

OBSERVANCE OF RIGHTS OF INTERNALLY DISPLACED PERSONS IN THE NORTH-EAST OF NIGERIA: AN ANALYSIS

BY:

Ismael Funsho Yusuph ESQ.

Lecturer II, Department of Private and Property Law, Faculty of Law, University of Ilorin, Ilorin.

E-mail: yufuis2004@yahoo.co.uk, yufuis2012@gmail.com,

Mobile: +2348139156464

Abubakar Shehu Ahmad Tijani

Lecturer II, Department of Private and Property Law, Faculty of Law, University of Ilorin, Ilorin.

E-mail: asat2001ng@gmail.com

Mobile: +2348035014962

ABSTRACT

Displacement is one of the negative effects of insecurity because during the time of terror act, occurrence of loss of lives and properties is imminent and in most cases ‘soft-target’ (civilians) are always victims of insecurity. This will make a good number of people to flee for safety elsewhere, thereby abandoning their places of abode. The displacement occurs as a result of Boko-Haram insurgency. Several dwellers in the North-East of Nigeria experienced displacement during the insurgency period. Many of these displaced persons were accommodated in various camps while many decided to find their way elsewhere. There is no doubt it that the act of displacement would cause negative impact on the right of the Internally Displaced Persons (IDPs). The question now is this; are the Internally Displaced Persons (IDPs) well treated or not? If the answer is in negative or positive. The Welfare of the IDPs ought to be taken care of within a reasonable standard which is supposed to be defined by a legal instrument which will be used as a yardstick to determine what rights exercisable by the IDPs. This paper will focus on the treatment of observance and enforceability of right of Internally Displaced Persons in Nigeria particularly the victims of displacement as a result of Boko-Haram Insurgency in the North-East of Nigeria.

1.1 INTRODUCTION

It is settled that during the time of terror act, the tendency of loss of lives and properties are high and ‘soft targets’ (civilians) are always victims of the insecurity. Several persons have been displaced from their bases in the cause of looking for safety during the Boko Haram insurgency. In 2014, attacks by the Boko Haram had increased the level of migration of people of the North-East of Nigeria. Many of them are displaced or Refugees in the neighbouring countries like Chad, Niger and others. As at the end of 2015, Nigeria had an estimated 2.1 million Internally Displaced Persons.¹ Many of the Internally Displaced Persons (IDPs) have been resettled in IDP’s camps² while many choose elsewhere. Though, International

¹ www.nema.org accessed on 28th October, 2017

² *ibid*. The figure is based on an assessment conducted from November to December 2015 by the International Organisation for Migration (IOM), Displacement Tracking Matrix (DTM) team in 207 Local Government Areas

Organization for Migration/National Emergency Management Agency (IOM/NEMA's) report (2016) indicates that 12.6 percent of the aforementioned figures were displaced due to communal clashes, 2.4 percent by natural disasters and 85 percent as a result of insurgency attacks. As of January, 2017 the figure of IDPs had decreased to 1,899,830 IDPs. The majority of these IDPs were identified in Borno by figure of 1,506,170 followed by Adamawa 147,528 and Yobe 112,269. The reason for increase in number of the IDPs in Borno is that Borno IDPs camps are the most secured and comfortable. This made many of the IDPs migrated from other camps like, Adamawa and Yobe to Borno³. The government has been making efforts to ensure that the Internally Displaced Persons do not encounter unbearable suffering and the government has found it incumbent to make provision for shelter, food and other basic needs to the IDPs. Of course, the government is putting in its best but the fact still remains that it seems that these government's provisions are not enough to cater for the IDPs. In other words, there are legal questions begging for answers. Thus, is the treatment of the Internally Displaced Persons as of right to the IDPs or just privilege? Are IDPs subjects of application of human rights law? Are the rights of IDPs actionable? What are the legal frameworks applicable to the IDPs? Thus there must be a definition by law as to the rights and privileges of IDPs so that the extent of such rights and privileges will be guarded by the provision of the law.

