

<sup>30</sup> *Ibid.*

<sup>31</sup> N Edem, 'Flood Displaces Families in Bayelsa and Schools Threatened' *Online Database* <http://www.google.com/vanguardonline.news>> accessed on 22<sup>nd</sup> December, 2022.

Protection of Civil and Political Rights, the International Convention for the protection of Economic, Social and Cultural Rights as well as the African Union Convention for the Protection, Welfare and Assistance to Internally Displaced Persons (i.e. the Kampala Document) and the United Nations Guidelines for the Protection and Assistance to Internally Displaced Persons. In the existence of all the above domestic, regional and international instruments, and with the inclusion of the principle of impartiality and Non-Discrimination in the Nigeria policy framework for IDPs, what it means is that the children will be protected by the above legal regimes irrespective of their situation as internally displaced persons. On the whole, as victims of displacement, the children deserve protection and ought to be protected.

### **Displaced Women**

Just like children, Women are often regarded as the most endangered species and highly vulnerable in many respects. In situation of displacement arising from poor crises management, the women population is always at receiving end. Women are often subjected to physical and emotional abuse. They are also sexually exploited and are either raped or defiled or forced to leave the camp by deceit and promise of gainful employment and through a network are trafficked out of the IDP settlement for slavery or prostitution or bonded labour, some found themselves having to cope with unwanted and forced pregnancies by persons they do not know and persons they have no emotional feelings for but have no option in the circumstance to stop the act. This is most devastating and destabilizing and indeed deeply affected with psychological trauma which affects the victims throughout their life time. Like any other victim of displacement, the women must be assisted so as to cope with the effects and shortcomings or challenges arising from the displacement. With the national regional short of this will be accepted in all treatment of women whether in the campus or settlement centers or any other place as the case may be.<sup>32</sup>

### **Persons with Disabilities (PWD)**

Persons with disabilities (PWD) are human beings. They are therefore entitled to be protected irrespective of the situation they found themselves as a result of displacement. The persons with disabilities are vulnerable in twofold in the sense that apart from being challenged by the effects of displacement, they are also affected by the fact that they are disabled. The disabled persons are citizens of their respective countries including Nigeria, they are also citizens of the larger global community and whatever rights that every other person or group enjoy is also extended to the disabled persons. For the persons displaced, the policy framework in Nigeria is designed in such a manner that the group is accorded their respect and recognition as it is due for other citizens within the provisions of the existing domestic laws in the country, norms and values as well as equity and good conscience and by international law within acceptable values, standards and best practices prescribing minimum and fair treatment to all human being.<sup>33</sup> In summary, the basis for the recognition and protection of PWD's who are displaced is to reassure them that they are not rejected because of their condition and will be treated fairly as is done to others who are either disabled nor displaced.

## **6. Protecting the Rights of Women and the Minority for Effective Crisis Management**

### **Rights of Internally Displaced Persons under the Conflict Management Framework**

There are many rights enjoyed by internally displaced women, children and other vulnerable persons in Nigeria. These rights are right to protection from displacement and right to protection of different classes of people under the policy framework: Children, Women, Persons with HIV/AIDS, Persons with disabilities and Elderly persons.

### **Right to Protection from Displacement**

Generally, under IDP national policy framework by the Nigeria government, every person or citizen has a right not to be arbitrarily displaced from his home or from their habitual place of residence. This right of persons can easily be referred to under section 1.2 of the policy framework and specifically prohibited some aspects and situation other than during emergencies and violent phases of armed conflict, generalized violence and disasters.<sup>34</sup> From the provision of the national framework which is in place since the time of President Goodluck Ebele Jonathan but yet to be adopted, all the persons likely to be affected or are already affected are entitled to rights and guarantees which include apart from their physical security and integrity, basic necessities, civil and political violence and disaster free or proper management.<sup>35</sup> Specifically, during displacement, the IDPs are entitled to right to life,<sup>36</sup> right to dignity of human person,<sup>37</sup> right to personal liberty and security.<sup>38</sup>

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<sup>32</sup> A U Abonyi, 'Trafficking in Persons and Irregular Domestic/Cross Border Migration in Nigeria' *Paper Presentation* (Session 34, Annual General Conference, Nigeria Bar Association, Eko Hotels, Lagos, 28th August, 2019),

<sup>33</sup> B O Taiye, *Analysis of the Policy and Legal Framework for IDPs in Nigeria* (Wales, Policy Review International Series, 2020).

