

SUSTAINABLE DEVELOPMENT GOALS AND VICTIMS OF ARMED CONFLICT: ZERO HUNGER IN IDP CAMPS IN NIGERIA

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ABSTRACT

Sustainable development goals represent the world we want to see by 2030. It is the initiative of the United Nations driven by the success achieved with the millennium development goals. The sustainable development goals launched in the year 2000 is an all-inclusive strategy with the mandate to 'leave no one behind'. The SDGs did not specifically mention IDP's but they are captured as vulnerable groups. There is no specific framework in international law for this target group. This paper appraises sustainable development goals and victims of armed conflict and how the goals would ensure zero hunger in IDP camps in Nigeria. The paper observes that IDP's are those who have moved away from their homes or their habitual places of residence due to several reason that ranges from conflict, abuse of human rights, generalised violence or human made disasters but have not crossed internationally recognised border, i.e. they are still within their national boundaries. The paper notes that in times of armed conflict, international humanitarian law is the primary legislation that regulates the conduct of hostilities and forbid attacks on civilian and objects indispensable to the survival of civilian. It forbids forced evacuations of civilians except on grounds of imperative military necessity. The paper observes that IHL has a lot of provisions protecting the displaced population and forbids the use of starvation as a method of warfare and has provisions reiterating the nine core SDGs that affects displaced persons in situations of armed conflict. The notes that the existing gaps in the IHL framework and posits that some provisions need further clarification but observed that the crucial problem is that States do not respect and ensure respect of the provisions of the law and

have failed to disseminate the rules as widely as possible. The paper recommends that the root cause of displacement, i.e. conflict must be addressed. It further recommends that displaced persons must be included in policy decisions of government and that durable solution must be achieved for this group of persons.

Keywords: Displacement, Armed Conflict, Hunger, Development Goals, Sustainable

INTRODUCTION

In most states and communities in Nigeria, there are hundreds if not thousands of internally displaced persons or the IDPs especially in the northeast and north central states where insurgency and other forms of generalised violence is at its peak. There are various reasons for displacement. It could range from conflict induced displacement to government or manmade displacement. It could also be as a result of natural disasters. In times of armed conflicts, belligerent is expected to distinguish between civilian and the military and must not direct attacks at the civilians or their objects but most times, civilians and their objects are attacked leading to displacement. In some other situations, civilians are forcefully evacuated. Evacuation is not a terrible solution especially where imperative military necessity so requires. Most often than not these civilians are forcefully evacuated and transferred from one location or another thereby displacing them. Some civilian may wilfully move away from their habitual places of residence in order to avoid or escape from the direct and harsh consequence of the danger causing the displacement. Most times, these displaced persons are quartered in a camp with little or no facilities and are exposed to the dangers of hunger/starvation and may eventually die as a result of these harsh conditions in confinement.

Sustainable Development Goals (SDGs) according to Smale¹ define the world we want. The goals apply to all nations and mean quite simply, to mean that no one is left behind. Prior to the articulation of the SDGs, national governments were left to ensuring that the goals were realised but the inability of the government has been very glaring in this regard. We live in a world where billions of people can communicate and have a say in creating the type of life and future that they want. Businesses both big and small, civil society organisations, academics and scientists are all in involved in this quest for a better future. In the midst of all the voices, the United Nations adopted the map of the world that we would like to see in 2030 and has given

everyone, everywhere a voice in determining the future and the right to ask governments at all level and anywhere in the world, what they are doing to realize these goals.ⁱⁱ This world map has been articulated under 17 goals and has become the 2030 Agenda.ⁱⁱⁱ In the spirit of not leaving anyone behind the United Nations and all its partners and supporters must ensure that everyone has access to the SGDs and their inclusive message. In effect the UN must pressure its members to ensure that their citizens are not left out.

If the purpose of the SDGs is to ensure that no one is left out, then the IDP's by right should be part of the beneficiaries of these goals. There are 17 goals in all and looking critically at them, the IDP's while displaced should not only be entitled to the enjoyment of one of the goals but most of the other goals do not come within the focus of this paper. This paper would examine some of the goals that addresses the problems in the IDP's camps. This paper is divided into five parts. Part I introduces the paper and presents the scope of the discussion. Part II defines IDPs and help us situate them properly as there are other categories of people that may appear to be IDPs but they are not i.e., Refugees, migrants and stateless persons. Part III examines the legal framework or IDP and its relationship with IHL and other Laws. This helps in determining whether the IDP's have a right to food, health and water or any other rights as the case may be. The discussion in part IV focuses on the existing gaps in the IHL framework and part V concludes the paper and makes recommendations.

