



Protection Strategy for the Humanitarian Crisis in the North East Nigeria
November 2016

The Protection Strategy for the Humanitarian Crisis in the North East Nigeria aims to update the IDP Protection Strategy which was endorsed by the Humanitarian Country Team in 2015. The conflict dynamic in the North East and the patterns and scope of protection risks have significantly changed in 2016. The scaling-up of the capacity of many of the organizations and improved protection analysis and assessment jointly carried out by humanitarian actors means that not only do protection actors have a much better understanding of protection concerns, but their capacity on the ground has also considerably increased. Despite these positive development, the protection risks faced by civilians are immense. The strategy reflects these changes and seeks to align the focus of the sector towards common strategic objectives agreed under the 2017 Humanitarian Response Plan.

Protecting civilians who face severe protection risks from the ongoing conflict in the North East Nigeria is a complex and bold endeavor, requiring a multidimensional response to address the various sources of vulnerabilities affecting populations. Government authorities, parties to the conflict, humanitarian partners and civil society actors also have their responsibility. The Nigerian government has the central role and responsibility to guarantee the protection of all Nigerians. All humanitarian and development actors have responsibilities to also contribute towards that objective.

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I. Context analysis and trends

Whilst food insecurity and nutrition needs will remain prominent in 2017, the main driver of the humanitarian crisis in the North East remains the ongoing Boko Haram conflict and counter-insurgency measures by the Nigerian Government and its international partners. Nigeria is likely to remain in the situation of non-international armed conflict in 2017 as the Nigerian Armed Forces, Security agencies and Multinational Joint Task Force (MJTF) partners maintain a strong counter-insurgency profile, which will seek to further consolidate gains achieved in 2015 and 2016 when they were able to clear a number of previously Boko Haram held Local Government areas (LGAs) particularly in Borno State. Boko Haram's shifting tactics and the military response to them are likely to result in fresh displacements, protection risks and abuses to civilians.

The humanitarian crisis generated by the Boko Haram violence is one of the largest in the world. The scale of the humanitarian crisis has become increasingly apparent as more territories that were previously held by Boko Haram have now become partly accessible to civilian authorities and

humanitarian actors. There are an estimated 1.8 million IDPs in the North East. Borno, the hardest hit state in terms of insurgent attacks, hosts 69% of the IDPs in the six States, with Adamawa hosting 9%, Yobe hosting 6%, Bauchi hosting 3%, Taraba hosting 2% and Gombe 1%.

Central Maiduguri, the Borno State capital, is considered sufficiently secure to allow a base for humanitarian operations and for access to civilians. However roads leading out of the capital are subject to attack, including ambush. Maiduguri also hosts the highest number of IDPs across not only the whole of Borno State but also across the North East Region. Looking at the protection risks purely through a displacement lens however does not provide an adequate understanding of the magnitude of the protection crisis, given that civilians in host communities, those trapped in conflict zones and those who have not yet been displaced have also been greatly impacted.

The ongoing conflict has resulted in grave human rights violations and protection risks, including death, injuries, sexual violence, detention, disappearances, forced displacement, attacks on civilian areas and forced recruitment. Civilians found located in areas being cleared by the military are subject to 'military screening' which urgently necessitates access to humanitarian assistance and services; where civilians are separated from their families and lengthy encounters with the military occur, again this results in serious protection risks.

81% of IDPs in the North East States are living in host communities, placing considerable strain on the latter's limited resources. Despite the fact that many IDPs are found in host community settings, there is no coordinated coherent out of camp humanitarian strategy. Children and women face grave violations on a daily basis, becoming vulnerable to exploitation and abuse where they rely on the generosity of their hosts to feed their families. Many families remain separated.

Continued loss of territory by Boko Haram will diminish its capacity to raise resources and plan and execute classical insurgency methods. **Boko Haram will resort to new tactics and approaches to combat this and their capacity and support will diminish as** the organization increasingly engages in opportunistic and criminal activities to raise money using new tactics of attacks including using civilians as "suicide bombers." Humanitarian actors will face risks of kidnapping and attacks. IDP sites will be considered 'high visibility' targets; inviting further restrictions by security actors to movements in and out of IDP camps. The Nigerian military plays a prominent role in securing displacement sites, managing camps particularly in the newly accessible areas.

