

IDPs AND THE 2019 ELECTIONS

INTRODUCTION

This Report highlights the magnitude of the challenge of Internally-Displaced Persons (IDPs) in Nigeria, and the national responsibility of the government towards them. The state in accordance with the conventional principles of international and domestic laws has an obligation to protect and assist its internally displaced population. Its duty towards IDPs must as a matter of importance, be extended to protecting their right to vote.

From a global perspective, internal displacement has become a pressing matter that remains a priority on the socio-economic and political agenda. Displacement of this nature, affects nearly all parts of the world, but is pronounced in virtually most of Africa, the Middle East and Asia. Several countries including South Sudan, Democratic Republic of Congo, Central African Republic, Syria, Afghanistan, Iraq, Sri Lanka, The Philippines etc have witnessed their citizens being forced to arbitrarily flee their homes and communities, in search of safe spaces within the national territory.

In the last decade, Nigeria has witness millions of people displaced internally. A Report titled 'Global Overview 2014 People Internally Displaced by Conflict and Violence' compiled by Internal Displacement Monitoring Centre (IDMC) and the Norwegian Refugee Council (NRC) stated that:

The number of internally displaced persons in Nigeria is approximately a third of the IDPs in Africa and 10 per cent of IDPs in the world. The report ranked Nigeria 3rd with 3.3 million displaced persons, behind Syria and Columbia which have 6.5 and 5.7 million IDPs respectively.¹

According to the United Nations High Commission on Refugees (UNCHR): In Nigeria, the number of IDPs doubled in the span of three years, from some 868,000 people identified by the Nigerian government in the north eastern region at the end of 2014 to 1.7million by June 2017.²

The North East and North Central states have been the hardest hit. Zamfara, Borno, Yobe and Adamawa in the North East, and Plateau, Nasarawa, Benue, Taraba in North Central, have experienced massive population movements with whole communities being forced to flee from the Boko Haram insurgency, farmer-herder clashes and ethno-religious violence.

¹ Campbell J, ' Internally Displaced Continue to Grow in 2016' Council on Foreign Relations <https://cfr.org>
² UNHCR July 2017

In 2015, the UN agency, UNICEF recorded the number of IDPs in 8 states of Borno, Yobe, Adamawa, Nasarawa, Taraba, Bauchi, Gombe and the FCT as 2,049,810.³ Displaced persons moved to displacement camps provided by government and non-state humanitarian actors; occupied public schools and places of worship or temporarily relocated to what is known as 'IDP host communities', in search of safe spaces.

Today, Nigeria is said to rank as the third country in Africa with the highest number of internally displaced populations. The most recent data released in October 2018 by the Displacement Tracking Matrix Report from the International Organisation for Migration (IOM) states that figures of IDPs in Nigeria have risen from 1,706,818 in June to 2,026,602.⁴

The rapid increase in numbers of displaced persons due to the terror attacks puts further pressure on the Independent National Electoral Commission (INEC), to ensure that the collective voice of IDPs will be heard during the elections in 2019. As the numbers continue to swell, INEC faces the challenge of capturing within its frameworks, the latest arrivals in displacement camps and host IDP communities. Under international law, the rights of IDPs are guaranteed, thus as a signatory to the legal instruments, Nigeria is under obligation to protect the civic rights of her IDPs.

BACKGROUND

In Nigeria, the key displacing factors include the Boko Haram insurgency, environmental hazards such as floods, drought and oil pollution; and real estate development projects. Violence between farmers and pastoralists over land and water resources, ethno-religious conflicts, post-election violence, banditry and boundary/communal disputes have also contributed significantly to the high levels of forced movements of the population. Other causes of displacement are due to extended military operations in the fight against the insurgents;⁵ All of these factors have combined to cause millions of Nigerians to be displaced from their ancestral towns and villages.

NON-INTERNATIONAL ARMED CONFLICT

The plight of IDPs came to national attention in the wake of the Boko Haram insurgency in 2009. The recurring killing of residents and destruction of property including houses, farmlands, schools, business premises etc are regarded as the "single greatest cause of displacement" which Nigeria has witnessed with "tens of thousands killed and millions displaced."⁶

Recent years, have seen the numbers of Internally-Displaced Persons (IDPs) in Nigeria increase to volumes that have triggered grave concerns and become a humanitarian crisis with access to food, healthcare services and education, in some cases reduced to nil.