CONCEPTUAL FRAMEWORK

One of the objectives of the laws of armed conflict is to reduce the need for civilians to flee from their homes or places of residence on the one hand but also notes that displacements may sometimes be necessary in situations of armed conflict. The challenge is not the fact that civilians are fleeing from conflict zones to avoid the direct effects of hostilities but the fact that they may not be able to return when they wish to do so. Aside the fact that they are away from their homes, their final places of shelter or camps are nothing to write home about. Their welfare and wellbeing are not the priority of government. The displaced persons are exposed to all forms of danger such as being trafficked for forced labour or sex trade. Some are raped by those that should take care of them. They are exposed to hunger/starvation and are sometimes left to fend for themselves.

Who then is an internally displaced person?

Article 1(k) of the Kampala Convention defines IDPs thus:

Persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalised violence, violations of human rights or natural or human-made disasters and who have not crossed an internationally recognised state border.

Internal displacement according to Kampala Convention means the ‘involuntary or forced movement, evacuation or relocation of persons or groups of persons within internationally recognised state borders.’^{iv}

Again, the Guiding Principles on Internal Displacement^v defines IDP’s as:

Persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalised violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognised state border.

The definition given to IDP’s by Kampala Convention and the Guiding Principles were couched in the same verbiage. It specifies that this movement is involuntary and takes place within national borders. The most important aspect of this definition is the last line ‘those who have not crossed an internationally recognised State border’. If they cross and internationally recognised borders, they become refugees. In essence IDPs are still under the authority of their home government or an occupying power. Art 49 GC IV prohibits forceful transfers of individuals for any reason and where such occurs, it must be done in satisfactory conditions of hygiene, health safety and nutrition and members of same families must not be separated.

What are Sustainable Development Goals (SDG’s) and do they affect the IDP’s?

The United Nation posits that sustainable development is the development that promotes prosperity and economic opportunity, greater social wellbeing and protection of the environment. It offers the best path forward for improving the lives of people everywhere.^{vi} From the inception of the United Nations in 1945, one of its major focus was to ‘achieve international cooperation in solving international problems of an economic, social, cultural, or

humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion.^{vii}

Improving the well-being of people remains the main priority of the United Nations. This initiative helped the UN to reduce poverty level noting that almost 40 percent of the population in the developing countries lived in abject poverty about twenty years ago.^{viii} The reduction in poverty was achieved with the millennium development goals (MDGs) and the MDG achieved zero hunger in some countries. With the success achieved through the MDGs, the UN needed to eradicate poverty and this led to the adoption of the 2030 Agenda for sustainable development.^{ix}

As earlier noted in the paper that the SDG's are a reflection of the world, we want to see by 2030 and it was launched by the UN in the year 2000. The SDG's had set tangible targets including to cut extreme poverty,^x reduce child mortality^{xi} and promote universal primary education.^{xiii} It however did not consider the needs of people affected by disasters and conflict such as the IDP's but the cliché of leave no one behind becomes a reality for the IDP's. In 2015, the internally displaced persons (IDP's) were recognised in the 2030 Agenda for Sustainable Development because of the awareness that that millions of IDP's and refugees had been left out in the development processes and the omission needed to be corrected.^{xiii} This marked the first time an international framework has acknowledged the importance of including in a country's development plan those who have been internally displaced.^{xiv}

Although the SDG's did not specifically mention target groups such as IDP's and Refugees but vulnerable groups were mentioned and the IDP's are treated under that heading. In addition, the SDG's also took note of factors that risk jeopardizing progress, which includes health threat at global scale, frequent and intense natural disasters, spiralling conflict, humanitarian crises and forced displacements.^{xv} Included in the discussion relevant to the IDP's was whether or not to include a specific target to reduce the number of IDP's and refugees by a certain percentage by 2030 through the provision of durable solutions.^{xvi} While governments of States with internal displacement cases agreed to have to such an inclusion but a consensus could not be reached and this lack of consensus necessitated the inclusion of IDP's and Refugees under the definition of vulnerable groups in the political declaration introducing the goals.^{xvii}

Addressing the needs of IDP's who have been forced from their homes or habitual places of residence but are still within the national borders is very essential to the successful fulfilment

of the United Nations Sustainable Development Goals (SDG's). Hanjoerg Strohmeyer^{xviii} stated thus:

For many, many IDP's, once they enter displacement, and its multiple displacement; it's a life sentence. It continues for the rest of their life. So, what really is behind those 40 million is not only a humanitarian short-term need, it's a very long-term developmental and political need...and that's why it is very much an SDG conversation.

The paper totally agrees with the preceding view. Internal displacements have proven not to be a short-term humanitarian affair but a life time issue. In Nigeria, for instance, it has been difficult to achieve a durable solution for the IDP's because the political and developmental needs have not been part of the conversation by the government. This view is supported by the May-Elin Stener^{xix} who noted that:

The number of IDP's have grown beyond 40 million, but their plight has unfortunately taken a back seat in the policy debates that we have today, where refugees and migration flows rise concerns for a multitude of actors from member states and the UN to international human rights advocates and humanitarian organisations alike. Progress towards the SDGs will not be achieved if these people are not reached.

