

NORTH-EAST NIGERIA: AN OVERLOOKED PROTECTION CRISIS

This short brief provides a snapshot of critical concerns from operational NGOs in the north-east and presents key recommendations to the Federal Government of Nigeria, to urgently prioritise and effectively ensure, with support from the international community, the protection of civilians in north-east Nigeria.

RECOMMENDATIONS

Commending the Federal Government of Nigeria (GoN) on their dedication to provide assistance to civilians and wanting to further strengthen our collective response, the operational NGOs in north-east Nigeria call on the GoN to:

- 1 Explore immediately alternatives to military solutions** for stabilising communities including through consolidating peace dialogues and rebuilding trust with communities.
- 2 Re-deploy civilian authorities to government controlled Local Government Areas (LGAs)**, including police, judiciary, civil registry officials and teachers.
- 3 Support the humanitarian community to expand access**, including recognising the importance of negotiated access with all conflict parties and lifting heavy civilian movement restrictions (where appropriate).
- 4 Work closely with mine action partners to ensure access** for surveying outside government controlled areas, marking hazardous areas and clearing explosives.
- 5 Sign Communique with the Humanitarian Coordinator** to address the regulatory challenges impeding our operations.
- 6 Work with the humanitarian community, State government, security forces and traditional leaders to identify, allocate and secure land** to decongest camps and enable building of critical services in key locations. This includes investing resources in exploring expansion of perimeters of 'garrison towns'.
- 7 Ensure all civilians, especially women, children and groups with specific vulnerabilities, are protected** through the development and implementation of accountability policies, including the endorsement of the National Policy on Protection of Civilians and Civilian Harm Mitigation and the Child Rights Act.
- 8 Ensure screening processes are in accordance with international standards** including increasing female personnel, transferring children to specialised authorities, publishing a registry of all detainees, and allowing immediate access by protection monitors.
- 9 Domesticate the Kampala Convention** and ensure full support to the Borno State Government to implement the endorsed Borno Returns Strategy.
- 10 Strengthen civil-military coordination and increase commitment to protection of civilians** by integrating protection principles into training and immediately release the findings of the Report of Presidential Investigative Panel on Human Rights Abuses in the Military.

BACKGROUND

The north-east Nigeria crisis, now in its tenth year, has largely been triggered by a regionalised armed conflict and is **first and foremost a protection crisis**. Despite over 7 million people in urgent need of assistance and protection, and more than 1.8 million people internally displaced, this crisis is often overlooked by the international community and the magnitude of needs not fully understood. Civilians continue to bear the brunt of the conflict. They have been targeted for attacks, resulting in killings, abductions, arbitrary detention, torture, indiscriminate targeting, excessive use of force and contamination of the ground with unexploded ordnances (UXOs), including improvised explosive devices (IEDs). A recent intensity of attacks by the non-state armed groups¹ (NSAGs) and subsequent military operations have resulted in increasing displacement. From early September 2018 to mid-March 2019, a total of 130,000 persons have been displaced with over 104,000 people arriving into congested sites since November 2018². **People are forced to live and sleep out in the open, exposed to the elements and to severe protection risks, and with no access to essential assistance such as food, water, health and sanitation.** With the rainy season fast approaching, a fear of a mass cholera outbreak due to overcrowded conditions and planned military operations that will further displace populations, the situation is expected only to deteriorate in coming months.

1 ENTRENCHED ACCESS

Access by affected populations to humanitarian aid remains limited and confined to government-controlled areas. For the majority, these are “Local Government Area” headquarters, which are effectively ‘garrison towns’ complete with security cordons, trenches and population screening procedures. Access is further restricted due to the contamination of the ground by UXOs with 174 incidents from explosive hazards recorded in 2018³. **The government recognises that 823,000 people remain in areas that are currently not accessible** by international humanitarian organisations⁴. The plight of the population living in these areas remains invisible with humanitarians not able to verify humanitarian conditions. However, proxy analysis suggests high levels of deprivation in hard-to-reach areas. Between July 2018 and March 2019, **4,473 children arrived from inaccessible areas, with 30.7% identified as acutely malnourished and 15.8% identified as severely malnourished**⁵. This is far above the emergency thresholds of 15% GAM rates and 2% SAM rates. In Dikwa alone, 54.6% of children screened were severely malnourished which is more than three times the emergency threshold. Humanitarian actors continue to be put under pressure to deliver services in ‘garrison towns’, compromising our impartiality and neutrality, and co-opted into a wider strategy that may include coercion and abuse of rights. Humanitarian actors have not collectively tested accessing areas that are deemed ‘inaccessible to international organisations’. Until we are able to expand our access, the humanitarian response is partly ignoring affected populations and potentially further exposing them to risk of criminalisation.

