



Report of the Retreat on the Domestication of the African Union Convention on Internally Displaced Persons (Kampala Convention)



Held 5th – 7th May 2022

At the Lagos Continental Hotel, Lagos

By the National Commission for Refugees, Migrants and Internally Displaced Persons (NCFRMI) with Support from the United Nations High Commissioner for Refugees in Nigeria

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Acronyms

AU	African Union
CISLAC	Civil Society Legislative Advocacy Centre
CFRN	Constitution of the Federal Republic of Nigeria
DRC	Danish Refugee Council
ECOWAS	Economic Community of West African States
FEC	Federal Executive Council
FMoJ	Federal Ministry of Justice
FMHADMSD	Federal Ministry of Humanitarian Affairs, Disaster Management and Social Development
ICRC	International Committee of the Red Cross
IDPs	Internally Displaced Persons
IED	Improvised Explosive Device
IOM	International Organisation on Migration
KC	Kampala Convention
MDAs	Ministries, Departments and Agencies
NASS	National Assembly
NCFRMI	National Commission for Refugees, Migrants and Internally Displaced Persons
NEMA	National Emergency Management Agency
NRC	Norwegian Refugee Council
NSAG	Non-State Armed Group
Tbd	To be decided
TTLP	Task Team on Law and Policy
UNHCR	United Nations High Commissioner for Refugees
UNOCHA	United Nations Office for the Coordination of Humanitarian Affairs

Background

Nigeria is a State Party to the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention). The country ratified the Kampala Convention in 2012.

Nigeria faces internal displacement because of several factors. In recent times some of the causes of displacement included: activities of Non-State Armed groups (NSAG), generalized violence in the country, armed banditry, farmers versus herders' conflict, inter communal conflicts and boundary disputes, oil spillage in the Niger Delta and developmental projects and other situations arising from the violation of human rights.

It must be noted that the management of IDPs cuts across and involves the participation of several ministries, departments and agencies (MDAs) of Government. However, prior to the creation of the Federal Ministry of Humanitarian Affairs, Disaster Management and Social Development (FMHADMSD) in 2019, there was little or no coordination among these agencies around the protection and assistance to internally displaced persons (IDPs). Efforts at providing coordination for the protection and assistance to IDPs and affected population were earlier taken through the initiation of the process for the domestication of the Kampala Convention by incorporating its provisions into the National Commission for Refugees, Migrants and Internally Displaced Persons (NCFRMI) Amendment Bill. The inability of the Bill to scale through the hurdles of legislation necessitated a review the NCFRMI Amendment Bill and drafting of a stand-alone IDPs Bill.

Meanwhile the Federal Executive Council adopted the National IDP Policy in September 2021 which also called for the domesticate the Kampala Convention. During the launch of the IDP Policy in March 2021, the Minister for FMHADMSD announced the commencement of a process to domesticate the KC as a standalone Bill. The Minister also tasked relevant stakeholders to draft the bill for onward presentation to the FEC for approval and subsequent transmission to the National Assembly for legislative action.

The Retreat to review and develop the NCFRMI Bill and the IDPs Stand-alone Bill was called with the following objectives:

- to develop a draft stand-alone Bill for an Act to domesticate the provision of AU Kampala convention in Nigeria,
- to review the NCFRMI Amendment Bill and expunge the provision seeking to domesticate the KC,
- to present the draft stand-alone Bill to Honourable Minister, FMHADMSD for further action
- to draft an advocacy plan for adoption of the stand-alone Bill at Federal Executive Council (FEC) and transmission to the National Assembly for passage.

Opening Ceremony

The retreat started on Day 1 with opening remarks by the following:

- 1. John McKissick, Deputy Representative – Protection** on behalf of the United Nation's High Commissioner for Refugees appreciated the efforts of the Government of Nigeria to fulfil its obligations to domesticate the Kampala Convention. He noted that retreat was a clear demonstration of the Government's commitment to implement the IDP Policy and domesticate the Kampala Convention as well to enhance protection and to facilitate solutions for the most vulnerable people. While highlighting previous advocacy activities for the domestication of the KC, he appreciated partners like the ICRC, NRC, CISLAC, DRC, IOM, UNOCHA, and many others for sustaining the advocacy for the adoption of a legal/policy framework for the protection of IDPs in Nigeria. He concluded with a commitment from UNHCR as the UN Sector lead for protection to continue supporting the process till domestication by mobilizing the needed technical expertise, capacity building and resource allocation where required.
- 2. The Honorable Minister of Humanitarian Affairs, Disaster Management and Social Development (FMHADMSD),** Hajia Sadiya Umar Farouq represented by Maimuna Idris, Special Assistant (Legal) to the Honorable Minister welcomed participants to the Retreat. The Minister noted the establishment of the FMHADMSD in 2019 has helped in addressing humanitarian coordination challenges and the adoption of a policy framework for the protection of IDPs in September 2019. The policy clearly delineates the roles and responsibilities of all agencies involved in the management of IDPs with the FMHADMSD playing central role of coordination in line with its mandate. The Minister noted that as key requirements of the KC, provisions on the coordination of activities aimed at protecting and assisting IDPs must incorporated in the proposed domestic framework. The Minister believed that such can be better achieved through a stand-alone piece of legislation rather than the domestication process of the KC via the NCFRMI Bill. The Minister expected that the contributions and recommendations of participants would be used as resource for the drafting of the KC domestication Bill, a legal framework that is consistent with the Federal Executive Council approved IDP policy.
- 3. The Honorable Federal Commissioner, NCFRMI, Hon Imaan Sulaiman Ibrahim,** also welcomed participants to the Retreat noting that the significance of retreat will mark the start of a new phase of inter-institutional engagement in the development of the long-awaited Kampala Convention. She noted the distinct roles of agencies like NEMA as first responder in emergencies as distinct from the role of facilitating durable solutions by the NCFRMI. She applauded the patience, drive and sense of purpose of the Honorable Minister in ensuring a holistic coordination of all sectors in the

humanitarian sphere. Again, she extended her appreciation to the UNHCR for their ongoing technical and financial assistance, as well as to the technical officials in the Ministry and Commission for their contributions so far and for the knowledge they will provide during this Retreat. It is anticipated that drafting this domestication of the KC law as a stand-alone Bill would avoid inclinations that hampered the Bill's ascension through the draft NCFRMI Bill

All remarks can be accessed in the attached resource material folder

Presentations

The Retreat saw papers and power point presentations on key thematic issues relevant for the review of the NCFRMI Bill and domestication of the Kampala Convention through the development of a stand-alone IDPs Bill.

1. **Setting the context presented by the FMHADMSD (Charles Nwanelo and Aisha Ibrahim)** - provided a background to the convening of the retreat and the expected outcomes. The presentation started with an overview of engagements that led to signing and ratification of the KC by Nigeria on the 17th of April 2012. Further to this Nigeria in fulfillment of its obligation took steps to domesticate the Kampala Convention by incorporating its provisions into the National Commission for Refugees, Migrants, and Internally Displaced Persons (NCFRMI) Bill. The NCFRMI in collaboration with other stakeholders also facilitated the National Policy on IDPs. The creation of the FMHADMSD and its mandate of coordination of all national and international humanitarian interventions among others, underscored the need to domesticate the Kampala Convention through enactment of a new piece of legislation rather than by amendment of an existing or relevant Act.
2. **Overview of Displacement Context in Nigeria presented by NCFRMI: (by Musa Kangiwa & Chinwe Nwanchukwu)**- provided an overview of the cause and scope of internal displacement in Nigeria including insurgency, armed banditry, farmers versus herders' conflict, inter communal wars and boundary disputes, oil spillage in the Niger Delta and developmental projects and situations arising from the violation of human rights. By 2020, Nigeria had the third number of Internally Displaced Persons (IDPs) in Africa. Between 2013 and 2020, Nigeria's IDPs count had moved from below 1.5M to over 3M IDPs. Displacement has taken root in almost all regions of the country. While banditry and insurgency hold sway in the Northwest and Northeast regions respectively, oil spillage is a causal factor in the South South, communal clashes in the Southeast and herders/farmers clashes in the North Central regions of the country. A critical look at the displacement population indicates that women and children are in the majority
3. **Framework for the Protection of Internally Displaced Persons: African Union Convention for the Protection and Assistance for Internally Displaced Persons (presented by Martina Caterina, UNHCR/Global Protection Cluster)** – highlighted the features of the Kampala Convention as a pioneering instrument, the first legally binding instrument on IDPs. It is a standard setting international instrument of regional scope on how to provide protection and assistance as well as durable solutions for IDPs throughout the continent of Africa. It was drafted as a forward-looking instrument and its adaptability to individual countries like Burkina Faso is context dependent. Following the 1998 UN Guiding Principles on internal displacement, the Convention is based on state sovereignty as the basis of state responsibility for protection and assistance to IDPs, including

obtaining durable solutions. She noted that the retreat provides a forum for completing the process of domestication of the Kampala Convention by the Government of Nigeria based on a common and shared understanding of the Convention as a protection tool.