The UN Special Rapporteur on the Human Rights of IDPs noted that 2030 agenda is 'highly relevant' to IDP's. She further noted that:

Ownership of their problems and agencies over their solutions, government and organisations can ensure that IDP's have the freedom to be active in seeking recovery with dignity. And when participation is encouraged and sought out, it can even communicate their capacities and potentials for recovery.^{xx}

The Special Rapporteur focused on five key areas on the 2030 agenda to show that the SGD is important for the realisation of durable solutions for the IDP's. The five areas were SDG 1 which addresses poverty; SDG 2- hunger and food insecurity which are often the result of, or exacerbated by displacement; SDG3 and 4- health and education. These are in many cases not accessible to the IDP's or not sufficient to meet their needs; SDG 8-Employment and decent work. IDP's often require assistance with access to employment and they also face discrimination which SDG 10 aims to reduce; SDG 11 emphasises the need to have adequate shelter or housing as more persons are being displaced and they all move to urban areas. Some

have also been displaced due to climate change. These ones also move to the towns and need housing. SDG 13 also addresses the issue of climate change; SDG 16 promotes peaceful and inclusive societies. It is noted that violence is responsible for the displacement of over 14 million internally displaced persons.^{xxi} Using the SDG as a framework, it will help humanitarian and development actors to design, implement and monitor solutions that are adaptive, responsive, effective, and sustainable.^{xxii} The UN Special Rapporteur finally noted the importance of the Inter-Agency Standing Committee (IASC) Framework on Durable Solutions for IDP which is particularly useful for helping to shape data processes that can enable the inclusion of IDP's in the plans to achieve the SDGs.^{xxiii}

The Senior Special Assistant to the President on SDGs in Nigeria, discussed the Nigerian government's initiatives to respond to acute humanitarian needs in the northeast of the country which includes to creation of an advisory body, the Presidential Committee on the Northeast Initiative that is do streamline support to IDP's through holistic efforts that is supported by intensive fund raising.^{xxiv} She noted the challenges of children orphaned by conflicts in Nigeria and said that two projects were initiated to foster the children, as well as ensure that they have good education. She further stated that the office of the Vice President has completed phase one and eight thousand children are housed and schooled in the shelter while phase two is ongoing.^{xxv}

Conclusively, one can say without an iota of doubt that SDGs cannot be discussed without considering how it would affect the vulnerable in the society which includes the IDP's and the refugees. We have also seen from the discussions above that it is not only SDG 2 that affects the IDP's directly reinforcing the fact that the Agenda is all inclusive. It should also be observed that the needs of the IDP's are often similar to, if not more acute that the refugees. IDP's can become refugees, and refugees returning to their countries can in turn become IDP's. IDP's do not benefit from the legal status of refugees and its associated protections, and they fall outside the mandate of the UN High Commissioner for Refugees (UNHCR).^{xxvi}

RELATIONSHIP BETWEEN IDP AND IHL

Under IHL, IDPs are civilians and enjoy all the protection afforded to civilians in Geneva Convention IV, the Additional Protocols I and II. The primary rule remains that civilians and their objects cannot be attacked and parties to the conflict must take constant care to spare the civilian population, civilians and civilians objects.^{xxvii} Article 58 also provides that precaution must be taken to protect the civilians from dangers resulting from military attacks/operations. It went further to state that: parties to the conflict must take the other necessary precautions to protect the civilian population, individual civilians and civilian objects under their control against the dangers resulting from military operations.^{xxviii} Regardless of the above, Article 58(a)(b) AP I maintains that civilians and their objects must be moved away from the vicinity of military objectives and the belligerent parties must not locate military objectives within or near densely populated area. This precautionary provision is specific to areas within the vicinity of military objectives and does not allow states generally to move civilians in times of armed conflict. States are also not allowed to move civilians in order to use them as human shields to protect military objectives.^{xxix}

In the absence of a provision to the contrary, civilian population ought not to be forcibly displaced from their homes or otherwise within the territory of a state. There is however no law that explicitly prohibits this. Practically, it may be disruptive to the military operation if large numbers of the population were constantly on the move-forcibly or not. Again, states would not wish to displace their civilian population except in the face of imperative military necessity.^{xxx} There may be situations where these assumptions may be wrong like the Iraqi Government's policy during the 1970 and 1980 internal conflict to forcibly move Iraqi Kurds from their homes. This was an intentional displacement of Iraqis from oil-rich areas and the movement into the areas of more deserving Iraqis. This infringes on the principle of non-discrimination under fundamental guarantees contained in Article 75(1) AP I and Art 4(1) AP II.