<sup>34</sup> *Ibid*.

<sup>35</sup> A E Jona 'Memories of the Biafra Massacre: The Politics of Food Scarcity in 1967' *Online Database* <[http://www.biafranlinerecord.com.uk.memories\\_of\\_1967htm](http://www.biafranlinerecord.com.uk.memories_of_1967htm)> accessed on 22<sup>nd</sup> December, 2022.

<sup>36</sup> *Constitution of Federal Republic of Nigeria 1999* (as altered), s. 33.

<sup>37</sup> *Ibid*, s. 34.

<sup>38</sup> *Ibid* s 35.

### **Right to Life**

IDPs right to life is guaranteed by law and protected in particular against genocide, ethnic cleansing, summary or arbitrary executions, enforced disappearance or even threat to commit the above acts are discouraged. Starvation is not permitted to be used as method of combat as was the case during the Nigerian-Biafran war where all sources of food supply to Biafra were blocked using international allies by the Nigerian government. This occasioned serious suffering on the Biafran side not only to the combatants but to the civilian population of Igbo origin. This led to malnutrition leading to several deaths.<sup>39</sup> Right to life is sacrosanct and must be enjoyed by all.<sup>40</sup> The displaced persons are not exempted from enjoying this right to life within the purview of the Nigerian Constitution.<sup>41</sup> Section 33(1) of the constitution is not restricted from covering the vulnerable and internally displaced persons in all parts of Nigeria.

Moreover, Right to dignity, physical and mental integrity of all human beings is also guaranteed by the policy framework for IDPs. IDPs are human beings and they are not less than other citizens because of their situation of displacement. Thus, whether or not their liberty is restricted, they must be protected against rape, sexual harassment, mutilation, torture, inhuman and degrading treatment or punishment, forced prostitution, gender violence, indecent assault, forced labour among children and women, trafficking for sexual exploitation and any type of physical or mental abuse capable of spreading and creating terror and tension among the IDPs. The constitution and other legal instruments protect their rights-including Convention of All Forms of Discrimination Against Women (CEDAW), the Convention Against Torture, the Convention Prohibiting Crimes Against Humanity and all other conventions for protection of civil and political rights.

### **Right to Liberty and Security**

The IDPs are also entitled liberty and security during displacement, right and security and cannot be arrested arbitrarily, right of displaced children not to be recruited for child soldiering freedom of movement in and out of camps and settlements is guaranteed. IDPs also have the right to know about their missing relations and opportunities for reuniting with them, respect for their family and life, and proper accommodation. Members of some family should not be separated where already displaced and found at a particular center or camp. IDPs also have right to adequate standard of living. They have the right of being recognized before the law and government must lease with all her institutions to ensure that where necessary IDPs are issued relevant documents as done to other citizens. None of the IDPs shall be unnecessarily deprived of their property or possession under any disguise or pretence and their right to education cannot be compromised especially women and the girls. In essence, the IDPs like other citizens are to enjoy all the rights guaranteed under the constitution of Nigeria and other existing laws in the land and cannot be prohibited from enjoying the rights that flow from regional and international instruments. Some relevant instruments are the African Charter on Human and Peoples Rights, UN Guidelines for Protection and Assistance to IDPs and the popular Kampala Document, African Union Convention for the Protection and Promotion of Assistance and Welfare to Internally Displaced Persons in Africa.