4. **Overview of the Process of Domestication of the African Union (AU) Kampala Convention in Nigeria presented by the Federal Ministry of Justice (by Dr. Patrick Etta Oyong, Deputy Director Ministry of Justice)** -

The presenter started by highlighting reasons why the Kampala Convention should be domesticated to include: ratification requires a state party to take steps to domesticate a Convention; without domestication, the Convention cannot have the force of law in Nigeria by virtue of section 12 (1) Constitution of the Federal Republic of Nigeria 1999 (CFRN). The presentation then explained the process of law making as comprising the drafting process and the legislative process. The drafting process begins when formal instructions are given by the sponsor of the legislation to the legislative draftsman and ends when he puts them in Bills before the legislative body in context called the National Assembly. The legislative process then begins upon the receipt of the Bill by the appropriate body through the various stages it must go through beginning from the first reading to the second reading when the purpose of the general policy of the Bill are given full debate to the committee stage when clauses of the Bill are looked into line by line to the formal third reading and then sending the same bill to the second chamber to go through its own procedure which is often similar to the sending chamber. And finally, it receives the assent of Mr. President, and the Bill becomes Law or an Act”.

5. **Contextualizing International Legal/Policy Standards/Norms: Comparative IDP Law and Policy (presented by Martina Caterina, UNHCR/Global Protection Cluster and Herve Kuate, UNHCR Senior legal Adviser-ECOWAS)** -

The Kampala Convention has been ratified by 31 African countries. However only two countries, Kenya and Niger have domesticated the Convention. Many African countries including Nigeria are in the process of domesticating the Convention. In the domestication process, several indices should be taken into consideration to enable a robust and comprehensive law. One such index is an inclusive stakeholder involvement in terms of consultations right from initiation of the process of domestication until the passage and assent of the bill. It is also important to clarify roles and responsibilities as well as clarifying for norms and concepts. Early discussions on funding and support for the implementation of the Bill when passed is necessary for inclusion into the draft bill.

In the Republic of Niger, which domesticated the Kampala Convention a Ministry of Humanitarian Affairs was newly established which took the lead in the process. The problem of internal displacement was new in the country with about half a million IDPs, which had significant impact on the country. This was coupled with a mixed refugee situation.

All Presentation can be accessed the attached resource material folder

Technical Group and Plenary Sessions

Two breakout sessions were held on Day 1 and Day 2 of the retreat Group work and plenary sessions were carried out with several feedbacks from various group's presentations as stated below:

1. Day One:

Participants were divided into five groups for the break-out session. Four groups were tasked with determining key elements of the proposed standalone Bill using with minimum checklist for a standard IDP Law prevention of and preparedness for displacement, prohibition of arbitrary Displacement, durable solutions etc. Resource documents used as guide by groups include the African Union Model Law for the Implementation of the African Union Convention for the Protection and assistance to Internally Displaced Persons in Africa, the National Commission for Refugees, Migrants and Internally Displaced Persons Bill 2021, the National Policy on Internally Displaced Persons as well as specific provisions in the Niger and Kenya IDP Law.

The fifth group comprised of mostly drafters from the Ministry of Justice and others tasked with developing the structure/outline of the standalone IDP Bill to domesticate the Kampala Convention.