INTERNALLY DISPLACED PERSONS (IDPS) IN THE NORTH-EAST

Internally Displaced Persons (IDPs) are those who abandon their place of abode for safety of their lives and properties. Those that are forced by situation to flee their place of abode are the forced migrated person. The internal displacement is an offshoot of the insecurity in the North-East of Nigeria. Though, there were cases of insecurity before the emergence of Boko Haram insurgency but none of such cases recorded protraction and casualty as that of Boko Haram insurgency.⁴ Many Nigerians from the North-East of the country were displaced as a result of the insurgency. In 2014, the National Emergency Management Agency (NEMA) reported that 868,335 IDPs had been displaced in the country⁵. The Displacement Tracking Matrix (DTM) alongside with State Emergency Management Agency (SEMA) as well as Nigerian Red Cross Society (NRCS) undertook IDP assessments in a unified and systematized manner.⁶ The report of the assessment shows that health, shelter, food, education and livelihood of the internally displaced persons are not in good conditions. In order to ameliorate the condition of the IDP, the enforceability of their right must be ascertained.

Internal Displacement is a situation where people are forced to migrate from one settlement to another within the same nation and such movement is coerced, involuntary in order to seek assylum from an unsecured environment. It must be made clear that those that voluntarily move from one place to another for economic, social or political reasons are not fit to be regarded as

(LGA) covering 13 states of Northern Nigeria: Abuja (13,481 IDPs); Adamawa (136,010); Bauchi (70,078); Benue (85,393); Borno (1,434,149); Gombe (25,332); Kaduna (36,976); Kano (9,331); Nassarawa (37,553); Plateau (77,317); Taraba (50,227); Yobe (131,203) and Zamfara (44,929).

³ DTM Round XIV Report January, 2017 accessed on www.nigeria.iom.int/dtm on 28th October, 2017.

⁴ Boko Haram sect was founded in 2002 in Maiduguri. The group launched violent offensive attacks in some states including Bauchi, Borno, Gombe, Kano and Yobe State in 2009 and struck on January, 2017 at the University of Maiduguri Staff Quarters Mosque.

⁵ 11th National Humanitarian Coordination Forum, December 1st, 2014.

⁶ The DTM assessments were conducted in a total of 66 Local Government Areas in the North-East during the first round of DTM assessments. The DTM program is funded by the United States Agency for International Development (USAID) and implemented by the International Organisation for Migration (IOM) in close collaboration with the Government of Nigeria.

displaced persons. It is only those that are forced abandon their place of abode or flee because of armed conflict, human rights abuse and violation, and other natural and human made disasters are suitable for the situation of internal displacement. It is apparent that IDPs are not refugees because their situation is within their country. The IDPs are entitled to the same rights that all other persons in their country are entitled to. However, due to their peculiarity they are special needies than other persons who are not displaced for more clarity on who an IDPs is the United Nation of this definition.⁷

There are four guiding principle⁸ of Internal Displacement as laid down by the UN. The principles are:

- a. Equal Rights and Equal Obligation.
- b. Universal Application
- c. Right to seek and enjoy assylum
- d. Sovereignty means responsibility.

The Africa Union also held a special summit in October, 2009 in Kampala and put in place Kampala convention on IDPs in 2006 the West African Nation also adopted the Guiding Principles of the UN in the First Conference of West African States on Internal Displacement which took place in Abuja on 26th to the 28th April, 2006.

The increasing occurrence of forced migration as a result of Armed Conflicts in Nigeria has informed the Federal Government to formulate policy on Internally Displaced Persons. To collaborate the efforts of the United Nations on its Guiding Principles as a tool for the prevention and management of Internal Displacement in Nigeria.

HUMAN RIGHTS UNDER INTERNATIONAL LAW

Human rights are the essential fundamental and inalienable rights of every human person.⁹ However, there is no consensus opinion as to what constitutes these human rights because human rights may differ according to the particular economic, social and cultural society of the place where the definition is offered. Therefore, human rights have no universally acceptable definitions. It must be pointed out that under contemporary international law; human rights are subdivided into three classifications. Thus, First, Second and Third generation rights. The first generation rights contain civil and political rights. The second generation rights contain economic, social and cultural rights while the third generation rights contain rights to development. Apart from absence of consensus definitions, another area of challenge is that many states regarded human rights as rights that can be exercised under the domestic jurisdiction and not fallen under the international law. The international law position is that severe breach of fundamental human right no longer fall within the exclusive jurisdiction of states.¹⁰ Human right is a subject of contemporary international law and the efforts to regulate the right at the international level only gained momentum after World War II¹¹.

⁷ Internally displaced persons are persons or groups of persons who have been forced or obliged to flee or leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed 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.

