Exploring the Efficacy of the Legal Framework and Interventions in Tackling Sexual and Gender Based Violence in Internally Displaced Persons Camps in the Northeast Nigeria



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For the award of Doctor of Philosophy in Law and Social Policy

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DECLARATION

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**CONTENTS**

[DECLARATION 2](#_Toc118732419)

ACKNOWLEDGMENT…………………………………………………….........……………….8

[LIST OF STATUTES](#_Toc118732420) 10

[TABLE OF CASES 1](#_Toc118732421)1

[LIST OF ABBREVIATION 1](#_Toc118732422)1

[LIST OF TABLES 1](#_Toc118732423)4

[LIST OF FIGURES 14](#_Toc118732424)

[ABSTRACT 15](#_Toc118732425)

[CHAPTER ONE](#_Toc118732426)

[INTRODUCTION](#_Toc118732427)

[1.0 INTRODUCTION 17](#_Toc118732428)

[1.1 BACKGROUND TO THE STUDY](#_Toc118732429) 18

[1.2 STATEMENT OF PROBLEM](#_Toc118732430) 19

[1.3 RESEARCH QUESTIONS](#_Toc118732431) 20

[1.4 OBJECTIVES OF THE STUDY](#_Toc118732432) 21

[1.5 FOCUS OF THE STUDY 2](#_Toc118732433)1

[1.6 SCOPE OF THE STUDY 2](#_Toc118732434)2

[1.7 CONCEPTUAL CLARIFICATION 2](#_Toc118732435)2

[1.7.1 Internally Displaced Persons 2](#_Toc118732436)2

[1.7.2 Boko Haram 2](#_Toc118732437)3

1.7.3 Sexual and Gender Based Violence…………………………………………………24

1.8 Organisation of the Thesis…………………………………………………………….25

1.9 CONCLUSION………………………………………………………………………..28

[CHAPTER TWO](#_Toc118732439)

LITERATURE REVIEW

[2.0 INTRODUCTION](#_Toc118732441) 30

2.1 HISTORICAL REVIEW OF GENDER BASED VIOLENCE………………………… 30

[2.1.1 Gender Based Violence: An Age Long Phenomenon](#_Toc118732442) 30

[2.1.2 Gender-Based Violence in Contemporary Times 35](#_Toc118732443)

[2.2 CONCEPTUAL AND CONTEXTUAL REVIEW OF SGBV 3](#_Toc118732444)6

[2.2.1 Sexual and Gender Based Violence 3](#_Toc118732445)6

[2.2.2 Internal Displacement and Internally Displaced Persons](#_Toc118732446)……………………………40

2.2.3 Sexual and Gender Based Violence in Conflict Situations and Internal

Displacement……………………………………………………………………….. 43

2.2.4 Northeast Nigeria: A Background Introduction………………………………………48

*2.2.4.1 Geography*…………………………………………………………………………..49

*2.2.4.2 Population*…………………………………………………………………………..50

*2.2.4.3 People*……………………………………………………………………………….50

*2.2.4.4 Religion*……………………………………………………………………………..51

*2.2.4.5 Culture*………………………………………………………………………………52

*2.2.4.6 The Rationale for the Choice of Northeast Nigeria*…………………………………52

2.3 INTERNAL DISPLACEMENT AND INTERNALLY DISPLACED PERSONS IN

THE NORTHEAST………………………………….………………… 53

2.4 VULNERABILITY OF WOMEN AND GIRLS TO SEXUAL AND GENDER BASED

VIOLENCE IN IDP CAMPS…………………………………………………………….56

2.4.1 Insecurity and Sexual and Gender Based Violence………………………………… 56

2.4.2 IDPs and Sexual and Gender Based Violence in Northeast Nigeria………………..57

2.5 FACTORS PRECIPITATION SEXUAL AND GENDER BASED VIOLENCE

AGAINST FEMALE IDPS IN THE NORTHEAST NIGERIA………………………….67

2.6 MANAGEMENT OF INTERALLY DISPLACED PERSONS CAMP IN NIGERIA...73

2.7 ROLES OF STAKEHOLDERS IN THE MANAGEMENT OF INTERNALLY

DISPLACED PERSONS IN NIGERIA……………………….76

2.7.1 Roles of Government……………………………………………………………….76

2.7.2 Non-governmental Organisation……………………………………………………77

2.7.3 Individual in the Host Communities………………………………………………..78

[2.8 REVIEW OF LEGAL AND INSTITUTIONAL FRAMEWORK](#_Toc118732449) 80

[2.8.1 Legal and Institutional Frameworks on Sexual and Gender-Based Violence](#_Toc118732450) 81

[2.8.2 Legal and Institutional Frameworks on Internal Displacement](#_Toc118732451) 93

[2.9 ASSESSING THE LEGAL AND INSTITUTIONAL FRAMEWORK ON SGBV AND INTERNAL DISPLACEMENT](#_Toc118732474) 98

[2.10 GAP IN THE LITERATURE](#_Toc118732488) 101

2.11 CONCLUSION……………………………………………………………………..102

[CHAPTER THREE](#_Toc118732489)

[THEORETICAL FRAMEWORK](#_Toc118732490)

[3.0 INTRODUCTION](#_Toc118732491) 104

3.1 PATRIARCHY THEORY……………………………………………………………….106

[3.2 SOCIAL CULTURE SOCIAL LEARNING THEORY](#_Toc118732492) 116

3.2.1 Root of Social Learning Theory……………………………………………………. 97

3.2.2 Concept of Social Learning Theory………………………………………….……. 122

3.2.3 Social Structure Social Learning Theory and Crime...……………………………..127

3.2.4 Patriarchy and the Social Learning Process that Structure SGBV………….…….. 129

3.2.5 Patriarchy and Culture of Silence……………………..………………………..…......................................................131

3.3 SOCIAL DISORGANIZATION THEORY………………..…………………………. 133

[3.4 CRIME OPPORTUNITY (ROUTINE ACTIVITY) THEORY 1](#_Toc118732498)37

3.5 CIRCLES OF ANALYSIS: A SYSTEMIC MODEL

OF SGBV……………………………………………………………………………………. 146

[CHAPTER FOUR](#_Toc118732499)

[METHODOLOGY](#_Toc118732500)

[4.0 INTRODUCTION 1](#_Toc118732501)62

[4.1 RESEARCH DESIGN 1](#_Toc118732502)62

[4.2 ONTOLOGICAL AND EPISTEMOLOGICAL ASSUMPTIONS OF THE RESEARCH 1](#_Toc118732503)63

[4.3 RESEARCH SETTING………………………………………………………………….1](#_Toc118732504)67

4.4 POPULATION OF STUDY AND SAMPLING……………………………………… 169

[4.4.1 Population of Study 1](#_Toc118732505)68

[4.4.2 Sampling Procedure and Size 1](#_Toc118732506)69

[4.5 METHOD OF DATA COLLECTION 1](#_Toc118732507)71

[4.6 PROCEDURE FOR DATA COLLECTION 1](#_Toc118732508)73

[4.6.1 Negotiating Access 1](#_Toc118732509)73

[4.6.2 Process of Data Collection 1](#_Toc118732510)74

[4.7 ETHICAL CONSIDERATIONS 1](#_Toc118732511)76

[4.8 METHOD OF DATA ANALYSIS 1](#_Toc118732512)78

[4.9 RESEARCH RELIABILITY AND VALIDITY 1](#_Toc118732513)81

[4.10 REFLEXIVITY AND FIELD CHALLENGES 1](#_Toc118732514)84

CHAPTER FIVE

[FINDINGS AND DISCUSSION](#_Toc118732516)

[5.0 INTRODUCTION 1](#_Toc118732517)88

[5.1PATTERN OF SGBV IN THE IDP CAMPS …………………………………………………………………………………...…...1](#_Toc118732518)88

5.1.1 Prevalence of Sexual and Gender-Based Violence in the IDP Camps………………..189

5.1.2 Perpetrators of Sexual and Gender-Based Violence in the IDP camps………………..193

[5.2 CAUSES AND BARRIERS 1](#_Toc118732519)95

[5.2.1 Pre-Existing Factors……………………………………………………………..1](#_Toc118732520)96

5.2.2: Immediate Factors………………………………………………………….. 204

[“Insecurity from security”](#_Toc118732521) 209

[5.2.3 Encouraging Factors………………………………………………………………..](#_Toc118732522)211

[5.3.1 Interventions by Non-Governmental Organisations and the Government](#_Toc118732524)…………..214

*5.3.1.1* [*NGOs Intervention*](#_Toc118732525) 214

*5.3.1.2* [*Government officials*](#_Toc118732526) 219

[5.4. LEGAL/INSTITUTIONAL FRAMEWORKS AND PREVENTION OF SGBV IN](#_Toc118732527)

[THE IDP CAMPS](#_Toc118732527) 221

[5.4.1Attitude of IDPs to Utilizing the Laws](#_Toc118732528) 222

5.4.2 Culture of silence…………………………………………………………………… 222

[5.4.3 Sufficiency of laws](#_Toc118732529)…………………………………………………….…………….225

[5.4.4 Gender inequality](#_Toc118732530) 226

[5.5 PREVENTION OF SGBV IN IDP CAMP AND HOST COMMUNITIES](#_Toc118732531) 227

………………………………………………………………

[5.6 DISCUSSION 2](#_Toc118732534)31

[5.6.1 Prevalence of SGBV in IDPs in the Northeast 2](#_Toc118732535)32

[5.6.2: Causes and Barriers: Pre-existing, Immediate and Encouraging factors 2](#_Toc118732537)36

[5.6.3 Intervention by Stakeholders in the Protection of Females from SGBV 2](#_Toc118732538)46

5.6.4 Legal and Institutional Framework…………………………………………………. 253

[*5.6.4.1 International Laws* 2](#_Toc118732539)59

[*5.6.4.2 Regional Laws* 2](#_Toc118732540)63

[*5.6.4.3 National Laws* 2](#_Toc118732541)70

[*5.6.4.4 Legal Framework on Internal Displacement in Nigeria* 2](#_Toc118732542)79

[*5.6.5 Prevention of SGBV in IDP Camps and Host Communities* 2](#_Toc118732543)94

[*5.6.6 Conclusion* 2](#_Toc118732544)99

[**CHAPTER SIX**](#_Toc118732545)

**CONCLUSION AND RECOMMENDATIONS**

[6.1 CONCLUSION 302](#_Toc118732547)

[6.1.1 Inability of the Legal Framework to Prevent SGBV in IDP Camps](#_Toc118732548) 304

[6.1.2 The Influence of Existing Societal Norms on the Legal Framework 307](#_Toc118732549)

[6.1.3 Roles and Interventions of Stakeholders in Combatting SGBV in the IDP Camps and Communities in the Northeast of Nigeria](#_Toc118732550) 308

[6.1.4 Sufficiency of Laws 309](#_Toc118732551)

[6.1.5 Prevention of SGBV](#_Toc118732552) 310

[6.1.6 Limitations of the Research](#_Toc118732553) 311

[6.1.7 Contribution to Knowledge](#_Toc118732554) 314

[6.2 RECOMMENDATIONS](#_Toc118732555) 315

6.2.1 RECOMMENDATION FOR FUTURE RESEARCH………………………………. 331

[BIBLIOGRAPHY 3](#_Toc118732556)32

[APPENDIX I 3](#_Toc118732557)80

[APPENDIX II 3](#_Toc118732558)82

[APPENDIX III](#_Toc118732559) 404

[APPENDIX IV](#_Toc118732560) 411

[APPENDIX V](#_Toc118732561) 413

[APPENDIX VI](#_Toc118732562) 415

APPENDIX VII……………………………………………………………………………….. 418

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**NIGERIA**

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* Convention Against Torture and Other Cruel, Inhuman Or Degrading Treatment Or Punishment (1987)
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* African Youth Charter, 2006
* United Nations Guiding Principles on Internal Displacement 1998
* The African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention)

TABLE OF CASES

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LIST OF ABBREVIATION

* ACHPR African Charter on Human and Peoples’ Rights
* ACRWC African Charter on the Right of Welfare of the Child
* AYC African Youth Charter
* BAY Borno Adamawa Yobe
* CAP Chapter
* CCA Criminal Code Act
* CRA Child Rights Act
* CEDAW Convention On The Elimination Of Violence Against Women
* CFRN Constitution of Federal Republic of Nigeria
* CPTED Crime Prevention Through Environmental Design
* CRC Convention on the Right of the Child
* DEVAW Declaration On The Elimination Of Violence Against Women
* EDs Editions
* ETC ET CETERA
* FAWCO The Federation of American Women’s club Overseas
* GBV Gender Based Violence
* GTB Gombe, Taraba Bauchi
* HRP Human Resources Planning
* HRW Human Right Watch
* IDP Internally Displaced Persons
* IASC Inter-Agency Standing Committee
* ICCPR International Covenant on Civil and Political Rights
* ICSECR International Covenant on Economic, Social and Cultural Rights
* ISS Issue
* IWRAW International Women Rights Action Watch
* LTD Limited
* MCA Matrimonial Causes Act
* NCFRMI National Commission for Refugees, Migrants and IDPs
* NCFR National Commission For Refugees
* NHRC National Human Right Commission
* NEMA National Emergency Management Agency
* NO Number
* NSAGs Non-State Armed Groups
* NSCDC Nigerian Security And Civil Defence Corps
* NPF Nigeria Police Force
* NPF Nigerian Police Force
* NPIDP National Policy on Internally Displaced Persons in Nigeria
* OECD Organization for Economic Co-operation and Development
* P Page
* Pp. Pages
* PCA Penal Code Act
* RAT Routine Activity Theory
* RCT Rationale Choice Theory
* SCP Situational Crime Prevention
* SSCL Social Structure Culture Learning
* SEMA State Emergency Management Committee
* SGBV Sexual And Gender Based-Violence
* UNFPA United Nations Population Fund
* UNHCR United Nations High Commission For Refugees
* UNGP United Nations Guiding Principles on Internal Displacement
* UDHR Universal Declaration on Human Rights
* UNICEF United Nations International Children Education Fund
* VAPP Violence Against Persons (Prohibition) Act
* VOL Volume

LIST OF TABLES

Table 2.1 International, Regional and National Legal/Institutional Frameworks on SGBV

and Internal Displacement………………………………………………………... 82

Table 4.1 Distribution of Research Participants by State and Category…………………… 157

Table 4.2 Phases of Thematic Analysis ……………………………………………………..166

Table 4.3 Essential Qualities of Credible Research with Examples………………………. 170

LIST OF FIGURES

Figure 2.1 IDP Camp Management Organogram…………………………………………… 61

Figure 3.1 Diagram showing the interrelation between the theory of Patriarchy and

Masculinity……………………………………………………………………… 116

Figure 3.2 Illustration of the theory of patriarchy and masculinity………………………… 134

Figure 3.3 Crime Opportunity……………………………………………………………..... 142

Figure 3.4: A modified and adapted Barlow, et al.’s Circle of Analysis Model of Routine

Activity Theory………………………………………………………………….. 158

Figure 3.5: Modified Barlow et al.’s Circle of Analysis Model incorporating the legal

structure as the core of the crime prevention and victim protection programme…161

Figure 3.6 Theoretical Framework and Model………………………………………………..162

Figure 5.1 Themes and Sub-themes that emerged from the Findings ………………………. 216

*St Mary’s University, London, November 2022* *MUINAT MUSTAPHA*

Exploring the Efficacy of the Legal Framework and Interventions in Tackling SGBV in IDP Camps in the Northeast Nigeria

**ABSTRACT**

Despite availability of a robust legal framework against sexual and gender-based violence (SGBV), coupled with interventions by state and other stakeholders, SGBV against female internally displaced persons (IDPs) has persisted in the IDP camps in north-east Nigeria over the past decade. This situation is worrisome. Previous studies have not adequately engaged with the problem in particular context of IDP camps in the north-east zone of Nigeria. This study therefore explored the factors responsible for the persistence of SGBV in the IDP camps despite the array of existing laws provided to guard against the menace. The specific objectives of the study includes: examining the factors responsible for the vulnerability of female IDPs to SGBV, analyzing the reasons why interventions by stakeholders have not been very effective in curtailing incidences of SGBV in the IDP camps, and explaining the reasons why the legal and institutional frameworks have failed to provide protection for female IDPs against SGBV. Primary data was collected and analysed using qualitative methods involving key informant interviews and focus group discussion with critical stakeholders. Findings established that the legal framework has been unable to prevent incidences of SGBV in the IDP camps. Furthermore, female IDPs were highly vulnerable to SGBV from various perpetrators in the IDP camps including Boko-haram members, service providers, state security personnel, and male members of the host communities. These and other findings were discussed using the cycles of analysis theory which draws on several other theories including social learning, social disorganisation and crime opportunity theory. On the basis of the findings, the study concludes that the legal and institutional frameworks on SGBV have been ineffective in providing protection for female IDPs in the IDP camps in the north east Nigeria due to failure to factor social structural/environmental conditions such as the influence of social norms of patriarchy on attitudes to utilizing the laws and the perpetrators motivation when trying to prevent sexual and gender-based violence.

**CHAPTER ONE**

**INTRODUCTION**

A female internally displaced person (IDP) in Borno State has been reported dead after allegedly being raped by an official of an international non-governmental organization (NGO). Report said the deceased who was into menial jobs for survival was reportedly lured to the apartment of the suspect near the IDP Camp under the guise of cleaning the place *(Vanguard, 2022).*

**1.0 INTRODUCTION**

Sexual and gender-based violence (SGBV) against female IDPs in the North-Eastern Nigeria, as the above excerpt illustrates, has become a common item in the Nigerian media in recent times (Akuto, 2017). Although there are indications that both male and female IDPs are subject to SGBV, incidents affecting men and boys particularly remain underreported (United Nations High Commission for Refugees UNHCR, 2020).

For more than a decade, the north-eastern region of Nigeria especially Borno, Yobe and Adamawa states have been plagued by violence. Since 2009, activities of Boko Haram have led to the destruction of several communities in the region making it the epicenter for internal displacement with several IDP camps spreading over the three states (Cohen and Den, 2016; Mohammed, 2017). These IDP camps are faced with myriads of problems and challenges ranging from poor access to health care services, inadequate food supply, poor living condition, etc. (Akuto, 2017). More worrisome is the allegation of SGBV that female IDPs suffer alongside other traumatizing treatments not only from fellow IDPs but also from security and management agents.

According to the UNHCR (2020), it received 1,666 reported incidents of SGBV from IDPs and returnees in the 3 BAY (i.e. Borno, Adamawa and Yobe) states between January and December of year 2019. The data further show that women and children under 18 were the most affected by the crisis (UNHCR, 2020). This anomaly underscores the vulnerable nature of female IDPs as many of them persistently live in fear of molestation, rape and torture thereby affecting their physical and mental wellbeing. The situation further buttresses the dilemma of a supposed safe haven which has turned out to be inhabitable. Consequently, SGBV against female IDPs does not only symbolizes the gravity of the traumatizing condition but also exposes the lacuna, ineffectiveness and failure of the various legal framework which is contrary to the essence of law meant to establish decorum, rectify social anomaly; protect the weak; restore sanity; and foster peace and justice. The inability of the Nigerian government through its legal and institutional instruments to protect female IDPs from the different forms of sexual and gender-based violence raises questions as to its efficacy thereby querying the Nigerian state’s responsibility to protect its citizens including the IDPs especially the females who are more vulnerable.

This research therefore, explores the extent to which the stakeholders exploit weaknesses in the legal frameworks and other interventions to abuse female IDPs regarding SGBV in the northeast. The study also interrogates the role and intervention of government and NGOs as well as other critical stakeholders in the society in issues relating to SGBV in IDP camps in the north eastern Nigeria with the aid of qualitative research methods. Also, the factors responsible for the rising number of SGBV against female IDPs in the northeast vis-à-vis the role of the state and society in arresting the menace are analysed towards finding a durable solution to the problem.

**1.1 BACKGROUND TO THE STUDY**

Sexual and gender-based violence is one of the phenomena that epitomise the reality of human character in the society from time immemorial (Sikweyiya et al., 2020). The practice of SGBV has nonetheless continued to occur in contemporary times notwithstanding the rise and development of human rights laws and institutions across the globe. Though several works have exerted efforts to trace and explain the cause of SGBV, they most often identify social causes. Whereas, legal frameworks and institutions are essentially created to provide protections for citizens particularly the vulnerable groups such as children and women, the rising instances and reports of SGBV against female IDPs (both adults and young) do not reflect the existence of such legal interventions.

Ironically, the manner of application and enforcement of the provisions of laws and policies pertaining to the IDPs seem to further entrench the problem. Unfortunately, while there are reports of how the female IDPs experience SGBV in different camps, the unreported cases are far more. This is because the traditional Nigerian society has subtly ingrained the culture of living in denial in the face of SGBV as the victims risk further social challenges by coming out to report. In an effort to curtail these misogynistic social culture and attitude, the Nigerian government as well as international bodies have established certain legal and institutional frameworks specifically meant to address this social affront against women. For example, apart from international instruments such as the Convention on the Elimination of all forms of Discrimination against Women (CEDAW) 1979, which champions the protection of women from all forms of violence, regional instruments such as African Union Convention for the Protection and Assistance of Internally Displaced Persons (Kampala Convention) in Africa has also taken a step forward to address the peculiar and devastating challenges of IDP women and children. Notwithstanding the ratification and domestication of some of the aforementioned treaties, relevant laws and institutions have been established in Nigeria to enhance and protect women’s rights. Currently, Nigeria has passed the Violation of Persons (Prohibition) law and the Child Rights’ Acts in addition to the existing Criminal and Penal Code Acts in order to eradicate SGBV against women and children. Meanwhile, the Government has formulated National Policy to guide and direct the relevant agency for emergency management.

However, perpetration of sexual and gender-based violence in the various IDP camps in the northeast persists. This attitude continues to be well rooted in the Nigerian culture because the citizens particularly the vulnerable female IDPs do not really believe that they have legal protections under the law indicating the inefficiency of the legal frameworks on protection of IDPs particularly the females. This raises concern over the willingness of the people to adhere to those provisions and the will power of government to implement them.

**1.2 STATEMENT OF PROBLEM**

This research work was embarked upon in view of the following problems:

IDP Camps were established to serve as a safe haven for IDPs. They are makeshift arrangements meant to accommodate those internally displaced due largely to conflict and other natural disaster (UNHCR, 2004). These facilities are premised on the policy of government to provide instant humanitarian assistance and temporal solution pending their permanent rehabilitation, restoration and resettlement (National Policy on Internally Displaced Persons, 2012). However, most of the IDP camps lack adequate security and have exposed women and girls to susceptibilities such as increasing cases of sexual and gender-based violence. Thus, what was originally meant to be a safe haven and expected to provide succour for displaced females has rather exposed them to additional problems in the hands of predators.

More so, despite the myriads of legal and institutional frameworks on SGBV against females such as the CEDAW, the African Charter on Human and Peoples Rights and the Protocol on the Rights of Women in Africa amongst others, cases of sexual and gender based violence still go on in IDP camps in the northeast. Hence, the poor implementation of the National Policy on internal displacement which provides protection for female IDPs calls for holistic evaluation.

**1.3 RESEARCH QUESTIONS**

The problem stated above raises a number of questions that are of interest to this study including the following:

1. What is the level of vulnerability of women and girls to sexual and gender based violence?
2. What are the factors responsible for the unabated practice of SGBV in IDP camps in the North-Eastern Nigeria?
3. Why have interventions by state and other stakeholders been unable to provide protection for female IDPs against SGBV in the IDP camps?
4. Why has the legal and institutional frameworks not been able to effectively prevent SGBV in the IDP camps in North-Eastern Nigeria?

**1.4 OBJECTIVES OF THE STUDY**

The general objective of the study is to analyse the effectiveness of the Nigerian legal framework and interventions in addressing the problem of SGBV affecting female IDPs in the Northeast Nigeria. The specific objectives include to;

1. Examine the level of vulnerability of female IDPs to SGBV in the IDP camps in the North-East Nigeria.

2. Analyse the factors responsible for the continuous perpetration of SGBV against female IDPs in the camps.

3. Analyse the reasons why interventions by state and other stakeholders have not been able to provide protection for female IDPs against SGBV in the camps.

4. Explain the reasons for the inability of the legal frameworks to prevent incidences of SGBV in the IDP camps in the northeast Nigeria.

**1.5 FOCUS OF THE STUDY**

Sexual and gender-based violence is a sensitive and vast subject of discourse due to its widespread impacts. However, this study focuses on issues of SGBV against female internally displaced persons in the northeast zone of Nigeria. The rationale behind this focus is, on the one hand, because of the high population of women and girl children in the camps due to the fact that at the instance of displacement, they really have nowhere to go to unlike the male IDPs who could relocate to any other part of the country to restart their lives. On the other hand, because the female IDPs in the camps are vulnerable as they require means of sustenance whereas the scarcity of resources needed for the sustenance oftentimes put them at the mercy of the males including male IDPs, camp officials and security officers mostly males.

**1.6 SCOPE OF THE STUDY**

Internally displaced persons are faced with multi-dimensional challenges in Nigeria. However, the scope of the study was limited to the sexual and gender-based violence experienced by female IDPs in the northeast Nigeria. This study examined the factors responsible for the prevalence of the violence at the various IDP camps. Therefore, the study examined the legal framework vis-à-vis the role of the society on sexual and gender-based violence in IDP camps in northeast Nigeria. Although, the analysis covered legal and institutional frameworks established for the protection of the IDPs in the various camps in northeast Nigeria, reference has been made to regional and international instruments as well. Thus, legislations, treaties, conventions, protocols and policies on the rights of women and particularly internally displaced persons were discussed. Additionally, the efficacy of these laws in relation to SGBV as and the roles of stakeholders in addressing the prevalence of SGBV in the northeast Nigeria were examined.

**1.7 BRIEF DEFINITION KEY TERMS**

The aim of this section is to provide a brief definition of the relevant key terms that reoccur frequently in this study.

**1.7.1 Internally Displaced Persons**

There are several definitions of internally displaced persons. However, in the context of this study, the definition provided by the handbook for the protection of IDPs is considered more suitable. The handbook defines IDPs as ‘persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized state border’ (Handbook on Internally displaced persons, 2006; UNHCR, *Guidelines on Internal Displacement*, 2004).

**1.7.2 Boko Haram**

The name Boko Haram is a popular terminology used to describe a group of people in northern Nigeria who share the belief that Western education is a sin. The Boko Haram group opposes those known as “*Yanboko*” in northern Nigeria. *Yanboko* is literally translated as “children of the book” (Walker, 2012). *Yanboko* symbolises, to the Boko Haram, being spiritually and morally corrupt, lacking in religious piety, and guilty of criminally enriching oneself rather than dedicating oneself to the Muslim *umma* (community). It is a core group of Mohammed Yusuf’s followers who have reconvened around Abubakar Shekau and who are exacting revenge against the state for their treatment (Walker, 2012). In the context of this study, it refers to the terrorist group reigning terror on communities in Borno, Adamawa and Yobe which led to the establishment of IDP camps. In other words, Boko Haram is the instigator of the IDP in the north-eastern part of Nigeria.

The transformation in the activities and mode of operations of the Boko Haram have contributed in some ways to the enlargement of insecurity in the north-eastern region of Nigeria. In its earlier era, the Boko Haram was controlled by its original motivator and leader, Yusuf who was later killed by the Nigerian security agents. And since his death, one of his erstwhile henchmen, Abubakar Shekau, has taken over. During the era of Yusuf, the operations and attacks by the Boko Haram did not result in internal displacements as the group focused its attacks mainly on government establishments like buildings and police stations cum posts and the non-Muslims particularly their churches. These did not make the victims homeless. However, after Yusuf was killed, Shekau vowed to avenge his death and the death of other members of the group who died in the hands of security operatives. Shekau widened the branded ideology of the group and declared all non-members, Muslims or non-Muslims, as infidels. He further pronounced that they are all liable to be executed. This new ideology heightened and widened the scope of the attacks from within the townships to villages and hinterlands. As a result, not only churches but also mosques and residences of citizens were bombed and burnt thus rendering homeless a large number of the citizens thereby fuelling the increase in the number of internally displaced persons (Innocent and Ibietan, 2012). Furthermore, the group splintered into various networks with different groups linking up with and giving allegiance to foreign terrorist groups such as ISWAP, Al-Qaeda, al-Shabaab, etc. Due to this reason, the group lost its central control of its activities and operation, which also escalated the crises as different groups were attacking for different reason.

**1.7.3 Sexual and Gender-Based Violence (SGBV)**

The concept of SGBV is often used to refer to any discriminatory practice against women. The United Nations Declaration on the Elimination of Violence against Women (1993) defines gender-based violence as, but not limited to acts of physical, sexual and psychological violence perpetrated against women in the family, community, or by the state, in the private or public domain. Importantly this definition identifies SGBV as a human rights violation, and extends the location of violence to these interlinked spheres (Shahrokh and Edström, 2015; UNHRC, 2011). This study finds the definition suitable as it captured both the hidden and manifest issues as may be obtainable in IDP camps.

**1.8 ORGANISATION OF THE THESIS**

This study is structured into six chapters. Chapter one provides an introduction to the research, highlighting and illustrating the prevalence of sexual and gender-based violence in the northeast Nigeria vis-à-vis its lukewarm attitude of concerned stakeholders. The chapter gives a background to the enablers of SGBV in the northeast with emphasis on the roles of Boko Haram insurgents which made the region an epicentre of internal displacement, insecurity and social decadence

Chapter one further identified and elaborated on the overall research problem interrogating the sudden transformation of IDP camps into a place of danger in contrast to its purpose of establishment. The section streamlined the research objectives in response to the research questions. In addition, the study focus on sexual and gender based violence amidst other challenges threatening the existence of women and girls especially in the IDPs camps of northeast Nigeria. In conclusion, the chapter while admitting that male children fall victim of SGBV in IDP camps attenuate the degree of female vulnerability in such crisis-ridden settings.

In chapter two, the study reviews the literature relating to concepts of sexual and gender-based violence in both ancient and contemporary times, internal displacement, Boko haram, and patriarchy as a driving force for sexual and gender-based violence. A review of relevant theoretical and empirical studies to the research questions and objectives of the study as highlighted in chapter one was equally carried out. The chapter critically evaluates the legal and institutional framework on sexual and gender-based violence and internal displacement vis-à-vis the cumulative factors precipitating its occurrence, acceptance, widespread and institutionalization in the northeast region.

The views of authors on SGBV and IDPs were analysed notwithstanding their conceptualisation in the local and international instruments/organisation. Finally, the chapter on the literature review traced the historical evolution of sexual and gender-based violence since time immemorial to contemporary times with a conceptual and contextual review of the key terms to facilitate a clearer path to the realisation of the research objectives.

The theoretical framework of the study is covered in chapter three. The chapter examines relevant theories and perspectives on why sexual and gender-based violence (SGBV) persists in spite of the existence of robust legal and institutional framework for its prevention and control. Patriarchal theory is the main theoretical explanation of the study from which other theories of this study derived support.

Since SGBV can be classified as a criminal act, several theories of crime were also examined. The chapter identifies social structure social learning theory (SSSL), social disorganisation theory, crime opportunity (routine activity) theory and circle of analyses theory as probable explanations for the continuous perpetration of SGBV in IDP camps in northeast Nigeria despite the array of laws available to prevent the problem. In search of answers to the research questions, the chapter adopted multilayer or multiple theories using Barlow et al., (2021) model to stimulate a systemic synthesis of all relevant crime theories. Thus, the theory demonstrates how conducive IDP camps were for perpetrators of SGBV.

Chapter Four describes the methodology of the study. This chapter discussed the case study approach in the investigation and analysis of varieties of data collected hence, the case study approach was chosen for this study because of its ability to help in answering the research question of why the legal framework has not prevented the incidences of SGBV; how the existing social norms in the north east Nigeria influences the efficacy of the laws; and how the internal displacement crisis has contributed to the problem of SGBV. This section explains the research settings, method and tools employed, the philosophical assumptions of the study, sampling, researcher’s reflexivity and the ethical considerations and other processes by which the research was carried out.

Chapter five presents and discusses the findings of the study. The findings were organized and presented thematically in line with the specific objectives of the study. These are discussed in relation to the theories in chapter three, as well as various literature related to the study and findings. The themes generated around which the findings are presented include prevalence and perpetrators of SGBV; barriers and causes of SGBV; interventions by stakeholders; laws on SGBV and attitudes to utilizing the laws; and prevention of SGBV in the IDPs camps in the north-east zone.

Additionally, the themes with the subthemes were discussed in relation to the existing literature and the theoretical framework to achieve the set objectives of the study. The chapter therefore analyses the perceptions of the research participants on prevalence and perpetrators of SGBV in the IDPs Camps in the three BAY States of the North-east region. Notable themes around which findings and the discussion centred include prevalence of SGBV, perpetrators of SGBV in IDP camps, causes and barriers, intervention by stakeholders and the legal/institutional framework on SGBV. The prevalence and perpetrators theme found in the study are first discussed with the support of patriarchy and social disorganization theory in the light of the literature. Finding revealed that female vulnerability is rooted in pre-existing social structural factors including patriarchal structures of subjugation and domination by males, low literacy level due to lack of access to education, and endemic poverty among others. Finding also revealed that internal displacement crisis in the northeast region exacerbate the women and girl child vulnerability to SGBV in consonance with patriarchy, social disorganization and crime opportunity provided by the environment and conditions.

Lastly, chapter six discusses the conclusion laying down recommendations for the study. It draws conclusion on the major findings of the study and further explores the limitations and strengths of the study. Furthermore, the chapter highlights the implication of these findings for policy and practice with probable direction for future research. Among other factors, the study concludes that the legal and institutional frameworks on SGBV have been ineffective in providing protection for female IDPs in the IDP camps in the north east Nigeria. The strength of the study is underscored by the fact that first-hand information was obtained directly from participants who had interactions with the victims in terms of rendering aids and services.

Finally in the recommendation section, the study classifies and streamlines the recommendation in accordance with the responsibilities and contribution of all stakeholders ranging from the NGOs, education sector, government agencies, community leaders and other critical stakeholders.

**1.9 CONCLUSION**

Law has been recognised as an instrument of social change. Therefore, whenever an anomie occurs in a society, the citizens look to the law and policy makers for legal solution. SGBV is one of such social problems that affect the dignity and overall rights of the victims. The victims of SGBV could be male or female, young and adult. However, in the present study, the victims being studied are the female IDPs in the various IDP camps in North-Eastern Nigeria. These are the persons, along with their male counterparts, who have been rendered homeless and pushed out of their comfort locations as a result of the incessant attacks by Boko Haram on their villages and communities. However, unlike their male counterparts, the female IDPs are vulnerable groups and have been so treated in their respective IDP camps. There have been plethora of media reports about SGBV against girls and women IDPs in the north-east of Nigeria. And as this happens, the victims keep hoping that they would be protected by the law and the law enforcement agencies. But despite the existence of certain legal instruments and interventions in this regard, the sordid practice persists making the victims helplessly question whether there is any law to protect them. This is the motivation for this work.

This opening chapter therefore, provides the settings for this study. The chapter began with the introduction to the issue at stake and then provided a background information on the subject matter of study. The statement of problem was presented from which the research questions and research objectives were developed. The chapter also gave the scope and focus of the study. Certain keywords and concepts that enjoy prominence in the study were also briefly clarified.

While the above provided the background and preamble for the research, the foundation for the study lies in the literature review, which will be the focus of the next chapter.

**CHAPTER TWO**

**LITERATURE REVIEW**

**2.0 INTRODUCTION**

This chapter reviews the literature on sexual and gender-based violence (SGBV) against females in internally displaced persons (IDPs) camps with a specific focus on the north-east region of Nigeria. It begins with a historical and global review of gender based violence (GBV) to shed some light on the attitude towards females in various jurisdictions from past periods to present time. The chapter also adds a conceptual review of the relevant concepts and variables of interest to the study such as SGBV, internal displacement and IDPs, and the IDP crisis in the north-east. This is followed by a review of relevant theoretical and empirical studies to the research questions and objectives of the study as highlighted in chapter one. Specifically, it includes a critical review of the legal and institutional framework for preventing and responding to SGBV and the management of IDPs in Nigeria; the vulnerability of women and girls to SGBV in IDP camps in North East Nigeria; the factors responsible for the increasing level of SGBV among female IDPs and the role of the state and other stakeholders in preventing SGBV especially against women and girls in IDP camps in the North-East zone of Nigeria.

**2.1 HISTORICAL REVIEW OF GENDER BASED VIOLENCE**

**2.1.1 Gender Based Violence as an Age-Long Global Phenomenon**

The aim of this section is to review the situation of SGBV from the ancient period to the present day. This is necessary to present a background to the existence of GBV leading to SGBV. Violence against women is not a contemporary development, as it is as old as the evolution of man (Sharna et al., 2015). This phenomenon spans from a long period in the history of mankind and various cultures and countries. It is therefore, relevant to review its history with particular reference to male dominance over female in a few jurisdictions around the world especially Nigeria with a view to creating a link between the ancient times and the present day. In tracing the background of the problem of violence against women either generally or in displacement, the section seeks to demonstrate that its long existence is probably the result of a naturally existing culture of misogyny and inequality over a long period of time.

According to the United Nations Declaration on the Elimination of all Forms of Discrimination against Women (1979), the act of violence against women is a manifestation of historically unequal power relationships between men and women. Male domination over females have for ages become the standard social order in several societies. Literature shows that in the 15th century, extreme hostility and violence on females was a regular occurrence (Trevelyan, 1981). According to Fox (2002), during the second millennium, male superiority over female developed and gained more recognition; and as the need to organize the society increased, women were categorized as deviants and therefore faced subjugation.

Before the 17th century, violence against women became rife. Wife beating was simply equivalent to the punishment and chastisement of a servant by a master, with a social stratification that “subjects obeyed the king, servants their masters, children their fathers and wives their husband” (Fitzgerald 2007, p. 160). Therefore, The Lawes [Law] Resolutions for Women’s Rights (1632), states that “a man may beat an outlaw, a traitor, a pagan, his masculi or his wife because, by the common law, these persons have no action.” Wife beating, to Clarke (1992), was a normal way of correcting an erring wife and was acceptable even in Europe. Thus, the acceptability of beating as a way of correcting an erring wife was widely practiced. During that period, morality reflected the dynamics of social positions, status, and hierarchy (Charles and Duffin 2013, p. 148).

This cultural belief still resonates in many traditional African societies where masculinity and patrilineal preference is upheld and, at the same time, dictates the standard of behaviour of women in society (Baffour Adjei 2015, pp. 3–5). This history of wife-beating began with the laws of chastisement. These laws date back to 753 BC (Okun n.d., p. 2). Wife beating also has endured for years and is not without cultural influences (Counts et al. 1999, p. 17). Apart from marital abuses, women during the world wars experienced very high levels of incestuous, physical, and emotional abuse, which extended to child sexual abuse (Hooper,1992). Women have been led into human trafficking, prostitution, sex slavery, and various other forced indecent acts by sex traffickers and other crime syndicates all under the pretexts of offering them a chance to have a better life (Johannes, 2015).

The status of the traditional or Native American women was respectable as they headed hierarchies and performed organizational roles. Native American women took part in trade, chopped wood, participated in building houses, and even in some cases, women controlled food supply and hence, the economic organization of the tribe. Even though the cultural belief was the inferiority of the female to the male, the traditional women believed in their independence and significant status in their communities (Actuga, 2008).

African history of violence against women has been in existence since the ancient period, with the societal norm of inequality in gender relations resulting in various harmful cultural practices existing in several parts of the continent (Okereke, 2006). Traditional African ideologies are misogynistic in nature and therefore resulting in cruelty and violence (Alesina et al., 2016). Harmful cultural practices in Africa include but are not limited to, early marriage, breast flattening, cosmetic mutilation, dowry and bride price, marriage by abduction, rape, female infanticide, ritual sexual slavery, virginity testing, widowhood rituals and accusations of witchcraft (Jimoh et al, 2018).

Cruel traditional practices meted on females show evidence of misogyny and are usually carried out without the consent of the victims, which shows a gross violation of their human rights. Bride price and dowry traditions are almost as old as man. The traditions in Africa sometimes create animosity, which may result in violence when grooms struggle to pay a high amount of bride price imposed on them as it usually in some cultures amounts to buying the wife, even though it is meant to be symbolic and not a purchase. This practice is common in several parts of West a and East Africa. In Uganda, bride price can also include some farm produce in addition to money (Conteh, 2016). Female genital mutilation FGM is also a common practice in several parts of Africa. The practice emerged before the advent of Islam and Christianity and is very prevalent in Egypt, Somalia and several other parts of Africa including Nigeria (Odukogbe et al. 2017).

Gender-based violence in Nigeria is a problem emanating from cultural practices and ideologies which influence the male attitude towards the females and thereby creating an atmosphere of inequality and male dominance (Arisi, 2011). This culture of male dominance and subordination of the female, according to Arisi (2011), dates back to the pre-colonial, colonial through the post-colonial period in the country to the present period. Harmful practices on females in Nigeria are numerous, of which widowhood rites is one. The practice dates back to history and continues to exist despite various legislations protecting all citizens irrespective of gender from dehumanizing treatment. (Ajayi et al., 2019). Examples of widowhood rites include consumption of the bathwater of the deceased by the widow sleeping in the same room with the corpse of the husband, isolation of the widow, hair shaving, crying loud for the community to hear her wailing, and wearing depressing colours of clothing to show her grief in the loss of her husband (Afolayan, 2015). Female genital mutilation, wife battering, and several other dehumanizing acts have thus been meted upon females over a long period (Veen, 2018).

In Benue state of Nigeria, an indecent and unhealthy tradition of offering a wife to a guest by the host for the night, and the Benin culture of sponsoring female adults to developed countries for prostitution, have existed for several years and are still practiced in these parts of the country (Arisi, 2011). Similar to the Benue cultural practice of giving out their women to guests as a form of hospitality, the Bache or Rukuba people of Bassa, Plateau State also have a cultural practice of encouraging women to flirt with other men in other to prove that she is beautiful. Therefore, by their cultural standards, a woman’s beauty is determined by the men she is seen with (Muller 1974, p. 51). Also, until recently, the Efiks, Quas, and Efuts of the Calabar region did have the cultural practice of female circumcision, child marriage, and sex slavery (Oyira et al. 2015). This practice is also found in some African countries such as Zimbabwe and South Africa (Wadesango et al. 2011, p. 123). Thus, even though some of these practices have been masculinized by law, Nigeria still experiences various cases of gender-based violence ranging from forced marriage, domestic violence, and sexual violence, to exploitation aggravated by the emergence of the Boko Haram terrorist group in the north-eastern region of the country (Okolo and Okolo, 2018).

The discussions above are clear indications that GBV has been an antediluvian occurrence that takes its root from the cultural, traditional and moral fabric of the various ancient societies: from medieval Europe, to middle-age America, Africa and ancient Asian societies. The GBV cuts across various specific practices some of which were highlighted by the literature reviewed above.

**2.1.2 Gender-Based Violence in Contemporary Times**

Even though an age-long phenomenon as old as the origin of man, gender-based violence despite civilization is still very pervasive and aggravated by modern-day development (World Bank, 2019). Some of the old practices of violence against females continue to be practiced with impunity and widely underreported (United Nations, 2020).The daily news of cruelty to females has continued with reports of abduction, torture, rape, sales, and murder appearing in the media (Bitzer, 2015).

Most of the practices that culminated to gender-based violence in the olden times are still prevalent in modern society while some others have been developed over the period (Vellidis, 2018). Therefore, gender-based violence encompasses a spectrum that includes, structural or institutional violence, domestic violence, physical violence, psychological abuse, economic abuse, and sexual violence (European Institute for Gender Equality, 2019; United Nations Women, 2010). Structural or institutional violence are unseen and inconspicuous forms of violence embedded into the running of the society while producing a continuous gender inequality within political, economic and social spheres of the society (Montesanti and Thuston, 2015) It occurs due to the acceptability of discrimination of males against females in various ramifications of life in which they could be of relevance as seen in the political, social, and economic spheres of the society (European Institute for Gender Equality, 2019; Sinhaet, et al., 2017). According to Johan Galtung (1969, p.171), “when one husband beats his wife, there is a clear case of personal violence, but where millions of husbands beat their wives in ignorance, there is structural violence.” Parsons critiqued Galtung’s perception of structural violence for oversimplifying structural violence and applying it as an umbrella concept for other types of injustice such as oppression, marginalization, inequality, exploitation, domination, and repression. He asserts that a multi-faceted analysis and approach to understanding and reducing structural violence will serve to legitimise the concept of structural violence (Parsons, 2007, pp. 173–181). Structural violence is, therefore, rooted in cultural norms and societal practices widely tolerated in society. Thus, even though a form of violence against women, structural violence enables all other forms of violence to thrive through its tolerance.

**2.2 CONCEPTUAL AND CONTEXTUAL REVIEW OF SGBV**

This section reviews the key concepts that are relevant to the proper and adequate appreciation of the subject matter of this study. Therefore, since this study focuses on how the female IDPs face severe SGBV and what the Nigerian government has done to tackle this anomie, it is then essential to review previous works on the key concepts with a view to contextualising and establishing the prevalence of SGBV in Nigeria particularly as it affects the IDPs in the North-East and to x-ray both the international and national legal interventions to tackle the menace. This exercise is expected to reveal the gaps in the existing literature.

**2.2.1 Sexual and Gender Based Violence**

The concept of Sexual and Gender-Based Violence (SGBV) is a conglomeration of three different variables often used to describe a brutal and inhumane treatment of another person on the basis of gender and the biological differences between males and females. SGBV encompasses concepts like sexual violence (SV), gender-based violence (GBV) and violence against women (VAW) which all refer to the physical, sexual and psychological harm that reinforces female subordination and perpetuates male power and control (UNHCR, 2003). It includes acts that inflict physical, mental or sexual harm or suffering, threat of such acts, coercion and other deprivations of liberty (CEDAW, 1994).

Due to its complex nature, the concept of SGBV has been subjected to various definitions by different scholars and organisations, state and non-state alike. Although, GBV is often defined to include sexual violence, most statutes often separate SV (e.g. rape, defilement, bestiality, incest, sexual assault) from other forms of GBV (Vojdik, 2007). Unfortunately, other forms of GBV like female genital mutilation, witchcraft, forced marriage, domestic violence, child marriage, that are non-sexual related are yet to be criminalized in many jurisdictions as they are considered private matters (Vojdik, 2007).This study examines SGBV from the perspective of sexual and non-sexual related epistemology.

Basically, GBV can be described as acts or threats of such acts with the intention to harm or create physical, sexual, or psychological suffering directed to women by reason of being women or affecting them disproportionately (Krantz and Moreno, 2004). The Inter-Agency Standing Committee (IASC) 2015 Guidelines for Integrating GBV Interventions in Humanitarian Action defines GBV as any harmful act that is perpetrated against a person’s will and that is based on socially ascribed (i.e., gender) differences between females and males. It includes acts that inflict physical, sexual or mental harm or suffering, threats of such acts, coercion, and other deprivations of liberty.

The CEDAW outlawed discrimination against women and, while it does not specifically address domestic violence, the Committee on the Elimination of Discrimination against Women has interpreted its mandate to prohibit VAW (General Recommendation No. 19). General Recommendation No. 19 of CEDAW specifically addresses VAW. It recognizes that GBV is a form of discrimination that inhibits women's ability to enjoy rights and freedoms on an equal basis with men (General Recommendation No. 19).

In the same vein, the United Nation Commission on Human Rights accordingly, defined Sexual and Gender-Based Violence as “any harmful act that is perpetrated against one person’s will and that is based on socially ascribed (gender) differences between males and females. It includes acts that inflict physical, mental, or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty, whether occurring in public or in private life” (UNHCR, 2011, p. 6). The incorporation of SGBV into the UNHCR corroborates this researcher’s previous observation that SGBV is used interchangeably with GBV to portray general violence against women on the basis of gender. However, SGBV is adopted in this study to ensure consistency.

Meanwhile**,** the United Nation’s Declaration on Elimination of Violence against Women (DEVAW, 1993) defined the term "violence against women" to mean any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life. It is important to note that this instrument equally adopted the phrase “gender-based violence” to include sexual violence. A cursory examination of article 2 of the declaration reveals the scope of GBV to include sexual violence as well. Interestingly, the Declaration was the first international document which defined violence against women within a broader gender-based framework and identified the family, the community and the state as major sites of gender-based violence (Minnesota Advocates for Human Rights, 2003).

Furthermore, articles 1 and 2 of the UN General Assembly Declaration on the Elimination of Violence against Women (1993) provide that the concept of SGBV shall be understood to encompass, but not be limited to the following: a) Physical, sexual and psychological violence occurring in the family, including battering, sexual exploitation, sexual abuse of children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation. b) Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution. c) Physical, sexual and psychological violence perpetrated or condoned by the State and institutions, wherever it occurs (UNHCR, 2003). SGBV is rooted in historical and structural inequalities in power relations and it is linked with gender stereotypes and discriminatory norms and practices that underlie and perpetuate such violence (Shahrokh and Edström, 2015). It usually manifests in form of patriarchal power inequalities, where some men resort to violence to exert control and power over the bodies of women, girls, boys and other men (Shahrokh and Edström, 2015; Connell, 2011).

This perspective of SGBV is mostly situated within the context of the family where men control the economic power of the home and it is sustained in times of peace. What is less recognized is how this is replicated and even worsens in times of conflict and in IDP camps mostly populated by women and children by non-family members. Globally, SGBV is used as a weapon in all wars and in times of unrest and conflict (International Federation for Human Rights, FIDH, 2020). During conflicts, armed groups often subject non-combatants to different forms of violence including sexual assaults such as rape, sexual slavery, and forced marriage.

SGBV received legislative blessing in Nigeria with the enactments of the Violence against Person (Prohibition) Act (VAPP 2015). Unlike the previous codes (Penal Code and Criminal Code) which only recognised sexual violence (rape, assault, incest, bestiality etc.) as public affairs, the VAPP Act recognizes all other harmful traditional practices as violence against women with corresponding penalties. VAPP Act in its interpretation section defines violence generally as any act or attempted act which causes or may cause any person physical, sexual, psychological, verbal, emotional or economic harm whether this occur in private or in public life, in peace time or in conflict situations.

In the context of this study, SGBV encompasses a wide range of abuses that range from sexual threats, exploitation, humiliation, assaults, molestation, domestic violence, incest, forced prostitution, torture, insertion of objects into genital openings and attempted rape. It also means Female genital mutilation and other harmful socio-cultural practices, including early marriage, forced marriage, harmful widowhood practices, uneven inheritance rights, domestic violence and discriminatory practices, all of which are capable of subjugating women and females alike to physical, emotional, psychological, economic and political sufferings on the basis of gender.

**2.2.2 Internal Displacement and Internally Displaced Persons**

The discussion of the concept of internal displacement is crucial in this chapter to establish some knowledge on the setting and location of the research as well as the group of persons involved in the phenomenon. Although attempts have been made to proffer a universal and acceptable definition of ‘Internally Displaced Persons’ (IDPs), there has only been partial success as there exist different conceptualizations. First, the concept was limited to those who had fled their homes but later extended to include those who were obliged to leave their homes. In other words, it can be defined to include people who fled their homes not only as a result of conflict but also to avoid conflicts (Mooney, 2005, p. 9). Mooney explored the definitional controversy around the concept of internal displacement by distinguishing the concept from a refugee. He further instigated the debate as to whether IDPs should be a special category of concern and proposed a borderline for internal displaced person status.

Robinson (2003) posited that development induced displacement can be catastrophic when it occurs in the midst of conflict or targeted a particular segment of the population based on ethnic-religious affiliation. According to Robinson, the UN Guiding Principles should rescue or protect human rights of displaced persons orchestrated by such developmental projects. The author further referenced major developmental projects around the world which results in occasioned displacements. Thus, he proposed the inclusion of development-induced displacement into the definition of internally displaced person in the UN Guiding Principles on Internal Displacement. This present study concurs with Robinson on the inclusion of development induced displacement into the UN guiding principles to meet the current realities.

Notable amongst the working definition is one developed by the special Rapporteur on IDPs as “persons or groups of persons who have been forced to flee their homes or places of habitual residence suddenly or unexpectedly as a result of armed conflict, internal strife, systematic violations of human rights or natural or man-made disasters, who have not crossed an internationally recognized state border” (OCHA, 2003; UN, 2004). Similarly, IDPs has been defined as persons who have been displaced by natural disaster or conflicts from their homes and traditional support structures and have not crossed the border of their countries. They are victims of various kinds of injustices and violent confrontations perpetrated by their own government or others against them (Akuto, 2017).

The United Nations guiding principles on internal displacement further discussed the concept of IDPs based on two components: 1) that the movement is coerced or involuntary (to distinguish from economic and other voluntary migrants), and 2) that the movement stays within internationally recognized state borders (Fisher, 2006; UN2001). While there is broad international agreement about a definition that includes these two core components, interpretations of the definition and practical translations varies from state-to state. For example, the African Union Convention for protection and assistance of IDPs observed that ‘force’ and ‘destination’ of the displaced persons are the main conditions that precipitate internal displacement. In other words, those considered to be internally displaced are people who must have been forcefully displaced and are within the border of their country or persons within an internationally recognized state border.

Similarly, the Nigerian National Policy on Internally Displaced Persons (2012) also drew inspiration from the definition of Kampala Convention (2009). Evidently, the two core components of the concept as classified by the UN are also important here. One, the involuntary nature of the movement; two, the fact that such movement takes place within national borders; a criterion which distinguished the internally displaced from refugees who, according to international law, by definition are outside of their country (Nigerian National Policy on Internally Displaced Persons, 2012).

Whether it is the African Union definition or that of the UNGP, both are literally and technically the same. Both instruments however acknowledge the fact that internal displacement is a consequential event which accompanies violence, conflicts and natural disaster leading to migration of people within the same border. Thus, the definition of the African Union fits into this study as the focus is on IDP camps created as a result of the ravaging Boko Haram onslaught in north east Nigeria which aligns with the instrument’s description as a situation of generalized violence.

**2.2.3 SEXUAL GENDER BASED VIOLENCE IN CONFLICT SITUATIONS AND INTERNAL DISPLACEMENT**

War and conflict are seen as physical and psychological violence which bring about deliberate policies and structures that cause human suffering, death and harm. War results in lack of security which means security is all about the absence of warfare or negative peace (Terrif et al. 1999 cited in Best 2006: 237).

Situations of conflict and war are periods of crises when law and order are broken down resulting in citizens being exposed to gross violence, insecurity, danger and sexual gender-based violence, thereby resulting in devastating effects (Pantuliano et al., 2017). Sexual gender-based violence is a common occurrence during armed conflict dating back to as far as the existence of conflict itself (Kelly, 2010). SGBV most especially rape, has been found to be a complicated phenomenon which usually is a major feature of conflict and war globally (Kelly, 2010).

It is pertinent to this study to discuss sexual gender-based violence in armed conflict considering the fact that armed conflict and insurgency are some of the preceding circumstances to internal displacement, as victims flee to safety from this act of violence and thereafter get into internal displacement. This situation also applies to the Nigerian setting where internal displacement has been majorly due to the insurgency and conflict created by the Boko haram Islamic fundamentalists group thereby forcing several north eastern Nigerian citizens into internal displacement. This therefore establishes a relationship and similarity in the victim’s sexual violence in conflict and internal displacement. It also provides an insight into how females are treated during insecurity and as internally displaced persons.

Sexual gender-based violence during conflict occurs in form of rape, sexual harassment, forced abortion, sex slavery, forced marriage (Palermo and Peterman, 2011). It has severally been claimed , that sexual gender-based violence which is mostly against women is a weapon of war (Stark and Wessels, 2012; Erikson and Stern, 2013). The act historically has been regarded as an addition to the “spoils of war” to which insurgents and military men should have access during wars (UN Women, 2000). During wars and armed conflict, sexual violence especially rape, has been employed as a means of punishment and terror on the opposing parties and a strategy of war that has been used in several wars as a form of looting and to destroy populations in gaining victory over the enemies (Leatherman, 2007).

According to Leatherman (2007), during the world wars as well other major world conflicts like the American Revolution, sexual violence most especially rape, was massively used on females as weapon and strategy. As a weapon of war, rape was used in Sierra Leone civil war as an instrument to destroy social contracts and creating fear in the affected communities as young girls were the target of the military and this had a negative and damaging effect on the cultural norms of the communities, destroying and having traumatic consequences on victims and the affected communities at large (Bogen, 2016). As a strategy of war in the Bosnia war where about 200,000 cases of rape was reported, several Bosnian females were raped by the Serbian troops to enable them bear Serbian children. Similarly, in Bangladesh, Pakistani soldiers carried out mass rape of Bangladeshi females to make them raise future Pakistani children (Sharlach, 2000)

In some situations, females have been used as “wages of war” serving as gifts or consideration to fighters who in turn are then allowed to use them as they wish either as sex slaves, suicide bombers as obtained in the north eastern Nigeria (Lord Mallam and Adejoh, 2018).

During the second world war, comfort houses were created by the Japanese troops wherein single non-Japanese young women called “comfort women” were raped regularly for the purpose of repairing the emotional damage and trauma acquired by soldiers from time to time during the war (Min, 2003).This situation amounted to the sexual enslavement of the young females as well as forced prostitution (Boling, 1995). Thus, the prevention of sexually transmitted diseases, among the military, prevention of mass rape and fulfilment of sexual needs were motives for the recruitment of the comfort women who could be termed as sex slaves (Tanaka, 2003; Yoshimi 2000). This system was a well-structured one possessing the support of the Japanese authorities (Yoshimi, 2000)

Leatherman posits that the causes of sexual violence in armed conflicts can be broadly categorized in terms of permissive conditions and proximate or systemic factors. Permissive conditions are approached from two perspectives. The first approach focuses on the international system of peacekeeping and conflict resolution. It states that this system is mainly male dominated in its approach to decision making and has brought about marginalisation of the female voice in conflict resolution both in discourse and practice,

The proximate causes include causes given by Wood (2006), where she gives the example of sexual violence as being instrumental to the group relationships in peacekeeping and conflict resolution groups. The allowance of acts such as rape and torture of women are used as rewards for participation, they are also used as a means of retribution as Wood states that can serve to destroy the very fabric of communities (Wood, 2006).

Sexual violence has also been used as a way to quell resistance with the symbolic use of women’s bodies to send messages through rape, mutilation and acts of violence, both sexual and otherwise (Thornhill and Palmer, 2000).

Sexual violence against women in armed conflict has also been driven by runaway norms which legitimise rape, torture and other acts of violence. Runway norms are norms which reinforce solidarity within a group (Leatherman, 2007). At post war hearings set up to address crimes committed during the World War II, sexual violence was not mentioned as part of the crimes committed despite the prohibition of the act in the various laws on armed conflict (UN Women, 2000)

Around the 1940s, issues relating to sexual violence during conflict and wars were not such to be discussed when they occurred and were therefore covered up by both the victims and perpetrators making it impossible to seek justice in such a gross violation of human right (UN Women, 2000). However, in the early 1990s due to the excessive level of sexual violence perpetrated in the Yugoslavia conflict, the need to address these crimes arose on an international level (UN Women, 2000).

During conflict, the need to flee to safety from various forms of danger and human right violations including sexual gender based violence becomes necessary and this is where victims of crises either become refugees or internally displaced persons. Refugees as well as internally displaced persons are predisposed to a high level of sexual gender based violence (Wirtz et al, 2014; WHO, 2020).

Therefore in a qualitative study in Columbia carried out by Wirtz et al. (2014), a participant delineates that armed conflict forces some women to emigrate, while some others stay behind while giving their sons to the military for the purpose of participating in the war, but with the advantage of having access to him when she wants to. These women however also face a high risk of SGBV staying back in the conflict zone which already exposes them to the acts of violence as well as the psychological trauma of their sons sacrificed to participate in the armed conflict.

Despite the passage of time and civilization, SGBV is still used in armed conflict as a tactic of war together with massive rape, raiding, and killings and forced detention selectively targeting vulnerable females in the communities being attacked (Lord Mallam and Adejoh, 2018).

During flight from conflict, females also experience SGBV either forcefully or in agreement as exchange for the favour of safe arrival to the proposed or intended destination, sometimes in the absence of cash (Freedman, 2016). Lone fleeing females as well as those with children have been found to be victims of SGBV between conflict, migration and displacement (Freedman, 2016; Wirtz et al, 2014).

During internal displacement, violence continues at various levels starting from intrafamilial that is, within the family of the victim, to violence from strangers, soldiers as well as some service providers (Wirtz et al, 2014). Violence within the family during displacement according to Rees et al. (2007), has been traced to structural inequalities, cultural norms, emotional issues and regular male control culture embedded in the system. In intrafamilial settings, women faced forceful sexual intercourse, forced abortions, coercive control of contraceptive use, battering even during pregnancy.

Gross SGBV in IDP camps took place in Africa in the republic of Chad in 2005, when a series of violent attacks were committed by the Janjaweed forces. Even after the women fled from their communities, attacks were still made on them in displacement where they moved close to refugees for humanitarian support and protection. In displacement, females seeking for means of survival, were attacked on their way from the stream and in search of food. These females ranging from very young girls were beaten and raped severally under these circumstances (Rasmussen et al., 2010).

Thus, one of the grave consequences of forced displacement is sexual gender based violence which in their study, Wirtz et al. postulate that gender based violence may be perpetrated by different aggressors due to vulnerabilities and some generational oriented violence where victims claimed to have witnessed parents aggression towards their mothers and female relations. Vulnerabilities according to Wirtz et al. (2014) include, “economic and educational disparities, post-traumatic stress following experiences of violent events, loss of support, changing gender roles, and loss of financial support due to loss of employment or loss of husband”.

This study agrees with Davies and True’s (2015) view that structural inequality of the genders should be considered as a motivating factor responsible for SGBV in conflict settings. Such structural as well as systemic attitude of males towards females would be worse in situations of conflict as breakdown of law and order would make such act easier.