2 ESCALATING DISPLACEMENT

Due to insecurity, fear of attacks, ongoing military operations, the search for assistance and other factors, civilians in north-east Nigeria are continually on the move. Between November 2018 and January 2019, almost 80,000 people were registered as new arrivals. 87% of the new arrivals are women and children. The context of protracted displacement and ongoing conflict has had a profound impact on mental health and the psychosocial wellbeing of the population. Trauma is compounded by experiences of loss due to displacement, such as loss of belongings, and homes, loss of family and friends, and loss of identity and status. The recent escalation of hostilities has triggered further mass movement with thousands of persons fleeing from areas in Borno such as Baga, Kukawa and Rann. In February 2019, a reported 30,000 people returned to Rann and were met with a shell-shocked town with destroyed infrastructure with little to no provision of services or protection. There are conflicting reports for the reason of return but sources confirmed political motivation were involved. With an ever shifting security environment and a protracted crisis, humanitarian assistance must not be instrumentalised. **Civilians must have the right to freedom of movement and access assistance where they deem fit and where the conditions allow.** Any return movements must be voluntary, safe and dignified as in line with the Kampala Convention, to which Nigeria is a State party, and the Borno State Returns Strategy (2018).

1 For the purpose of this paper, NSAGs refer to two factions of “Boko Haram” operating in north-east Nigeria - Islamic State West Africa (ISWAP) and Jama’atu Ahlis Sunnah Lida’awati Wal Jihad (JAS)

2 IOM DTM ETT Data 2019

3 Due to sensitivity, the partner wishes to remain anonymous

4 2019-2021 HRS. Available at: https://reliefweb.int/sites/reliefweb.int/files/resources/29012019_nigeria_humanitarian_response_strategy.pdf

5 IOM DTM ETT data collection team works alongside nutrition partners and records data on nutrition status of children among new arrivals on weekly basis. The data presented represents proxy analysis

3 NO ROOM TO MOVE

Forty percent of camps in northern Borno remain over capacity, sometimes by as much as 300%. In one camp in Monguno, displaced persons are living on external space that is less than 2m² per person which is far below the international standards of 45m². Over 20,000 displaced persons are sleeping out in the open, exposed to the elements and heightened protection risks. Overcrowding in camps often has deadly consequences as persons have limited access to life-saving services including shelter, water, food, health and protection. Lack of space has resulted in 99 people using one latrine in locations such as Banki Camp⁶, which is well above the international standard of 20 people per latrine. Space is also limiting the amount of drainage that can be dug resulting in flooding and continued presence of stagnant water. These unsanitary and unhygienic conditions create breeding grounds for communicable diseases such as cholera, where in 2018 over 6,300 cases were reported in Borno State⁷. Lack of space is linked to increased protection risks including gender-based violence and contributes directly to fires and other hazards. Multiple fires recently have claimed lives of civilians, destroyed shelters and rendered thousands of people homeless including the most recent that took place on 14 March which destroyed over 10,000 homes and left 15,000 displaced persons without shelter⁸.

Whilst some progress has been made, there is an urgent need to relocate 90,000 people from identified congested camps across north-east, specifically Borno state. The main challenge to relocate populations is the inability of the humanitarian community to obtain and secure land. With thousands of people sleeping out in the open or in makeshift shelters, plus with a planned military offensive which will lead to further displacement, a looming rainy season and potential cholera outbreak, **the humanitarian community depends on Government approval for land on which to establish or expand camps, in order to save lives.**

4 EXPOSED TO RISK

With ongoing abuses being committed by all parties to the conflict, civilians are left exposed on a daily basis to rampant violations and human rights abuses including killings, abductions, rape, detention, torture and civilians, especially women and children, being compelled to carry and detonate IEDs. Soldiers report their main challenge is the ability to distinguish between combatant and civilian. Humanitarian actors not only face threats of violence from NSAGs, but also risk being accused of supporting NSAGs. Despite the fact that civilians are being held under captivity in some areas outside government control, military operations are planned without taking measures to protect civilians in both accessible and inaccessible areas with high civilian presence. Meanwhile, military screening processes and detention centres are not operating in line with international standards including resulting in documented rape in detention, harassment, prolonged detention and denial of access to these sites by protection monitors. Thousands of civilians, with a specific targeting of men and boys ranging in age from 15 to 40 years old, remain in long term detention without being charged with a crime or trial. Relatives have no information as to their location or status with no transparent information on how men and boys are deemed "Boko Haram" or women and girls "Boko Haram wives". **Information available to NGOs indicate harsh interrogation techniques, poor living conditions, some evidence of the use of abuse/torture (physical and mental), GBV and extra-judicial killings.**

5 VIOLENCE AGAINST WOMEN AND GIRLS

Within the societal existence of gender injustice dynamics, women and particularly adolescent girls are specifically exposed to and enduring all forms of gender based violence (GBV) including sexual violence, early and forced marriage and abductions. Sexual exploitation and abuse remain rife with women and girls being forced to have sex in exchange for food, money, shelter, water or protection. Despite its wide prevalence, GBV remains under-reported, due to factors including fear of stigma and/or reprisals, inadequate access to justice and lack of implementation of appropriate legal frameworks. There are no functional and accessible reporting and/or referral mechanisms for GBV if committed by security actors.