### **Rights of Internally Displaced Children**

Rights of internally displaced children globally supposed to be protected by the Nigerian Constitution,<sup>42</sup> and statutes, as well as domesticated regional and international human right instruments.<sup>43</sup> The Nigerian Child Rights Act provides the right to freedom from discrimination on the basis of sex.<sup>44</sup> More often than not, in the face of all the crises in Nigeria, the policy framework assents:

- (a) That every child has a name and must be identified with the community of his/her birth where possible.<sup>45</sup>
- (b) That every effort must be made to ensure the proper upbringing of the child, an internally displaced child who is orphan could be adopted by a family either from his/her ethnic group or otherwise which means that his/her status could be decided by his/her new family.

However, the process of his/her adoption must comply with relevant state and federal legislation. In such situation, the following apply:

- (a) The new parents must give him/her full educational development as if he/she was their biological children,
- (b) That the child shall not be subjected to child abuse physically, emotionally or mentally,
- (c) That the child shall get and given traditional titles where he/she merit same and shall not in any manner be discriminated against simply because he is a displaced child,<sup>46</sup>
- (d) The child shall be fully integrated into the family where he/she is adopted and treated equally like other biological children,

<sup>39</sup> A U Abonyi *Our Rights under the Law* (Nnewi, Anambra State, Polite Printing Technology Resources Ltd, 2011).

<sup>40</sup> UN Human Rights and Humanitarian Law (2019).

<sup>41</sup> Constitution of the Federal Republic of Nigeria, 1999 (as altered).

<sup>42</sup> *Ibid.*

<sup>43</sup> UN Convention on Rights of the Child, Child Rights Act, and Child Rights laws.

<sup>44</sup> *Child Rights Act* 2003, s. 10.

<sup>45</sup> Federal Government of Nigeria Report on IDPs (FGN Gazette, 2012) p. 30, para 2.1.4(a).

<sup>46</sup> CFRN, sections 33-42.

- (e) Under no circumstance shall he/she be reminded that she was adopted from the internally displaced camp by the family that adopted the child, and
- (f) That the adoption is perpetual, non-reversible and non-renounceable.

In the alternative to adoption, the child can be fostered and the fostered parents must give him/her all educational development needs and inheritance as may be accorded biological children under customary law or Sharia law as the case may be. Also, the child under the policy is free to communicate in his/her mother tongue or native language or any other language of their choice and the fact of their displacement does not deprive them their own traditional language of their choice. The internally displaced children under the national policy for IDPs are not to be subjected to any caste system such as *Osu*, *Abiku* or *Ogbanje*. The children are to have good medical care, legal right to exploit redress for their judicial guarantees, and immunization against disease. Where they were out of school when displaced, state authorities must liaise with the educational sector to return them to school in an effort to manage crisis, and other options can be exploited like skill acquisition and training on practical trades and vocations while they are still in the camps. Also the human rights lead sector under the policy frame work must drive other agencies to ensure safety and realization of rights of the displaced children such that none of their right is violated without redress. Thus, agencies like the National Human Rights Commission, civil society groups and NGOs have roles to play in this milieu. Finally, the child must not be trafficked<sup>47</sup>, sexually exploited into prostitution, early marriage<sup>48</sup>, forced marriage<sup>49</sup>, or subjected to slavery<sup>50</sup> or hard labour while in camp.<sup>51</sup>

### **Rights of Internally Displaced Women**

Bearing in mind that women are the next most vulnerable after the children in situations of difficulty like displacement. Some women have been victims of indignity. The Nigeria government, in-line with international instruments<sup>52</sup>, provides for national gender policy for the women as follows<sup>53</sup>:

- (a) The sanctity of Nigeria womanhood shall not in any way be violated. This is whether in normal situation or in cases of displacement.
- (b) Every woman in any IDP camp in Nigeria must have right of privacy.
- (c) No woman while in camp or even outside it shall be subjected to sexual slavery and exploitation for whatever reason without her consent.
- (d) They shall not be subjected to forced marriage but shall be allowed to determine and choose their partners and should not be forced into marriage without her decision to do so at the time she wants it.<sup>54</sup>
- (e) Men and women should not be lumped together in one room in the camp unless they are husband and wife or are from the same family.
- (f) The women in the camp shall be allowed to hold any office or authority in the camp. They can take up any lawful economic activity, own property without restriction, and entitled to self and personal development.