Conclusions from the group include:

- On the IDP definition, article 1(K) of the Kampala convention is all-encompassing as it has captured the entire elements of the definition of an IDP. This is also adopted in the National IDP Policy and should be maintained in the proposed standalone IDP Bill
- Measures to prevent and prepare for displacement including early warning mechanisms are identified/established in the national policy as strategies for the prevention of internal displacement and the Articles 3(g) and 4 (2) of AU model law. To be replicated into the IDP law
- While arbitrary displacement is prohibited in the national policy, all groups recommended that the bill should establish criminal liability for perpetrators of arbitrary and provide appropriate punishment/penalty for arbitrary displacement as it is done in other jurisdiction like the case in Kenya and Ethiopia
- On the roles and responsibilities of relevant ministries, states and local authorities the IDP Bill is proposed to adopt the Inter-agency coordination committee model (National humanitarian Coordination Technical Working Group and National Humanitarian Coordination Committee) established in the IDP Policy
- In line with the mandate of the FMHADMSD and the National IDP Policy, the focal coordinating institution will be maintained in the IDP Bill to provide overall leadership for coordination of all IDP/humanitarian issues, formulation as well as implementation of all policy framework.

- A first draft of the structure/outline of the proposed IDP Bill was developed and approved in plenary. It was agreed that this outline will be used for the group sessions on day 2, to develop the first draft of the proposed IDP Bill.

Find Outcome of group sessions – Table of essential elements of a Comparative IDP Law in Nigeria in folder as Appendix 1

2. Day two:

Participants were divided into four groups and tasked with drafting the standalone IDP Bill for Nigeria. The groups were assigned two/three Parts each of the outline of the structure developed on Day 1 by the drafters group. In drafting the content, Groups were tasked to review provisions of specified resource materials including the African Union Model Law for the Implementation of the African Union Convention for the Protection and assistance to Internally Displaced Persons in Africa, the National Commission for Refugees, Migrants and Internally Displaced Persons Amendment Bill 2021 and the National Policy on Internally Displaced Persons. The groups were also to recommend relevant portions of the National Commission for Refugees, Migrants and Internally Displaced Persons Amendment Bill 2021 that domesticate the provisions of the Kampala Convention to be expunged and transferred to the new IDP Bill.

Highlights of the recommendations of the Groups in plenary are as follows (note inputs from groups have been collated into *the draft outline appendix 2*)

- On the content of Part 1, it was noted this part be reviewed further not just to be noted as “**Internal Displacement**” - one option would be to call it “**Protection from displacement**” regardless of the cause and including measures that relate to prevention of the conditions leading to displacement in the context of development, disaster and climate change, violence, and armed conflict. Part 2 could then specifically address the “**prohibition of arbitrary displacement**” in line with the Kampala Convention.
- Implementing documents such as regulations, action plans, Standard Operating Procedures will be required or used to operationalize the Bill as not all details can be specified in enabling laws. Example is the recommendation to specify timeline for delivery of assistance in emergency situation -within 72 hours from displacement.
- Part 7 on “Coordination” should be broadened to “**Roles, Responsibilities and coordination mechanisms**”. Roles and responsibilities/obligations could then include those of the authorities (the designated focal point for IDP issues - FMHADMSD, other ministries and agencies, state and local level to the extent relevant), and beyond that the role of other actors such as host communities, humanitarian organisations etc. This part should also clearly spell out monitoring and evaluation mechanisms/arrangements.

- Provisions reflecting the sectoral role of NCFRMI in IDP protection/assistance and durable solutions in collaboration with others, should be maintained in the N in the NCFRMI Amendment Bill. However generally, the language should acknowledge the coordinating role of the FMHADMSD.
- On Part 8 (funding)- it was agreed that several funding options would be further reviewed/assessed by the drafters based on recommendation including the use of “IDP Trust Fund”, crowd sourcing strategies, donations from individuals/public and private sector organizations. It was also highlighted that relevant Ministry Department and Agencies (MDAs) with roles and responsibilities should include budget line on IDPs based on their mandate. This will also allow for development donors to contribute if required, because development donors cannot put money in a humanitarian fund.
- It was also recommended that the 10% Ecological Fund allocation in the NCFRMI Bill should be adjusted downwards in view of previous discussions on same.
- On Part 9 (Offenses and Penalties), it was agreed that provisions on the freedom of movement should be reviewed/aligned with constitutional provisions while taking cognizance of safety and security issues, and considerations for civilian character of asylum to be maintained.
- Further on Part 9 (Offenses and Penalties), participants advocated for more IDPs context specific penalties to be created in the IDP Bill which could serve as effective deterrent (e.g., Offense for refusal to distribute humanitarian aid/assistance). It was also recommended that drafters should add provisos enabling IDPs to use other national and regional legislation

The consolidated draft outline with the outcome of all Group sessions finalized by the secretariat –
Appendix 3 Essential Elements of the Draft IDP Bill

Conclusion of Retreat and Next Steps

1. Next steps: Participants in a brainstorming session identified and recommended the below actions are the suggested next steps towards the passage and assent of the IDPs Bill.