**2.2.4 Northeast Nigeria: A Background Introduction**

The present day northeast region was established on May 5, 1967 when in a bid to check the influence of Odumegwu Ojukwu in the east, the then Head of States, Major General Yakubu Gowon created 12 states out of the four region in the country (Ota et al., 2020). The Northeast was created as a region in 1967 until 1976 when the region was split into Bauchi, Borno and Gongola States. In 1991, Yobe State was carved out from Borno State, while Gongola State was fragmented into Adamawa and Taraba States which increased the number of states in the Northeast from three to five. In 1996, Gombe State was created from the then Bauchi State making the numbers of the states to be six as it remains up till date (Mayomi et al., 2019). This section seeks to briefly describe the geographical and climatic features vis-à-vis the people, culture, religion and socio-economic activities in the northeast region.

***2.2.4.1 Geography***

The present day northeast region is one of the six geopolitical zones of Nigeria which is situated between the vast arid expanse of the Sahara and the dense tropical rain forest along the Guinea Coast. Demarcating the area is Cameroon on the east, Niger and Chad republics on the north, North-Central Nigeria on the west, and South-Eastern Nigeria on the south (Ibrahim, 2012). Geographically, the northeast is the largest geopolitical zone in the nation covering nearly one-third of Nigeria’s total area (DHS, 2023). Northeastern Nigeria extends from latitudes 6 28 ״ N and 13 44 ״ N and longitude 8 44 ״ E and 14 38 ״ E (Mayomi et al, 2019).

It contains high mountains and dissected plains. The highland area is described as mountainous especially the Mandara Mountains (1200-1500m), the Atlantika (1200m), the Shebsi (1800m) and the Biu hills. The plains with average elevation of 300m developed on young sedimentary rocks consisting mainly of clays with some sand horizons and gravels. The plains are usually seriously flooded during the rainy season (Udo, 1982). The climate is essentially continental in type, with rainfall totals varying from more than 60 inches in the south to less than 15 inches in the north (Ibrahim, 2012). The soils are very varied. In certain areas they are well suited to irrigation, elsewhere short periods of cultivation must be interspersed with longish periods of fallow (Ibrahim, 2012).

***2.2.4.2 Population***

Undoubtedly, the northeast region constitutes the largest geographical area in Nigeria. However, the region is scarcely habituated due to varying ecological factors. The 2006 census results revealed that the percentage of the population reduced to 13.52% but the density increased to 70% (Yin, 2007). These figures portray the region as low density area which has been attributed to the unsuitable environmental conditions of the region for human habitation as Jarret (1980) described the North-East as the driest part of Nigeria with poor lateritic soils, tse-tse fly prone zone, high proportion of unproductive highlands especially in the east and slave raiding both from the north and the south (Mayomi et al, 2019).

The population of male to female is closely at par. While few Local Governments Area has more female than male such as in Adamawa State, other Local Government Area especially in Bauchi, Yobe, Taraba and Gombe has more male population than female. However, all the Local Government Areas have high children population.

***2.2.4.3 People***

For a very long time the Kanuris and the Fulanis had contacts with the Moorish and Arabian civilizations by way of Trans-Sahara trade. These contacts have been maintained except for an interlude during the colonial conquest. The zone, therefore, has been settled as a result of series of infiltration and conquests, the weaker people being pushed southwards into the plateau regions and the River Benue banks. Among these invaders, the Hausas, Kanuris and Fulanis have long been the dominant groups (Kwanashie et.al, 19871).

The Kanuri economy is based on millet agriculture, peanut (groundnuts). They lived in settled villages and farm the sandy soil of the surrounding rural area. The Kanuri society is stratified into several distinct classes, i.e. the Shehu, the political and religious heads. However, most kanuris constitute the class of commoners (Britannica 2010). On the other hand, the Fulanis were originally a pastoral people and their lives and organization by their herd needs (Britannica, 2023). Hence, they wander in nomadic group making temporary camps of portable huts. In the same vein, the Hausa tribe are the largest group of West Africa. Their predominant activities are trade especially in cities and agriculture in rural areas. From birth, Hausa children are socialized in the household by their relatives especially women. Thereafter, the children are exposed to Islamic education to learn to recite, memorize and practice teachings and morals of Islam (Ali, 2021).

Invariably, other minority tribes in the northeast region share close similarity with the major tribes. Most of the minor ethnic group lost their heritage as a result of conquest and war from the predominant tribes. Notwithstanding, the distinctive features of every tribe, socio-economic interactions amongst the people of northeast region fostered peaceful co-existence in the community in the region (UNESCO, 2023).

***2.2.4.4 Religion***

Basically, the predominant religion practiced by the people of northeast region is Islam due to its historical background. Historically, Kanem-Borno Empire and the Sokoto Caliphate inspired the spread of Islam in the northern region. Bornu-Kanem Empire encountered Islam before any other part of what is now Nigeria. Meanwhile, British colonial government gave birth to the Christianity in Nigeria in the early 19th century through Christian missionaries (Nengel, 2021). Christianity though did not gain much acceptance in Borno, Bauchi, Yobe, Gombe state but was however embraced by significant population size in Adamawa and Taraba States.

***2.2.4.5 Culture***

In line with the aforementioned, the northeast comprises of different tribes and ethnic group with distinct way of life. The northeast is largely dominated by the Kanuris, Fulanis, Hausas, Tiv etc., (Suberu, 1996)  The northeast region generally comprises of several tribal or ethnic groups among which are the Hausa, Kanuri, Bachama, Sayawa Tangale, terawa, Waja, Kumo, Fulani, Bolewa, Jukun, Tula, Cham, Lunguda, Dadiya, Banbuka, Mumuye, Tiv, Margi etc. (Barbour, 1971). Though every state in the region is dominated by one or two tribe compared to others, there however exists pockets of other tribes which constitutes minority across the region. For instance, the dominant ethnic group in Borno state are the Kanuris while the dominant tribe in Adamawa are the Fulanis. The hallmark of cultural practice in the northeast region is underscored by its heterogeneity and mutually exclusivity as each tribe in the region has learnt to tolerate and accommodate one another due to long time socio-economic activities, religion and inter-marriage.

***2.2.4.6 The Rationale for the Choice of North East Nigeria***

From the foregoing description, the significance of northeast region to the historical and socio-economic development of northern Nigeria cannot be over-emphasized. Its contribution to eastern civilization and commercial activities paved way for the rapid economic integration in Nigeria as a whole. The geographic features and ecological condition of the northeast region accounted for the low population density. Interestingly, the conglomeration of diverse ethnic group in the region gave it an edge over others in term of economic strength.

Considering its positive contributions to the economic growth and development of Nigeria, the north east has witnessed a down turn in the security and lives of its people. The region has witnessed a high level of insurgency and conflict thereby exposing the lives of its citizens most especially the females who are usually mostly affected by the consequences of conflict. The level of violence against women being reported in the region therefore created a quest for studying the region which the the international, regional as well as the Nigerian community recognizes as an epic centre of instability and insurgency in Nigeria.

Methodologically, the north east Nigeria is viewed by the researcher as a challenging field which would benefit from a thorough empirical study with a qualitative approach to investigating the issues addressed in the study. Additionally the ineffectiveness of the legal framework of SGBV in that region had not been previously approached by scholars and that created a need for the study of the region.

**2.3 INTERNAL DISPLACEMENT AND INTERNALLY DISPLACED PERSONS IN THE NORTH EAST OF NIGERIA**

Although there are several factors responsible for internal displacement of citizens in the north-eastern Nigeria, the contribution of Boko Haram to the increasing number of IDP camps in the region cannot be overemphasized. Since 2009 when Boko Haram became violent, its activities included attacks on villages, locking civilians in buildings and setting them on fire, flogging or executing anyone trying to escape, and injunctions to kill anyone, including militants’ own parents, who opposed the group’s teachings (Ladbury, 2016). Boko Haram’s fierce attacks triggered the displacement of the majority of citizens who presently occupy many of the IDP camps across the northeast of the country. Gwadabe et al., (2018), conducted a study in the northeast and found that violence-induced or forced displacement are directly linked to the activities of Boko Haram. The study identified the ideology of Boko Haram as a radical Islamic one which rejects western education, western ideas and secularism. The group became sophisticated under the leadership of Abubakar Shekau with links to international terrorist organizations such as al-Qaeda. In consonance with its pattern of operation, vulnerable people and public facilities are often targeted to cast distrust in the mind of the people about government capacity to ensure peace and harmony.

It is important to note that women, girls and children have been the most affected, with the abduction and forced marriage of girls, which is a defining feature of the Boko Haram insurgency (Surajo et al., 2020). The insurgency has dramatically altered the lives of thousands of girls and women. They are often conscripted voluntarily or by coercion into new and changed roles that differ from the domestic sphere (ICG, 2016). The emergence of Boko Haram marked the evolution of internal displacement in the northeast Nigeria. In other words, IDP camps in Nigeria have existed since 2009 for as long as there has been insurgency. Boko Haram, unlike conventional wars that require strategic planning and preparation, has devastated the entire northeast region. Undoubtedly, Borno, Adamawa and Yobe (often referred to as the BAY states) are the most affected by Boko Haram and the internal displacement crisis. Although other northeast states like Bauchi, Gombe and Taraba recorded relatively minimal level of Boko Haram crisis, they have also been host communities for IDPs from the affected neighbouring (BAY) states. Currently, data on displacement in the north east reveals that 184,254 Internally Displaced Persons (IDPs) or 447,628 households are affected by the Boko Haram crisis (Displacement Tracking Matrix, DTM 2021).

Lenshie and Yenda (2016) traced the causes of the internal displacement crisis in northeast Nigeria to the mayhem and atrocities of Boko Haram insurgent group. The study adopted displaced aggression theory to analyse the socio-psychological dimension of the crisis in the northeast. The theory portrays the pattern of the Boko Haram war as a transfer of aggression wherein the vulnerable sectors of society are victimized due to their incapacity to retaliate or defend themselves. This study buttressed the inestimable nexus between the escalating security crisis in the northeast and the activities of Boko Haram insurgents. Similarly, Itumo & Nwobashi (2016) conducted a study to explore the challenges and plights of internally displaced persons in the northeast region. Anchoring their study on social exclusion theory, they reported that the exacerbation of internal displacement in the northeast is due to the intensified activities of the Boko Haram insurgents and the inability of government to effectively manage the conflict which renders women and children the most vulnerable.

Using vulnerability theory, Olanrewaju et al. (2019), appraised the consequences of neglect of internally displaced persons due to interpretation or conceptual issues. The study painstakingly investigates the genealogy of the radical group (Boko Haram) and its involvement in the displacement of about 3.3 million people in the northeast region. Although, the impacts of internal displacement are multifarious, the author however emphasized the neglect of internally displaced persons living in the host communities due to over concentration on IDPs within official camps. Knoll and Shiferaw (2018) did a study to further establish the role of Boko Haram in instigating internal displacement and refugee crises in Nigeria. According to this study, the Boko Haram crisis which started as a Nigeria affair matured into a regional crisis rocking the Lake Chad region in 2015 when Cameroon and Chad came under heavy attack from Boko Haram. In response to the regional dimension of Boko Haram violence, the MNJTF was authorized by the African Union to eliminate threats and protect human rights across the affected region. Like Itumo & Nwobashi, this study portrays Boko Haram insurgence as the main inducement of internal displacement in the northeast region.

Despite tracing the upsurge in IDPs to the violent activities of Boko Haram, none of the literature looked at the hidden role of security agents and non-governmental organizations in sustaining internal displacement in the north east. Apart from the huge financial benefits derivable from the services provided, other ‘fringe’ benefits may be connected to issues of sexual and gender based violence. What is more curious is whether such practices would be common in the IDPs where victims are already traumatized by the conditions they are subjected to, characterized by makeshift camps, lack of basic welfare services, deplorable health care provisions and lack of access to farmlands and other means of economic empowerment.

**2.4 VULNERABILITY OF WOMEN AND GIRLS TO SEXUAL AND GENDER-BASED VIOLENCE IN IDP CAMPS**

**2.4.1 Insecurity and Sexual and Gender-Based Violence**

There exists a relationship between insecurity and sexual and gender based violence. While insecurity leads to forced migration and displacement, women experience additional insecurity or even worse than they faced in their home communities. Females of all ages ranging from children to adults experience rape in addition to several other forms of sexual and gender-based violence (Akuto, 2017). Sexual and gender-based violence has become widespread in the camps, as the absence of the regular socio-economic lives of women, as well as the exposed setting of the camps, have created room for these terrible acts which are continuously carried on with impunity (UNFPA, 2019). There are cases in humanitarian crises in which IDPs who depend on the protection and assistance of humanitarian aid workers, government, security, and law enforcement officials are abused by these same institutions that are in a privileged position (UNHCR 2003, p. 13). This is because the institutions mentioned have the power to make decisions that will affect the wellbeing of the persons they are assisting, and the exploitation and misuse of such power defeat the essence of protecting IDPs. Exploitation and abuse usually take the form of physical and psychological force or other means of coercion (threats, inducements, deception or extortion) to gain sexual or other favors in exchange for services (UNHCR, 2018).

The scourge of sexual and gender-based violence on females in the camps has reached an alarming level. In 2019 for example, the UNHCR reported a situation where women and adolescent girls were abused while performing basic tasks such as collecting firewood, fetching water and using communal latrines. The report indicated that from January to December of 2019, a total of 1,666 cases of SGBV (98% females and 2% males) were reported to UNHCR and its protection monitoring partners through community and agency-based mechanisms established in Borno, Yobe and Adamawa states. A more disturbing situation was reported in 2018 where UNHCR recorded 2,527 SGBV cases constituting 96 % (UNHCR, 2019). The preponderance of cases in most camps in the northeast shall be the focus of discussion in subsequent sections of this study.

**2.4.2 IDPs and Sexual and Gender Based Violence in Northeast Nigeria**

The world over, several problems are associated with IDP camps ranging from food crisis, health services shortage, rape, human rights abuses and sexual and gender based violence. However, while other problems may have been given proper attention by the government and other international organizations, sexual and gender based violence in IDP camps may not have been given the appropriate attention it requires. Obidike and Eucharia, (2020) for example examined the kind of gender-based violence mostly reported in Nigerian newspapers, to ascertain whether gender-based violence against women in IDP camps are adequately covered in the media and the dominant media frame used in the coverage of gender-based violence against women in IDP camps. They found that the most frequent kind of violence against women in IDP camps is sexual and concluded that the newspapers did not live up to expectations in their coverage of gender-based violence against women in IDP camps in Nigeria. Whilst Obidike and Eucharia’s (2020) research is interesting in shedding light on newspaper reporting of the issue, it contrasts with the current study which focuses on how the legal framework on SGBV has influenced its prevalence in the IDP camps in the north east Nigeria.

In the work of Laouan (2018), GBV was assessed in response to the rapid growth in insurgent activities by the dreaded Boko Haram sect. The study evaluated the gender role and risk of gender-based violence for women, girls, men and young boys in the various IDP camps in the northeast. The study discovered that the conflict in the northeast has maintained a vicious cycle of gender-based violence which led female IDPs to negative coping mechanisms such as sex for survival, sexual molestation, abuse and increased child marriage as means to protect the girl. This study agrees with Laouan that internal displacement increases the chances of sexual and gender-based violence against females. The fact that there is lack of or absence of basic health and other facilities and economic opportunities in the IDP camps automatically make women more vulnerable and exposed to SGBV.

The International Organization for Migration (IOM, 2021) in its quarterly report contributed significantly in explaining the scope of internal displacement, the plight of returnees and the needs of the displacement affected populations in north-east Nigeria. It replicated the trends from the 6 states in Nigeria’s north-east geopolitical zone which are most affected by conflicts and internal displacement in Nigeria. The states include Adamawa, Bauchi, Borno, Taraba, Gombe and Yobe. The report indicated slight progress in the resettlement programmes for IDPs by government. The report included analyses of the increasing number of returnees, their displacement profiles, shelter conditions, health, education, livelihood, market, assistance and WASH facilities available to the returnees. This finding as reported by IOM (2021) is very resourceful in understanding the plight and needs of IDPs. However, the report is not streamlined towards understanding the dynamics of SGBV prevalent in the camps.

Lugova et al. (2020), proposed an evidence-based approach to tackling the complex problem of sexual and gender-based violence among refugees and internally displaced persons in the Congo. The study observed that the current government policies lack programs to address survivors’ specific concerns and policy enforcement problems. The study proposed strategies to addressing women’s empowerment and gender stigma, provision of effective health services, and adequate response action. On the contrary, while their study is situated within a different conflict context which may not be related to terrorism as is the case with Boko Haram, this study is limited by scope as it looks at prevalence of SGBV among female IDPs in camps across the northeast zone of Nigeria.

In another study conducted by Agbonifo (2020), it was reported that certain gender practices which are common in the northeast work to the disadvantage of internally displaced women in IDP camps. The study explored the relation between gendered practices and specific power relations on the plight of internally displaced women in IDP camps in Borno State, Nigeria and concluded that the experience of discrimination depends on specific contexts, and the power relations imbued in gendered activities of the family and state which are vital for understanding the experiences of internally displaced women in IDP camps. Similarly, Oyelude and Osuigwe (2017) found that women are discriminated against due to religious and cultural beliefs which have remained major impediments to their empowerment. They therefore advocated for gender sensitization or awareness programs and interventions that will help identify and recognize needs of women and include specially repackaged information that specifically focus on the rights of women. One of the key recommendations of the study called for improved collaboration from social workers and professionals to engender improved intervention on women economic, psychological and social needs in the various IDP camps. Although this approach is important in drawing the attention of traditional, religious and cultural institutions to the plight of women, the problem goes beyond sensitization. Thus, this study will further investigate the role of various stakeholders in the area of protection of female IDPs from sexual and gender based violence.

The report of a study conducted by the United Nations High Commission on Refugees (UNHCR, 2019) described Sexual and Gender-based violence and sexual exploitation as a major concern in northeast Nigeria. This report confirmed the prevalence of rape, abductions, child and forced marriage, undesired pregnancies, sexual exploitation, physical assault, denial of resources, etc. in the northeast IDP camps. Research of this nature is therefore timely as it seeks to bring out the dimensions in which this occurs.

A similar study to this is the work of Ojengbede et al. (2021) which focused on the pervasiveness of SGBV in IDP camps in Northeast Nigeria. The study was conducted in relation to the victims and survivors access to healthcare. Adopting the mixed methods study ( both quantitative and qualitative methods), the study found a high level of SGBV of females in IDP camps with perpetrators such as Boko Haram terrorist members, unknown males and military men. Though closely related to the current study, Ojengbede et al. (2021) leave a gap to be covered through further research. This implies the need for additional investigation to be carried out to determine the recurrence of the problem as well as the effectiveness of the laws and contributions of caregivers in tackling it. Also, there is a slight difference in the methodology adopted. While Ojengbede et al. (2021) used mixed method where in-depth interviews were conducted on survivors, this study focused on the role of stakeholders including government officials, security agencies and non-governmental organizations in either preventing the occurrence of SGBV or in the investigation of reported cases.

In a World Bank special report (World Bank, 2019), sexual and gender-based violence was equally described as one of the most oppressive forms of gender inequality posing a fundamental barrier to the equal participation of women and men in social, economic and political spheres. Interestingly, this report identified some harmful social norms triggering the prevalence of sexual and gender-based violence in Nigeria. In contrast, while the World Bank report is an expanded study which covers the whole of Nigeria, this study restricts its scope to the IDPs in the northeast Nigeria.

Kunder (1998) examined internal displacement with special spotlight on children’s welfare. He argued that internally displaced children and their families posed major threat to the social stability of the world community and UNICEF. The magnitude and severity of internal displacement demand an innovative and special response to ameliorate the immediate challenges arising there from. He further observed that international response on behalf of the internally displaced has traditionally been fragmented, conceptually disjointed, and grossly inadequate. This present study agrees with Kunder’s description of international response to the plight of internally displaced person but further states that responses at local level has suffered the same fate as international instruments.

Okon (2018) reviewed empirical studies on issues affecting internally displaced persons in Nigeria in an attempt to identify the lacuna in the approaches of previous researchers. He identified the limitations of the existing literature and suggested a range of areas for further studies arguing that researchers need to develop research problems that are grounded in the perspectives and experiences of people affected by displacement and whose findings remain relevant to policy. He urged researchers to adopt research methods that focus more on prevention of internal displacement rather than reactionary approach to internal displacement. This study finds Okon’s study resourceful as it provides a clue to decoding the realities of internal displacement. Okon’s suggestion is not without a blemish or demerit considering the psycho-emotional problems associated with traumatizing experience of sexual and gender-based violence of IDPs.

Oghuvbu and Okolie (2020) examined the plights of internally displaced persons in Nigeria from a masculinised perspective. They argued that the challenges facing displaced people in Nigeria are peculiar to all the IDPs irrespective of demographic disparities. The research argues that government must intensify its approach to meet the needs of internally displaced men in the various IDP camps in Nigeria. The uniqueness of this work is underscored by its scope and focus as it highlights mainly the plights of male IDPs. This present research partially agrees with Oghuvbu and Okolie as men and boys equally embattle sexual and gender-based violence in IDPs camps. However, the proportion of SGBV against men is incomparable with the multi-faceted violence against female IDPs.

Itumo and Nwefuru (2016) in their work examined the socio-economic and political implications of internal displacement in Nigeria. The study criticized extant studies for failing to accord serious attention to the implications of internal displacement on the socio-economic conditions of the vulnerable. Hence, the study recommends that government should make concerted efforts to provide for the needs of the displaced persons by rehabilitating the socio-economic and psychological conditions of the IDPs. It is observed in this study that Itumo and Nwefuru’s work focused on the socio-economic consequences of internally displacement on IDPs without significant attention on the contribution of the legal framework upon which the social and economic are dependent. Hence, the present work draws attention to the impact and role of legal and institutional framework in addressing the menace of sexual and gender-based violence in IDPs camps.

Akuto (2017) explored the challenges of internally displaced persons (IDPs) in Nigeria vis-à-vis its implications for counselling and the role of key stakeholders in alleviating the plight of IDPs. The study equally addressed the roles of individual, education institutions, civil society organizations, government and non-governmental organizations in tackling the challenges of internal displacement in Nigeria. The study recommended a concerted efforts and robust collaboration between government and non-governmental organizations to overcome the challenges of internal displacement in Nigeria. Meanwhile, Akuto ignores the factors igniting the rising cases of internal displacement in Nigeria.. To fill this gap, this present research explored the varying factors stimulating internal displacement vis-à-vis the threat of SGBV embattled by IDPs in Nigeria as discussing a sensitive issue as internal displacement independent of its drivers as found in this research creates a sensitive gap.

Similarly, Mohammed (2017) agreed with other authors that internal displacement in Nigeria in the last two decades have been largely linked with the activities of Boko Haram insurgents in the Northern part of Nigeria. The study noted that the response of government to the plight of IDPs has remained largely fragmented and uncoordinated; and the response to the root causes of internal displacement has been very poor and ineffective. The study recommended more inclusive developmental programs as part of measures to curtail internal displacement in the north. It is observed that Mohammed (2017) focused more on the nexus between the causes of internal displacement and the consequences. Mohammed’s study is distinguishable from the present work considering the fact that Mohammed only explored internal displacement crisis and its consequences in Nigeria without recourse to SGBV as a leading challenge of female IDPs.

Surajo et al. (2020), examined the causes and effects of internal displacement of persons in the northeast Nigeria. They opined that injustice, security lapses, weak and inefficient governance, illiteracy as well as unemployment are the causes of the displacement in the region. They further argued that there was a significant relationship between internally displaced persons and their vulnerability. However, Surajo et al. (2020) ignored Sexual and gender-based violence as a prominent effect of internal displacement crisis in Nigeria. This present research however is of the view that SGBV against female IDPs has a strong nexus with internal displacement due to the volatility of IDPs camps which hindered the smooth administration of relevant human rights laws.

Dunn (2018) approached the impacts of internal displacement in northeast Nigeria from a broader perspective. The study examined the relationship between violent conflict and childhood mortality in northeast Nigeria, where residents have been subjected to fighting between the Nigerian government and Boko Haram. Perrin et al. (2019) on the other hand, examined the relationship between harmful social norms and gender-based violence particularly in humanitarian settings. The work created brief, valid, and reliable measures to examine change over time in harmful social norms and personal beliefs that maintain and tolerate sexual violence and other forms of GBV in low resource and complex humanitarian settings.

Similarly, Adjei (2015) drew insights from discursive psychology to explore moral discourses of spousal violence in Ghana. The study investigates how sociocultural norms and practices are invoked in *talk* of perpetrators and victims as moral warrants for husband-to-wife abuse and found that husbands have implicit moral right and obligation to punish their wives for disobedience and other infractions against male authority in marriage. Both perpetrators and victims build their talk around familiar normative discourses and practices that provide tacit support for spousal violence in Ghana. While perpetrators mobilize culturally resonant and normative repertoires to justify abuse, blame their victims, and manage their moral accountability; victims position husband-to-wife abuse as normal, legitimate, disciplinary, and corrective. These moral discourses of spousal violence apparently serve to relieve perpetrators of moral agency; prime battered women to accept abuse; and devastate their agency to leave abusive marital relationships. The findings contribute to our understanding of how cultural and social norms of spousal violence are morally constituted, reproduced, and sustained in talk of perpetrators, victims, and other key members of society. These findings are relevant to this study and need to be replicated in Nigeria, particularly northeastern Nigeria to bring out those hidden sociocultural and religious practices that continue to undermine women and expose them to SGBV. This study therefore seeks to examine the factors responsible for the increasing level of SGBV among female IDPs and the role of the state and other stakeholders in preventing SGBV especially against women and girls in IDP camps in the North-East zone of Nigeria.

According to Smith (2002), displacement is described as one of the most tragic experiences for the displaced persons, which disrupts their socio-economic stability through loss of homes, jobs, and family members. In the United Kingdom Home Office report (Home Office, 2015) the examination of protection and human rights claims was carried out as roadmap for Home Office decision makers. Human rights issues that affect women and girls were given consideration in the report. The state measures to prevent and response to claims in Nigeria were also considered. The study is also relevant to this, but does not cover the continuous perpetration of SGBV in IDP camps despite existing legal framework on both internal displacement and gender based violence to prevent the perpetration.

Umar et al. (2018) considered the consequential effects of the closure of IDP camps in the northeast Nigeria on internally displaced persons. The authors used a survey research designed to sample the views of some internally displaced persons, the outcome of which confirmed the appropriateness of the camp closure by government. While the authors identified the temporality of the IDP camps as the basis for their closure and gradual return of peace in some parts of the northeast, failure of government to facilitate reintegration programmes for survivors of displacement undermined the policy. Although camp closure and reintegration of IDPs is in conformity with the UN Guiding Principles, yet, untimely closure without basic facilities, security and means of survival for IDPs contravenes the spirits and letters of the Guiding Principles. Meanwhile, the study failed to identify the appropriate time or yardstick for determining times for camp closure in the northeast. Considering the escalating threat of SGBV in IDPs camps, camp closure may be considered a blessing in disguise for victims of SGBV.

Meanwhile, Odhiambo-Abuya (2003) examined the overlapping mandates of ICRC and UNHCR with respect to the protection of the rights and amelioration of the plights of refugees and internally displaced persons. The author spotlights the need to amend previous international Humanitarian Laws which focused on inter-state crisis to accommodate internal conflicts (intra-crises) ravaging all part of the world. On the contrary, it is the opinion of the present research that amendment of International human rights law and humanitarian instruments is not as crucial as implementation of same. Amendment of laws may improve rates and perpetration of SGBV, it is however necessary to examine the reasons for the inefficacy of existing laws in order to arrive at possible amendments. Similarly, André et al. (2019) expressed concern over the lackluster responses of state actors to the unprecedented rise in internal displacements in Africa. The report however identified multifarious factors for internal displacement in each country ranging from natural and non-natural disasters like drought, famine, inter-communal crisis, ethno-religious conflicts, insurgences and political uprising.

From the foregoing analysis on the relationship between IDPs and SGBV, most of the authors focused on the causes and consequences of internal displacement in Nigeria. While some, such as Umar et al. (2018), Surajo et al. (2020), and Muhammed (2017) explored internal displacement in Nigeria, other scholars like Smith, Erin Mooney and André et al. (2005) considered internal displacement from a general perspective. More importantly, the literature on the key variables of this study (IDPs and SGBV) was discussed independently. Little attempts were made by researchers to link the two variables together. This present research on the other hand examines internal displacement crisis as a primary contributor to the exacerbation of sexual and gender-based violence in the northeast zone of Nigeria. In other words, this present study is distinguishable from previous works as it explores the symbiotic relation between internal displacement and sexual and gender-based violence in the northeast region of Nigeria.

**2.5 FACTORS PRECIPITATING SEXUAL AND GENDER-BASED VIOLENCE AGAINST FEMALE IDPS IN NORTHEAST NIGERIA**

The security situation in Northeast Nigeria remains volatile due to incessant attacks by Non-State Armed Groups (NSAGs) and counter-insurgency operations by the Nigerian Armed Forces, leading to increasing displacements crisis and socio-political instability. Consequently, SGBV remains the foremost visible manifestation of the crisis on women, men, boys and girls. Since 2009, SGBV has emerged as a major concern in the northeast region particularly in the IDP camps. This menace further aggravates the conditions of women and girls in the region having suffered devastating or irreparable loss from insurgency.

Many female IDPs became widows, orphans and are separated from members of their family due to insurgency and counter-insurgency operations in the region. This and many other socio-economic factors exacerbated the problem of SGBV in the IDP camps in the northeast. In 2019, about 1,666 incidents of SGBV such as child and forced marriage, physical assault, rape, survival sex, sexual assault and denial of resources were reported in Borno, Adamawa and Yobe states (UNHCR, 2019). The highest number of SGBV cases was reported in Borno state being the epicenter of the crisis and hosting more than 50 per cent of the people in need (HRP, 2019).

The factors triggering SGBV in the supposedly safe havens in the northeast can be analysed from two perspectives. First, the push factor which triggers the perpetrators to continually commit this crime despite the deplorable condition of the IDP camps. Second, the compelling dynamics that inhibit female IDPs from resisting these degrading treatments. Although, men and young boys have been victims of SGBV, however, it was observed that incidents affecting men and boys particularly sexual violence remain underreported (Njoku et al., 2022). Women and children become particularly vulnerable to SGBV but such experiences are common for men too (Johnson et al., 2010), although the full scale of SGBV prevalence is not established.

In view of this background, it is expedient to review the factors precipitating SGBV in the various IDP Camps especially in the BAY states as follows;

1. Inadequate Access to livelihood: the social milieu of the northeast Nigeria and extreme interpretation of religious principles account for the economic disadvantage of women in the region. The norm of denying women access to means of economic liberation and independence asphyxiated their resistance capacitor to the varying hazard of life particularly in the IDP camps. The pressure of meeting basic personal and children’s needs alone having lost their husbands to *Boko-Haram* crisis exacerbated their vulnerability to sexual temptations from sexual predators amongst camp officials, security agents and fellow IDPs. In essence, the loss of family breadwinners to death, or separation amidst the insurgency crisis, often compels women to succumb to sexual temptations and manipulations. Basically, inadequate access to means of livelihood influenced by conservative gender ideologies (CMI BRIEF, 2020) is often triggered by the non-involvement or non-inclusion of women in the management or coordinating committees in the IDP camps. Women, especially heads of households and girls, are at particular risk within the makeshift environment due to inadequate access to livelihood and socio-economic support as part of the multi-sectoral response. Thus, they are more prone to survival sex as a coping mechanism usually in exchange for food, money and other necessities (Njoku et al., 2019).
2. Social Insecurity: social insecurity remains a prominent attribute of IDP camps. The aftermath of insurgent attacks results in massive disintegration of families leading to everlasting separation amongst family members. Indisputably, the *BokoHaram* insurgent groups traditionally abduct men to fortify its human capacity. Women and young female on the other hands are abducted and used for suicidal missions and force marriages (Maiangwa and Agbiboa, 2014). Similarly, Women have been used by the *BokoHaram* group to upsurge insurgent consistency, carry out attacks, bargaining instrument with Nigerian government, used as reproductive agents. It has been noted that women are raped repeatedly to create a new generation of *BokoHaram* group (Boom, 2016).

Consequently, the various IDP camps eventually became acentre which houses people of diverse background who nurse palpable distrust and fear for one another. Most victims of social insecurity are former wives, daughter and family of *BokoHaram* members who suffer ostracism and condemnation for their familial relationship with them (Amnesty International, 2018). Often times, other IDPs ventilate their grievances on ex-families of *BokoHaram* through sexual and gender-based violence mechanism.

1. Inadequate Facilities: a survey of both official and non-official IDP camps in the northeast revealed gross inadequacy of basic facilities such as water, food, shelter, school, health and toilets. Congestions and over population at IDP camps often create an ambience for the thriving of SGBV against women and girls who lack the wherewithal to compete for the limited facilities. As a result of inadequate lighting and physical facilities, women and young girls are often molested in the IDP camps while trying to access toilet facilities. Hence, contributing factors such as separation from families, limited access to support and economic opportunities, and overcrowded living conditions which offer minimal privacy and security are primary factors engendering SGBV in IDP camps in northeast Nigeria (UNHCR, 2017). Moreover, the Nigeria Security and Civil Defense Corps (NSCDC) arrested a 40year old man in Maiduguri that raped a 13year old girl who was a victim from Chibok in the Colori camp. It was revealed that the perpetrators usually exploit the poor condition of the victims and abuse them. They attract the victims with basic relief materials that are not available in camps and usually the girl child is always their aim (Alli et al., 2017).
2. Palpable Ignorance and Lack of Education: Lack of education amongst women and young girls in the north impairs their capacity to resist SGBV. Lack of proper education amongst female IDPs stimulates widespread ignorance about sex-education which primarily enhances their resistance capacity against SGBV. Consequently, most women and girls who find themselves at IDP camps as a result of insurgency lack the wherewithal to protect themselves from the sexual antics of camp security and non-security officials. Lack of education and widespread ignorance amongst female IDPs denied SGBV survivors the knowledge of remedial mechanism available to seek redress within the camp. Rather, they resort to silence and forbearance as response to SGBV (UN African Women, 2021).

Similarly, female IDPs are restricted by their parent to seek formal education in the make-shift study centre within the camps. Most of the learning centres are dominated by male children while their female counterparts stay at home to help their mother with domestic chores (Nigeria JENA, 2017). Inadequate access of female children to education denied them the knowledge of preventive mechanism and protection measures against SGBV.

1. Patriarchy: Patriarchy is a system of male authority which oppresses women through its social, political and economic institutions. Patriarchy determines the role of male dominance over female (Makama, 2013, p.117). In the northeast like other societies, men are being trained for leadership activities while women are confined to domestic activities in accordance with patriarchal societal norms and practices (Izzi and Umunna, 2020, p. 14). Men domineering mentality induced the prevalence of sexual and gender-based violence against female IDPs in camp. Patriarchal mentality influences intimate partner violence (IPV) in and out of IDP camp as husbands ventilate their frustrations on their wives; thus, making them to consider their women as tools of sexual gratification (Benjamin and Fancy, 1998).

In a research on one of the IDP camps at Dikwa Borno state Human Right Watch (2016), described the conditions of internally displaced women and girls as vulnerable as they encounter series of gender-based violence such as rape, sexual harassment, and sexual exploitation among others. Men use violence as a form of control over women. Management and coordination of camp activities such as distribution of meal ticket and other relief materials are structured along patriarchy system which allows male IDPs to take advantage of females IDPs (Human Right Watch, 2016).

1. Boko Haram Conflicts: Due to the ever-increasing displacements and systemic challenges, displaced persons are facing more emerging SGBV problems in different camps, rather than finding succor in them (Dumbili and Nnanwube, 2019). The vulnerability of IDPs occasioned by their loss of livelihood, social, emotional and physical insecurities occasioned by increasing *Boko Haram* insurgents predispose them to these problems, and each gender and age group suffer peculiar problems/challenges (Adamu, 2017; UNHCR, 2017). Undoubtedly, *BokoHaram* insurgency exacerbated the social condition of female IDPs. The inability of government to provide the needs of IDPs vis-à-vis the unabated *Boko Haram* crisis in the region increases the hazard associated with the management of IDP Camps. Thus, the size and population of IDPs in the northeast region is dependent on the scale of *Boko Haram* atrocities.

The foregoing factors directly or indirectly determine the scale of sexual and gender-based violence in the various IDP camps in the northeast. Corruption and lack of access to justice and counselling in the various IDP camps due to inadequate administrative staff emboldens perpetrators of SGBV on the one hand while survivors of SGBV are consequently discouraged to lodge complaints against offenders. It was also reported that 45% of women who experienced violence never sought help or never told anyone about the violence. This situation is rooted in gender-based discrimination and social norms and gender stereotypes and can be exacerbated in humanitarian settings which are characterized by many uncertainties of which women and girls are at the receiving end. Unless, the aforementioned factors are addressed, IDP camps in the northeast may eventually become an epicenter of SGBV against women and girls with no glimpse of hope (UNFPA, 2016).

**2.6 MANAGEMENT OF INTERNALLY DISPLACED PERSONS CAMPS IN NIGERIA**

The management of IDPs camps in Nigeria has become increasingly difficult as the figures of internally displaced persons increase (Eweka and Olusegun, 2016). There are agencies given the responsibility of managing the activities of the IDPs. In 2010, Nigeria released a National Disaster Management Framework, which further created a management framework for the National Emergency Management Agency (NEMA). The main responsibility of the agency is the effective and efficient management of disasters. Food distribution and other needs are also often handled by the agency (International Federation of the Red Cross, 2019). The agency coordinates and prepares for all forms of disasters and emergencies, including internal displacement. According to Roiron(2020), some state governments have established the state emergency management agency, which also acts in a similar disposition at the state level.

At the international level, the UNHCR complements the functions of the federal and state agencies. Thus, in 2012, a Humanitarian Country Team (HCT) was created consisting of all United Nations agencies and a number of NGOs. A series of initiatives have been included by the federal government to reduce the effect of the challenges of displacement on the IDPs. These include the Safe School Initiative (SSI), The Victims Support Fund (VSF), and the Presidential Initiative For the North East (PINE). These initiatives *are meant to address the* major causes of threats to safe schooling and school infrastructure and other related challenges posed by Boko Haram insurgency such as IDPs, provision of health facilities, psychosocial support and SGBV.

In respect of humanitarian involvement, Humanitarian Coordination System (HCS), which is a group involving federal agencies, United Nations bodies and international NGOs in collaboration with NEMA, conducts needs assessment and humanitarian assistance to the IDPs (OCHA, 2019;Relief Web, 2017) In the direct management of the camps, the camp coordination and management, a forum which oversees all humanitarian responses and activities relating to the IDPs also plays a significant role in the IDP camp management. Additionally, a number of NGOs engage in assistance and provision of general needs for the IDPs in catering for their wellbeing and welfare. Mostly, aids provided by the NGOs are sourced from international organizations. Local individual donors interested in the plight of the IDPs also aid in the provision of humanitarian needs (Levnjack, 2009).

Despite the provision of both state and international management processes for the IDP camps, there are shortcomings in respect of their management. The poor management of IDP camps is one of the problems associated with internally displaced persons. In a study on the state and the management of IDP camps, Anaobi and Nukoaka (2022) argued that contrary to the general belief that the state exist primarily for protection of lives and property, the case of Nigeria is quite different. Nigeria as a state is structured in consonance with Marxist theory where the state is an instrument of manipulation and oppression by the ruling class. This situation of ineptitude as well as insensitiveness of the ruling class in Nigeria therefore creates opportunity for the under-management and inadequate provision of infrastructure needed to manage IDP camps in the ideal manner.

Conversely, Sowale and Orogun (2022) are of the view that IDP camp management is effective in Nigeria considering the leadership, planning, coordination, effective communication and chain of command. Although the authors admitted that human right abuses and insecurity are undermining factors to effective camp management in Nigeria, it is the view as well that the reality in IDP camps shows the wide gap between theory and practice. The inability of camp officials to translate plans into reality to engender the wellbeing of IDPs depicts a huge lacuna in camp management in Nigeria. Thus, this present research questions the roles of stakeholders in the management of problems in the IDP Camps through their management.

**Figure 2.1: IDP Camp Management Organogram**

**National Level International Level**

UNHCR

(United Nations Higher Commissioner for Refugees)

zzz

NEMA

(National Emergency Management Agency)

State Emergency Management Agency

HCT

(Human Country Team)

NGOs

Non-Governmental

Organization

ss

(Federal) (State)

Safe School Initiative (SSI)

Victim Support Fund (VSF)

Presidential Initiative for North East (PINE)

(Federal Initiatives)

Humanitarian Coordination System (HCS)

(Collaboration between UN, NEMA, and other NGOs)

**2.7 ROLES OF STAKEHOLDERS IN THE MANAGEMENT OF INTERNALLY DISPLACED PERSONS IN NIGERIA**

Internally displacement crisis in Nigeria gave birth to novel and complex responsibilities not only for government agencies but individual as well. Due to the daunting nature of the challenges associated with internal displacement, national and international organizations come to the aid of government who bore primarily bore the responsibility. It is instructive to note that internally displaced persons encounter unprecedented problems which include material and non-material; natural and unnatural challenges. Hence, the stakeholders responsible for the management of internally displaced persons are categorized into three; thus are government, non-governmental or civil society organization and host community etc.

**2.7.1 Government Role**

In accordance with the primary obligation of the government and pursuant to section 14 (2) b of the 1999Constitutionwhichprovides that the ***security and welfare of the people shall be the primary responsibility of the government,*** government has established various agencies and Ministry to manage internal humanitarian crisis such as displacement. Agencies established and vested at federal and state level with the responsibility of managing internal humanitarian crisis include NEMA, SEMA, Nigerian Police Force, Nigeria Armed Forces, State Ministry of Women and Social Welfare; State Ministry of Health; State Ministry of Works; State Fire Service; Federal Airport Authority of Nigeria; State Environmental Protection Agency; Federal Road Safety Commission; Nigeria Security and Civil Defense Corps; Nigerian Red Cross Society; National Maritime Authority in coastal States (Shimawua, 2020).

Basically, the aforementioned agencies and parastatals of government collaborate with one another towards ensuring the safety and welfare of IDPs. Meanwhile. NEMA plays the role of coordination being the agencies primarily established for emergency and humanitarian purpose in Nigeria (NEMA, 2018). NEMA in accordance with section of 6 of the NEMA ACT and as an embodiment of government in IDPs camps, establishes camps to habitat IDPs, coordinate camps activities, facilitate the security of camps, maintenance and training of IDPs, mobilization and distribution of relief materials, settlement and resettlement of IDPs to their original homes (NEMA ACT).

NEMA with the collaboration of other agencies carry out needs assessment in the various IDPs camps in order to identify the immediate needs of the IDPs. The agency strategize on crowd control mechanism within the camps, allocation of shelter to IDPs, registration and constitution of working committees on camp (Shehu et al, 2021). Also, the agency ensure overall set up and site planning of IDP camps while the environmental and health related issues are also anchored by the NEMA through camp committees. Succinctly, the role of NEMA is enormous and dictated by the circumstance in each IDP camps. The above fact attenuates that NEMA has made significant input towards the amelioration of the plights of the IDPs with a reasonable measure of satisfaction (Raji et al. 2021).

**2.7.2 Non-Governmental Organization**

The northeast region has witnessed large-scale violence orchestrated by the insurgency activities of the *Boko* *Haram* (Brechenmacher, 2019). As a result of this unprecedented violence, government seems to be overwhelmed with the attendant consequences (Mamman, 2020). Hence, the collaboration of non-governmental organization in the management, coordination and protection A broader definition of NGO suggests that it is any organization that is not part of government but which operates in civil society (Otite, 2001). Hence, the motive of non-governmental organizations is to mitigate the burden over government shoulder on one hand and facilitating efficient IDPs camp management on the other hands. Apart from the frequent distributions of relief materials to IDPs, they also collaborate in camp coordination (Mohammed & Yalwa, 2018). NGOs involved in the management of IDPs include IOM, UNHCR, ICRC/NRCS.

The role of NGOs in the management of IDPs camp often evolves but include provision of funds, health care services, advocacy and enlightenment, education services, social amenities and WASH programmes for the IDPs (Shehu et al, 2021). In other words, social workers and NGOs make themselves available at IDPs camps so their psychosocial needs will be provided and other essential services duly provided (Onuoha & Chukwu, 2022). Other than that, NGO also assist victims of SGBV to obtain legal remedy and facilitates training programme to equip IDPs for brighter future (Yagub 2015). Meanwhile, each NGO has area of specialization. NGOs could either be national or international NGOs.

**2.7.3 Individuals in the Host Community**

It important to point out that individuals in the host community for IDPs camps play vital roles in the security and welfare of IDPs (Fomekong, 2022). IDPs camps being a make shift or temporary habitat for internally displaced persons are often established outside the victims’ community where peace and security reign (Pape & Sharma, 2020). Hence, individuals are expected to exhibit high tolerance to accommodate IDPs in the community. In some cases, public schools and facilities are converted into temporary habitat for IDPs while public utilities like health care centres, water facilities, etc. are shared by the IDPs with the host community (Davies, 2012).

Similarly, member of the host community often donate relief items such as food, clothes etc. to IDPs in order to mitigate their loss (Kolo et al, 2022). Also, individuals give helping hands to government officials in the management and coordination of IDPs prior to the intervention of government agencies (Ekezie, 2022). Most times, IDPs run to neighbouring community for safety where they are received by individuals in the host community prior to the time government comes to their aid. According to some key informants, members of the host community seek to share from the commodities and not being able to achieve this goal may make them frustrated and hostile towards the IDPs (Osagioduwa & Olusegun, 2016). Hence, IDPs are accommodated in the private houses of individuals before camps are eventually established.

The aforementioned succinctly summarized the roles and responsibilities of stakeholders in the management, protection and coordination of internally displaced persons in the northeast Nigeria. The stakeholders were categorized as government, non-governmental organization and host communities. While government discharged her role through agencies of government including the security, non-governmental organization comprises of specialized groups tied with similarly goals from within (national, civil organization) and international organizations. The other stakeholder is the host community which comprises of individuals and community leaders.

**2.8 REVIEW OF LEGAL AND INSTITUTIONAL FRAMEWORK**

**2.8.1 Legal and Institutional Frameworks on Sexual and Gender-Based Violence**

Traditionally, SGBV has attracted a skeptical response from the Government globally due to entrenched patriarchal norms driving the socio-economic and political affairs of the people (Perrin et al., 2019). Consequently, women and vulnerable people struggle with economic, political, social, and psychological exploitation from the privileged few and the Government due to her indifference towards their plights and weak enforcement mechanism. However, towards the middle of the 19th century, the United Nations developed the first international instrument (Universal Declaration of Human Rights) to recognize women's rights.

Subsequent international treaties, covenants, and protocols of the United Nations expatiated the foundation built by the Universal Declaration of Human Rights. Hence, by virtue of Nigeria's membership status and ratification, international and regional instruments assumed binding status in Nigeria upon domestication. International and Regional instruments on human and women rights include the Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Social and Economic and Cultural Rights (ICSECR), the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1979), Declaration on the Elimination of Violence Against Women (DEVAW, 1993), Convention on the Rights of the Child (CRC), African Charter on Human and Peoples' Rights (ACHPR), African Protocol on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol).

In light of the preceding background, the various instruments governing the prevention and management of sexual and gender-based violence, especially in IDP camps, are examined in chronological order (International, Regional and National) in the subsequent Section. The legal framework is classified into three categories in this study: international instruments, regional instruments and national/Domestic legislations as shown in the table below.

**Table 2.1 International, Regional and National Legal/Institutional Frameworks on SGBV**

|  |  |  |  |
| --- | --- | --- | --- |
| **S/N** | **INTERNATIONAL LEGAL FRAMEWORKS ON SGBV** | **PROVISION AND EFFECT ON SGBV IN THE IDP CAMPS IN NORTH-EAST NIGERIA** | **FINDINGS AND RECOMMENDATIONS** |
| 1 | Universal Declaration of Human Rights (UDHR) 1948 | Article 5   * Definition of sexual and gender based violence as a form of torture, cruel, inhuman or degrading treatment violates   Article 7   * Prohibition of discrimination against person(s)   Article 12   * Prohibition of Torture * Non-Discrimination * Honor and reputation of persons. | FINDING: The instrument has not been ratified nor domesticated. Rather it was adopted as a template in drafting Chapter IV of the 1999 Constitution of Nigeria  RECOMMENDATION:   * Domestication of UDHR to stimulate efficient impact. |
| 2 | Convention on the Elimination of all Forms of Discrimination Against Women  (CEDAW) 1979 | Articles 1-5   * General framework of the Convention   Article 6-16   * Specific Substantive Principles addressed in the Convention such as *Equality, sex roles and stereotyping, trafficking and prostitution, education and employment*   Article 17-23   * Committee and Procedures on the implementation of the Convention   Articles 23-30   * Administration and Interpretation of the Convention | FINDING: A marked failure to domesticate the  Convention thereby limiting the efficacy of the protection of Women’s rights protection in Nigeria.  RECOMMENDATION:   * The Nigerian Legal System should domesticate the CEDAW to improve protection of women’s rights. |
| 3 | Convention on the Rights of the Child (CRC)1989 | Article 16-   * Protection of the child from arbitrary or unlawful interference with his or her privacy, family, home or correspondence as well as unlawful attack on his or her honour and reputation.   Article 37(a)   * Prohibit against cruel or inhumane treatment   Article 39   * Provides for adequate measure to promote physical and psychological recovery and social integration of a child victim of abuse. | FINDING: Despite its ratification, the applicability of the Convention has been limited due to its contradictions with customary and sharia laws. Specifically, its ratification was halted by Section 12 of the 1999 Constitution.  RECOMMENDATIONS:   * Establishment of child right Commission a regulatory body to foster effective implementation and monitoring. Integration of child right laws into school syllabus to enhance social orientation |
| 4 | Declaration on the Elimination of Violence Against Women  (DEVAW), 1993 | Article 1 & 2   * Definition of Violence Against Women   Article 3   * Provides protection for women against all forms of social, economic, cultural and political violence by recognizing their right to life, equality, liberty, non-discrimination, and dignity of human person   Article 4   * State responsibility to condemn violence against women under all circumstances. | FINDING  DEVAW has not been domesticated into the Nigerian legal system.  RECOMMENDATIONS   * Domestication of DEVAW to strengthen women’s right protection * Integration of DEVAW into adult literacy education in Nigeria to stimulate socio-cultural orientation against SGBV |
| 5 | International Covenant on Economic Social and Cultural Rights ICESC, 1976,  Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 1987 (CAT 1987) | Article3-   * State responsibility to ensure equal rights between genders   Article6 –   * Equal Economic opportunity   Article 1 Convention against Torture & -   * Definition of torture to include VAW.   Article 13-   * Right to complain without intimidation. | FINDING  While Section 34(1)(a) of the 1999 Constitution prohibits torture, inhuman or degrading treatment, there is a failure to stipulate the punishment or remedies for the breach of this provision.  RECOMMENDATION  Domestication of the Convention to instill sense of responsibility on government |
| S/N | **REGIONAL LEGAL FRAMEWORK ON SGBV** | **PROVISION AND EFFECT ON SGBV IN THE IDP CAMPS IN NORTH-EAST NIGERIA** | **FINDINGS AND RECOMMENDATIONS** |
| 1 | African Commission on Human and Peoples Rights ACHPR 1987) | Article 1-   * Obligation of member states to recognize human rights   Article 3-   * Right to Life,   Article 4   * Right to equality   Article 5-   * Right to Human dignity   Article 17-   * Right to Equal right to education   Article 18(3)-   * Eliminate discrimination against women   Article 19-   * Gender equality | FINDING  Lack of implementation and enforcement fueled by negligence and the dominance of patriarchy in the society and the associated limiting customs and beliefs.  RECOMMENDATION  Prioritization of laws over harmful socio-cultural norms |
| 2 | Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol 2003) | Article 1-   * Definition of critical components of SGBV such as *discrimination, harmful practices, and violence against women.*   Article 3 & 4 –   * Protection of right to dignity, life, security and integrity of every human person   Article 5-   * obligation of member states   Article 6, 10, 13 & 19-   * equal status in marriage, right to peace, economic and social welfare and right to sustainable development. | FINDING  The Charter has not been implemented.  RECOMMENDATION  Prioritization of laws above religious and cultural sentiment. |
| 3 | The African Charter on the Rights and Welfare of the Child (1990) | Article 21-   * obligation of member states to eliminate harmful socio-cultural practices affecting children   Article 18   * strengthened gender-equality between spouses in respect of maintenance of the child   Article 19-20-   * responsibility of member state to ensure growth and development of a child | FINDING  They have not been domesticated and as such do not have any force in the law to offer protection to girls in IDP Camps.  RECOMMENDATION  Domestication of the Charters and enforcement. |
| 4 | African Youth Charter (2006) | Article 2-   * Non-discrimination   Article 20-   * elimination of traditional practices inimical to women integrity   Article 23-   * enjoins member states to enact legislations that protect girls and women from all form of violence such as female genital mutilation, incest, rape, sexual abuse, sexual exploitation, trafficking, prostitution and pornography.   Article 25-  reiterates the need to eliminate all harmful social and cultural practices that affect the welfare and dignity of youths. | FINDING  While the charter has been domesticated and ratified, there are limitations to its application due to issues with enforceability.  RECOMMENDATION  There is need for political will to implement regional charters in complementary of ratification and domestication |
|  | **NIGERIAN LEGAL FRAMEWORK ON SGBV** | **RELEVANT PROVISIONS** | **FINDINGS AND RECOMMENDATIONS** |
| 1 | The Constitution of the Federal Republic of Nigeria , 1999 | Section. 15-   * Right to non-discrimination,   Section 16-   * Right to equal economic opportunity   Section 17-   * Right to freedom   Section 33-   * Right to peaceful life   Section 34-   * Right to Dignity of human person   Section 35-   * Right to Liberty   Section 37-   * private life | FINDING  It has not been effective in upholding the fundamental human rights contained in Chapter IV as non-compliance is commonplace.  RECOMMENDATIONS   * Justiciability of chapter II provisions * Amendment of constitutional provisions to accommodate reforms such as the recognition of Domestic Violence Court or family Courts |
| 2 | Criminal Code Act and Penal Code Act | Sections 282-   * Definition of Rape   Sections 283   * Ingredient of offence   Sections 284-   * Sanctions   Sections 238 & 240 PC-   * Definition of cruelty and hurt   S. 328 CC-   * killing of unborn child   s. 351 CC-   * defines assault   s. 357 CC-   * definition of rape   s. 361 CC-   * indecent assaults on females | FINDING  They contain discriminatory provisions such as Section 55(10)(d) of the Penal Code which can be interpreted to allow battery of a wife by her husband.  RECOMMENDATIONS  -Amendment of discriminatory provisions in the Penal Code (see s. 55(10d)  -Abolition of geographical limitation to SGBV related offences in PC & CC  Amendment of Criminal laws to widen their scope of ingredients, punishment and compensation for offenders and victims of sexual offences respectively. |
| 3 | Violence Against Persons Prohibition Act (2015) | Sect. 1. Rape  S. 6- female genital mutilation,  s. 14- emotional, verbal, and psychological abuse  s. 15- harmful widowhood practices,  s. 18- intimidation,  s. 19-spousal battery,  s. 20- harmful traditional practices,  s. 25- incest (25) | FINDING  All BAY states (Borno, Adamawa and Yobe) have domesticated the Act which raises hopes for efficient implementation.  RECOMMENDATIONS  - Benchmark for the domestication of VAPP by all states.  -Magistrate, Area and Customary Courts should be vested with jurisdiction being the closest to all nooks and crannies  -benchmark for the prosecution of SGBV related cases like election petition  - de-sentimentalized approach to implementation of SGBV laws |
| 4 | Child’s Right Act 2003 (CRA 2003) | S. 10-   * Non-discrimination   s. 11-   * Criminalization of threats to child integrity   s. 21 & 22-   * prohibition of child marriage and child betrothal   section 23-   * enumerates the punishment for child marriage and child betrothal   ss. 28 & 30-   * prohibition of exploitative child labour   section 31 and 32-   * Prohibition of unlawful sexual intercourse, sexual abuse and exploitation of a child under all circumstances. | FINDINGS  About 24 states have domesticated the Act as state law, However, Borno, Adamawa and Yobe (BAY STATES) who have been worst hit by the insurgency have Not. This can be attributed to their uncivil customs and norms prevalent in these areas placing a huge limitation on the extent to which women and children can be protected from SGBV.  RECOMMENDATIONS  Compulsory domestication of CRA particularly in the Northeast  -integration of Child Rights into academic syllabus for gradual social reforms  -like we have Ministry of Sport and Ministry of Women Affairs, it is long overdue to have Ministry of Children Affairs in Nigeria to address child abuse related cases in Nigeria. |
| 5 | Matrimonial Causes Act | Section 15 (2) (c)-   * cruelty as ground of marriage dissolution   Section 16 (1)(e)-   * infliction of grievous harm as ground for marriage dissolution | FINDING  There has been a marked failure of this Act to take cognizance of the victims of crisis situations such as those in IDP Camps where there is poor access to justice.  RECOMMENDATIONS-The Act is due for amendment to expand the grounds of dissolution. i.e. specificity and  -Court jurisdiction should be expanded to allow grass root court hear matrimonial cases |
| S/N | **INTERNATIONAL** **LEGAL FRAMEWORK ON INTERNAL DISPLACEMENT IN NIGERIA** | **RELEVANT PROVISIONS** | **FINDINGS AND RECOMMENDATIONS** |
| 1 | United Nations Guiding Principles on Internal Displacement 1998 | Section 1   * comprises of Principle 1-4 which focuses on the general principles   Section 2   * Comprises of Principles 5-9 which highlight principles on the protection from displacement   Section 3   * Comprises of principles 10-23 which highlight principles on protection during displacement.   Section 4   * Comprises of Principles 24-27 which highlight principles relating to humanitarian assistance   Section 5   * Comprises of Principles 28-30 which highlight principles relating to return, resettlement and reintegration of displaced persons | FINDING  Despite being ratified by the Nigerian Government, they are not binding nor do they constitute ant binding instrument despite widespread support  RECOMMENDATION  Enforcement in order to ensure maximum compliance |
| S/N | **REGIONAL LEGAL FRAMEWORK ON INTERNAL DISPLACEMENT IN NIGERIA** | **RELEVANT PROVISIONS** | **FINDINGS AND RECOMMENDATIONS** |
| 1 | The African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) | Article 2-   * prevention of internal displacement   Article 3-6-   * protection and assistance of IDPs   Article 7-   * protection and assistance of IDPs in armed conflicts   Article 9-   * obligation of protecting and assisting IDPs   Article 12-   * compensation and reparation of IDPs | FINDING  Lack of domestication into Nigerian national law which ought to guarantee protection of women from SGBV.  RECOMMENDATION  Domestication and implementation should be carried out to increase protection from SGBV. |
| S/N | **NATIONAL LEGAL FRAMEWORK ON INTERNAL DISPLACEMENT IN NIGERIA** | **RELEVANT PROVISIONS** | **FINDINGS AND RECOMMENDATIONS** |
| 1 | National Policy on Internally Displaced Persons in Nigeria 2012 | -Principle of gender equality | FINDING  The policy document is grossly insufficient to meet desired expectation.  RECOMMENDATION  Maximum compliance and need for proper or distinct legislation on Internal Displacement Crisis as |
| 2 | The National Commission for Refugees (Establishment etc.) Act | no specific reference to IDPs | FINDING  The Act is long over-due for Amendment.  RECOMMENDATION  -Amendment should focus on Internal Displacement Crisis in Nigeria |
| 3 | National Human Rights Commission Act | Sections 5 and 6- establishes the functions and powers of the Commission | FINDING  No specific reference was made to IDPs in Nigeria.  RECOMMENDATIONS  -Maximum compliance and implementation  -Creation of Rapid Report Response Centre to harvest anonymous reports and swift action.  There is need for uniform dedicated toll free number. (SGBV should be treated as emergency) |
| 4 | National Emergency Management Agency Act | Section 6-   * Functions of NEMA which includes policy formulation, research promotion and co-ordination, monitoring, preparation, co-ordination of NGO activities, facilitation of aid and collection and mobilization of emergency relief funds and materials etc.,   Section 8 –   * Collaboration between NEMA and states committee | FINDING  Notwithstanding the efforts of NEMA in resolving the crisis, there is inadequate programmes and lack of effective delivery of these programs.  RECOMMENDATIONS  -To address issues of inadequate fund, NEMA should float Humanitarian Trust Fund to harmonized donations for efficient coordination  -Increased surveillance in IDP camps  -Compulsory education and adult education for girl child in IDP Camps  -Review of staff Recruitment process to sieve out saboteurs  -Regular review of operational modules to stimulate efficiency |

For a more detailed discussion on the legal and institutional framework on SGBV and IDP, see Appendix VII in pages 393-412

**2.9 ASSESSING THE LEGAL AND INSTITUTIONAL FRAMEWORKS ON SGBV AND INTERNAL DISPLACEMENT**

Sexual and Gender Based Violence and other forms of abuses are among the common problems associated with displacement (Benjamin & Murchison, 2004). Vulnerabilities to SGBV during conflicts arise due to lack of secure living conditions, lack of stable community structures and more importantly where there is absence of legal and institutional framework. To effectively address the problems of SGBV especially in conflict ridden societies, it is pertinent to deploy legal and institutional frameworks that would guide stakeholders. In other words, the success of activities supporting durable solutions to displacement, community stabilization and peace building is impacted by their ability to address past and potential GBV concerns, as well as their capacity to challenge discriminatory social and gender norms, transform systems that perpetuate gender inequality, and positively impact women’s and girls’ immediate and long-term health, safety and well-being (IOM, 2018).

Although legal and institutional formworks regarding SGBV exist both locally and internationally, there are issues surrounding implementation. According to Bukar (2012), lack of implementation or enforcement of the legal framework for SGBV despite the formulation of the National Policy on IDPs by the government and other stakeholders constitute a major hindrance to the fight against the problem. This was corroborated by Adejumo (2021) who observed that lack of implementation of effective laws and regulations that prevent violence against women is a major factor that sustains gender-based violence in Nigeria. Due to ineffective security systems, the problem is exacerbated.