### **Right of Persons with Disabilities**

Persons with disabilities are endangered all the time because of their peculiar feature of being disabled, though not a curse. However, the disabled undergo psychological, physical and mental difficulties. Thus, they need attention medically or otherwise and are also entitled to legal redress for wrongs done against them. Their needs must be given to them especially modifying the environment in the camps to suite their convenience and situation. They have to be assisted with mobility devices to be independent. Medical care has to be extended to them to address their challenges. It is pertinent they have access to information. Disabled children need to be enrolled in nearby school to the camp and they have to be given priority in distribution of facilities like water, electricity, food accommodation, etc.

### **Rights of Internally Displaced Persons Living with HIV/AIDS (PLHIV)**

Basically, displacement increases the rate of spread of contagious and infectious diseases. Among such diseases that can easily spread in crises and internal disturbance situation is HIV. This is because owing to large population displaced and gathered in a camp, there are often cases of unlawful sexual practices and crimes ranging from rape, defilement, forced pregnancy, unhealthy mingling of male and female, and uncontrolled sexual exploits. The situation may not allow opportunity for any of them to suggest that they first check their status before sexual intercourse, others may not even have access to condom or even when they have may be reluctant to use them. Therefore, those who are already HIV positive

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<sup>47</sup> NAPTIP Act 2015 s 14 (a) and (b).

<sup>48</sup> UNICEF, 'Early Marriage: Child Spouses', Innocent Research Centre, Florence, Italy, No. 7-March, 2001, p3, available at <<https://www.unicef-irc.org>> accessed 10<sup>th</sup> October 2022.

<sup>49</sup> Tjamabo, 'A Discourse on the Development Effects of Child Marriage' *African Journal of Social Sciences*, 2(3) 2012, 135.

<sup>50</sup> Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, 1956, Article 1(C).

<sup>51</sup> Universal Declaration of Human Rights 1948 Article 16.

<sup>52</sup> Convention on Elimination of All Forms of Discrimination against Women (CEDAW) 1979 Article 16(1); and Violence against Persons (Prohibition Act) 2015, section 46.

<sup>53</sup> National Report on Policy Framework for IDPs in Nigeria (FGN Gazette, 2012).

<sup>54</sup> Convention on Consent to Marriage, Minimum Age For Marriage and Registration of Marriages 1964, Article 1.



before the displacement and settlement in the camp may no doubt due to this uncontrolled sexual behaviour spread the virus to sexual partner in the camp. Usually, those affected are usually stigmatized and discriminated against. This is notwithstanding that they are citizens of Nigeria entitled to all the rights enjoyed by other citizens. The lead agencies in the health sector must collaborate to protect the displaced victims of HIV/AIDS through the National Action Committee on AIDS (NACA), State Action Committee on AIDS (SACA), and Local Government Action Committee on Aids (LGACA). These agencies work with international humanitarian bodies and NGOs to protect the displaced IDPs living with HIV just like it is done to other citizens. The displaced persons living with HIV/AIDS shall have access to good purified water, hygienic food, sanitary environment, adequate health care as well as access to condom, information on prevention of the spread of the virus, and basic education.<sup>55</sup>

### **Rights of Displaced Elderly Persons**

Displacement cause devastating injury and harm to elderly persons. Not only that their rights are violated, but also the emergencies and conditions at the time of displacement. Family members may decide to leave the elderly behind as they see them as ‘a whole burden and liability’.<sup>56</sup> They are left to their fate either to die or to survive at the mercy of nature under excruciating state or condition.<sup>57</sup> The decision by families to leave the elderly behind in situation of emergency during several violence and crises leading to displacement is usually a very painful choice but they have no option so as to save the children and young people among the displaced population. Most humanitarian efforts rarely take the elderly into consideration and their needs are not mostly provided as they are accommodated in the collective shelters and re-settlement camps. Most times, the elderly volunteer to be left behind to oversee family assets and belongings.