Action	Timeline	Action by	Output
Retreat Report to the Honorable Minister of the Federal Ministry of Humanitarian Affairs, Disaster Management and Social Development (FMHADMSD)	13 th of May, 2022	FMHADMSD	Retreat report
Drafting of the new IDP bill	21 days from date of instructions from FMHADMSD	FMHADMSD/FM OJ	1st draft of proposed IDP Bill
Review and validation of draft IDP Bill (mapping of stakeholders as reflected in the IDP Policy including relevant MDAs, CSOs, UN agencies, IDP leaders, donor, states)	2 weeks from completion of drafting process	FMHADMSD/FM OJ	Clean copy of draft Bill
Transmission of draft Bill for FEC approval	1 week after validation	FMHADMSD	FEC approved IDP Bill
Advocacy to the Senate President and Speaker, House of Representative for support and legislative support for the Bill (pending transmission/approval of FEC)	Tbd/ongoing	FMHADMSD	Advocacy visits
Transmission of FEC approved Bill to the National Assembly	Tbd after FEC approval	FMHADMSD	
Advocacy for Relevant Committee Chairs both Chambers of the National Assembly for speedily passage of the Bill	Tbd	FMHADMSD	Advocacy visits
Engagement with CSOs and Media for advocacy and public traction for the Bill	Tbd	FMHADMSD	
High-level advocacy to Minister of Justice/AG for Presidential assent	Tbd	FMHADMSD	

2. Closing remarks

Final remarks were made by representatives of FMHADMSD, NCFRMI, UNHCR appreciating participants with expectations that the IDP Bill will be fast tracked for domestication in view of the tight timelines. The Honorable Commissioner for Humanitarian Affairs and Disaster Management, Yobe State Dr. Garba Iliya gave the vote of thanks on behalf of the participants.

Participation and facilitation team:

- The retreat was facilitated by a team of facilitators from: FMHADMSD led by Mr. Charles Nwanelo (Deputy Director); NCFRMI led by Mr. Kangiwa Musa (Deputy Director); and UNHCR led by Ms. Mwihaki Kinyanjui (UNHCR Senior Protection Officer). Mr. Okeke Anya (Programme Manager, CISLAC) supported as lead rapporteur for the retreat.
- 42 participants representing Ministries, Departments & Agencies of Government, Local/International NGOs, Civil Society Organizations, UN agencies participated in the retreat. *The list of participants is attached in the resource folder*

Appendix

Annex 1

Summary of Technical Group Sessions:

Essential Elements of a Comparative IDP Law in Nigeria

Essential Element	Guiding Questions	Group 1	Group 2	Group 3
IDP definition	Is the definition consistent with KC?	Yes the definition is consistent with the KC	The definition of IDP on the National policy document is consistent with the Kampala convention. Even though displacement due to insecurity and developmental projects was not specific, the group considers that article 1(K) of the Kampala convention is all-encompassing as it has captured the entire elements of the definition of an IDP.	Yes
	Who is included in the definition?	The group also recommends that the bill should provide appropriate punishment and penalty for arbitrary displacement as it is done in other jurisdictions like the case in Kenya and Ethiopia	Victims of armed conflict, situations of general violence and people affected by insecurity and developmental projects are all included in the national policy.	Persons affected by armed conflict, persons included situations of generalized violence, violation of human Rights (On page 14 policy. KC on page 3 para K).
Prevention of and preparedness for Displacement	Are measures to prevent and prepare for displacement identified?	It is covered as measures to prevent and prepare for displacement are identified and early warning mechanisms are established.	Measures to prevent and prepare for displacement were identified in the national policy in page 65 (5.1) which deals with strategies for the prevention of internal displacement.	Yes (Article 4 section 2 of KC. Page 12)