Also, the International Committee of the Red Cross (ICRC, 2016) in its report assessed the situation of IDPs in Borno, Adamawa and Yobe, through the framework of the Kampala Convention and highlighted the gaps and challenges in meeting the needs of IDPs as lack of implementation and enforcement. The report provided concrete recommendations such as the need to improve the living conditions of IDPs across the region. It further maintained that durable solutions to the problems of IDPs lie in the ability and willingness of the government and other law enforcement agencies to implement the domesticated legal and institutional frameworks in Nigeria.

Oluwakemi and Cantius (2017) comparatively examined the legal framework for the protection of Women’s Reproductive Health Rights in Nigeria and South Africa in order to identify some policy gaps and benefits. The work advocated for the domestication of international treaties on women’s reproductive right in order to improve their reproductive health. In contrast, this present study examines the legal framework on sexual and gender-based violence against female IDPs in northeast Nigeria.

Kalu and Okaphor (2018) in their work critically reviewed the effectiveness of the legal framework for arresting the threat of internal displacement in Nigeria, especially the National Policy on IDPs in Nigeria. The study described the government's nonchalant approach to the causes of internal conflicts and lack of political will to implement the copious laws as a reason for growing challenges of internally displaced persons in Nigeria. The paper also recommended the domestication of the Kampala Convention and a review of the national policy to include psychological assistance. It is observed that Kalu and Okaphor ignored the ratification and domestication of UN Guiding principles on Internally Displaced Persons.

Global Protection Cluster (2010), focused mainly on the protection of IDPs and other affected populations in situations of internal displacement and complex emergencies. The handbook for the protection of IDPs (2006) provided guides for human rights protection officers, humanitarian and development actors on their roles in the IDP camps. The handbook, which also examined the international and regional instrument on the protection of internally displaced persons advocated for solution based approaches and a coherent approach to the plights of internally displaced persons. The present study finds this handbook insightful in this field but extends its scope to sexual and gender-based violence on females in northeast Nigeria.

Izzi and Umunna (2020) further examined the areas of apparent injustice in the existing laws in relation to the protection of women and girls against violence in Nigeria. The paper while acknowledging lack of implementation of the limited laws on sexual and gender-based violence argued that there is no adequate legal protection for women and girls in Nigeria. The paper concluded that the gap between laws and practices against sexual and gender-based violence are a manifestation of the harmful social norms and lack of will on the part of relevant agencies of government.

Raji et al. (2021) examined the response capacity of NEMA being the mainstream institution in charge of internal displacement crises in Nigeria. It was observed that the capacity of NEMA to ameliorate the plight of IDPs is hindered due to the Boko Haram conflict in the north east, lack of adequate funds and legal restrictions on the operational mandates. Although, the author recommended increased funding to improve the response capacity of NEMA with enhanced constitutional roles, it is the view of the present study that increased funding without transparency and efficient management cannot enhance NEMA’s response capacity in dealing with the internal displacement crisis. Although these studies are helpful, the current study is quite distinguishable. This study is focused on determining the reasons for continuous perpetration of SGBV on females in IDP camps in northeast Nigeria despite an array of domestic and international instruments provided to guard against SGBV. It seeks to ascertain the efficacy of these legal frameworks in preventing and managing SGBV against female IDPs in the region.

**2.10 GAP IN THE LITERATURE**

The foregoing review of the literature has generated useful insights on sexual and gender-based violence (SGBV) against females in internally displaced persons (IDPs) especially in the north-east region of Nigeria. The conceptualization of SGBV and IDPs within the context of Boko Haram insurgency and the IDP crisis in the region usefully serves to underscore the complex and multidimensional nature of these phenomena relative to their manifestation, causes, perpetrators and victims. Furthermore, the review of relevant theoretical and empirical studies to the research questions and objectives of the study also sheds some light on the existing legal and institutional framework for prevention and response to SGBV and the management of IDPs in Nigeria; the vulnerability of women and girls to SGBV in IDP camps in North East Nigeria; the factors responsible for the increasing level of SGBV among female IDPs and the role of the state and other stakeholders in preventing SGBV especially against women and girls in IDP camps in the North-East zone of Nigeria. A major gap to be filled however is the lack of recent empirical studies based on qualitative methodology that critically interrogate and answer the question of why SGBV against female IDPs in the north-east zone persists and appears to be increasing despite the plethora of legal and institutional frameworks for the prevention and management of the problem. Related to this is a dearth of empirical data on the role of the state and other stakeholders in preventing and responding to SGBV against women and girls in IDP camps in the North-East zone of Nigeria. This study attempts to fill these gaps.

**2.11 CONCLUSION**

This chapter embarks on the review of previous literature on the SGBV, its prevalence in patriarchal societies particularly in the internally displaced persons’ camps in the north-east of Nigeria. The review also covers the literature on the vulnerability of female IDPs in the north-east of Nigeria particularly the BAY states. The chapter also reviews the works on the legal interventions by the Nigerian state to protect the rights of the IDPs particularly the females and to tackle the menace of SGBV in the IDP camps. The chapter equally reviews literature highlighting and discussing the roles of the government and other stakeholders in the management of the IDP camps and the inhabitants.

From the range of the literature reviewed, it was clear that there are numerous literature, works and studies on the internal displacements, IDP camps, rights of the IDPs as well as the vulnerability of the campers especially the females and more particularly in the north-east of Nigeria. However, most of the literature lack in certain respects. One of these is that they did not consider how the law might have contributed to the violation of the rights of the female IDPs in the camps and why the legal interventions have been ineffective in combating the menace of the SGBV in the IDP camps in the north-east. Another of these is that most of the works were library based and did not embark on qualitative study to enable them proffer practical and practicable legal solutions that would enhance the effectiveness of the legal frameworks.

**CHAPTER THREE**

**THEORETICAL FRAMEWORK**

**3.0 INTRODUCTION**

This Chapter examines relevant theories and perspectives on why sexual and gender-based violence (SGBV) persists despite robust legal frameworks and institutions to prevent and control the problem. Specifically, it reviews major criminological theories that may help understand why particular interventions work or did not work and under what circumstances for the protection of female IDPs from SGBV. In addition to the theories, the chapter reviews a relevant model which is considered suitable for explaining the phenomena in question. Hence both the theories and model provide the theoretical foundation for adoption, adaptation, and discussion of the study's theoretical framework in the latter part of the Chapter.

A theory broadly refers to a set of logically interrelated statements of the relationship between two or more propositions that may serve as a reference for collecting, analysing, and explaining empirical data (Erinosho et al., 2002). A theory of sexual and gender-based violence, therefore, is a set of logically interrelated statements of the relationship between two or more propositions that may serve as a frame of reference for explaining the onset and persistence of SGBV.

Prior to the advent of science, understanding of why people perpetrate deviance and crime, such as SGBV, was dominated by a belief in the influence of supernatural forces on the perpetrator, such as the devil, demons, witches, and various other evil spirits (Brown, Esbensen and Geis, 2010).

Societal responses to the problem were correspondingly crude and unscientific. Punishment was aimed at retribution or retaliation, devoid of efficacy in addressing the underlying causes of crime and violence. However, this kind of demonological explanation has since fallen out of fashion with the emergence of classical criminology and positivism, which introduced the idea of free will/rational choice and determinism in understanding and explaining criminal behavior (Brown, Esbensen and Geis, 2010).

Theories explaining the onset and persistence of SGBV vary and are divided into micro and macro-level categories (Jasinski, 2001). Micro-level theories argue that the continuous perpetration of acts of violence, including sexual and gender-based violence, is linked to some remote characteristics, such as biological and psychological disorders inherent in individual perpetrators of the act. Macro theories, on the other hand, focus on characteristics of the larger society and propose that large-scale drivers of SGBV, including socio-cultural practices, economic and political factors, and policies influencing the activities and behaviors of individuals within the society, must be considered in any explanation of the problem. In between these two, middle-range theories focus on family dynamics, neighborhood characteristics, or peer socialization processes as sources of SGBV (McMurtry and Curling, 2008).

Although theories of gender-based violence (GBV) have been previously used by several researchers (Kearns et al., 2012; Renzetti, 2001; Thornhill and Palmer, 2000; Yodanis, 2004), such studies mostly focus on domestic violence and other forms of violence within a different context. There is, however, few or no attempts at linking such studies with internal displacement camps, and where such attempts are made, the settings may differ across different societies and cultures. Thus, the main theoretical interest of this study is to explain why the legal framework on SGBV in Nigeria, coupled with the role being played by critical stakeholders towards protecting female IDPs in the north-east from SGBV, have not been successful in providing the protections they were designed to provide. To this end, the study examined relevant theories of crime prevention, comprising both situational crime prevention and crime prevention through social development (Schneider, 2015) that can be applied to explaining why the legal framework and institutional mechanisms for SGBV have failed to protect female IDPs in the north-east zone of Nigeria. These include, patriarchal theory, social structure social learning theory, social disorganization theory, and crime opportunity (routine activity) theory. Together, the theories underscore the need to factor in environmental conditions, the vulnerability of female IDPs, and the perpetrator's motivation in understanding the complex and interactional nature of SGBV and in trying to prevent the phenomenon illustrated by the theoretical framework.

In the section that follows, patriarchal theory which forms the major background of the theoretical framework of the study is discussed. Other theories as mentioned will be discussed in subsequent sections as they are also driven by the force of patriarchy which the study proposes is the root of the problem of high prevalence of SGBV in the IDP camps in the northeast Nigeria. In addition to the theories, the circle of analysis, a model formulated by Barlow et al. (2022) shall be adopted by this study as a model explaining the practical causes of SGBV in the IDP camps as well as the prevention of its continual perpetration.

**3.1 PATRIARCHAL THEORY**

Patriarchy is one of the most popular explanations of gender based violence offered by feminists. As discussed in the previous chapter of this research, this perspective is the male subordination of females which has been culturally embedded into the society. It is the dominance of males which according to Millet (1970) is also a universal oppression of females. Brownmiller (1975) opines that patriarchy is not just an individual, but a political tool of power control and oppression. Thus, SGBV is motivated by a patriarchal society of male dominance and aggression of hierarchical structure.

The term “patriarchy” has been used by scholars at different times to analyze the origins and conditions of men’s oppression of women (Makama, 2013; Essien and Ukpong, 2012; Kamarae, 1992). Originally used to describe the power of the father as head of the household, patriarchy has been used within post 1960s feminism to refer to the systematic organization of male supremacy and female subordination (Makama, 2013). The term has been defined as a system of male authority which oppresses women through its social, political and economic institutions (Alannana, 2013).

Feminist theorists have argued that in any of the historical norms that patriarchal society takes, whether it is feudal, capitalist or socialist, a sex gender system and a system of economic discrimination operate simultaneously. For example, Facio (2013) characterizes patriarchy as an unjust social system that is oppressive to women. According to Facio:

Patriarchy is a form of mental, social, spiritual, economic and political organization/structuring of society produced by the gradual institutionalization of sex-based political relations created, maintained and reinforced by different institutions linked closely together to achieve consensus on the lesser value of women and their roles. These institutions interconnect not only with each other to strengthen the structures of domination of men over women, but also with other systems of exclusion, oppression and/or domination based on real or perceived differences between humans, creating States that respond only to the needs and interests of a few powerful men (Facio, 2013, p.2).

This implies that patriarchy often includes all the social mechanisms that reproduce and exert male dominance over women. It characterizes patriarchy as a social construction, which can be overcome by revealing and critically analyzing its manifestations (Alannana, 2013).

Patriarchy is a broad network or system of hierarchical organization that cuts across political, economic, social, religious, cultural, industrial and financial spheres, under which the overwhelming number of upper positions in society are either occupied or controlled and dominated by men (Okpe, 2005). Lerner (1989) argues that patriarchy is not natural or biological, but a cultural ideology, due to a series of historical events and struggles evolving between males and females culminating into female relegation. Historically, the social role of men in early times was to hunt and provide for the family while the females produced offspring and engaged in domestic chores. The role of the father as the head of the family was thus assumed to be a norm and has been practiced by most societies. This is further strengthened by the African system of female subjugation deeply rooted in culture and tradition which sees submission of females to males as the basis for enforcing patriarchy (Williams, 2019). It is important to note that any system which operationalizes an order that accords men undue advantage over women is considered patriarchal. In a study conducted in Ghana, Sikweviva et al. (2020) confirmed that series of socio cultural as well as religious elements resulting from patriarchy that make up the traditional African male. This experience is similar to what most African societies pass through including Nigeria.

Sanday (1981), in an empirical research reported that societies where rape and sexual violence are prevalent are those with male dominance and female subordination, while societies with low levels or rape free cases are those where females are respected and involved in authority and governance. This therefore gives credence to the patriarchal theory.

However, there have been some criticisms of the patriarchal perspective of power and control based on the monotonous motives of the perpetrators being power, control dominance and oppression which researchers view as a single factor theory (Ward et al., 2006). According to Ward et al., (2006), the feminist notion that all males possess domination over females does not consider the generality of males, stressing that most females would have been sexually abused or raped contrary to the existing reports if the theory was to be solely relied upon. However, the view of Sanday (1981) supports the situation of SGBV in the IDP camps in the north east Nigeria where the people in authority and decision making are mainly males, thereby creating bias towards men and dominance towards females which are the features of patriarchy.

In Nigeria, patriarchy is a common practice particularly in the north east and is compounded by religion and culture. For example, one of the common cultural practices in the north is the strict restriction on females. Apart from restriction of movement and denial of rights to property ownership and decision making which limits their opportunities for economic empowerment, women are only supposed to be seen not to be heard (Zakaria, 2001; Lewis and Lockheed, 2006). Similarly, males have the right, based on religious belief to seclude their wives from people other than their relatives; a practice known as purdah. This is a practice which deprives the girl child the opportunity to access education while the male child is given priority over the females (Zakaria, 2001). Also, most communities and cultures in Nigeria train their females from childhood to be submissive and respectful to males. In marriage, they are trained to remain subservient to their husbands and must be of service to them on demand. On the other hand, males are given the orientation to be strong, domineering and aggressive to prove superiority. This explains why male children in several parts of Nigeria like in Igbo land, Yoruba, Hausa as well as other African countries are more preferable to the female child (Olanrewaju et al., 2015; Nnadi, 2013). The practice of male child preference is mainly attributed to the perception that the child would help to maintain the heritage of the family as a custodian of the lineage, while a female cannot. It is also part of the reasons why SGBV persists in the society as it encourages male dominance and ensures females keep quiet despite the continuous exploitation. This unhealthy cultural practice continues to encourage violence against females as it has put them under emotional violence and psychological distress (Dogo, 2014).

Given the negative features of patriarchy as highlighted above, including the domination, subjugation and exploitation of women and the fuelling of gender inequality between females and males, the concept has been suggested to be a major driver for SGBV(Cusamono, 2018; Mackinon et al 2001). Cusamono (2018) states that rape, an act of SGBV emanates from patriarchy. Being a system, which encourages dominations, act of force against the will of the dominated are easily condoned and even when not condemned are being perpetrated.

According to Mackinon et al. (2001), rape, an act of SGBV is rooted in patriarchal ideology, due to unequal states of the male and female genders. Furthermore, Cusmano (2018) argue that the presumed inferior status of women to men found in patriarchy also causes the transfer of blame of SGBV on females even when perpetrated towards them. Patriarchy therefore confers subjugation, victimization and low self-esteem on females in societies where it is rampant and this allows the breeding of SGBV in such societies.

Feminists are of the view that SGBV is a tool of achieving male dominance and female subordination which are the main features of patriarchy (Radford and Stenko 1994). The effect of patriarchy on women has been felt in social cultural settings, employment, age and other spheres of life thereby affecting the socialization of females and leading to acceptance of the situation.

Acceptability of patriarchal order has however led to a widespread perpetration of violence against women and therefore responsible largely for the perpetration of SGBV. Therefore, the relationship between patriarchy and masculinity theory to the explanation of SGBV arises where males in already patriarchal societies decide to enforce and exhibit the toughness conferred by the patriarchal system. The mixture of social, cultural and religious factors derived from patriarchy therefore leads to traditional masculinity (Sikweyiya et al., 2020). Thus, structural violence and disorganized settings have been linked to the existence of patriarchy and hegemonic masculinity (Sikweyiya et al., 2020).

A concept closely related to and linked to patriarchy in the explanation of the perpetration of SGBV that could be linked to IDP camps in north east Nigeria is masculinity. Masculinity is the display of series of behaviors, languages and habits which are peculiar to males rather than females and are found in certain cultural settings (Abumere, 2013). Different cultures have different ideals that determine masculinity which could either create a positive or negative outcome. Positive masculinity occurs when men use their physical and emotional strength to achieve healthy consequences such as intellectual success, independence, emotional resilience, selflessness and other forms of encouraging attitudes thereby creating a sense of responsibility (Abumere, 2013).

Conversely, negative or toxic form of masculinity arises out of extreme unhealthy, oppressive and domineering attitude. Such oppressive behaviors are found in marital relationships, work places, public spheres and of course in situations such as internal displacement camps. Negative masculinity is similar to what is known in the literature as hegemonic masculinity which is a set of values established by men in power and functions to organize society in unequal ways on the basis of gender (Jewkes and Morrell, 2012). There is a connection between toxic masculinity and hegemonic masculinity. While toxic masculinity manifests in hurtful behaviors towards females as well as males, hegemonic masculinity is the foundational root. In other words, toxic masculinity lays the foundation for hegemonic masculinity by encouraging unhealthy behavior from cultural beliefs and stereotypes about males’ strength and dominance (Jewkes and Morrell, 2012). Hegemonic masculinity does not only refer to male oppression of females, but it also includes male oppression of other males (Connell and Messerschmidt, 2005). This consciousness creates in males the general feeling of being at the height of gender hierarchy thereby encouraging oppressive behaviors against females. Hegemonic masculinity confers societal pressure on males to demonstrate their prowess in heterosexuality, power, strength and domination (Morretini, 2016). Thus, masculinity socializes a man not to display his weak emotions in public.

Hegemonic masculinity has been identified as a significant cause of violence in homes and in the wider society. It is also associated with crime, aggression, lack of empathy and many other negative behaviors found in males (Collier, 1990). In a study in China, Wang et al. (2019) revealed that one in five men have engaged in rape of females who are either intimate partners or random females. These perpetrators claimed various reasons for the sexual assault of females, especially non partners such as sexual entitlement, boredom, quest for fun, and alcohol intake. The study further revealed that males have privileges in sex and decision making. Though most of the males agree that females should not be battered for any reason whatsoever, 47 percent of males have perpetrated battery on women.

Another form of masculinity which explains the violence perpetrated by males against females is militarized masculinity. This is an ideological stance that emanated from the trainings and grooming in the military force. The militarised masculinity is an extension of the hegemonic masculinity which according to Kronsell (2006) and Svedberg and Kronsell (2012) derives from the domination of “other people especially women and children and subordinate males in a patriarchal gender setting and is perceived to be largely male domain such as combat and rape”. Essentially, the idea of militarised masculinity depicts the synthesis of the entrenched male hegemony in a society fused with the use of weapons to exert aggression, perpetrate violence and exhibit misogynist masculinity (MenEngage Alliance, 2022). The concept reinforces how the social norms that border on masculinity have become normalized in the society. The result of this is that like how the idea of patriarchy was accepted even by the women, militarized masculinity has also been considered the norm, thus, the affected women in the IDP camps rarely come out to report how they are being abused by the security agents. This is because, according to Abrahamyan (2017) “in most societies, masculinity is generally not perceived as something, which needs to be critical about.”

The relevance of the militarized masculinity to this study is that it creates a basis for the understanding of how and why female IDPs are being abused by the military officers and other security agents who were originally placed in the IDP camps to protect the displaced persons, yet the victims do not report them. Although there are swarms of reports about the sexual violence meted by the security agents against the female IDPs, majority of those reports came out from the undercover and independent investigation by journalists and NGOs.

The emphasis on masculinity in this study is based on the likelihood of the connection between socialization given to males and its resultant consequences on sexual and gender based violence against women. Patriarchy and masculinity which could be toxic, hegemonic as well as militarized play larger roles in entrenching pervasive perpetration of SGBV in the IDP camps. This is more obvious when societal norms are deployed to support such behaviours. Masculine tendencies create aggressive behaviours and lack of empathy which contributes to violence influences the action of ruling leaders (Miedzain, 2002). Those actions involve the making of laws which favour men and encourage domination of females.

Kimmel (2010) suggests that, masculinity is same in all races, cultures, classes, ages, as well as in all heterosexual males. Therefore, masculine standards are presumed to be set similarly in various social settings irrespective of where it is being applied. However, this assumption is contrary to the view of Hearn (2020), who argues that what is considered masculine by a community could be non-masculine by another. Also, Medzain (2002) suggests that masculine mystiques appear in various forms in different social settings. These forms of mystiques could include the urge to kill, gang-rape, participate in unnecessary military façade as well as acquisition of weapons of mass destruction. These various expectations and ambitions however would depend on the status, class or situation in which such males find themselves. Thus, this study argues that generally, especially in patriarchal societies, the need for males to demonstrate strength, authority and domination is common. Nevertheless, social settings and conditions of a class or group of people dictate the form of masculine mystique they are likely to engage in.

Masculinity embodies power, domination, and in many cases, violence. Hearn (2020) was of the view that studies in which violence by males is discussed without them being related to masculinity are not adequately discussed, as violence should not be separated from masculinity being an act more common in males. Though, masculinity occurs in various societies whether patriarchal or otherwise, the situation or condition of the class of people studied determines the form of masculine mystique likely to be created in the social setting. SGBV, a form of masculine mystique occurs in IDP camps and northeast Nigerian communities as a result of structural imbalance linked to disorganization and insecurity resulting from internal displacement and patriarchal ideologies in the region. Patriarchy however hinders the application of laws due to the influence of government and its agencies who also benefit from it. Thus, the continual belief and upholding of masculinity standards by rulers will always be a stumbling block to peace and safety (Miedzain, 2002). However, the exclusion of such rules would be seen as emasculation of men and limitation of their strength (Miedzain, 2002).

From the analysis above, it is established that the kind of gendered society that finds favour among Nigerians is both patriarchal and masculinised. Patriarchy is about the superiority of male over female in all spheres of life. Therefore, both males and females have their roles defined by the society and each is culturally constrained to stay inside their gender box. Boys cannot do what girls do, and girls cannot venture into what have been exclusively predetermined for boys. As a result, boys in the patriarchal societies grow to see themselves as automatic leaders, while the girls are contorted to believe that they are automatically followers to the boys. It is this kind of gender orientation that was carried into their adulthood, hence their unanimous belief and understanding that we live in the “man’s world”. Here lies the convergence between the two theoretical concepts, hence the conjugal term, “patriarchal masculinity” (see figure 3.1).

Patriarchal masculinities maintain that power and role playing in the society are nothing but a game of domination and control, either of which could be directly or indirectly asserted (UN Women Training Centre, n.d., p.18). The said power of domination and control emanating from the patriarchal masculinities makes it seem typical and natural that gender inequalities between men and women are part and parcel of natural law.

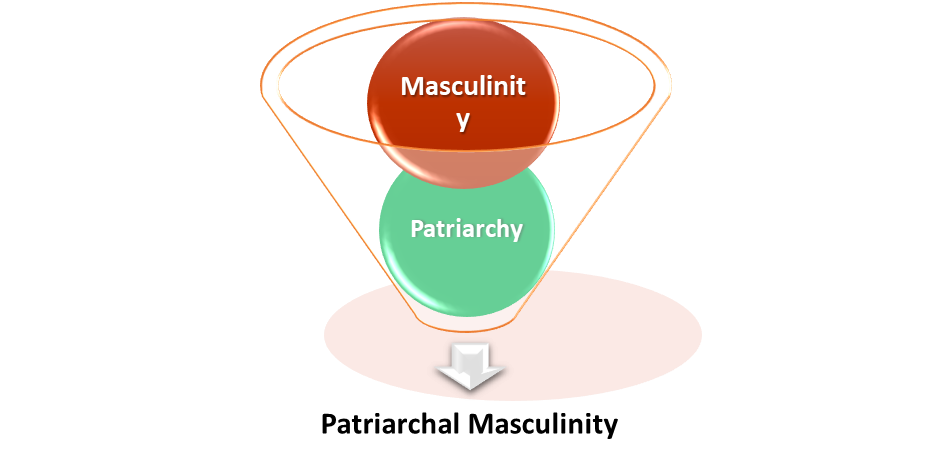


Figure 3.1: Diagram showing the interrelation between the theory of Patriarchy and Masculinity

Source: Mustapha (2022).

Within the context of the discourse about female IDPs pertaining to sexual and gender-based violence, patriarchal masculinity explains the untold experiences of this vulnerable group, one of the reasons they continue to suffer in silence and why the perpetrators continue to be emboldened in their dastard acts. This is because they have been conditioned to wittingly and unwittingly accept “norms and expectations of masculinities and subordinate femininities disempower women and girls, promote violence against them and deny them their human rights” (National Democratic Initiative, n.d).

**3.2 SOCIAL STRUCTURE SOCIAL LEARNING THEORY**

Social structure social learning theory, as discussed by Nicholson and Higgins (2017), offers a useful theoretical foundation for preventing crime and violence, which is also applicable to sexual and gender-based violence (SGBV). The theory draws inspiration from psychology, sociology, and criminology by incorporating social structural variables into social learning theory to provide useful theoretical underpinnings for developing efficacious prevention programmes. The roots of the theory, which started as a social learning theory, are traced to the works of Edwin H. Sutherland, R.L Burgess and R.L. Akers, and Albert Bandura. The sociological roots came from Sutherland's developments of differential association theory which Burgess and Akers (1966) developed to include reinforcement which was further by Akers (1973, 1985), who added imitation to the theory (Nicholson and Higgins, 2017).

The social structural aspect of the theory is credited to Akers’ (1998) attempt to include the roles of social structure in social learning, which culminated in the social structure social learning theory. As Nicholson and Higgins (2017, p.18) observed, "with the final pieces of social learning theory developed, the theory has a feeling of soft behavioralism" with implications for crime and violence prevention. Nicholson and Higgons (2017) further observed that prevention research based on social learning theory has particular importance. Early prevention research in this area focused on peer group discussions and encouragement of pro-social attitudes and behaviors. Other prevention research has focused on family management issues that may assist in better parenting practices, while more contemporary prevention programs focused on using pieces of social learning theory as risk factors and that focusing on those factors will assist in preventing crime and deviance, including SGBV.

**3.2.1 Roots of Social Learning Theory**

Brown et al. (2010) observed that within the field of criminology, social learning theory is closely associated with differential association theory as both are premised on the assumption that behavior is learned from one's social environment and that deviance is often brought about by observing the behaviors of others within that environment. As such, social learning theory "explains human behavior in terms of continuous reciprocal interaction between cognitive, behavioral, and environmental influences" (Bandura, 1977), vii cited in Brown et al. (2010, p. 102). Similarly, Nicholson and Higgins (2017) observed that Akers' social learning theory was first formulated as differential association reinforcement by Burgess and Akers (1966), who were attempting to combine Sutherland's (1947) differential association theory with the principles of behavioral psychology.

The underlying assumption of differential association theory is that crime and violence, like normal behavior, are learned through social interaction or through differential association. Sutherland proposed nine principles of the theory as follows:

1. Criminal behavior is learned,
2. Criminal behavior is learned in interaction with other persons in the process of communication
3. the principal part of the learning of criminal behavior occurs within intimate personal groups,
4. When criminal behavior is learned, the learning includes
5. Techniques of committing the crime, which is sometimes very complicated and sometimes very simple, and
6. The learning also includes the specific direction of motives and drives, rationalizations, and attitudes.
7. The specific direction of motives and drives is learned from definitions of the legal codes as favorable or unfavorable,
8. A person becomes delinquent because of an excess of definitions favorable to violation of law over definitions unfavorable to violation of the law,
9. Differential association may vary in frequency, duration, priority, and intensity,
10. The process of learning criminal behavior by association with criminal and anti-criminal patterns involves all of the mechanisms that are involved in any other learning, and
11. However, criminal behavior is an expression of general needs and values; it is not explained by those general needs and values because noncriminal behavior is an expression of the same needs and values (Sutherland 1947, p. 6–7 cited in Nicholson and Higgins, 2017, p. 11).

However, Sutherland's (1947) theory did not specify the process by which behavior is learned.

The sixth principle of differential association was essential to the creation of Burgess and Akers' (1966) differential association–reinforcement theory. Sutherland (1947) believed in the ability of people to learn two kinds of definitions that are assigned to behaviors—favorable and unfavorable. The probability of an individual committing a certain delinquent act will increase when their definitions of the act are more favorable. An unfavorable definition of an act will decrease the probability of its commission. In most circumstances, people are exposed to both criminal and anti-criminal influences, with an overly representative presence of favorable or unfavorable definitions being rare.

Nicholson and Higgins (2017) rightly observed that Burgess and Akers (1966) believed that Sutherland's (1947) concept of learning through association or interaction with others within a social context goes hand in hand with the premises of operant theory, which refers to how behavior is formed by interactive environmental factors, either social or non-social (Akers 2009, p. 11). Akers and Burgess included work from B. F. Skinner, an expert in the psychology of operant conditioning who formulated the original operant reinforcement model. Skinner (1953) formed his theory through experimental work with laboratory rats. He studied the rats' behavior when they were placed in a box containing a lever that, when pushed, rewarded the rats with a food pellet. The rats learned that they could consistently receive food by using the lever and thus were subjected to operant conditioning. Akers eventually applied concepts from this study to his work, including the four core elements of social learning theory: definitions, differential association, differential reinforcement, and imitation. Eventually, Burgess and Akers (1966) altered Sutherland's (1947) original nine propositions to explain the learning process. With contributions from Skinner's (1953) writings on operant condition, Bandura's (1969) work on the modeling of behavior, and Sutherland's (1947) differential association theory, Burgess and Akers (1966) gave the following new principles that describe the learning process of criminal behavior:

Criminal behavior is learned according to the process of operant conditioning.

Criminal behavior is learned both in non-social situations that are reinforcing or discriminative and through that social interaction in which the behavior of other persons is reinforcing or discriminative for criminal behavior.

The principal part of the learning of criminal behavior occurs in those groups which comprise the individuals' major source of reinforcements.

The learning of criminal behavior, including specific techniques, attitudes, and avoidance procedures, is a function of the effective and available reinforces and the existing reinforcement contingencies.

The specific class of behaviors that are learned and their frequencies of occurrence are a function of the effective and available reinforces, and the rules or norms by which these reinforces are applied.

Criminal behavior is a function of discriminative norms for criminal behavior, the learning of which occurs when such behavior is more highly reinforced than noncriminal behavior.

The strength of criminal behavior is a direct function of the amount, frequency, and probability of its reinforcement.

As mentioned, Burgess and Akers (1966) saw this new theoretical perspective as originating from applying an integrated set of learning principles to differential association theory. However, criticisms of this refinement caused Akers to move away from these seven principles and concentrate on Bandura's (1969) social behaviorism and the four core elements that would comprise social learning theory. The social learning theory is considered a general theory of crime due to its underlying assumptions that attempt to explain why individuals commit deviant acts and also why they do not.

For example:

Bandura (1962, 1975) and Bandura and Walters (1959) adapted existing social learning theories to explain aggressive behavior among children. He argued that aggression and violence are not intrinsic to any individual; instead, this behavior is influenced by (and learned from) family members, the media, and their social environment in general. In particular, he believed that aggression is learned through behavior modeling (vicarious learning). Children are trained to act aggressively and use violence by modeling their behavior upon that of adults who display aggression and act violently. Displays of aggression and violence by parents are considered the most prominent source of such behavior modeling, as these individuals are the most intimate and influential people in a child's life. Bandura reported that children are more apt to use the same aggressive tactics their parents use when dealing with other individuals or circumstances. For example, children who have been abused or have witnessed spousal abuse are at higher risk of replicating that behavior later in life. This replication occurs because children will have learned to use aggression and violence to control behavior or solve conflicts or other problems (i.e., it becomes a natural response or coping mechanism). If the violence witnessed by a child or youth solves a problem, this positively reinforces the efficacy of such behavior in the eyes of an impressionable child (Brown et al., 2010, p. 102).

Bandura (1977) views a person's behavior as relating to his or her cognitive processes. He argues that human behaviors are mostly acquired through observation of actions and modelling of other people in their cognition, which later serves as an inspiration or a model for subsequent conduct. The implication is that when one lives in an environment where acts of SGBV are common, there is every tendency to learn such behaviors, which are likely to be carried out in the future (Thornhill and Palmer (2000). This supports the view of Justin Reid and Wey (2001), who argued that many perpetrators of SGBV have been sexually abused during their childhood. Thus, SGBV could be viewed as a learned act internalized in a person's cognition which the perpetrators carry out towards females in any given situation, including internal displacement.

**3.2.2 Concepts of the Social Learning Theory**

To appreciate the validity of the social learning theory, it is important to understand its main concepts. Akers (1998) outlines four main concepts in his social learning theory which are as follows:

* 1. Differential association,
  2. Definitions,
  3. Differential reinforcement, and
  4. Imitation.

The concept of differential association emphasizes the social interactions between people in peer groups, such as those between families, neighbors, or teachers, and those found in media content through television, the Internet, etc. These interactions structure the setting where the social learning of behavior occurs (Nicholson & Higgins 2017). Similar to Sutherland (1947), Akers considered the intimate personal group vital due to their role in the individual's life being most significant. These are, most importantly, the primary groups of friends and family. Social learning theory contends that these primary groups are vital beyond just exposing an individual to passing definitions and providing behavior models. However, differing from Sutherland (1947), Akers recognizes the importance of secondary groups, including church members, teachers, and authority figures. Influences from these sources gain importance as individuals move from childhood through their life span. Essentially, criminal behavior is thought to be more likely when an individual differentially associates with others who possess and share pro-delinquent attitudes and values. Related to this, Akers mentions that beyond this interaction is the time spent within these associations that will contribute to the ratio of deviant to non-deviant associations.

The four modalities from Sutherland's (1947) differential association theory remain in social learning theory. These involve variations in frequency, duration, priority, and intensity. Frequency involves those associations that occur most often. Priority refers to those which occur earlier. Furthermore, Akers believes that duration can be broken into two parts: the length of time and the relative amount of time spent with differential associates. Basically, the greater the amount of time and percentage of all time spent with certain people, the greater their influence on an individual's behavior. The intensity of the relationship refers to the importance of those to whom an individual relates (Nicholson and Higgins 2017). Essentially, the more frequent, intense, and long-lasting an individual's differential associations that expose and reinforce deviant behavior, the greater the chances of such behavior (Nicholson and Higgins 2017).

The next component, definitions, involves an individual's beliefs and attitudes to certain behaviors. According to Akers, definitions include the orientations, rationalizations, definitions of the situation, and other attitudes that label the commission of an act as right or wrong, good or bad, desirable or undesirable, and justified or unjustified (Nicholson and Higgins 2017). Further specified are general and specific definitions. General definitions are conventional societal norms, often seen in the form of religion or morality, that are favorable or unfavorable to delinquency. Specific definitions refer to how individuals may feel about specific criminal acts in terms of the level of immorality. For example, wife-battery may be considered approvable, but husband battery is not. Individuals who strongly disapprove of certain acts are less likely to participate in such behavior (Nicholson and Higgins 2017).

Also, definitions can be categorized as positive or neutralizing. Examples of positive definitions in favor of crime may be "it is ok to have sex with a girl that depends on one for her economic needs" or "it is fun to dominate and control a woman." Examples of neutralizing definitions include "it is ok to have sex with a girl or woman that visited a man alone."

According to Akers (1998), general and specific definitions operate as if on a spectrum. Akers (1998) describes it as "definitions favorable to deviance include weakly held general beliefs and more strongly held deviant justifications, and definitions of the situation; those unfavorable to deviance include more strongly held conventional beliefs and deviant definitions that are weakly subscribed to" or "two parallel continua running in opposite directions" (Nicholson and Higgins 2017). However, according to social learning theory, definitions are learned through social reinforcement mechanisms. Definitions do not work so much as direct motivators but rather as "discriminative stimuli," communicating that certain behaviors are likely to be rewarded or punished. This predictable reinforcement or punishment motivates behavior, regardless of whether the motivation to participate in such an act aligns with someone's beliefs.

The concept of differential reinforcement refers to the cost–benefit calculation of the anticipated or actual rewards or punishments that result from behavior. People are more likely to engage in a behavior based on certain desirable results involving rewards or punishment. Differential reinforcement's effect on behavior stems from Skinner's (1953) operant (instrumental) conditioning model, which includes positive and negative reinforcement and positive and negative punishment. Greater and more frequently occurring rewards, such as status, monetary gain, or excitement associated with a behavior, are thought to be positively correlated with the commission of such behavior (positive reinforcement). Furthermore, this correlation continues when behavior is reinforced with a low frequency and severity of punishment (negative reinforcement). In terms of punishment, behavior can be deterred through direct or positive punishment and indirect or negative punishment (Nicholson and Higgins 2017). Positive punishment refers to undesirable consequences associated with a behavior, while negative punishment removes a valued reward as a consequence of a behavior.

Finally, imitation is modeling similar behavior that was observed in others. This element is related to Bandura's (1979) perspective of vicarious reinforcement, in which individuals observe the behaviors modeled by others and the consequences that follow others' behavior. For example, someone may witness a criminal act, recognize the rewards the offender gained or the lack of punishment, and feel encouraged to participate in the same behavior through imitation. Imitation can result from direct observation of those in peer groups and significant others, such as parents and siblings, or indirect observation, such as what is seen in the media. The effect that imitation brings on the social learning process depends on a few factors. Characteristics of the model and observed behavior in question, along with the reinforcement of the behavior, all factor into the likelihood that the behavior will be imitated. Akers believes the most imitated models are those in direct contact with the observer. But distant media figures can also serve as models for imitation (Nicholson and Higgins 2017).

The concepts from Akers's (1998) version of social learning theory are part of a larger process that occurs in three areas:

* Individual's learning history (both learning from and influencing others)
* Immediate situations where an opportunity for a crime occurs
* In the larger social context (i.e., meso- and macro levels)

The social learning process is the recognition that it is dynamic rather than static. For social learning to occur, reciprocal and feedback effects are central (Nicholson and Higgins 2017).

Following Skinner's (1953) logic and Akers's (1998) use of operant conditioning, reinforcement relies on a response–stimulus–response reciprocation. This means that behavior occurs, producing consequences that produce a certain probability that the behavior may be repeated, suggesting, thus, the complexity of the theory. The complexity of the theory has far greater than the mere usage of the four components. Akers and Jensen (2006) wrote that individuals acquire criminal and deviant behavior in the following manner: The typical temporal sequence in the process by which persons come to the point of violating the law, or engaging in other deviant acts, is hypothesized to be one in which the balance of learned definitions, imitation of criminal or deviant models, and anticipated balance of reinforcement produce the initial delinquent or deviant act. The facilitative effects of these variables continue in the repetition of acts, although imitation becomes less important than it was in the first commission of the act. After onset or initiation, the actual social and non-social reinforcers and punishers affect whether or not the acts will be repeated and at what level of frequency (Nicholson and Higgins 2017).

Both the behavior and definitions, favorable and unfavorable, are affected by the consequences of the initial acts. Whether a deviant act will be repeated in a situation that presents or is perceived to present, the opportunity depends on the individual's learning history and the set of definitions, discriminative stimuli, and reinforcement contingencies in that situation (p. 41). This does not mean that all social learning concepts can only happen, as presented above. The reality is that certain concepts may come at any point in the social learning process (Nicholson and Higgins 2017). For instance, definitions are often thought to occur before the commission of an act. As hypothesized by Akers (1998), definitions may occur at any point in the social learning process. For instance, definitions can occur before an act, but it is also possible for definitions to occur retrospectively to justify or excuse behavior. Even at this point of the social learning process, the retrospective nature of the justification or excuse may still serve as a prospective definition of future behavior slipping into the response–stimulus–response reciprocation that is often found in reinforcement (Nicholson and Higgins 2017).

**3.2.3 Social Structure Social Learning Theory and crime**

Although empirical research indicates that social learning theory is important in providing an understanding of crime and deviance, Akers (1998) pushes the theory in an additional direction by redeveloping it to include the social structure. In this reformulation, the social structure is pivotal to a richer understanding of social learning theory. Akers (1998) argued that understanding the individuals' environment was key to understanding their criminal and deviant behavior. The social structure has an organizing feature that indirectly affects the performance of criminal and deviant behavior. In other words, the social structure would affect the social learning concepts (i.e., differential association, definitions, differential reinforcement, and imitation). Overall, the social learning concepts still govern the learning process, but the social structure has some influence over them (Nicholson and Higgins 2017). According to Akers (1998, p.322):

The social structural variables are indicators of the primary distal macro-level and meso-level causes of crime. In contrast, the social learning variables reflect the primary proximate causes of criminal behavior that mediate the relationships between social structure and crime rates. Some structural variables are unrelated to crime and do not explain the crime rate because they do not have a crime-relevant effect on the social learning variables (cited in Nicholson and Higgins, 2017, p.16).

Based on the above, Akers (1998) suggests four dimensions of social structure that provide the contexts for social learning and the learning process within the social learning theory. They are as follows:

* Differential social organization,
* Differential location in the social structure,
* Theoretically defined structural variables, and
* Differential social location.

The differential social organization focuses on the larger community. Akers (1998) argued that this is based on the structural correlates of crime in the larger community or society. For instance, age composition, population density, or other community demographics seem to move communities toward higher crime rates (Nicholson and Higgins 2017). Differential location in the social structure focuses on the stratification of individuals within their communities, including their class, gender, race, ethnicity, marital status, standing of individuals, and roles in organizations (Akers, 1998).

Theoretically defined structural variables have importance for the future development of social learning theory. According to Akers (1998), these refer to social structural forces such as anomie, class oppression, social disorganization, and patriarchy. In respect to the present study, for example, social disorganization, patriarchy, and male oppression are particularly important for understanding the structural context of social learning that facilitates SGBV.

Lastly, differential social location refers to membership in social groups. These groups include gangs, family, or other peer groups (Nicholson and Higgins 2017), as well as membership of a gender group. In addition, prevention programs may be used as a means of differential social location. Further, these groups' time and relative importance increase the likelihood of organizing social learning to influence behavior (Nicholson and Higgins 2017).

**3.2.4 Patriarchy and the Social Learning Process that Structures SGBV**

The social structure social learning theory has received support from empirical studies that examined its validity, particularly in the context of rape, violence, binge drinking, and digital piracy (Lee 1998; Lanza-Kaduce and Capece 2003; Morris and Higgins 2010 cited in Nicholson and Higgins, 2017). These results need to be consumed within their limitations. None of these studies examined the full complement of structural factors that may be present in social learning theory. This complement includes using prevention programs as a means of social structure. This suggests that social learning theory has importance for prevention programs. The principles of social learning theory have guided many prevention and treatment programs for criminal offenders (Nicholson and Higgins, 2017).

In relation to patriarchy, social learning social structure shows that there are acceptable behaviours of males towards females which are rooted in the social structure and culture of the society. The patriarchal system being structural, is learned from generation to generation and thus acquired thereby leading to most of the negative consequences including SGBV. According to Becker, (1999) oppression derives support from common roots.

Patriarchy with social structure social learning can be used to explain the prevalence of SGBV in northeast Nigeria. First, social learning theory supports patriarchal theory because it portrays how inequality and dominance of females is created. Thus, the attitude of males towards females in the societies is shaped by what has been learned. Also, social learning theory posits that childhood exposure to sexual violence is a high pointer to a cognitive explanation of sexual offences. Research has shown that childhood encounters have either positive or negative effects on individuals later in life (Germaine et al., 2015). Consequently, experiences such as extreme neglect and physical violence can create negative reasoning and perception toward others, thereby affecting the individual's attitude toward people in general and possibly leading to violence (Germaine et al., 2015). This further reinforces the views of Bandura (1977) and Thornhill and Palmer (2000), which could imply that SGBV may have been a learned behavior from either the environment or childhood of individuals who end up practicing the act in places like the IDP camps.

Additionally, negative cognitive reasoning due to some experiences earlier in life or recent experience of displacement could be a contributory factor for sexual violence towards females or predisposing factor of female victimization. The trauma of violence experienced in the northeast with Boko Haram without any intervention predisposes people, especially women and girls, to SGBV. This is in congruence with the argument of Amodu et al. (2020) and Faupel et al. (2015), who observed that traumatic experiences, violence, and harassment during forced displacement and migration, which are part of the structural forces outlined in this theory could result in mental health issues thereby contributing to abnormal behavior such as SGBV on female occupants of the IDP camps. In terms of the structural forces that structure social learning, patriarchy and social disorganization are particularly relevant in explaining the pattern of SGBV in the IDP camps in the northeast.

**3.2.5 Patriarchy and the Culture of Silence**

Victims of SGBV have mostly followed the regular culture of silence which follows the perpetuating of the act. Females silently bear the pain of the act perpetuated on them to avoid stigma, revictimization and to protect the name of the family. (Nnadi, 2012). In an empirical study on stalking (Scarr and Kennedy, 2024 ), one of the findings showed that women are groomed to be polite following cultural and patriarchal standards leading to the acceptance o uncomfortable negative acts towards them such as stalking

Despite the prevalence of SGBV within the family, in public arenas, academic and professional institutions. The stigma attached to the reporting of sexual violence on the female would usually prevent her from disclosing it to anyone, let alone the police (Akpoghame, 2016).

The culture of silence is also encouraged through impunity. (Nnadi 2012). Knowing that the perpetrators of SGBV are hardly punished for the crime, victims are usually hindered by distrust in the system which is discriminating against females partly due to the influence of some patriarchal elements in the system. Re-victimization by perpetrators is another factor that encourages the culture of silence. Human Rights Watch conducted an interview of victims of SGBV in an IDP camp in 2016, victims expressed that they feel powerless as they dread retaliation from their attackers if they report the acts perpetrated on them..

Therefore, there are instances where reports are made and law enforcement officers, who are usually biased are likely to shame the victims and are not likely to take adequate actions or even sometimes sabotage the case and prevent it from getting to court. (Nnadi, 2012)

Law enforcement officers are said to have a” Lackadaisical attitude” which has desensitized a lot of Nigerians to the issue of SGBV. Females living in poverty are at a greater risk of being victims of SGBV and are less likely to have justice, as an interviewee put it “Any case you take to the police, you must bring out money,” (Edeh 2018). Prolonged evidence gathering also adds to non-reporting by victims and the impunity of perpetrators.

Culturally, reporting an act of SGBV is said to bring dishonour and shame to the victim’s family, hence why victims choose silence over reporting. (Arisi and Oromareghake, 2011). In a related study by Njoku and Dery (2023), males who experience conflict related sexual and gender based violence are mainly held back from reporting or even mentioning the abuse due to a traditional norm referred to as kunya. In the same vein, women are even more inclined to adopting Kunya as it is a common virtue to be imbibed in females in the northern Nigeria. This concept embodies various reactions which could occur to a sexually abused individual, ranging from shame, shyness, discreetness, embarrassment and other emotions that emerge from the abuse. Kunya encourages modesty and introversion thereby protecting an individual from exposing a private encounter such as SGBV. Thus, as observed by Njoku and Dery (2023), stigmatization, re-victimization and shame will accompany non-compliance with the concept of kunya. As noted in male victims of SGBV, females in IDP camps will as well hold on to kunya, the silence culture which is part of the culture of the northern Nigeria where female muslims protect their honour through conservativeness and secrecy (Myland, 2023).

**3.3 SOCIAL DISORGANIZATION THEORY**

In understanding the role of social disorganization in the social interactional process that results in SGBV in the IDP camps in the northeast, it is important to draw on social disorganization theory. Social disorganization theory is an ecological theory of crime that Clifford Shaw and Henry Mckay developed in the twentieth century (Wickes and Sydes, 2017). The theory essentially argues that crime or violence, such as SGBV, is a function of neighborhoods dynamics or social disorganization and portrays the characteristics of neighborhoods that are likely to experience higher rates of violence, thereby advancing an understanding of the ecological drivers of crime.

Wickes (2017) traced the theory's roots to Robert Park et al. (1925) concentric zone theory of urban areas, which argues that crime stemmed from the social disorganization of the city. Park and Burgess mapped several city zones, each unique in terms of its structural and cultural characteristics. The most criminogenic zone was located in the transition zone, immediately adjacent to the central business district. High levels of residential instability, poverty, and ethnic heterogeneity characterized neighborhoods in this zone. They were also viewed as the least desirable areas to live in and attracted residents with limited economic resources (Wickes, 2017). In contrast to neighborhoods in the outer zones, areas proximal to the city were profoundly affected by social change, as evidenced by their breakdown in normative structure and social control (Wickes, 2017). Park et al. (1925) argued that these inner-city neighborhoods were vulnerable to social disruption due to invasion, dominance, and succession, whereby the growth of the inner city impinges upon the adjacent residential areas (Wickes, 2017).

Drawing on the above, Shaw and McKay (1942) examined the characteristics of Chicago neighborhoods with high delinquency rates. It found that delinquency did not randomly occur throughout the city but was concentrated in disadvantaged neighborhoods in—or adjacent to—areas of industry or commerce. These impoverished neighborhoods were in a constant transition, experiencing high rates of residential mobility. They were also home to newly arrived immigrants and African–Americans. In these areas, residents could not develop important social relationships necessary for the informal regulation of crime and disorder. This led Shaw and McKay (1942) to argue that neighborhood social disorganization, not the pathology of individual residents, better explained the variation in crime and delinquency across Chicago neighborhoods (Wickes, 2017).

In characterizing neighborhoods with stable crime rates, Shaw and McKay focused on the urban areas experiencing rapid changes in their social and economic structure, or the "zones of transition." In particular, they looked at neighborhoods with low socio-economic status (McMurtry and Curling, 2008). They argued that areas characterized by economic deprivation had high rates of population turnover since these were undesirable residential communities, which people left once it became feasible for them to do so. Socio-economically deprived areas also tended to be settled by newly arrived immigrants, which resulted in the ethnic and racial heterogeneity of these areas. As such, socio-economically deprived areas had high rates of residential mobility and racial heterogeneity. These neighborhoods were viewed as "socially disorganized" (McMurtry and Curling, 2008). Thus, socially disorganized communities characterized by frequent migration, socio-economic deprivation, high population, and disrupted family settings tend to experience high crime rates. Such conditions create a breeding ground for criminality due to a lack of behavioral regulation (Sampson and Groves, 1989). Shaw and McKay (1942) argued that these neighborhood conditions eroded community norms and conventional values and prevented residents from responding to or preventing unwanted behavior in the neighborhood. As a result, crime flourished (Wickes, 2017). In support of the theory, sociologist John Hagan affirms that social disorganization enables crimes, and poverty contributes to social disorganization (Hagan, 1993).

However, in the late 60s, the theory started to fall out of fashion but was revived. Bursik (1988), for example, faulted the theory for the lack of relevant data. The data relied on in the Shaw and Mckay theory, as well as in the studies on crime and delinquency, are based on census data which do not provide adequate outcomes from research (Sampson and Groves, 1989). Another reason for disagreement with the theory, according to Bursik (1988), is continuous data collection. This led to the option of collecting small, sectioned data due to the expensive nature of the long-term data collection.

However, in the late 1970s, Ruth Kornhauser successfully reintroduced neighborhood dynamics into the criminological discourse. Kornhauser (1978, p 45) demonstrated that the central concepts and the organizing mechanisms of social disorganization theory are social control and the "web of social relationships" necessary for such control (Wickes, 2017). From this perspective, a neighborhood's inability to develop primary relationships, realize common values, and enforce internal social control leads to high levels of crime and disorder (Bursik, 1988, cited in Wickes, 2017). This articulation of social disorganization theory provided a clear framework for understanding the temporal relationships between neighborhood structure, neighborhood networks, and crime (Wickes, 2017).

Thus, Kornhauser' (1978) review of the theory of social disorganization essentially affirms Shaw and Mckay's (1942) notion of the impact of economic deprivation on the level and existence of crime in a community. Economically deprived groups have thus been upheld as those in which delinquency and crime are more likely to thrive, with social disorganization resulting in crime and violence (Smith and Jarjoura, 1998; Warner and Roundtree, 1997).

By the mid-1990, a contemporary reformulation of social disorganization theory and collective efficacy theory further reinvigorated the focus on neighborhood effects and the differential spatial distribution of crime and disorder (Sampson et al. 1997 cited in Wickes 2017, p. 57). Wickes (2017) observed that many studies, across varying cultural contexts, demonstrate the strong link between neighborhood social ties, expectations for informal social control, and crime and underscores the 'take-home message from this scholarship' in terms of promoting the understanding 'that neighborhoods with strong social ties and expectations for informal social control experience fewer social problems' (p.57). The theory's central tenets have also informed the development of community crime prevention programs concerned with limiting the negative impacts of demographic and economic change in urban neighborhoods (Wikes, 2017).

As discussed above, social disorganization theory applies to the present study. It is particularly suitable for explaining the prevalence of SGBV in IDP camps in the northeast zone of Nigeria and the host communities for IDPs. The IDP camps in the north-east epitomize 'socially disorganized' neighborhoods in the zone characterized by constant disruption in the regular daily lives of the IDPs, frequent migration or resettlement due to unfavorable circumstances, poor economic conditions of IDPs and heterogeneity in terms of cultural, religious and gender backgrounds. In other words, the camps are home to a mixture of different kinds of people from various ethnic, religious, age, and gender backgrounds, most of whom are also suffering from economic deprivation and multi-dimensional poverty. Informal social control mechanisms and institutions such as family, religion, and community ties are generally weak, as well as their collective efficacy. These neighborhood dynamics which characterize the IDP camps constitute the breeding ground or environment for SGBV to thrive at both the domestic and public levels. In this context, it is difficult for legal and institutional mechanisms for the prevention of SGBV to be effective if the programme does not deliberately target and limit the negative impacts of demographic and economic change in the IDP camps.

**3.4 CRIME OPPORTUNITY (ROUTINE ACTIVITY) THEORY**

As discussed in the preceding section, the socially disorganized context of the IDP camps suggests that the environment of interaction between target victims and motivated perpetrators offers ample opportunities for SGBV to thrive in the camps. To address this situation, there is a need for a crime opportunity theory that sees the pattern of SGBV in the IDP camps as a function of opportunity that should be blocked through situational crime prevention measures. A crime opportunity theory is a theory of crime setting that rests on the principle that easy or tempting opportunities could entice people into criminal action (Schneider, 2015). Such a theory assumes that the vast majority of crimes, including SGBV, occur in a specific time and place. As such, preventive measures must target the removal and reduction of opportunities for criminal acts to occur in a particular time and place. As Clarke and Eck (2005, p. 16) put it, "for environmental criminologists, 'opportunity makes the thief' is more than just a popular saying; it is the cornerstone of their approach. They believe that if opportunity increases, so will crime. Crime levels are as much determined by the opportunities afforded by the physical and social arrangements of society as by the attitudes and dispositions of the population" (cited in Schneider, 2015, p. 51).

As explained above, many theories fit into the mold of a crime opportunity theory. These include rational choice theory, routine activities theory, crime pattern theory, offender search theory, broken windows theory, and crime hot spots (Schneider, 2015). For this study, routine activities theory is applied to explain the place of crime opportunity in understanding the rate and pattern of SGBV in the IDP camps in northeast Nigeria.

Routine activity theory (RAT) is a subsidiary of the crime opportunity theory developed by Cohen and Felson (1979). The theory combines insights from rational choice theory and human ecology to focus on how contexts and mundane daily activity can fuel or forestall offending (Shreck, 2017). In this way, it is regarded as one of the major theories of victimization and has been heavily tested in the research literature (Shreck, 2017).

Routine activity theory was influenced by the sociologist Hawley's (1950) research on human ecology. Hawley was interested in describing the life pattern of communities, which he perceived as a web of interconnected human relationships designed to promote mutual benefit. These relationships, in turn, create regularities in human behavior (Shreck, 2017). According to Cohen and Felson (1979), the precise configuration of these interconnected relationships explains why specific crime types occur at particular locations and times. Cohen and Felson (1979) thus define crime as an opportunistic act that only benefits the offender and has a parasitic relationship with the legitimate activities and technologies used within the community. This, as Shreck (2017) observed, has several implications, including the fact that crime emerges in the course of people's daily legitimate routines; potential victims may change their relationships and patterns of behavior to protect themselves from predation; and advances in technology impact crime by aiding offenders, their targets, or sometimes both. Crime occurs based on the availability of one or more potential criminals who plan to perpetrate it given the opportunity (Wilcox and Cullen, 2018). This suggests that crime is made possible by an enabling environment in which the criminal is found. This theory's focus on situations rather than the individual offender makes RAT unique and relevant to understanding and explaining the interactional process through which SGBV can be perpetrated in the IDP camps in northeast Nigeria. To appreciate how this works, it is important to clearly understand the basic premise of the Routine Activity Theory.

The central postulation of the RAT is that criminal behavior such as SGBV is a function of opportunity that requires the convergence of three elements in time and space to occur. These are;

1. a motivated offender with criminal intentions and the ability to act on these inclinations.
2. a suitable victim or target, and
3. the absence of a capable guardian who can prevent the crime from happening (Felson, 1979).

A motivated offender is anyone who, for any reason, might commit a crime. At the same time, a suitable target or victim may be an object worth stealing, a physical structure that can be vandalized, or a person who can be victimized, such as in SGBV. Furthermore, the theory identifies three types of capable guardians or controllers, each corresponding to the three routine elements (offender, target, and place) that make up a criminal event (Schneider, 2015). According to Clerk and Eck (2005, p. 14):

For the target/victim, this is the capable guardian of the original formulation of routine activity theory – usually, people protecting themselves, their belongings, or those of family members, friends, and co-workers. Guardians also include public police and private security. For the offender, this is the handler, someone who knows the offender well and is in a position to exert some control over his or her actions. Handlers include parents, siblings, teachers, friends, and spouses. Probation and parole authorities often augment or substitute for normal handlers. For the place, the controller is the manager, the owner or designee who has some responsibility for controlling behavior in the specific location, such as a bus driver or teacher in a school, bar owners in drinking establishments, landlords in rental housing, or flight attendants on commercial airliners (Cited in Schneider, 2015, p. 52).

Thus, RAT postulates that "crime problems arise when offenders and targets come together in a context where such key 'controllers' (handlers, guardians, managers) fail to prevent crime due to a limited sphere of influence resulting from either a lack of awareness, low capacity or sheer unwillingness to assert control" (Cherney, 2008, 635 Cited in Schneider, 2015, p. 52). This theoretical proposition, as Schneider observes, lays the foundation for prescriptions for reducing the opportunity for a criminal act to occur. Based on the above quotation, the opportunity for a criminal act to occur can be reduced "when the likely offender is supervised by the intimate handler, the suitable target is protected by the capable guardian and the time and space where the converge occurs is monitored by the place manager" (Fisher and Lab, 2010, 797, cited in Schneider, 2015, p. 52). The theoretical relationship between the three crime occurrence variables (target/victim, offender, place) and their respective corresponding crime prevention agents (guardian, handler, manager) is depicted in Figure 3.2.

Handler

Manager

**PlP**

Offender

Pl ace

SGBV

Target/Victim

Guardian

**Figure 3.2 Sexual and Gender-Based Analysis Triangle**

Source: Adapted from Clarke and Eck 2005, p. 14, cited in Schneider, 2015, p. 53.

Shreck (2017) summarized the argument of the RAT on how crime typically unfolds in a useful way as follows:

A would-be offender, who is up to this point engaged in a mundane noncriminal routine (where there is no criminal temptation), enters a scene where a desirable target attracts his or her attention. A potential guardian is either absent or leaves, or the offender perceives that it can be avoided with little effort or risk. The offender then takes advantage of the situation and attacks or takes the target. The removal of any one of these preconditions makes it impossible for a crime to take place. However, the rhythm of daily life predictably brings all of these elements together (p.70).

McMurtry and Curling (2008) observed that RAT provides a macro perspective on crime in that it predicts how changes in social and economic conditions influence the overall crime and victimization rate. Felson and Cohen (1980) postulate that criminal activities are a "structurally significant phenomenon," meaning that violations are neither random nor trivial events (p.390 cited in McMurtry and Curling, 2008, p. 42). Consequently, the routine of activities people partakes in over the course of their day and night makes some individuals more susceptible to being viewed as suitable targets by a rationally calculating offender (McMurtry and Curling, 2008). The theory relates the pattern of offending to the everyday patterns of social interaction. Crime is, therefore, normal and depends on available opportunities to offend. A motivated offender will commit a crime if there is an unprotected target and sufficient rewards (McMurtry and Curling, 2008).

The theory’s concept of a suitable or unprotected target means that the choice is influenced by the offender’s perception of the target’s vulnerability; the more suitable and accessible the target, the more likely that a crime will occur. The number of motivated criminals in the population also affects crime levels. It is held that offenders are less likely to commit crimes if they can achieve personal goals through legitimate means. This implies that criminal motivations can be reduced if offenders perceive that there are alternatives to crime (McMurtry and Curling, 2008). The presence of capable guardians is also held to deter individuals from offending. Guardianship can be the physical presence of a person who is able to act in a protective manner or the form of more passive mechanical devices such as video surveillance or security systems. These physical security measures help limit an offender’s access to suitable targets. The essential aspect of routine activities theory is the interaction of motivation, opportunity, and targets. In this way, the presence of guardians will deter most offenders, rendering even attractive targets off-limits. Therefore, the presence of opportunity coupled with a lack of guardianship increases criminal motivations and the likelihood of an offense (McMurtry and Curling, 2008).

Felson and Clarke (1998) believe that the setting and situation of a location could serve as an opportunity for the commission of crimes therein. They particularly emphasize that opportunities for crime differ with social and technological changes and some opportunities are more tempting than others. Thus, creating an enabling environment for the commission of a crime is the presence of opportunity for the crime (Cohen and Felson, 1979).