3 UNICEF August 2015

4 Displacement Tracking Matrix, International Organisation for Migration.

5 United Nations Office for the Co-ordination of Humanitarian Affairs

6 Campbell J and Harwood A, 'Boko Haram's deadly impact' Council on Foreign Relations, <https://www.cfr.org> August 20, 2018

The figures speak for themselves. In 2013, it was reported that 470,500 persons were displaced by armed conflict in North East Nigeria alone.⁷

In 2016, another Report by IDMC and NRC noted that: “There are 31 million persons world-wide newly displaced in 2016. They outnumber refugees two to one,”⁸ Nigeria was listed as one of the six countries alongside Democratic Republic of Congo, Syria, Iraq, Afghanistan and Yemen, with the most new IDPs.⁹

Nigerians are clearly affected by the severity of the terror attacks on towns and villages, raids, suicide-bombings at places of worship, public buildings, abductions etc and this has caused forced population movement in magnitudes and regularities previously unheard off. UNICEF recorded that there are over 50 IDP camps in Borno, Adamawa and Yobe states, with Borno regarded as the “epicentre of the crisis. In 2015, the agency also stated that:

There has been a dramatic increase (58%) in the number of insurgency related IDPs in the three North East States reaching almost 2 million.

In May 2016, specific figure highlighting IDP numbers in 12 Northern states and the Federal Capital Territory were provided by IDMC:¹⁰

Since June, the Borno IDP population has increased the most with (65%) with 1.65 million IDPs.¹¹

Local non-state actors also have reports on the situation. For example, statistics released by the Presidential Committee on the North East Initiative (PCNI) in June 2016, portrayed a similar dire picture:

*The most recent data sets report that in April 2016, there were about 2.3 million IDPs still in camps and private homes in Borno, Yobe, Adamawa and Gombe States, as a consequence of the conflict.*¹²

In May 2016, specific figure highlighting IDP numbers in 12 Northern states and the Federal Capital Territory were provided by IDMC:¹³

States	Number of IDPs in 2016	Number of IDPs in 2018
Adamawa	265,782	164,150
Bauchi	70,078	53,309
Benue	175,070	122,000

7 Ibekwe, N ‘ Nigeria sets new record: Now has Africa’s highest number of displaced persons’ www.premiumtimesng.com, May 23, 2014

8 Ibid 1

9 Ibid

10 <https://www.unicef.org>, 20th February 2018

11 <https://www.unicef.org>, 20th February 2018

12 ‘Rebuilding the North East: The Buhari Plan’ Executive Summary Presidential Committee on the North East Initiative (PCNI) June 2016.

13 Alli, A ‘ State of IDP Camps in Nigeria’, thenigerianvoice.com, April 11, 2017

States	Number of IDPs in 2016	Number of IDPs in 2018
Borno	1,434,149	1,364,539
FCT	11,680	
Gombe	25,332	31,909
Kaduna	36,976	
Kano	9,331	
Nasarawa	37,553	
Plateau	77,317	38,000
Taraba	50,227	63,272
Yobe	131,203	105,311

In recent years, the States of Kaduna, Plateau, Nasarawa and Benue have also experienced a rise in the incidence of internal displacement due to armed conflict, violent clashes between herders and farmers and inter-communal fights. Outbreaks of violence between January and June 2018, led to the displacement of 417,000 people in the Middle Belt.¹⁴

The 2011 post-election violence in Kaduna State reportedly caused:

*The forceful displacement of over twenty-five thousand families from 38 settlements, and complete destruction of their dwellings. it was this violent conflict that precipitated the forceful displacements of the IDPs camped at Hajj Camp Mando in Kaduna.*¹⁵

In July 2018, there were reports of “thousands displaced in Zamfara following attacks by armed bandits on three districts in Zurmi Local Government leaving 12,000 persons displaced.”¹⁶

The foregoing clearly shows that armed conflict has triggered large-scale forced relocations within the borders of Nigeria. Natural disasters also have contributed to the mass displacements witnessed in the country.