The Nigerian national policy on IDPs aims at protecting the elderly persons as follows:

- (a) The elderly persons left behind are accessed and evacuated.
- (b) Relevant identification and documentation is obtained for older persons in displacement.
- (c) Their housing and land rights are protected.
- (d) Their basic needs are made available by government and other aid agencies like nutrition, shelter, clothing, sanitary materials, mattress, blankets, warm clothing, tent, raincoats and specialized health care may be provided.
- (e) The elder shall also be provided with psycho-social support and palliative/preventive medical care that take care which will make them alive to the responses of their different body organs and disorders.
- (f) The old people must have access to mobility facilities to ease transportation.
- (g) Access to official communication, access to safe camp facilities like rails and non-slippery floors.
- (h) Displaced elderly women are to be protected against physical and sexual abuse which brings about delusion and psychological collapse and eventually heart failure.
- (i) Unrestrained right of voluntary return to their original homes, local integration and relocation as the case may be.<sup>58</sup>

However, implementation of these policies is the perennial challenge

### **Assessment of Nigerian Constitution on IDPs’ Rights to Health and Education Vis-à-vis International Best Practices**

The human rights of internally displaced persons should be protected especially right to health as was provided in the various international, regional and national instruments. Article 25 of UDHR<sup>59</sup> provides that everyone has the right to a standard of living adequate for the health and wellbeing of himself and of his family including food, clothing, housing and medical care. Everyone has the right to the enjoyment of the highest attainable standard of physical and mental health.<sup>60</sup> Moreover, the CEDAW<sup>61</sup> gives elaborate provision on the right to protection of health. Convention on the Rights of the Child (hereinafter referred as CRC) provides for right to health.<sup>62</sup> Also the African Charter on Human and Peoples Rights guaranteed that the right to health must be maintained.<sup>63</sup> The Nigerian Constitution<sup>64</sup> provides for the right to health and basic education in its chapter two but the problem is that the same constitution made the right non-justiciable and unenforceable in the Nigerian courts.<sup>65</sup> However, ACHPR<sup>66</sup> which Nigeria has ratified and domesticated invariably compels or infers enforceability of the chapter 2 of her constitution. Moreover, the right to education is provided in various

<sup>55</sup> Federal Government of Nigeria Report on Policy Framework for IDPs, 2012.

<sup>56</sup> *Ibid.*, 35.

<sup>57</sup> *Ibid.*

<sup>58</sup> *Ibid.*

<sup>59</sup> Universal Declaration on Human Rights (UDHR) 1948, Art 25.

<sup>60</sup> International Covenant on Economic, Social and Cultural Rights (ICESCR) 1966 Art 12.

<sup>61</sup> Convention on the Elimination of All Forms of Discrimination against Women 1979 (herein after referred as CEDAW) Art 11(1) (f), 12 and 14(2) (b).

<sup>62</sup> CRC, Art 24,

<sup>63</sup> African Charter on Human and Peoples Right (ACHPR) 1981 Art 16.

<sup>64</sup> CFRN, s 17 and 18.

<sup>65</sup> *Ibid.*, s 6 (6) C.

<sup>66</sup> ACHPR, Art 18 (3).

international, regional and domestic laws.<sup>67</sup> As it is said, knowledge is power.<sup>68</sup> Therefore, the right to education of displaced women and children should be prioritized.<sup>69</sup> Furthermore, an uneducated child would hardly meet up these criteria stated by the Supreme Court in *Sambo v State*<sup>70</sup> on the provision of section 209<sup>71</sup> that the court before receiving the evidence of a child must be satisfied that the child knows the duty of telling the truth as well as the responsibility of telling a lie and the child must possess sufficient intelligence and the child was denied justice because the child's evidence was not corroborated. International instruments to leverage on to debunk chapter 2 of the Nigerian constitution are:

- (a) **Universal Declaration of Human Rights 1948 (UDHR)** – a worldwide instrument setting out the basic human rights of all persons on the basis of equality and nondiscrimination.
- (b) **International Covenant on Economic, Social and Cultural Rights 1967 (ICESCR)** - sets out economic, social and cultural guarantees, including the rights to adequate food, shelter, clothing, health care, an adequate standard of living, and guarantees concerning work, social welfare, education and participation in cultural life.
- (c) **International Covenant on Civil and Political Rights 1967 (ICCPR)** – sets forth a broad catalogue of civil and political rights, including the rights to life, physical integrity, recognition before the law, political participation, freedom of movement and choice of residence, and protection of the family.
- (d) **Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 1984 (CAT)** – defines and prohibits torture under all circumstances. Stipulates that States cannot transfer a person to another State if there are grounds for believing that s/he will be tortured (principle of non-refoulement).
- (e) **International Convention on the Elimination of All Forms of Racial Discrimination 1965 (ICERD)** – prohibits racial discrimination: when a person or group is treated differently because of race, colour, descent, national origin or ethnic origin with the aim or effect of denying their human rights and fundamental freedoms.
- (f) **Convention on the Prevention and Punishment of the Crime of Genocide 1948** – defines genocide as acts committed with the intent to destroy, in whole or in part, a national, ethnical, racial or religious group, and declares it as a crime, whether committed during peacetime or war.
- (g) **Convention on the Elimination of All Forms of Discrimination against Women 1979 (CEDAW)** – sets a framework for national action for ensuring women enjoy, on an equal footing with men, their rights in all fields, including employment, education and administration of property, and for ensuring the protection of women, especially against threats to their physical safety and against rape and sexual exploitation.
- (h) **Convention on the Rights of the Child 1989 (CRC)**, together with **Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography 2000** and **Optional Protocol on the Involvement of Children in Armed Conflict 2000** – A comprehensive code to protect the rights and best interests of children (below 18 years of age). Obliges States to take measures to ensure protection, care, psychological recovery and social reintegration of children affected by armed conflict, including unaccompanied or separated children. The Optional Protocol on the involvement of children in armed conflict prohibits compulsory recruitment and direct use in hostilities of persons under 18.
- (i) **Convention on the Rights of Persons with Disabilities 2006 (CPD)** – reaffirms human rights and emphasizes their particular importance to persons living with disabilities. Also provides guidance to States on ways to ensure that those with disabilities, including survivors of landmines and explosive remnants of war, can exercise their rights on a full and equal basis with others.
- (j) **International Convention for the Protection of all Persons against Enforced Disappearances 2006 (CED)** - defines and prohibits enforced disappearance under any circumstances and obliges States to prevent such acts, to prosecute and punish or extradite those responsible, and provide reparations for victims and their families.
- (k) **Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (ILO Convention No. 182) 1999** – obliges States to take all necessary measures to eliminate the worst forms of child labor, such as slavery, trafficking, prostitution or forced labor, including recruitment of children (under 18 years) for use in armed conflict.
- (l) **International Convention on the Protection of all Migrant Workers 1990 (CMW)** - provides a framework for the protection of the human rights of migrant workers during all stages of the migration process; before departure, during transit and in the country of employment.
- (m) **Indigenous and Tribal Peoples (ILO Convention No. 169) 1989** – sets a framework for ensuring indigenous and tribal peoples enjoy their rights on an equal footing with other persons. Specifically addresses the issue of the relocation of peoples, establishing conditions and guarantees to be fulfilled for this to be lawful.

## 7. Conclusion and Recommendations

This article undertook an in-depth examination of the rising spate of migration, internal disturbance, public disorder and the role of crisis management framework with special focus on women and minority right in Nigeria. The finding of this

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<sup>67</sup> UDHR, Art 26, ICESCR Art 13 & 14, CEDAW Art 10 & 14(d), CRC Art 28 & 29 and ACHPR Art 17.