The increased humanitarian needs in 2017 require robust life-saving intervention by all actors. Humanitarians will likely continue to focus on IDPs in camps as well as settlements and sites in the newly accessible areas. Despite these enhanced focus, the capacity of humanitarian agencies to meet the vast majority of the needs of the civilians even in IDP camps will be considerably limited. Inadequate humanitarian assistance has gravely undermined the protection space for the most vulnerable including in camp settings where protection actors have documented serious levels of **sexual abuse and exploitation and gender based violence.**

In the newly accessible areas, considerable **reconstruction and rebuilding initiatives** are needed to restore essential services, reconstruct shelters, support civilians to work on their farms and implement livelihood activities, restore law and order, support co-existence and peace building initiatives, address potential conflicts and tensions and mitigate security risks from mines and other explosives. Inadequate access assistance may result in riots, frustration, negative coping mechanisms and sexual abuse and exploitation. Children will be exposed to street begging and other forms of abuse and neglect.

Return of displaced population will be a major phenomenon in 2017. Many IDPs particularly from camps in Maiduguri will move into the newly accessible areas including through government-facilitated programs. As of September 2016 more than 1 million civilians, including 152,000 Nigerian refugees, have returned. **While some IDPs will be able to return to their homes; others will be stranded in secondary displacement.** The number of IDPs returning or those who are involved in secondary displacement will likely increase as the Nigerian Military and MJTF secure many new areas and the security situation gradually improves. Organized movements of IDPs into their LGAs may likely be exposed to security risks. Some IDPs will not be returning back to their areas of origin or their homes; and instead may join IDP settlements in LGA headquarters. This secondary movement requires new approaches in understanding trends in displacement; humanitarian response in new sites and engagement with communities to ensure that return solution to areas of origin or habitual residence are achieved. Risks of potential tension and conflict between those who are returning and others who never left will likely be visible due to perceptions of association with Boko Haram. The security and safety of civilians who have never left can be undermined as a result of “negative perception of association with Boko Haram.” A strong co-existence and peace building initiative and access to justice programs will be needed.

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Host communities will continue to extend their solidarity with IDPs. As of October 2016, more than 80 percent of the displaced populations are outside of official camps, living with host communities. Many IDPs particularly those who are in host communities will encounter limitation in accessing basic services including education, health and food assistance. Coupled with the current economic climate and the socio-economic disruption resulting from the insurgency, the capacity and resource of host communities will be diminished. Tensions between host communities and IDPs will be exacerbated; and there will be a negative perception towards humanitarian programs that solely target IDPs.

There are **opportunities for durable solutions for the displaced populations and the affected population.** The “Buhari plan” brings together several initiatives by the Federal Government of Nigeria allowing opportunities for stakeholders and donors to invest resources. However the economic decline and recession will be an ongoing challenge faced by Nigeria which will significantly hamper government’s capacity to fully implement its reconstruction plans and activities.

Protection risks faced by civilians

- **Women, children, the elderly, persons with disability and minority groups face specific risks.** Initial assessments have revealed that some of the households who are returning to newly accessible LGAs are female-headed due to the fact that the ‘husbands’ have either disappeared, killed or been afraid to return. There are also reports of children engaged in “reconstruction activities.” This reveals the specific protection risks faced by men especially young adults and the burden and vulnerability experienced by women who have returned back to their LGAs without them.
- **As several reports and assessments have revealed, limited access to humanitarian assistance and services has contributed to negative coping mechanisms and sexual abuse and exploitations including in IDP camps in Maiduguri.**
- **There is a prevalence of grave violations of children’s rights,** including forced recruitment into armed groups, attacks on schools and hospitals, sexual violence, a lack of prevention measures in place and limited response services available for victims of grave violations
- There are reports of **forced conscription of children** by insurgents as child soldiers, ammunition carriers, porters, cooks, wives, sex slaves and suicide bombers. Children are also joining the ranks of civilian JTF and vigilante groups in increasing numbers, this is also in the form of forced recruitment.
- Logistical challenges and security restrictions (curfews and road blocks) as well as the shrinking humanitarian space due to military operations and attacks on Government installations further **limit the reach of government service providers.** This also has implications for freedom of movement. The military plays a predominant role in the newly accessible areas, presenting challenges to the humanitarian and civilian character of IDP camps.
- Most IDPs express interest to return to their areas of habitual residence, but conditions including security has not been conducive for voluntary, safe and dignified returns in several of the newly accessible LGAs.
- Nigeria has no legislation that deals explicitly with IDPs. It has ratified but not domesticated the Kampala Convention on IDPs.