This may appear to be a gap that needs to be filled but the existing provisions prohibits displacement that are not military necessary in times of armed conflicts. States are encouraged to set up safety zones where they can shelter vulnerable civilians including the wounded and the sick. Articles 14 and 15 GC IV and Articles 59 and 60 AP I provide for non-defended localities and demilitarised zones. During internal armed conflict Article 17 AP II prohibits the

displacement of the civilian population. The Geneva Convention IV and the Protocols protects IDPs as civilians/protected persons and are expected to enjoy all the protections afforded to civilians under these laws.

IHL further protects civilian by ensuring that starvation is not used as a method of warfare. It specifically states that:

Starvation of civilians as a method of combat is prohibited. It is therefore prohibited to attack, destroy, remove or render useless, for that purpose, objects indispensable to the survival of the civilian population, such as food- stuffs, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works.^{xxxix}

Obedience to the above in times of armed conflict has not been feasible and the insurgents destroys civilian objects in contravention of the rules contained in Article 48 of AP I in the event that these objects indispensable to the survival of civilians are destroyed Article 70 AP I provides for relief actions which are humanitarian and impartial in character and conducted without any adverse distinction to be undertaken subject to the agreement of the parties concerned in such relief actions.^{xxxix} In Nigeria, the International Committee of the Red Cross (ICRC) has been on ground and has done a great deal in the area of relief distribution. More than seven million people are affected by the armed conflict in the North- East of Nigeria and these vulnerable people can be found in Adamawa, Borno and Yobe states of Nigeria. About five million of these population needs food while two million are displaced from their homes.^{xxxix} For IDP's in occupied territories, the law provides that the Occupying Power had the duty of ensuring the food and medical supplies of the population.^{xxxix} The section further provides that the Occupying Power may not requisition foodstuffs, articles or medical supplies available in the occupied territory, except for use by the occupation forces and administration personnel, and only if the requirements of the civilian population have been taken into account.^{xxxix}

A careful examination of the International Covenant on Economic, Social and Cultural Rights (ICESCR) would reveal that the drafters included the right to food in the convention. It provides that:

the State parties to the present convention recognise the right of everyone to an adequate standard of living for himself and his family including adequate food, clothing and housing,

and to the continuous improvement of living conditions^{xxxvi}.... recognizing the right of everyone to be free from hunger, shall take individually and through international co-operation, the measures, including specific programme, which are needed to improve methods of production, conservation and distribution of food^{xxxvii}...

The Convention consistently made use of the word 'everyone' should have right to adequate food and be free from hunger.^{xxxviii} The IDP's fall into the category of everyone. The provisions did not make room for any form of distinction in qualifying those that have the right to food and should be free from hunger.

The greatest challenge to food security in Nigeria is the activities of bandits, herdsmen and militants and jihadist groups that attack, kill, kidnap and rape farmers. The situation has become very unbearable as the prices of food in Nigeria keeps rising due to scarcity occasioned by the fact that farmers are afraid to go to farm. In November, 2020 at least forty persons working on rice farms in northeast Nigeria were killed by militants.^{xxxix} Boko Haram group claimed responsibility for the brutal murder of farmers in the northeast of Nigeria. The bodies recovered from that attack were said to be about seventy-six.^{xl} The Washington Post put the number at a hundred and ten.^{xli} Boko Haram insurgents have killed over 30,000 people since 2009 and continues to perpetrate these attacks.^{xlii} Attacks/violence between Fulani herders and farmers in Nigeria is one of the persistent security challenge and has left thousands of persons dead in recent time. A lot of reasons have been adduced for these conflicts but the resultant effect is shortage on food supply in the country which has a very devastating effect on the vulnerable especially the displaced persons in Nigeria.^{xliii} Herder- farmer conflicts in Nigeria have involved disagreements over land resources between the Muslim Fulani herder and the Christian farmers across Nigeria but more gruesome in the Middle Belt Region of the country. There has been attacks too in the Northwest Nigeria against the Hausa farmers.^{xliv}

Article IX (2)(a) and (b) of the Kampala Convention provides that the displaced shall have adequate supply of food and water to ensure that their nutrition needs are met. In essence IDPs must not suffer hunger. It specifically provides that:

State Parties shall provide internally displaced persons to the fullest extent practicable and with the least possible delay, with adequate humanitarian assistance, which shall include food, water, shelter, medical care and other health services, sanitation, education, and any other

necessary social services, and where appropriate, extend such assistance to local and host communities.^{xlv}

Governments have an obligation to ensure that these needs are met. To ensure compliance and implementation of the provisions of the Kampala Convention, states are encouraged to adopt those provisions in their local laws.^{xlvi} The extent to which this has been complied with is a different issue altogether. The Guiding Principles on Displacement also lent a voice in this regard by providing that:

All internally displaced persons have the right to an adequate standard of living. At a minimum, regardless of the circumstances, and without discrimination, competent authorities shall provide internally displaced persons with essential food and potable water; basic housing and shelter; appropriate clothing; and essential medical services and sanitation.^{xlvii}

The above mandates are to be fulfilled by government. But it is realised that the SDG 2 is a framework for an expected result in 2030. It is not an immediate goal. Same applies to the provision of the economic right on the provision of food for everyone. It is a progressive right that would be attained depending on the availability of resources. Due to these glaring challenges, IDPs rely on the services of humanitarian organisations or well-meaning individuals for their sustenance and upkeep. Sustainable Development Goals 6 – health and 3 – provision of adequate and clean water is also progressive. The health sector in Nigeria is comatose and provision of water to ensure proper and adequate sanitation is a tall dream. Most communities and hospitals do not have potable water to drink and to work with and same applies to the IDP camps.

