



Directions on Protection, Access and Solutions for IDPs and Returnees in North-Eastern Nigeria

Co-facilitated by the Government of Nigeria and UNHCR

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At a glance – Nigeria’s displaced in need of protection and solutions

8.5 million Nigerians in Borno, Adamawa and Yobe States will require humanitarian and humanitarian assistance in 2017.¹ The conflict and its spillover into neighboring Cameroon, Chad and Niger has resulted in a regional displacement crisis in the Lake Chad Region with over 1.8 million internally displaced persons (IDPs) in Nigeria, 87% of whom originate from Borno State, and nearly 200,000 refugees in Cameroon, Chad and Niger, along with the already sizeable internal displacement situations in these three main refugee hosting countries (Cameroon: 183,000; Chad: 89,000; and Niger: 121,000).

IDPs and refugees have started to return, a fact that has been observed in areas accessible for assessments. It is critical that these returns remain voluntary, occur in safety and in dignity, and that additional opportunities for solutions are identified and seized upon. At the same time, due to the ongoing conflict, new displacement occurs regularly, including to unsafe or inaccessible areas.

To address the complex protection dimension of the regional humanitarian crisis, the Governments of the Lake Chad Region – Nigeria, Cameroon, Chad and Niger – adopted the Abuja Action Statement on 8 June 2016 to galvanize a protection-focused approach to solutions for displaced persons.

The following three pillars build on the Abuja Action Statement, and serve as a basis for a range of essential protection actions which collectively aim to have a transformative impact on the protection environment and the realization of solutions for the displaced in North-Eastern Nigeria:

| Changing Dynamics: Opportunities for Solutions | At Stake: Critical Protection Needs | Excluded: Empowerment and Social Cohesion |
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| Ensuring voluntariness, safety and dignity as determining factors in shifting towards a comprehensive solutions approach for displaced populations. Informed choice is essential to the realization of sustainable solutions. Opportunities for solutions focusing on voluntary returns will be prioritized, while other alternatives will be facilitated as appropriate. | Improved physical security; freedom of movement and humanitarian access; prevention of and response to sexual and gender based violence , as well as protection of children from violence, exploitation and abuse, including children coming out of armed groups; access to targeted psychosocial support to persons; resolution of housing, land and property concerns are prioritized protection needs. | Exclusion, marginalization and extreme poverty are among the root causes fueling conflict and violence, creating protection risks and impeding the realization of durable solutions. Gender equality, inclusion, empowerment, community reconciliation and social cohesion are central to restoring rights, reducing violations and supporting solutions. |

1. Changing Dynamics – Opportunities for Solutions

(Reference is made to paragraphs 1-6 and 16 -19 of the Abuja Action Statement)

Effective protection of civilians leads to opportunities for durable solutions to displacement. The Abuja Action Statement outlines the intrinsic links between protection and solutions, including protection from *refoulement* and the fundamental requirements for informed and voluntary returns in safety and dignity. Where these conditions are not met, returns will not be sustainable, and may result in further exposure of displaced persons to violence and new displacement. The Abuja Action Statement also recognizes the critical importance of supporting all three solutions opportunities for IDPs (voluntary return, local integration or relocation) in order to avoid situations of prolonged and protracted displacement.

Since August 2015, some 950,000 IDPs have returned to Northern Adamawa, Southern Borno and Southern Yobe State. Returnees are receiving limited assistance from local authorities and humanitarian actors. Opportunities for safe, dignified and sustainable solutions exist in some of these areas, but ensuring a sustainable return requires a significant increase in support from the Government and the international community.

In recent months, groups of IDPs residing in Maiduguri, the capital of Borno State, have relocated to their Local Government Area (LGA) capitals, but due to insecurity in the areas surrounding these LGA capitals, many have not been able to return to their rural homes or areas of origin. Physical security in these rural areas is precarious and humanitarian access to them remains tenuous.