	Are early warning mechanisms established?		Early warning mechanisms are established and captured on pages 53 and 54 of the national policy.	Yes (page 5 KC Article 3g)
Prohibition of arbitrary Displacement	Is arbitrary displacement prohibited?	Yes, protection from displacement is there but the criminalization/penalty portion is not there.	Arbitrary displacement is prohibited in the national policy;.	Yes (page 8 and 9 of the policy and KC page 6 article 4.4)
	Are certain forms of arbitrary displacement criminalized?	4.4 References individual criminality of arbitrary displacement What is the domestic criminal law? Recommendation – two samples given and highlighted in yellow and something similar to be developed for the Nigerian context Niger IDP law, Article 31, states punishment of 15-30 years	The group recommends that the bill should provide appropriate punishment and penalty for arbitrary displacement as it is done in other jurisdiction like the case in Kenya and Ethiopia	Yes/No (they are prohibited but not criminalized but will be criminalized in the proposed IDPs Act. (page 7 article 4 sub 6 of the KC)
Durable solutions	Are there durable solution options recognized? Are all 8 criteria mentioned?		The three options which includes, Return, Relocation and Reintegration are recognized in the national policy Paragraph 5.2 on page 70 of the national policy document on achieving during solutions to internal displacement captures all the eight criteria.	Yes, (on the policy page 70 - 74 and on KC Article 11) Yes (page 70-71 of policy and Article 11 KC 2-5)
Designation of focal point	Is it designated?	IDP Policy, reference page 77, the coordination matrix	A focal point is designated by the Federal Ministry of	Yes page 72 of the policy

	Who is designated?		Humanitarian Affairs, Disaster Management and Social Development found in page 72 of the national policy document	Federal Ministry of Humanitarian Affairs, Disaster Management and Social Development shall be the focal coordinating institution to provide overall leadership for coordinating
Roles and responsibility at Federal, state and local level	Are there responsibilities of other ministries, states and local authorities mentioned/clarified?	IDP Policy, P84-86, roles of national, regional/international	It is captured from page 72 to 86 of the national policy document. The institutional framework and implementation agencies in paragraph 5.4, page 82 of the National Policy should be updated to also include agencies like National Commission for Persons with Disability, National Senior Citizen Centre.	Yes (page 52, 4.1)
Coordination mechanism	Are the mechanisms identified? What are they?	IDP Policy, reference page 77, the coordination matrix	Succinctly captured in paragraph 5.3, from page 71 to 81, which deals with institutional mechanism for coordination and collaboration. Inter-agency coordination committee (National humanitarian Coordination Technical Working Group and National Humanitarian Coordination Committee)	Yes, page 71 to 72 on Policy. Designation of focal Ministry

				Establishment of internal displaced persons Coordination Sectors: See Coordination Sector matrix Page 77
Allocation of adequate resources	Are financing mechanisms for the implementation of the law identified?	IDP policy, reference page 88-90.	Captured in Pages 88 and 89 of the National Policy documents which deal with the funding mechanisms and resource mobilization	Yes, page 88-90 of the Policy. KC was not categorical on Funding However it vested powers on Member States to take responsibilities. Article 3B of KC also States that the AU will shall help states to coordinate mobilization of resources for the protection and Assistance of IDPs

Annex 2

Drafting the Stand-alone IDPs Bill in Nigeria

The Drafting Group focused on creating a tentative structure/outline for the Bill. To do this, the group first identified standard features within Nigerian legislation and organized relevant articles from the Model Law that will then be further developed once the main drafting exercise begins. Below are some of the essential elements:

1. Heading of the Bill:
 - ✓ *African Union Convention for the Protection and Assistance of Internally displaced Persons in Africa (domestication and enforcement) Bill 2022*
2. Long Title:
 - ✓ *A Bill for an Act to Give Effect to the Provisions of the African Union Convention for the Protection and Assistance of Internally displaced Persons in the Federal Republic of Nigeria and for related matters.*
3. Commencement Date (top right-hand corner)
4. Enactment Clause
5. The Preamble (derived from the KC)
6. **Part 1:** Objectives and application
 - add article 4 principles from the Model Law (ML)
7. **Part 2:** Internal Displacement
 - Causes of internal displacement (conflict, natural disasters and climate change, development etc.) § Articles 5,6, 11,13, 15,18
8. **Part 3:** Prevention
 - Article 5 arbitrary displacement
 - Articles 4,5,12,16,
9. **Part 4:** Protection & Assistance
 - Articles 7, 8, 9,10, 11, 13, 17, 18,19, 20, 21, 22, 29, 33, 34, 35, 37, 38, 39, 40,
 - Rights (this could be a part on its own)
 - Feedback and Accountability
10. **Part 5:** Durable Solutions
 - Articles 20,44, 45, 46, 47
11. **Part 6:** Rights
 - Articles 21, 23 (must be reviewed against the Constitution), 24, 25, 26,27, 28, 30, 31, 32, 36, 41, 42, 43,
12. **Part 7:** Coordination Mechanism