FLOODS

The ranks of IDPs in the North East and North Central were further exacerbated by displacements caused by heavy storms and floods from the overflowing of the Rivers Niger, Benue, Katsina and Imo. In September 2018, flood impacted communities in 12 States of Kogi, Benue, Kwara, Niger, Kebbi, Taraba and Adamawa in the North, and Edo, Rivers, Bayelsa, Anambra and Delta in the South. Thousands of people sought refuge in camps set up by government aid agencies known as National Emergency Management Agency (NEMA) and State Emergency Management Agency (SEMA). On the whole, 34 out of 36 states

¹⁴ Internal Displacement Monitoring Centre

¹⁵ Sanusi, M, Bala, A, Abdullahi, H.M ‘Management of internally Displaced Persons in Camp in Nigeria: A Case study on the Management of Internally Displaced Persons of the 2011 Post-Election Violence in Kaduna State, Nigeria, in Kaduna,’ May 2014

¹⁶ Umar, S ‘Zamfara’s killing fields: Inside story,’ Daily Trust, August 4,2018,<https://www.dailytrust.com.ng>

experienced severe and extensive flooding with a state of emergency declared in four namely: Niger, Kogi, Anambra and Delta resulting in new displacements of the population in the affected states. According to NEMA, the floods saw a total of 141,400 people were displaced in the 12 states.¹⁷ This number served to swell the ranks of the already displaced victims from the 2010, 2011, 2012, 2015 and 2016 floods.

The government called September 2012 floods “the worst in five decades especially near the River Niger.”¹⁸ It reportedly displaced 2.1 million people who were registered across the affected states. For instance, in Kogi alone, 623,690 displaced persons were accommodated in 87 camps across the State. In 2016 floods, 92,000 people were displaced, while other states also recorded high numbers of displaced people in the riverine and coastal areas including Delta, Edo, Bayelsa and Rivers. Reports also say that many of those displaced in 2012, were yet to be provided with permanent homes at the time of the occurrence of the floods in 2018.

NUMBER OF DISPLACED IN FLOODS¹⁹

Year	Number of Displaced
2012	2,000,000
2015	100,000
2016	92,000
2017	250,000
2018	141,400

Rapid urbanisation in some cities in Nigeria has also led to displacement of large populations:

Displacement and business projects also uprooted millions of people from their homes. In conjunction with private entities, governments have in some cases forced people off their lands, sometimes with no commitment to safeguard residents from the adverse consequences that come with relocation.²⁰

An example of forced population movement is the Lagos State government-led eviction of thousands in July 2012, during which nearly 150,000 people were left homeless after the Lagos State government ordered a demolition exercise in Makoko.²¹ Similarly, between November 2016 and April 2017 about 30,000 residents of the Otodo Gbame, Ilubirin water front communities on the Lekki Peninsula were evicted.²²

17 National Emergency Management Agency, 24th September 2018.

18 ‘Nigeria floods displace two million, kill 363’ BBC news/ Africa, www.bbc.com, 6 November, 2012

19 ‘Why does Nigeria keep flooding?’ Reality Check Team, 26 September, 2018, BBC news/ Africa, www.bbc.com

20 Dahir A. L. ‘Uprooted’, Quartz Africa, qz.com, December 10, 2016.

21 ‘Nigeria forces thousands from floating slums,’ www.aljazeera.com, 29 July 2012.

22 Warimi, U. ‘Otodo- Gbame eviction: AI flays Lagos govt,’ 15 November, 2017 , vanguardngr.com

According to the Nigerian Slum/Informal Settlement Federation, a grassroots organisation for the urban poor, at least 40 communities fell under the threat and an estimated over 30,000 residents were at risk of imminent eviction.”²³