These vulnerable people must be provided with the basic amenities that guarantees health and healthy living in the camps. This becomes very necessary in the face of COVID-19 pandemic. IDPs must have adequate and clean water in the camps for drinking and washing of hands as this is the first line of defence against the pandemic. If there is an outbreak of the pandemic in any of the IDP camps, the effect of such an outbreak will be very disastrous. The Ministry of humanitarian Affairs have been doing a great job in ensuring that food and other means of sustenance is made available to the IDP's in Nigeria but they can do more if the appropriate legal framework that would streamline responsibilities is put in place. This will take away the conflict that usually arises between the various agencies and parastatals in this regard. The role of the ICRC during the pandemic is worthy of mention. The International Committee of the

Red Cross continues to respond to the needs (humanitarian) of the persons affected by armed conflict and other situations of violence by adapting its activities to avoid the spread of COVID-19. They are also collaborating with the Nigerian Red Cross Society (NRCS) and other actors in the humanitarian field to contain the spread of corona virus.

The ICRC acknowledges that women and children from the areas affected by violence constitutes the majority of patients at the primary health care facilities they are supporting with human resources incentives, drug supplies and prevention initiatives. They noted that internally displaced persons and the local communities were given accurate information on COVID-19 through radio programs, posters and social media content developed in collaboration with the NRCS in Shuwa Arab, Kanuri, Hausa and English.^{xlviii} The essence is to ensure that the necessary information is understood by the recipients. In that way it becomes more effective in application and implementation.

GAPS ON IHL LAW AND THE IDPS

IDP's differ from Refugees and should benefit from all the protections afforded to other citizens and inhabitants of their country.^{xlix} There are rules of IHL that prevents the movement of civilian population internally and externally as noted above. In addition to the rules governing the protection of civilians in times of armed conflict, there are specific rules on displacements. Furthermore, states are encouraged to negotiate further protection such as making available safe areas for the civilians. While the existing rules may not be found wanting, there may be need for some clarification for instance Article 17 AP II requires more clarification. There are some notable gaps. There is no specific provision for the non-refoulement of IDPs.¹ In addition to this, there is an escalation on the number of IDPs and there is no international legal regime specifically governing such persons. The Guiding Principles on Internal Displacement is a restatement of the existing rules applicable in times of armed conflict and situations of generalised violence, violations of human rights or natural or human made disasters. Twentieth anniversary of the Guiding Principle was an opportunity to put the plight of IDP's back on the radar of the international community. Stakeholders must develop longer term solutions to the needs of displaced persons rather than just chasing the immediate responses without a sustainable development plan.

These principles are not legally binding in its present form. Again, the International Law Association and the UN Human Rights Commission developed a Draft Declaration on Principles of International Law on Internally Displaced Persons. In its 2000 report the ILA reiterated the view that IDPs have a unique status as ‘de facto refugees’ confined in their national boundaries and therefore justify a special regime. The Draft Declaration is not also a binding instrument but may be persuasive on states. The problem with humanitarian law is not specific deficiencies but with its implementation particularly in internal armed conflicts. This trend is not new but constitutes a great challenge to the international community. To solve this, the ICRC has severally held conferences/regional expert meetings on improving compliance with IHL. The implementation mechanisms are not defective but suffer a lack of use. Therefore, states must respect their obligations under Common Article I to the Geneva Conventions which is the due diligence provision^{li} and disseminate the rules as widely as possible.^{lii}