⁸ The principles were postulated by the UN. See page 9-12 of the guiding principle. Ibid

⁹ Wallace R.M.M.: International Law (3rd edition) (Sweet and Maxwell Limited) 1997 p. 205.

¹⁰ Report of the Secretary General A/48/935, May 6, 1995.

¹¹ Ibid

Prior to the 1945 conventions, the minority group from different race, religion or language from the majority group within a state came to be guaranteed certain rights such as equality of treatment by way of minority treaties like those concluded in Albania, Finland and Poland. The minority treaties were not renewed after the World War II. Freedom from slavery has gained recognition under customary international law since 1815 and same was reaffirmed in international conventions such as the 1926 Slavery Convention¹² and the 1956 supplementary convention on the Abolition of Slavery, the Slave Trade and Institutions and practices similar to slavery¹³ and prohibition of trafficking in women and children. These were some of human rights related treaties which gave the minorities and foreign nationals at least a minimum standard of treatments they deserved.¹⁴

There was a significant change with the establishment of the League of Nations in 1919. Article 22 of the Covenant of the league set up the mandate system for people in ex enemy colonies not yet able to stand by themselves in the strenuous conditions of the modern world and religion and a permanent mandate commission was created to examine the reports the mandatory authorities had undertaken to make. The arrangement was tagged 'a sacred trust of civilisation'. Article 23 of the covenant provided for just treatment of the native populations of the territories in question. Likewise, the Eastern European and Balkan states also contained provisions for protection of minorities.¹⁵ The Article 23 also provided for equal treatment and opportunities for collective activities. The league of nation supervised these provision and could make decision on petition or complaint received in relation to the violation of these provisions. In order to protect the right of labour in relation to promotion of better standards of working conditions and to ensure right and freedom of association, part xiii of the Treaty of Versailles gave room for creation of the International Labour Organisation.¹⁶

After the World War II in 1945, the United Nations Charter marked the commencement of positioning the human rights as an international concern. One of the purpose for which the United Nation Organisation was established is "to achieve international cooperation" among the member states.

The horror experienced during the World War II made it apparent there was a need to maintain international peace and protect human rights. In addition, the emergence of many nongovernmental organisations agitating for protection of human rights.¹⁷ Likewise, the post World War II witnessed the rise of intergovernmental committees and organs and courts¹⁸ to deal with human rights violations. Further developments have included the establishments of

¹² Wallace R.M.M. Op cit p. 206

¹³ Ibid

¹⁴ Ibid

¹⁵ McCartney C.A., National State and National Minorities, London, 1934 and I. Clande, National Minorities: An International Problem, Cambride, 1955. Also Shaw M.N.; the Definition of Minorities in International Law in Protection of Minorities and Human Rights (eds. Dinstein Y. and Thabory M.), Dor drecht – 1992, p. 1.

¹⁶ The ILO was created in 1919 and expanded in 1946. The Declaration of Philadelphia of 1944 (which was incorporated in the ILO constitution in 1946) reaffirmed the basic principles of the organisation. These are (a) that labour is not a commodity, (b) that freedom of expression and of association are essential to sustained progress and (c) that poverty anywhere constitutes a danger to prosperity everywhere.

¹⁷ See e.g. Steiner, Alston and Goodman, *International Human Rights*, pp. 1420 ff., and C. Chinkin, 'The Role of Non-Governmental Organisations in Standard Setting, Monitoring and Implementation of Human Rights' in *The Changing World of International Law in the 21st Century* (eds. J.J. Norton, M. Andendas and M. Footer), The Hague, 1998.

¹⁸ The basic rule of international law providing states have no right to encroach upon the preserve of other states' internal affairs is a consequence of the equality and sovereignty of states and is mirrored in article 2(7) of the UN Charter.

truth and reconciliation commissions and different alternative judicial system like Rwanda Gacaca Court System¹⁹.