LOCATIONS OF SOME IDP CAMPS²⁴

STATE	CAMPS/ IDP HOST COMMUNITIES
Adamawa	NYSC, Yola North, Yola South, Gombi, Numan, Mubi LGA: EYN, COCIN Yelwa
Benue	Makurdi, Agan Primary School, Makurdi LGA, Kwande, Guma, Logo, Obi and Doma LGAs, Abagana, Agatu
Borno	Arabic Teachers College, NYSC Camp, Teachers Village, Gubio, Govt. Girls College, CAN Centre, Women Teachers College, Sanda Shehu Kyarimi, Dalori,
Delta	Asaba
Edo	Estako East and Central LGAs
Federal Territory	Capital
	Lugbe IDP Camp
	Area One IDP Camp
	New Kuchingoro IDP
	Kuje IDP Camp
Lagos	Debojo, Ibeju Lekki Camp, Happy Home Avenue, Kirikiri
Kaduna	Abubakar Kigo Rd Primary school, Rafin Guza Pprimary School, LEA Primary School Zangon Rd, Tundun Wada, Gamji Shooting Range Multipurpose Hall Govt Sec school, Nasarawa, LEA Primary School, Unguwar Muazu, Hajj Camp Mando
Kano	Mairire Hotoro, Gaida, Wudil, Dawakin Kudu
Katsina	Dansadau in Kankara LG
Kebbi	Bagudo Town
Kogi	Idah, Lokoja, Ajaokuta LGAs
Nasarawa	Lafia, Shabu, Obi, Keana, Luvu Karu LGs
Zamfara	Maradun, Talata-Mafara, Zurmi, Shinkafi LGs

The variations in the numbers of IDPs offered by international and local aid agencies may be due to the abrupt closure of camps by government with a view to assisting occupants with return, resettlement or reintegration schemes. How successful these schemes have been is not clear. For instance, there have been political fall-outs and complaints about what is deemed to be premature closure

²³ Justice & Empowerment Initiatives, www.justiceandempower.org

²⁴ United Nations Office for the Coordination of Humanitarian Affairs etc

of camps.²⁵ Also recurring terror attacks create setbacks for the resettlement and reintegration programmes. For instance The Guardian newspaper reported in April 2018 that: "10,000 return to IDP camps as herdsmen sustain attacks in Nasarawa villages."²⁶ According to the news report:

No fewer than 10,000 former IDPs in Nasarawa State have returned to some of the camps they had earlier vacated, following renewed attacks on their villages by suspected herdsmen in the southern part of the state.

The different figures reflect of the complex nature of compiling data from the various causes that give rise to displacement at any point in time. The fact that displaced persons also take shelter with friends and relatives or just go into hiding, disguises the reality of the situation. For example, the World Health Organisation (WHO) observed "global figures are high," but also acknowledged that:

Hard data on the numbers of IDPs do not exist, and estimates are difficult to make. Depending on the reasons that force people to flee, figures can seem amazingly high, e.g. in most natural disasters, or amazingly low, e.g. in displacements due to civil strife. In the latter case, governments may be unable or even unwilling to acknowledge the existence and real numbers of IDPs. Sometimes the IDPs themselves do not wish to be identified for fear of persecution.²⁷

Taking all this into consideration however, does not negate the fact that in Nigeria, millions of people remain displaced. Certainly, the latest news reports of fresh bandit attacks in Borno and Zamfara states for example, suggests levels of displacements are likely to continue to increase. This means the wave of Nigerians being forced to leave their homes and ancestral towns and villages, looks set to continue. To avoid disenfranchising these significant numbers of Nigerians, INEC must now ensure that their electoral rights are upheld.

NATIONAL RESPONSIBILITY FOR IDPs

The primary duty of a government is to safeguard the lives and property of its people. According to the Brookings Institute, governments must extend this sense of duty "to protect and assist its IDPs:"

It is well recognized that because internally displaced persons remain within their country, they should, in accordance with established principles of international law, enjoy the protection and assistance of their own governments.²⁸

One of the benchmarks for meeting this critical obligation towards IDPs includes: "Ensuring that they have a say in the decisions that affect their lives is a key

25 Ebhomele E, 'Campaign group comes down hard on Wike for reportedly closing down IDP camps in Rivers,' legit.ng

26 Abogonye, A. '10,000 return to IDP camps as herdsmen sustain attacks on Nasarawa villages,' <https://www.guardian.ng>, 14 April ,2018

27 'Internally Displaced Persons, Health and WHO', July 2000.