- Articles 48, 49, 50, 51, 52, 53,
 - See section 25 & 26 of the NCFRMI Bill (on the IDP Committee and the membership composition)
13. **Part 8:** Financial Provisions/ Funding
- Article 48
14. **Part 9:** Offences or Penalties
- Articles 14, and 54-59
15. **Part 10:** Miscellaneous
- 60-63 (Article 60 on jurisdiction should be broadened to identify the court)

Annex 3

Parts	Title	Group 1
Part 2	Internal Displacement	Article 5 (Prevention of Arbitrary Displacement)
		<ul style="list-style-type: none"> Definitions (as outlined in Article 2 in the model law) will be listed in the back of the IDP Act as interpretation.
		<ul style="list-style-type: none"> Suggest drafters incorporate rights on protection from displacement (p29 from IDP policy) and reference to arbitrary detention outlined in IDP policy p53 (a,b,c).
		Article 6 (Disaster Induced Displaced)
		<ul style="list-style-type: none"> No reference to disaster induced displacement in the IDP policy other than p3-5 that outlines the causes of internal displacement generally in Nigeria.
		<ul style="list-style-type: none"> Suggest adopting what is in Article 6 of the model law into the IDP Act.
		Article 11 (Safeguards and Relocation Procedures During Disasters)
		<ul style="list-style-type: none"> Does not seem particularly relevant to the heading of Internal Displacement other than the fact that it references natural disasters;
		<ul style="list-style-type: none"> 11.3 references the compliance of human rights standards, which is in-line with preventive measures and obligations by the government.
		<ul style="list-style-type: none"> Article 11 is under also under Group 4 and is likely better included under Protection and Assistance heading. Similarly, issues related to relocation should be in heading Protection and Assistance or Durable Solutions heading; reference IDP Policy p68-71 on durable solutions.
Article 13 (Protection of Internally Displaced Persons)		

		<ul style="list-style-type: none"> Causes of displacement are not articulated in this article per se but the events outlined (13.2.a-j) can be referenced by drafters as examples of events that can lead to displacement.
		<ul style="list-style-type: none"> Also reference p31 in the IDP Policy on the different scenarios that are explained that can cause internal displacement.
		Article 15 (Displacement Induced by Projects – Principles and Obligations) &
		Article 18 (Protection during Project Related Displacement)
		<ul style="list-style-type: none"> Take into consideration displacement caused by projects when referencing causes of displacement within the IDP Act.
		<ul style="list-style-type: none"> The IDP policy provides a definition on development induced displacement on p10 but does not use the term project related displacement as outlined in the model law.
		<ul style="list-style-type: none"> Project related displacement is a preferred term to development-induced displacement unless a particular distinction between the two can be made.
Part 3	Prevention	Article 4 (Principles)
		<ul style="list-style-type: none"> Important to outline principles in the prevention section.
		<ul style="list-style-type: none"> Principles in the IDP policy p21-26 are relevant principles outlined.
		<ul style="list-style-type: none"> IDP policy, p65 outlines strategies for prevention of internal displacement that could be utilized/referenced.
		Article 5 (Prevention of Arbitrary Displacement)
		<ul style="list-style-type: none"> Reference IDP Policy (p65-p67) on strategies on preventing displacement in general.
		Article 12 (Obligations of the Government and Non-State Actors)

		<ul style="list-style-type: none"> • IDP Policy (p52-55) outlines obligations and responsibilities of the government.
		<ul style="list-style-type: none"> • IDP policy p63 4.4 refers to obligations of security agencies.
		<ul style="list-style-type: none"> • Status of non-state actors is not sufficiently outlined in the IDP policy but should be in the IDP Act.
		<ul style="list-style-type: none"> • Terrorist Prevention Act (2013); new version undergoing review by the national assembly and could be a reference to the drafters.
		<p>Article 15 (Displacement Induced by Projects)</p>
		<ul style="list-style-type: none"> • Obligations to prevent displacement induced by projects that should be included in the IDP law.