Although most crimes linked to crime opportunity theory are burglary and robbery, it is also related to other crimes, including SGBV, depending on the environment (Felson and Clarke, 1998). In the IDP camps, the environment is vital in motivating offenders to crime perpetration. For example, the presence of women and children in IDP camps already constitutes target victims as criminal accomplices, including military officers taking advantage of that opportunity.

Felson (1998) cites examples of appropriate settings for different crimes using meeting points, tools for breaking in, and vehicles for transporting stolen property for the crime of burglary. Therefore, opportunity makes a crime possible. It serves as the bridge to the perpetration of crime. Gottfredson (1984) further suggests that out-of-home activities such as clubbing, going out to the movies, bars, and night outings create another opportunity for crimes of personal victimization.

Sampson (1987), in a study on personal violence by strangers, argued that relying on micro-level factors in crime prevention with the use of crime opportunity provided by the individual is not sufficient in analysing the occurrence of personal crimes. This means that personal details like gender, age, marital status, and familial structure are not sufficient opportunistic factors for the crime of personal attacks like sexual assault. Sampson suggests that this should be viewed from a large perspective of merging the micro and macro level expectations in explaining the creation of opportunity for such attacks. In the context of SGBV in the IDP camps, certain macro-structural factors, including the social disorganization that characterized the camps interact with micro-level factors such as the preponderance of motivated offenders and suitable targets to produce the level of SGBV being perpetrated in the camps. The IDP camps are characterized by a lack of security and improper and inadequate infrastructure, including decent housing or shelter; many households have suffered the loss of the head of the household, thereby rendering children and women vulnerable due to the absence of protection or capable guardianship. In such a context, young girls and vulnerable women are often targeted for victimization by motivated individuals, including male IDPs, military men, members of host communities, and strangers.

Thus, the intersection between the environment of the targets as they interact with it and the environment of the motivated perpetrators as they interact with it easily converges in the context of the IDP camps in northeast Nigeria. As Cornish and Clarke (2003) suggest, the environment plays a huge role in encouraging certain behaviours that would have been different without such an enabling environment. As an antidote, RAT, therefore, serves as a remedial perspective to preventing the occurrence of SGBV by emphasizing the location of the crime rather than the perpetrator (Clarke, 1997). As explained by crime opportunity theory, prevention of SGBV would be effective when the setting of the IDP camps is improved and restructured to prevent perpetrators from accessing the target.

Situational crime prevention (SCP), anchored on this theoretical premise, takes a pragmatic approach to crime reduction by manipulating the environment to facilitate crime opportunities. From the theory's premise, a vast majority of SGBV occurs in a specific time and place within the IDP camps and the larger host communities, which must be isolated and addressed by removing or reducing the opportunity for SGBV to occur in such places and times. Sexual violence such as rape, for example, is likely to occur at night in dilapidated buildings or public facilities such as school buildings, surrounding bushes, and the perpetrators’ place or dwelling due to the makeshift nature of the IDP camps. In achieving effective prevention of SGBV in the IDP camps, guardianship is necessary for the supervision or surveillance of potential victims, which aids crime control. Thus, the presence of bystanders seen as a form of guardian (Reginald, 2011) positively influenced the outcome of sexual offences (Panty, 2002). This is since sex offenders who are conscious of the third parties around the proposed crime scene be apprehensive about committing SGBV (Beauregard and Leclerc, 2007).

In summary, the forgoing theories reviewed in this Chapter interrelate in explaining the pervasiveness of sexual gender-based violence both in the wider society and in internal displacement camps. In as much as gender inequality is entrenched in the fabric of Nigerian culture and society due to patriarchy which has conditioned the social learning process, it will continue to encourage motivated perpetrators, especially in the context of social disorganization that characterized the IDP camps, to take advantage of women and girls who may be vulnerable to exploitation and sexual abuse by perpetrating SGBV against them.

Arguably, all the three theories reviewed above, including the social structure of social learning, which incorporates the role of patriarchy; social disorganization theory, underscores the role of ecological or environmental factors and the crime opportunity theory, which draws on rational choice theory, and routine activity theory. They are relevant to understanding why the legal framework and existing institutional mechanisms for the protection of women and girls from SGBV have not been effective. Together, the theories suggest that the current legal regime needs to factor in social developmental and situational crime prevention measures in any preventive programmes on SGBV, especially in the IDP camps. Therefore, this study's theoretical framework incorporates elements of the forgoing theories in a kind of theoretical synthesis to understand and explain why the legal framework on SGBV has not been effective in protecting female IDPs in northeast Nigeria.

**3.5 CIRCLES OF ANALYSIS: A SYSTEMIC MODEL OF SEXUAL AND GENDER-BASED VIOLENCE**

This study adopts and adapts as its theoretical framework Barlow, Kidd, Green, and Darby's (2021) Circles of analysis: a systemic model of child criminal exploitation. Although the unit of analysis in that study was Child Criminal Exploitation (CCE), its focus on explaining why the UK's robust child safeguarding systems and laws have not been very effective in protecting children and preventing CCE is similar to the focus and theoretical interest of this study. The main theoretical question and interest of this study are to understand and explain why the legal framework on SGBV in Nigeria, coupled with the role being played by critical stakeholders towards protecting women and children and preventing the phenomenon in the IDP camps in north-east Nigeria, have not been successful in providing the protections they were designed to provide. This question cannot easily be answered by a single theory, be it biological, psychological, or sociological, because of the complex and interactional nature of sexual and gender-based violence in the IDP camps. It is only through a systematic synthesis of relevant criminological theories of victimology and criminogenesis in the form of the kind engaged in by Barlow et al. (2021) in the circles of analysis that the problem can be meaningfully understood and explained.

As explained by its proponents, the cycle of analysis is a theoretical approach that sees a social problem such as sexual and gender-based violence [in their article, the problem is CCE] as a phenomenon that emerges from the complex interplay between potential targets, motivated perpetrators and conducive environments (Barlow et al., 2021). It draws on contextual safeguarding and rational choice theory to explain the relational dynamics that lead to such problems in terms of complex systems that include not just victims and their environment or weaknesses in the criminal justice system but also the perpetrator and his interaction with the environment.

The approach is particularly useful because, beyond the role of the legal framework and institutional safeguards, it underscores the importance of addressing environmental conditions and the perpetrators' motivation when trying to prevent SGBV. In so doing, it offers "a theoretical support for contextual safeguarding, public health and situational crime prevention approach" to the protection of women and girls in IDP camps, disruption of organised or systemic acts of SGBV by camp officials; and the pursuit, prosecution, and punishment of the perpetrators of SGBV in the camps. The approach is particularly useful because it holds the potential to promote understanding of the pattern of sexual and gender-based violence that emerges from the interactions between a woman or girl IDP target for sexual violence and her environment, a motivated perpetrator of SGBV and his environment, and the interaction or relationship between the targeted woman or girl and the motivated perpetrator of the SGBV (Jennings, 2014 cited in Barlow et al., 2021).

To appreciate the applicability of the cycles of analysis theory to the present study, it is useful to highlight the central argument of the theory as used in explaining child criminal exploitation. According to Barlow et al. (2021):

CCE is a pattern of events and behaviours that emerge from, and are maintained by, interactions between a complex systems. Each of these individual systems act as an element of the exploitation system and can be defined and described separately as the child, perpetrator, and environment systems, each with its attributes. The exploitation system can exist only at the intersection of the other three. However, it will vary depending upon the configuration of the other elements' attributes and their relationships with each other. Any single intervention triggers responses throughout the systems that will resist or accommodate the intervention. In this way, the system maintains stability so that the abuse and exploitation continue and evolve. All interventions must therefore target all three intersections simultaneously and consider how the system has responded in the past to anticipate how it will respond in the present and the immediate future. The targets for intervention are the three relationships, the points of interaction which may be referred to as the possibility spaces.

The figure below is the circle of analysis as illustrated by Barlow et al model in figure in their analysis of child criminal exploitation.

Diagram of a diagram of a child

Description automatically generated

**Figure 3.3: Circles of Analysis**

Source: Barlow et al. (2021).

Sexual and gender-based violence against women and girls in IDP camps in the northeast is an output of the exploitation process. According to Barlow et al. (2021), the nature of the behaviour is immaterial to understanding violence; the process and mechanisms are important. The mechanisms of violence are all forms of SGBV (physical abuse, emotional abuse, sexual abuse, and neglect or economic abuse), without which exploitation cannot occur. Understanding the phenomenon of SGBV is, therefore, a "bottom-up" approach that starts from recognising patterns of SGBV.

SGBV occurs in the context of a relationship in which there is a substantial imbalance of power that is misused by the stronger person (usually the adult male but may also include peers or older youths) to control and harm the weaker (usually woman or girl) for some form of gain such as economic and sexual gratification. The nature and extent of the abuse, together with the degree of the harm, will vary according to the following:

1. the needs, objectives, and aims of the perpetrator(s);
2. the characteristics of the female IDP and what these represent to the perpetrator(s); and
3. the environments from which the woman or girl and perpetrators emerge and in which the violence occurs.

Each intersection between the female-motivated perpetrators and the shared environment is an emergent micro-state that can be understood in terms of the biographical histories of each agent within the system. In addition, the nature and characteristics of geographical locations either promote or inhibit the patterns of behaviour during the interactions. These intersections are what Barlow et al. (2021) described as "possibility spaces" in which the target/environment microstate generates the needs or goals of the target (i.e., a female IDP).

Similarly, the perpetrator/environment microstate generates the needs or goals of the motivated exploiter(s). The target/ perpetrator micro-state indicates a congruity of goals or needs between both agents. The congruence of these goals causes the interaction in the space in which both agents exist together over time. For example, the interaction between a hungry and poor female IDP in need of food or some economic support and a man in the host community who may be interested in sexually exploiting the woman or girl could result in SGBV. The pattern of SGBV is maintained as a stable relationship between the perpetrator and victim within a shared, conducive environment in which the perpetrator's needs are gratified. According to Barlow et al. (2021), this will likely destabilise as disturbances occur in any possible space. The pattern of behaviour will then cease (as no longer functional for goal achievement) in response to the new stimulant. These micro-states or relationships represent the possibility of SGBV and the possibility of preventing or disrupting violence against females and supporting them toward safety and recovery.

In adapting the above theory (which was originally used to explain the persistence of CCE despite robust child safeguarding systems in the UK) to explain why the legal framework and institutional mechanism on SGBV in Nigeria have failed to prevent SGBV and to provide protection for female IDPs in the north-east zone, certain inherent limitations have to be recognized and avoided. These essentially relate to differences in the unit of analysis and the context of interaction between targets and perpetrators in the analysis.

First, while Barlow and colleagues deal with child criminal exploitation, the present study focuses on SGBV, which could be directed at a child or an adult. Second, the geographical context of the studies also differs. While Barlow et al. (2021) theory is on UK legal system and society, this study is on IDP camps in northeast Nigeria. Lastly, as Barlow and colleagues themselves acknowledged, their circle of analysis theory is not a general safeguarding tool as contextual safeguarding is, but specific to a subset of child abuse that they have framed in the context of exploitative, modern slavery practices and organised crime networks (Barlow et al., 2021). Consequently, it cannot be applied to the present study hook, line, and sinker without necessary modifications.

Against this backdrop, this study extended the theory beyond the primary concern with understanding the interactional and relational dynamics that lead some females to be targeted by perpetrators of time in some places to encompass the social structural factors, social learning processes, condition of social disorganization and specific situation that account for the pattern of SGBV identifiable in the IDP camps in the north-east. In so doing, the study draws on. It synthesizes elements of social structure social learning theory, social disorganization theory, and crime opportunity theory with inspiration from rational choice theory and routine activity theory to demonstrate why the robust legal framework and prevailing institutional mechanisms on SGBV are insufficient to prevent and protect female IDPs in North-east Nigeria.

First, within the framework of the social structure social learning theory reviewed above, the foundation for creating a conducive environment for the perpetuation of SGBV against female IDPs in the camps is laid by the patriarchal culture of Nigerian society as a whole. This structure of domination and exploitation of females by males is maintained and sustained through the socialization of children into the norms and values of a society that prioritizes males. Through social learning and childhood experiences of gender discrimination, abuse, and maltreatment of women and girls, people grow up to regard certain forms of SGBV as normal. As argued in the section on patriarchy, male dominance and women's exploitation are common practices, particularly in the northeast, and are compounded by religion and culture. The cultural environment in the northeast supports and encourages early marriage for females, female submissiveness to males, seclusion, and domination of women, and polygamous marriage for males. The norms and values of society as expressed and transmitted through key institutions such as the family, community, religious institutions, and educational institutions that the people learn and practice in the course of social learning. This study argues that these macro-structural factors must be factored into the explanation of the interaction between victims and perpetrators of SGBV within the framework of the cycles of analysis theory.

Second and related to the above, the specific ecological conditions of the IDP camps characterized by social disorganization are equally important in understanding why IDP camps are conducive for SGBV to thrive. As employed in this study, the take-home of social disorganization theory is that SGBV is also a function of neighbourhood dynamics. The social disorganization of the IDP camps, characterized by instability, migration, absence of capable guardians, weak informal social control mechanisms, and low levels of collective self-efficacy, makes them a breeding ground for SGBV. As argued earlier, the IDP camps in the north-east are a good example of 'socially disorganized' neighborhoods as they are characterized by constant disruption in the regular daily lives of the IDPs, frequent migration or resettlement due to unfavourable circumstances, poor economic conditions of IDPs and heterogeneity in terms of cultural, religious and gender backgrounds. Informal social control mechanisms and institutions such as family, religion, and community ties are generally weak, as well as their collective efficacy. In this context, it is difficult for legal and institutional mechanisms for the prevention of SGBV to be effective if programmes do not deliberately target and limit the negative impacts of demographic and economic change in the IDP camps.

Last, the theoretical framework of this study also recognizes the interactional dynamics that characterized SGBV, which is why it draws on situational crime prevention theories based on the principles of the crime opportunity theory in explaining the situations that may give rise to SGBV in the IDP camps. The crime opportunity theory, as discussed under rational choice and routine activity theory, promotes an understanding of the rational nature of SGBV and the motivations of the perpetrators, which can be understood in terms of weak enforcement of the laws on SGBV, lack of security in the IDP camps, absence of capable guardians in households within the camps and the surrounding host community due to loss of heads of households to terrorist attacks, economic deprivation which makes women and girls vulnerable to exploitation, and weak informal social control institutions. In terms of the interaction of the targets or victims and their environment, routine activity theory, in particular, promotes the understanding of situations that could predispose female IDPs to SGBV in particular places and times. For example, female households without male guardians may be more susceptible to violence from strangers or military men deployed to protect the camps, especially at night. Intimate partners and family members may target girls and women at the home front for SGBV. Thus, many female IDPs are likely to be suitable unprotected targets if they are perceived as vulnerable by any motivated offender. Motivated offenders can only be deterred if they perceive that female IDPs are not vulnerable. Overall, the crime opportunity theory has proven relevant to understanding the interactional nature of SGBV in terms of the intersection or convergence between the presence of a motivated offender, the presence of a suitable target, and the absence of a capable guardian. These elements easily converge in the context of IDP camps in the northeast. A vast majority of SGBV occurs in a specific time and place within the IDP camps and the larger host communities, which must be isolated and addressed by removing or reducing the opportunity for SGBV to occur in such places and times. Sexual violence such as rape, for example, is likely to occur at night in dilapidated buildings or public facilities such as school buildings, surrounding bushes, and the perpetrator's place of dwelling due to the makeshift nature of the IDP camps.

In achieving effective prevention of SGBV in the IDP camps, guardianship is necessary for the supervision or surveillance of potential victims, which aids crime control. Thus, the presence of bystanders seen as a form of guardian (Reginald, 2011) positively influenced the outcome of sexual offences (Panty, 2002). This is because sex offenders, conscious of the third parties around the proposed crime scene, are apprehensive about committing SGBV (Beauregard and Leclerc, 2007). Female IDPs also have a role to play by avoiding being in the wrong place at the wrong time. In contrast, the overall socio-economic conditions of IDPs need to be improved by providing adequate security, social amenities, economic support services, and job opportunities. Any preventive measures against SGBV in the IDP camps must consider the insights of these theories for the measures to be effective. The presence of laws and institutions to protect SGBV without adequate enforcement is insufficient. Social development and situational crime prevention strategies must complement the criminal justice approach to protecting female IDPs against SGBV.

Operationalising the Routine Activity Theory (RAT) in the Scenario of SGBV in the IDP Camps: A Modified Barlow’s Circle of Analysis Model

From the construction of the Cohen and Felson’s Routine Activitiy Theory (1979), it is strongly believed that more emphasis should be laid on this theory to explain why the practice of SGBV is being perpetrated in the IDP camps in the north-east Nigeria, why it persists despite an array of laws and how it could be curbed. This is due to the dynamic ability of the Routine Activity Theory to operate as an instrument of crime analysis, crime prevention and solution strategy. This dynamism of the theory has been demonstrated by Barlow, Kidd, Green and Darby (2022). In their study of the underlying factors of child criminal exploitation, which shares similar concern with child sexual exploitation as discussed above, they employed the Routine Activity Theory as a system model to tackle the root of the problem in question. This study has examined and analysed the model and has found it also suitable in explaining and addressing the complex problem of SGBV being experienced by female IDPs in the IDP camps in north-east of Nigeria.

The connection between the “criminogenesis” patriarchal theory and the crime opportunity (Routine Activity) theories lies in the fact that SGBV occurs primarily in the situation where as a result of the kind of relationship shared between the perpetrator and the victim, there is a substantial imbalance of power that is misused by the stronger person (usually the male IDPs) to control and dominate the weaker (usually the female IDPs) for some form of gain or satisfaction. However, according to the crime opportunity theory, the predator cannot be successful with his venture unless there is that convergence between the three elements of motivated perpetrator, suitable target and lack of capable guardian. These components have however been tweaked by Barlow et al (2022) to comprise of: motivated perpetrator, suitable target and conducive environment (figure 3.3). It is the belief and understanding that the implication of the absence of capable guardian as contained in the original Routine Activity Theory is the creation of enabling environment for the criminal to operate. As explained by Brodeur (2001):

For instance, the growth of the service industry since the end of World War II has multiplied evening work shifts that keeps people away from home as guardians of their property, while increasing their accessibility as targets when they come back home at night.

Explaining the significance of the absence of capable guardian further, Purpura (2013) said:

An offender may routinely walk through specific neighborhoods looking for homes that appear as easy targets for burglary or into buildings in a commercial area to seek opportunities for theft. Because in many families all adults work, homes are often unoccupied during the day, which can become suitable targets for burglary. “Neighborhood Watch” and alarm systems can prevent crime. Commercial buildings without access controls or other security methods, likewise, can become suitable targets. Below is an adapted illustration of the circles of analysis for the purpose of this study using the model of Barlow et al (2021)

Diagram of a diagram of a pattern of target

Description automatically generated

Figure 3.4: A modified and adapted Barlow, et al.’s Circle of Analysis Model of Routine Activity Theory (Barlow, Kidd, Green and Darby, 2022). This represents the northeast IDP camp situation on SGBV against females’

Each intersection between the components in the Barlow’s circle of analysis can be described as the “possibility spaces” mentioned in Barlow’s model and is a pull factor towards triggering SGBV. That is, any intersection between the motivated perpetrator and the target or target and the environment can either promote or inhibit the occurrence of the SGBV.

According to Barlow, et al., the circles of analysis model characterises the pattern of criminal exploitation that emerges from the interactions between the target of the crime and their environment, the motivated perpetrator and the environment and the interactions (relationship) between the targeted victim and the motivated perpetrator (Jennings, 2014). The model integrates criminological theories of victimology and criminogenesis, which are used as theoretical supports for situational crime prevention approach to victim protection; disruption of organised crime; and the pursuit, prosecution and punishment of the perpetrators. This study will adopt this model though with modification. Unlike in Barlow et al., however, where it was found that suitable statutory tools exist but the policy could not provide effective and reliable frameworks for protection, in Nigeria’s context, the review of legal framework done in chapter 2 shows that there is yet to exist a suitable legal framework that will deter the perpetrators and make the environment less conducive for the occurrence of the crime. This is not saying that there are no legal frameworks at all but the existing legal interventions are not capable of specifically protecting the rights of IDPs particularly the female IDPs.

Considering its prevalence, SGBV in the IDP camps is perpetrated by diverse individuals with different motivations, which may be direct or indirect. Therefore, the non-cessation of SGBV in the IDP camps appears to attach itself to the fact that the heinous practice has become systemic as it is capable of being perpetrated by any of the persons having interactions with the camps, such as the campers (male or female), security agents or even humanitarian staffers.

SGBV according to the RAT is, therefore, a convergence of events and behaviours that occur and are sustained by interactions between some complex systems (victim system, perpetrator system and environment system) with each system acting as element of the criminal system and each having its own attributes. The crime can thus only occur at the intersection of the three element systems. The long persistence of the SGBV in the IDP camps can then be explained using the “complex systems theory”. According to Hasset and Stevens (2014), the complex theory, a system is formed when built upon structures that self-organise by interacting with their environments. They are flexible and adaptive in changing circumstances and can transform small-scale irregularities into large-scale patterns, which makes them robust and resilient over time.

Therefore, the proposed modified circles of analysis model (figure 3.5) would further take a step beyond Barlow et al.’s by redesigning the Barlow et al.’s model to include a legal structure which in the context of this study would be placed at the core of the framework. It is the base upon which other interventions must rest for legitimacy, validity and effectiveness. Likewise, it will serve as the leash to rein in any deviant person in the camp through its instruments of crime prevention, victim protection, identification, prosecution and punishment. This is formed upon the legal theory that “law is an instrument of social change” (Gaskins, 1982; Zimring and Hawkins, 1971). The SGBV becomes a possibility where there is an imbalance in the relationship shared by the different components of the circle of analysis particularly where the centre becomes weak and not capable of upholding and binding the other components.

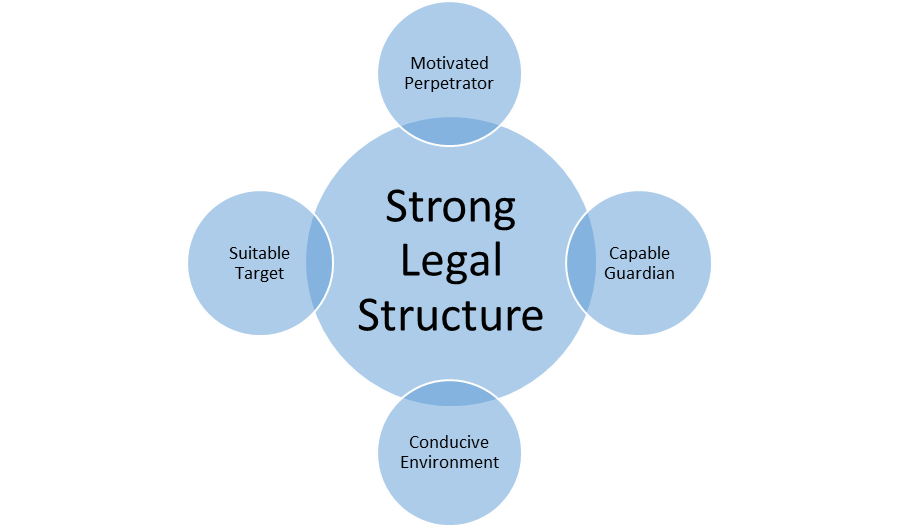


Figure 3.5: Modified Barlow et al.’s Circle of Analysis Model incorporating the legal structure as the core of the crime prevention and victim protection programme.

The model, like Barlow’s, is designed as a systemic, interactional and relational model that provides the stakeholder, particularly the law and policy makers with a holistic view of the problem to be tackled and give them clear direction on how to efficiently address the problem.

The system of SGBV in the IDP camps has become so endemic that any intervention targeted at disrupting the process and its gains will prompt reactions, whether positive or negative but mostly negative, throughout the systems. Therefore, the legal intervention must simultaneously aim at all the other intersections and take into account how they will react both in the present and the future. Therefore, the different types of intervention needed to stall the occurrence of SGBV in those camps require contiguous, coextensive and cooperative multiagency operation with the centre block, that is, the legal framework providing the needed direction and anti-stimuli towards SGBV in the camp environment.

|  |
| --- |
| CONDUCIVE ENVIRONMENT  IDP CAMPS  THEORIES  MODEL  MOTIVATED PERPETRATORS  (SOLDIERS, STRANGERS, IDPS)  ABSENCE OF GUARDIAN  (LOSS OF HUSBAND AND FAMILY HEAD)  CRIME OPPORTUNITY  (ROUTINE ACTIVITY)  SUITABLE TARGET  FEMALE IDPS  SOCIAL DISORGANISATION  SOCIAL STRUCTURE SOCIAL LEARNING  PATRIARCHY |

**Figure 3.6 Theoretical Framework and Model**

**CHAPTER FOUR**

**METHODOLOGY**

**4.0 INTRODUCTION**

This chapter explains the philosophy and methods employed in carrying out the research. It first discusses the research design, the research setting, and the ontological and epistemological assumptions of the research. It then describes and justifies the choice of the population of study, sampling, data collection method; method of data analysis; and ethical consideration for the study. The choice of an appropriate research methodology plays a significant role in the final success of a research (Farrow et al., 2020). Making an appropriate choice of research method enables the smooth generating of information relevant to the research question (Bryman, 2016). In discussing the research methodology, the philosophical concepts of ontology and epistemology underpinning the research must be explained (Hertz and Imber, 1995). This is important for understanding and justifying the choices made in accomplishing the goals of study.

**4.1 RESEARCH DESIGN**

This research adopted a case study approach. Case study research is one in which a variety of methods of inquiry is used in the investigation and analysis of a single or collective case (Stake, 1995). A case study is also a system of carrying out an inquiry in a systematic and critical manner for the purpose of contributing to existing knowledge (Simons, 2009). According to Cresswell (2013), case study research explores a real life contemporary bounded system through a comprehensive in-depth collection of data from multiple sources.

A case study research is relevant in studying complex situations such as SGBV in the context of IDP camps as carried out in the research; qualitative case study creates resources for the researcher to explore the situation within the context of the study using various forms of data collection. Case study approach is beneficial in studies in which the research questions are of how and why (Yin, 2003) such as the current research in which three of the four research questions are how and why questions Thus, the case study approach was chosen for this study because of its ability to help in answering the research question of why the legal framework has not prevented the incidences of SGBV; how the existing social norms in the north east Nigeria influences the efficacy of the laws; and how the internal displacement crisis has contributed to the problem of SGBV. Therefore, the choice of a case study design was also due to the need to access multiple sources of qualitative data including series of statutes, legislations and in depth interviews and focus group discussions. The main advantage of case study research is the ability of the researcher to utilize different sources of data collection in realizing the research objectives (Simon, 2009) This enables the collection of series of details which otherwise would not have been realizable with other research designs.

**4.2 ONTOLOGICAL AND EPISTEMOLOGICAL ASSUMPTIONS OF THE RESEARCH**

Ontology is the philosophical belief system that defines social reality. Ontology could also be simply described as the study of what exists (Brannen, 1988). According to Crotty, (2003), ontology is the study of being. Therefore, ontology deals with existing items, phenomena, or issues. The ontology in research helps in understanding social patterns (Hertz and Imber, 1995). Ontology is concerned with the existential conditions related to material, social, cultural and political contexts within which knowledge is produced and is often linked to the issue of epistemology which deals with questions such as what is knowledge, what counts as knowledge, how knowledge claims are justified and nature of explanation (Ejnavarzala, 2019). Ontology and epistemology therefore relate to the philosophical debates regarding what should count as valid knowledge, how such knowledge should be pursued within a given context and how claims to such knowledge can be justified in the light of facts and values.

The main ontological and epistemological debate in the social sciences is between positivists and interpretive social scientists. These two research traditions have different ontological and epistemological assumptions about how knowledge should be pursued in terms of methods and the relation between the knowledge and the context of its production as well as the relations between facts and values. While positivist believe that knowledge is of the social world including patterns of sexual and gender-based violence is objective and can be acquired through sensory perception including observation, quasi-experiment and quantitative surveys, interpretive theorists believe that knowledge is value-laden, socially and culturally conditioned and can therefore be acquired through interpretative understanding of social action (Weber, 1964). The interpretative tradition holds that objectivity in research can be maintained by declaring the values that guide the selection of the phenomenon for investigation (Ejnavarzala, 2019). Therefore the choice of ontological tradition is important in research in order to formulate research questions and strategies and thus ontology help in understanding whether social entities have been perceived as objective or subjective (Allan, 2003).

This research adopted the interpretative ontological tradition based on the conviction of the author that there are multiple realities that can be understood through an interpretive understanding of the subjective experiences of social actors. As Saunders, Lewis and Thornhill (2012) observed, the interpretivist tradition celebrates the possibility of multiple realities and is informed by a concern to understand the social world as it is, to understand the fundamental nature of social world at the level of the subjective experience of the people (cited in Hunduh, 2021, p. 3). The tradition also favours qualitative method for the data collection using a subjective form of ontology. Subjectivism assumes that social issues arise from the opinions and response of social actors involved in the issue (Bernard, 1994). The subjective opinions of stakeholders as participants in the research formed the basis for the construction of the reality of the situation being questioned.

Epistemology deals with the uncovering of knowledge as well as the procedure for its execution or how knowledge is gathered (Bryman, 2008). Therefore, simply put, this concept focuses on what is known and how it is known (Solomon et al., 2018). There are four key epistemological perspectives, including positivist, interpretivism, realism and post-modernism (Hunduh, 2021). The positivist perspective is used to observe and measure reality through the creation of understanding. Interpretive approach is used to study different descriptions and realities (Saunders et al, 2012). According to Hunduh (2021, p. 3) “Interpretivism seeks explanation within the realm of individual consciousness and subjectivity, within the frame of reference of the participant (s) as opposed to the observer of the action”. Furthermore, “In its approach to social research, interpretivism sees the social world as an emergent social process which is created by the individuals concerned” (Hunduh, 2021, p.3). This tradition is anchored on the assumption that all knowledge of the social world including SGBV is socially and culturally conditioned in the sense that the persons who produce knowledge about society and culture are part of the society and culture (Karl Mannheim, 1936 cited in (Ejnavarzala, 2019). As such, their social and cultural background (existential conditions) will influence their perspective about the social and cultural phenomena under investigation. The choice of the interpretivist tradition therefore helps in understanding the diverse perspectives of populations and therefore requires a high level and standard inquisition into the accepted knowledge in the research. The realist approach believes that the scientific explanations of life are the most appropriate A post-modern approach however is used to deconstruct different truths (Thomas and James, 2006).

The epistemological approach for this research is interpretivism. The use of this approach helped in gathering information from the perspective of participants (Garman, 1994). The Interpretive approach enables the researcher to employ humans in carrying out the interpretation of the different opinions and experiences of people through detailed questioning. This approach creates room for understanding reality as perceived and experienced by individuals as well as organizations. Through the application of interpretive epistemology, realities and knowledge are generated through activities and interactions between individuals in their societies (Crotty, 2003). One very important benefit of this approach is its appropriateness in conducting studies that are context specific and unique. The northeast Nigeria is the context with rampant incidents of the SGBV which the research focused on.

This research adopts an interpretive or constructive epistemological perspective because of the researcher’s intention to obtain appropriate information from the participants’ experiences and interactions with females in IDP camps through interactions as stakeholders, care givers. Thus, with the subjective ontology and the interpretive epistemological approach, it is hoped that a different kind of knowledge about why the legal and institutional framework on SGBV have failed to provide protection for female IDPs in the IDP would be produced. Unlike the kind of knowledge generated through quantitative approaches favored by the positivist tradition, this knowledge will be based on the application of what Max Weber (1964) calls *Verstehen* which calls for an interpretive understanding of the cause and effects of SGBV in the IDP camps through interpretation of the meanings of the actions of motivated perpetrators and empathy with the subjective experiences of the victims.

**4.3 RESEARCH SETTING**

The study was conducted in the North Eastern part of Nigeria. Specifically, it was domiciled in the three states mostly affected by the Boko Haram insurgents and Abuja, the federal capital territory of Nigeria. The states which include Borno, Adamawa and Yobe (the BAY states) are mostly affected by the devastating violence orchestrated by the *BokoHaram* insurgents. The focus of the study is the IDP camps which are direct consequences of the activities of Boko Haram. Majority of those in the IDP camps in the northeast are women and children constituting 53 percent (Edward and Yenda, 2016, p. 146).

Borno officially has 32 IDP camps with an unknown number of unofficial camps hosting a large number of IDPs (Haruna, 2020). Adamawa state is the second-hardest hit with the insurgency, after Borno. It has an estimated population of 152,618 IDPs (Yobe Draft Strategic Plan of Action, 2016). The affected local government areas (LGAs) are Michika, Madagali, Mubi North, Mubi South, Maiha, Hong and Gombi. Like other northeast states, Yobe state has suffered serious humanitarian crisis as a result of the insurgency. Yobe State which was carved out of Borno State in 1991 is a principally rural agrarian state with most of its population engaging in small-scale subsistence farming. As at 2014, some of the LGAs in the state were fully occupied by Boko Haram. These LGAs include Damaturu, Postiskum, Fika and Geidam (DTM, 2014). Currently, about nine Local Government Areas in Yobe state host IDPs.

Another location of the research Abuja, the federal capital territory of Nigeria has about 18 IDP camps. These camps host citizens uprooted from their habitual communities because of conflict, most especially the Boko haram insurgency of the north eastern part of the country. Most of these displaced persons in the Abuja IDP camps are from the three BAY states mentioned above. Though, IDP camps are found in these research locations, the research was carried out outside the camps to limit interaction with only the stakeholders. The locations of the research interview were offices of the NGOs, government establishment offices. In some states the focus group discussion took place in classrooms, community centers and some in an open space close to a police station in Adamawa state. In one of the states one focus group discussion took place in secure park and garden.

**4.4 POPULATION OF STUDY AND SAMPLING**

**4.4.1 Population of Study**

The population of interest to this study includes stakeholders working on women related issues particularly SGBV and IDPs in the3 BAY states of the northeast Nigeria and the FCT. These include NGO officials, government officials, community leaders and police officers. Thus, the population of study comprised staff members of non-governmental organizations working on the issues of SGBV and IDPs in the northeast and the FCT; government officials from the ministry of women affairs and those attached to IDP camps in the selected states, police officers and law enforcement officers working in the study setting. The rationale behind the choice of this population is to identify their roles and interventions in the management of SGBV in line with the research objectives as well as learn from their firsthand experiences with victims and survivors while carrying out their humanitarian duties and designated functions assigned by the government. Previous studies on SGBV in IDP camps using qualitative methods have mostly interviewed victims and survivors of SGBV to learn from their personal experiences. Though helpful in achieving some of their research objectives, this approach is however not without some defects. In particular, the psychological effect of relating traumatic experiences in the view of this study is likely to have a negative ethical implication such as infringement on the participants’ privacy, potential impact or harm to the participant and or the researcher.

**4.4.2 Sampling Procedure and Size**

Purposive sampling was used in the selection of respondents for the study. This sampling method focuses on specific characteristics shared by respondents. Such characteristic in this context is the participants being stakeholders in women related issues, those working with IDPs, those providing services related to SGBV cases and persons who play similar roles in community organization. Other stakeholders who constitute part of the sample would have either worked in the IDP camps or played critical roles in the safety of IDPs. These include government officials, security agencies and non-governmental organizations.

Having contacted a known NGO director in the FCT about the research, a data base of NGOs based in the three BAY states were provided to the researcher from which several were contacted and informed of the research. Purposeful sampling is the most suitable for this study due to the fact that it recruits the most knowledgeable persons in the subject matter as well as those interested and willing to participate (Palinkas et al., 2015). It was necessary to recruit these stakeholders because they are conversant with the IDPs and have in-depth knowledge and understanding of the situation in question due to their intervention in the cases.

There is no hard and fast rule to determining a sample size in qualitative research. Sample size is deemed adequate when it has been able to satisfactorily answer the research questions (Martin and Marshall, 1996). Therefore, once it is obvious that no new themes appear within the participants discussions, then, saturation is believed to have been reached and as such sampling size is then sufficient. In this study, over a hundred number of participants were selected for the study, but due to attainment of saturation as well as cancellations and inability of some participants to participate, a reasonable number of respondents participated. Overall, a total of 41 KIIs and 3 FGDs (with an average of 10 participants each across the 3 BAY states) were covered. The FGD participants were comprised of community elders, law enforcement agents, women group leaders from the communities and some staff of the National emergency management authority (NEMA). They were a mixture of males and females across various categories of adults. The distribution of the research participants is summarized and presented in Table 4.1 below:

**Table 4.1 Distribution of Research Participants by State and Category**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **CATEGORY OF PARTICIPANTS** | **STATE** | | | | **TOTAL** |
| Borno | Adamawa | Yobe | FCT ABUJA |
| KIIs with NGOs Officials | 4 | 6 | 4 | 3 | 17 |
| KIIs with Government Officials/Law enforcement officers | 6 | 5 | 6 | 7 | 24 |
| TOTAL KIIs | **10** | **11** | **10** | **10** | **41** |
| FGDs with a mixture of Community elders, NGOs staff, CSO Members | 1 | 1 | 1 | Nil | **3** |
| Number of FGD Participants | 10 | 8 | 12 | Nil | **30** |
| Total number of Focus Group Discussion | 10 | 8 | 12 | 0 |  |

**4.5 METHOD OF DATA COLLECTION**

The research employed a case study approach in which qualitative method was used in the collection of data for the study. Qualitative method is used in social sciences in gathering in-depth information relating to social and cultural phenomena through observation, interviews, discussions, questionnaires, journals, documents and the researcher’s view(Thomas and James, 2006; Quieros et al., 2017). In this study, the research began with a literature review of academic data base with the use of google scholar, the summons search tool of St Mary’s University and physical library resources such as textbooks, journals and statutory documents. In-depth interviews and focus group discussions were subsequently employed in assessing the experiences and views of stakeholders who have had interactions with the victims and survivors of SGBV in the IDP camps. Semi-structured interview guide was designed in line with the objectives of the study and used in conducting the interviews, while a discussion guide was designed and used in conducting the FGDs.

As indicated in Table 4.1 above, participants who were interviewed include, non-governmental organization staff, government officials from the ministry of women affairs, government official attached to IDP camps in the north east Nigeria, police officers and law enforcement officers. The rationale behind interviewing these groups of people was to identify their roles and interventions in the management of SGBV in the context of the research as well as learn from their firsthand experiences with victims and survivors while carrying out their humanitarian duties and designated functions assigned by the government. Previous studies on SGBV in IDP camps using qualitative methods have mostly interviewed victims and survivors of SGBV to learn from their personal experiences. This approach has though been helpful in achieving some of their research objectives, however, the psychological effect of relating traumatic experiences in the view of this study is likely to have a negative ethical implication such as infringement on the participants’ privacy, potential impact or harm to the participant and or the researcher.

Additionally, focus group discussions were held with stakeholders from the local communities around the IDP camps in the three BAY states of the north east used in the research. Thus, this study considered the stakeholders’ views from a different perspective as opposed to victims and survivors thereby facilitating the achievement of the objectives of the research which is mainly to explain the continuous perpetration of SGBV in the IDP camps in the north east Nigeria in spite of the series of laws available to curb its prevalence.

The benefits of using a qualitative research method can be best understood by identifying and understanding underlying philosophical views (Douglas, 1976). Qualitative research method is established on the interpretivist epistemology as well as the subjective ontological perspective (Saunders et al., 2012). The most important justification for using qualitative research method is that it helps in getting real-life experiences of participants. It exposes the researcher to real life experience. According to Samuel et al. (2015), the use of qualitative research method is very beneficial in the interpretation of gender related issues. It is therefore appropriate for researching SGBV in IDP camps. The choice of qualitative method in this study required the researcher to communicate and discuss with stakeholders and role players in the IDP camp sector who are able to discuss their experiences and air their views and experiences with victims, perpetrators and in handling cases while creating a clear picture of the phenomenon in question.

**4.6 PROCEDURE FOR DATA COLLECTION**

**4.6.1 Negotiating Access**

Consent forms as approved by the St. Mary’s university ethics committee were signed by the intending participants before the start of the interviews and discussions. Going to the northeast Nigeria to conduct a research was a daring decision the researcher took considering the situation of regular attacks by the Boko Haram terrorists. Calls were made to ensure the locations were safe as at the time. The researcher went along with two assistants for support during the data collection. One of them, Bashirah works with an NGO in Borno state and she has a very fair knowledge of the three BAY states and how to navigate the areas in conducting the fieldwork. Bashirah also speaks fluent Hausa and Kanuri languages which made it easier to communicate and move around without so much need for repeated explanations of the purpose of the trip.

Maiduguri being a Boko Haram affected city has had its high share of terrorist attacks. Women and school children have been abducted on several occasions and suicide bombers have carried out high levels of killings and destructions in the state and that has turned the city to almost a ghost town as places are quiet due to mass migration which has contributed to internal displacement in the region. For this reason, locals are very careful interacting with strangers, though sometimes they see such presence as an avenue to receive humanitarian support. Thus, negotiating access was two way.

Prior to the onset of the interviews and focus group discussions, there had been some communication with the proposed participants to establish rapport between the researcher and them. Some NGO staff were initially reluctant to participate as some asked what was in it for them. Some of the locals expressly requested for their “palms to be greased” to encourage them, while others were glad to participate without any favor in return. When told that their participation was for academic purposes and not for commercial reasons, those who requested for money had a change of mind and ended up participating without receiving any form of payment. However, some community leaders put up some resistance before being convinced by the field assistant Bashirah and some youths in the community that it was safe to participate. Based on reciprocity, some of the participating NGOs requested that a feedback must be given to them on the outcome of the research and the affirmative was the key to the acceptance to grant interviews and discussions. In this regard, the researcher promised to give feedback in form of a briefing or paper presentation after the completion of the research where interested participants would attend. Eventually, most of the selected participants such as the NGO staff and government officials accepted to participate.

**4.6.2 Process of Data Collection**

As mentioned in section 3.5, interviews and focus group discussions were held during the process of data collection. At the beginning of my studies, my lead supervisor, Dr Carole Murphy advised me to contact prospective participants to discuss my research. I then discussed with some staff of National emergency management agency who gave me a list of some NGOs known to them in the humanitarian field in the northeast Nigeria. Prior to the commencement of the process prospective participants were informed of the research and upon the expression of interest to participate in the study, interview and discussion dates were scheduled. Some of the earlier contacted persons withdrew their intention to participate for personal reasons as well as inconvenience due to inability to commute during the petroleum shortage problems preventing easy access to fuel for commuters.

A total of 45 semi structured interviews were conducted with NGOS and government officials including a representative of the ministry of women affairs. Interview duration ranged between 15 to 60 minutes. The interviews began with an NGO in Maiduguri whose spokesperson was the regional director of the organization who was already used to the process of granting interviews. The interviewee’s discussion was quite interactive as she provided several examples of cases of SGBV handled. It was an interesting 55-minute interview and discussion. Other interviews followed within the period of six weeks with cancellations and rescheduling in between. Some of the proposed interviewees could not show up eventually due to scarcity of petrol which made commuting difficult. Some changed their minds for unknown reasons and refused to show up. Some participants preferred that their voices would not be recorded even though they were assured of the confidentiality of the information. Most interviews were held at the offices of the interviewees, while some were held at other agreed locations such as a park and garden within the town center. Organizations such as FIDA (federation of international women lawyers) provided in depth information on the occurrences of SGBV in the IDP camps and their interventions as well as effort being made to curb the problem. The country manager passionately granted a lengthy interview providing insightful answers to the questions asked as SGBV is one of the major battles the organization has fought over the years and still currently tacking.

Focus group discussions (FDGs) involved community elders, law enforcement agents, women group leaders from the communities and some staff of the National emergency management authority (NEMA). These are all stakeholders in the matters relating to women as well as IDP camps. The community leaders were also necessary in the discussions to offer their own views and experiences on SGBV issues in their local communities, how they handled cases as rural leaders and the awareness of their people on laws relating to SGBV. Everyone in the various FGD groups contributed to the discussion. Some males mentioned they had a feeling of bias against men as some males they know have also experienced sexual violence in the camps. The researcher explained that there were definitely cases of sexual violence against males, but this particular study is concerned about the females in the camps because of the magnitude of the problem among females relative males. The discussions were sometimes argumentative, but most importantly, the aims of the study were realized with most questions answered and research questions addressed.

**4.9 ETHICAL CONSIDERATIONS**

The first very important ethical step taken in the research before proceeding to the field was the application to the ethics committee of St Mary’s university. The researcher eventually submitted the application to the committee. After due scrutiny the application was approved.

Sexual and gender based violence research is not only sensitive; it comes with challenges as well as responsibilities which arise as a result of the need to protect participants (Kelmendi, 2013). As mentioned in the section above, the study required the employment of stakeholders rather than victims and survivors as participants. This research opted to employ stakeholders rather than the vulnerable people to avoid the emotional effect of discussion of trauma as well as view the subject matter from the perspectives of the stakeholders who have interacted with survivors and handled cases of SGBV in the context of internally displaced persons.

According to some recommendations made by the United Nations (2005), certain guidelines must be followed to ensure the safety, privacy and confidentiality of the participants and researcher. Participant information sheets were provided to the participants explaining the purpose of the research and inviting the participants to the study. Thus, consent forms were given to all participants requesting their permission and assuring them of confidentiality and anonymity.

A very salient area in SGBV research to be taken into consideration is minimizing the harm or the principle of non-maleficence (Stebbin, 2001; Ellsberg and Heise,2003). This principle purports that the researcher must ensure that the respondent is protected from harm in participating in research. Thus, the researcher ensured that all the interviews and FGDs were conducted in safe areas with adequate privacy and security.

Apart from the principle of non-maleficence, another significant ethical consideration is the principle of beneficence. This purports that the research must come with benefits to the respondents and thus, must be assured that the research would improve or create a positive outcome of the situation in question (Kelmendi, 2013). Therefore, the researcher explained to participants that the outcome of the research would be to enlighten the people on how to prevent the harmful SGBV which would be beneficial to IDPs and the society at large. Participants were also informed of their right to discontinue participation at any point in the research and the right to ask for information on the research where needed. Utmost honesty and transparency on the research were assured.

**4.8 METHOD OF DATA ANALYSIS**

The data generated by the study were analysed through thematic analysis. In order to obtain accurate data towards achieving the research objectives, some of the in-depth interviews and focus group discussions conducted were tape recorded, while some were handwritten. The recorded voice notes were thereafter transcribed. The software used for data analysis is NVivo. This tool provides an option for transcription of the data from voice note to text. However, the researcher opted to transcribe the recorded voice notes in writing to achieve accuracy of the information. The transcribed data was added to already written interviews which the respondents preferred in a few cases. The transcribed text was later transferred into the NVivo software.

The researcher followed the stages of thematic analysis as recommended by Braun and Clarke (2013). According to Braun and Clarke (2013), thematic analysis helps in qualitative research in identifying, analyzing, and reporting information which appear severally. The choice of thematic analysis for this research is mainly because of its flexibility and ability to eventually produce a comprehensive result. The six phases of thematic analysis by Braun and Clarke (2013) were therefore adopted. After familiarizing with the data by reading and rereading the transcribed information, notes were made on points observed that could eventually enhance development of the themes. Codes were thereafter developed bringing out points relating to the research objectives which would subsequently be elaborated. The themes were developed through the arrangement of codes into groups relating to each concept. A review of the themes together with the codes led to the definition and naming of the themes. (See Table 4.2). Furthermore, during the thematic analysis, analytical sensibility was put into consideration as recommended by Braun and Clarke (2013). This concept in thematic analysis is the process of reading and interpreting data through a decided theoretical view as it helps in easier understanding of the data.

The researcher opted for thematic analysis for a couple of reasons. Firstly, the proponents of this form of analysis, Braun and Clark (2013) advise that the most convenient analytical method for a first-time researcher is thematic analysis. This study is the first major one to be carried out by the researcher and it was necessary to seek advice from experts in the field. Secondly, the choice of thematic analysis was based on the objectives of the research which included gaining an understanding into the experiences of the participants which would be best gathered, arranged, and analyzed through this form of analysis.

Braun and Clarke (2006) are of the view that thematic analysis is open to all types of theoretical framework. This is thus referred to as the framework method of thematic analysis in which the theoretical framework for the study is highlighted within the themes from the data. Thus, thematic analysis application to this study reflects the theoretical framework of, social structure social learning theory, social disorganization theory and crime opportunity theory as discussed in chapter 3 adopting Barlow et al (2021) model of circle of analysis.

**Table 4.2 Phases of Thematic Analysis adopting Braun and Clarke (2006)**

|  |  |
| --- | --- |
| **Phase** | **Description** |
| 1. Importing the interviews and familiarizing self with the data. | Firstly, transcripts of the interviews and focus group discussions were imported to Nvivo data analysis software from the import menu. Then, separate folder was created for the interviews within the file menu of Nvivo. This was followed by reading and re-reading the data and noting ideas within each interview. |
| 1. Generating initial codes | This phase involves highlighting anything found to be important or interesting across the interviews and coding it using the Nvivo code generator, which can be found by right clicking the highlighted text and clicking on code.All these codes will be stored in a folder located in the codes menu of Nvivo. |
| 1. Searching for patterns and themes | This involves going through all the codes generated in the previous phase; reviewing them; and categorizing them into possible theme that is more meaningful to the research. Then creating a separate folder to store the themes by right clicking on code menu and clicking on new folder. It also involves merging some codes that looks similar into single code, so as to narrow down the number of codes. |
| 1. Reviewing themes | Checking to see if every code is appropriately placed in its right theme; Generating an initial map theme by clicking on explore menu and then clicking on map in the menu. |
| 1. Defining and naming themes | Refining the thematic map in relation to specific themes and how these link to tell a story of the research; generating appropriate definition and names of themes |
| 1. Writing the analysis | Picking of clear extracts to illustrate  themes and analyzing them in relation to the research questions |

**4.9 RESEARCH RELIABILITY AND VALIDITY**

In determining the quality of a research, reliability and validity are essential attributes required in conducting the study (Saunders et al., 2009). Reliability is the level at which the same responses are gotten from using the same method when same questions are asked several times (Thakur and Cetty, 2020). Therefore, a research in which the data is deemed reliable is one that other researchers will achieve same answer if asked in the same manner or method. Validity on the other hand refers to the accuracy of the research process and data collection (Thakur and Cetty, 2020). The quality of the methodology employed in a research is also determined by its validity. One of the criteria for establishing validity of a research is using triangulation which requires the data collection for the research from multiple sources (Consultores, 2021). As a case study research, this study employs the use of triangulation in the process of data collection with the use of multiple sources of data which includes the primary sources, legislations, interviews and focus group discussions.

Yardley (2008) sets out some guidelines for determining the reliability and validity of a research (See Table 4.3 below). These include sensitivity to context, commitment and rigor, transparency and coherence and finally, impact and importance. The study adopted these four criteria set by Yardley (2008). Considering sensitivity to context this research acknowledged relevant existing literature in research through the extensive literature review in chapter two. The study also considered relevant theories and methods. The status of the subjects of the research as well as socio cultural setting of the study must also be taken into consideration as recognized in the reflexivity and discussion of the research setting in this chapter of the research. Thus, the position of the researcher *vis*-*a*-*vis* the participants to the research and ethical consideration as used in this study play a vital role in the reliability and credibility of the research.

Commitment and rigor require in depth engagement with the topic, methodological skill and in depth data collection process (Yardley, 2008). In this case, the researcher engaged in a thorough search for literature and discussion of the subject as well as the vast legal framework both at the international and domestic levels. In addition to doctrinal engagement, data collection in form of interviews and focus group discussions were transparently obtained while sample size was determined by the saturation rule as described earlier. Triangulation, which entails the use of multiple data collection sources as well as multiple theoretical perspectives as obtained in this study also demonstrates viability and reliability of the research.

Transparency and coherence as described by Yardley (2008) was exhibited in this research through the use of methods such as interviews and focus group discussions which were mostly voice recorded and held openly. Data presentation was organized in an orderly manner with findings presented clearly and transparently. This study would serve as an important piece which has contributed to the body of knowledge as the reliability and validity of its methods are verifiable.

**Table 4.3 Essential Qualities of Credible Research with Examples**

|  |  |
| --- | --- |
| **Essential Qualities of a Credible Research** | **Examples** |
| Sensitivity to context | Theoretical; relevant literature; empirical data; sociocultural setting; participants' perspectives; ethical issues. |
| Commitment and rigor | In-depth engagement with topic; methodological competence/skill.  thorough data collection; depth/breadth of analysis |
| Transparency and coherence | Clarity and power of description/argument; transparent methods anddata presentation; fit between theory and method; reflexivity. |
| Impact and importance | Theoretical (enriching understanding); socio-cultural.  Practical (for community, policy makers, health workers). |

**Source:** Elements of a credible research by Yardley (2008)

**4.10 REFLEXIVITY AND FIELD CHALLENGES**

Awareness of the researcher's role in qualitative research is essential to portray the researcher's position, biases, and influence on the end result of the study (Attia and Edge, 2016). Also, the background of the researcher and the knowledge of existing research are a driver and determinants of the scope of the current study (Bryman, 2012). These, therefore, necessitated reflexivity. The researcher used reflexivity to articulate the research procedure from experience acquired either from the research or before the research (Attia and Edge, 2016). This could be classified into prospective and retrospective reflexivity. Prospective reflexivity relates to the influence of the researcher on the research, while retrospective reflexivity deals with the effect of the research on the researcher (Attia and Edge, 2016)

Therefore, this study involved prospective reflexivity as it relates to my activities during the research. As a female Nigerian and a lawyer, issues relating to the infringement of the rights of females in Nigerian society have been of great concern to me. As a mother who has daughters, the unequal treatment of the female child compared with the male child has caused me to constantly advocate for the former within various settings, such as academic and cultural spheres. A question that goes through my mind from time to time is, "how can these girls be protected when the law does not protect them as it should? I consider that the societal attitude towards females and gender-based violence is a major imbalance and addressing the societal problem has been my position being a citizen of Nigeria. Furthermore, working with humanitarian organizations that provide services and aid to internally displaced persons opened my eyes to the atrocities experienced by females in the camps. In my work, I have handled cases of SGBV in regular settings, which paved the way for the investigative role I played in the current research from previous experience.

Prospectively, my prior participation in IDP camps affairs was useful in knowing who to contact in the field and where the required information would be obtained. My knowledge of the legal process led me to further investigate the inadequacy of the legal framework. As a female, I have sensitivity toward the issues of SGBV. I represented the interest of fellow females by inviting stakeholders to give opinions in the interviews and focus group discussions held in the research. Thus, my beliefs and experiences have impacted the research by creating pathways to follow in its investigation. These beliefs I had prior to the research created the need for deeper investigation into the non-compliance with laws and the pervasiveness of the crimes of SGBV in the IDP Camps.

Retrospectively, considering the effect of the research on the researcher, one could affirm that the field experiences and discussions through interviews have been life-changing. Challenges were experienced in the field. These have impacted me both positively and otherwise. As a researcher, the effort to achieve the study's goals led me to be quite proactive, and as a result, I pursued every possible safe activity to achieve the research objectives. An example of this is the journey to northeast Nigeria. There were some uncertainties due to the incessant insecurity in the area. Thus, the determination to travel to northeast Nigeria for data collection despite the level of insecurity left the researcher with high levels of resilience.

The inconvenience of traveling during the scarcity of petroleum products for transportation put me in a difficult situation because accessing transportation to locations was a serious inconvenience. At one of the locations of the interviews, the participant did not show up for several hours, and was unreachable on the phone due to a power outage. My assistant and I later got informed that the road to the place had been blocked due to some intelligence reports of an impending attack on the area. There was no attack subsequently, but the effect of the fear of imminent danger retrospectively was a negative one on me. Thus, the study has exposed me as the researcher to better approaches to studying sensitive issues such as SGBV, most especially in the context of internal displacement and conflict situations.

As mentioned above challenges were encountered in the course of data collection. During a focus group discussion, a respondent’s response showed bias and patriarchal values which he held in high esteem and was unapologetic about it. His view was offensive to some of the female members of the group and this led to some argument. The disruption was however curtailed by the peaceful mediation by myself and my assistant who is very conversant with the northeast culture. I endeavoured not to allow my positionality as a female influence my attitude towards the participants by playing a neutral role and being thus encouraging them to express their views freely.

As a Nigerian who is familiar with the cultural systems which are similar in terms of patriarchal values, most responses were not surprising as they were merely a confirmation of the societal norms on orientation regarding male and female relationships in both the family and the larger society. Thus, a confirmation of the saying ‘it’s a man’s world’ also showed up in the discussions.

Finally, my positionality with respect to the subject matter of the research, the participants and the northeast Nigeria is also important to mention. As regards the subject matter, SGBV, I am a researcher who clamours for change and an end to the menace experienced by females in the IDP camps. Therefore I viewed the field as a place of answer to my questions of concern. On the participants, I view them as persons who have answers to the questions I seek to answer as they are the ones involved in the management of the victims and camp related activities. On the context of the research which is the northeast Nigeria, I view the place as one in need of intervention which this study could probably offer.

**CHAPTER FIVE**

**FINDINGS AND DISCUSSION**

**5.0 INTRODUCTION**

This chapter presents and discusses the findings of the study. The findings are organized and presented thematically in line with the specific objectives of the study. The themes generated and around which the findings are presented include prevalence and perpetrators of SGBV; barriers and causes of SGBV; interventions by stakeholders; laws on SGBV and attitudes to utilizing the laws; and prevention of SGBV in the IDPs camps in the north-east zone. Each theme further generated subthemes to expatiate on the initially generated themes. The themes with the subthemes are discussed in relation to the existing literature as reviewed in chapter two and the theoretical framework of the study as discussed in chapter three to achieve the set objectives of the study.

**5.1 PATTERN OF SEXUAL AND GENDER-BASED VIOLENCE IN THE IDP CAMPS**

Certain patterns of sexual and gender-based violence (SGBV) against female IDPs were identified by the study which not only revealed the level of vulnerability of female IDPs but also provides the basis for interrogating the reasons why the legal framework has not been able to provide protection for the female IDPs. These patterns emerged from the key informant interviews and the focus groups discussions and were centered on the theme of prevalence and perpetrators of SGBV in the IDPs camps. This theme is important in establishing that there is a problem which is the existence and continues perpetuation of SGBV in the IDPs camps despite available legal framework against the acts.

This section therefore analyses the perceptions of the research participants on prevalence and perpetrators of SGBV in the IDPs Camps in the three BAY States of the North-east and in Abuja, the Federal Capital Territory (FCT).

**5.1.1 Prevalence of Sexual and Gender-Based Violence in the IDP Camps**

Most respondents interviewed revealed that SGBV is a common occurrence in not only IDP camps, but also some rural communities in north-east Nigeria; particularly in the BAY States where most of the IDP camps are located. Respondents are generally of the view that SGBV in the IDP Camps is an extension of the situation of the north-east communities. In all the states, the respondents acknowledged the perpetration of SGBV in the IDP Camps as a usual, albeit undesirable phenomenon. According to one respondent:

*SGBV is quite common in the communities, however, I want to believe that some cases are not reported and so we do not get appropriate number of reports of cases from victims. In most cases, the perpetrators are usually people in power or positions who take advantage of these ladies* (KII with Folake, Humanitarian organization staff).

Furthermore, an NGO staff, who responded to the interview stated based on their experience on their jobs as service providers that SGBV is one of the features in internal displacement. According to the respondent:

*We have heard and handled so many cases of SGBV even in other regions experiencing internally displaced persons, they come hand in hand* (KII with Tope, NGO Staff)

Participants at the various FGDs conducted by the study also widely shared the view that SGBV is very prevalent in the IDPs camps and the host communities in the north-east. A participant pointed out that, it is evident that SGBV is religiously practiced not only in the IDPs camps where human rights are suspended but also in the host communities where normalcy is envisioned. According to this participant:

*Sexual violence happens in our community once in a while. It is usually because of girls who are found where they should not be found like among the touts, when they go to the farm without company; when they are not appropriately dressed, when they stay out late at night. You know a woman should normally be kept indoors not always all over the place -* (Yande, Community Elder, Borno State FGD).

The above view is quite revealing not only of the prevalence and perpetrators of SGBV but also of the perception of the participant on the cause of SGBV. In particular, coming from a community elder, it reveals the dominant patriarchal norms, values, and beliefs about the ‘appropriate place’ which lays the foundation for a tendency to blame the victim as reflected in this position. It is discernable from this view that the cultural belief that women should be secluded and veiled dominant in northern Nigeria still casts its shadows on the society.

In the communities of the study, it is common to see restrictions on the freedom of movement for female children unlike their male counterparts to avoid sexual molestation or assault. While female children are heavily chastised for dressing in a particular way that contravened social standards, similar treatments are not meted against their male counterparts. What is worse, women also share the belief in these cultural norms and values. For example,in response to the above statement by Yande, a female focus group participant added,

*Yes, we do hear of it happening and we usually ask the girls to be careful as he said, Watch your movement, avoid being attacked….* - (Amina, Female community head, FGD).

Furthermore, SGBV manifests in the status of some females in the camp. Many young females have suddenly become single mothers from unplanned and unwanted sexual activities. According to an interview respondent,

*Many young women in the IDP camps came without children but plenty of them are now mothers without partners. Most of them are raped or lured into sexual intercourse- (KII with Tope, NGO staff).*

This revelation is quite profound and has ramifications for the future of these women and their children. The situation can only deepen their economic misery and compound their level of poverty which further predisposes them to future victimization. The children that will be born out of such intercourse are less likely to have access to the basic needs of life which will further increase their vulnerability to SGBV.

To further confirm its prevalence in the IDP camps, another respondent stated:

*Sexual violence on females in the camps in north-east Nigeria happens day in day out, women suffer so much in camp from poverty coupled with various forms of abuse. We hear of the cases from time to time but it’s not so easy to handle* - (KII with John, Ngo staff)

A focus group participant explained:

*Honestly speaking, the IDP camp is sadly not friendly for the women. The crises and displacement have exposed them to so much danger and sexual violence. The women complain that being in the camps is like living outside in the open without a roof or protection. You can be attacked at any time. They face sexual violence in the hands of Boko Haram, they face even more in the camps- (Tope, NGO staff)*

Thus, the condition of internal displacement has increased the vulnerability of female IDPs to SGBV.