II. Protection sector objectives

In line with the 2017 Humanitarian Response Plan strategic objectives, the Protection Sector will have the following strategic objectives across Borno, Adamawa and Yobe:

- Supporting the provision of **targeted protection services** to vulnerable individuals and community with critical protection needs;

- Enhancing protection of people in need through **livelihood, recovery, and social cohesion; promote a rights-based approach to durable solutions and access to justice.**
- Ensuring that protection issues are effectively addressed and protection is **mainstreamed across all sectors**, while respect for principled humanitarian action and space is enhanced through capacity building and coordination, including with the military.

III. Roles and responsibilities

The Protection Sector Working Group is accountable to the Humanitarian Coordinator. The PSWG provides the Humanitarian Country Team and the National Humanitarian Coordination Forum strategic advice and ensures coordination of protection, including with the subsector working groups on child protection and SGBV. The PSWG will seek guidance from, liaise and share relevant information with the Global Protection Cluster (GPC) as and when required. It will also coordinate with and support State-level PSWGs.

IV. Response plan Priorities

The Protection Sector will prioritize activities along the three main strategic objectives:

- Targeted specialized services;
- Support solution strategies by promoting livelihood, early recovery and social cohesion
- Ensure the mainstreaming of protection across the humanitarian response.

Protection mainstreaming, capacity building and advocacy

Strategic priorities

- Targeted protection interventions including psychosocial support and material based protection interventions
- *Develop* a capacity building program (training) for security forces and the MNJTF on key international humanitarian standards, international protection and human rights, civilian and humanitarian character of refugee and IDP sites, and sensitize humanitarian and military actors on civil-military coordination to protect and promote humanitarian principles
- *Enhance* civil-military coordination to streamline communications between all actors; to ensure an appropriate distinction between the roles of humanitarian actors and security forces and to enable humanitarian actors to reach people in need of assistance in difficult to reach areas

- *Enhance* screening and other security measures to maintain the civilian and humanitarian character of refugee and IDP sites,
- Advocate for the mainstreaming of protection principles in all procedures and locations where IDPs are screened to ensure that these screenings are conducted in a dignified manner and are gender and age-sensitive.
- *Encourage* at the same time greater information-sharing, while ensuring the protection of informants, IDPs, refugees, humanitarian actors, etc.
- *Guarantee* the centrality of protection by ensuring the participation of affected persons in the planning and implementation of solutions, taking into account age, gender and diversity, and paying particular attention to persons with specific needs.
- Prioritize sensitization of government and humanitarian/sectoral actors on CTP

Protection information, vulnerability screening and profiling

Strategic priorities

- Strengthen the identification of vulnerable persons with specific needs, such as women and children at risk, pregnant and lactating mothers, survivors of SGBV and forced recruitment through multi-sectoral needs assessments,
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- improved registration and profiling, while ensuring data protection;
- Improve multi-sectoral referral and response mechanisms in order to ensure better access to basic services.

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Protecting children affected by the conflict in the North East Nigeria

As a result of the conflict, there are large numbers of separated children, who are unable to locate their families, and a number of unaccompanied children. There is a need to scale up efforts to identify and document the numbers of separated and unaccompanied children, so that an appropriate response can be put in place for them. This will include alternative care and tracing services. Psycho-social interventions should be provided to the large numbers of traumatized children. The trauma of armed conflict is severely impacting the psychological well-being of children and families, which in turn undermines their ability to care for themselves.