It must be noted that, in order to develop the domestic jurisdiction in respect of the human rights, the exercise of human rights under the international procedure was made an exception to Article 2(7) of the UN Charter.²⁰ However, internal mechanism of the concerned state must be firstly explored before making resort to the international law procedure.²¹ It must be added that where the internal remedies are non-existent or unduly and unreasonably prolonged or unlikely to be effective relief, resort to the international law procedure may not be required because such internal remedies must be in existence both theory and practice before resort can be made to the international rule. The reason is not farfetched, Article 41 of the UN Charter provides for optional inter states petitions if the following conditions are satisfied:

- (a) Both state (the one alleging and the one being alleged) must have accepted Article 41.
- (b) The alleging state must have exhausted local remedies before making resort to the international procedure.²²

Another area of development of the human rights is the introduction of individual communication to the committee of Human Rights. Under the 1st Optional Protocol²³ to the covenant on civil and political rights the committee is empowered to examine a communication or complaint received from individual who is claiming being victim of a violation of human right by a state signatory to the covenant. A communication from individuals must fulfill the following conditions:

- (a) It must be written by a identifiable person i.e. it must not be anonymous one.
- (b) The complaint must be in respect of alleged violation of human rights that are provided for in the covenant.
- (c) It must not relate to a matter that is already being considered by another international forum e.g. the European Commission of the Council of Europe.
- (d) All domestic remedies must have been exhausted or an application for such remedies had been unduly prolonged.

The Optional Protocol²⁴ gives no room for reference to a court and does not make the committee a reconciliatory one. The committee only examines the complaint received whether the alleged state has breached and write report in respect of its findings.

In 1993 the General Assembly adopted a resolution establishing the post of the High Commissioner for Human Rights²⁵ to promote and protect civil, cultural, economic, political and social rights.

¹⁹ Steiner, Alston and Goodman Op cit pp 1420 ff.

²⁰ Under this article every UN member state is sovereign and no state is allowed interfere in the internal affairs of another state. (See p. 272 of Civil Law: Mellcon N.S. Law).

²¹ Ibid p. 273.

²² Under Art. 41 and 42 there shall be established in every member state the committee on economic, social and cultural rights. The committee makes it office available in every member state and ensure that within 12 months it submits a report indicating the facts of the matter and proffer solutions. In the absence of any solution reached the committee is empowered with support of consent of the concerned states appoint an ad hoc conciliation commission to look into the matter and the commission may recommend amicable settlement.

²³ Art. 34.

²⁴ The Optional Protocol come into force in March 1976.

²⁵ Adopted 20th December, 1993.

An important body engaged in the examination of alleged violations of human rights known as The United Nations Commission on Human Rights²⁶ was also established.²⁷

In order to assure effectiveness of implementation of the core international rights treaties there are human rights treaty bodies that are committee of independent experts that monitor implementation of the core international human rights. Each member signatory of the treaties has a duty and obligation to ensure that every person in its respective state can enjoy the right set out in the treaty.

There are ten human rights treaty bodies consist of independent experts with recognised specialisation who are nominated and elected for fixed renewable terms of four years²⁸. They are:

- (a) Human Rights Committee monitors implementation of the international Covenant on Civil and Political Rights (1966) and its optional protocols – CCPR.
- (b) Committee on Economic, Social and Cultural Rights – CESCR. This committee is saddled with responsibility of monitoring implementation of the International Covenant on Economic, Social and Cultural Rights (1966).
- (c) Committee on the Elimination of Racial Discrimination – CERD. This committee monitors compliance with the International Convention on the Elimination of All forms of Racial Discrimination (1965).
- (d) Committee on the Elimination of Discrimination against Women – CEDAW. This committee monitors compliance of the convention on the elimination of All forms of Discrimination against Women (1979) with its optional protocol (1999).
- (e) Committee against Torture – CAT. This committee monitors implementation of the convention against Torture and Other Cruel, Inhuman or Degrading Treatment (1984).
- (f) Committee on the Rights of the Child – CRC. This committee plays a role of monitoring implementation of the convention on the Rights of the Child (1989) and its optional protocols (2000).
- (g) Committee on Migrant Workers (CMW). This saddled with the responsibility of monitoring implementation of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their families (1990).
- (h) Committee on the Rights of Persons with Disabilities – CRPD. This committee embarks on monitoring implementation on the International Convention on the Rights of Persons with Disabilities (2006).
- (i) Committee on Enforced Disappearances – CED. This committee monitors implementation of the International Convention for the Protection of All Persons from Enforced Disappearance (2006).
- (j) The subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment – SPT. This

There are international organisation within the African continents like African Union (formerly OAU), ECOWAS that make provisions for protection of human rights. Prominence is given to the African Union and ECOWAS in Nigeria because the duo are the major active in the African and the West African region. The African human rights system is the legal framework and

²⁶ The United Nations Commission on Human Rights was established in 1946.