| Three Priorities | Key Action (Government of Nigeria, HCT, UNCT, Development Institutions) |
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| <p>Ensure informed choice, voluntariness and participation of displaced populations in the planning and implementation of solutions</p> | <ul style="list-style-type: none"> • Provide information on conditions in potential areas of return in order for persons of concern to make a voluntary and informed decision on the appropriate solution to their displacement. Ensure that returns to the place of origin, where conditions allow, can take place in safety and dignity, and that local integration or relocation remain available solutions. Adhere to the principle of freedom of movement and choice of residence, including by removing cumbersome and bureaucratic residency requirements. • Support and strengthen the role of “Committees on Returns and Durable Solutions” recently established in Adamawa and Borno, which bring together government, humanitarian, and displaced persons to identify, plan and realize solutions opportunities, whether return, integration into host communities, or relocation. Include security actors in these committees. • Support “go and see” visits to potential areas of return or relocation. |
| <p>Ensure safety and dignity in locations where solutions are envisaged</p> | <ul style="list-style-type: none"> • Improve civil-military coordination by strengthening and expanding the current structure in Borno State to cover Yobe and Adamawa States. • Support capacity building of security forces, including police, Civilian Defense Corps and the Multi-National Joint Task Force (MJTF), on humanitarian and human rights law in order to increase trust and confidence in security institutions and ensure that they are responsive to the security needs and concerns of civilians. Support specific measures to build capacity within police for community policing approaches, with the strong involvement of the affected population. • Provide appropriate logistical support, equipment and accommodations to facilitate the reestablishment of rule of law through the presence of civilian police, including female police and specialized units to address the high incidence of gender-based violence (GBV), in current areas of displacement, return and potential return. |
| <p>Ensure equal and non-discriminatory access to basic services in locations where solutions are envisaged</p> | <ul style="list-style-type: none"> • Support and strengthen the role of existing IDP and host community leadership structures and groups, including community-based Protection Action Groups and support groups for women, and ensure the full participation of these community leadership structures and groups in the design and delivery of support and services. • Coordinate regular age, gender and diversity participatory assessments in order to ensure broad-based community participation in self-protection mechanisms and greater empowerment in conflict affected LGAs. • Work with government authorities to establish responsive two-way channels of communication with displaced and host communities. |

2. At Stake – Critical Protection Needs

(Reference is made to paragraphs 7-15 and 20- 23 of the Abuja Action Statement)

There are numerous protection issues in areas of displacement and potential return which contribute directly to ongoing violence and create obstacles to durable solutions. These issues include restrictions on freedom of movement and humanitarian access due to insecurity, violations of international humanitarian law, sexual and gender-based violence, forced recruitment (including of children), disappearances, family separation, and violations of housing, land and property rights (particularly when individual civil documentation is missing). The ongoing counter-insurgency measures put in place by the Nigerian security forces and regional multi-national security partners have, over the past several months, led to improvements in security and humanitarian access to some areas which were previously insecure and inaccessible.

| Four Priorities | Key Actions (Government of Nigeria, HCT, UNCT, Development Institutions) |
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| <p>Ensure physical security, freedom of movement and humanitarian access</p> | <ul style="list-style-type: none"> • Strengthen joint civil-military security committees to facilitate humanitarian access to insecure areas. • Support the reestablishment of rule of law and access to justice, in particular with regard to security, community policing, administration of justice and correctional services. • Promote contact and dialogue between security forces and civilians. • Develop and implement child protection mechanisms for children previously associated with armed groups. • Enhance screening and other security measures to maintain the civilian and humanitarian character of refugee and IDP sites, ensuring that these measures are in line with national legislation and international standards. |
| <p>Strengthen prevention of and response to sexual and gender based violence (SGBV) as well as the protection of children from violence, exploitation and abuse</p> | <ul style="list-style-type: none"> • Strengthen and expand existing community-based systems for the identification of persons with specific needs, and improve multi-sector referral and response mechanisms in order to ensure non-discriminatory access to basic services. • Strengthen and expand community-based systems to prevent and respond to SGBV, guided by the IASC Guidelines for Integrating Gender Based Violence (GBV) Interventions in Humanitarian Action. • Strengthen and expand community-based systems to protect all children, including unaccompanied and separated children and orphans, and to determine and safeguard their best interests. • Strengthen and expand tracing and family reunification systems. |
| <p>Ensure access to psychosocial support</p> | <ul style="list-style-type: none"> • Expand existing psycho-social support tailored to the diverse needs of affected populations, including IDPs, returnees and host community members. • Enhance targeted psychosocial support for women, girls, boys and men who have experienced egregious human rights violations and abuses. • Establish community based psychosocial support mechanisms and peer-support networks. |
| <p>Resolve Housing, Land and Property (HLP) issues and facilitate access to individual documentation</p> | <ul style="list-style-type: none"> • Establish effective and accessible mechanisms to resolve HLP disputes, including the allocation of land for cultivation in areas of displacement, and issues related to missing cadaster documentation. • Provide support to local authorities and civil society to ensure legal services and assistance to displaced persons in conflict affected areas. |