It should be noted that at the time of data collection for this study in February, some of the participants perceived that SGBV incidents were reducing. For example, a respondent who reported that they recorded three cases of SGBV between January and February same year believed that was a low record compared to the preceding year or period. According to the respondent,

*SGBV has been reported this year only on a few occasions. We have only had 3 so far- (*KII with Sandra, NGO staff).

Three cases of SGBV in March according to the respondent signifies a decline compared to previous years. Other respondents corroborated the claim that previous years had a lot more cases of SGBV in both the camps and the north-east communities.

*Cases of SGBV were prevalent in the year 2020 during the lockdown. The high level of poverty fueled by displacement and loss of livelihood contributed to the prevalence of SGBV in the IDP camps-* (KII with Fatima NGO staff)

In general, very few participants in all the BAY States argued against the prevalence of SGBV in the region. However, they admit the fact that SGBV happens not only in IDPs camps but also in the larger society which hosts the IDPs and the camps respectively. According to one of the participants at the focus group discussion

*SGBV is happening, but it is not much*- (Dogo, Member of community group, FGD).

As a matter of fact, only a minute proportion of the focus group participants opined that SGBV is not prevalent basing their statement on lack of awareness or knowledge. This lend credence to the perspective that many people do not consider SGBV as an offence or violation of human rights due to the influence of patrarchy. Hence, when they are faced with same, they trivialize or ignore it.

**5.1.2 Perpetrators of Sexual and Gender-Based Violence in the IDP camps**

Having highlighted that SGBV is prevalent in the IDPs camps in the north-east as well as in the host communities, respondents mentioned various perpetrators responsible for the act. These among include relatives, humanitarian workers, other IDPs, host community members, and security personnel. In an interview, a respondent explained,

*Abuse of women is reported often and most of the perpetrators are aid workers, security personnel and other neighboring community members. This SGBV is prevalent in the camps and perpetrated by the males around the camps both in the capacity of service providers and family members -* (KII with Tope, NGO staff).

The above revelation is profound. A situation where adult males including those that are supposed to protect women and children from members of Boko-haram such as security personnel, aid workers and community members are the ones perpetrating SGBV is unfortunate and a hindrance to efforts at preventing SGBV. Even at the domestic level, men that are supposed to provide and protect their spouse and family members within the framework of patriarchy are also involved in SGBV against females in the camp.

As found in the study, one prevalent form of SGBV in IDP camps is marital rape. Men in the camps have been reported to rape and assault their spouses. Unfortunately, such cases end right where they occur as marital rape is not seen as a crime both in the culture as well as the law.

*We also get reports of husbands physically assaulting their wives. It is usually seen as a private affair so there is little that we do in that area-* (KII with Fatima NGO staff).

Apart from spousal or intimate partner violence, participants gave the profile of perpetrators as persons who are meant to be caregivers who take advantage of the vulnerability of helpless needy females in the camps. Such caregivers are NGO males who represent their organizations in providing facilities to the IDPs. Some of the gatekeepers in the camps also meant to provide services were mentioned as perpetrators of SGBV in the camps. A female community member highlighted the various perpetrators victims have mentioned when they encountered SGBV in the camps;

*The affected girls have mentioned soldiers as their assaulters when relating the incidences to us. They have also mentioned that the men in charge of supplies donated to the camps will ask if they will exchange sex for the supplies, otherwise they get nothing. Fellow IDPs are also part of them and Boko haram men who come armed have also assaulted the ladies. They are usually young or middle-aged men. An elderly man in his sixties was once reported at a camp in Bama -* (Tope, NGO Worker)

Thus, the perpetrators of SGBV cut across various age groups but most of them are middle-aged men. Female IDPs are surrounded by male predators ranging from intimate partners to Boko haram men. In between there are predatory male care givers fellow male IDPs. Meanwhile, a few participants across the BAY states agreed that close relatives or acquaintance constitute most perpetrators of SGBV in the camps and in the host communities generally. This is not unconnected with the fact that SGBV is associated with domestic matters that allows perpetrators to exploit their victims. However, the preponderance of the evidence suggests that most of the perpetrators of SGBV in the particular context of the camp are strangers who cut across members of Boko-haram, military personnel deployed to provide security in the camps, other security personnel, caregivers and male members of the camp and the neighbouring host communities.

**5.2 CAUSES AND BARRIERS**

This section presents the findings of the study on the factors identified by KII respondents and FGD participants as responsible for the prevalence of SGBV in the IDPs camps in the north-east Nigeria. Participants also had much to say on barriers to reporting incidences as well as barriers to getting justice in cases of SGBV in IDP camps and the host communities in the BAY states.

Basically, the causes and factors precipitating SGBV in the north-east region vary. Based on the descriptions by respondents, this study has categorized factors responsible for SGBV in the north-east into three, the pre-existing factors, the immediate factors and the encouraging factors. The pre-existing factors are those conditions that have been in the society before the crises leading to internal displacement. These are attitudes and beliefs that have become norms in the society and thus the people live with them. Thus, some of these factors also serve as barriers to getting justice and prevention of SGBV in the IDP camps and communities around the north-east Nigeria. The way of life of the people in the communities, their culture and how women have been perceived and treated enable perpetrators to commit SGBV considering the current situation.

The immediate factors are the ones which arose because of the conditions of the crises leading to internal displacement. The effects of internal displacement give rise to these factors. The encouraging factors are those that motivate perpetrators to commit SGBV. They provide opportunity for the perpetration of the menace, and they therefore also present as barriers to reporting and thereby preventing future occurrences.

In general terms a respondent states as follows:

*Vulnerability of women and girls in the camps results from inadequate facilities, culture, and societal issues. If you look at some of the huts, you notice that a desperate person can easily break in due to the poor materials used for the construction of their huts. Boko Haram members have attacked the camps on some occasions. Once, a suicide bomber invaded and caused disaster in the camp in Borno -* (KII with Fatima NGO staff)

**5.2.1. Pre-Existing Factors**

Social norms are identified by participants in this study as one of the preexisting factors influencing the efficacy of laws against SGBV in north-east Nigeria, especially in the IDP camps. In the north-east region of Nigeria there are social norms that negatively affect the efficacy of laws against SGBV. These social norms cause women to be seen as always inferior and less important in the community and therefore making it hard to apply the laws when violence against them is committed. Different ways of how these social norms degrade women are discussed below according to findings.

1. Married women are subordinate to their husband

The patriarchal assumption that a married woman should be subject to and remain subservient to her husband has led to degradation of the status of women. In particular, some men in many communities of the north-east Nigeria tend to regard and treat their wives as if they were one of their properties. Consequently, they hardly see anything wrong with some forms of sexual and gender-based violence including wife battery and marital rape. As revealed by an interviewee:

*Men here think they can do anything and get away with it especially when it has to do with abuse of a spouse. A man here usually assaults and rapes his wife when she had just delivered a baby but since marital rape is not a crime here nothing is done to it. Some of them are just unkind and frustrated. He said she's my wife. I own her. It doesn’t concern anybody* - (KII with Amina)

The acceptance of the norm of submission of females to the males has been part of the northern culture. Participants described how females in the camps have talked about their status as subordinate to their male counterparts.

*Recently, we had a workshop for the camp women and most of them are suffering in silence. When we asked about their experiences as females in the camp, several had tales of woe. From the Boko Haram attacks, from the abduction of their relatives and their rape experiences they have actually gone through a lot. They are usually not willing to talk about it. They could only say (we the females)* (Folake, NGO)

Due to such mindsets and social norms the law cannot deal with such kinds of perpetrators since the community think their religion allows it, so no husband can do his wife wrong no matter how badly he treats her.

1. Women’s role in community is limited to homemaking only:

Stakeholders interviewed mentioned that the role of women in the communities is confined to the domestic sphere and largely centres on house chores and the socialization and care of children Women cannot be found in important community role that involves decision making, leadership, politics, judicial roles, etc. According to a participant,

*Roles of females in the community include supporting their mothers at home with chores, attending school, and home keeping for the Adult females-* (Interview with Alice).

Although, women are considered important in domestic spheres, they are nonetheless subjected to norms which eventually result in domestic abuse. A participant underscores the importance of female; thus,

*Women are our wives and children, and we live with them together-* (Hussaini Alhassan, community elder, FGD).

Womanhood in various parts of Nigeria, most especially the north-east is seen as a position of inferiority to that of men (Makama, 2013). Thus, females face a high level of discrimination and maltreatment due to cultural and societal norms from patriarchy and gender inequality. Respondents stated that the position of females in the society before the crises and internal displacement has already relegated them to gender based violence. A respondent stated,

*Women have been discriminated against from time immemorial; a tool to be used and dumped. It is the center of our work to improve this because they face a lot of unfairness* *-* (KII with Alice)

While participants highlighted the existence of SGBV in the north-east communities and linked this to societal and cultural norms that are acquired and transmitted from generation to generation through the process of social learning, the study also found other micro-level factors which encourage SGBV in both regular as well as displacement settings. In the context of the IDPs camps in particular, the social disorganization that characterizes the camps makes the environment very conducive for motivated perpetrators of SGBV to operate. The convergence of these motivated perpetrators who are mostly middle-age males of diverse backgrounds and vulnerable female IDPs often considered as suitable targets in the IDPs camps is an important explanation for the pattern of SGBV that emerged from this study. The interaction between these three systems is characterized by exploitation of vulnerabilities in female IDPs by the perpetrators of SGBV. Vulnerable female IDPs who often are suffering from serious economic deprivation and lack of access to basic services and needs many of whom also are without a capable guardian due to loss of the head of the household to Boko-haram attacks are often the target of exploitation and abuse by motivated perpetrators. Thus, the pattern of sexual and gender-based violence against women and girls in IDP camps is in the final analysis an output of this interactional and exploitation process (Barlow, et al. 2021). More will be said on the relevance of this perspective in the sections on immediate and encouraging factors.

For now, since the focus is on preexisting factors, it is important to emphasis that an understanding of the environment of motivated perpetrators and their interaction with it requires an understanding of the influence of the patriarchal culture of the north-east on beliefs and practices of the people. As a participant noted, due to the patriarchal nature of the communities:

*Men feel so powerful and entitled. Some are not enlightened, so they feel they can get away with any of those acts. When they are caught, some face the consequences sometimes” -* (Sarah, Social worker**).**

Thus, the choice and motivation to perpetrate SGBV is influenced by several factors including the perception that the act may be condoned within the cultural environment and considerations of cost and benefit as postulated by rational choice theorists. The submission by the above participant that ‘*when they are caught, some face the consequences sometimes’* is suggestive that many perpetrators of SGBV are often hardly caught, and when caught or arrested, hardly face any consequences most of the time. Such situation only encourages SGBV since there is no fear of any consequences.

As identified by the focus group participants, gender norms and belief, culture and female, position in the community are strong drivers and thus preexisting factors for SGBV in the context of this research. An aggregate of the causes of SGBV identified by the participants is predominantly affiliated with socio-cultural belief and abuse of religious doctrines or principles.

As young girls, they are accorded little attention as their needs are often subordinated to their male counterpart. Female education is treated with levity as very few elites within the community allow their female children to access education. Hence, young girls are generally expected to assist their mothers in domestic chores and run errands for the elders. Accordingly, a community leader stated as follows:

*Our women take care of the home, cook for the family and care for our children. Some go to the farm and sell produce* - (KII with Ibrahim, Community leader).

iii. Education

Another preexisting factor found in the interviews and focus group discussion is lack of access to education for the girl child. The northern region is generally backward in terms of access to education and this is particularly worse for the girl child due to obnoxious cultural beliefs and practices including male child preference and early marriage. Many girls in the IDP camps are out of school and the women are not literate due to lack of access to education on accounts of ignorance and harmful cultural practices applied against them in the past. Education remains a very potent means for the liberalization and economic empowerment of the female gender. However, most of the participants in the focus group across the data set identified lack of access to education as a major cause of SGBV in the IDPs camps. Accordingly, a participant opined as follows.

*Lack of education is a challenge that many women face in the community here. Even the free education provided for is not accessed by the girls because the society would rather have them perform the duties believed to be meant for women like housekeeping and trading. Some educated families or those interested in improving their daughters allow theirs to attend, some drop out along the way due to reasons like pregnancy* - (Nuhu, School teacher, FGD)

This challenge and reality has rendered many female IDPs vulnerable to exploitation due to ignorance of their rights and entitlements, ignorance of the laws protecting them and weak economic base due to their lack of skills and knowledge for any meaningful employment.

1. Poverty:

Related to lack of education which results in the lack of means of livelihood is poverty. The high level of poverty among female IDPs is a major preexisting factor predisposing them to SGBV in the IDP camps and communities of the north-east Nigeria, most especially the three BAY states.In the view of a participant in the focus group discussion,

*Women need a source of livelihood. They should not be solely dependent on the men so that they don’t keep begging. This is one of their problems* (Kyari a community youth leader, FGD).

In addendum, Clement a police officer identified poverty as a cause of women or female vulnerability to SGBV. He opined that poverty makes women vulnerable to SGBV perpetrators in the cause of struggling to discharge their new role as head of the house. Some young girls who have no economic or financial responsibility fall victim because of inordinate greed or over-ambitious trait for material needs.

Another participant corroborated thus;

*Poverty contributes to reasons why SGBV happens to women. When they are in need, they can easily be abused by some ruffians. Cases we handled occurred where these young ladies go asking for favors and begging for money. A lady was sexually abused by a guy who promised her a handset (phone) -* (Clement, Police officer, FGD)

In the view of Alice, a camp official, and a focus group participant:

*Idleness and lack of basic necessities of life like food are factors aiding the prevalence of SGBV in the IDPs camps in this place (Alice, FGD)*

Although the above extracts refer to situations outside the IDP Camps before internal displacement and sounds like a case of blaming the victim, they are nevertheless important in understanding the environment of the targets of SGBV in the IDP camps and their interaction with it. SGBV in the IDP camps can be understood in terms of the pattern of events and behaviors that emerge from and are maintained by, interactions between complex systems including the female IDP system, perpetrator system and the environment system (Barlow et al., 2021). The subjugation of women by men which lead to their status degradation, the confinement of women to the domestic sphere, the lack of access to education especially for girls, the high level of poverty of among women and the unemployment situation faced by female IDPs which some have referred to as idleness are all social structural factors imposed the women and girls by the society that is supposed to cater for them. These factors are important explanatory variables for understanding the female IDP system based on the cycles of analysis theory. As Barlow et al. (2021) argued, ‘each of these individual systems act as elements of the exploitation system and can be defined and described separately’. Thus, these preexisting factors are the attributes of the female IDPs system in this study.

As explained by respondents in this study, during internal displacement, these attitudes became worse as the social disorganization that characterizes the IDP camps occasioned by forced migration leading to breakdown in law and order makes the environment very conducive for SGBV to thrive.

**5.2.2** **Immediate Factors**

Immediate factors responsible for SGBV in the IDP camps include insecurity in the camps, inadequate facilities, poverty, and lack of essential commodities including food as well as frustrated males. These factors have their roots in the preexisting factors discussed above and some are related to the preexisting factors but they are treated as immediate in the sense that they refer to the peculiar socio-economic conditions of IDPs in the IDP camps. These factors arise as consequences of the internal displacement and insurgency of the Boko Haram. The insecurity occasioned by Boko-haram insurgency not only resulted in the displacement of the people but also loss of livelihoods for the people. Some of the survivors of the attacks have been rendered disabled through loss of limbs, loss of sight or death of heads of the households. For men survivors, the experience of displacement, loss of farm land and houses, lack of means of livelihoods, and enormity of responsibilities before them has resulted in a state of hopelessness, frustration and a loss of sympathy and empathy. Their frustration with the new reality they have to face could tend to result in aggression towards family members. However, the most troubling reality is that harsh socio-economic conditions in the IDP camps have only worsened the vulnerability of young girls and women thereby making suitable targets of SGBV.

As mentioned by the respondents, most of the girls are abused due to their lack of essential needs and services such as food, water, clothing, healthcare, and proper shelter which should have been provided within the location.

*Females encounter challenges around availability of basic amenities, source of livelihood and access to services like healthcare*- (KII with Folake, NGO staff*)*

The unavailability of these basic services and needs tend to push female IDPs into seeking support and assistance from affluent members of the host community or even camp officials who may lure them into sex as condition to offering them the assistance. Even where women and girls are content with their lot and careful about seeking such assistance, the lack of a capable guardian including appropriate shelter is a major source of vulnerability to many female IDPs.

As found by this study, other immediate factors responsible for SGBV in the camps according to respondents include exposure of households to danger due to the loss of the head of the household. In this case, the females become the head of the household and cannot protect herself enough as well as other females in the household.

*Most of the women now assume the role or duties of husbands like farming because they have been turned to widows* **- (**KII withAlice, Camp official).

This sad reality affects female victims of the insurgency generally but it is particularly devastating for those residing in the IDP camps who have no access to farmlands let alone engage in farming. Where they managed to get a farm for cultivation of crops, it is very challenging and unsafe for a woman head of household to work on the farms for fear of possible attack by Boko-haram.

The challenges make them soft targets for SGBV according to respondents as the women struggle to make ends meet as heads of their households. These struggles to maintain themselves and the family force them to seek help in the hands of dangerous males who end up taking advantage of their situation. In some situations where male heads lose their jobs, respondent states, wives are also exposed to SGBV in sourcing for food and sustenance.

Thus an understanding of the pattern of SGBV in the IDP camps require an understanding of the process and mechanisms through which female IDPs are exploited on account of this situation they found themselves. The mechanisms of violence are all forms of physical abuse, emotional abuse, sexual abuse and neglect of female IDPs without which exploitation cannot occur. In line with Barlow et al.’s (2021) cycles of analysis theory, SGBV against female IDPs occurs in the context of a relationship in which there is a substantial imbalance of power that is misused by the stronger person (which could be a military personnel, humanitarian worker, host community member or a male IDP with the camp) to control and harm the weaker (female IDP) for some form of gain such as sexual gratification. The nature and extent of the abuse together with the degree of harm will vary according to the following the needs, objectives and aims of the perpetrator(s); the characteristics of the female IDP and what these represent to the perpetrator(s); and the environments from which the woman or girl and perpetrators emerge and in which the violence occurs.

Each intersection between the female, motivated perpetrators and the shared environment is an emergent micro-state that can be understood in terms of the biographical histories of each of the agents within the system. Thus, it is not every adult male in interaction with ‘an attractive’ female IDP that will want to exploit her. As the social learning theory used in this study suggests, only individuals who have learned through differential association to take advantage of a vulnerable woman will take advantage of a female IDP in need of help. Related to this and in line with elements of the cycle of violence theory, the nature and characteristics of geographical locations either promote or inhibit the patterns of behaviour that occur during the interactions. Thus, the IDP camp may or may not be conducive for, or be a “possibility space” (Barlow et al., 2021) for SGBV depending on the type or form of exploitation and the rationality of the motivated perpetrator. The preponderance of the evidence generated from this study suggests that poor condition of the IDP camps make them conducive for male predators to abuse them even if the actual abuse does not take place within the camps. For example, the interaction between a hungry and poor female IDP in need of food or some economic support and a man in the host community who may be interested in exploiting the woman or girl sexually could result in SGBV at the man’s place when he invites her to obtain the assistance. As observed Chapter 3, the pattern of SGBV is maintained as a stable relationship between the perpetrator and victim within a shared, conducive environment in which the perpetrator’s needs are gratified.

Respondents were of the view that vulnerability arises due to the needs of the female IDPs. The needs and lack make them accessible to perpetrators.

*Their livelihoods are largely reliant on goodwill donations from charitable and government organizations due to the overlapping vulnerability related to economic security and protection, many find themselves at risk of SGBV*- (Sarah, social worker)

While seeking for sustenance, most especially food, reports have been made about lack of choice in the exchange of sexual gratification for food items and other essential commodities.

*Even when organizations bring supplies, the males in charge take control and share according to how they wish. It is usually an opportunity to ask for return for these supplies in kind…. A teenage lady was assaulted last year by one NGO worker from BOB. She agreed with the man to clean his apartment in return for supplies, but she got something she did not bargain for. You can fill in that gap -* (Anabel, camp official).

In addition to the immediate factors mentioned above, a series of administrative factors were mentioned as reasons for the prevalence of SGBV in the IDP Camps. A stakeholder in the interview listed factors she views from her experience as the head of a reputable NGO.

*“ SGBV has continued because of so many factors, lack of accountability, no checks and balances from the three arms of balances, lack of political will, poor budgetary allocation to IDP camps, no money, no funding and women are not well included in governance”*(Anita NGO).

The above thus supports another finding in subtheme of poverty as an immediate factor in the perpetration of SGBV in the North-east IDP camps and neighboring communities. The unfavorable conditions necessitated by internal displacement leads to high level poverty within the camps residents. Women as well as men are affected by this situation. However, women as mothers experience more difficulty as they need to fend and provide food and necessary items for their children, mothers and other members of their families.

“*Women need a source of livelihood. They should not be solely dependent on the men so that they don’t keep begging. This is one of their problems.”*- (Kyari Community youth leader).

Furthermore, another participant identified poverty as a leading causative factor for SGBV in the IDPs camps as follows;

*Poverty contributes to reasons why SGBV happens to women. When they are in need, they can easily be abused by some ruffians. Cases we handled occurred where these young ladies go asking for favours and begging for money. A lady was sexually abused by a guy who promised her a handset -* (Clement, Police officer).

This situation of internal displacement created by Boko Haram insurgents gives rise to series of other problems. Respondents mentioned the difficulty of camp residents in receiving proper medical care of the view that male IDP’s are usually responsible for the scarcity of resources including medical supplies so as to be in charge and exercise power over the supplies.

*When we supply medications and other essential needs, the camp gatekeepers who are the men take charge. In the pretext of managing the items they hoard them and give only those they deem fit. It is at their discretion- (KII with Tope NGO)*

***“Insecurity from security”***

The police, civil defense and Military JTF equally play significant role in the protection of female IDPs. It is noteworthy that the security officials most times are found wanting with respect to SGBV against female IDPs. In the opinion of Hussaini Al Hassan, security officials take part in sexual abuse of female IDPs.

*Mostly it is men around the camp for those that we know of in the camp. Also, army officers protecting the resident take part in such act* (KII with Hussaini Alhassan, CSO member)

This is a case of complicity and direct involvement in SGBV by the ‘place manager’ who is supposed to monitor the time and space where female IDPs (suitable targets) and Boko-Haram men or male members of the host communities (likely offenders) converge to result in SGBV (Fisher and Lab, 2010, 797, cited in Schneider, 2015, p. 52). According to routine activity theory, sexual and gender-based violence in the context of the IDP camps environment arise when offenders and targets come together in a context where such key ‘controllers’ (army officers, men around the camp, humanitarian workers) fail to prevent it due to a limited sphere of influence resulting from either a lack of awareness, low capacity or sheer unwillingness to assert control” (Cherney, 2008, 635 Cited in Schneider, 2015, p. 52). In this case, beyond sheer unwillingness to assert control there is also a condescending attitude on the part of ‘place managers’ by becoming the predators they are supposed to fight.

An interview respondent feeling uncomfortable to disclose the information, as he paused several times taking his time to answer the question due to the sensitivity of the discussion eventually stated*.*

*Even the so-called security men constitute insecurity. They are part of the problem; some of them have been named in some of the sexual violence against the camp women -* (KII with Ladi, Government official).

Having responded to questions on factors responsible for the prevalence and continuous perpetration of SGBV in the camp and north-east communities, the research participants had much to say on barriers to reporting incidences as well as barriers to getting justice in cases of SGBV in IDP camps and communities in the BAY states. The barriers therefore are categorized under the encouraging factors below:

**5.2.3 Encouraging Factors**

i. Non-Reporting of Cases of SGBV

Across the data set, respondents mostly stated that reporting of cases is not very common. Cases are usually heard of through other residents who have heard of occurrences. Avoidance of stigma, shame, and victimization were mentioned as common barriers to reporting SGBV in the camps and in turn are encouraging factors in the perpetration of SGBV in IDP camps and communities in North-eastern Nigeria. In relation to the stigmatization which is a major barrier to prevention of SGBV in both the IDP camps and the North-east communities. The culture of silence which arises from not reporting cases encourages the perpetration of SGBV. According to participants, several cases of SGBV have occurred where victims concealed the information to avoid the consequences which is usually shame and stigma. Stigmatization according to respondents has severally led to the termination of cases which would have been justiciable thereby preventing future occurrences. However, because of shame which is said to be brought upon the family of the abused victim, respondents explained that reporting is usually not encouraged by families, especially the male heads. A family where an abused victim has emerged is a family of shame and is deemed to have been desecrated.

“*Such a family would be pointed at, talked about and avoided”-* (KII with Anabel).

Therefore, it is culturally not encouraged to report SGBV when it occurs thus encouraging more perpetration since a typical case is not likely to be reported.

*Most times parents and caregivers fail to report and also hide cases of SGBV. There was a case during the last rainy season where a girl was raped. I reported to the appropriate organization and the higher department was involved. They were very interested in the case. I asked the parents to go to the clinic with the girl for examination to document evidence. They refused to comply. They kept her away. They did not want the involvement of the authorities-* (KII with Anabel)

In addition to stigmatization and shame, respondents claimed that victims experience victimization from not only the perpetrator, but other individuals and groups in the community. Respondent claimed that victims experience death threats and forced withdrawal of services when they tried to report these incidences.

*To make matters worse, they began to threaten and bully the poor lady after all she went through. She was warned by her uncle not to give any information to us or the police. The matter later died down, no justice -* (KII with Anabel).

ii. Victimization

Victimization is another encouraging factor owing to the fact that victims are threatened and warned not to report, they are usually left with no choice but to withdraw from investigation to save them from harm.

*Let me show you this. It is confidential. (Queen shows the researcher a picture on her phone) this young lady was raped last year on her way to the toilet. It was very bad, and we had all the evidence and the perpetrator known. Unfortunately, as the case was being handled by the NGO and the police, elders and some family members of the lady warned her to desist “when we tried to persuade her, she warned us to stay away from her -*(KII with Queen)

Although there are NGOs that offer some psycho-social support to victims of SGBV, victims and their family must take steps to access and enjoy such services. As one participant reported:

*When cases are brought to us, we give the victim medical support by ensuring they are treated in the clinic. We also give them psychological support and ensure they are protected from further harm. We then take the case to the police for investigation and work on arresting the culprit. Other forms of intervention in SGBV related matters in the camps include sensitization of females on prevention from attacks and steps to take when they occur-- (KII with* Amina)

Furthermore:

*We have a group called the community advocates. They are trained to handle SGBV cases when reported we invite government officials to give talks to the camp women and we organize talks to advice women* (KII with Amina)

1. iii. Lack of Cooperation

Another barrier to supporting victims which is also a contributory cause and encouraging factor is lack of cooperation from victims.

*“Most of the victims do not cooperate to help them get justice. For the few that cooperate with us, we referred them to the association of female lawyers “--* (KII with Fatima)

To explain the motivations of likely perpetrators of SGBV in the IDP camps therefore, it is important to understand these encouraging factors. The actions of perpetrators of SGBV must be understood in terms of the utilitarian principle of maximizing pleasure and minimizing pains. The decision to violate or exploit a female IDP by any likely perpetrator is often influenced by a conscious evaluation of the utility of acting in a certain way toward the victim. Due to lack of reporting and non-cooperative attitude of victims to support givers, offenders are likely to continue to perpetrate SGBV because of the conclusion that there are no consequences (McMurtry and Curling, 2008).

**5.3 INTERVENTIONS BY STAKEHOLDERS IN PROTECTION OF FEMALES FROM SGBV**

The question of why SGBV persists in the IDPs camps despite series of interventions by non-governmental organisations and state actors alike was also a major theme that emerged from this study. The evidence suggests that such interventions have been foiled by several problems including non-reporting of SGBV incidents, a pervasive culture of silences among victims, bitter experiences of victimization, fear of stigmatization and the influence of social norms of patriarchy. These findings are presented in the following sections.

**5.3.1 Interventions by Non-Governmental Organisations**

Several NGO’s and INGO have been collaborating with government officials and community leaders to intervene in SGBV matters. The intervention ranges from handling of reported cases through taking the case to police station or court of law and following up these cases to make sure justice is served.

*Sometimes we offer pro bono legal services for victims, pursue the case in police stations because the police do not take these cases as seriously as they ought to. We have branches in every state and in some states, we have multiple branches. In our organization we train paralegals how to report these cases as well as whistle blow and intervene* (KII with Dawoud, legal officer)

Another form of protection from the NGOs comes by creating awareness, law sensitization and provision of livelihood support to the IDP camp females so that they will know their civil rights, because most of the females do not know about their civil rights and most times their lack of livelihood has made them vulnerable to men that commit this shameful act.

NGO staff stated that they intervened in cases of SGBV in various ways when they occur. These interventions are sometimes useful, while they end up being sabotaged due to factors mentioned earlier in factor responsible for the continuous perpetration.

Non-governmental organizations as stakeholders support the internally displaced persons and help in alleviating their sufferings. Their support and provision of needed materials has served as relief to IDPs. Besides that, NGOs also monitor the affairs of women and children in the camps and ensure their protection. They however also experience shortage of funds and support from higher organizations which hinders the level of support intended for the IDPs.

*This NGO plays several roles in helping internally displaced persons in this state and other states with problems of displaced persons. We engage in distribution of relief materials and even money to the IDPs. We provide maternity packs for expectant mothers in the camps. We try our best until we run out of funds from our funding bodies. When support is broken from the higher supporting bodies, it affects the way we help these IDPs. We always try to do our best. (KII with* Fatima,NGO).

Intervention by different organizations vary. Apart from the mentioned interventions by other NGOs, other respondents with other levels of intervention mentioned the provision of medical assistance, psychological support and ensuring the report of the cases of SGBV to authorities if made known to them.

*This organization has branches in all the IDP camps. We intervene in SGBV cases by giving psycho-social support, we ensure cases are reported when we hear of them, although not all come to our knowledge for privacy and cultural reasons. We also have clinics in all IDP camps where victims are attended to (KII with Anita Ngo).*

The role of stakeholders in the cases of SGBV was inquired in the interviews. Participants explained the various ways by which they supported victims and females generally in the IDP camps as well as in the communities. Some of the interventions were fruitful while some yielded no results. Thus, interventions from NGOS, government officers and community leaders had some little impact on the prevention of SGBV.

*Every case is peculiar and so is the response. We respond to cases in different ways. Our intervention has been useful in the camps here because we now protect the women better than before -* (KII with Fatima)

The community leaders according to participants have the responsibility to ensure peace and security for the people within their locality. With or without the support of the government, the leaders apply religious doctrines in preventing SGBV through the imposition of strict punishments prescribed by the Shariah law,

*The Bulamas is the head of the community. He handles all cases brought to him including SGBV. They have ways of punishing guilty men in the way of Sharia. Some are given plenty strokes of the cane while some are sent to the police to be taken to the area court*- (Kyari, Youth leader, FGD)

Another participant further buttressed that the focus of the community on SGBV that involves sexual violence thus;

*When a case of SGBV occurs, we reported it to the community head. Then the community head handed the case to DRC where they took the victims to hospital, the station and cour*t- (Hussaini, FGD).

Female community heads responsible for supervising women in the IDP camps highlight that when reports of SGBV are made, they intervene by taking some cases to higher authority for possible prosecution

*As a woman leader, I usually report to the Bulama when women bring reports of assault”-* (Mallama, women leader, FGD).

A focus group member reiterated the duty of family members as well as other members of the community in coming to the aid of indigent IDPs who have become widows and as such are in need. Being their brothers’ keepers is usually encouraged by giving support to such persons to prevent them from exposure to SGBV that might result from lack of needed essential commodities.

*As women most of them have higher duties than they were previously used to since their husbands are dead during the attacks. So, they now become poor without daily needs and food. My sister is also a victim in one of the IDP camps, since she lost her husband. We have been trying to help her with the little we have here. Feeding her children is hard* - (Lami, women leader, FGD)

Thus, the community leaders believe they owe the citizen the duty of care and protection despite the societal norms which encourage the subjugation of females. The protection of both male and female citizens is paramount to the leaders in the communities. A focus group participant explained,

*I am an elder in this community responsible for the care and protection of all natives of our community. I must ensure with other elders that our people are safe including the men, women, and children* - (Ibrahim, community leader, FGD)

Other interventions are in form of sensitization, advice and education of females in the camp on protection from SGBV. Interventions were also by provision of skill acquisition and sources of income to women:

*We have a project funded by IOM. It is called learn and stay protected it helps in enabling survivors of SGBV improve access to education and social services.” Women who also participate are able to make a living without having to beg those who will assault them -* (Sandra, NGO staff, FGD)

**5.3.2 Interventions by the Government**

Everything at the IDP camps is being done under the watch of the government representatives and every stakeholder must seek approval from the government before providing any support or help. Most of the times NGOs will have to work with the government officials or police officers to carry out their supportive activities. It is also the government that provides security men in the IDP camps.

*We here, work with CSOs, NGOS AND INGOS to provide support to victims of SGBV through our women empowerment initiatives. So far, it has been successful in curbing cases of sexual exploitation and abuse which is sometimes a form of SGBV. Some of our programs are providing succor to the victims and survivors -* (KII with Aisha, government official)

Police responsibility according to the law is to protect citizens and bring criminal to face the law as consequences of their criminal acts. However, respondents stated that the laid-back attitude of the police in the intervention in cases of SGBV makes it difficult to achieve these roles. Being a patriarchal society, the police who have the duty to ensure that perpetrators face the law mostly do not handle cases are expected.

*The police cause unnecessary delays which leads to the evidence being destroyed by the time the matter gets to court cases usually suffer sit back because of their bias* (KII with Fatima)

Series of interventions have been made by stakeholders including humanitarian workers and government officials such as emergency management agencies like the police. However, despite the intervention of stakeholders, reports of incidences of SGBV continue to be heard either directly or through third parties. As a result, the government has recently decided to intervene further by closing most of the IDP Camps. But this intervention comes with mixed opinions from the participants in the focus group.

Although interventions for the improvement of the IDPs conditions have been provided in various forms, most of them have not yielded positive results towards the abatement discussion.

*The government has ordered the closure of some IDP camps due to the problems women face in the camps and that should at least reduce the sufferings they face in the hands of the predators. When they are back to their respective homes, they should be more secure* - (Maria, Government official, FGD)

Another concern was however raised in a response to Maria’s statement by another focus group discussion participant on the government intervention of IDP camps’ closure.

I *don’t really think it is a wise decision the government is taking to close down the camps. Boko Haram is still very much around. They may come back and attack and kidnap them as they have done in the past. They have not been totally defeated* - (Abdul, NGO staff, FGD)

Thus, female IDPs are in a dilemma, whether they are in the IDP camps or resettled back to their community, there is palpable likelihood of continues perpetration of SGBV against them because both environments are conducive. Interventions in form of relief materials, support services, deployment of security personnel and the rest of them are only palliative without addressing the underlying social structural preconditions that make them vulnerable and makes it ‘profitable’ for male predators to continue to violate and exploit vulnerable women.

**5.4. LEGAL/INSTITUTIONAL FRAMEWORKS AND PREVENTION OF SGBV IN THE IDP CAMPS**

The knowledge of legal framework guiding SGBV, both international and domestic as discussed in Chapter 2 is important for citizens to be able to exercise their rights and make claims when such rights are violated. In exploring the reasons for the inability of the legal framework to prevent incidences of SGBV in the IDP camps in the north-east, it was necessary to ascertain participants’ knowledge of these laws as well as their perceptions of community members’ knowledge since they engage with them in form of rendering of services and supervision in both the IDP camps as well as the surrounding host communities.

Most participants who are professionals such as NGO workers and staff members of government agencies expressed their knowledge of the different laws on SGBV and laws for the protection of internally displaced persons. In general, participants mentioned that most camp residents who happen to be illiterates do not particularly know about the existence of the laws. In addition, the laws in operation which are known to the participants are often at variance with the laws in the book. According to key informant:

*NGOs are aware of relevant laws on SGBV. We have the penal code applicable to the north among other laws. Since the penal code came into force, nobody has ever been sentenced to life in prison as the code provides. You know it’s a man’s world here -* (KII with Sandra NGO staff)

**5.4.1 Attitude of IDPs to Utilizing the Laws**

From their experience managing IDP camp affairs respondents stated their views on the way camp residents behave towards the existence of laws. According to respondents, the laws are insignificant as far as most of the IDPs are concerned. As displaced persons, their main priorities are security and provision of their needs.

*Most of the IDP residents are not bothered about these laws. They just want to be provided for and protected. They are too frustrated in their situation and what they want is food and care -* (KII with Alice, camp official)

This scenario suggests that in their hierarchy of needs, accessing institutions of justice and rights is secondary to meeting their basic economic needs. It is a well-known fact that justice is expensive in Nigeria and often takes a long period of time to materialize. The lackadaisical attitude of IDPs to utilizing the laws therefore may also be indicative of the level of confidence that IDPs have in the law and the criminal justice system of the land. As the quotation preceding this section indicates:

*Since the penal code came into force, nobody has ever been sentenced to life in prison as the code provides* (KII with Sandra NGO staff)*.*

**5.4.2 Culture of silence**

Having established the existence of a vast legal framework with laws designed to prevent SGBV, participants responded to questions bordering on why the acknowledged laws are not preventing the perpetration of SGBV in IDP camps and host communities in north-east Nigeria. Coincidentally, the responses were similar to the ones given regarding the factors responsible for SGBV in the IDP camps and host communities. Participant professionals explained how lack of reporting has hindered victims from access to justice. According to the responses given, in some states in the north-east, the laws are well implemented as there has been some improvement in their judicial system. The judiciary in these states handles cases accordingly and victims are encouraged to report in order to get justice and compensation. However, the culture of silence results from fear of stigmatization. Victimization and shame largely hinder the pursuance of justice. Thus, some respondents believe that it is not the inadequacy of the laws that hinders the laws from preventing SGBV, but the access to the justice due to lack of reporting which is the first step in the pursuit of justice which would serve as deterrence to prospective perpetrators.

*In this state, the judiciary is very efficient. Trainings are organized periodically to ensure timely handling and hearing of SGBV matters. The reason I think it seems the laws are not working is that there is a misunderstanding of the situation. The people are not reporting, so how do you expect the laws to apply? You can’t expect a person hiding information to have justice. They don’t even want to disclose what happened to them-* (KII with Mr. James Government official)

This apparent apathy to reporting SGBV matters by female IDPs as depicted above may is indicative of the low confidence level people have in the criminal justice system of the land and may also not be unconnected with the low literacy level and high level of poverty among the IDPs camp residents as to afford any legal representation.

Unlike in some of the states where attitude of the police is not up to expectation as stated earlier by Fatima, there was a different observation in the police attitude in another state where interviews were also performed. Police officer stated that the laws are sufficient and there are punishments to deter offenders if cases are reported with necessary evidence. As stated similarly earlier by a previous respondent, the victims must be interested in pursuing the cause of justice for the laws to be applicable to their case.

*Once people report to us, we will make sure we take the case to court and get justice under the applicable laws, but they mostly withdraw and abandon it halfway-* (KII with Idris).

The tendency to abandon cases halfway can only bolster the zeal and motivation of likely SGBV offenders. Though often occasioned by unnecessary delays and high cost of justice in the country, non-reporting and lack of interest in prosecution of SGBV offenders can only render the legal framework on SGBV inconsequential. If likely perpetrators are left with the impression that people will not press charges, they will deliberately continue to perpetrate these acts. This understanding is underpinned by rational choice theory which postulates that many offenders do exercise some form of rational thinking; they will weigh the potential costs (the chance of getting caught or prosecuted) against the potential benefits (the rewards that can be gained from exploiting or violating a female IDP ) (Schneider, 2015). Thus, the attitude only enhances the opportunity of likely offenders to commit SGBV. Would be offenders’ choices would always be structured by the social environment and situational variables (McMurtry and Curling, 2008).

**5.4.3 Sufficiency of laws**

The legal framework consisting of international, regional, and domestic instruments are all laws powerful enough to protect and prevent females from SGBV. Respondents agreed that these laws are supposed to be legally binding on all countries and states concerned in its ratification. As regards international instruments, a professional stakeholder affirms that the legal instruments are vast and various in objectives. Participants also mentioned that they are sufficient in number. However, most of them are merely mentioned as part of the Nigerian legal framework, not bearing in mind that without being domesticated, such cannot have the force of law and therefore cannot be invoked in bringing charges against offenders. An interview participant stated.

*The laws are many relating to SGBV; the international ones as well as domestic. CEDAW, African charter on human and people’s rights, child`s right Act, the Nigerian constitution, penal code, the 2015 VAPP law and a host of others. The problem is that some have however not been domesticated as recommended by the constitution and so cannot have the force of law…. Apart from the international instruments that have not been domesticated, VAPP law was not domesticated for a long time until recently. Now things will even be better in terms of getting justice as Borno and other north-east states have domesticated it. There are stringent penalties for those found guilty -* (KII with Abiola, Government official)

Police officer in the focus group discussions confirmed the existence of a vast legal framework. Other respondents also agreed that there are multiple laws which already exit to prevent SGBV. Thus, the laws according to the stakeholders are sufficient.

*We have all the laws in the various statutes. The Constitution, the Criminal and penal codes, Violence Against Persons Prohibition Act, yes, all the laws have provisions against SGBV to deter offenders. We already make use of them so there is no need to have more laws in that regard (Police Officer, FGD).*

Additionally, respondents were of the view that, not only are the laws sufficient, they are also meant to deter offenders but only if victims report cases.

*We need to encourage victims to report when they have these experiences of SGBV. That is the only way we can apply these laws in the courts. Our state has recently domesticated the Violence Against Persons Prohibition Act. It is good for the protection of the women. The penalty for rape is life imprisonment. Stakeholders did a lot of work to make sure the state domesticated it. We are hoping to see convictions to deter others (Police Officer, FGD).*

**5.4.4 Gender inequality**

Though laws are sufficient according to respondents across the data set, some of the laws applicable to SGBV in the north-east such as the sharia penal code contain gender biased laws which make prosecution difficult as the burden of proof lies on the victim. Thus, a rape victim must present four male witnesses or alternatively eight female witnesses to prove the case of rape. Alternatively, to prove the case of rape, the accused must confess to the act in question. These are very difficult conditions which have prevented victims from pursuing the course of justice thereby preventing SGBV from occurring in the north-east IDP camps and communities.

*To call four male witnesses or eight female witnesses according to the Sharia will be embarrassing to the victim. It makes them shy away from reporting and going to court. They would rather nurse their wounds privately than expose themselves to further trauma-* (Queen, FGD).

During the focus group discussion members debated on the impacts of illiteracy on females in the northeast which also affects the internally displaced women.

*The culture here permits the females to be at home. Education to them is not really important. Being uneducated makes them feel less superior but the few that are educated are confident they are the few females that are given some little respect. (Alice- Camp Official, FGD).*

**5.5 PREVENTION OF SGBV IN IDP CAMP AND HOST COMMUNITIES**

Participants were asked on what could be done to reduce or prevent SGBV from occurring in the context of the research. Different stakeholders had differing suggestions according to their views of the situation. Some were of the view that the treatment of women must change to have a better perception of them and thus prevent them from abuse. Others were of the view that more stringent punishments should be included in the legislations to serve as deterrence to males who would want to perpetrate sexual violence against females. Other stakeholders suggested the education of men on the implications of engaging in SGBV, while security officers found guilty should be adequately punished and dismissed from the force.

*Very strict punishments should be added to the laws of rape and other sexual assaults. The Governor of Kaduna state has pronounced castration and death sentence for anyone found guilty of rape. All other states should do the same -* (KII with Fatima).

Interestingly, in the focus group discussions, some of the stakeholders especially the locals suggested self-protection as a way to reduce SGBV. The respondents mentioned that if the females protect themselves, they would not experience violence. Thus, some measures were highlighted as preventive measures which are just limited to self-protection and without any focus on the perpetrators.

*Our women should know how to carry themselves to avoid being assaulted. They must first learn to dress well. They must stay away from places where they can be harassed. They must avoid going out at night. In short, their protection is in their hands. -Ibrahim (Community leader- FGD)*

In agreement with Ibrahim’s response on prevention of SGBV, Hussein added his views pointing at the females’ need to protect themselves to avoid SGBV:

*We always advise them to cover up well, exposing your beauty can also attract the unruly men to attack them. They should learn to watch their movements. You will hardly see my wives, they are restricted to my compound. Nobody can attack them. -Hussain (Community elder- FGD)*

Although these views may sound like victim blaming, they lend credence to the postulation of routine activity theory that SGBV especially in the context of IDP camps may be a function of opportunity which potential victims can help reduce through modification of life-style in ways that discourage motivated perpetrators from exploiting them.

In conclusion, the foregoing analysis of the study’s findings has generated useful insights on the objectives of the study. It has shown that female IDPs are highly vulnerable to SGBV from various perpetrators in the IDPs camps including service providers and male members within the camps and around its environs. Their vulnerability is rooted in preexisting social structural factors including patriarchal structures of subjugation and domination by males, low literacy level due to lack of access to education, and endemic poverty among others. Their experience of internal displacement couple with the social disorganization that characterizes the environment of the IDP camps has only increased their vulnerability. The lack of essential needs and facilities in the IDP camps were also stated as contributory factors to SGBV in addition to societal norms. In addition, the analysis shows that cultural norms prevent access to seeking justice through stigmatization, victimization, and shame. Furthermore, the findings revealed that stakeholders’ interventions to help victims access the law and justice were in most cases hindered by the uncooperative attitude of female IDPs which is associated with fear of stigmatization and victimization. Finally, the analysis revealed that there are several and sufficient laws for the prevention of SGBV but many female IDPs are either ignorant about the existence of these laws or are uninterested in utilizing the legal framework which manifest through the culture of silence. However, some expressed the belief that domestication of the legislations which has just been recently achieved would improve access to justice and prevent SGBV cases in the IDP camps in the north-east Nigeria. Overall, the analysis has shown how the various themes from the findings contributed answering the overarching research question of why the legal framework and institutional mechanisms against SGBV have been ineffective in preventing the problem and providing protection for female IDPs. In this regard, the below diagram illustrates how the themes are related.

**SGBV**

**Prevalence and Perpetrators**

Prevalence

Close relatives perpetrators

**Barriers and Causes**

Pre-existing factors

Immidiate factors

Encouraging Factors

Lack of Cooperation

Culture of silence

**Intervention**

NGOs Intervention

Government Officials

**Laws**

Sufficiency of laws

Gender Inequality

**Prevention of SGBV**

**In IDP camps and**

**Communities**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | |  | |  |  |  |
|  |  | |  | |  |  |

**Figure 5.1 Themes and Sub-themes that Emerged from the Findings**

**5.6 DISCUSSION**

This section discusses the findings in relation to the study objectives, existing literature and the theoretical framework. The findings on prevalence and perpetrators of SGBV in the IDP camps are first discussed within the framework of patriarchy and social disorganization theory in the light of the literature. This theme essentially established that the legal framework has been unable to prevent incidences of SGBV in the IDP camps which lays the foundation to interrogating why this has been the case in subsequent sections. In particular, it revealed that female IDPs are highly vulnerable to SGBV from various perpetrators in the IDPs camps including service providers and male members within the camps and around its environs. Their vulnerability is rooted in preexisting social structural factors including patriarchal structures of subjugation and domination by males, low literacy level due to lack of access to education, and endemic poverty among others. Their experience of internal displacement couple with the social disorganization that characterizes the environment of the IDP camps has only increased their vulnerability.

The second theme which centers on causes and barriers to reporting SGBV revealed the major factors responsible for the unabated perpetration of SGBV against female IDPs in the IDP camps in the north-east. These preexisting, immediate and encouraging factors are also part of the reasons for the inability of the legal framework to prevent incidences of SGBV in the IDP camps in the northeast Nigeria. In addition, the theme revealed how the internal displacement crisis in northeast contributed to the vulnerability of female IDPs to SGBV. These are discussed within the framework of the social structure social learning theory which underscores the role of patriarchy and social disorganization in the creation of vulnerability for female IDPs. Crime opportunity theory is also deployed as an explanation in the discussion of the causes and barriers all of which are knitted together within the framework of the cycles of analysis theory. In the third theme on interventions by stakeholders, the study argues that despite the various interventions by stakeholders, the patriarchal influence on attitude together with the economic and social challenges faced by IDPs in the IDP camps makes it difficult for the interventions to be effective. This section further examined the theme on the laws on SGBV which is a major research objective of the study. The theme points at the existing patriarchal structures affecting the other factors as an explanation for the inability of the existing laws to curb the menace of SGBV in the IDP camps and communities in the northeast Nigeria. Finally, the theme regarding how the problems of SGBV can be prevented is discussed within the framework of situational crime prevention as anchored by the crime opportunity theory as presented in Chapter 3 of the study. This chapter therefore provides a discussion on the main findings of the study within its theoretical framework and where applicable, links the literature to the research outcome.

**5.6.1 Prevalence of SGBV in IDPs in the Northeast**

As found by this study, SGBV is prevalent in not only the IDP camps, but also in the surrounding host communities of the IDP camps. As highlighted in the presentation of findings on prevalence of SGBV section, respondents also mentioned incidents of SGBV in communities as issues that have existed in the communities prior to internal displacement and thus is an extension of the pre-internal displacement period under regular situations. Thus, SGBV is not a peculiarity of the IDP camps but rather a pre-existing phenomenon in the northeast region which has been exacerbated by the experience of internal displacement. This finding lends credence to the result of Isola and Adeogun's (2020) study which found that the prevalence of SGBV is not limited to the IDP camps in the northeast region of Nigeria but also common around the IDP camps and community of the BAY states.

Similarly, Ager et al. (2018) also reported a high prevalence of SGBV incidents at the IDP camps and the various forms of SGBV cases are considered a normal occurrence. In relation to this, UNHC (2019) stated that SGBV is a major concern in the northeast Nigeria due to the incessant report of rape, abduction, forced marriage and physical assault on females in the camp. The report claims that these cases are also common in the larger northeast community and thus an extension and continuation of the societal problem.

Theoretically, this study explains the patterns of SGBV in the IDP camps using the cycles of analysis theory. In so doing, it draws on social structure social learning theory, social disorganization theory and crime opportunity (routine activity) theory. The reason for the prevalence of SGBV against females in the IDP camps is rooted in social structural factors such as patriarchy which supports the subjugation and domination of the female gender. The social norms and cultural beliefs that relegate women to the domestic sphere and confine women to the home contributed to their economic dependence on men. As a consequence, they tend to be treated as second class citizens in their own homes and communities. This argument is underpinned by the proposition of the social structure social learning theory discussed in this study which essentially states that SGBV is a learned behavior that is structured by either the cultural environment or childhood of individuals who end up practicing the act in places like the IDP camps (Bandura, 1977; Thornhill and Palmer, 2000).

These preexisting factors have been amplified by the people’s experience of violent attacks and internal displacement which reached their peak in the socially disorganized environment of the IDPs camps. Negative cognitive reasoning due to recent experience of displacement could be a contributory factor for sexual violence towards females or predisposing factor of female victimization. The trauma of violence being experienced in the north east with Boko Haram without any form of intervention predisposes people especially women and girls to SGBV. This is in congruence with the argument of Amodu et al. (2020) and Faupel et al. (2015) who observed that traumatic experiences, violence and harassment during the course of force displacement and migration could result in mental health issues thereby contributing to abnormal behavior such as SGBV on female occupants of the IDP camps. According to Sampson and Grove (1989), social disorganization relates to certain conditions which are present in a community which thereby presents a socially disorganized community. These elements include poor economic conditions, heterogeneity of people as well as family and residential disruptions through migration. These elements however contribute to crime rate in communities where such situations are obtainable.

Therefore, in application to participants statements, social disorganization plays a role in the prevalence of SGBV in both IDP camps as economic conditions of IDPs are affected, migration occurs, Boko Haram insurgency etc., thus, the findings confirm the prevalence SGBV in the IDP camps and the host communities. Through social disorganization theoretical perspectives, SGBV has continued to be prevalent due to the elements of the theory which are also present in the IDP camps and communities due to the activities of the Boko Haram insurgents.

Prevalence was however admitted but attributed by some focus group participants to the freedom of movement in females in the camp and communities. These participants mainly males were of the view that where the females in question limited their movements to hidden and protected areas, they could escape from SGBV attacks. Although this perspective sounds like a case of victim blaming and most have been informed by and reflected to dominant patriarchal cultural beliefs, the underlying idea of being careful about being at certain places at certain times is supported by routine activity theory. According to the RAT, the setting and situation of a location could serve as an opportunity for the commission of crimes therein (Felson and Clarke, 1998). Felson and Clarke particularly emphasize that opportunities for crime differ with social and technological changes and some opportunities are more tempting than others. Thus, the creation of an enabling environment for the commission of crime is the presence of opportunity for the crime (Cohen and Felson, 1979).

The acceptance of some myths in relation to violence against women in some Nigerian communities encourages SGBV (Fakunmoju et al., 2021). According to Fakunmoju et al. (2021) gender freedom limiting myths blame females for being responsible for being victims due to what they wore or where they were at the time of the perpetration. Those are acceptable in some parts of Nigerian society.

Prevalence according to participants rose during the COVID-19 pandemic lockdown. The study from participants’ responses found the period in which highest cases were reported. This was a period of uncertainty which brought out further agitation and aggression in individuals especially males towards females (Ejikeme et al., 2021; Uzobo and Ayimoro, 2021). Social disorganization theory also supports this finding considering the disorganized conditions leading to society and economic downturn. Various categories of people were mentioned by respondents as perpetrators.

Participants of both interviews and focus group discussions all agreed that besides the Boko Haram insurgents, security agents are the most common perpetrators reported. Military men and other security agents have been severally mentioned as perpetrators of SGBV in the IDP camps (Ojengbede et al. 2019; Isola and Tolulope, 2022). Other named perpetrators in the cases of SGBV as found in the study include strangers, relatives and spouses of victims (Ojengbede et al., 2018). Perpetrators according to Ali et al. (2017) also include camp leaders, vigilante men, security men and soldiers, who believe that the act of SGBV amounts to an art of the spoils of the conflict.

A study from a different location from that of this study by Ager et al. (2018) reported that marital rape among other forms of SGBV in the IDP camps are normalized due to the belief that the husband owns the wife and thus cannot commit a crime of sexual violence against her. Therefore, the theory of Patriarchy supports the finding with the suggestion that husbands using the culture of dominance of the wives carry out intimate partner and marital rape and impunity and thus major perpetrators.

The normalization of SGBV in IDP camps in and around the northeastern communities was mentioned by the participants. Accepting these cases of SGBV within a period of three months as reduced, indicates the level at which the act had previously reduced. Some male respondents did not really consider the issue as abnormal since it happens usually and even reduced of recent. Njoku and Akintayo(2021) are of the view that conflict related sexual violence is usually and for survival in the period of conflict and in the displacement camps. This thus supports the finding that it is a norm and unfortunately a means to an end.

In summary, this section discussed the prevalence of SGBV in the northeast and the communities. It established the regular occurrence of SGBV as a situation that comes with internal displacement and social disorganization. Though there had been elements of SGBV in the communities prior to the security crises that caused the mass internal displacement, the socially disorganized nature of camp life exacerbated the situation.

**5.6.2: Causes and Barriers: Pre-existing, Immediate and Encouraging factors**

Social and cultural norms were indicated as major preexisting factors responsible for the continuous perpetration of SGBV in IDP camps in the northeast and its communities. These societal norms are from the root patriarchy which is mainly responsible for the domination and subjugation of females in susceptible societies such as the northeast Nigeria and the IDP camps therein.

Alli et al. (2017) purport that the various acts of violence against females in the IDP camps is an extension of the widely accepted patriarchy tradition in the Nigerian society. Preexisting conditions of gender inequality encourage SGBV both during normal periods, as well as in times of conflict and displacement (Njoku and Akintayo 2021).

From responses of participants in both interviews and focus group discussions is the presumed superiority of males over the females in the society extends to the camps. This attitude was also pointed out in the roles of females in the communities as the homemaker the child bearer, the housewife and the stay-at-home person who is seen as one of the man’s properties in marriage. Thus, the societal acceptance and tolerance of patriarchal norms has greatly contributed to SGBV as found in this study.

Societal, cultural and gender norms mentioned have also been supported by existing studies (Agbonifo 2020); (Obidike and Eucharia 2020). Agbonifo (2020) argued that gender inequality works to the disadvantage of IDP women. Agbonifo is of the view that cultural perspectives in patriarchy and masculinity are drivers of SGBV perpetration. According to finding in the study, participants mentioned that they owned their women, and their women are there to care for the home.

Thus, patriarchy encourages male dominance through a structure of hierarchy in which economic and social imbalance exist to the detriment of females. Therefore, the patriarchal system is characterized by oppression and subordination of females by males (Sultana 2010; Bhasin, 2006).

Hunnicut (2009) is of the view that for patriarchy to be used in the establishment of violence against women, certain conditions must be met:

1. The establishment of variation on the practice of patriarchy in different societies
2. Violence against women is based on the social structure for the understanding of the attitudes of males.
3. Patriarchy must be related to other hierarchical structures which are intimate.
4. Other conditions found within patriarchy must be present and patriarchy may appear beyond structural conditions

In relation to the aforementioned argument by Hunnicut (2009), this study found that patriarchy is used in the IDP camps in a way that varies from its use in other settings though all involve oppression. As it applies in the context of this research, it is employed for the SGBV against females in the IDP camps to take advantage of their situations. For instance, through transactional sex for food, or sex for other basic necessities which is seen as trade by barter, the perpetrators gain access to their needs (Njoku and Akintayo, 2021).

As part of pre-existing factors, the denial of the female children from access to education was acknowledged in the findings. Similarly, Ishaku (2020) noted the /lack of importance attached to the education of the girl child in some parts of the northeast Nigeria. Most members of these communities are of the opinion that the place of the female is restricted to the kitchen and the home and therefore not entitled to education. The inaccessibility of the female child to education is based on cultural and societal attitudes found in underdeveloped societies (Offor et al., 2021). Therefore, patriarchy is associated with the restriction of the access to education of the girl child. This thus leads to negative consequences such as SGBV (Offor et al., 2021). This supports the finding that lack of education of the females makes them vulnerable to SGBV generally especially in the IDP camps.

Patriarchy in this research is also used to explain SGBV as it is related to other hierarchical structures such as masculinity. Responses indicating the existence of masculinity appeared from the findings of an extension of the patriarchal system in the communities. The form of masculinity observed from the findings is toxic masculinity and hegemonic masculinity which are similar. Both forms of masculinity are borne out of unhealthy, oppressive and domineering attitudes (Abumere, 2013; Jekwes and Morrell, 2012).

Thus, patriarchy which relates to masculinity also affects gender equality in this study. Respondents mentioned the inequality of the male and female gender in the access to education as well as other aspects of life as found in the IDP camps and communities (Izzi and Adiela, 2021). Findings therefore indicate the presence of patriarchy and masculinity as preexisting factors which have influenced other elements such as gender inequality, cultural norms and lack of education as preexisting factors responsible for the prevalence and inability of the legal framework to prevent SGBV in the camps and communities.

One of the findings revealed the acceptance of female inferiority to male as part of societal norms that is deliberately ignored. Female IDPs are raised to accept their inferiority and subordinating status compared to their male counterpart. Hence, female children are accorded secondary care. Hence, it is not a source of concern to the females themselves despite their predicament. This finding further underscores the influence of patriarchy in the northeast regions in corroboration of what is described as internalized oppression. Internalized oppression occurs when people from an oppressed group learn systems of oppression and behave in ways that uphold these systems (David, 2013). Internalized oppression has been associated with lower self-esteem, both personal and collective (David & Okazaki, 2006), as well as poor body image (Parmer et al., 2004).

In relation with social learning theory, when one lives in an environment where acts of SGBV are common occurrences, there is every tendency to learn such behaviors which are likely to be carried out in future (Thornhill and Palmer (2000). Not only that female has accepted SGBV as a norm in the northeast region, they have also learned to endure and adapt regardless of the psychological trauma suffered. Bandura (1977) and Thornhill and Palmer (2000) argued that adaptation to SGBV may have been a learned behavior from either the environment or childhood of individuals who end up acclimatizing to like situations in the IDP camps.

Immediate factors responsible for the perpetration of SGBV as well as the inability of the legal framework to prevent SGBV to include lack of basic needs, lack of food, healthcare as well as economic instability leading to poverty (Njoku and Akintayo, 2021). Stakeholders highlighted the difficulties encountered by females in the IDP camps in order to provide for their families, most especially when the head of the family has been killed by Boko Haram insurgents, and the woman is left as the breadwinner. This aligns with the views of Njoku and Akintayo (2021) and Isola and Adeogun (2022) regarding the relationship between lack of basic needs and SGBV. The finding also corroborates Itumo and Nwefuru (2016) work which examined the socio-economic and political implications of internal displacement in Nigeria. They argued that government has the onus of tackling internal displacement crisis by maximizing its socio-political and economic resources to prevent, manage and ameliorate the impacts of internal displacement on IDPs. The study highlights government role as pivotal to successful IDP camps management. In other words, failure of government to discharge this duties (highlighted by Anita in the findings) precipitate the prevalence of SGBV in IDP camp in the northeast Nigeria.

Surajo et al., (2020) in their work attributed the prevalence of SGBV to inadequacy of government presence in IDP camps. IDP camps activities are often crippled and frustrated due to the paucity of funds, misappropriation of resources by government agencies and iniquities of security officials. Surajo argued that the consequences of government default in its responsibility triggered the widespread of SGBV in the IDP camps in the northeast Nigeria.