28 Mooney, E. 'Realizing National Responsibility for Internally Displaced Persons,' <https://www.brookings.edu>, December 9, 2004

indicator of national responsibility. Special attention is needed to ensure that the right of IDPs to vote is safeguarded.”²⁹

THE RIGHT OF IDPs TO VOTE

Voting rights for IDPs are covered by four frameworks, two of which are international and two domestic. Nigeria is a signatory to the two international frameworks namely: The United Nations (UN) Guiding Principles on Internally-Displaced Persons, and the African Union Convention for the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa of 2009, also known as the Kampala Convention. On the domestic front, the legal frameworks are the 1999 Constitution (As Amended) and the Electoral Act 2010 (As Amended).³⁰

UNITED NATIONS GUIDING PRINCIPLES ON INTERNAL DISPLACEMENT

The Guiding Principles on Internal Displacement (GPID) clearly outlines a state’s responsibility to protect and assist its IDPs. This Document was developed by the UNHCR, to specifically address the needs of IDPs.

These Guiding Principles:

*Identify rights and guarantees relevant to the protection of persons from forced displacement and to their protection and assistance during displacement as well as during return or resettlement and reintegration.*³¹

Principle 3(1) provides that:

*National authorities have the primary duty and responsibility to provide protection and assistance to IDPs within their jurisdiction. IDPs are entitled to enjoy full rights and freedoms like other persons in the country and shall not be discriminated against because of their displacement.*³²

Principle 22 (d) recognises the right of IDPs to “vote and to participate in governmental and public affairs, whether or not they are living in camps.”³³

KAMPALA CONVENTION

The Kampala Convention which was adopted in 2009 is a joint effort by African countries to “work towards the protection of internally displaced persons” which came into force in 2012. Nigeria signed the treaty on 23rd October 2009 and on April 17, 2012, became the 12th country to ratify this Convention, thereby joining other nations such as Burundi, Gambia, Rwanda, Uganda and Zambia to embrace this framework to protect and uphold the rights of IDPs. The significance of the

29 Ibid

30 Iloh E.C., Nwokedi M. E, Mba C.C & Ilo K.O ‘Voting Rights of Internally-Displaced Persons in Nigeria’s 2015 General Elections- Research. , Journal of African Elections Volume 17 Number 1, June 2018, p.93-116, Electoral Institute for Sustainable Democracy in Africa (EISA).

31 United Nations Guiding Principles on Internal Displacement, September 2004

32 Ibid

33 Ibid

Kampala Convention is that the “enforceability elevates the discourse on IDP protection beyond humanitarian” interventions. Under Article 9 ‘Obligations of States Parties Relating to Protection and Assistance during Internal Displacement’ States Parties shall in Section 2 (l):

*Take necessary measures to ensure that internally displaced persons who are citizens in their country of nationality can enjoy their civic and political rights, particularly public participation, the right to vote and to be elected to public office.*³⁴

On the domestic levels the Section 77 (2) of the 1999 Constitution (As amended) and Section 12 (2) of the Electoral Act 2010 (As Amended) provide for eligibility and registration of voters. As citizens of the Nigerian state, IDPs are entitled to all rights, as provided in the legal frameworks mentioned above. As a state party to international treaties, Nigeria’s government has the primary duty and responsibility to assist and protect its IDPs within its borders. Thus, it behoves the country to ensure the domestication of the Guiding Principles on Internal Displacement and the Kampala Convention into national legislation.

It is noted that during the 2015 elections, the electoral body set up a Task Force to midwife the arrangements for IDPs to vote “within the ambit of the extant laws.”³⁵ Voting for IDPs was limited to the established camps in the three North East states of Adamawa, Bornu and Yobe. Available election observer reports however point to dissatisfaction with that exercise in relation to IDPs.