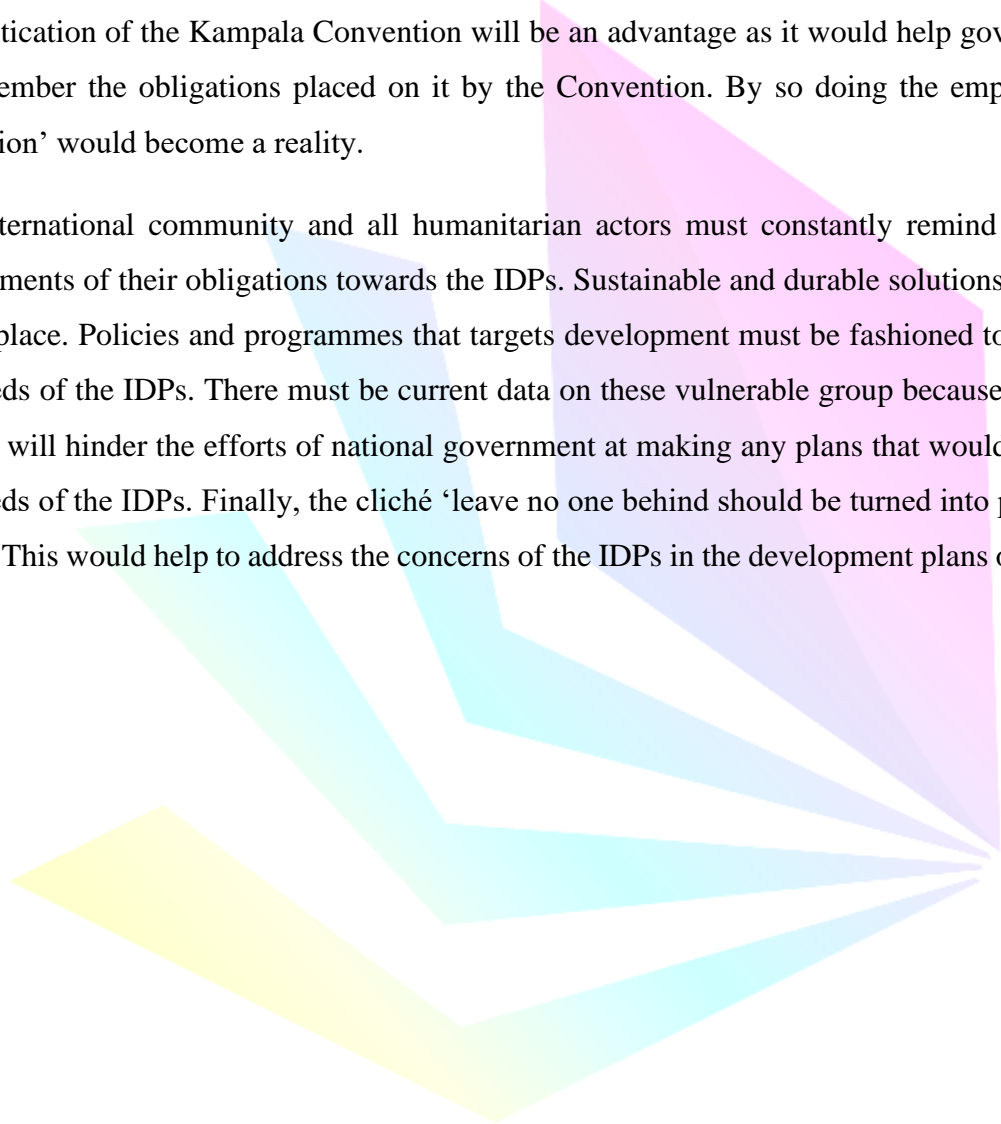
RECOMMENDATIONS AND CONCLUSION

When humanitarian laws are analysed, specific protections are found for internally displaced persons and refugees affected by the effects of armed conflict. The laws are not complete in themselves as there are existing gaps but the basic principles remain intact. Respecting the principles of humanity and human dignity would lessen the gaps but there several violations of the rules of IHL. When the rules of IHL are observed and respected, during hostilities it plays a crucial role in preventing displacement because it is their violations that lead to displacement. Government and belligerent parties including the insurgents must respect IHL rules.

Civilian population and their objects should not be attacked and they must not be arbitrarily or forcefully displaced except where imperative military necessity so demands and on cessation of hostilities, they must be returned back to their homes. Where their homes have been destroyed, durable solutions must be provided for the IDP’s. Objects indispensable to the survival of the civilian population such as farmlands and foodstuffs must not be destroyed in the conduct of hostilities. While displaced efforts must be made to ensure that they have food, water and medical supplies. Farmlands and seedling should also be provided for the IDP’s and they must be encouraged to grow food while displaced.

There has been increased awareness that the challenges associated with internal displacement needs to be resolved within the framework of sustainable development policies and programmes. The 2030 Agenda is the first international framework to acknowledge this fact. The framework pledges to ‘leave no one behind’ and ‘to reach those furthest behind first’. It went further to note that IDPs belong to the vulnerable group that must be empowered through efforts aimed at implementing the SDGs and placed a strong emphasis on inclusion. Domestication of the Kampala Convention will be an advantage as it would help government to remember the obligations placed on it by the Convention. By so doing the emphasis on ‘inclusion’ would become a reality.

The international community and all humanitarian actors must constantly remind national governments of their obligations towards the IDPs. Sustainable and durable solutions must be put in place. Policies and programmes that targets development must be fashioned to address the needs of the IDPs. There must be current data on these vulnerable group because absence of data will hinder the efforts of national government at making any plans that would address the needs of the IDPs. Finally, the cliché ‘leave no one behind should be turned into policy of States. This would help to address the concerns of the IDPs in the development plans of States.