The finding of the present study on the immediate factors responsible for the continuous perpetration of SGBV can be explained within the framework of the cycles of analysis theory. The theory postulates that SGBV emerges from the complex interplay between potential targets, motivated perpetrators and conducive environments (Barlow et al., 2021). The immediate factors identified by the study are important variables for understanding the environment of the IDPs (the IDPs camps) and their interaction with it as well as how the convergence of this and the environment of the perpetrator in interaction with each other could result in SGBV. As Barlow et al. (2021) argue, SGBV occurs in the context of a relationship in which there is a substantial imbalance of power that is misused by the stronger person (usually the adult male but may also include peers or older youths) to control and harm the weaker (usually woman or girl) for some form of gain such as economic and sexual gratification.

Thus, the particular environment (IDP camps) where the convergence between the suitable target and the motivated offender take place can be explained using social disorganization theory. The disruption in regular daily lives of the IDPs, their migration due to unfavourable circumstances, poor economic conditions of the IDP as well as a mixture of different kinds of people from various backgrounds all constitute features of social disorganization theory which appears strongly. Such situation makes the environment conducive for SGBV perpetrators to operate.

Insecurity was pointed out by several stakeholders as great impediment to the prevention of SGBV in the camps and communities. The exposure to SGBV in the hands of security agents who ideally are employed to protect the residents shows the “insecurity from security”. As argued in the section on findings, this amounts to complicity and direct involvement in SGBV by the ‘place managers’ who are supposed to monitor the time and space (IDPs camps) where female IDPs (suitable targets) and Boko-Haram men or male members of the host communities (likely offenders) converge to result in SGBV (Fisher and Lab, 2010, p.797, cited in Schneider, 2015, p. 52).

Based on the postulations of RAT, sexual and gender-based violence in the context of the IDP camps environment arise when offenders and targets come together in a context where such key ‘controllers’ (army officers, men around the camp, humanitarian workers) fail to prevent it due to a limited sphere of influence resulting from either a lack of awareness, low capacity or sheer unwillingness to assert control” (Cherney, 2008, 635 Cited in Schneider, 2015, p. 52). In this case, beyond sheer unwillingness to assert control there is also a condescending attitude on the part of ‘place managers’ by becoming the predators they are supposed to fight.

Related to the above is the finding that humanitarian workers were also implicated in the complexity of the situation. This group of people also takes advantage of the vulnerability of the victims and offers them no choice but to engage in SGBV. Where they are not willing, such females have been forcefully abused by the service providers and strangers (Njoku and Akintayo, 2021). Therefore theoretically, the crime opportunity theory explains in connection with patriarchy the exposure of IDP females to SGBV due to the inadequate protection and lack of guardians to protect the vulnerable individuals.

The findings therefore indicate the inadequate protection and unprofessional attitude of security men assigned to provide security but rather engage in security compromising practices is a major explanation for the research objective chapter one to explain how the internal displacement situation has affected the vulnerability of females in the IDP camps to SGBV. The immediate factors as pointed out by respondents are not only related to patriarchy and masculinity. They also indicate that conditions of the IDP camps have encouraged SGBV. Therefore, in addition to forced displacement, IDPs become more exposed to additional debilitating conditions such as inadequate essential needs, insecurity, and other dangerous conditions (Raji et al. 2021).

Theoretically, from crime opportunity theory, the above can be connected to situational crime prevention which purports that the environment where a crime is being committed plays a role in the perpetration of the crime (Felson and Clarke, 1998; Farmer and Maruna, 2016). Where the environment is lacking in the necessary protective elements and there is the presence of a target, the opportunity to commit the crime is presented. Therefore, the above findings suggest that the inability of the authorities to provide the essential amenities and needs as well as proper shelters as opposed to makeshift tents provided for the IDPs is a driver for the perpetration of SGBV in the IDP camps. Poverty and inadequate resources constitute the opportunity for the crime, while the female IDPs are the target according to crime opportunity theory. Also applying situational crime opportunity to the finding, the lack of guardianship in the encouraging factor matches the lack of protection of the females who have lost their breadwinners, the females thus constitute the target, and the opportunity is presented there from.

Findings further revealed that the organization structure and chaotic condition of the IDPs camps impede the implementation of the law on SGBV. The reason for this is not unconnected with the postulations of social organization theory which draws a relationship between setting and crime rate. IDPs camps by their very essence are a make-shift or temporary settlement that can be shut anytime. This undermines the proper coordination and management of the camps by camp officials. In support of the theory, sociologist John Hagan affirms that social disorganization enables crimes and poverty contributes to social disorganization (Hagan, 1993). As a result, stakeholders encounter unprecedented distractions while struggling to enforce laws against SGBV. For instance, lack of facilities compels camp management to accommodate opposite sex in same shelter demarcated with screen. Lack of proper toilet facility might compel camp officials to allow men to use female toilet facility. Raji (2021) observed that NEMA’s capacity to ameliorate the plights of IDPs is hindered due to the protracted nature of the Boko Haram in the northeast, lack of adequate fund and legal restrictions on the operational mandates. Additionally, lack of facilities, inadequate amenities such as restrooms and poorly illuminated areas in the camp areas also amount to opportunity for perpetration of SGBV in the IDP camps. Crime opportunity theory also explains this finding. The presence of these loopholes creates the opportunity for the perpetration of SGBV. This finding therefore meets the research objective which sought to investigate how the internal displacement crises have contributed to the vulnerability of females in the IDP camps.

In discussing the encouraging factors, it is crucial to note that this study found that the fear of stigmatization, victimization and shame constitute major barriers to accessing redress and justice. Findings suggest that stigmatization and shame are major barriers to the prevention of SGBV in the IDP camps in the northeast and the communities. It was also found that the existing social norms prevent reporting of SGBV cases due to stigmatization it brings upon the victims. As stated by the respondents, most cases of SGBV are either unreported or stalled to avoid stigmatization.

Adejumo et al. (2021) argued that the fear of stigmatization is a stumbling block to the reportingof SGBV related crimes. Hence, societal myths on SGBV are usually aimed towards covering up of sexual violence in order to avoid stigmatization. This non-disclosure encourages the culture of silence which further serves as barrier to getting legal or any other forms of support (Schmitt, 2021; Jekwes, 2022). The influence was found in the study to be very relevant in leading to impunity, a theory escalating SGBV perpetration in IDP camps and communities of northeast Nigeria.

The presence of patriarchy as a societal norm is also influential to the encouragement of stigmatization and victimization of victims due to the reason that an SGBV incident on the victim constitutes a shameful act, and negativity affects the victim and her family at large. According to Schmitt (2021), stigma arises from SGBV and further leads to societal rejection. Stigmatization could also lead to marital separation, abandonment of victim, reduced social status, suicide and other unfavorable outcomes (Schmitt 2021; Jekewes, 2022). As much as stigmatization stands in the way of access to the legal framework, victimization according to the respondents also prevents such access to the law and is therefore a barrier to justice and SGBV prevention. Findings in this study indicate that victimization arises from cultural and societal beliefs. Victims of SGBV are bullied and warned to desist from pursuing the course of justice. From respondents’ statements, family members of victims, community members and the perpetrator have been named to be victimizers. These persons put blame and guilt on the victim to discourage reporting. Therefore, this finding supports the objective of the research examining whether the existing social norms affect the legal framework on SGBV.

**5.6.3 Interventions by Stakeholders in the Protection of Females from SGBV**

The role of stakeholders in the protection of females from SGBV cannot be over-emphasized considering the widespread of the menace in the northeast region (Koris, 2022). According to the findings, participants revealed that females; either as children or women suffer varying degree of violence not only from close allies but also from strangers. While the extent of violence suffered by females is not ascertainable due to the culture of silence, it is visible to all that sexual and gender-based violence is the foremost challenge faced by female IDPs (Okon, 2018).

According to findings, various stakeholders play roles as well as interventions in matters relating to IDP camps management and issues relating to SGBV. Shimawua (2020), identified different agencies of government that collectively ensure the prevention and protection of sexual violence in Nigeria. It is important to note that the role of stakeholder is not limited to the welfare of displaced persons. In other words, government agencies ensure the observance of human rights and laws with respect to SGBV at every point in time (Raji, et al., 2021). Thus, the enforcement and implementation of relevant laws on sexual offence and gender based violence are vested on security agencies as part of their collective responsibility in ensuring socio-political stability. Akuto (2017) while addressing the role of stakeholders in protection of IDPs underscores SGBV as the most fundamental crisis experienced by female IDPs. Hence, he urged all critical stakeholders including individual, educational institutions, civil society organizations, government and non-governmental organizations to explore novel dimension in combating the challenge associated with female protection from SGBV.

Other than government which is the driver for other stakeholders shouldering the responsibility of protecting females from SGBV include individual at family level, community head and non-governmental organizations according to the majority of the focus group participants. Eze (2013) noted that is essential to change the approach to sexual violence should positive change be envisaged. He faulted the undefined and uncoordinated approach between individuals and government officials in the management of SGBV in Nigeria. Yalley and Olutayo (2020), however identified lack of will on the part of stakeholders as the major hindrances to the SGBV prevention and its prevalence in the northeast region. He identified patriarchy and masculinity which has permeated every institution in the society as the clog in the wheel of progress. Adejumo et al., (2021) observed that lack of implementation of effective laws and regulations that prevent violence against women due to ineffective security system is a major factor that sustains gender-based violence in Nigeria.

The above findings attenuate patriarchy as a major bottleneck to stakeholders’ performance in the prevention of SGBV against female. This is indicated in the approach of stakeholders such as policemen, community heads and other male led institutions in issues relating to SGBV. Regardless of the plethora of laws, agencies and NGOs championing the war against SGBV, a sociopolitical setting such as the northeast region has continued to record increasing SGBV cases in and outside IDP camps. Patriarchy is a broad network or system of hierarchical organization that cuts across political, economic, social, religious, cultural, industrial and financial spheres, under which the overwhelming number of upper positions in society are either occupied or controlled and dominated by men (Okpe, 2005)

Given the negative features of patriarchy as highlighted above, including the domination, subjugation and exploitation of women and the fuelling of gender inequality between females and males, the concept has been suggested to be a major driver for SGBV (Cusamono, 2018; Mackinon et al., 2001). Closely related to patriarchy is masculinity. The emphasis on masculinity in this study is based on the likelihood of the connection between socialization given to males and its resultant consequences on sexual and gender based violence against women. It is important to note that most of the stakeholders in the protection of female against SGBV are exposed to patriarchal and masculinized socialization (Philaretou, 2001). Thus, the responsibility vested on them by the laws to protect females from SGBV is at variance with their individual biological and psychological traits. In other words, every stakeholder who fights against SGBV must consciously overpower his masculine traits in order to be able to discharge this new role. As part of findings, the inability of stakeholder to implement laws against SGBV is not unconnected with the complexity of overcoming acquired patriarchal and masculinized traits during the socialization process. Thus, SGBV becomes widespread and gradually becomes a norm in the society.

NGOs by the nature of their roles in the IDPs camps are vanguards in the protection of IDPs against SGBV. The role of NGOs in the management of IDPs camp often evolves but include provision of funds, health care services, advocacy and enlightenment, education services, social amenities and WASH programmes for the IDPs (Shehu et al., 2021). According to Onuoha and Chukwu (2022) social workers and NGOs make themselves available at IDPs camps so IDPs psychosocial needs will be provided and other essential services.

The roles and intervention of NGOs as stakeholders were mentioned as numerous by respondents. By and large, these roles offer relief to IDPs but often the NGOs face challenges of funds. According to Omofonwonran and Odia (2009) non-governmental organizations create a positive approach to rural development. This manifests in their duties to provide community mobilization, environment, health and sanitation awareness creation, promotion of child’s rights law, promotion of sexuality and reproductive health education and fight against child labour and human trafficking etc.

In the same vein, Anjorin and Ojebisi (2022) explore the roles of non-governmental organizations in the amelioration of IDPs plights and sufferings. They argue relying on liberal theory of civil society that Civil Society Organizations are empowered to provide basic services which the state actors are unable to provide especially in IDPs camps where the capacity of the state agencies is often overstretched. Anjorin and Ojebisi (2022) further emphasis the importance of non-government organizations in IDPs camps with the aid of human needs theory which underline the insatiable nature of human needs in the society. Due to the incapacity of state actors to meet human needs, NGOs step in to support, enhance and facilitate comfort and protection for IDPs in the camps. This explains the role of Anita NGOs in the IDPs camps noted in the aforementioned findings.

The inability of state actors and other stakeholders to meet the needs of IDPs create a vacuum for crime to thrive. In relation to the crime opportunity theory, the prevalence of SGBV can be associated with the incapacitation and iniquities of the relevant stakeholders in the provision of IDP needs. This suggests that crime is made possible by the existence of an enabling environment in which the criminal is found. In order to close this gap or minimize crime opportunity, smooth partnership and unhindered synergy or collaboration must be established between state actors and non-governmental organizations. SGBV is a social crime often committed by perpetrators when opportunity present itself. The potentials of non-governmental organization should be maximized to limit such opportunity.

In the same vein, ineffective discharge of duties by stakeholders can be associated with disorganization problem in IDPs camps. Stakeholders in the IPDs camps find it extremely difficult to coordinate the IDPs due to unceasing increase in the number of IDPs. Lack of organization in IDPs camps gives room for laxity and neglect of duties by camp officials (Olarenwaju, 2019). Checks and balances become extremely impossible as camps coordinators are faced with varying challenges. Lack of organization also open gate for corruption and diversion of funds or relief materials meant for IDPs by camp officials. This situation buttresses the social disorganization theory postulated by Shaw and McKay (1969). They opined that in communities which has been put into disorder due to migration, socioeconomic deprivation, high population, and disrupted family settings, crime rates are found to be higher as such conditions create a breeding ground for criminality due to lack of behavioural regulation (Sampson and Groves, 1989).

A finding also fingered camp officials often exploit NGOs intervention to their advantage. Gatekeepers or stock keepers are accused of hoarding relief and medical materials for the purpose of maneuvering their baseless desires or imposing themselves on female IDPs who are need of such. For instance, the distribution of relief materials to the IDPs is the primary responsibility of NEMA officials; this responsibility is often hijacked by security personnel to enable them to divert the resources (Raji, 2021). Hence, chaos is often triggered within the camp to create social disorderliness. In the circumstance, camp officials are overwhelmed and are forced to consider the option of engaging untrained personnel for the distribution of relief materials. Unscrupulous officials seized this opportunity to divert relief materials for their shallow agenda. (Raji, 2021). This scenario underscores the social disorganisation theory crime opportunity theory. Perpetrators of SGBV understand the fact that a serene and organized setting will hinder the perpetration of the crime. Hence, they often work against the stabilization and effective coordination of IDP camps.

Other than government and non-governmental organizations that are well acquainted with the laws that protect females from SGBV, other stakeholders such as community representatives demonstrated low awareness about the laws. Some of the focus group participants stated that cases of SGBV are reported to *Bulama* instead of the police. Thus, the *Bulama* who is the custodian of custom and traditions, exercises discretion over SGBV cases instead of the appropriate laws or the modern criminal justice system. In assonance with Lerner (1989) argument that patriarchy is not natural or biological, but a cultural ideology, the *Bulama* therefore applies cultural principles which are extractions of patriarchal and masculinized framework. At individual level, female children are relegated to the background and denied access to education or economic opportunities. The inaccessibility of the female child to education is based on cultural and societal attitudes found in underdeveloped societies (Offor et al., 2021).This is further strengthened by the African system of female subjugation deeply rooted in culture and tradition which sees submission of females to males as the basis for enforcing patriarchy (Williams, 2019).

Other related explanation for the inability of stakeholders to curtail prevalence of SGBV is internal displacement crisis affecting the northeast region. According to the crime opportunity theory, crime rate increases where there is enabling environment for same to thrive. In the case of IDP camps, the environment plays a vital role in motivating offenders for crime perpetration. For example, the presence of women and children in IDP camps already constitutes target victims as criminal accomplices including military officers take advantage of that opportunity (Felson and Clarke, 1998).

Olanrewaju et al. (2019) argued that the *Boko Haram* insurgency in the region has exacerbated the plights of women and female children in the region. Women resort to negative survival options to take care of their family which makes them more vulnerable to sexual exploitation from camp officials. More so, Cornish and Clarke (2003) further suggest that based on the situational crime point of view, the environment plays a huge role in encouraging certain behaviors which would have been different in the absence of such an enabling environment. Hence, the IDP camp often lacks proper coordination and efficient operational legal framework. This make-shift or temporal nature of IDPs camps constitute a loophole which is often exploited by unscrupulous camp officials.

According to a respondent, the IDPs camp is not a friendly environment for women and young girls as they are attacked at any time. This further underline the reality of crime opportunity theory because, perpetrators of SGBV exploit this opportunity in satisfaction of their egocentric interest and innate desires. The extent and frequency of SGBV in IDPs camp is largely not comparable to settings outside the camps because crime opportunity is limited (Felson, 1998).

In relation to the objective of this study, the role of the stakeholders in the protection of female from SGBV is critical. The stakeholders are the drivers of the relevant laws and government policy aimed at ensuring the wellbeing and protection of women in the society. The impact of the laws is dependent on the performance of the stakeholders.

However, stakeholders who are victims of masculinized socialization process and patriarchal orientation exhibit nonchalant attitude towards their duties. Hence, they constitute a threat to the realization of the overall objective of the legal framework against SGBV in Nigeria. This complexity gives birth to complications as the supposed agent of social change and conformity with laws are deeply engrossed in patriarchal values. This explains the low performance and poor implementation of the laws and policies against SGBV which in turn spur its widespread in the northeast region.

**5.6.4 Legal and Institutional Framework**

Findings further confirm the impact of social norms of northeastern Nigeria on the legal framework against SGBV. Participants and respondents expressed unanimous views on the socio-cultural milieu of the northeastern region and its attendant impact on the SGBV. The Findings reveal that SGBV is widely practiced in the region due to patriarchal principles and religion misconceptions which relegates women to the background. The availability of laws on SGBV is not well appreciated due to its poor impacts on the socio-economic and cultural practices of the people in the north region. For instance, Okaru-Bisant, Valentina (2019) in his paper identified patriarchy as a leading barrier to the domestication of VAPP Act by states in Nigeria. Findings further revealed that all the BAY states domesticated the VAPP Acts in their states in 2021 and 2022 respectively.

Participants during the discussion revealed that the legal framework on SGBV is sufficient but hindered by societal norms leading to the culture of silence. The laws remain dormant and inactive in as much as the fear of victimization and stigmatization propel victims to embrace culture of silence. Respondents confirmed that without report of SGBV cases to the appropriate agency, the laws become useless. This is further strengthened by the African system of female subjugation deeply rooted in culture and tradition which sees submission of females to males as the basis for enforcing patriarchy (Williams, 2019). Also, most communities and cultures in Nigeria train their females from childhood to be submissive and respectful to males. In marriage, they are trained to remain subservient to their husbands and must be of service to them on demand. Hence, culture of silence gain more strength from the prevailing patriarchal orientation in the society.

Similarly**,** further findings revealed element of gender inequality, masculinity and patriarchy in the legal framework. A common characteristic of the northeast region is its prioritization of religious laws. The Sharia Laws which form part of the legal framework in the northeast demand stringent and compelling evidence in cases of sexual violence. This requirement works complications on victims of sexual violence such as rape while perpetrators are emboldened to repeat same without fear. Consequently, men are bolstered to sexually harass female IDPs knowing the daunting task of establishing the crime in court with required evidence. This unhealthy cultural practice continues to encourage violence against females as it has put them under emotional violence and psychological distress (Dogo, 2014).

Closely related to the above findings is the presumption of innocence of an accused person under the Nigerian Constitution (CFRN S. 35(6)). Invariably, an accused, who is presumed innocent in case of SGBV is relieved of the burden of proving his innocence over the offence charged. Respondent described this procedural cliché as an impediment to war against SGBV. It is the researcher’s view that presumption of innocence should be reviewed in cases of SGBV. In other words, suspected perpetrators of SGBV should bear the burden of proven their innocence to some extent and not otherwise (Harrison, 2017). Allowing the presumption of innocence to govern evidence in sexual cases will connote conspiracy against female folk in support of Cusmano (2018) argument. He argued that the presumed inferior status of women to men found in patriarchy also causes the transfer of blame of SGBV on females even when perpetrated towards them. Patriarchy therefore confers subjugation, victimization and low self-esteem on females in societies where it is rampant and this allows the breeding of SGBV in such societies.

It is further argued that burden of proof under the Nigerian Administration of Criminal Justice system should be reformed especially in sexual related offences. Rape and other forms of sexual violence is a unique offence which do not only affects the body of the victim like other offences. Sexual offence is a mind-damaging crime which should attract not only capital punishment but stringent procedural ethics like in other climes where the integrity of women and girl child is valued (Karim, 2020). Countries like Bangladesh, Indian, Iran, Pakistan and Saudi Arabia established death sentences or life imprisonment for the offence of rape. Although, the VAPP Act took a giant stride to increase the punishment for rape unlike previous Act, yet, it has failed to reflect in the level perpetration of sexual violence in the country. Apart from patriarchy which has been argued by scholars as a main impediment to its realization, it is the researcher’s view that the evidential procedures also remain an unnoticed hindrance to the realization of VAPP Act laudable objectives.

Section 35(6) of the Nigerian Constitution provides thus

“Every person who is charged with a criminal offence shall be presumed to be innocent until he is proved guilty; Provided that nothing in this section shall invalidate any law by reason only that the law imposes upon any such person the burden of proving particular facts.”

As good as the intention of the drafter of the Constitution seems, it is arguable that this provision on “presumption of innocence” has let loose numberless sexual offenders on ground of technicality. By implication, sexual offenders go back to the society to repeat the same offence knowing well that the laws places the burden of establishing his guilt on the prosecutions. It is also important to highlight another critical aspect of criminal procedure which hinders the overall legal framework on SGBV. Sections 135 of the Evidence Act, 2011 provides as follows;

“135. Standard of proof where commission of crime in issue; and burden where guilt of crime etc. asserted. (1) If the commission of a crime by a party to any proceeding is directly in issue in any proceeding civil or criminal, it must be proved beyond reasonable doubt. (2) The burden of proving that any person has been guilty of a crime or wrongful act is, subject to section 139 of this Act, on the person who asserts it, whether the commission of such act is or is not directly in issue in the action…”

Prove beyond reasonable doubt as required by the above provision has been a source of controversy in the Nigeria judicial system. This is because, the term has been interpreted in favour of the defendant (accused). In criminal cases involving sexual assault, it is rare to have testimony of third person other than that of the victim and that of the accused due to the fact that it is an act done in private. The law expect a judge to resolve any doubt in evidence in favour of the defendants (FRN V IWEKA, 2011). This in view of the researcher is a bias against the victim who could have suffered emotional and psychological damage that might affect her testimony in court. A defendant who truly committed the offence could not have given a frail testimony because he is in stable state off mind.

Sexual offences is not comparable to other types of crime. The state of mind of a complainant in cases of theft, trespass, murder etc. might not have been affected by the crime committed. However, the reverse is the case in the case of sexual assault which affects both the body and mind under every circumstance. Requiring a victim of sexual offence who has suffered emotional and psychological trauma to give a perfect testimony in an open court is burdensome and fails the test of a “reasonable man in law” (Thielmeyer, 1992).

In relation to macro-level theory, Facio (2013) characterized patriarchy as an unjust social system that is oppressive to women. According to Facio, Patriarchy is a form of mental, social, spiritual, economic and political organization/structuring of society produced by the gradual institutionalization of sex-based political relations created, maintained and reinforced by different institutions linked closely together to achieve consensus on the lesser value of women and their roles. A close examination of the cliché “presumption of innocence” presupposes that victims of rape must prove in public space an offence committed in private against her physical body regardless of the emotional and psychological burden that is attached. Technically, victims who by their nature are tame would rather embrace the culture of silence than to demean their reputation in public in the course of establishing the guilt of another.

The Penal code which is a legal framework on sexual offence in the northeast is worth examining at this context. Findings confirm that the Penal code is characterized with pro-masculine and patriarchal provisions. The Penal code is considered as one of the gender discriminatory laws which ought to be reviewed in tune with modern reality (Wosu, 2022). A critical examination of some of the provisions of the Penal code attenuate its prejudice, discrimination and inequality against female folks. Hence, it create an enabling ambience for SGBV to cultivate. Few instances are analysed below;

55. (1) Nothing is an offence which does not amount to the infliction of child, pupil, grievous hurt upon a person and which is done-

(a) **by a parent or guardian for the purpose of correcting his child or ward that child or ward being under eighteen years of age; or**

(b) by a schoolmaster for the purpose of correcting a child under eighteen years of age entrusted to his charge; or

(c) by a master for the purpose of correcting his servant or apprentice, the servant or apprentice being under eighteen years of age; or

(d) **by a husband for the purpose of correcting his wife such husband and wife being subject to any customary law in which the correction is recognized as lawful.**

(2) No correction is justifiable which is **unreasonable** in kind or in degree, regard being had to the age and physical and mental condition of the person on whom it is inflicted; and no correction is justifiable in the case of a person who, by reason of tender years or otherwise, is incapable of understanding the purpose for which it is inflicted. **(Emphasis is mine)**

The above provisions literally and technically contravenes the entire provision of the Violation of Persons (Prohibition) Act, 2015. The requirement of “reasonably justified” in the above is vague and subject to judicial interpretation. This presupposes the inadequacy of Penal code to prevent SGBV as men will require judicial interpretation to understand what is reasonable or unreasonable punishment or correction. Meanwhile, reciprocal rights was not conferred on the wife to correct the husband by inflicting punishment (Wosu, 2022). This omission suggest gender inequality and discrimination against the vulnerable sectors in the society as unwarranted privilege is conferred on the privileged ones by the Penal code. This provisions clearly encourage domestic violence, oppression, spousal battery, torture and inhuman treatment of women and children in the family setting (Odeyinde, 2021). Also, section 282(2) of the penal code provides that ‘Sexual intercourse by a man with his own wife is not rape if she has attained puberty.’

Meanwhile, there are other laws that promote gender inequality and discriminatory practices against women in Nigeria. They include, Criminal Code, Nigerian Police Act (2020), Labour Act etc., however, they are not examined here in accordance with the focus of study. Evidently, the Penal Code is not immunized against the harmful social and cultural norms in the northeast Nigeria. Some of these practices find their ways into the laws basically because the drafters allows sentiment and emotions to intervene or influence their constitutional duties (Makama, 2013). This imbroglio underscores Lerner’s (1989) argument that patriarchy is not natural or biological, but a cultural ideology, due to a series of historical events and struggles evolving between males and females culminating into female relegation.

Furthermore, in relation to the objective of this research, finding revealed that laws on SGBV are abundant and adequate. However, lack of proper organization and few other impediments in procedural laws hampers the impact of laws in the protection of female IDPs. Also, the susceptibility of stakeholders to ill-social and cultural influences and lack of proper awareness constitute clog in the wheel of performance. As mentioned by respondents/participants in the study, there are various laws within the legal framework provided for the prevention of SGBV which are applicable to the internally displaced persons. These laws and their relevance are briefly discussed below.

***5.6.4.1 International Laws***

1. **CEDAW and SGBV:**The Convention on the Elimination of all forms of discrimination against women (CEDAW) is the most comprehensive international legal instruments on gender equality to which Nigeria is a signatory (Odeyinde, 2021). CEDAW categorized SGBV as an act of discrimination, hence, direct states to make laws and implement policy that eliminate same. This instrument advocates for equality of women with men to ensure women enjoys basic human rights and fundamental freedom like men. Also, CEDAW, recognises the influence of culture that hinders women’s right and direct states to abolish same, eliminate sex role stereotyping and inferiority or superiority of one sex over the other.

Findings revealed otherwise as female IDPs (girls and women) finds IDP camps hellish and unfavourable to them because of the varying challenges they encounter at every point in time. Respondent confirmed that female IDPs are urged to restrict their movement in order to avoid sexual assault not only from strange men but also from camp officials. Findings revealed that Nigeria signed the Optional Protocol to the Convention in 2000 and ratified the Convention in 2004 (Aniekwu, 2006). Notwithstanding its ratification, Sexual and gender-based violence remain prevalence in IDPs camps. Hence, internal displacement crisis operate as an obstacle to the essence of CEDAW in Nigeria in correspondence with the disorganisation theory.

1. **Universal Declaration of Human Rights 1948:**UDHR is the foundation for all international and national human rights instruments. The Universal Declaration of Human Rights remains as relevant today as it was on the day in 1948 that it was proclaimed and adopted by the United Nations General Assembly (United Nations, 2015). It implicitly described sexual and gender based violence as a form of torture, cruel, inhuman or degrading treatment under article 5. Article 7 of UDHR describe SGBV as an act of discrimination while article 12 prohibits SGBV on the basis that it constitute attacks on honour and reputation of the victim.

The hallmark of UDHR was to ensure egalitarian society where justice, equity and fairness guide state and individual relations regardless of gender, sex, religion, language, race, social group and class. Thus, all form of bias are declared eliminated by the instruments while state parties are enjoined to abolish cultural and religious norms which characterised socioeconomic lives

Findings also revealed that the impacts of UDHR in the protection of IDPs rights is largely not felt. Sexual and gender-based violence which the instrument outlawed is a common feature of the IDP Camps. This implies that IDP camps operate a hostile environment for the instrument to make waves.

1. **Convention on the Rights of the Child, (CRC 1989):**Though with special focus on a child, Article 16 of the CRC protects the child from arbitrary or unlawful interference with his or her privacy, family, home or correspondence nor unlawful attack on his or her honour and reputation. Article 37(a) of CRC explicitly prohibit cruel and inhuman or degrading treatment on any child. Overall, the CRC obligate state party to protect against sexual violence any persons under 18 years old. Most importantly, Article 19 specifically provide with respect to SGBV as follows;

“States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.” **(Emphasis is mine)**

Findings from this study showcase the deplorable conditions of children in the IDPs camps in the northeast. Children who lost their parents to insurgent attacks become orphan and resort negative surviving means such as street begging, hawking and *almajiri,* early marriage etc., to survive. This precarious condition of children in the IDPs undermine the very essence of CRC.

1. **Declaration on the Elimination of Violence Against Women (1993) (DEVAW):**

DEVAW as it simply referred can be described as another major instrument against SGBV. It contains specific provisions which defines, describes and sanction all forms of act capable of causing hurt or harm to the person, mind and general being of women folks. Summarily, Article 1 of the declaration explicitly defined violence against women as thus; "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life. Article 2 further buttress the definition and marked the scope of violence against women as follows;

Violence against women shall be understood to encompass, but not be limited to, the following:

(a) Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;

(b) Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;

(c) Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

As beautiful as the above provisions are, internal displacement crisis in the northeast has crippled the influence of DEVAW in the protection of female IDPs against SGBV within IDPs camps. Findings revealed that female IDPs face intimidation not only from fellow IDPs but also from camp officials. This implies the height of patriarchal values and toxic masculinity which characterized the conditions of IDPs camps in the northeast.

***5.6.4.2 Regional Laws***

1. **African Charter on Human and Peoples Rights:** This is the foremost regional instrument on human rights. Interestingly, this charter has been ratified and domesticated in Nigeria since 22nd June, 1983 (Refworld, 2022). It contains relevant provisions on sexual and gender-based violence, some of which are briefly highlighted herein. Relevant section includes articles 3, 4 and 5 of the charter which emphasized respect for life, equality and dignity respectively. Also, articles 5 and 6 prescribed rights to human dignity and liberty.

”Every individual shall have the right to the respect of the dignity inherent in a human being and to the recognition of his legal status. All forms of exploitation and degradation of man particularly slavery, slave trade, torture, cruel, inhuman or degrading punishment and treatment shall be prohibited.”

In this circumstance, SGBV which can be conveniently described as a form of torture, degrading punishment and slavery contravenes the above provision. Article 13 of the Charter advocated for equal opportunity to freely participate in government. Article 17 of the Charter guaranteed every individual right to education irrespective of their gender or sex. Hence, the practices of denying female children access to education is hereby contravened. Article 19 and 28 contains provisions that touches SGBV.

An examination of the far-reaching impacts of SGBV on female IDPs in the northeaster Nigeria implies the poor impacts of the African Charter on Human and Peoples Rights. Uncoordinated implementation amongst other factors was identified as the reason for poor performance in the protection of human rights. This is not unconnected with the impacts of internal displacement which create an ambience for crime opportunity. Also, social disorganisation theory explains the poor influence of the charter in IDP camps due to lack of proper management and coordination within the IDP camps.

1. **Maputo Protocol 2003:**The most fascinating fact about this Protocol is underscored by its specificity and focus on women’s right. In its preamble, the Protocol reaffirmed the principle of promoting gender equality in recognition of the crucial role of women in preservation of African values. This legislation reaffirms the principle of promoting gender equality as enshrined in the Constitutive Act of the African Union. Article 1 of the Protocol defined critical component of sexual and gender-based violence against women such as discrimination, harmful practices, violence against women, and women. Article 3 and 4 of the Protocol guaranteed the right of dignity, life, security and integrity of every human person. Article 5 of the Protocol explicitly enjoined member state to eliminate all forms of harmful practices such as female genital mutilation, intolerance, abuse, widowhood etc.

Meanwhile, Article 6 and 7 of the Protocol abolish forced marriage, under-aged marriage and all form of marital abuse associated with divorce. Article 12 guarantees women and girl child’s right to education. Other relevant articles with relation to Women’s right are article 21, 22, 23 and 24 the hallmark of which enjoins special protection of all cadres of women. Remarkably, article 25 enunciated guidelines for remedying act of violence against women as follows;

“States Parties shall undertake to:

a) provide for appropriate remedies to any woman whose rights or freedoms, as herein recognised, have been violated;

b) ensure that such remedies are determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by law.”

Article 25 of the Maputo Protocol exemplifies its uniqueness from other regional instrumentswhich omitted appropriate remedy for women’s right violation. Generally, this Protocol provides a comprehensive guide for women’s right protection especially against sexual and gender-based violence which characterized African socio-cultural practices.

Findings however contradicts the purports of the Maputol protocol due to the varying problems faced by female IDPs in the northeast. Although, the very essence of this Protocol is to eliminate harmful cultural practices against women, however, it appears that the protocol has its tentacles restricted to communities outside IDP camps as IDP women suffers varying form of SGBV on a daily basis (Alliance for Africa, 2018).

1. **The African Charter on the Rights and Welfare of the Child (1990):** African culture recognises childhood as a special, precarious and weak stage of the human being which requires special protection (Ncube, 1998). In order to ensure the survival and physical, mental and psychological wellbeing of children, this Charter was enacted. Hence, article 21 of this Charter enjoined member states to eliminate all harmful social and cultural practices affecting the welfare, dignity, normal growth and development of a child. Article 18 further strengthened gender-equality between spouses with respect to the maintenance of the child.

It is important to point out in specific terms that this Charter further recognise the needs of children in extreme crisis conditions. Hence, the needs of IDP children find solace in this Charter. Specifically, article 22 provides as follows;

“States parties to this Charter shall undertake to respect and ensure respect for rules of international humanitarian law applicable in armed conflicts which affect the child.

2. States parties to the present Charter shall take all necessary measures to ensure that no child shall take a direct part in hostilities and refrain in particular, from recruiting any child.

3. States parties to the present Charter shall, in accordance with their obligations under international humanitarian law, protect the civilian population in armed conflicts and shall take all feasible measures to ensure the protection and care of children who are affected by armed conflicts. Such rules shall also apply to children in situations of internal armed conflicts, tension and strife.”

The aforementioned provision emphasis government’s responsibility of preventing the recruitment of children as foot soldiers either by the states or the insurgents groups. In other words, it behooves government to take extra-ordinary measures in protecting children in conflict regions such as the north-east from falling prey to the antics of the insurgents groups. Findings however revealed that much is required to be done in this areas as several Boko Haram attacks in the northeast are successful executed by female children as suicide bombers (Warner & Matfess, 2017).

Although article 24 makes provision for refugee children, the import of article 25 is considered more appropriate to IDPs children who are temporarily or permanently separated from their parent as a result of insurgent attack on their community by insurgent groups. Having distinguished IDPs from refugee earlier in this study, it is therefore inappropriate to classify IDPs children under refugee children as mentioned in article 24 of this charter. Article 25 provides as follows;

“Any child who is permanently or temporarily deprived of his family environment for any reason shall be entitled to special protection and assistance;

2. States parties to the present Charter: (a) shall ensure that a child who is parentless, or who is temporarily or permanently deprived of his or her family environment, or who in his or her best interest cannot be brought up or allowed to remain in that environment shall be provided with alternative family care, which could include, among others. foster placement, or placement in suitable institutions for the care of children;

(b) shall take all necessary measures to trace and re-unite children with parents or relatives where separation is caused by internal and external displacement arising from armed conflicts or natural disasters.”

A careful examination of the above provisions implies the contemplation of IDPs children by the drafters of this Charter despite not specifically using the nomenclature “IDP”. It is the considered view of this researcher that article 25 contemplates children separated temporarily or permanently from their parent during internal displacement crisis as IDP children. The African Children’s Charter provides the general guides and approach to child rights and welfare but leaves the specifics to states parties since they are best placed to facilitate appropriate ways of creating a framework for the new image of childhood (Kaime, 2009).

In spite of the aforementioned rights, children embattle varying degree of challenges in IDP camps in the northeast region. The challenge embattled by children include lack of access to education, health facilities, discrimination, lack of guardian and malnutrition all of which undermine the essence of this Charter.

1. **African Youth Charter** **(2006):**Unarguably, the youth takes a portion of IDPs demographic in the northeast region (Sheikh et al. 2014). Hence, the African Union considered it essential to enact a framework for the protection of youths being the most productive demography in the society. In its preamble, the youths are described as Africa’s greatest assets through which socio-economic prosperity is probable. In the same way, the charter recognises the youth as prerequisite for sustainable growth and development.

Its preamble took cognizance of CEDAW objectives which evangelise the protection of women’s right globally. Article 2 of the charter took a swipe at discriminatory practices on the basis of sex, gender, religion, social and political affiliations which characterised African cultures. Article 2 provides thus;

“Every young persons shall be entitles to the enjoyment of the rights and freedom recognised and guaranteed by this charter irrespective of their race, ethnics group, colour, sex, language, religion, political or other opinion national and social origin, fortune, birth or other status”

State party are further enjoined to design appropriate measures to ensure the protection of youths from all forms of discrimination.

Meanwhile, article 7 of the Charter reiterates the most important and fundamental rights. Article 7 provide thus;

“No young person shall be subject to arbitrary or unlawful interference with his/her privacy, residence or correspondence, or to attack upon his/her honour or reputation.”

The above provision presupposes that IDPs who are within youth brackets shall enjoy right to privacy without unnecessary interference.

Meanwhile, articles 13 and 16 of the Charter recognise the right of youth to education and health care. Access to quality education and good healthcare facilities are prerequisite for proper socialization and wellbeing of youths. Since the preamble identifies youth as the most critical human resources required for socio-economic development of the African region, it is therefore important to ensure that youths are giving the means to maximizing their potentials.

In a bid to remove all hindrances to proper development, article 20 of the Charter enjoined member state to eliminate traditional practices that undermines the physical dignity and emotional integrity of women. (SGBV). Article 23 of the charter conspicuously enjoined member states to enact legislations that protect girls and women from all form of violence. In Addition, article 25 of the Charter further stressed the imperative to eliminate all harmful social and cultural practices that affect the welfare and dignity of youths.

Findings revealed that internal displacement in the northeast operate as a clog in the realisation of the laudable objectives of this charter in the IDPs camps. As a matter of facts, youths especially female IDPs do not enjoy the rights and privileges enunciated above due to varying contributory factors which typified social disorganisation theory. The privacy of young female IDPs is often violated which explains the reason many unmarried young girls have either become nursing mothers or pregnant (Jibirilla, 2021).

***5.6.4.3 National Laws***

1. **Nigerian Constitution 1999 (CFRN):** the Nigerian Constitution 1999 is the epi-centre and primary foundation for all other laws and structures of government. In other words, the legal and institutional frameworks against SGBV and internal displacement management are traceable to the Nigerian Constitution. Hence, the Constitution is supreme and validates all other laws in Nigeria. Nevertheless, the constitution unequivocally reiterates the primary essence of government as “the security and welfare of the people shall be the primary purpose of government.” Impliedly, government shall exert its state apparatus, direct its policies and programmes towards the realization of its primary objectives.

Invariably**,** SGBVand internal displacement crisisconstitute a breach of personal and public security respectively. It therefore behoves the three arms of government to design action plan or policies to enable them overcome all forms of threats to the welfare and security of the people. In this circumstance, all security agencies such as the Nigerian Police, the Judiciary, and correctional Services etc. that ensures the prosecution of offenders derive their source from the constitution (CFRN, 1999). The Nigerian Army which protect the internal and external sovereignty of the country from all forms of aggression or invasion derives its source of power from the Nigerian Constitution.

For instance, chapter II of the Constitution, specifically, section 15, 16 and 17 of the Constitution provides for non-discrimination, equal economic opportunities freedom and social justice respectively to denounce all harmful social and cultural practices in the society especially against internally displaced persons. It is pursuant to this obligation that the National Policy on Internally Displaced Persons (IDPs) in Nigeria 2012 was drafted and adopted by the Presidency (Ezeanokwasa, Kalu and Okpahor, 2018).

In the same vein, Chapter IV of CFRN precisely sections 33, 34, 35, 36 and 37 condemn any form of act or omission capable of impugning human dignity, threatening to human life and liberty persons. Chapter IV of the Constitution which is popularly called the fundamental human rights underline the posture of the Nigerian Constitutions towards SGBV. There is no gain saying the fact that not all forms of gender-based violence constitute direct threat to life. However, all forms of sexual violence constitute threat to human life and consequently violate section 33 of the constitution. Meanwhile all other forms of gender-based violence violate the fundamental human rights enunciated in chapter IV of the constitution.

Finding however revealed that despite the copious awareness about the Nigerian constitution, female IDPs continuously have their rights violated by fellow IDPs and camps officials. Although, not all IDPs are aware of these constitutional rights but all camp officials that indulge in the perpetration are aware. As regards the IDPs who lacks awareness about the constitutionally guaranteed rights, lack of education can be described as the probable cause. However, toxic masculinity can be described as the push factor for perpetrators that are aware of these constitutional rights but yet violate them.

1. **Criminal Code and Penal Code Law:** Generally, the Criminal Code and Penal Code Act constitute the major framework on crime in Nigeria. While, the Criminal Code Act operate in southern part of Nigeria including Adamawa and Taraba State, the Penal Code Act operate in the Northern region of Nigeria (Okonkwo, 1980). Both Acts were enacted with special consideration for the socio-cultural milieu of each region. In this circumstance, the Penal Code Act shall be giving consideration in view of the scope of study which is restricted to the northeast Nigeria.

In relation to SGBV, the Penal code Act contains provisions on sexual related offence some of which are sections 282, 283 and 284 of the penal code which stipulate the definition, ingredients and sanctions for rape respectively. The Penal code define rape in section 282 thus;

“A man is said to commit rape who, except in the case referred to in subsection (2) of this section, has sexual intercourse with a woman in any of the following circumstances-

(a) against her will;

(b) without her consent;

(c) with her consent, when her consent has been obtained by putting her in fear of death or of hurt;

(d) with her consent, when the man knows that he is not her husband and that her consent is given because she believes that he is another man to whom she is or believes herself to be lawfully married;

(e) with or without her consent, when she is under fourteen years of age or of unsound mind.

(2) Sexual intercourse by a man with his own wife is not rape, if she has attained to puberty.”

Consequently, the Penal Code Act in section 283 sanctions a rape offender with life imprisonment term. Meanwhile, sections 238 and 240 of the penal code defined the term “cruelty” and “hurt” respectively to include ill-treatment, neglect and bodily pain to children or any person. Accordingly, the penal code which is applicable in northern Nigeria, classified rape (section 357) and indecent assault on females (Section 360) are instances of SGBV prohibition.

Regrettably, the Penal code Act which supposedly outlaws sexual and gender-based violence condones some under the pretence or reasonable socio-cultural principles. For instance section 55 of the Penal Code Act consider wife beating and child beating as reasonable chastisement. This provision had been argued to condone spousal battery which often occasion domestic violence. It also contravenes the spirit and letter of the VAPP Act, 2015 which prohibit all forms of violence under whatever pretence.

Findings revealed that the Penal code comprises of legal lacuna and outdated provisions which are not in tune with modern reality. Elements of patriarchal norms and masculinized philosophy were discovered to have influenced the drafters of the Penal code (Facio, 2013). Hence, it is imperative to subject the Act to legal review considering its underlining patriarchal characteristic and masculinised features which made it inconsistency with modern laws. According to Facio,

“Patriarchy is a form of mental, social, spiritual, economic and political organization/structuring of society produced by the gradual institutionalization of sex-based political relations created, maintained and reinforced by different institutions linked closely together to achieve consensus on the lesser value of women and their roles. These institutions interconnect not only with each other to strengthen the structures of domination of men over women, but also with other systems of exclusion, oppression and/or domination based on real or perceived differences between humans, creating States that respond only to the needs and interests of a few powerful men (Facio, 2013, p.2).”

1. **Violence Against Person (Prohibition) Act, 2015 (VAPP):**

The Violence against Persons (Prohibition) Act 2015 hereinafter refer “VAPP Act” also provides some legal provisions requisite for the protection of women in IDP camps. The Act which was enacted in 2015 was in response to unceasing criticism against the Penal Code and Criminal Code as governing laws on sexual related offences. The Act deals with sexual and gender-based violence with the aims of eliminating SGBV against women in all spheres of life. It prohibits all forms of violence including physical, sexual, domestic, psychological and harmful traditional practices. It further provides remedies for victims of violence by way of compensation and stipulates punishment for offenders and perpetrators of violence (Izzi & Adiela, 2021).

The Act specifically focused on SGBV issues such as Female Genital Mutilation (Section 6), Emotional, verbal and Psychological abuse (section 14), harmful widowhood practices (section 15), intimidation (18), spousal battery (19), harmful traditional practices (20), incest (25) and rape (section 1).Section 44 of the VAPP Act established a Regulatory body (NAPTIP) for the monitoring, regulations and prevention of violence against persons in Nigeria.

The chief purport of the VAPP Act was to eliminate violence in private and public life, prohibit all forms of violence against persons and to provide maximum protection and effective remedies for victims and punishment for offenders. The provisions of VAPP Act were not only adequate but also appropriate which underscores its primacy above other existing enactments in Nigeria (Oviawe, 2016). It is important to note that if VAPP Act is eventually domesticated by other states of the federation, the regional dichotomy that characterized the extant Penal code and Criminal Code Act will be eliminated.

Findings however revealed that the operation modus of internal displacement camps in the north east Nigeria have direct consequence on the rights of women espoused by the VAPP Act. Specifically, the practice of restricting movement of female IDPs for fear of sexual molestation and harassment directly infringe their liberty to freely move within the camp contrary to section 10 of the VAPP Act which provide as follows;

A person who deprives another person of his or her liberty, except pursuant to court order commit an offence and is liable to conviction to a term of imprisonment not exceeding 2 years or to a fine not exceeding N500,000.00 or both

The dilemma herein is occasioned by the fact that sexual violence is prevalent in the IDP camps on the one hand but restricting the liberty of female IDPs constitute another offence under the VAPP Act on the other hand. In other words, restriction of female IDPs liberty within the camps though with the intention of safeguarding them against perpetrators of SGBV across the camps, it constitute an illegality. Hence, there is design an innovative measure of protecting female IDPs from SGBV perpetrators without infringing on the provision of the law.

1. **Child’s Right Act 2003 (CRA):** Internal displacement crisis constitute a push factor for child abuse, trafficking, child marriage an all form of violence against children. Children need greater protection during armed conflicts than they do during peacetime; they are at great risk of being abused and represent the highest number of casualties of those suffering from international humanitarian and human rights violations in these conflict periods (Rehman, 2010). The internal displacement crisis in the northeast region has significantly affected children in varying ways. Hence, the child’s rights Act is often at the receiving end of myriads of infringements

A cursory examination of the Child’s Right which operate as the compendium of children’s rights and privileges in Nigeria revealed a comprehensive glossary of protection. For instance, Section 10 of the CRA provides for freedom from discrimination against the child in exhibition of its revulsion for sexual and gender-based violence. Section 10 provide thus;

“10.-(1).A child shall not be subjected to any form of discrimination merely by reason of his belonging to a particular community or ethnic group or by reason of his place of origin, sex-religion or political opinion,

(2) No child shall be subjected to any disability or deprivation merely by reason of the circumstances of his birth”

By implication of the above provision, discrimination against female children in term of access to education and opportunity within the IDPs camps violates the Child’s Right Act. In the same vein, Section 11 of the CRA also entrenched the dignity of the child while criminalizing all form of acts that threatens the dignity of the child. Section 21 and section 22 of the CRA prohibits child marriage and child betrothal respectively. Sections 28 and 30 of the CRA prohibits exploitative child labour, while section 31 and 32 of the CRA specifically outlaws unlawful sexual intercourse, sexual abuse and exploitation of a child under all circumstances.

The effects of internal displacement on children include a lack of physical security, inadequate access to education, sexual abuse, inadequate food and nutrition, and various health risks (Asad, 2013). Hence, they are more prone to abuse and exploitation in IDP camps due to their weak physical stature, age, and inability to protect themselves (Olusegun & Ogunfolu, 2019).

Findings revealed that some parent within the IDPs camps deny their female children access to education under the guide of protecting their chastity. Some others restrict their access outside home for fear of being attacked by sexual violators. Some children are betrothed in marriage to escape parental responsibility while others use children to beg for alms or hawk within the host community. All these constitute violation of child’s right under the law. As a matter of fact, no matter how good the intention behind such acts are, they remain illegal and void.

In corroboration of social disorganisation theory, internal displacement crisis is a propeller of child’s right abuse. Many children became orphans as a result of internal crisis while many parent lost their economic means to crisis which consequently affect their capacity to discharge their parental responsibilities. Hence, child’s right violation is boasted by internal displacement crisis as it is in the northeast region.

1. **Matrimonial Causes Act:** Marriageis often contracted between a man and a woman to remain together till eternity. However, marriage can be dissolved deliberately by either of the spouses and in accordance with the provision of the law. Although, marriage done under the act are requires stringent grounds to dissolve, the Act considered sexual related offences and act of domestic violence as good grounds for dissolution.

Specifically, section 16 (1) (e) of the Matrimonial Causes Act, provides that one is entitled to petition for divorce if his wife /her husband has been convicted of inflicting ‘grievous harm or grievous hurt’, or attempting to inflict ‘grievous harm or hurt, or to kill him/her. This section identify domestic violence and SGBV as a serious concern under the law. Despite the traditional attitude of the law towards marriage dissolution, once a case of violence is established, the court would be inclined to dissolve such marriage. For the purpose of clarity, section 16 (1) e (i) & (ii) are reproduce below;

“since the marriage and within a period of one year immediately preceding the date of the petition, the respondent has been convicted of-

(i) having attempted to murder or unlawfully to kill the petitioner, or

(ii) having committed an offence involving the intentional infliction of grievous harm or grievous hurt on the petitioner or the intent to inflict grievous harm or grievous hurt on the petitioner”

Unarguably, attempt to murder and grievous harm are clear case of sexual and gender-based violence. Internally displaced populations (IDPs) are also at increased risk for gender-based violence (GBV) including sexual assault and harassment (Sharma et al. 2020). Meanwhile, Matrimonial Causes Acts by virtue of section 16 disclosed its condemnation against sexual and gender-based violence; consequently making SGBV a valid ground of marriage dissolution.

Findings however revealed that Matrimonial Causes Act though a federal law has insignificant impact in the northeast region considering the fact that majority of the people in the region are predominantly Muslims (). In other words, the fact that Muslim Family law regulate marriage and its dissolution in the northeast hinder the relevance of Matrimonial Causes act in the northeast region. It is however interesting to state that Islamic law which regulates matrimonial causes in the region considers SGBV as a good ground to sanction divorce (NGA36642E).

Although, dissolution of marriage is highly detestable under Islamic law (Sunan Abi Dawud, 2172). However, divorce is permissible where the ultimate purpose of marriage is defeated. The ultimate purpose of marriage is tranquility, affection and peace but where these interests are threatened, either of the spouse can initiate divorce in accordance with Islamic law (Bani, 2015).

***5.6.4.4 Legal Framework on Internal Displacement in Nigeria***

1. **United Nations Guiding Principles on Internal Displacement 1998:** This can be described as the first international instrument on internal displacement crisis globally.It identifies 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. The UN guiding principles provided grounded guidelines on the prevention, management and protection of internal displacement and internally displaced persons respectively. In response to the severity of internal displacement crisis globally in the recent times, Mr Francis M Deng identify the purpose of the guide as follows;

“The Guiding Principle should provide valuable practical guidance to Government, other competent authorities, intergovernmental organisations and NGOs in their work with internally displaced persons…”

The above quotation represent the hallmark of the UN Guiding Principles on Internal displacement. The relevance of the UN Guiding Principles on Internal Displacement is underscored by its influence not only on internal displacement but also on the regional and National instruments on internal displacement. The protracted conflicts in the northeast Nigeria brings to limelight the essence of the UN guiding Principles in Nigeria.

Succinctly, the Guiding Principles which is sectionalised into 5 theme comprises of the following

1. General Principles
2. Principles relating to Protection from displacement
3. Principles relating to Protection during displacement
4. Principles relating to Humanitarian Assistance
5. Principles relating to return, resettlement and reintegration.

Findings suggest that the aforementioned principles though part and parcel of Nigeria Policy on IDP operate in the theoretical realm without much significant impact in the management and coordination of internal displacement crisis in northeast Nigeria. Findings establish that the UN Guiding Principles on internal displacement is not a binding instrument but persuasive on states. Its non-binding effect may be considered as the justification for non-compliance but government agencies and non-governmental organisation in the management, coordination and protection of internally displaced persons in the northeast region. Notwithstanding the fact that UN Guiding Principles on Internal Displacement constitutes a foundation for the Kampala Convention and National Policy on IDP, internal displacement crisis has largely become unabated in the northeast region and Africa at large (Alobo & Obaji, 2016).

1. **The African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention)**

The Kampala Convention which came into force on the 6th December, 2012 about 3 years after its adoption by Special Summit of the Union in Uganda on 23rd October, 2009. Interestingly, Kampala Convention was ratified by Nigeria government on the 17th April, 2012 in demonstration of its concern over the escalating crisis in the northeast region particularly (Lwabukuna, 2021). This convention is a landmark instrument that has established common regulatory standards for IDPs in Africa by consolidating existing norms, while breaking new ground (Lwabukuna, 2021). Although, the Convention relied heavily on the UNGP, it succeeded in streamlining its provisions in reflection of African norms and traditions of hospitality for persons in distress.

Evidently, the hallmark of the Kampala Convention as enunciated in its preamble is to design measures targeted at preventing and outing an end to internal displacement phenomenon by tackling its root cause inclusive of displacement induced by natural disaster. It is therefore imperative to examine some of the provisions contained in the Kampala Convention.

Article 2 of the Kampala Convention revealed five distinct objectives one of which is to establish a legal framework for preventing internal displacement and protecting and assisting internally displaced persons in Africa. Article 7 provides guidance for the protection and assistance of internally displaced persons in situation of armed conflicts and in accordance with international standard and humanitarian laws. Article 7 provide thus for emphasis;

“1. The provisions of this Article shall not, in any way whatsoever, be construed as affording legal status or legitimizing or recognizing armed groups and are without prejudice to the individual criminal responsibility of the members of such groups under domestic or international criminal law.

2.Nothing in this Convention shall be invoked for the purpose of affecting the sovereignty of a State or the responsibility of the Government, by all legitimate means, to maintain or re-establish law and order in the State or to defend the national unity and territorial integrity of the State.

3.The protection and assistance to internally displaced persons under this Article shall be governed by international law and in particular international humanitarian law.

4. Members of Armed groups shall be held criminally responsible for their acts which violate the rights of internally displaced persons under international law and national law.”

The essence of the above provision is to draw it relevance in the northeast region which is embattling armed group conflict led by Boko Haram and banditry against the Sovereignty of Nigeria. Hence, government is vested with the responsibility of preventing arbitrary displacement of IDPS by the armed groups and discharge of other responsibilities stipulated in article 7 (5).

In the same vein, article 9 of the Kampala Convention bestow state members with sizeable obligations with respect to the protection of and assistance during internal displacement regardless of the cause of displacement. Interestingly, Article 12 of this Convention provides for the compensation and reparation of internally displaced persons in appropriate circumstance.as follows;

**1.** States Parties shall provide persons affected by displacement with effective remedies.

**2.** States Parties shall establish an effective legal framework to provide just and fair compensation and other forms of reparations, where appropriate, to internally displaced persons for damage incurred as a result of displacement, in accordance with international standards.

**3.** A State Party shall be liable to make reparation to internally displaced persons for damage when such a State Party refrains from protecting and assisting internally displaced persons in the event of natural disasters.

Findings however revealed poor level of compliance with the principles enunciated in the Kampala Convention. There exist a wide gap between the reality at IDP s camps and the Convention. As a matter of fact, none of the participants or respondent alluded to the fact that compensation has ever been awarded to IDPs by government. Although, the complete realisation of the Convention’s objective might require time and resources, it is imperative for government to demonstrative the political will to achieve this feat. Not only has government failed to prevent escalated internal displacement in the northeast, effective management and coordination of IDPs camps appears seemingly daunting (Raji, 2021).

1. **National Policy on Internally Displaced Persons (IDPs) in Nigeria, 2012 (NPIDP):**

In line with the fundamental objectives and directive principles of state policy enunciated in the Nigerian constitution (CFRN 1999), the National Policy on Internally Displaced Persons (IDPs) came into being in Nigeria in response to the escalating humanitarian crisis orchestrated by Boko haram insurgency in the northeast region. Section 14 (2)b vested on the government the sacred responsibility of providing security and ensuring good welfare of the people at all time. Hence, absence of any relevant legal framework on internal displacement triggered the intervention of the Executive arm of government. In view of the lacuna in the legal framework on this novel challenge, the Federal government facilitated the drafting of a policy guide to temporarily address the needs of IDPs. The devastating conditions of IDPs and extent of escalation propelled government to design the National Policy to guide state agencies, NGOs and IDPs on approach to tackling the sudden crisis.

Accordingly, Mooney described the plights of internally displaced persons thus;

“Once it occurs, internal displacement brings about a set of circumstances that renders those affected highly vulnerable. Most obviously, it forces people from their homes, depriving them of shelter and the basic protection it can provide. Cut off from their land, traditional livelihood and means of generating income, and compelled to leave all but a few possessions behind, IDPs suddenly find themselves stripped of their means of survival. At the same time, it breaks up families and community support networks.”(Mooney, 2005)

In the light of the above, National Policy on IDP provides a framework for national responsibility towards the prevention and protection of citizens and non-citizens from incidence of arbitrary and other forms of internal displacement, provides their need and foster their rehabilitation, reintegration and resettlement after displacement. NPIDP adopted five cardinal principles which serve as compass in accordance with its vision and mission. Amongst the cardinal principles of NPIDP, sexual and gender-based violence can conveniently be addressed under auspices of principles of gender equality. Principle of impartiality and non-discrimination direct humanitarian relief to be disbursed without recourse to religion belief, gender, social class or political persuasion. It also provides for humanitarian principle of protection from harm and abuse specifically addressed sexual and gender-based violence. The principle of gender equality presupposes the elimination of all form of discrimination and social inequalities imbued in the peoples’ patriarchal way of life.

The National Policy is dynamic, well-structured and comprehensive in its approach to internal displacement in Nigeria. The policy in chapter three recognizes certain rights for the IDPs, which rights are classified into general and specific rights in order to ensure that IDPs fundamental rights before during and after displacement. The general rights belong to all displaced persons and they include the right to protection from displacement, protection and assistance during and after displacement, and right of IDPs to voluntary return, local integration and relocation. Meanwhile, the specific rights are rights guaranteed for particular categories of persons needing special attention. The rights include the rights of internally displaced children, displaced women, displaced persons with disabilities, and rights of internally displaced elderly persons (Ezeanokwasa, Kalu & Okaphor, 2018).

Finding however revealed the contributions of internal displacement crisis to the escalation of sexual and gender-based violence. In line with the crime opportunity theory, the perpetration of sexual and gender-based violence is aided by the internal displacement crisis in the northeast. Further findings revealed that poor compliance with the National Policy on IDP is as a result of its non-legal status. Nonetheless, the policy has only remained a policy and not a statute (Jimoh, 2017). It is the researcher’s view that failure of government to pass National Policy on IDP into law since 2012 demonstrate lack of political will to prevent internal displacement crisis in Nigeria. By implication, sexual and gender-based violence may probably continue to linger should internal displacement remain unabated due to government’s nonchalant attitude. Such negligence may seriously undermine the laudable mission of the National Policy which seek to establish a framework for national accountability and responsibility with respects to the rights of IDPs. The mission statement of NPIDP provides thus;

“This policy seeks to provide a framework for national accountability and responsibility to protect and promote the rights of internally displaced persons, families and host communities as well as adopt strategic measures for coordinated gender-sensitive response to all types and phases of internal displacement in Nigeria.” (National Policy IDP, 2012)

The legal framework protecting internally displaced children in Nigeria is insufficient. Currently, there is no specific legal framework for the protection of internally displaced children in Nigeria, except for general provisions reflected in the Constitution and Section 171 of the CRA (Olusegun & Ogunfolu, 2019).

1. **The National Commission for Refugees (Establishment etc.) Act 1989:**

In view of lack of legal framework on internal displacement prior to its sudden emergence in 2009 the statutory mandates of National Commission for Refugees established in 1989 were extended to embrace IDPs protection and assistance by Presidential fiat. These extensions resulted in the slight modification of National Commission for Refugees to become National Commission for Refugees, Migrants and Internally Displaced Person (NCFRMI) (Bukar, 2011). National Commission for Refugees was the foremost specific legislation on humanitarian crisis which has semblance with internal displacement crisis. This semblance informed government’s decision to extend the Commission’s functions to internal displacement in the absence of any other specific legal framework. Although, the executive modification remained a cosmetic arrangement that requires legislative amendment to become valid (Ekpa and Dahlan, 2016).