²⁷ UNCHR was established in 1946 to weave the international legal fabric that protects fundamental rights and freedom.

²⁸ www.ohchr.org accessed on 28th October, 2017

structures put in place to ensure protection of human rights in Africa. The most prominent human rights treaties are:

- (a) 1969 OAU Charter Governing Specific Aspects of the Refugee Problem in Africa.²⁹
- (b) 1981 African Charter on Human and Peoples Right.³⁰
- (c) 1990 African Charter on the Rights and Welfare of the Child.³¹
- (d) 1998 Protocol to the African Charter on Human and People's Rights Establishing the African Court on Human and People's Rights.³²
- (e) 2003 Protocol to the African Charter on Human and Peoples' Right on the Rights of Women in Africa.³³
- (f) 2008 Protocol on the Statute of the African Court of Justice and Human Rights.³⁴

The Africa Union also created monitoring and enforcement bodies of African Human Rights System. These are:

- (a) African Commission on Human and People's Rights (African Commission)³⁵
- (b) African Committee on the Rights and Welfare of the Child.
- (c) African Court on Human and Peoples' Rights (African Court)

It must be added that apart from the African Union Charters on Protections of Human Rights, there are many other subregional organisations like Southern African Development Community (SADC), East African Community (EAC) and Economic Community of West African States (ECOWAS) that not only providing legal framework but also establishing courts³⁶ to adjudicate on human rights related matters.

The ACHPR is a legal framework put in place by the African Union³⁷ to enshrine fundamental, civil and political rights. The ACHPR contains 69 articles 23 out of which guarantee substantive rights and 23 guarantee the specific rights of individuals, groups and communities, 3 contains duties of individual and 2 cover other state duties.

It may not be out of place to say that the provisions of the ACHPR are not significantly dissimilar to the provisions of the UN Declaration on Human Rights except that the ACHPR's formulation is broader by giving room for wider interpretation and application and assigning the responsibilities of outlining these rights and defining their standard to the African Commission.³⁸

The African Commission to carryout implementation of these chapters has four areas of activities, they are as follows:

²⁹ Operation of this charter began 1974

³⁰ Operation of this charter began 1986

³¹ Operation of this charter began 1999

³² Operation of this charter began 2004

³³ Operation of this charter began 2005

³⁴ Operation not yet known

³⁵ This was established in 1987 with responsibilities of overseeing the interpretation of ACHPR, promotion and protection of human rights. The headquarters of the commission is located at Banjul, Gambia. This is the foundational document of the African human rights system.

³⁶ SADC has Southern African Development Community (SADC) Tribunal; EAC has East African Community Court of Justice and ECOWAS has the Economic Community of West African States (ECOWAS) Community Court of Justice.

³⁷ The OAU became the African Union (AU) with the adoption of the AU Constitutive Act in the year 2000.

³⁸ For instance, article 25 of ACHPR.

(a) *Review of states' progress*

In every two years every member state has a duty to present progress report on measures taken by such state to ensure compliance on the provision of the articles on ACHPR. The state presenting report shall do so during the ordinary session of the African Commission and the state shall be examined therein. Prior to the examination, the report to be presented is always published and circulated for public consumption to allow protest and critiques against the report. The African Commission will also invite comment from civil society of the concerned area. Thereafter, the African Commission will make its observation and remarks. The remarks along with the state's report shall be transmitted to the AU Assembly of Heads of State and Government and same shall be published therefrom. Likewise, the protocol on the Rights of Women in Africa also requires states to report to the African Commission.

(b) *Promotion of ACHPR*

The African Commission always embarks on series of programmes to carryout its promotional mandates. It visits the state members regularly and conducts studies for promotion of the ACHPR. The African Commission also organizes seminars and conferences and disseminates information and other human rights campaigns. The commission also creates special mechanisms working groups and special rapporteurs to address concerned areas and also dispatch fact-finding and investigation missions on ground whenever situation call for that. This is a major way by which the African Commission carries out its mandate.