<sup>68</sup> Ifeanyi AC Eze, *The Untapped Treasures* (Lagos: Kings Uncommon Wisdom Limited, 2014)XII.

<sup>69</sup> *Ibid*, 29.

<sup>70</sup> (1993) 6 NWLR (Pt 300) 399 SC; *Ngwatu v the State* (1990) 4 NWLR (Pt 145) 484; *Akpan v State* (1967) NMLR p 185; *Okoyomon v State* (1992) NWLR 292; *Francis Okpanefo v the State* (1969) 1 All NLR 420.

<sup>71</sup> Evidence Act, 2011.

study has exposed the different factors that bedevil crisis in Nigeria and this invariably result in a lot of mayhem which include internal displacement of persons, especially women, children and the physically challenged persons suffering the highest brunt. Nigeria has consistently reneged in her responsibility to the internally displaced persons. The Constitution of Nigeria does not compel the government to attend to social and health needs of her citizens.<sup>72</sup> However, the role of international actors is to reinforce, not replace, national responsibility. This requires a two-pronged approach to encourage States and other authorities to meet their protection obligations under international law while also supporting the development of national and local capacities. States have a responsibility to ensure the full and equal enjoyment of human rights of all individuals on their territory or under their jurisdiction. This duty extends to all agents of the State, including the military and the police, and all public authorities.<sup>73</sup> This responsibility has three dimensions being respect, protect and fulfill human rights.<sup>74</sup> The impacts from any drawback go beyond the boundaries of Nigeria to neighbouring countries and bastardized national image in the international setting. However, some solutions have been proffered and workable recommendations are made. It is gainsaying that this article is relevant for socio-economic development of a nation as its significance cannot be exhausted.

From the foregoing, it is recommended that the international bodies should encourage Nigerian legislators and the judiciary to adopt the sound principles and related provisions in the international instruments regarding rules of engagement in armed conflicts to protect the sexual and reproductive rights of persons, especially women, against rape. Also, the local and international media should play expository and condemnatory roles to cause public detest to the decadence of rape in situation of crises and internal disturbance. Additionally, the media should spearhead information campaigns to address some of the factors militating against public peace and effective crisis management. Furthermore, the African legal system should be fortified with appropriate laws to safeguard women and minority right so that they can make independent choices in times of crisis and internal disturbance, even when the situation reduces them to IDPs. The international and regional organizations should amend their international or regional instruments to have binding force on member states. For instance, Chapter two of the Constitution of the Federal Republic of Nigeria (1999, as altered) not in subjection to international legal instrument like the African Charter on Peoples and Human Right and CEDAW with respect to the right of a child to basic education, health care and the rest of social amenities. It should not be enough to be signatory to the instrument but the instrument lacks binding and enforcement force and without punitive measures on impunity. International organizations, namely OHCHR, UNHCR, UNICEF and ICRC and United Nations and their partner agencies<sup>75</sup> should exercise their protection mandate with a responsibility to integrate human rights into their work and to approach their work with due regard to protection issues. Finally, all stakeholders in human rights, jurisprudence, scholars of domestic and sexual violence, peace and conflict settlement, and the civil society organizations should leverage on the findings of this study as relevant literature for further studies to practically confront this cankerworm to eradication.

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<sup>72</sup> Constitution of the Federal Republic of Nigeria (1999, as altered) Chapter 2; and *Serap v Nigeria* (18/12) [2012] ECOWASCJ 51; (14 December 2012).

<sup>73</sup> General Comment No. 31(1980) of the Human Rights Committee on the nature of the general legal obligation imposed on States Parties to the Covenant (CCPR/C/21/Rev.1/Add.13).

<sup>74</sup> Women, Girls, Boys and Men: Different Needs – Equal Opportunities, Gender Handbook in Humanitarian Action, IASC, 2006.

<sup>75</sup> UN Secretary-General, 'Protection of Internally Displaced Persons: Renewing the United Nations' *A Programme for Reform, Report of the Secretary-General to the United Nations General Assembly and IASC* (UN doc. A/51/950, 2000).