In recent press briefings, INEC acknowledged that displacement is much wider and millions of citizens are not residing in the places where they were originally registered. Based upon this, a new framework has been put in place for IDPs in 15 states to vote, has been formulated. Unlike what took place in the 2015 elections, the new arrangements do not place any restrictions on voting for IDPs. For example, amongst several other considerations, IDPs will be allowed to vote in both parliamentary and presidential elections from their camps:

*Intra-state IDPs shall participate in all election categories when and where applicable, while inter-state IDPs shall only participate in presidential elections in order to limit the challenges associated with political perception and suspicion over transmission of results across state borders and constituency boundaries.*³⁶

FRESH DISPLACEMENT

There are regular news reports in the media about how non-international armed conflict, incessant communal violent clashes, and the military response continue unabated. For instance, as recent as Friday, 21st December 2018, Channels Television reported that “Residents flee as insurgents attack Borno village.”³⁷

34 Article 9, Section 2 (l), African Union Convention for the Protection and Assistance for Internally Displaced Persons in Africa (Kampala Convention) p.11. 29th October 2009.

35 Oyeade W, Nzeh, E, Olaniyi S ‘INEC clears one million internally displaced persons for election’ 20th January 2015

36 Obiejesi, K. ‘INEC chairman clarifies that IDPs, not refugees will be able to vote in 2019,’ iNews, December 13, 2018

37 Channels Television news update 21st December 2018

According to the report:

Suspected Boko Haram terrorists attacked Gajiram, the headquarters of Nganzai Local Government of Borno State, noting that "The battle has caused many residents to flee into the bush, while others are still trying to make their way to safer grounds at the time of this report.

On the same day, the Vanguard Newspaper reported a similar incident of displacement in Zamfara State:

More than 800 villagers from Zamfara State have been displaced by incessant armed bandits' attacks, causing them to flee their homes and take refuge at the Kankara and Faskari Local Government areas of Katsina State. The villagers mostly children and women were displaced from Buke and Wailar, Unguwar Yabo, Dan Fili, Yartalata, Sabon Yartalata and Mandaba Villages of Tsafe local government area of Zamfara State.

The newspaper quotes the spokesperson of the Katsina State Emergency Management Agency, SEMA, Muhammed Umar as saying: "More displaced persons were on the way to the temporary camp at Nuhu Model Primary School."

38

Evidently, these incidents will serve as catalysts for new displacements in Borno, Zamfara and the neighbouring States.

According to International Organisation for Migration (IOM) and National Emergency Management Agency (NEMA) 2019 report, Nigeria now has 2,026,602 million IDPs and out of this figure, 74% are displaced by the insurgency in North-Eastern part of the country.³⁹ Amnesty International in its analysed report on the aftermath of a Boko Haram attack in Rann, North-East Nigeria, puts displaced figure at more than 9,000 people.⁴⁰ This further show how vulnerable internally displaced persons are in Nigeria and the need to do more to protect them

REALITY OF CLIMATE CHANGE DISPLACEMENT

"Displacement linked to climate change is not future hypothetical- it is a current reality - UNHCR"⁴¹

Worldwide, it is expected that due to climate change, displacement will increase because already has been observed that "three times as many people were displaced by natural disasters than by armed conflict." IDMC has noted that floods, storms, drought and wildfires are expected to increase in various parts of the world leading to displacements; and the scientific bodies also reiterate that "in the future, climate change may be the lead driver of even greater displacement."⁴²

38 Bello, B. 'Bandits attack: 800 Zamfara villagers flee to Katsina', 21st December 2018.

39 <https://data2.unhcr.org/en/situations/nigeriasituation>, 17 January, 2019

40 <https://www.amnesty.org/en/latest/news/2019/01/nigeria-satellite-imagery-shows-charred-remains-of-rann-after-boko-haram-attack/>

41 "FAQs on climate change and disaster displacement," www.unhcr.org, 6 November, 2016.

42 Lee, E. Y.H, 'Climate change forced over 1 million Africans from their homes in 2015', thinkprogress.org, 2016

In Nigeria, climate-induced factors which spur displacements through floods, mudslides etc are expected to continue to afflict flood-prone and riparian states and communities bordering the banks of River Niger and its floodplains.⁴³ According to a study conducted by Amoo et al on 'Socio-economic and health challenges of internally-displaced persons as a result of 2012 flooding in Nigeria:'⁴⁴

Nigeria is very prone to flooding mainly along the River Niger through Benue basin and Sokoto basin.... Many of the country's larger rivers have flood plains which are subject to flooding during the rainy season. Nigerian towns are generally characterised by poor drainage and are therefore subject to frequent flooding..... An estimated 25 million people or 18% of the population live in the coastal zone and are at risk of severe flooding.