6 WASH Sector

7 Cholera SitRep #80 week 50

8 Information from NRC Twitter page, available at: https://twitter.com/nrc_norway?lang=en

Most crisis-affected states in north-east Nigeria

Map by NIF. Boundaries and names shown on this map do not imply official endorsement or acceptance by Nigeria INGO Forum



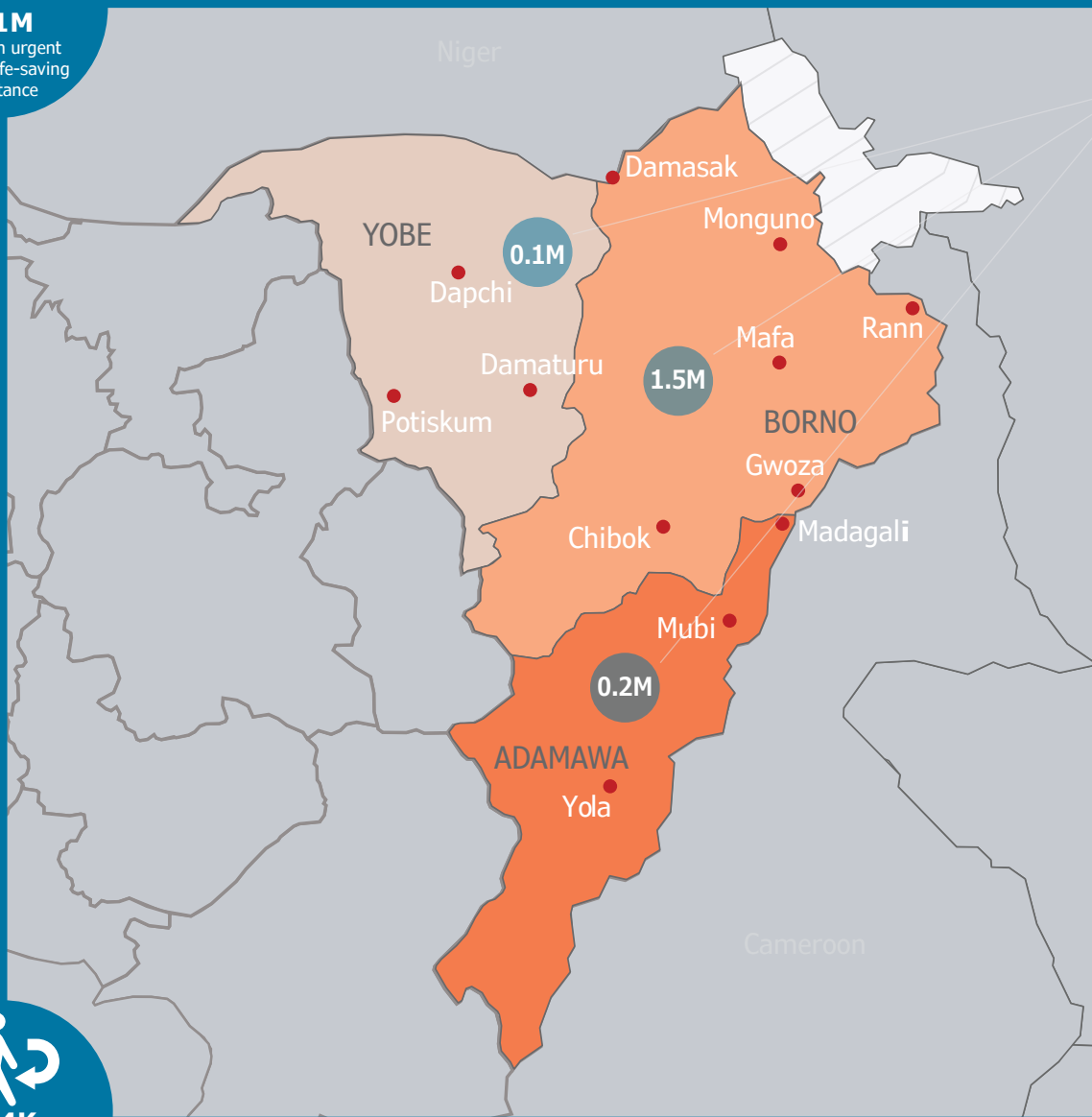
7.1M

People in urgent need of life-saving assistance



1.8M

People internally displaced



104K

People arrived in congested camps since November 2018



20K

People sleeping under open skies



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