ENDNOTES

- ⁱ Smale, A., 'What the SDGs Mean' UN Chronicle, < <http://www.un.org>> (Accessed 27 November 2020)
- ⁱⁱ Ibid.
- ⁱⁱⁱ Ibid.
- ^{iv} Article 1 (l) Kampala Convention 2012.
- ^v The Guiding Principles on IDP was published 22 years ago (1998). See paragraph 2. It is not a legally binding document but provides a framework principles and policies for states. See Internal Displacement Monitoring Centre (IDMC), 'Global Report on Internal Displacement (GRID),' May 2018 United Nations High Commission for Refugees (UNHCR), Figures at a glance, June 2018, <<https://www.unhcr.org/en-us/figures-at-a-glance.html>>, accessed 27 November 2020.
- ^{vi} United Nation, 'Promote Sustainable Development', <<https://www.un.org>> accessed 28 November, 2020.
- ^{vii} Ibid.
- ^{viii} Ibid.
- ^{ix} Ibid.
- ^x Goal 1.
- ^{xi} Goal 3.
- ^{xii} Goal 4.
- ^{xiii} Zeender, Greta. 'The Sustainable Development Goals and IDPs', <<https://www.fmreview.org/GuidingPrinciples20/zeender>> accessed 27 November 2020.
- ^{xiv} Ibid.
- ^{xv} United Nations, 'Sustainable Development Goals', <<https://www.sustainabledevelopment.un.org>>, accessed 27 November 2020.
- ^{xvi} This target was proposed in a 2014 open letter to Member States from UNHCR, OCHA, IOM, UNHCR and the Special Rapporteur on the human rights of IDP's.
- ^{xvii} Zeender (n13), p2. Negotiations were undertaken by development officials and did not generally include humanitarian or human rights experts that are familiar with IDP and refugee issues.
- ^{xviii} Strohmeyer is the Policy Director at the UN Office for the Coordination of Humanitarian Affairs (OCHA).
- ^{xix} See also 'Reaching Internally Displaced Persons to achieve the 2030 Agenda for Sustainable Development, <<https://www.ipinst.org/2018/07/internally-displaced-persons-2030-agenda-sustainable-development#5>>, accessed 27 November 2020.
- ^{xx} Cecilia Jimenez-Damary, 'Reaching Internally Displaced Persons to achieve the 2030 Agenda for Sustainable Development, <<https://www.ipinst.org/2018/07/internally-displaced-persons-2030-agenda-sustainable-development#5>>, accessed 27 November 2020.
- ^{xxi} Ibid.
- ^{xxii} Ibid.
- ^{xxiii} Ibid.
- ^{xxiv} Victoria Adejoke Orelope-Adefulire is the Senior Special Assistant to the President on SDGs. See 'Reaching Internally Displaced Persons to achieve the 2030 Agenda for Sustainable Development, p2, <<https://www.ipinst.org/2018/07/internally-displaced-persons-2030-agenda-sustainable-development#5>>, accessed 27 November 2020.
- ^{xxv} Ibid.
- ^{xxvi} International Peace Institute (IPI), 'Reaching Internally Displaced Persons to achieve the 2030 Agenda for Sustainable Development,< <https://www.ipinst.org/2018/07/internally-displaced-persons-2030-agenda-sustainable-development#5>>, accessed 27 November 2020.
- ^{xxvii} Article 57 (1) AP I
- ^{xxviii} Article 58 (c) AP I
- ^{xxix} Article 51 (7) AP I.
- ^{xxx} Article 49 GC IV.
- ^{xxxi} Article 14 AP II. See also Rules 53 and 54 CIHL Rules 2005.
- ^{xxxii} Article 70 (1) AP I. See also Article 59 GC IV and Article 18 (2) AP II.
- ^{xxxiii} ICRC, 'Delivering Emergency Aid to People Affected by Armed Conflict in Nigeria', <<https://www.icrc.org/en/document/delivering-emergency-aid-people-affected-armed-conflict?amp>>accessed 10 January, 2021. Between January and June 2017, the ICRC supplied food to 398,000 persons in the north-east and Middle Belt, 76,000 persons received seeds, fertilizers, and tools to start farming. 26,000 persons including widows received cash and basic training on small businesses. The ICRC is supporting 23 primary health care

centers and 3 Mobile clinics that provided medical care to 255,000 patients. There was also improved sanitation and hygiene conditions for 106,000 displaced persons and access to clean water for 213,000 persons.

^{xxxiv} Article 55 GC IV.

^{xxxv} Article 55 (2) GC IV. See also Article 69 AP I, Rule 55 CIHL Rules 2005.