National Commission for Refugees (Establishment etc.) Act has been the compass for the management, coordination and protection of refugees, internally displaced persons and asylum seekers in Nigeria. A close examination of section 4 of the Act revealed a blanket scope in the functions of the Commission. Section 4 provides as follows;

1. The functions of the Commission shall be to-

*(a)* lay down general guidelines and overall policy on general issues relating to refugees and persons seeking asylum in Nigeria;

*(b)* advise the Federal Government on policy matters in relation to refugees in Nigeria;

*(c)* consider such matters as the Secretary to the Federal Government may, from time to time, refer to it and make recommendations thereon to the Secretary to the Federal Government.

1. The quorum of the Commission shall be three.
2. The Commission may appoint such committees as it may deem necessary to deal with specific aspects of refugee problems in Nigeria.
3. When there is a large scale influx of persons claiming to fall within the meaning of refugees under this Act, the Commission shall meet on an emergency basis and advise the Federal Government on the appropriate measures to be taken, including the provision of adequate facilities and services, necessary for the care of the particular group of persons affected by the influx.

It is crystal clear from the above that the commission lacks the constitutional vires to respond to internal displacement crisis in Nigeria. However, by the omnibus provision in Section 4 (1c), the Commission may act in that capacity subject to judicial interpretation.

Findings revealed that inadequate participation of the Commission (NCFRMI) in response to internal displacement crisis in the northeast is not unconnected with legislative iniquity. It is unbelievable that appropriate legislative actions is yet to be taken since 2009 when the executive by presidential fiat expanded the commission’s functions. Despite efforts to coordinate some activities, there has been some tension regarding the overlapping of mandates between NCFRMI and NEMA over the past few years (Mohammed, 2017). It is the researcher’s view that it is needless to expand the functions of National Commission for Refugees, Migrant and IDPs since the recognition of National Emergency Agency Act which oversees all humanitarian and emergency issues in Nigeria in order to avoid duplication of obligations. In reality, the impact of NEMA largely overshadows the presence of NCFRMI in the IDPs camps in the northeast. Also, it is important to eulogize the boldness of the executive arms towards internal displacement when it expanded the function of NCFRMI to include IDPs. Such modification however seems to have been overtaken by events as the Legislative arms have consistently ignore the purported modification.

1. **National Human Rights Commission Act:**

This Commission was established by the NHRC, Act Cap.N46 Vol.11 Laws of the Federation of Nigeria 2004. The Commission is mandated to promote and protect human rights and to ensure discharge of Nigeria’s human rights obligations (Mohammed, 2017). National Human Rights Commission can be described as a general institutional framework for human rights protection in Nigeria considering its preamble which states thus;

“Whereas considering that the United Nations Charter and several provisions of the Constitution of the Federal Republic of Nigeria 1999 are based on the principles of the dignity and equality of all human beings and seek, among other basic objectives, the promotion and respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion..”

Sections 5 and 6 of the Act clearly established the functions and powers of the Commission to include protection of human rights, monitoring and investigation of human rights violation and assisting survivors of human rights violations. Specifically section 5 clearly identify the functions of the Commission to include the following;

The Commission shall—

(a) deal with all matters relating to the protection of human rights as guaranteed by the Constitution of the Federal Republic of Nigeria 1999, the African Charter on Human and Peoples’ Rights, the United Nations Charter and the Universal Declaration on Human Rights and other International Treaties on human rights to which Nigeria is a signatory;

(b) monitor and investigate all alleged cases of human rights violation in Nigeria and make appropriate recommendation to the President for the prosecution and such other actions as it may deem expedient in each circumstance;

(c) assist victims of human rights violation and seek appropriate redress and remedies on their behalf;

(d) undertake studies on all matters pertaining to human rights and assist the Federal Government in the formulation of appropriate policies on the guarantee of human rights;

(e) publish, from time to time, reports on the state of human rights protection in Nigeria;

(f) organise local and international seminars, workshops and conferences on human rights issues for public enlightenment;

(g) liaise and co-operate with local and international organisations on human rights with the purpose of advancing the promotion and protection of human rights;

(h) participate in all international activities relating to the promotion and protection of human rights;

(i) maintain a library, collect data and disseminate information and materials on human rights generally; and

(j) carry out all such other functions as are necessary or expedient for the performance of its functions under this Act.

Under normal circumstances, a victims of human violation is relieved by the above provision to prosecute anyone regardless of their social or political affiliations in order to seek redress for damage suffered. This also presuppose the availability of Human right commissions representatives in all IDPs camps for effective tracking and monitoring of human rights offenders. However, findings revealed the opposite as IDPs camps witnessed numberless human rights violation on daily basis and offenders go without sanctions. This implies poor performance and involvement of the Human Rights Commission at IDP camps in clear dereliction of her functions enunciated under section 5 of NHRC Act. Findings further show that non-government organisations complement the Commission in the discharge of this overwhelming responsibility (NHRC, 2015).

Notwithstanding the power vested on the Commission by virtue of section 6 of the NHR Act, little impact of the Commission has been felt in the IDPs camps. Findings establish that IDPs Camps witnessed several cases of human rights violation, yet, the Commission has not been able to unravel the mystery surrounding the scourge in IDP camps. Although, it is claimed that NHRC has been active in condemning human rights violations of displaced persons (Mohammed, 2017), such condemnation has not in any way hinder the progress of SGBV in IDPs camps. The Commission should go beyond condemnation of SGBV but to also investigate and sanction offenders in accordance with the law. Meanwhile, it has been observed that the Commission is overwhelmed considering the enormity of human rights issues in all the IDPs in Nigeria. Hence, they restrict their scope to only issues reported to them. (NHRC, 2015)

1. **National Emergency Management Agency Act:**

The Nigerian government approached internal displacement crisis by establish the National Emergency Management Agency (NEMA) by Act 12 as amended by Act 50 of 1999. NEMA’s mission according to the Act establishing it is to coordinate resources towards efficient and effective disaster prevention, preparation, mitigation and response in Nigeria (Nnadi, Ezeani & Nnadi, 2020). NEMA is the primary responder to emergency and humanitarian crisis in Nigeria by virtue of section 6 of the NEMA Act which provide as follows;

“(1) The Agency shall—

(a) formulate policy on all activities relating to disaster management in Nigeria and co-ordinate the plans and programmes for efficient and effective response to disasters at national level;

(b) co-ordinate and promote research activities relating to disaster management at the national level;

(c) monitor the state of preparedness of all organisations or agencies which may contribute to disaster management in Nigeria;

(d) collate data from relevant agencies so as to enhance forecasting, planning and field operation of disaster management;

(e) educate and inform the public on disaster prevention and control measures;

(f) co-ordinate and facilitate the provision of necessary resources for search and rescue and other types of disaster curtailment activities in response to distress call;

(g) co-ordinate the activities of all voluntary organisations engaged in emergency relief operations in any part of the Federation;

(h) receive financial and technical aid from international organisations and non-governmental agencies for the purpose of disaster management in Nigeria;

(i) collect emergency relief supply from local and foreign sources and from international and non-governmental agencies;

(j) distribute emergency relief materials to victims of natural or other disasters and assist in the rehabilitation of the victims where necessary;

(k) liaise with State Emergency Management Committees established under section 8 of this Act to assess and monitor, where necessary, the distribution of relief materials to disaster victims;

(l) process relief assistance to such countries as may be determined from time to time;

(m) liaise with the United Nations Disaster Reduction Organisation or such other international bodies for the reduction of natural and other disaster;

(n) prepare the annual budget for disaster management in Nigeria; and

(o) perform such other functions which in the opinion of the Agency are required for the purpose of achieving its objectives under this Act.

Though NEMA has intervened as the primary responder to the plights of the IDPs with the provision of relief materials, including food, accommodation, security, and resettlement packages, the present living condition of the IDPs in the North-east is still very worrisome; raising the assumption that NEMA is also bedeviled by its internal responder challenges to respond adequately to the plight of IDPs. For effective response, the Act established State Emergence Management Committee for each states of the federation. Section 8 of NEMA Act, State Emergency Management Committees (hereinafter referred to as “the committee”) for each states of the Federation to liaise with the national Agency in the management of humanitarian crisis in Nigeria.

The functions of NEMA without doubts are enormous and burdensome, hence the Act encourages collaboration and synergy with non-governmental organisations to ensure prompt response to emergency (Section 6 (g), NEMA Act). The performance of NEMA in managing the IDP crisis in Nigeria over the years has also come under intense scrutiny by the Human Rights Watch (2018) which contends NEMA has not performed optimally in the discharge of its statutory functions towards the displaced. NEMA's efforts towards addressing the plights of the IDPs are grossly hampered by underfunding, lack of technical competence and increasing numbers of internal displaced persons in northeast (Raji et al., 2021).

Findings revealed that NEMA is overwhelmed considering the unabated internal displacement crisis. It is important to note that NEMA capacity has been overstretched in the northeast due to the protracted nature of the crisis since 2009 without any visible end in sight. Hence, NEMA requires more manpower to handle the enormity of the task at hand not only in the northeast but other regions.

Finding also revealed that some of the BAY states have come up with special commission or agency to assist NEMA in this regard. For instance, Borno state established Ministry of Reconstruction, Rehabilitation and Resettlement (MRRR), Borno State in 2015 to complement the effort of SEMA in the coordination, management and facilitation of IDPs reintegration to their community (Mohammed, 2017). Other states in the northeast are yet to follow this laudable steps which consequently relieves NEMA in Borno and leaves NEMA struggling for assistance in other northeast states.

**5.6.5 Prevention of SGBV in IDP Camps and Host Communities**

Prevention is often said to be better than cure. The prevention of sexual and gender-based violence in IDP camps is primarily one of the sacred responsibilities of the government (Momoh, 2020). Respondents and participants unanimously agreed that although government is vested with the duty of preventing SGBV against female IDPs, other stakeholders equally have roles to play. SGBV is a prevalent menace in IDPs camps which is often targeted at female IDPs. Notwithstanding that IDPs embattle varying challenges; participants identified SGBV as a common problem to all female IDPs. Hence, the need for preventive approaches other than the remedial approach which characterized the legal framework against SGBV. Although, the legal framework against SGBV aims at protecting and preventing SGBV cases, findings revealed that not much feat has been achieved in this regard.

It is significant to point out here that SGBV is a social problem that stems from ill-social and cultural practices in the society (Perrin, 2019). Hence, both the micro level theory and macro level theory contribute significantly to the understanding of SGBV in IDPs camps and host communities. Macro theories focus on characteristics of the larger society and propose that large scale drivers of SGBV including socio-cultural practices, economic and political factors and policies influencing the activities and behaviors of individuals within the society must be considered when evaluating the preventive approach.

Finding revealed that both individual and society trigger the prevalence of SGBV in the society. Consequently, the prevention of SGBV in IDPs camp can be adequately tackled from its root source. In accordance with the micro-level theory, some individual have the propensities; including biological and psychological disorders; increase the probability of violence. Baker (1999) for example argued that, male animals including humans possess some levels of aggression which are necessary for competition, survival, and territorial protection. Male animals were built physically to dominate the larger animal community, with the task to provide food, protect the territory as well as possess females for further reproduction. The female on the other hand was naturally less powerful than the male, with responsibilities of sexual satisfaction of the male along with mothering. According to Darwinians’ theory, all living things including man are results of evolution which is carried out through the act of sex. Therefore, sex is what men want that women have (Blaffer, 1979).

The above revealed that man naturally desire sex. However, it is not all men that perpetrate sexual violence. Edmund O. Wilson while discrediting Darwinians’ theory argued that people are biosocial organisms whose behaviours are influenced by both their physical characteristics and the environmental conditions they are faced with (Wilson, 2006). Studer et al. (2005) for example reported that violence including SGBV has been explained in terms of an increase in the male hormone testosterone especially during adolescence which contributes to the urge for aggression generally and most especially towards females. Hence, only men who have high level of testosterone sexually assault or harass female IDPs. However, opinions from studies differ on the relationship between testosterone level in males and sexual violence towards females. For example, most males were found to be able to control such urges for aggression and avoid violence despite the likelihood of high testosterone levels (Marshall and Barbaree, 1990).

The above theories presuppose that concerted efforts must be focused on men rather than women. It is clear from this study as well as existing literature(Marshall and Barbaree, 1990;Wilson, 2006)that SGBV is mostly perpetrated by men though not all men. Therefore, precautionary approach must be men-oriented. In other words, apart from the legal framework on SGBV, biological and cognitive measures must be explored in tackling SGBV in IDPs camps. Perhaps, camp officials should be subjected to biological and cognitive examinations intermittently before they are posted to IDP camps. This is important because, the legal framework on SGBV is grossly inadequate to prevent SGBV in IDP camps. Rather, it provides for remedial or curative measures for victims. Participants however, advocated for aggressive awareness campaign and re-orientation programmes with a view to reforming socio-cultural beliefs and practices aiding the spate of SGBV in the society.

The macro-level theory presupposes that influence of patriarchy and masculinity in social- economic and political polity in the society constitutes a bottleneck to prevention of SGBV in IDPs camps. Invariably, all cadres of person in the IDPs camps passed through a socialization process which encourages male supremacy and female inferiority. For example, Facio (2013) characterized patriarchy as an unjust social system that is oppressive to women. Masculinity on the other hand socializes a man to be tough, oppressive, domineering and powerful (Connell and Messerschmidt, 2005). By implication SGBV is surreptitiously conscripted into socially acceptable norms amongst men because both the perpetrator and the stakeholder are exposed to the same socialization which has patriarchy as its foundation.

A comparative analysis of participants’ views on the prevention of SGBV in IDPs camps confirmed prevention of SGBV in IDPs camps seems very difficult because supposed crusaders against SGBV are themselves involved in same. In other words, the prevention of internal displacement remains the only potent means of preventing SGBV in IDPs camps. Findings revealed that IDPs camps are sadly hellish for women and young children notwithstanding the presence of law enforcement agencies and other critical agencies of government. This finding corroborate Kimmel (2010) suggestion that, masculinity is same in all races, cultures, classes, ages, as well as in all heterosexual males. Therefore, masculine standards are presumed to be set similarly in various social settings irrespective of where it is being applied. SGBV is been perpetrated by all cadres of men in IDPs regardless of social class.

Therefore, this study argues that females are not adequately protected from SGBV in IDPs camps as the camps is completely entangled in ill-social and cultural norms. Findings revealed that most perpetrators lack the wherewithal to control the masculine traits which form the basis of socialization process. This often makes them succumb to patriarchal temptations widely spread in their society.

In the same vein, Dunn (2018) argued that the relationship between violent conflict and childhood worsening situation in northeast Nigeria has precipitated increased unrest in the northeast region. Thus, most children learn violence right from childhood and exhibit same when they grow up due to violent nature of their environment. According to Shaw and McKay (1969) in communities which have been put into disorder due to migration, socioeconomic deprivation, high population, and disrupted family settings, crime rates are found to be higher as such conditions create a breeding ground for criminality due to lack of behavioural regulation (Sampson and Groves, 1989).

Another impeder to the prevention of SGBV in IDPs camps according to respondents and participants is lack of awareness about the consequences of SGBV. As noted earlier, some men perpetrate SGBV basically because they lack proper understanding and orientation. It is difficult for someone who is exposed to wrong socialization (masculinized and patriarchal) to suddenly change same. Most men thought they have the right to act violently against female within and outside the camps (community). In accordance with the cognitive theory, the perpetrator acting under cognitive error claims some sense of entitlement to the victim and perceives the act as right (Scully, 1990; Faupel et al., 2015). Bandura (1977) observed that human behaviors are mostly acquired through observation of actions and modelling of other people in their cognition, which later serves as an inspiration or a model for subsequent conduct. Consequently, most perpetrators act violent against female IDPs with wrong notion as exerting masculinity or ventilating anger, sadness or depression using the wrong means.

Lack of education has also been identified as major of clog in SGBV prevention. Accordingly female IDPs in the northeast, education is not considered a suitable adventure for them. Invariably, Ada and Ojone (2018) described education as certainly one of the ways through which a nation develops. One of the objectives of education is to adequately equip learners with the necessary skills and knowledge needed for effective participation and contribution to national development (Chima, 2006). According to Nigeria Population Council, northeastern region of Nigeria is characterized by a very low access to education (NPC, 2016). About 31% of children across the northeast states (Borno, Yobe, Gombe, Bauchi, Taraba, and Adamawa) have access to education. The practice of excluding or denying female children access to education can be aptly be examined under social exclusion theory. Theory argues that social exclusion subject individuals and groups to discriminatory practices that expose them to humiliations and deprivations (Lee et al, 1997).

The above findings underscore one of the fundamental objectives of this research which query the inability of the legal framework to prevent incidences of SGBV in the IDPs camps in the northeast Nigeria. The legal framework though sufficient and adequate, is impeded by social, biological and cognitive factors examined under the micro-level and macro-level theory in the chapter on theoretical framework. Respondents’ interview and participants’ opinion revealed that stakeholders are complicit in the poor implementation of the legal framework due to the influence of masculinized socialization process they are exposed to.

Finding also captures decent appearance and security alertness as a preventive measures against SGBV in IDP camps. While it is not incorrect to agree with participant suggestion, it is imperative to point out that the shortfall. Restriction in movement for female IDPs may be inconsistence with the constitutional right of every individual to move freely under the Nigerian constitution. It was discovered during focus group discussion that most women in IDP camps in the northeast region dress decently not only incompliance with the religious doctrines but also to wade off extreme weather condition the region is known for. Yet, female IDPs still fall prey to SGBV perpetrators. As a matter of fact, decent appearance does not hinder perpetrators of SGBV. Also, important to note is the fact SGBV is not restricted to sexual related offences, other harmful social norms has nothing to do with decent dressing. Traditional biological theories state that individuals commit criminal acts including violence and SGBV in particular due to biological or genetic defects. SGBV is a result of these abnormalities, and not a choice made by the offender (Darwin, 1871; Baker, 1999). Hence, decent dressing cannot estopped a perpetrator who suffers from biological defect.

**5.6.6 Conclusion**

It is clear from the foregoing that sexual and gender-based violence is highly prevalent in IDPs camps in the northeast Nigeria despite the plethora of laws which constitute legal and institutional frameworks. Protection of female IDPs is greatly impaired by the perverse ill socio-cultural norms in the northeast region. Societal norms which are mainly characterized by patriarchy encourage toxic masculinity leading to the prevalence of SGBV and therefore influence the access to the legal framework for its prevention.

Findings in this research as well as existing literature confirmed the inefficacy of Nigeria’s legal framework against SGBV. However, this study surpasses previous studies in establishing that the existence of the laws is inconsequential to camp residents as well as local community members in the northeast Nigeria. This thus affects the reporting of cases as societal norms to them supersede laws within the legal framework. Additionally, the inadequate provision of necessary needs and amenities for IDPs exposes the females in the camp to hardship and SGBV. This thus meets the research objective of investigating how the internal displacement crises affects the vulnerability of females in the IDP camps.

Regarding roles of stakeholders in the protection of female IDPs from SGBV, the findings revealed that stakeholders are incapacitated by varying factors in the realization of their mandates. Hence, majority of the respondent felt stakeholder performance is below expectation as SGBV cases are often recorded in IDP camps in the BAY states. Part of the problems also lies in the influence of patriarchy and masculinity which theorists opined hinder the wherewithal of the stakeholders. In essence, it was observed that availability and adequacy of laws is not the problem, rather, it is incapacity to enforce and implement laws and government policy by relevant stakeholders.

It is crystal clear from the available literature and empirical research that for efficient prevention and protection of females from sexual and gender-based violence, much is required with respect to change of orientation and de-mystification of patriarchal and misogynistic culture in the society. SGBV is a social problem; hence, social transformation is crucial in the socialization process. Hence, it is not enough to close IDPs camp as that will not completely rectify the social problem. SGBV will continue to thrive in the society without an all-encompassing social reform.

**CHAPTER SIX**

**CONCLUSION AND RECOMMENDATIONS**

**6.1 CONCLUSION**

This study sought to explore the factors responsible for the continuous perpetration of sexual and gender-based violence SGBV in IDP camps in Northeast Nigeria despite an array of available legal framework against its prevalence. In achieving this objective as well as other specific objectives of the study as outlined in chapter one which includes: explaining the factors responsible for the vulnerability of female IDPs to SGBV, understanding why interventions by stakeholders have not been very effective in curtailing incidences of SGBV in the IDP camps, and explaining the reasons why the legal and institutional frameworks have failed to provide protection for female IDPs against SGBV; primary data was collected and analysed using qualitative methods particularly key informant interviews and focus group discussion with critical stakeholders. This yielded useful findings as presented and discussed in in chapter. This chapter therefore draws conclusion on the major findings of the study and further explores the limitations and strengths of the study. Furthermore, the chapter highlights the implication of these findings for policy and practice with probable direction for future research.

Overall, this study concludes that the legal and institutional frameworks on SGBV have been ineffective in providing protection for female IDPs in the IDP camps in the north east Nigeria due to failure to factor social structural/environmental conditions such as the influence of social norms of patriarchy on attitudes to utilizing the laws and the perpetrators motivation when trying to prevent sexual and gender-based violence. Perpetrators’ motivations are underpinned by immediate and encouraging factors such as the condition of social disorganisation that characterized the IDP camps which is akin to a state of anomie. The poor attitude of female IDPs to utilizing the law and the criminal justice system is an encouraging factor that goes into the cost-benefit calculation of perpetrators when considering perpetrating SGBV. That attitude itself is an outcome of the social learning process female IDPs were exposed to in the course of socialization within the cultural structure of patriarchy. It is also facilitated a general loss of faith in the criminal justice system in Nigeria which is expensive for the average female IDP to afford and characterized by delays in justice dispensation which may eventually end in miscarriage of justice.

To be effective therefore, any intervention by stakeholders as well as the legal and institutional frameworks on SGBV must approach the problem of sexual and gender-based violence in the IDP camps as a phenomenon that emerges from the complex interplay between potential targets, motivated perpetrators and conducive environments (Barlow, et al., 2021). Interventions must be informed by an understanding of the relational dynamics that lead to SGBV in the camps in terms of complex systems which include not just victims and their environment or weaknesses in the criminal justice system but also the perpetrator and his interaction with the environment.

Tackling SGBV can only be effective if approached from the root of the driving force which are the social structural conditions especially patriarchy and social disorganisation in the IDP camps. In this study, patriarchy has been traced to other factors such as stigmatization, victimization, and even lack of access to education as well as essential needs through domination and control of resources. Therefore, patriarchy is a phenomenon which must be addressed to achieve a successful change. Thus, Radford and Stanko (1994) suggest that the only way to end violence against women is through the confronting of the patriarchal system by empowering women as well as enlightening them. As part of social norms, it can be said that patriarchy and masculinity have been a strong driver for SGBV in the IDP camps in north east Nigeria.

The disorganized situation in IDP camps is due largely to the internal displacement caused by Boko haram insurgency which in turn leads to the vulnerability of females in the camps to SGBV. The IDP camps are characterized by a lack of essential amenities such as water, electricity, health services and school and the makeshift shelters are not conducive.

The negative effect of patriarchy also plays a role in making it difficult to access the laws considering the need to conceal cases of SGBV when they occur to protect the family name of victims. This study also found that the non-enforcement of the numerous existing laws stand in the way of accessing justice. It was only recently that the three BAY states and other states in the north east Nigeria domesticated the comprehensively crafted Violence against Persons (Prohibition) Act to tackle the increasing cases of SGBV. Though there was a delay in the domestication of this valuable legislation, as mentioned by participants, it is a welcome development in the BAY states as the penalty for an offence of rape is life imprisonment.

The detailed conclusions of the study based on key findings on each of its objectives are elaborated as follows:

**6.1.1 Inability of the Legal Framework to Prevent SGBV in IDP Camps**

In addressing the first research question, the participants confirmed the prevalence of SGBV in the IDP camps as an extension of the existing SGBV in the northeastern communities resulting from patriarchal and societal norms present in the communities within the northeast Nigeria. This was significant to the study to establish the existence of the SGBV phenomenon in question as well as those found culpable in the act. Ager et al. (2018), Adeogun (2020), Sampson and Grove (1989) are of the view that there exists a relationship between internal displacement which leads to societal disorganization and the frequency in SGBV.

The prevalence of SGBV as confirmed by this study as well as supported by previous studies has been traced to societal norms which are embodied by patriarchy, learned and reinforced through social learning in the context of the family, community, and religious associations. Patriarchy, an oppressive societal norm according to the findings has an overriding power and influence in the activities within northeastern communities in Nigeria. Therefore, the acceptability of patriarchal norms subjugates and deprives females equal rights in the communities. Equal rights in the communities according to this research finding plays a major role in preventing the legal framework on SGBV from being effective in the abatement of the crime in the IDP camps as well as communities in the northeast Nigeria. Patriarchy thus encourages toxic masculinity (Sundberg, 2011) which creates a misogynistic attitude from males towards females and therefore leads to pervasive SGBV in societies as found in the IDP camps in the northeast Nigeria.

Another prominent finding from this study which plays a large role in hindering the legal framework from preventing cases of SGBV is the extension of societal norms which makes it taboo to report acts of sexual violence committed towards females. These societal norms prevent victims of SGBV from seeking access to law and justice and thereby hindering the action of the various laws created to address the menace. This has been demonstrated by the fear of stigmatization and shame which has led to the abandonment of reported cases of SGBV (Adejumo et al., 2021; Schmt, 2021; Jekwes, 2022). As further found in this study, the fear of victimization is also a driver for the failure of the various laws and legislature within the legal framework to prevent the occurrences of SGBV in the IDP camps within the northeastern Nigeria.

Another finding of this study, which prevents the existing laws from the prevention of SGBV in the IDP camps is the non-implementation of existing laws. According to participants, there are several laws against SGBV which if implemented will deter perpetrators. However, these laws within the legal framework are mostly just laws in books as theory, they are mostly not implemented. Most of the laws according to the findings are gender biased.

Lack of education of females in the communities which extends to the IDP camps was also found to be a factor encouraging the prevalence of SGBV in the IDP camps. Due to cultural factors emanating from societal norms, the females are mostly deprived of access to proper education. This prevents them from knowledge of their rights as citizens. Lack of education of the females also makes them inferior to the educated males who already possess the mindset of domination thus taking advantage of the illiterate female to the extent of committing sexual abuse against them. Lack of education of the females also leaves them with little or difficult means of livelihood, which could be farming, hawking or just caring for the family. This therefore mostly leads to dependency on males who are most likely to take advantage of such females at their mercy. This finding thus extends to the lack of needs and necessary amenities, which was also found to be a driver for begging and resorting to the exchange of sexual satisfaction for food, needs and money. The implication of this is the encouragement of SGBV due to lack of needs thus preventing the laws from the efficacy in alleviating SGBV in the camps.

Another significant finding in this study is the mention of security men in the perpetrators of SGBV. Thus, where the protector becomes the abuser, there is loss of confidence in the system that provides the laws for protection, therefore there is discouragement form access to the laws.

Another finding in this study is the inaccessibility of victims to justice. Findings revealed that some IDPs camps are located in remote places which has very few courts and legal practitioners. Most legal practitioners are resident in the cities very close to the State’s High court. Most of the courts at the grass roots in the northeast are Sharia courts which lack jurisdiction on sexual and gender-based violence cases. Section 27 of the VAPP Acts conferred jurisdiction on states High court. In this light, victims of sexual and gender-based violence are constrained. Most of the IDPs lack the financial wherewithal to travel to city to prosecute sexual offenders.

**6.1.2 The Influence of Existing Societal Norms on the Legal Framework**

This study also sought to examine whether the existing societal norms influence the legal framework on SGBV. Societal norms which regulate females undoubtedly influences the legal framework of SGBV. Nigerian women experience SGBV majorly due to cultural principles, which are rooted in patriarchal settings. These principles allow males to dominate females and oppress them into submission. On the other hand, the females are trained to accept such attitudes as part of the culture, thus normalizing various forms of violence and abuse directed towards them (Ajayi et al., 2022).

As established in the findings that societal norms are one of the various factosr why the legal framework does not prevent the occurrence of SGBV in the IDP camps, it was in the same vein found that societal norms influence the legal framework against SGBV. According to findings, the claims made by males to own their women as allowed in the culture of the northeast Nigeria make it hard for wives to complain of certain levels of violence inflicted by their husbands. According to section 357 of the Nigerian Criminal Code, a husband cannot be found guilty of the rape of his wife for as long as they remain married. Section 282 of the penal code which is applicable to the northern as well as the northeastern states of Nigeria also make a similar provision. However, the Penal code applicable to the northeast Nigeria makes marital rape a crime only if the wife has not reached the age of puberty. Thus, marital rape though an infliction of harm, has affected the provision of the penal code as a result of the societal norm which makes the wife a property of her spouse and therefore gives the man an unrestricted right to have sexual intercourse with her as he wishes. This confirms the negative influence social norms has on the laws in the legal framework.

In the same vein, the Penal code encouraged domestic violence by virtue of section 55 of the Act which allows husband to beat the wife or children as part of chastisement. This provisions contravenes the spirits and letters of VAPP Act. Section 55 of the penal code can also be described as discriminatory provision and gender biased as wife do not have such rights to correct their husbands. Under same sections, masters are also allowed to beat apprentice. This constitute an act of child abuse. Thus, patriarchy as a major factor has been found not only to influence the legal framework, but in addition has a strong hold on the societal attitude towards the treatment of females thereby increasing the vulnerability to SGBV.

**6.1.3 Roles and Interventions of Stakeholders in Combatting SGBV in the IDP Camps and Communities in the Northeast of Nigeria**

Findings in this study demonstrate that stakeholders including government officials, law enforcement agents, community leaders, IDP camp officials all play some level of roles and interventions in the management of SGBV cases and prevention. The provision of pro bono legal assistance, sensitization of the members of the communities on SGBV, provision of necessities and others were mentioned by respondents as interventions engaged in by stakeholders. Though these have been found to be useful to a large extent, these interventions have not been sufficiently efficient in preventing SGBV cases in IDP camps. The role of the police as a stakeholder in the findings is influenced by the power given to males by the societal norms. Matters of SGBV are usually taken with levity leading to impunity and further occurrences. According to findings, community leaders handle cases of SGBV when reported, and unfortunately, the interventions are usually not strong enough to deter future perpetrators.

In terms of intervention, stakeholders especially NGOs provide essential needs for IDPs, however they are either insufficient or kept under the possession of males who take advantage of this to deprive the females and give rise to SGBV in exchange. Additionally, interventions mentioned by NGO stakeholders are numerous and supposed to be helpful. The dedication of organizations in the provision of psychological and medical support is satisfactory though can be improved. In addition, these organizations mentioned the role to ensure the reporting of cases which they have knowledge of since most of the cases are concealed due to cultural reasons. Therefore, this study argues that the social norms which encourage the culture of silence keeps information of cases away by victims and relatives and this prevents such victims from not only access to medical and psychological support but most importantly access to justice. Therefore, the implication of the finding is that interventions of stakeholders are not effective enough to combat SGBV in the IDP camps.

**6.1.4 Sufficiency of Laws**

From evidence in the findings, respondents confirmed the existence of various laws ranging from international, regional to domestic. These laws prohibit SGBV and other forms of violence. However, legislations such as the Penal Code which though frowns on SGBV, does not recognize a grievous form of SGBV which is marital rape. This is a loophole in which males in this region have taken advantage and thus perpetuated the act both in communities and IDP camps in the northeast Nigeria.

Other legislations make provisions to protect females as well as citizens in general from violence and SGBV however patriarchy as observed in respondents discourse as well discussions as well as in literature as discussed in Chapter 3 in the theoretical framework cuts across all spheres of life including the application of laws. Some laws have been found to be gender biased and therefore not effective in curbing the menace of SGBV in the northeast IDP camps and communities.

Another finding in respect of the laws is the is that though they are sufficient for, the enforcement has been hindered by factors traced back to societal norms which favour males over females and those indirectly accommodates violence against women those foiling the perpetuation of SGBV. When laws are several and not enforced the particularly become of no use thus impunity thrives new paragraph the failure of the government to ensure enforcement of laws on provision of needs leads to loss of confidence in the citizens find indicate that most of the camp residents and local community members do not scare about the laws since they feel they are of no use. They would rather enjoy proper welfare and protection.

**6.1.5 Prevention of SGBV**

In the prevention of SGBV, stakeholders were of the view that though several laws exist, more stringent penalties should be provided to serve as deterrence to intending perpetrators. In relation to social disorganization theory this disorganized situation of the IDP comes due to internal displacement contributes to a large extent to the levels of SGBV in the IDP camps. Social disorganization theory suggests terrorism criminal activities in this organized communities therefore the internal displacement situation highly influences the perpetuation of HPV in the IDP camps. This situation of society social disorganization thus aligns with the theory in agreements with the findings on the elements and challenges in IDP camps which include the high number of camp residents, unemployment, economic deprivation, loss of family ties and disorganized habitual life of residence. This social disorganization plays a role in the prevalence of SGBV and inability of the lost prevents the problems.

As regards crime opportunity theory, this study argues that the opportunity to commit SGBV is created by including in availability of needed resources and amendment amenities by the IDP’s leading to their exposure to perpetrators; inadequate security in the IDP camps which leaves the females vulnerable to attacks on abuses which is according to the theory the lack of proper guidance guardian; Presence of the male IDP’s who are targets by…

**6.1.6 Limitations of the Research**

In carrying out this research, an effort was made to achieve a well-grounded qualitative result. The researcher gathered relevant literature relating to the study as well as detailed data from interviews and focus group discussions. However, there were some limitations. The first was in relation to the sampling of participants. Focus group discussions were planned to be held with both male and female participants. Due to gender inequality in the communities, some male participants objected to having females join them in the group discussion stating that it was morally improper. This caused a delay in one of the FGDs but was later resolved after the intervention of some community members. Also being a gender-sensitive discussion, some female community members withdrew from the focus group discussion thereby reducing the original sample size.

Additionally, being a culturally oriented area, the males of some local communities were reluctant to discuss with the researcher for reasons of the uncertainty of the implication of disclosing information, as well as cultural norms which prevent some males from relating with females freely along with some ego of superiority, which is also cultural. These limitations reduced the initial sample size as well as the time for the completion of the study which was extended by the researcher with the approval of the supervision team.

Secondly, access to direct information from victims and survivors was also a limitation in the study. As persons who have experienced SGBV in the IDP camps, stories and descriptions of incidents experienced by them would have added to the depth of the findings. interviewing victims of SGBV as part of a group would have been one of the ways to gather richer and more correct information. However, the researcher avoided their approach in consideration of the negative effects of discussing sensitive issues such as SGBV with victims who are likely to develop emotional and psychological distress from relating experiences from the abuse. This, however, was not a barrier to collecting rich data gathered from stakeholders from different walks of life handling IDP and SGBV-related issues.

Another limitation relating to access to the field which was eventually overcome was the issue of insecurity. In approaching the field, majorly based in northeast Nigeria, the researcher was determined to achieve maximum exploration of the areas earmarked for interviews in the northeast, however the fear of danger or attack by insurgents, limited access to some locations planned for interviews and focus group discussions. In addition to access problems due to insecurity, there was a need to reschedule and even cancel interviews.

In view of the above limitations, the researcher considers the following for future research. Firstly, in relation to access to participants future research shall ensure that the most relevant participants are captured in the data collection. Sample parameters would be narrowed down in addition to setting eligibility requirements for participants. Therefore, only those participants who properly fit into the sample collection would be enlisted for interviews and FGDs.

Secondly, for future research, there must be trust in the research process. This would be created by giving the participants confidence in participating in the research without the fear of being judged or even being implicated for providing information for the researcher. This would address the refusal to participate and withdrawal of participants from the study which thereby affected sample size and delay in completion of this study. In creating trust in the research process, participants would be involved in data gathering as stakeholders with more knowledge and information on the importance of carrying out the research, thereby giving them the courage and confidence to be part of the study irrespective of societal norms and existing inequalities.

Thirdly, bridging divides is also important to be considered for future research. This would be achieved through prior negotiation with proposed participants who may disagree with being interviewed along with other participants due to either cultural reasons or existing divides as seen in the limitations above. Additionally, special consideration for culture and tradition and religious values of the communities studied to avoid crossing of laid down barriers, which they hold very important. In achieving this, where segregation of the genders is the order for discussions with the local community members, such would be followed to avoid contravention of religious and cultural values of the participants.

Finally for future research, the limitation on insecurity which was overcome would require a more careful planning. Though due diligence was observed in this study, As mentioned in the thesis, series of issues were encountered by the researcher on the field on the fear of attack by insurgents, scarcity of petroleum for movement which led to delays and cancellation or rescheduling of interviews and discussions. Wood et al (2016) refer to these forms of issues as field work blues which consist of stressful situations during conflict and post-conflict periods as found in the study. For future research, more comprehensive planning is needed. This would entail a risk benefit analysis of the field before the commencement of the study. This would create an atmosphere of confidence, free of apprehension for the researcher as well as participants for a sooth fieldwork.

**6.1.7 Contribution to Knowledge**

This study acknowledges the vast research carried out on SGBV in the north east of Nigeria and its IDP camps. Nevertheless, the study contributes to the body of knowledge in the following ways. First, the area of research which focuses on the efficacy of legal framework in tackling IDP camp issues in the northeast of Nigeria considering its focus on the series of laws and instruments available to tackle the menace of SGBV in the said context. As illustrated in figure (3.2) using routine activity theory. The study proposes as adapted on Barlow et al.’s (2022) circles of analysis model that where there is a strong legal structure, elements in the possibility spaces such as motivated individuals, capable guardians, a conducive environment and a suitable target will all be controlled by the law and thus the crime in question shall be considerably reduced.

Theoretically, the study has contributed to the body of knowledge by indicating that the interrelationship between multiple theories of patriarchy is supported by social structure and social learning. Social disorganization and crime opportunity theories work together in addition to the adopted model of circles of analysis to explain the inefficacy of the legal framework in tackling SGBV in the IDP camps of northeast Nigeria.

Methodologically, this study contributes to the body of qualitative studies involving in-depth interviews and focus group discussions on SGBV. In particular, it adds to the body of knowledge based on the opinions and experiences of critical stakeholders especially community members based around IDP camps, IDP camp officials and humanitarian workers on why the legal framework on SGBV has not been very effective in safeguarding female IDPs from SGBV. The sources of these knowledge are not internally displaced persons, but have interacted intensively with IDPs and shared useful information about their experiences. Their opinions as members of the surrounding communities and critical stakeholders portray the happenings in the camps as a version of the acts in the larger society where patriarchy in addition to the other theories apply.

**6.2 RECOMMENDATIONS**

A list of recommendations are discussed below with the hope that their implementation will dissipate the escalating SGBV not only in IDPs camps but also in the society generally. The recommendations are made for law makers, policy makers and executives, community heads, non-governmental organisations, government agencies and security officials all of whom constitute stakeholders in IDPs camps. The recommendations basically focus on sexual and gender-based violence and tackling internal displacement crisis; hence, this segment is classified in accordance with the roles and contributions of the aforementioned stakeholders against sexual and gender based violence in internal displacement camps.

1. **Government/Executive Arm of Government**
2. *Effective Enforcement of Existing Laws and Implementation of Policy*

Findings revealed that the adequacy and sufficiency of laws against SGBV in Nigeria. SGBV has not only been overwhelmingly tackled with local legislative framework but also international and regional framework. However due to poor implementation of this abundant laws, SGBV has continue to spread like weird fire in the society. Law which has deterrence as one of its essential features has failed in this regard. Perpetrators of SGBV continually grow in confidence because they are not held accountable for their sexual related offences. In order to change this narrative, laws against SGBV such as VAPP Acts and CEDAW must be effectively implemented by the agencies of government.

In the same vein, laws and policy of government on internal displacement such as NPIDP must be adopted by relevant agencies as the fulcrum of camp management and coordination. In other words, internal displacement crisis can only be efficiently managed if relevant stakeholders embrace and streamline their planning, response approach and other activities in accordance with NPIDP.

1. *Modelling Situational Crime Prevention (SPC) in policy making*

Situational Crime Prevention (SPC) remains a valuable strategy for prevention of SGBV in the IDP camps. It presupposes victim self-protective behaviour, guardianship and Crime Prevention through Environmental Design as a pragmatic approach to crime prevention. If adopted in policy design against SGBV, victims would be aware of the protective measures that can help avoid SGBV. Also, perpetrators of SGBV will consider change of mind where there are no enabling environments for crime. For instance, installation of CCTV will dissuade SGBV perpetrators to change their mind. Also, adequate lightening in IDP camps will deter offenders from indulging in such crime.

Similarly, parent must wake up to their responsibility of providing adequate guidance for their children. Children should not be exposed to hard labour such as hawking within the community. Perpetrators capitalize on the iniquity and shortfall of guardianship to perpetrate this crimes. Hence, policy makers and legal drafters should adopt Situational Crime Prevention as model when drafting laws and government policies on sexual related issues.

1. *Provision of necessary amenities and better funding for IDP camps*

Findings exposed the deplorable conditions of the IDP camps. Most of the IDP camps in the north-east region are not well organized, inadequately equipped and poorly funded. Shelter are often congested while WASH facilities are overwhelmed due to increasing numbers of IDPs. Government should provide adequate basic amenities for IDP camps in order to reduce opportunity for crimes. Funds for IDPs should not only be increased but also adequately monitored through legislative oversight functions. Oversight functions by the Legislators will ensure accountability and proper utilization of resources by the executive agencies.

1. *Integration of VAPP laws into school curriculum as part of educational reforms*

SGBV is a critical social phenomenon which is prevalent due to the influence of patriarchal values in the society. It is understandable if SGBV is perpetrated only by uneducated people. It is however appalling when class of elites are found wanting in this regard. Findings from the research confirmed the involvement of security and camp officials in this embarrassing activities. This presupposes a fundamental distortion in the education system; hence, the need for genuine reforms in the education sectors and socialization.

The VAPP which is the most recent legal framework on SGBV should be integrated into school curriculum. The school which is a prominent institution of socialization should be maximized in eradicating harmful socio-cultural practices. The integration of VAPP Acts into school curriculum will equip children (male and female) with self-protective behaviour needed to prevent sexual violence. By implication, children will grow up with proper understanding or orientation about the dangers of SGBV in the society. Consequently, perpetration of SGBV by elites (camp officials, NGOs staff and security) will drastically reduce as the problem has been tackled from the root.

1. *Improved Economic Policy and Programmes*

Poverty was identified as a main factor for the widespread SGBV in the northeast IDP camps. Victims’ vulnerability to SGBV is triggered by poverty on the one hand. Perpetrators also convert poverty as a weapon to lure female IDPs who are in need. Camp officials also hoard relief materials to pressurize female IDPs to succumb to their sexual advances. Poverty was also identified as the reason female IDPs resort to negative coping way of life in order to keep their body and soul together. To eradicate this, government should foster economic reforms that will eradicate poverty at the grass root level. Female IDPs should be allowed to access economic opportunities and training programmes in order to improve their standard of living. Most of the IDP women have become head of the family due to insurgency attacks which caused their husbands’ death. Findings revealed that economically independent women rarely fall prey to sexual harassment or assault. Soft loan and free interest loans should be arranged for female IDPs to cushion the pains and trauma of internal displacement which made them loss lives and property.

1. *Resettlement of IDPs and Gradual Camp Closure*

IDP camps are glaringly not a permanent solution to internal displacement crisis rocking the northeast region. IDP camps are only a tentative or cosmetic centres to habour IDPs fleeing from imminent danger. The unprecedented nature of the internal displacement crisis makes it extremely difficult for humanitarian agencies and organisations to determine the extent of preparation or plans. Findings revealed that IDP camps are not friendly environment for female IDPs in view of the enormous challenges therein. As a matter of fact, female IDPs are put in dilemma as to whether to remain in camps or outside the camps. It is therefore important that government fast-track resettlement of IDPs to their original community.

1. *Humanitarian Trust Fund (HTF)*

Paucity of fund was discovered in the findings as a fundamental clog in the wheel of efficient IDPs management. Management of internally displaced persons requires proper and consistent funding. Amidst incessant global economic breakdown, it is imperative for government to devise internal means of funding IDPs management rather than relying on international interventions or interest loans. A trust fund which would be funded by both private individuals, organisations and government is hereby recommended. Rather than allowing private persons or organisations to directly donate relief materials to IDP camps across the northeast, government should create a pool for fund donation to ignite proper utilization and management. Establishment of Humanitarian Trust Fund will help NEMA to design proper plans and will aid accountability. Findings revealed that some of the relief materials are sometimes diverted by camp officials for personal use. This can be curbed with the introduction or establishment of Humanitarian Trust Fund which will enhance public audit, assessment and monitoring of donations by Economic and Financial Crimes Commission (EFCC) and Independent Corrupt Practices and other related offences Commission (ICPC).

It is crucial to point out that Humanitarian Trust Fund will strengthen government capacity to provide compensation for IDPs in accordance with the provision of article 12 of the African Union Convention for the protection of internally displaced persons in Africa (Kampala Convention). Compensation is crucial because IDPs are not meant to suffer for the iniquities of government to protect their lives and property.

1. *Improved Access to Justice in Fragile Region*

Most of the camps in the BAY states are located in remote parts of the states. This hinder their access to justice particularly in a region which has Sharia courts at the grass root. Meanwhile, by virtue of section 27 of the VAPP Act jurisdiction is conferred on only the state High Court which is usually located in the urban city. The rural areas where most of these sexual and gender-based violence is predominant lacks enough legal practitioners as well. The researcher hereby recommends establishment of mobile court within the IDPs camps in order to give victims of SGBV unhindered access to justice. In the alternate, arrangement should be made for visiting judges who visit the camps to adjudicate on matters of general human rights violation. This arrangement will instill fear in the minds of SGBV perpetrators.

1. **Non-Government Organisations (NGOs)**
   * 1. *Pragmatic Sensitization Campaign against SGBV*

Non-Governmental Organisations (International and local alike) should explore all avenues, media; print and non-print, electronic and non-electronics, audio and visual to sensitize members of the public on the immediate and potential evils of SGBV in the society. Through continuous sensitization in partnership with agencies of government such as National Orientation Agency (NOA), members of the public particularly the local class are likely to be sensitized and possibly embrace change of orientation about SGBV. Change of orientation and patriarchal culture requires gradual but consistent sensitization to reform social problem. Sensitization should however be carried out with local media using local dialects considering the level of ignorance in the grass root community especially in the northeast. Socio-cultural groups should be integrated in the sensitization campaign to engender widespread reach. Community leaders, head of schools, youth leaders and women leaders should be drafted in the sensitization movement. Focus should be concentrated at the grass root where majority are uneducated.

1. **Legislature**
2. *Criminalization of Stigmatization*

To criminalize simply connotes making an act an offence which shall be punishable. Indeed, the role of stigmatization in creating barrier to legal support as well as other forms of support should not be underestimated. Stigmatization accounts for another common inhibitors in tackling SGBV in the IDP camps and northeast generally. Stigmatization which is a common feature of ill socio-cultural practices in the society constitute a hindrance to legal intervention. Criminalization of stigmatization will definitely deter members of the society from indulging in such practices especially against victims of SGBV. Victims of SGBV will consequently be embolden if the fear of being stigmatized is removed. People stigmatized definitely because they fear no consequence. Its criminalization will consequently translate into freedom for victims of SGBV and boast their confidence to approach appropriate authority to lodge complaint against perpetrators.

1. *Criminalization of Victimization*

Victimization of victims of SGBV is another common practice in the society which stem from the ill-cultural norms. Findings revealed that victims of SGBV are often oppressed and ostracized in the community. They are often blame for attracting the nemesis that befall them rather than punishing the offender. Criminalization of this practice is long overdue as there is no justification for victimizing victims of SGBV. Criminalization of victimization will set free victims to explore legal remedy against offenders which will consequently constitute deterrence. There must be higher punishment for victimization, the victim should not be guilty while the offender walks free. I hereby recommend further research in the future as a stumbling block in wheel of justice.

1. *Stringent Punishment for Sexual Offenders*

Stringency punitive measures often demonstrate social order and decorum as it is obtainable in some climes. One of the essentials of punishment is deterrence. Sexual offenders do not merit mercy and should be subjected to shame and deterrence. Recent advocacy for shaming and publication of sexual offenders’ names is a good ideas which will deter to a very large extent intending perpetrators of sexual crime. Situation crime prevention has demonstrated shaming as a potential preventive measure. The recent call for castration of rapists by some civil organisations should also be considered for implementation as part of measures against widespread sexual violence in IDP camps in the northeast. Countries such as Saudi Arabia, Indonesia, Iran and Bangladesh where sexual offences attract capital punishment have recorded lower cases of sexual violence.

1. *Special Protection for Victims of SGBV*

SGBV particularly sexual offences are agonizing acts which subject its victims to unquantifiable emotional and psychological situation. It is important that victims of SGBV are protected from the ridicules when exploring legal remedy for the damaged suffer. It is recommended that special courts and special procedures should be established for sexual related offences. It is agonizing for victims of sexual violence to public narrate her ordeal in open court in attempt to establish her case. Special courts without public audience or press crew will significantly discourage the culture of silence. Also important to note is that appropriate regulations should be put in place for publication of cases of SGBV in a way that will protect the integrity of the victim. The manner of reportage of SGBV cases by media outlets is sometimes traumatizing and damaging. Hence, government should facilitate preventive and remedial measures through policies that will engender protection for females in IDP camps. This measures becomes sacrosanct in this age of social media where all manners of person parade themselves as media professionals while disparaging the integrity of victims in the process.

1. *Amendment of the Penal Code and General Law Reforms*

It is also imperative to amend the Penal Code so as to bring it in tandem with the VAPP Act. Findings revealed that SGBV cases are been prosecuted under the provisions of the Penal code primarily due to the delay in the domestication of VAPP Act in the northeast region. There is no gainsaying the fact that the Penal Code Act is characterized with masculinized provisions and enormous lacuna which makes punishment of offenders difficult. Amendment of the Penal code will prevent biased or compromised prosecutors from mitigating the prosecution of offenders considering the fact that sanctions provided under the VAPP Act are not only adequate but also detrimental to offenders. Without such amendment, prosecutors will exploit their discretion in favour of offenders by prosecuting them under the Penal Code Act which they consider more lenient.

1. *Benchmark for VAPP Act Domestication*

Findings also revealed that most northeastern states delayed the domestication of VAPP Act without tangible justification. While the reason for such delay is uncertain, it is painful such a ground breaking enactment is made to suffer administrative delay. It is recommended that benchmark should be put in place for the domestication of the VAPP Act by other states to foster gender balance, protection of women right and adequate compensation for victims of SGBV in Nigeria. Without benchmark for the domestication of VAPP Act by other defaulting states, SGBV may continue to flourish in those states at the detriment of innocent women and children. Failure or delay in the domestication of VAPP Act in other states of the federation implies unequal treatment of women on the basis of places they found themselves. While, women in the southern part of the country enjoys the rights and privileges entrenched in the Act, their counterpart in the north continue to struggle for protection against SGBV.

1. *Orientation and Training for the Legislative Arms*

As part of immediate measures in tackling SGBV scourge in IDP camps, there is need to legislative performance in term of quality and productive laws against harmful socio-cultural practices. Law makers most of whom underwent masculinized socialization process therefore need legislative training to hibernate masculine inclination during law making process. Law remain a veritable tool in the struggle against harmful social norms. Hence, quality laws are only possible when the legislatures have the required exposure and knowledge. Thus, it is recommended that regular training should be facilitated for legislative members at federal and state level in anticipation of better performance in law making process.

1. *Upgrade of National Policy to Legal Framework on IDP*

Nigerian Government should without any further delay bring to a successful end the legal and institutional processes leading to the adoption of the draft national IDP policy so as to strengthen protection for IDPs beyond the general entitlements as citizens. National framework on IDPs remain the credible pathway towards effective protection for IDPs. Failure to institutionalize the national Policy has been identified as hindrance to efficient IDPs camp management in the northeast. It is therefore imperative for the legislative arm of government to institutionalize the policy by way of enactment into law. Otherwise, management agencies will resort to discretion in the delivery of their functions to IDPs. Consequently, there may be disparity in the modus of operation in each IDPs camps in northeast and Nigeria entirely. Summarily, the advancement of the National Policy on internally displaced persons into a law is sacrosanct in this circumstance.

1. **Law Enforcement Agencies**
2. *Precautionary Measures for Security Officials*

Findings also establish that security officials participate heavily in the prevalence of SGBV in the IDP camps. Adequate training and re-training should be provided for security operatives posted to IDP camps. It is recommended that security operatives should be made to sign oath of good character before they are posted to IDP camps. Essentially, non-combative security agencies such as NSCDC and Nigerian Police should oversee internal security within the camps while officers of the Nigerian Army should take charge of external security. Frequent training and symposium should be organized for security officials on subtle ways of handling IDPs to avoid psychological complications for IDPs. Female officers should be made to attend to the needs of female IDPs and vice versa.

1. **IDP Camp Management**

a. *Installation of CCTV in Camps for Surveillance*

Lack of adequate facilities in IDP camps was also highlighted by respondent as a causative factor for widespread SGBV. By its shameful nature, SGBV is often perpetrated in the hidden where no third party will witness the act. Installation of CCTV in critical places within the IDP camps will go a long way in deterring perpetrators from committing the crime. As a matter of fact, camp officials would be compelled to respond promptly to cases of SGBV bearing in mind that all activities in camp are under surveillance. Installation of SGBV also have the potential of mitigating all forms of corrupt practices (social, financial, moral) which characterized the IDP camps presently. Installation of CCTV being a feature of Situational Crime Prevention underscores the potency of Crime Prevention through environmental design (CPTED). Once perpetrators know that they are likely to be caught and sanction, they may change their mind.

* 1. *Psychological Care for Widows and Orphans*

IDP camps are often dominated by widows and orphans who lost their husband and father respectively to the Boko haram crisis bedeviling the northeast region. Hence, widows and orphans often resume in camps in a traumatised conditions. Stakeholders vested with the coordination and management of IDPs must identify this category of persons for extraordinary care. Unlike other IDPs, widows and orphans require more than economic repair. NGOs must also identify psychological therapy that will facilitate their quick recovery and stability. Losing husband or father as the case maybe is an irreparable loss which internal displacement crisis has further compounded. Stakeholders must create an ambience for this category of IDPs to mourn their loss and recover quickly in accordance with the provisions of Kampala Convention and National Policy on IDPs.

* 1. *Improvement of Shelter Facility in IDP Camps*

Findings also identify poor quality shelter and inadequate shelter as enablers of SGBV in the IDP camps. Government should ensure construction of quality shelter for IDPs so as to improve the welfare conditions of IDPs. It is imperative to avoid overcrowding in IDP camps in order to limit opportunities for crime prevalence. Shelters in IDP camps should be of good quality and conducive for habitation. Otherwise, perpetrators of SGBV could take advantage of shelter inadequacy in IDP camps to advance their innate desires. In compliance with the National Policy on internally displaced persons, special consideration should be given to women, children, aged women and people with disabilities when constructing and allocating shelters to IDPs.

1. **Community Leaders/Religious Organisations** 
   * 1. *Demonizing and Criminalizing the Culture of Silence*

Community leaders and guardians must imbibe the habit of instilling boldness and courage in the socialization process of their subjects and wards respectively. Schools and institution of learning should socialize their pupils and students in a manner that will empower their mind and strengthen their voice against oppression. Culture of silence must be killed while freedom of expression should be encouraged. Parents should engage their children from young age in productive activities in order to build their intellectual, physiological, mental and psychological capacity. Culture of silence is sign of cowardice and must be discouraged in the socialization process. Findings portrayed culture of silence as an abetment for growing SGBV in the society. Hence, such culture must be discourage in view of its negative contributions to prevailing SGBV in IDP camps.

* + 1. *Improved Stakeholder Interventions*

The role of stakeholders in the protection of females from SGBV in the IDP camps cannot be over emphasized. The prevalence of SGBV is not unconnected with the nonchalant attitude of stakeholders who are custodians of laws, morals and values in the society. Hence, there is need for frequent checks and balances on stakeholders in order to ensure optimal performance of their vested roles in IDP camps. While government agencies who are much aware of the laws against SGBV must ensure quick intervention when SGBV cases are reported, NGOs should ensure double effort in all areas of psychological and medical intervention. A collaborative approach is required to tame SGBV. There is need for attitudinal change towards the culture of silence as most cases of SGBV are swept under the carpet by victims’ parents and guardians. Community leaders should desist from handling sexual and gender-based cases but should rather refer same to the appropriate authority for prompt and adequate response.

1. **Education Sector**

Education plays a significant role in promoting gender equality. It encourages the breaking down of gender stereotypes and empowerment of women and girls to reach their full potential as their male counterparts. Inclusion of equality and respect in school Curricular is sacrosanct. Every school civil education syllabus must contain moral education in which knowledge of gender equality and respect is inculcated. Hence, the consequences of sexual and gender based violence on females and male respectively should be instilled in students through formal socialization process.

1. *Compulsory Basic and Adult Education*

Lack of education was identified as a basic cause of SGBV in the IDP camps. Education makes people impossible to enslave. Without education for IDPs, chances are high that they fall prey to unscrupulous perpetrators who disguise as good Samaritans. Government should ensure proper educational programme for IDP children and adults in accordance with is fundamental objectives and directives principles of state policy enunciated in the 1999 Constitution (chapter II of CFRN, 1999). SGBV which stem from unhealthy socio-cultural norms can effectively be eradicated through proper education. Findings revealed that most victims of SGBV are uneducated. Also, most perpetrators are uneducated which make them belief that SGBV is part of societal norms. Without proper education for IDPs, awareness and sensitization programmes will be undermined. Hence, compulsory basic and adult education should be provided for IDPs.

1. Provision of Equal Access to Education for Females in the Northeast Region.

Lack of equal access to education was identified as a precipitating factor for SGBV against female IDPs. Findings revealed that female are educationally disadvantage in IDP camps due to varying underlining factors clothed in patriarchal values. Government’s education policy should compel parents to enroll female children in school while sanctions should be enabled for defaulters. Incentives such as tuition free education system and free lunch meal should be provided for female children in IDP camps. Female access to education will reduce their availability in odd places in the camp and also reduce chances of being abused by perpetrators.

1. *Special Schools for Girls Child*

In response to some parents’ perception about free missing schools, special or separate schools should be built for female children. Some parent keep their female children at home with the aim of protecting them from sexual violence and harassment. Although, sexual harassment of school girls by teachers and fellow male students is not uncommon in the northeast, this should not operate as hindrance to education of female children. Government should therefore encourage separate schools for girls to allay this fear and consequently encourage parents to send female children to school. Girl child is a special creature and deserve a special treatment.

**6.3 RECOMMENDATION FOR FUTURE RESEARCH**

This study, as mentioned earlier aimed to address the reasons why the vast legal framework has proven ineffective in curtailing cases of SGBV in IDP Camps. The study embarked on answering this question by interviewing various stakeholders on their knowledge of SGBV cases in the camps as well as their interventions in the cases. Stakeholders also answered questions bordering on how cases are handled and how the social norms affect the implementation of the laws.

However, there is an absence in this study of the input of the female IDPs themselves. While this was a deliberate ethical choice, future research may consider including female IDPs in the sample in order to identify the patterns of the SGBV perpetuated against them and their own reasons for not utilizing the laws to seek redress. While the stakeholders have answered these questions, it will enrich the body of research to include perspectives from the demography of the victims as well. Such research should be undertaken with utmost care to avoid compounding emotional trauma on the part of the victims. Additionally, more studies should be conducted in other IDP camps across other geo-political zones of Nigeria on the vulnerability of female IDPs to SGBV and on why they are not maximizing the legal framework to safeguard against or seek redress against SGBV in order to determine whether variation in the cultural environment within which the IDP camps are located may explain any differences in outcome from this study.

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APPENDIX I



**Research Title: EXPLORING THE EFFICACY OF THE LEGAL FRAMEWORK AND INTERVENTIONS IN TACKLING SGBV IN IDP CAMPS IN THE NORTHEAST NIGERIA**

**RESEARCH PARTICIPANT CONSENT FORM**

**Name of Participant: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Title of the project: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Main investigator and contact details: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Members of the research team:**

**1. I agree to take part in the above research. I have read the Participant Information Sheet which is attached to this form. I understand what my role will be in this research, and all my questions have been answered to my satisfaction.**

**2. I understand that I am free to withdraw from the research at any time, for any reason and without prejudice.**

**3. I have been informed that the confidentiality of the information I provide will be safeguarded.**

**4. I am free to ask any questions at any time before and during the study.**

**5. I have been provided with a copy of this form and the Participant Information Sheet.**

**Data Protection: I agree to the University processing personal data which I have supplied. I agree to the processing of such data for any purposes connected with the Research Project as outlined to me.**

**Name of participant (print)……………………………………………………………………………..**

**Signed………………..………………… Date………………………….........**

**---------------------------------------------------------------------------------------------------------------------**

**If you wish to withdraw from the research, please complete the form below and return to the main investigator named above.**

**Title of Project: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**I WISH TO WITHDRAW FROM THIS STUDY**

**Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

APPENDIX II



**St Mary’s University**

**Research**

**Ethics Sub-Committee**

**Application for Ethical Approval**

This form must be completed by any undergraduate or postgraduate student, or member of staff at St Mary’s University, who is undertaking research involving contact with, or observation of, human participants.

Undergraduate and postgraduate students should have the form reviewed and signed by their supervisor, and forwarded to the Faculty Ethics Sub-Committee representative. PhD/MPhil applications must also be reviewed and signed by an Ethics Representative. Staff applications should be forwarded directly to the Faculty Ethics Sub-Committee representative. All supporting documents should be merged into one document (in order of the checklist) and named in the following format: ‘**Full Name – Faculty – Supervisor’**

Please note that for all undergraduate and taught masters research projects the supervisor is considered to be the Principal Investigator for the study.

If the proposal has been submitted for approval to an external, properly constituted ethics committee (e.g. NHS Ethics), then please submit a copy of the application and approval letter to the Secretary of the Ethics Sub-Committee. Please note that you will also be required to complete the St Mary’s Application for Ethical Approval.