HUMAN RIGHT IN NIGERIAN PERSPECTIVE

Chapter 4 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) guarantees fundamental human rights of people of Nigeria for the purpose of preventing disorder and to seek redress in case of breach.³⁹ Right has been define as follows as: "any advantage or benefit conferred upon a person by a rule of law."⁴⁰ The 1999 Constitution of the Federal Republic of Nigeria guarantee the following rights:

- (1) Right to life⁴¹
- (2) Right to dignity of human person⁴²
- (3) Right to personal liberty⁴³
- (4) Right to fair hearing⁴⁴
- (5) Right to private and family life⁴⁵
- (6) Right to freedom of thought, conscience and religion⁴⁶
- (7) Right to freedom of expression and the press⁴⁷
- (8) Right to peaceful assembly and association⁴⁸
- (9) Right to freedom of movement⁴⁹

³⁹ See *Isagba v. Ashiedu* (1982) 3 N.C.L.R. 784, HC Bendel State.

⁴⁰ See *Salmons on Jurisprudence* 12th Edition

⁴¹ Section 33 of 1999 Constitution of the Federal Republic of Nigeria

⁴² Section 34 of 1999 Constitution of the Federal Republic of Nigeria

⁴³ Section 35 of 1999 Constitution of the Federal Republic of Nigeria

⁴⁴ Section 36 of 1999 Constitution of the Federal Republic of Nigeria

⁴⁵ Section 37 of 1999 Constitution of the Federal Republic of Nigeria

⁴⁶ Section 38 of 1999 Constitution of the Federal Republic of Nigeria

⁴⁷ Section 39 of 1999 Constitution of the Federal Republic of Nigeria

⁴⁸ Section 40 of 1999 Constitution of the Federal Republic of Nigeria

⁴⁹ Section 41 of 1999 Constitution of the Federal Republic of Nigeria

(10) Right to freedom from discrimination⁵⁰

(11) Right to acquire and own immoveable property anywhere in Nigeria ⁵¹

BREACH OF RIGHTS OF INTERNALLY DISPLACED PERSONS

One would consider displacement itself as a breach of the rights of internally displaced persons. The reason is that the Constitution of the Federal Republic of Nigeria gives responsibility to the government to provide security for people of the country.⁵²

“The President shall be the Head of State, the Chief Executive of the Federation and commander-in-chief of Armed Forces of the Federation”

Likewise, the oath of allegiance taken by the public office holders is as follows:

“I, Do solemnly swear/affirm that I will be faithful and bear true allegiance to the Federal Republic of Nigeria and that I will preserve, protect and defend the Constitution of the Federal Republic of Nigeria. So help me God”

They also have another commitment in the oath of office of all political and public office holders by this statement i.e.

“that I will strive to preserve the Fundamental Objectives and Directive Principles of State Policy contained in the Constitution of the Federal Republic of Nigeria.”

This shows that there is a social contract between the government of the Federal Republic of Nigeria and people of the country. This social contract involves every level of Government, Federal, State and Local. The failure of the Government to perform its obligation in the social contract is a key factor responsible for insurgency or terrorism in the North-East, the effect of which includes but not limited to loss of lives and property and displacement which result to violations of fundamental human rights of the IDPs.

CONCLUSION

The Nigerian law is yet to define what responsibility the government has to carry out during internal displacement except for government to give donations of various items to the IDPs. It is pertinent to put in place the legal framework for the IDPs to ascertaining the enforcement of their rights. The IDPs have to be entitled to specific compensations from the government because the government is the cause of their displacement and such constitute breach of their rights. Their right to life is threatened by the insecurity of the nation. Their freedom of association is no longer guaranteed and their liberty is not protected. These make them to be entitled to special treatment because of their peculiarity. In order to provide a legal frame work as a legal backing to cater for the needs of IDP the United Nation put in place the Guiding

⁵⁰ Section 42 of 1999 Constitution of the Federal Republic of Nigeria

⁵¹ Section 43 of 1999 Constitution of the Federal Republic of Nigeria

⁵² Section 130 (2) of the 1999 Constitution of the Federal Republic of Nigeria (as amended)

Principles for the treatment of the IDP. The AU and ECOWAS also adopted the Guiding Principles of the UN. However, the principles are not enforceable because they are just mere Guiding Principles which are the best be described as Policy Guide Line. It is hereby recommended that the Guiding Principles along side with the National Policy on Internally Displaced Persons (IDPs) in Nigeria made by the Federal Republic of Nigeria in July, 2012 be made as a legal backing to the IDPs to ameliorate the conditions of the IDPs in Nigeria especially in the North East.