^{xxxvi} Article 11 (1) ICESCR 1966

^{xxxvii} Article 11 (2) (a) ICESCR 1966

^{xxxviii} This is the position held by the ICRC when it noted that ‘all assistance provided by the Red Cross is distributed directly to the affected persons regardless of their religion, tribe or political affiliations and is given free of charge’. The ICRC has been responding to humanitarian challenges in Nigeria for the past 32 years. They provide rice, beans, condiments and one month’s supply of a nutrition supplement. They also give blankets, mosquito nets, mats, tarpaulin, kitchen sets and clothing in an effort to improve the living conditions of the displaced. The ICRC also works to improve sanitation and hygiene items by distributing soap and setting up hand-washing stations and latrines. See ‘Nigeria: Emergency Relief to be provided for 22,000 people Displaced by Violence in Plateau State’, <https://www.icrc.org/en/document/nigeria-emergency-relief-be-provided-22000-people-displaced-violence-plateau-state?amp> accessed 10 January 2021.

^{xxxix} DW News, ‘Nigeria: Militants kill dozens in attack on Farm’ < <https://www.dw.com/nigeria-militants-kill-dozens-in-attack-in-farm/>> accessed 6 January, 2021.

^{xl} Ibid. ‘Nigeria: Boko Haram killed 76 Farmers in Borno State’ <http://www.bbc.com/world-55122560> accessed 6 January, 2020

^{xli} Danielle Paquette, ‘Militants Massacre at Least 110 Civilians on Nigerian Rice Farm’ <https://www.washingtonpost.com/world/africa/nigeria-massacre-farmers-borno/2020/11/30/f4437886-11eb-9699-00d311f13d2d_story.html?outputType=amp> accessed 7 January 2021.

^{xlii} Ibid.

^{xliii} See Akpoghome, Theresa U and Ekene Adikibe, ‘Herders and Farmers Conflict in Nigeria: A Quest for Paradigm Shift’, *BIU Law Journal*, (2019), Vol. 5, Pp. 1-21. See also Beetseh Kwaghga, ‘Herders/Farmers Crises: A Threat to Democratic Governance in Nigeria’, *Research on Humanities and Social Sciences*, (2018), Vol. 8, No. 11, Pp 100-108.

^{xliv} It is observed that Nigerian and foreign News media have been unable to provide the exact numbers of casualties. Global Terrorism index reported that herder-farmer conflict resulted in 800 deaths in 2015. In 2016 there were further incidents in Agatu, Benue and Enugu States. In 2018 it was reported that Fulani gunmen killed 19 people during an attack on a church. Another 200 people were killed and 50 houses burnt in clashes between herders and farmers in Plateau in 2018. In the same year, the Fulani herders killed 19 people in Bassa. In 2019, an attack on an Adara Settlement named Ungwar Bardi by suspected Fulani gunmen killed 11 persons. A reprisal attack by Adara targeted settlements of the Fulani killing at least 141 persons with 65 persons missing. These attacks took place in Kajuru LGA of Kaduna State. The Attorney General and Commissioner for Justice, Benue State, stated that since the enactment of the Benue State Open Grazing Prohibition, Ranches Establishment Law 2017, the rapidity and number of attacks on communities by suspected herders have reduced.

^{xlv} Article 2 (b) Kampala Convention 2012.

^{xlvi} Article III (2) (a) Kampala Convention 2012.

^{xlvii} Principle 18 (1) (2) (a)-(d).

^{xlviii} ICRC, ‘ICRC Response to COVID-19, Nigeria March-April 2020’ <<https://www.icrc.org/en/document/delivering-emergency-aid-people-affected-armed-conflict?amp>> accessed 10 January, 2021.

^{xlix} However, UNHCR has conducted operations under certain circumstances to protect and provide humanitarian assistance to IDP’s. See UNHCR’s mandate for Refugees, Stateless persons and IDP’s, February 11 2018.

¹ This principle, reflected in different bodies of international law, protects any person from being transferred (returned, expelled, extradited- whatever term is used) from one authority to another when there are substantial grounds for believing that the person would be in danger of being subjected to violations of certain fundamental rights. This principle is multi-faceted and can be found in different bodies of international law; it is applicable whenever a person falls within the jurisdiction of a state; it can protect people fleeing from armed conflict; it protects against direct and indirect measures that force a person to leave; and it requires procedural safeguards. This principle is contained in rt. 12 of the GC III and Art. 45 (3) (4) GC IV. In the opinion of the ICRC, in times of non-international armed conflict, the fundamental protections contained in common Article 3 are to be understood as prohibiting parties to the conflict from transferring persons in their power to another authority when those persons would be in danger of suffering a violation of those fundamental rights upon transfer.

^{li} Article 1 common to the four Geneva Conventions provides that the High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances.

^{lii} Articles 47/48/127 and 145 of the four Geneva Conventions respectively and Articles 83 and 19 of AP I and II.