3. Excluded And Marginalized- Empowerment and Social Cohesion

(Reference is made to paragraphs 16- 19 of the Abuja Action Statement)

Before the conflict, many areas in North-Eastern Nigeria had the lowest socio-economic indicators in the country. The conflict has profoundly exacerbated this socio-economic situation, and increased social exclusion, inequality and the marginalization of certain groups, all of which are factors widely cited as key root causes that initially allowed the conflict to gain traction. In addition, displacement has led in many cases to increased tensions and violent conflict within and between communities. Different narratives of what happened and ways of viewing ‘the other’ have developed between people of different ethnicities and religions, and between those who left the conflict areas and those who stayed. Systematically addressing these factors is a complex undertaking, but one which is fundamental to attaining and sustaining solutions.

| Four Priorities | Key Actions (Government of Nigeria, HCT, UNCT, Development Institutions) |
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| Promote gender equality and inclusion | <ul style="list-style-type: none"> • Ensure that all humanitarian action across sectors is underpinned by an age, gender and diversity analysis that contributes to gender equality and safeguards against the exclusion of marginalized groups, such as older persons and persons with disabilities. • Deliver skills trainings based on market studies for farming and non-farming livelihood opportunities. • Support the development and strengthen the role of existing women’s groups, and identify communities where they do not exist to support the creation of such groups. • Work with existing community groups and leadership structures, advocating for equality in representation between women and men, and ensuring that other groups at risk of marginalization are also represented. |
| Promote community reconciliation, peacebuilding, and social cohesion | <ul style="list-style-type: none"> • Expand training of key stakeholders (e.g. community leaders, religious leaders, teachers, women’s groups, and youth groups) on conflict resolution and peacebuilding tailored to the varied circumstances of different locations. • Strengthen formal and informal, community-based conflict resolution mechanisms. • Promote social cohesion activities, including those with a specific focus on mobilizing youth as key innovators and agents of positive change. • Support justice and accountability initiatives to facilitate reconciliation and peacebuilding. |
| Promote inclusion, empowerment and de-radicalization | <ul style="list-style-type: none"> • Develop and implement strategies to ensure the education of girls and boys, including construction and reconstruction of schools, funding for teachers and schemes to waive school fees, as well as sensitization schemes to counter apathy towards the state system of education and to persuade families of the importance of girls’ education. • Support strong social-cohesion, truth and reconciliation structures which promote inclusion of ostracized or marginalized groups and individuals. • Promote youth empowerment and self-actualization programmes that have a strong resilience and livelihoods component. • Strengthen and expand prevention of radicalization and youth de-radicalization programmes. |
| Promote early recovery, reconstruction and development | <ul style="list-style-type: none"> • Rehabilitate essential infrastructure and rapidly restore essential public services, especially civilian policing, administration of justice, health, education, and water and sanitation infrastructure. • Support sustainable reintegration through the creation of livelihood opportunities as a means to restore normalcy and social cohesion in the community. |

ANNEX

Creating Conditions Conducive for Safe and Dignified Solutions

The involvement of humanitarian and development actors in government-led efforts to provide protection and solutions will be undertaken in a structured and phased manner. For voluntary return to work it needs to be based on voluntariness, free and informed choice, as well as the safety and dignity of persons of concern. Further, it will be underpinned by a sound gender analysis, and have at its centre the full involvement of all segments of affected populations in decision-making. Restoring security, respect for human rights, safe access and the availability of public services are fundamental to the realization of lasting solutions and sustainable reintegration, especially with regard to returns. As such, there is a need for a continued, concerted focus on creating the conditions conducive for the realization of safe and dignified solutions.

Security

Sustainable solutions in Nigeria require an environment where physical security is assured. The restoration of security in areas affected by the current conflict remains a major concern for IDPs and returning refugees. It is also a protection imperative and a paramount consideration for programmatic interventions and monitoring. The affected population, in particular IDPs and returning refugees, must be protected from violence, threats and intimidation, undue restrictions to their freedom of movement, mines, booby-traps, unexploded ordnances and any other threats to their rights and physical security. A minimal presence of civilian law enforcement, administrative, judicial, criminal justice and human rights institutions is required to protect civilians, their property and the public service infrastructure.