Closure of schools and lack of access to schools due to insecurity has resulted in the denial of the right of children to education. Additionally, in other places, the quality of education has also been negatively affected. Most of the school-age children in Adamawa, Borno and Yobe States have had their opportunities for schooling severely constrained.

Strategic priorities to address child protection needs include:

- Provision of support for unaccompanied and separated children.

- A tracing system is established to reunite separated children and divided families (using various tools such as phone calls, RCM, Tracing request and UAC.SP registration and announcements where appropriate); family unification.
- Psycho-social programs are provided to displaced children and other children affected by the violence. Support the release and reintegration of children affected by the conflict in the NE.

Preventing and addressing Sexual and Gender Based Violence and abuse

Sexual and gender-based violence, although largely hidden due to the stigma attached to victims, must be addressed with appropriate and culturally sensitive referral pathways and response mechanisms. The climate of impunity and a weak justice system hampers prevention of and response to violations against women and children. Few survivors come forward for fear of reprisals by perpetrators and stigmatization by their own communities, as well as having no confidence that the authorities will hold perpetrators accountable or that reporting the crime will provide them with access to much needed services. There are also gaps in socio-economic and psycho-social support. Of the victims of the ongoing insurgency in the Nigeria women, boys and girls have been the most targeted, with the abduction and forced marriage or sale of girls a defining feature of the Boko Haram insurgency.

Strategic priorities prevent and address gender based violence include:

- Referral pathways are established for women, girls, boys and men who have been abused or who are at risk.
- Trainings are provided to medical personnel and social workers: (a) for dealing with survivors of SGBV; (b) for treatment of others who have experienced trauma.
- GBV trainings are provided for community volunteers on community sensitization for stakeholders (religious, community leaders, women leaders etc.).
- Dignity kits are provided to displaced women and girls.
- Solar lanterns are distributed to women and girls in the IDP camps.
- Solutions based/holistic interventions for men and women to minimize inequalities and tensions

Promoting Access to Justice

With protection needs across the North East States of Nigeria remaining high, specific interventions aimed at providing Access to Justice are essential to address the gap in the protection response for internally displaced persons requiring legal assistance and counselling, across a full spectrum of issues flagged through protection monitoring and screening activities.

The violence, displacement and breakdown of social cohesion have left communities and families in desperate need. The Office of the National Security Advisor (ONSA) estimates 8,000 children

may have been recruited and used by Boko Haram in both combat and support roles. Children were also used by Civilian Joint Task Force and vigilante groups. The failure to effectively reintegrate boys who were associated with armed groups and provide them with opportunities for education and livelihoods exacerbates their poverty and risks of future radicalization.

Thousands of women and girls have been subjected to Boko Haram related sexual violence, including forced marriage. Women and girls (either pregnant or with babies born from being raped by their abductors) who are released, face real risk not only of rejection and stigmatization but also violence in some communities. Reports of SGBV in camp settings and host communities are alarmingly high, as are reports of sexual exploitation and abuse.

Detention of men, women and children associated with Boko Haram either directly or due to their connections continues to be an area of significant concern. Women in newly accessible areas have reported hundreds of adolescent and men under the age of 50 missing or detained by the military following 'liberation' of their villages from Boko Haram control. Women and children are being held for screening and/or rehabilitation in facilities which are effectively detention centers. There is a significant back log of counter terrorism cases which remain unprocessed due to lack of adequate resources. Whilst these cases remain outstanding, the suspects remain in detention. It is unclear how many of these cases there are. It is also not clear whether humanitarian monitoring of their detention is taking place, whether any or all of these suspects have been granted access to legal advice or even if their families have been told where they are being held.

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In addition to these human rights issues, IDPs lack access to basic legal services to assist them in the daily conduct of their affairs. IDPs need documentation to prove who they are and move about, births and deaths need to be registered, probate and inheritance matters need to be resolved, matrimonial and family disputes require arbitration and inevitably, criminal suspects in cases not relating to the insurgency, processed through the state court system will need legal representation.