More recent studies state:

*As the rest of the world, the impacts of climate change are unlikely to abate soon in West Africa, in Nigeria, the devastating effects of climate change are in full view. The low-lying coast off the Gulf of Guinea is especially vulnerable to rising sea levels.*⁴⁵

Apart from rising sea levels, rainfall patterns suggest rainstorms have changed in frequency and intensity leading experts to believe that this will aggravate flooding in the future.⁴⁶

CONCLUSION

Quite clearly, all the available evidence tells us that the key displacement factors of armed conflict and climate-change/ natural disasters, call for proactive and far-sighted electoral policies on the part of INEC.

INEC must envisage that in light of these prevailing dynamics, displacement will occur; displacement camps will be established to mitigate the disasters for the victims and under no circumstances, must their voting rights be compromised.

It is imperative for INEC to institutionalise an effective IDP component into its overall election management strategy.

43 'Update on NIHSA Early Flood Warning In Nigeria' Nigeria Hydrological Services Agency (NIHSA) 30th August 2018, nihsa.gov.ng
44 Amoo. O.S.et al 'Socio-economic and health challenges of internally-displaced persons as a result of 2012 flooding in Nigeria', Ceylon Journal of Science 47 (3) 2018, p. 229-234
45 Campbell. J 'Nigeria Struggling to Cope with Rising Natural disasters', Council on Foreign Relations, <https://cfr.org>
46 Slaughter, A and Odume, N, ' Why flooding in Nigeria is an increasingly serious problem in Nigeria,' August 15, 2017, theconversation.com

ADDENDUM

In January 2019, INEC released issued a set of Regulations for Voting by Internally Displaced Persons (IDPs). Its Preamble stated the following:

Pursuant to the powers conferred on the Independent National Electoral Commission (INEC) herewith referred to as the Commission by Section 15 (a) (1) of the Third Schedule to the Constitution of the Federal Republic of Nigeria, 1999 and Section 26 (1) of the Electoral Act 2010 9 as amended), the Commission hereby issues the following Regulations for Voting by Internally Displaced Persons (IDPs).⁴⁷

The Regulations are a result of a series of measures taken to provide a legal framework for IDPs to participate in the polls in accordance with Section 26 (1) of the Electoral Act (as amended). These measures include the Stakeholders' Validation Conference on the Framework for IDPs held in December 2018 and the Special Committee to work out legal registration and voting frameworks which were different from those used during the 2015 General Elections when IDPs were not allowed to vote except at their place of registration.

These two steps culminated in a set of Regulations which provides clarification of the definition, classifications, voting locations and category of elections. In essence provides a theoretical explanation for the processes and procedures for accreditation, voting, sorting, counting, collation and transmission of results. Other descriptions include voter education, security and stakeholder engagement.

Below are the highlights of the Framework enshrining the right of IDPs to vote:

Definition of IDP: Internally Displaced Persons under this Regulations are qualified Nigerian voters who have relocated temporarily or permanently from their places of habitual residence as a result of conflict, insecurity or other natural or man-made emergencies and so are unable to vote in their normal delimitation/polling locations.

Classification of IDPs by Location: There shall be broad classification for IDPs identified on basis of location namely, Intrastate and Interstate. Whereas intrastate IDP refers to those internally displaced within a state, Interstate IDP refers to the internally displaced but hosted in a state other than their state of habitual residence.

Election Category: For intra-state IDP voting, displaced persons shall vote or participate in all elections, undertaken and supervised by the Commission using their PVCs after which collation and transmission of the results will be done using special forms and guidelines for such purpose. For inter-state IDP voting, displaced persons shall vote or participate in only the presidential election using their PVCs after which collation and transmission of the results will be done using

⁴⁷ Regulations for Voting by Internally Displaced Persons (IDPs), (Short Title: Regulations for IDP Voting), December 2018, Abuja, Nigeria.

special forms and guidelines for such purpose.