Prevention and Response to Sexual and Gender Based Violence

The high prevalence of sexual and gender based violence arising out of the conflict requires that the government and humanitarian actors prioritize working side by side with affected communities, particularly women and girls, to enhance existing prevention and response mechanisms and establish these critical protection services in affected areas where they did not

previously exist. Prioritizing these prevention and response mechanisms in areas targeted for return is essential to providing an environment conducive for solutions.

Prevention and Response to Exploitation and Abuse of Children

The conflict has had an extremely negative impact on children, characterized, *inter alia*, by the mass abduction of girls and boys, enslavement, rape, forced marriage, forced recruitment into armed groups, and coercion to carry out suicide bombings or, unknowingly become human bombs. There is an urgent need to significantly strengthen comprehensive child protection services so that they are accessible to all children in affected areas, including areas of return.

Humanitarian Access

Areas of potential return should be safely accessible to humanitarian actors so that they can reach populations of concern. The Government of Nigeria needs to facilitate access by humanitarian and development actors in order for them to provide vital assistance to populations, especially to improve their protection as well as ensure access to basic services and livelihoods without discrimination.

Early Recovery, Reconstruction and Development

Concerted efforts by the Government of Nigeria, as well as humanitarian and development actors, are being made to rehabilitate essential infrastructure and rapidly restore essential public services, especially civilian policing, administration of justice, health, education, water and sanitation infrastructure. Livelihood opportunities are also essential in order to ensure that the return of IDPs and refugees is sustainable. The reintegration of returning populations into their communities needs substantial support from the international community. IDPs and returning refugees should have in the early phases of return equal access to means of survival and basic services, such as potable water, food, housing, health services and education, followed by measures to support sustainable reintegration, including livelihoods. All interventions need to be underpinned by a robust gender analysis.

Mainstreaming of Gender and Social Inclusion

All actors must integrate gender perspectives into programming, ensuring that interventions have a positive impact to enable women's equality, rights, and participation, as well as benefitting girls, women, boys and men. They must also integrate analysis of social exclusion and how it works in particular communities to ensure programming benefits all in the community.

Full Participation in the Decision Making Process

IDPs and returning refugees must have full access to accurate and objective information on return conditions and alternative solutions. Along with other community members, they should be actively involved as equal partners in all planning and decision-making which affects them and their protection. Specific measures must systematically be taken to ensure the full and equal participation, including in leadership structures, of women, youth, older persons, persons with disabilities and other groups at risk of marginalization. To this end, age, gender and diversity approaches need to be implemented to ensure inclusion and support equality in the provision of protection and assistance services.

Voluntariness and Solutions

It is essential that the voluntariness in the realization of solutions be maintained. IDPs and refugees need to be protected from coercion through, among other things, physical force, harassment or intimidation, and also indirect pressure, including through the provision of erroneous information, the denial of basic services, or the closure of IDP camps or facilities without the provision of an acceptable alternative. Returns that occur because an alternative solution is not available are not voluntary, even if persons of concern acquiesce.

Conflict Prevention and Peacebuilding

The conflict in Nigeria has inflicted significant damage on communities and services, as well as to the social bonds between groups. The return and reintegration of IDPs and refugees must take into account these challenges. Returnees must be supported in their return process to ensure their humanitarian needs are met, and receiving communities must also be assisted as they begin to rebuild infrastructure and community services to care for both those who stayed and

newly returning IDPs and refugees. Furthermore, interventions need to adequately address the tensions and fragmentation between and within these groups to ensure the safe return and reintegration of IDPs and refugees. Mainstreaming conflict prevention and peacebuilding in the return process will ensure that the return and reintegration process leverages the opportunities for strengthening peace and security in the process of rebuilding the North East.

ⁱ The Government of Nigeria underlines that approximately 26 million people in the Lake Chad Region have been affected by the conflict, and over 2.6 million have been displaced. The humanitarian crisis has been exacerbated by conflict induced hunger and malnutrition which have escalated to critical levels. 14 million Nigerians in the six most affected statesⁱ in Nigeria are in need of humanitarian assistance in 2017.