There are a number of specific obstacles acting as a barrier to the provision of access to justice for IDP's. The dominant factors affecting provision of legal services can be identified as lack of institutional support and lack of funding and resources. Notwithstanding the severe degradation of the physical infrastructure of the justice system in the most severely affected areas of the North East (court buildings, police stations, prisons etc.) the other major obstacle to the provision of legal services to IDPs is a lack of lawyers willing or able to provide pro bono services in affected areas.

Strategic priorities for Access to Justice:

- Engaging with the Federal Ministry of Justice to develop priorities and guide justice sector reform as it relates to the IDP context.
- Engaging with Government agencies to facilitate legal representation for IDPs who have been detained without charge.

- Identifying and prioritizing target groups using screenings and ongoing protection monitoring (Rapid Assessment Screenings in newly accessible areas , Rounds I, II & III vulnerability screening)
- Strategic partnership with legal services providers to implement activities in the field.
- Mapping existing national and local justice sector actors and their activities
- Coordinating at Federal level to promote Access to Justice through advocacy and awareness raising, particularly advocacy on the domestication of the Kampala Convention and other key human rights instruments
- Enhancing coordination between field, state and federal level actors and both national and international agencies.

Promoting solutions including impending activities on housing Land and Property

Strategic objectives to promote solutions strategy for the affected civilians include:

- Support the processes aimed at achieving all durable solutions including by enhancing access to basic services, livelihood opportunities, and financial services; promoting peaceful co-existence among refugee, IDP and host communities; and encouraging environmentally friendly measures;
- Ensure IDP returns are voluntary, in safety and dignity, and based on well-informed decisions, once conditions are conducive;
- Establish the nexus between humanitarian response and development to support durable solutions such as local integration and reintegration, through joint and coordinated planning between humanitarian and development actors to ensure the inclusion of refugees, IDPs and returnees in development planning.

V. Monitoring and Evaluation

Using regular participatory assessment, interview and focus group discussing, PSWG actors will carry out regular analysis of the impact of the various projects. Indicators mentioned under Section III are intended to facilitate such result-based protection programming to respond to the multi-faceted protection risks civilians' face in the North East. Representatives of IDPs and host communities will be involved in monitoring activities. For CBI, Formulate timely analysis of CBI interventions to see if it remains fit for purpose, conduct Post intervention (or post-distribution) monitoring specific CTP.

VI. Risks and Constraints

The protection Sector continues to face the following **key challenges**:

- **Limited access:** an estimated 2 million affected civilians in critical need of life-saving humanitarian assistance in locations not consistently accessible to humanitarian partners due to insecurity. Humanitarians including protection actors also face difficulty in ensuring protection of and assistance to “invisible” IDPs living in host communities.
- **Limited operational actors:** Insufficient response to immediate, medium and long term impact of trauma and physical violence on immediate survivors and secondary victims, including unwanted pregnancies and associated stigma to enhance reintegration into communities/ families.
- **Major funding gap:** Though field presence has been scaled up by sector, limited funding still constrains effective response including in Adamawa, Borno and Yobe which has hindered the identification of and response to the needs of children at risk and SGBV survivors.

VII. Key Documents

Protection Sector Working Group Terms of Reference

English HCT Framework on Durable Solutions and Checklist

<https://www.humanitarianresponse.info/en/operations/nigeria/document/english-hct-framework-durable-solutions-and-checklist-0>

PSWG Visioning and Strategic Retreat – Conclusions, Recommendations and Follow-up Actions

<https://www.humanitarianresponse.info/en/operations/nigeria/document/pswg-visioning-and-strategic-retreat-%E2%80%93-conclusions-recommendations-and>

PSWG Position Paper on Enhancing Security and Protection around IDP Sites_April 2016

<https://www.humanitarianresponse.info/en/operations/nigeria/document/pswg-position-paper-enhancing-security-and-protection-around-idp>

Vulnerability Screening Report Round II June 2016

<https://www.humanitarianresponse.info/en/operations/nigeria/document/vulnerability-screening-report-round-ii-june-2016>

Rapid Protection Assessment Report, PSWG Borno, May 2016

<https://www.humanitarianresponse.info/en/operations/nigeria/document/rapid-protection-assessment-report-pswg-borno-may-2016>