Delimitation: State offices of INEC shall carry out IDP surveys and organize IDPs according to their delimitation in collaboration with stakeholders.

Continuous Voters Register (CVR): INEC offices are to undertake Continuous Voter Registration to cover IDPs at their location.

Continuous Voters Register (CVR): INEC offices are to undertake Continuous Voter Registration to cover IDPs at their location.

Distribution of PVCs: Arrangement for distribution and collection of PVCs at the IDP camps and other designated points shall be by the State office.

Establishment of IDP Voting Centres: INEC shall in consultation with stakeholders establish IDP Voting Centres at registered/approved IDP camps where displaced persons will vote during elections.

Smart Card Reader (IVAS): the INEC Voter Authentication System (IVAS) also known as the Smart Card Reader shall be configured to RA level in the case of Intrastate IDP voting and to the state level in the case of Interstate IDP voting.

Use of PVC for Voting: Voting at the IDP centres shall be with the use of Permanent Voters Cards (PVC) only as is applicable in all Polling Units throughout the Country.

Register of Voters: Intrastate IDP Voter Register shall be the standard Voting Register while for Interstate IDPs the Voter Register shall be for only the affected LGAs.

Security: The Commission shall collaborate with security agencies and ICCES in developing special security arrangements targeted at IDP voting operations, IDP camps and voting centres.

Results Transmission: Transmission of results at IDP voting centres shall be based on the standard transmission procedures approved by the Commission.

Merging of Results: Merging of results at Intrastate IDP voting shall occur at the RA level of collation whereas for Interstate, this shall occur at the state level collation and for the presidential election.

Election Results: There shall be a design of special result sheets for RA level for Intrastate and state level voting for Interstate.

Logistics Arrangement: Existing logistic arrangement for the deployment and retrieval of election staff and materials may be adapted for implementation at the IDP voting centres.

Engagement with Stakeholders: Stakeholder engagement shall be at four (\$) strategic levels namely national, state, LGA and IDP camps.

Partnership for Voter Education: Partnership with the Commission on voter education shall be based on clear sets of criteria provided by the Commission to ensure capacity, professionalism and competence.

Application of the Rules and Regulations for the 2019 General Elections: These rules and regulations shall be applicable to voting at IDP camps or voting centres as and where no specific regulations and guidelines are provided. Any appendix to these Regulations and Guidelines shall constitute an integral part of the Regulations and Guidelines guiding IDP voting.

The Commission has also entered into partnership with the National Emergency Management Agency (NEMA) and State Emergency Management Agencies (SEMA) across the country, to collect data of IDPs in various camps, to ensure that no one is excluded, or falls into the hands of desperate politicians and their agents, who may go about enticing with money and de-possessing them of their PVCs.

However, it is crucial for government to collate reliable statistics and develop a credible database on the various camps across the country, to enable INEC verify and consequently make provision for each IDP to vote. We wait to see the full list of States where INEC plans to conduct elections for the IDPs, and how the framework will be fully implemented because it is critical that no Nigerian including IDPs is disenfranchised in the forthcoming elections. Nigeria must be seen to uphold the principles of inclusiveness and participation for every citizen in its democratic project.

Situation Room Secretariat:

c/o Policy and Legal Advocacy Centre (PLAC)
Plot 451 Gambo Jimeta Crescent,
Guzape District,
Abuja, Nigeria.

08185888999, 08021812999, 09095050505, 09032999919

www.situationroom.placng.org

Facebook: facebook.com/situationroomnigeria

Twitter: @situationroomng

Instagram: @situationroomng

About

PLAC hosts the secretariat of the Nigeria Civil Society Situation Room and is a member of its steering committee. The Situation Room provides a co-ordinating platform for civil society engagement on governance issues. It is also a platform for information sharing among civil society groups working on elections and topical national issues. It intervenes in the electoral process by promoting collaboration, proactive advocacy and rapid response to crisis in the electoral process. The Situation Room provides a forum of advance planning, scenario building, evidence based analysis, constructive engagement with various stakeholders in the electoral process and observation of elections.