Before completing this form:

* Please refer to the **University’s Ethical Guidelines**. As the researcher/ supervisor, you are responsible for exercising appropriate professional judgment in this review.
* Please refer to the Ethical Application System (Three Tiers) information sheet.
* Please refer to the Frequently Asked Questions (FAQs) and Commonly Made Mistakes sheet.
* If you are conducting research with children or young people, please ensure that you read the **Guidelines for Conducting Research with Children or Young People**, and answer the below questions with reference to the guidelines.

Please note:

In line with University Academic Regulations the signed completed Ethics Form must be included as an appendix to the final research project.

If you have any queries when completing this document, please consult your supervisor (for students) or Faculty Ethics Sub-Committee representative (for staff).



**St Mary’s Ethics Application Checklist**

The checklist below will help you to ensure that all the supporting documents are submitted with your ethics application form. The supporting documents are necessary for the Ethics Sub-Committee to be able to review and approve your application*.* Please note, if the appropriate documents are not submitted with the application form then the application will be returned directly to the applicant and may need to be re-submitted at a later date.

|  |  |  |
| --- | --- | --- |
| **Document** | **Enclosed?\*** | **Version No** |
| 1. Application Form | Mandatory |  |
| 2. Participant Invitation Letter | ☒ Yes ☐ No  ☐ Not applicable |  |
| 3. Participant Information Sheet(s) | Mandatory |  |
| 4. Participant Consent Form(s) | Mandatory |  |
| 5. Parental Consent Form | ☐ Yes ☐ No  ☒ Not applicable |  |
| 6. Participant Recruitment Material - e.g. copies of posters, newspaper adverts, emails | ☐ Yes ☐ No  ☒ Not applicable |  |
| 7. Letter from host organisation (granting permission to conduct study on the premises) | ☐ Yes ☐ No  ☒ Not applicable |  |
| 8. Research instrument, e.g. validated questionnaire, survey, interview schedule | ☒ Yes ☐ No  ☐ Not applicable |  |
| 9. DBS certificate available (original to be presented separately from this application)\* | ☐ Yes ☐ No  ☒ Not applicable |  |
| 10. Other Research Ethics Committee application (e.g. NHS REC form) | ☐ Yes ☐ No  ☒ Not applicable |  |
| 11. Certificates of training (required if storing human tissue) | ☐ Yes ☐ No  ☒ Not applicable |  |

I can confirm that all relevant documents are included in order of the list and in one document (any DBS check to be sent separately) named in the following format:

**‘Full Name - Faculty – Supervisor’**

|  |  |  |  |
| --- | --- | --- | --- |
| Signature of Proposer: |  | Date: | 14/1/22 |
| Signature of Supervisor  (for student research projects): |  | Date: | 14/1/22 |



**Ethics Application Form**

|  |  |
| --- | --- |
| **1. Name of proposer(s)** | Muinat Mustapha |
| **2. St Mary’s email address** | [197420@live.stmarys.ac.uk](mailto:197420@live.stmarys.ac.uk) |
| **3. Name of supervisor** | Dr Carole Murphy |
| **4. Title of project** | Sexual Gender Based Violence Against Females IDP Camps in Northern Nigeria |

|  |  |
| --- | --- |
| **5. Faculty or Service** | ☒ Business, Law & Society ☐ Institute of Education  ☐ SAHPS ☐ Theology & Liberal Arts |
| **6. Programme** | ☐ UG ☐ PG (taught) ☒ PG (research)  Name of programme: |
| **7. Type of activity** | ☐ Staff ☐ UG student ☒ PG student  ☐ Visiting ☐ Associate |

|  |  |
| --- | --- |
| **8. Confidentiality** | |
| Will all information remain confidential in line with the Data Protection Act 2018? | ☒ Yes ☐ No |
| **9. Consent** | |
| Will written informed consent be obtained from all participants/participants’ representatives? | ☒ Yes ☐ No  ☐ Not applicable |
| **10.** **Pre-approved Protocol** | |
| Has the protocol been approved by the Ethics Sub-Committee under a generic application? | ☐ Yes ☒ No  ☐ Not applicable  Date of approval: |
| **11.** **Approval from another Ethics Committee** | |
| **a)** Will the research require approval by an ethics committee external to St Mary’s University? | ☐ Yes ☒ No |
| **1.( b)** Are you working with persons under 18 years of age or vulnerable adults? | ☐ Yes ☒ No |

|  |  |
| --- | --- |
| **12.** **Identifiable risks** | |
| 1. Is there significant potential for physical or psychological discomfort, harm, stress or burden to participants? | ☐Yes ☒ No |
| 1. Are participants over 65 years of age? | ☐Yes ☒ No |
| 1. Do participants have limited ability to give voluntary consent? This could include cognitively impaired persons, prisoners, persons with a chronic physical or mental condition, or those who live in or are connected to an institutional environment. | ☐Yes ☒ No |
| 1. Are any invasive techniques involved? And/or the collection of body fluids or tissue? | ☐Yes ☒ No |
| 1. Is an extensive degree of exercise or physical exertion involved? | ☐Yes ☒ No |
| 1. Is there manipulation of cognitive or affective human responses which could cause stress or anxiety? | ☐Yes ☒ No |
| 1. Are drugs or other substances (including liquid and food additives) to be administered? | ☐Yes ☒ No |
| 1. Will deception of participants be used in a way which might cause distress, or might reasonably affect their willingness to participate in the research? For example, misleading participants on the purpose of the research, by giving them false information. | ☐Yes ☒ No |
| 1. Will highly personal, intimate or other private and confidential information be sought? For example sexual preferences. | ☒Yes ☐ No |
| 1. Will payment be made to participants? This can include costs for expenses or time. | ☐Yes ☒ No  If yes, provide details: |
| 1. Could the relationship between the researcher/ supervisor and the participant be such that a participant might feel pressurised to take part? | ☐Yes ☒ No |
| 1. Are you working under the remit of the Human Tissue Act 2004? | ☐Yes ☒ No |
| 1. Do you have an approved risk assessment form relating to this research? | ☐Yes ☒ No |

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| **13. Proposed start and completion date** |
| Please indicate:   * When the study is due to commence. * Timetable for data collection. * The expected date of completion.   Please ensure that your start date is at least five weeks after the submission deadline for the Ethics Sub-Committee meeting. |
| **Study is scheduled to commence by 24th January 2022**  **FIELD WORK TIMETABLE-24th January 2022 – 24th march, 2022**  **TIMETABLE FOR FIELDWORK**  **WEEK 1. Meeting with Non-Governmental Organizations and schedule of interview with the officials**  **• Federation of international women lawyers (FIDA)**  **• Stand to End Rape Initiative**  **Women’s Rights and Health Project**  **• Invictus Africa**    **WEEK 2.**  **Visit to Ministry of women affairs and schedule of meeting for interview of officials**  **WEEK3**  **Pilot interviews**  **WEEK 4**  **Scouting for candidates for group discussion**  **WEEK 5**  **Conducting of focus group interviews and discussions**  **WEEK 6**  **Second batch of focus group discussion.**  **WEEK 7**  **Rounding up and collation of data**  **The expected date of completion. – 7th February 2022**  **Please ensure that your start date is at least five weeks after the submission deadline for the Ethics Sub-Committee meeting.** |

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| **14. Sponsors/collaborators** |
| Please give names and details of sponsors or collaborators on the project. This does not include your supervisor(s) or St Mary’s University.   * Sponsor: An individual or organisation who provides financial resources or some other support for a project. * Collaborator: An individual or organisation who works on the project as a recognised contributor by providing advice, data or another form of support. |
| **The project is self-sponsored and there are no collaborators**. |

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| **15. Other Research Ethics Committee Approval** |
| Please indicate:   * Whether additional approval is required or has already been obtained (e.g. an NHS Research Ethics Committee). * Whether approval has previously been given for any element of this research by the University Ethics Sub-Committee.   Please also note which code of practice / professional body you have consulted for your project. |
| **No other approval is required**  **No approval has previously been given for any element of this research by the university ethics subcommittee.**  **Professional Body consulted is the Nigerian Bar Association No ethical approval is required by this organization. Some of its officials will only grant interviews.** |

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| **16. Purpose of the study** |
| **In lay language, please provide a brief introduction to the background and rationale for your study.  *[100 word limit]***  ***Sexual gender-based violence (SGBV) is a pervasive phenomenon which affects women of various races, ages and classes. Apart from being a health issue to affected persons, SGBV is a gross violation of human right. Societal and cultural norms have been pointed as some of various factors contributing to the prevalence of this research shall focus on SGBV in relation to internally displaced females in north eastern Nigeria.***  ***International and local legislations towards the protection of females from violence as well as penalties for perpetrators do not appear to be effective in the reduction of the problem.***  ***Several studies have been conducted in this area, however, this research shall focus on SGBV in relation to internally displaced females in north eastern Nigeria. The purpose of this research is***  ***1. To investigate the increase in incidences of SGBV towards females in Nigeria especially IDP camps in northern Nigeria despite existing laws and penalties for perpetrators.***  ***2. To determine the role of the Nigerian society in issues relating to SGBV and efficacy of its laws.*** |

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| **17. Study design/methodology** |
| In lay language, please provide details of:   1. The design of the study (qualitative/quantitative questionnaires etc.)   **Qualitative research will be employed in the study with the use of semi structured interviews and focus group discussions.**   1. The proposed methods of data collection (what you will do, how you will do this and the nature of tests**).**   **This research will use Interviews and focus group discussion. Interviews will be conducted with officials of ministry of women affairs, Borno state ministry of reconstruction, rehabilitation and resettlement and some non-governmental organizations. Some law enforcement agents such as police officers swill be interviewed as well.**  **Focus group participants will include, some males within the Maiduguri community including clerics and community leaders.**  **Second focus group will include some female community leaders.**   1. The requirement of the participant i.e. the extent of their commitment and the length of time they will be required to attend testing.   **The participants will be required to attend an interview as well as focus group discussion that will last approximately 30- 60 minutes**.   1. Details of where the research/testing will take place, including country.   **Locations will be in Abuja and Maiduguri. Borno State, Nigeria.**  **The research will take place in locations which include the ministry of women affairs in the federal capital territory, some non governmental organizations as well as the focus group discussion at a location in the federal capital territory in Nigeria and Maiduguri, Borno state, Nigeria. Other interviews will take place in the Borno state ministry of reconstruction, rehabilitation and resettlement.**  **There will also be interviews of officials of the agency for resettlement and rehabilitation of IDPs.**  **Focus group discussions will be held with rural community elders. Males and females separately. Discussion will be on how the community members handle issues of SGBV and also how the government intervenes in the cases. The attitude of the people towards the laws will also be discussed. Gender dynamics in the community and its effect on the prevalence of SGBV will also be discussed.**   1. Please state whether the materials/procedures you are using are original, or the intellectual property of a third party. If the materials/procedures are original, please describe any pre-testing you have done or will do to ensure that they are effective. |
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| **18.** **Participants** |
| Please mention:   1. The number of participants you are recruiting and why. For example, because of their specific age or sex.   **20 individuals will be interviewed. These individuals will include officials of the ministry of women affairs, officials of the agency for the rehabilitation of IDPS, staff of three non-governmental organizations and staff of IDP camps. This would enable me to get different varying points of view on the input and role of the government and society on the prevalence of SGBV in north-eastern Nigeria despite the existing laws. These Participants qualify to be interviewed because some have interacted formally and informally with IDPs and some have handled their cases.**  **The NGOs and women affairs ministry qualify to be interviewed because they have rendered services to IDPs and have also dealt with issues relating to gender-based violence.**  **Focus group members will be 20 and divided into four groups. 2 groups of 5 participants each for male rural community members and also 2 groups of 5 participants of all female members, who are conversant with the activities of people in the local community and can offer their opinion on the citizens’ opinions.**   1. How they will be recruited and chosen.   **Interview and Focus group members will be recruited from existing contacts in the sector and through snowball sampling and will be sent an invitation to participate**. **However, it will be expressly stated in the consent form as well as orally that persons under 18 shall be excluded from the research notwithstanding his or her position in the organization.**     1. The inclusion/exclusion criteria.   **Participants will include people who play a significant role in supporting women in IDP camps either through law enforcement mechanisms, through humanitarian interventions or through direct psychological support. These are government establishments, humanitarian organisations, non-governmental organizations as well as professional bodies associated with women affairs and IDP camps management. These organizations are located outside the camps, but conduct their administrative affairs relating to the IDP camps from their offices away from the camps. Safety is assured for both the researcher and participants during the interviews as they will be conducted in public places and offices. The researcher shall also be accompanied by an assistant, Miss Bashirat Giwa during the interviews.**   1. For internet studies please clarify how you will verify the age of the participants. **NA** 2. If the research is taking place in a school or organisation then please include their written agreement for the research to be undertaken**. Not Applicable** 3. Please state any connection you may have with any organisation you are recruiting from, for example, employment**. Not Applicable** |
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| **19.** **Consent** |
| If you have any exclusion criteria, please ensure that your Consent Form and Participant Information Sheet clearly makes participants aware that their data may or may not be used.   1. Are there any incentives/pressures which may make it difficult for participants to refuse to take part? If so, explain and clarify why this needs to be done. **No** 2. Will any of the participants be from any of the following groups? **No**  * Children under 18 * Participants with learning disabilities * Participants suffering from dementia * Other vulnerable groups.   If any of the above apply, state whether the researcher/investigator holds a current DBS certificate (undertaken within the last 3 years). A copy of the DBS must be supplied **separately from** the application.   1. Provide details on how consent will be obtained. This includes consent from all necessary persons i.e. participants and parents.   **All Participants in the interview and focus groups will be required to fill a consent form giving consent to participate in the study** |
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| **20.** **Risks and benefits of research/activity** |
| 1. Are there any potential risks or adverse effects (e.g. injury, pain, discomfort, distress, changes to lifestyle) associated with this study? If so please provide details, including information on how these will be minimised. **No** 2. Please explain where the risks / effects may arise from (and why), so that it is clear why the risks / effects will be difficult to completely eliminate or minimise**. N/A** 3. Does the study involve any invasive procedures? If so, please confirm that the researchers or collaborators have appropriate training and are competent to deliver these procedures. Please note that invasive procedures also include the use of deceptive procedures in order to obtain information. **No** 4. Will individual/group interviews/questionnaires include anything that may be sensitive or upsetting? If so, please clarify why this information is necessary (and if applicable, any prior use of the questionnaire/interview).   **Some participants many find the interviews / focus groups upsetting as they deal with GBV of women , which is an upsetting topic for most human beings. I will provide an information sheet to all participants before the interviews/focus groups with details of local support organisations. I will reiterate that people can withdraw at any time and can stop or take a break if necessary**   1. Please describe how you would deal with any adverse reaction participants might experience. Discuss any adverse reaction that might occur and the actions that will be taken in response by you, your supervisor or some third party (explain why a third party is being used for this purpose).   **I am not anticipating that people will have adverse reactions as I’m interviewing professionals that have a wealth of experience in this sector. If anyone does get upset the research interview / FG will be halted and a break offered. If the person wishes to withdraw at this stage the interview will be terminated. Information on support services will be provided to all participants before the commencement of the interview.**  -   1. Are there any benefits to the participant or for the organisation taking part in the research? |
| **Yes, this study has benefits to the participant. It aims to shed light on the SGBV phenomenon through the information gathered from professionals on the issue. This also aims to contribute to discussions on how best to resolve the issues, which in turn will arm the NGOs and government bodies with more information to tackle the issue of SGBV in IDP camps.** |

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| **21.** **Confidentiality, privacy and data protection** | |
| * Outline what steps will be taken to ensure participants’ confidentiality.   **Assurances of confidentiality would be made to the participants**  **- The answers gathered from the interviews will be made anonymous to protect the identity of the interviewees.**  **- At the point of interviewing and data collection, all identifying information will be changed to conceal the names of the actual participants**  **- Names of participants will be replaced by pseudonyms**.  Describe how data, particularly personal information, will be stored (please state that all electronic data will be stored on St Mary’s University servers).  **Microsoft teams would be created and my supervisors will be added to it for access to all data that will be stored in the teams.**   * If there is a possibility of publication, please state that you will keep the data for a period of 10 years.   **For future publication data will be kept for 10 years**   * Consider how you will identify participants who request their data be withdrawn, such that you can still maintain the confidentiality of theirs and others’ data.   **Information from each participant will be labelled and allocated a code known only to the researcher and the supervision team to ensure that for easy access and that withdrawal as well as confidentiality is maintained.**   * Describe how you will manage data using a data a management plan. * You should show how you plan to store the data securely and select the data that will be made publicly available once the project has ended. * You should also show how you will take account of the relevant legislation including that relating to data protection, freedom of information and intellectual property.   **DATA MANAGEMENT PLAN**  **The data collected will be stored safely to prevent loss. Some data will be collected by audio recording with the permission of the participants. Some data will also be recorded in writing if participants disagree with voice recording. This data will be in form of interview and focus group discussions**  **Data collection and storage**  **Data from the research will be stored in Microsoft Teams accessed via St. Mary’s University website**  **Further storage will be made into the research logbook, filed in folders and named accordingly. A folder of field notes will be used in recording and taking notes of interviews and discussions where necessary. Comments and observations can also be noted in on the field note during discussions.** These are physical folders which will be locked away and kept safely.  **There will be transcription of interviewees recordings. All information and data collected on each participant shall be stored in one folder**  **AVAILABILITY OF DATA**  **Data from the research will be stored at the St Marys data repository. Transcripts will be in an anonymous format and the voice recordings will not be provided for secondary purposes.**  **FILE LABELLING**  **All files will be labelled with numbers to indicate data recorded and easy identification.**  **DATA PROTECTION LAW.**  **In accordance with the data protection act, data must be for a lawful purpose, which in this research is for academic purposes. The data collected will be accurate and will be stored safely securely in the Microsoft teams.**  **Intellectual Property policy**  **The researcher, supervision team and St Marys University have the copyright for the data recorded.**  **CONSENT**  **According to the data protection Act, must be sought prior to data collection. This will also be ensured in this research. A copy of the consent form is attached to this application**   * Identify all persons who will have access to the data (normally yourself and your supervisor).   **The researcher, Muinat Mustapha, Dr Carole Murphy, and Dr Sasha Jesperson and Dr Christine Edwards-Leis will have access to the data.**   * Will the data results include information which may identify people or places? **. Yes some information may mention places where certain events known about in the public sphere have occurred but not the names of actual people involved. The camp names will be anonymized for privacy and confidentiality purposes.** * **Names of persons will be anonymised in the research** * Explain what information will be identifiable.   **For confidentiality purposes, names of places and persons will not be identifiable, however, in mentioning the role and the contribution of participating organizations, their names may be mentioned and identifiable**     * Whether the persons or places (e.g. organisations) are aware of this.   This is included in the consent form to inform the persons and places involved.  **The organizations are aware that their names may be mentioned in the research and they are happy to share their contributions. This will also be stated in the consent form.**   * Consent forms should state what information will be identifiable and any likely outputs which will use the information e.g. dissertations, theses and any future publications/presentations. See above. | |
| * Outline what steps will be taken to ensure participants’ confidentiality.   **Assurances of confidentiality would be made to the participants**  **- The answers gathered from the interviews will be made anonymous to protect the identity of the interviewees.**  **- At the point of interviewing and data collection, all identifying information will be changed to conceal the names of the actual participants**  **- Names of participants will be replaced by pseudonyms**.  Describe how data, particularly personal information, will be stored (please state that all electronic data will be stored on St Mary’s University servers).  **Microsoft teams would be created and my supervisors will be added to it for access to all data that will be stored in the teams.**   * If there is a possibility of publication, please state that you will keep the data for a period of 10 years.   **For future publication data will be kept for 10 years**   * Consider how you will identify participants who request their data be withdrawn, such that you can still maintain the confidentiality of theirs and others’ data.   **Information from each participant will be labelled and allocated a code known only to the researcher and the supervision team to ensure that for easy access and that withdrawal as well as confidentiality is maintained.**   * Describe how you will manage data using a data a management plan. * You should show how you plan to store the data securely and select the data that will be made publicly available once the project has ended. * You should also show how you will take account of the relevant legislation including that relating to data protection, freedom of information and intellectual property.   **DATA MANAGEMENT PLAN**  **The data collected will be stored safely to prevent loss. Some data will be collected by audio recording with the permission of the participants. Some data will also be recorded in writing if participants disagree with voice recording. This data will be in form of interview and focus group discussions**  **Data collection and storage**  **Data from the research will be stored in Microsoft Teams accessed via St. Mary’s University website**  **Further storage will be made into the research logbook, filed in folders and named accordingly. A folder of field notes will be used in recording and taking notes of interviews and discussions where necessary. Comments and observations can also be noted in on the field note during discussions.** These are physical folders which will be locked away and kept safely.  **There will be transcription of interviewees recordings. All information and data collected on each participant shall be stored in one folder**  **AVAILABILITY OF DATA**  **Data from the research will be stored at the St Marys data repository. Transcripts will be in an anonymous format and the voice recordings will not be provided for secondary purposes.**  **FILE LABELLING**  **All files will be labelled with numbers to indicate data recorded and easy identification.**  **DATA PROTECTION LAW.**  **In accordance with the data protection act, data must be for a lawful purpose, which in this research is for academic purposes. The data collected will be accurate and will be stored safely securely in the Microsoft teams.**  **Intellectual Property policy**  **The researcher, supervision team and st marys university have the copyright for the data recorded.**  **CONSENT**  **According to the data protection Act, must be sought prior to data collection. This will also be ensured in this research. A copy of the consent form is attached to this application**   * Identify all persons who will have access to the data (normally yourself and your supervisor).   **The researcher, Muinat Mustapha, Dr Carole Murphy, and Dr Sasha Jesperson and Dr Christine Edwards-Leis will have access to the data.**   * Will the data results include information which may identify people or places? **. Yes some information may mention places where certain events known about in the public sphere have occurred but not the names of actual people involved. The camp names will be anonymized for privacy and confidentiality purposes.** * **Names of persons will be anonymised in the research** * Explain what information will be identifiable.   **For confidentiality purposes, names of places and persons will not be identifiable, however, in mentioning the role and the contribution of participating organizations, their names may be mentioned and identifiable**     * Whether the persons or places (e.g. organisations) are aware of this.   This is included in the consent form to inform the persons and places involved.  **The organizations are aware that their names may be mentioned in the research and they are happy to share their contributions. This will also be stated in the consent form.**   * Consent forms should state what information will be identifiable and any likely outputs which will use the information e.g. dissertations, theses and any future publications/presentations. See above. | |
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| **22. Feedback to participants** |
| Please give details of how feedback will be given to participants:   * As a minimum, it would normally be expected for feedback to be offered to participants in an acceptable format, e.g. a summary of findings appropriately written.   **At the end of the research, feedback will be given to participants in form of a summary and in written form.**   * Please state whether you intend to provide feedback to any other individual(s) or organisation(s) and what form this would take.   **There shall be no feedback for any additional individual or organization besides the participating ones.** |
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The proposer recognises their responsibility in carrying out the project in accordance with the University’s Ethical Guidelines and will ensure that any person(s) assisting in the research/ teaching are also bound by these. The Ethics Sub-Committee must be notified of, and approve, any deviation from the information provided on this form.

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| Name of Proposer: | Muinat Mustapha |  |  |
| Signature of Proposer: |  | Date: | 14/1/22 |
| Name of Supervisor (for student research projects): | Dr Carole Murphy |  |  |
| Signature of Supervisor: |  | Date: | 14/1/22 |

APPENDIX III



**Approval Sheet**

(This sheet must be signed at all relevant boxes)

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| --- | --- |
| Name of proposer(s) | Muinat Mustapha |
| Name of supervisor(s) | Carole Murphy |
| Programme of study | PhD |
| Title of project | Exploring the Efficacy of the Legal Framework and Interventions in Tackling SGBV in IDP Camps in the Northeast Nigeria |

Supervisors, please complete section 1. If approved at level 1, please forward a copy of this Approval Sheet to the Faculty Ethics Representative for their records.

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| **SECTION 1:** To be completed by supervisor (for student research projects). PhD/MPhil applications must be referred to and reviewed by an Ethics Representative at Section 2 below. | | | |
| Approved at Level 1.  Refer to Ethics Representative for consideration. | | | |
| Name of Supervisor: | Carole Murphy |  |  |
| Signature of Supervisor: |  | Date: | 14/01/22 |

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| **SECTION 2:** To be completed by Ethics Representative. | | | |
| Approved at Level 1  Approved at Level 2 (SMU\_ETHICS\_2021-22\_187)  Level 3 consideration is required by Ethics Sub-Committee. | | | |
| Name of Faculty Ethics Representative: | John Kouraklis |  |  |
| Signature of Faculty Ethics Representative: | John Kouraklis | Date: | 04/02/2022 |

**Participant Information Sheet**

**Research Title**

**Exploring the Efficacy of the Legal Framework and Interventions in Tackling SGBV in IDP Camps in the Northeast Nigeria**

**Invitation**

You are invited to participate in this research study. Before you proceed, it is important for you to have a good idea and knowledge of the study and the reason why it is being conducted. Please, carefully read through the information below. You are welcome to ask questions on areas not clear to you. Person under 18 years are excluded from this research.

**Purpose of the research**

The purpose of this research is to have an insight into the continuous perpetration of SGBV on females, in IDP camps in north east Nigeria. This specific group is unique in that the females, due to the internal displacement caused by conflict in North-eastern Nigeria, have found themselves in Internally Displaced Persons’ camps where SGBV is being perpetrated on them by persons who have the duty and responsibility of securing the camps and protecting the residents. The study aims to find out the factors that contribute to SGBV behaviour in males in IDP camps in Nigeria.

**What would you be asked to do?**

In a friendly and accessible setting, you will be invited to an interview or a focus group to discuss issues relating to sexual gender-based violence in Nigeria and the IDP camps.

**Do you have to participate?**

It is up to you to decide whether to participate or not. If you decide to participate, you can withdraw from the study at any stage with or without a reason.

Consent

Your personal information may be used for the purposes outlined in this Information Sheet. We however for ethical reasons we need your consent to participate in the research. You can provide your consent for the use of your personal data in this research by completing the consent form that has been provided.

Risks and Benefits of Participation There are no foreseen risks or benefits associated with your participation as the purpose is for the advancement of knowledge in academics and public spheres.

**Confidentiality**

Your identity and information shall be kept confidential, and you have the right to withdraw from the study at any point in the study.

**CONSENT FORM**

Research Title: **EXPLORING THE EFFICACY OF THE LEGAL FRAMEWORK AND INTERVENTIONS IN TACKLING SGBV IN IDP CAMPS IN THE NORTHEAST NIGERIA**

RESEARCH PARTICIPANT CONSENT FORM

Name of Participant: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title of the project: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Main investigator and contact details: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. I agree to take part in the above research. I have read the Participant Information Sheet which is attached to this form. I understand what my role will be in this research, and all my questions have been answered to my satisfaction.

2. I understand that I am free to withdraw from the research at any time, for any reason and without prejudice.

3. I have been informed that the confidentiality of the information I provide will be safeguarded.

4. I am free to ask any questions at any time before and during the study.

5. I have been provided with a copy of this form and the Participant Information Sheet.

Data Protection: I agree to the University processing personal data which I have supplied. I agree to the processing of such data for any purposes connected with the Research Project as outlined to me.

Name of participant (print)……………………………………………………………………………..

Signed………………..………………… Date………………………….........

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If you wish to withdraw from the research, please complete the form below and return to the main investigator named above.

Title of Project: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I WISH TO WITHDRAW FROM THIS STUDY

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**INTERVIEW QUESTIONS FOR GOVERNMENT OFFICIALS, NON-GOVERNMENTAL ORGANIZATIONS (NGOs) AND COMMUNITY LEADERS**

Oral Consent

I am Muinat Mustapha, a PhD student at the St Mary’s University, Twickenham, United Kingdom. I am researching on sexual gender-based violence (SGBV) on females in IDP camps in the north-eastern Nigeria. The purpose of this research is for the advancement of knowledge.

I would like to ask you the following questions in relation to the research.

**QUESTIONS FOR GOVERNMENT OFFICIALS AND NGOs**

1. Can you tell me about your views on violence against women in Nigeria?

Prompt: How often do you hear of cases of SGBV in IDP camps and what are the factors responsible for the prevalence? Prompts: Gender inequality, male roles, familial factors, removed from regular support, impunity, opportunity

2. How often are reports made on cases of SGBV in IDP camps and who are the perpetrators?

3. How does your organization intervene in cases of SGBV and what are the usual outcomes?

Prompt: Has the intervention of your organization helped in the reduction of SGBV?

4. What are the barriers or challenges to supporting victims? Are there practical barriers, for example not enough resources in the camps?

5. How aware are camp residents of laws against SGBV and how much do they know of their rights? In cases where they are not aware, what could be done to improve this situation?

6. What remedies are available to victims and survivors of SGBV in IDP camps?

7. What are the factors that contribute to rising cases of SGBV despite all the available laws and punitive measures against it?

8. Are laws sufficient to protect victims of SGBV in the IDP camps?

9. What kind of measures do you think will reduce SGBV?

10. Question for Law enforcement – what is the profile of perpetrators?

**QUESTIONS FOR IDP CAMP OFFICIALS**

1. Describe your responsibilities in the IDP camp.

Prompt: Do these responsibilities include the protection of females in the camps?

2. What do you know about violence against women in IDP camps?

Prompt: Tell me how a case of violence against women in the camp is handled. Is that the usual response? Are there more or less serious cases? How are these cases responded to?

3. What are the factors that allow/enable violence against women in the IDP camps. Prompts: Gender inequality, male roles, familial factors, removed from regular support, impunity, opportunity

4. How aware are you of laws against SGBV and how much do you know of victims’ rights? Are victims aware of these rights? What are the barriers/challenges of supporting victims? Practical or otherwise?

5. Are laws sufficient to protect victims of SGBV in the IDP camps?

6. What kind of measures do you think will reduce SGBV?

**FOCUS GROUP DISCUSSION QUESTIONS FOR LOCAL COMMUNITY ELDERS**

1. As a community elder, what are your roles and responsibilities in your community?

2. What are the roles of females in your community?

3. What are the major challenges faced by women in your community?

4. How prevalent is SGBV in your community? What are the factors that contribute to SGBV – Gender inequality, male roles, familial factors, removed from regular support, impunity, opportunity

5. How does your local community handle cases of SGBV? Prompt – what type of support is offered to victims? What are the barriers to accessing legal support for victims?

6. Who are the perpetrators of SGBV?

7. How much awareness of the laws relating to SGBV do people in your community have?

Prompts – are there differences in knowledge and awareness amongst different segments of the community? E.g., based on Gender? Age?

8. What do you think can be done to reduce or stop SGBV in the community?

APPENDIX IV



**INTERVIEW QUESTIONS FOR GOVERNMENT OFFICIALS, NON GOVERNMENTAL ORGANIZATIONS (NGOs) AND COMMUNITY LEADERS**

Oral Consent

I am Muinat Mustapha, a PhD student at the St Marys University, Twickenham, United kingdom. I am researching on sexual gender-based violence (SGBV) on females in IDP camps in the north eastern Nigeria. The purpose of this research is for the advancement of knowledge.

I would like to ask you the following questions in relation to the research.

**SECTION A**

**QUESTIONS FOR GOVERNMENT OFFICIALS AND NGOs**

1. Can you tell me your view on violence against women in Nigeria?

Prompt: How often do you hear of cases of SGBV in IDP camps and what are the factors responsible for the prevalence?

1. How often are reports made on cases of SGBV in IDP camps and who are the perpetrators?
2. How does your organization intervene in cases of SGBV and what are the usual outcomes?

Prompt: Has the intervention of your organization helped in the reduction of SGBV?

1. What remedies are available to victims and survivors of SGBV in IDP camps?
2. Could you explain why cases of SGBV continue to rise despite all the available laws against it as well as punitive measures?
3. What kind of measures do you think will reduce SGBV?

**SECTION B**

**QUESTIONS FOR IDP CAMP OFFICIALS**

1. Describe your responsibilities in the IDP camp.
2. Promptly, do these responsibilities include the protection of females in the camps?
3. What do you know about violence against women in IDP camps?
4. Prompt: Tell me how a typical case of violence against women in the camp is handled?
5. What causes violence against women in the IDP camps?
6. How aware are camp residents of laws against SGBV and how much do they know of their rights?
7. How much do laid down laws affect the prevalence of SGBV in the IDP camps?

**SECTION C**

**FOCUS GROUP DISCUSSION QUESTIONS FOR LOCAL COMMUNITY ELDERS**

1. As a community elder, what are your roles and responsibilities in your community?
2. What is the position of females in your community and what are their major problems?
3. How does your local community handle cases of SGBV?
4. Who are the perpetrators of SGBV?
5. How much awareness of the laws relating to SGBV do people in your community have?
6. How does the average male in your community react to the laws on SGBV?
7. What do you think can be done to reduce or stop SGBV in the community

APPENDIX V



**PARTICIPANT INFORMATION SHEET**

**Research Title**

Exploring the Efficacy of the Legal Framework and Interventions in Tackling SGBV in IDP Camps in the Northeast Nigeria

**Invitation**

You are invited to participate in this research study. Before you proceed, it is important for you to have a good idea and knowledge of the study and the reason why it is being conducted. Please, carefully read through the information below. You are welcome to ask questions on areas not clear to you. Person under 18 years are excluded from this research.

**Purpose of the research**

The purpose of this research is to have an insight into the continuous perpetration of SGBV on females, in IDP camps in north east Nigeria. This specific group is unique in that the females, due to the internal displacement caused by conflict in North-eastern Nigeria, have found themselves in Internally Displaced Persons’ camps where SGBV is being perpetrated on them by persons who have the duty and responsibility of securing the camps and protecting the residents. The study aims to find out the factors that contribute to SGBV behaviour in males in IDP camps in Nigeria.

**What would you be asked to do?**

In a friendly and accessible setting, you will be invited to an interview or a focus group to discuss issues relating to sexual gender-based violence in Nigeria and the IDP camps.

**Do you have to participate?**

It is up to you to decide whether to participate or not. If you decide to participate, you can withdraw from the study at any stage with or without a reason.

**Consent**

Your personal information may be used for the purposes outlined in this Information Sheet. We however for ethical reasons we need your consent to participate in the research. You can provide your consent for the use of your personal data in this research by completing the consent form that has been provided.

**Risks and Benefits of Participation** There are no foreseen risks or benefits associated with your participation as the purpose is for the advancement of knowledge in academics and public spheres.

**Confidentiality**

Your identity and information shall be kept confidential, and you have the right to withdraw from the study at any point in the study.

APPENDIX VI



**QUESTIONS FOR FIELDWORK**

**INTERVIEW QUESTIONS FOR GOVERNMENT OFFICIALS, LAW ENFORCEMENT AGENTS AND NON GOVERNMENTAL ORGANIZATIONS**

**Oral Consent**

I am Muinat Mustapha, a PhD student at the St Marys University, Twickenham, United Kingdom. I am researching on “Exploring the Efficacy of the Legal Framework and Interventions in Tackling SGBV in IDP Camps in the Northeast Nigeria”. The purpose of this research is for the advancement of knowledge.

I would like to ask you the following questions in relation to the research.

**QUESTIONS FOR NGOS**

1. How often do you hear of cases of sexual gender-based violence?
2. What are the factors responsible for SGBV in Nigeria?
3. Who are the perpetrators of SGBV IN IDP camps and the general Nigerian society?
4. How does your organization intervene in cases of SGBV reported in IDP camps?
5. Has the intervention of your organization helped in anyway in the reduction of SGBV
6. How does masculinity in the Nigerian society affect the obedience of laws relating to violence against women.
7. Which gender is more law abiding and why?
8. Why do cases of SGBV increase despite the existing laws?
9. What is the role of males in the amelioration of SGBV?
10. Will more stringent laws improve the occurrence of SGBV in IDP camps and the larger Nigerian society?
11. What remedies are available to victims and survivors of SGBV in IDP camps.
12. Are there facilities to protect female IDPs from SGBV?

**SECTION B**

**QUESTIONS FOR IDP CAMP OFFICIALS**

1. What are your responsibilities in the IDP camp?

2. How often do you hear of cases of SGBV in IDP camps?

3. Who are the victims of SGBV in IDP camps?

4. Who are the perpetrators of SGBV in the camps?

5. Are residents of the camps aware of laws against SGBV?

6. How are cases of SGBV addressed in the camps?

7. How do gendered societal practices affect internally displaced females?

8. How does the treatment of female and male IDPs differ?

9. How aware are female IDPs of their rights

10. What factors are responsible for the prevalence of SGBV in the IDP camps?

11. How do you manage cases of SGBV the camps.

**SECTION C**

**FOCUS GROUP DISCUSSION QUESTIONS FOR LOCAL COMMUNITY ELDERS**

1.As a community elder, what are your roles and responsibilities in your community?

2. What is the position of females in your community?

3. What is the biggest problem females face in the community?

4. How does your community handle cases of SGBV?

5. Who are the perpetrators of SGBV?

6. Are the people aware of the laws relating to SGBV?

7. What is their impression of the laws?

8. How does the average male in your community react to the laws on SGBV?

**9** Will stricter punishments prevent SGBV?

APPENDIX VII



**LEGAL FRAMEWORK AGAINST SEXUAL AND GENDER-BASED VIOLENCE AND INTERNAL DISPLACEMENT IN NORTHEAST NIGERIA**

A. International and Regional Legal Framework on Sexual and Gender-Based Violence

The initial legal framework on SGBV is the international instrument that laid the foundation for the recognition and protection of women in a male-dominated world. United Nations, on different occasions, came up with human rights instruments to protect peoples' socio-economic, political, and cultural rights from violations. This effort gave birth to the foremost UN Universal Declaration of Human Rights in 1948. There are nine (9) core international human rights instruments, some of which are supplemented by additional Protocols dealing with specific concerns (OHCHR, 2021). Meanwhile, the African Charter on Human and Peoples' Rights (Banjul Charter), the African Charter on the Rights and Welfare of the Child, the OAU Convention Governing the Specific Aspects of Refugee problems in Africa, Protocol to the African Charter on the Rights of Women in Africa are relevant regional instruments on human rights issues. It is instructive to note that these instruments shall be streamlined to sexual and gender-based violence against women and girls in consonance with the scope of this study.

a. Universal Declaration of Human Rights 1948

The Universal Declaration of Human Rights remains as relevant today as it was in 1948 when it was proclaimed and adopted by the United Nations General Assembly. The extraordinary vision and resolve of the drafters produced a document that, for the first time, articulated the rights and freedoms to which every human being is equally and inalienably entitled (United Nations, 2015). Although no specific provision of the instrument captures sexual and gender-based violence, however, a scientific evaluation of the provisions revealed an undisputable disdain for all forms of SGBV against vulnerable persons.

Explicitly, sexual and gender-based violence violates Article 5 of the Universal Declaration of Human Rights (UDHR) as a form of torture, cruel, inhuman, or degrading treatment. SGBV, a form of discriminatory Act more often perpetrated against female folks by their male counterpart, also violates Article 7 of the UDHR. SGBV also contravenes Article 12 of the UDHR, which prohibits attacks on the honour and reputation of the victim. The perpetrators of SGBV implicitly and explicitly violate the Articles mentioned earlier and many other provisions of the UDHR. Hence, the UDHR vested member states with the responsibility of protecting their citizens against any such act that could lead to SGBV in their respective states.

The relevance of the Universal Declaration of Human Rights to the discourse in this study is accentuated by the fact that Nigeria is a member of the United Nations. Hence, by virtue of her membership status at the United Nations since 7th October 1960 (Human Rights Watch, 2014), she has a qualified obligation to enforce the provisions of the UDHR. However, Nigeria has not ratified the instrument but adopted it as a template in drafting Chapter IV of her 1999 Constitution. The need for the domestication of the UDHR into national Law in Nigeria is a setback that limits its applicability and effectiveness in tackling SGBV in IDP camps in Northeast Nigeria. In essence, the provision of the UDHR has no immediate effects but, rather, a persuasive effect in the country. Notwithstanding, the role of UDHR in the development of fundamental rights cannot be underestimated.

b. Convention on the Elimination of Discrimination against Women (CEDAW 1979)

The call for a Treaty for women's rights emerged from the World Conference on Women in Mexico City in 1975. Until 1979, when the UN General Assembly adopted the treaty, no document comprehensively addressed women's fundamental human rights within political, cultural, economic, social, and family life (FAWCO, 2017). The obligations of States under international human rights treaties have been interpreted by courts and other expert bodies as requiring States parties not only to ensure that State officials do not themselves engage in GBV against women but also that they take appropriate measures to prevent the infliction of violence by private actors, to investigate and punish such actions, and to provide protection and support for the survivors of violence (IWRAW Asia Pacific, 2016).

CEDAW does not only define discriminatory behaviour against women. It also advocates for temporal and permanent measures to modify cultural patterns of conduct towards women. The loft provisions of CEDAW on equal rights to education, social and economic opportunities, and marriage consolidate the strive for the abolition of sexual and gender-based violence against women.

A community reading of Articles 1-22 of CEDAW revealed a landmark obligation vested on a member state to ensure the speedy eradication of social and cultural practices enhancing the growth of SGBV in their domain. Meanwhile, Nigeria ratified CEDAW in 1985 and signed and ratified the Optional Protocol to the Convention in 2000 and 2004, respectively (Ijeoma, 2006). Thus, CEDAW remains a prominent legal framework in Nigeria on issues affecting women's and children's affairs.

However, despite the ratification of the CEDAW, there has been a continuous failure to domesticate the Convention, thereby limiting the efficacy of the CEDAW to women's rights protection in Nigeria. The lack of domestication and implementation of the CEDAW remains a great hindrance to its efficacy, particularly as it applies to women in the IDP camps in Northeast Nigeria. (Olatokun, Ahmad and Wahab, 2014).

c. Convention on the Rights of the Child (CRC 1989)

The Nigerian Government signed the Convention on the Right of the Child into Nigeria's legal framework by virtue of its signing and ratification on 26th June 1990 and 19th April 1991, respectively. These acts, without mincing words, demonstrate the fundamental nature of CRC to the recognition and protection of children's rights in Nigeria. The CRC paved the way for enacting the Child Rights Act in Nigeria to streamline the provision of the CRC in tune with the socio-cultural milieu of the country. Thus, the CRC envisaged Human rights protections against sexual violence against persons under 18 years old. The Convention on the Rights of the Child (CRC), which states that children must be protected from "all forms of physical or mental violence," ensures that victims of such acts receive legal and psychosocial redress.

There is no gainsaying that female children especially are victims of sexual and gender-based violence globally (UNICEF, 2021). This and many other forms of abuse prompted the introduction of CRC to protect the child's interest from the myriad social hazards in humanitarian conditions. Notably, Article 16 of the CRC protects the child from arbitrary or unlawful interference with his or her privacy, family, home, or correspondence, as well as an unlawful attack on his or her honour and reputation. Similarly, Article 37(a) of CRC explicitly prohibits the inhuman or degrading treatment of any child. Undoubtedly, sexual and gender-based violence is an act of torture, inhumanity, and discrimination that violates the provisions of the Convention on the Rights of the child. Remarkably, Article 39 of the CRC provides adequate measures to promote physical and psychological recovery and social integration of a child victim of abuse. This underscores the provision of remedial measures against sexual and gender-based violence against children.

Despite the Ratification of the CRC in Nigeria, there were limitations to its applicability due to various objections to its domestication because it contradicts customary and Sharia laws in certain states of the Federation. Owing to the above, it could not be passed under Section 12 of the 1999 Constitution. Subsequently, the National Assembly used Section 299 of the 1999 Constitution to domesticate the CRC in 2005 as the Child Rights Act (Ogunniran, 2021).

d. Declaration on the Elimination of Violence against Women (1993)

The United Nations Declaration on the Elimination of violence against women in 1993 further accentuated the pervasion of violence against women around the globe. Article 1 of the declaration explicitly defined violence against women as 'any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.' Impressively, Article 2 of the declaration further expatiated the violence against women to include physical, sexual, and psychological violence in the family, community, and state.

Article 3 of the Treaty protects women against all forms of social, economic, cultural, and political violence by recognizing their right to life, equality, liberty, non-discrimination, and dignity of the human person. Meanwhile, Article four enjoined all member states to condemn violence against women under all circumstances. Interestingly, Article 5 of this treaty advocated for synergy between international and regional organisations to foster a collaborative approach to ending GBV against women worldwide.

e. International Covenant on Economic, Social and Cultural Rights (1976) and Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1987)

Although the Covenant on Economic, Social and Cultural Rights has neither been signed nor ratified by the Nigeria government, the Convention Against Torture and Other Cruel inhuman or Degrading Treatment or Punishment has, however, been signed and ratified on 28th July 1988 and 28th July 2001 respectively. Hence, the Nigerian Government is obligated to put in place measures for the smooth operation of the Convention in Nigeria. Sequel to the ratification of this Convention against torture, sexual manipulation, and all forms of inhumane treatment in whatever disguise are abolished.

Meanwhile, the provision of Article 3 of the Covenant (ICESC), which enjoins state parties to ensure equal rights for men and women to enjoy social, economic, and cultural rights, is only persuasive in Nigeria due to its non ratification since its accession. Similarly, Article 6 of the Covenant also advocated for equal economic opportunity for all, irrespective of gender differences. This Covenant aims to ensure an egalitarian society free from rancour, acrimony, disharmony, discrimination, and insecurity. The non-ratification, however, hinders this excellent objective in Nigeria.

On the other hand, the International Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment described in Article 1 the term "torture" to mean:

Any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or third person information or a confession, punishing him for an act he or a third person has committed, or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.

By extension, sexual and gender-based violence falls within the meaning of torture, considering its physio-psychological effects on survivors.

In the same vein, Article 13 of the Convention enjoins states to make adequate arrangements to allow victims of torture to complain without intimidation. Article 16 of the Treaty further provides for the prevention of an act of intimidation, cruel and degrading treatment that does not amount to torture to include acts. Thus, sexual and gender-based violence that does not amount to torture is accommodated under Article 16 of the Convention. A cursory assessment of the gap between the signing and ratification of the international Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment presupposed the biased disposition laced with the patriarchal orientation of the Government towards SGBV.

Unfortunately, despite the ratification of this Convention in Nigeria and despite Section 34(1) (a) of the 1999 Constitution, which prohibits being subjected to torture, inhuman or degrading treatment, the menace remains in the form of SGBV primarily since the Constitution failed to stipulate punishment or remedies for breach of the said provision. Also, the effectiveness of the Convention is still a considerable challenge as, to date, it has yet to be domesticated into a National Law in Nigeria. A treaty must be domesticated as a national Law in Nigeria before it can have the force of Law. This, in turn, limits its applicability and consequently proves to be ineffective in tackling SGBV in Nigeria (Babatunde, 2017).

f. African Charter on Human and People's Rights

The African Charter is the first regional mechanism to incorporate the different human rights classes in a single document (Manisuli, 2012). The African Charter on Human and Peoples' Rights establishes a system or framework for promoting and protecting human rights in Africa within the framework of the Organization of African Unity (now AU). Under the domestication and ratification of the African Charter on Human and Peoples' Rights in Nigeria (Ratification Act, 1983), the Charter's provisions remained effective and binding on all individuals in the country. Thus, all harmful social habits such as SGBV that are inconsistence or at variance with the Charter are null and void.

The African Charter on Human and Peoples Rights remained a principal regional instrument on human rights. Under Article 1, all member states must recognize the rights, duties, and freedom enshrined in the Charter. Specifically, Articles 3, 4, and 5 of the Charter emphasized respect for life, equality, and dignity of persons. These provisions portrayed the non-acceptability and inconsistency of SGBV in African societies. Thus, harmful social norms which relegate women and girls to the background irrespective of their widespread shall be abolished in consonance with the spirit and letter of the African Charter.

Conspicuously, Article 13 of the Charter advocated for equal opportunity to participate in Government freely. This provision seeks to abolish the infamous belief that women are unsuitable for political offices. Instead, they should remain indoors managing the domestic chores. Similarly, Article 17 of the Charter guarantees every individual right to education irrespective of gender or sex. Most explicit on SGBV is the provision of Article 18 (3) of the Charter, which enjoined member states to "ensure the elimination of discrimination against women and also ensure the protection of the rights of the woman and the child as stipulated in international declarations and conventions" (emphasis added).

In corroboration of the foregoing is the provision of Article 19 of the Charter, which strengthened equality in every form regardless of gender, race, religion, and status. Thus, domination, violence, subjugation, and intimidation driven by gender bias contravene the provision of the Charter.

The African Charter on human and people's rights and the Protocol have been domesticated into Law in Nigeria and now have a binding force. However, the challenge to its efficacy in tackling SGBV in Nigeria is the need for adequate implementation and enforcement fueled by negligence, the dominance of patriarchy in the society, and the associated limiting customs and beliefs.

g. Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol 2003)

Although member countries' ratification of the Protocol hindered its immediate effectiveness, it came into force barely two years after its enactment (OECD, 2010). This Protocol could be regarded as an appendix document to Banjul. It reaffirms the principle of promoting gender equality as enshrined in the Constitutive Act of the African Union and the New Partnership for Africa's Development, relevant Declarations, Resolutions, and Decisions, which underline the commitment of the African States to ensure the full participation of African women as equal partners in Africa's development (OECD, 2010). Interestingly, the Nigerian Government has ratified the Protocol, like other African countries (Alliance for Africa, 2018). The Nigerian Government ratified the Protocol on 16th December 2004 by the Nigerian Government in full realization of the objectives of the Union towards protecting women's rights (African Child Policy Forum, 2019).

Importantly, Article 1 of the Protocol defined critical components of SGBV against women, such as discrimination, harmful practices, and violence against women. Accordingly, any distinction, exclusion, or differential treatment based on sex and whose objectives or effects compromise or destroy women's recognition, enjoyment, or exercise, regardless of their marital status, of human rights and fundamental freedoms in all spheres of life constitute discrimination. Furthermore, Articles 3 and 4 of the Protocol guarantee every human person's right to dignity, life, security, and integrity. Impliedly, all forms of sexual and gender-based violence which threaten the life, dignity, and security of women or girls contravene this Protocol.

The provision of Article 5 of the Protocol explicitly enjoined member states to eliminate all forms of harmful practices, which are defined in Article 1 as "all behavior, attitudes or practices which negatively affect the fundamental rights of women and girls, such as their right to life, health, dignity, education, and physical integrity." This provision underscores this Protocol's relevance as a viable legal framework for SGBV against women in the African continent. Other relevant provisions in the Protocol are Articles 6, 10, 13, and 19, which guaranteed women's right to equal status in marriage, right to peace, economic and social welfare, and right to sustainable development.

h. The African Charter on the Rights and Welfare of the Child (1990)

The Nigerian Government ratified this Charter on 23rd July 2001 to signify the importance attached to the child's welfare in Nigeria. This Charter paved the way for the subsequent enactment of the Nigeria Child Rights Act in 2003 (African Child Policy Forum, 2019). By virtue of its ratification, the Charter is considered a fundamental legal framework in Nigeria. Although this Charter did not distinguish the gender of children but instead addressed the collective interest of children generally, it is essential to pinpoint some specific provisions that address SGBV. Article 21 of this Charter enjoined member states to eliminate all harmful social and cultural practices affecting a child's welfare, dignity, normal growth, and development. Undoubtedly, social and cultural practices such as a child or forced marriage, domestic violence, child trafficking, female genital mutilation, hawking, and alms begging, are inimical to the growth and development of the child.

Meanwhile, Article 18 strengthened gender equality between spouses concerning the child's maintenance. Hence, the child's best interest shall be protected regardless of the parent's marital status. Articles 19 and 20, on the other hand, vested the parents with the responsibility of ensuring the proper growth and development of the child. By virtue of ratification, this Charter remained a framework for sexual and gender-based violence. The African Children's Charter offers a platform for addressing African children's human rights concerns, including SGBV.

Again, a prevailing limitation to its efficacy in tackling SGBV in Nigeria is its lack of domestication into the National laws. This means it does not have the force of the Law and offers little or no protection to girls in IDP camps due to enforceability issues.

i. African Youth Charter (2006)

As a bonafide member of the African Union, Nigeria has since ratified the African Youth Charter on 21st April 2009 (African Child Policy Forum, 2019). Hence, it became an integral part of Nigeria's legal framework on youth-related issues regardless of gender affiliation. The Youth Charter provides a strategic framework for youth development at continental, regional, and national levels (OECD, 2010). Like the African Charter on the Rights and Welfare of the Child, this Charter addresses the rights of youth rather than the distinctive rights of young women or men. As a result, only a few formulations can be directly identified as being supportive of combating GBV. Bearing in mind that youth or a young person, according to the Charter, refers to anyone between the ages of 15 and 35, a girl or woman can conveniently fit into that age bracket to qualify as a youth. This Charter, in its Article 2, stressed the importance of non-discrimination concerning the enjoyment of rights regardless of sex, race, color, ethnicity, religion, and language of a person, thus; all form of SGBV against women and girls contravenes Article 2 of the Youth Charter.

It is interesting that the youth charter took cognizance of the pressing objective of the CEDAW and the Protocol to the African Charter on Human and Peoples' Rights in its preamble. This underscores the concern of the Youth Charter on SGBV against the youth in African countries. Also, Article 20 of the Charter enjoined member states to eliminate traditional practices that undermine women's physical dignity and emotional integrity.

Furthermore, Article 23 of the Charter conspicuously enjoined member states to enact legislation protecting girls and women from all forms of violence, such as female genital mutilation, incest, rape, sexual abuse, sexual exploitation, trafficking, prostitution, and pornography. Article 25 of the Charter further stressed the immediate need to eliminate all harmful social and cultural practices that affect the welfare and dignity of youths. Similarly, under ratification in Nigeria, the African Youth Charter is a prerequisite yardstick for addressing sexual and gender-based violence in Nigeria. While the African Youth Charter has been ratified and domesticated in Nigeria, limitations to its application are those of adequate implementation and enforceability.

Conclusively, the is incomplete, as there are other regional treaties, declarations, and conventions against SGBV in the African continent. Others include the Charter on Democracy, Elections and Governance 2007, the Solemn Declaration on Gender Equality in Africa 2004, and the Maputo Plan of Action for Sexual and Reproductive Health and Rights 2006. Although some countries have not ratified some of these instruments, Nigeria, demonstrating a commitment to women's and children's welfare, has ratified most of the African treaties on SGBV. This zeal has transformed into national legislation and policies for the cause of eliminating all forms of violence against women.

2.8.1.2 National Legal Framework on Sexual and Gender-Based Violence

The national framework on sexual and gender-based violence in Nigeria is encapsulated in the following: the Nigerian 1999 Constitution, criminal code and penal code, and Child's Right Act (2003). Violence against Persons (Prohibition) Act (2015); and the Matrimonial Causes Act. These are reviewed below:

a. Constitution of the Federal Republic of Nigeria 1999

The Nigerian Constitution has no specific provisions that define, regulate, and sanction sexual and gender-related violence against women and girls. However, a community reading and jurisprudential review of the provisions of the Constitution revealed a fundamental mechanism enabled by the Constitution towards social justice, egalitarian society, and harmonious co-existence in the society. In other words, the Constitution guides the state's fundamental objectives, policies, national legislations, and directive principles requisite for eliminating SGBV against women in Nigeria.

The review of Chapter II of the Constitution, specifically Sections 15, 16, and 17 of the Constitution, which provides for non-discrimination, equal economic opportunities, freedom, and justice, respectively, demonstrate the unconstitutionality of any form of SGBV in disguise of social or cultural practices. Thus, SGBV contravenes Section 17(2), which prohibits all forms of human and resource exploitation. Hence, the Nigeria Constitution, though without specific provisions on SGBV, remains a motherboard in the interpretation, enactment, and implementation of other instruments on SGBV in Nigeria.

Also important to stress is that sexual and gender-based violence violates basic fundamental human rights enshrined in the Nigerian 1999 Constitution. Specifically, SGBV threatens women's and children's rights to life, liberty, the dignity of the human person, freedom of movement, and the right to private and family life. The purpose of fundamental rights is to abolish harmful cultural and social practices inimical to people's growth, development, and well-being irrespective of their sex, social status, and religious background. The Constitution establishes the courts which adjudicate sexual and gender-based related offenses. It also vested the Legislature with the power to make legislation on SGBV. All these demonstrate the pivotal roles played by the Constitution in the Elimination of SGBV in Nigeria.

Specifically, notable provisions of the Nigerian Constitution, which directly and indirectly frowns at SGBV, include Section 33, which guarantees the right to life and outlaws any threat to same. Section 34 guarantees the right to dignity of human persons, Section 37 provides for the right to private and family life; Section 42 acknowledges the right to freedom from discrimination, etc. the hallmark of the provisions mentioned above underscores the right of females within and outside the IDP camps to freely express themselves verbally or physically without fear of unholy threats or intimidation to their body or mind.

It may be argued that no specific provision of the Constitution condemns sexual and gender-based violence in Nigeria. It suffices to respond that Constitution is the fundamental source wherein other legislations derive validity. Implicitly, a community interpretation of the Sections mentioned earlier in Chapter II suggests that the grundnorm outlaws all life-threatening and dehumanizing activities. Sexual and gender-based violence threatens the victims' lives and undermines the reputation and dignity of human persons. The Constitution establishes the legislative arms and vested them with the power to make specific Laws against SGBV. The Constitution also established the court or judiciary and vested it with the power to interpret the laws in furtherance of its objectives. The Constitution also established the executive arm of Government and vested it with the power to execute and implement the laws as interpreted by the judicial arm of Government.

Despite the provisions of the 1999 Constitution on fundamental human rights, which protects all women and children from all forms of discrimination, the abuse of such rights persists. This is due largely to noncompliance with the existing Laws and the deficient enforcement tactics which have aided the continuous abuse of women's and children's rights in Nigeria (Keokpan, Aguna, and Nwini, 2021).

b. Criminal Code and Penal Code Law

The criminal code and penal code are among the foremost legislations on sexual violence in Nigeria. The two codes extensively address sexual offences like rape, assault, indecent assault, and violence. Although the penal and criminal codes have been criticized based on discrimination and inadequacy, both codes remain relevant in prosecuting sexual violence in Nigeria. Sections 282, 283, and 284 of the penal code stipulated the definition, ingredients, and sanctions, respectively. Meanwhile, Sections 238 and 240 of the penal code defined the term "cruelty" and "hurt," respectively, to include ill-treatment, neglect, and bodily pain to children or any person. Thus, any form of violence based on gender disparity or driven by harmful cultural norms conveniently fits under these Sections of the Penal code.

Similarly, the Criminal Code Act addressed sexual and gender-related violence like the Penal code under varying provisions. A cursory look at the Criminal Code Act revealed a comprehensive provision on SGBV, which include the killing of an unborn child (Section 328), assault (Section 351), rape (Section 357), and indecent assault on females (Section 360). Although the Criminal Code and Penal Code provide punishments for assault, they still have discriminatory provisions, thereby giving the perpetrator the window to escape punishment. For instance, Section 55 (10 (d)19 of the Penal Code gives a husband the right to chastise an 'erring' wife, thereby giving room for wife battering, while the Criminal code considers assault on a woman to be a misdemeanor while that on a man is a felony. These discrepancies led to the VAPP Act, enacted to end all forms of SGBV in Nigeria.

The Limitation of the Criminal Code Act, as well as the Penal Code, can be seen in its applicability. The Criminal Code's applicability is limited to the southern part of Nigeria, while that of the Penal Code is limited to the Northern part of Nigeria. As such, a victim of SGBV in the southern part of Nigeria cannot rely on the penal code for protection, and vice-versa for the victim of SGBV in the northern part of Nigeria who cannot rely on the Criminal code to seek redress. Also, both the Criminal and Penal code did not take cognizance of a crisis such as women and children living in IDP camps. The steps which ought to be taken to seek redress would be impossible for them to access. Threats of insecurity and stigmatization of victims are also challenging to effectively protecting women under these Laws.

c. Violence against Persons (Prohibition) Act (2015)

The Violence against Persons (Prohibition) Act (VAPP) was passed into Law in May 2015 due to agitations, especially by women, for eliminating violence. It is, however, an improvement on the Penal and Criminal Codes concerning violence, compensation to victims, and protection of their rights (Law pavilion, 2016). The Act seeks to eliminate violence in private and public life, to prohibit all forms of violence against persons, and to provide maximum protection and effective remedies for victims and punishment of offenders and other related matters.

The VAPP Act was first introduced in the National Assembly in May 2002 and was initially drafted by members of the Legislative Advocacy Coalition on Violence against Women (Ukhuegbe, 2015, 304). The bill was not passed into Law and was renamed with its current gender-neutral title to assuage the virulent criticisms of many influential Nigerians and members of the National Assembly. One of the reasons for the change in the nomenclature was that men also suffer from domestic violence, and thus the title of the bill should be gender-neutral (Oviawe, 2016). The bill was re-introduced or sponsored into the National Assembly in 2013 and passed into Law in May 2015 (Ekhator, 2019).

VAPP Act provides a comprehensive and dynamic approach to sexual and gender-based violence. The Act specifically addressed SGBV issues such as female genital mutilation (Section 6), emotional, verbal, and psychological abuse (Section 14), harmful widowhood practices (Section 15), intimidation (18), spousal battery (19), harmful traditional practices (20), incest (25) and rape (Section 1). Interestingly, most of the offenses prohibited in this Act were not considered in the previous Acts. Thus, the VAPP Act eventually ended the speculation and controversy around SGBV in Nigeria.

Apart from the milestone achievement in terms of improved sanctions for SGBV, significant protection and remedial mechanism were reckoned with to reintegrate, reform, and rehabilitate survivors of SGBV (VAPP Act Preamble). Also, Section 28 of the VAPP Act provides for an Application for Protection Order with the aim of protecting minor, mentally retarded, and unconscious persons from SGBV. The interpretation Section of the VAPP Act remains another significant provision that defines violence and other key terms to provide a comprehensive guide on SGBV in Nigeria (Section 46). Remarkably, Section 44 of the VAPP Act remained the only legislation in Nigeria that established a Regulatory body (NAPTIP, i.e., National Agency for the Prohibition of Trafficking in Persons) for the monitoring, regulations, and prevention of violence against persons in Nigeria.

However, despite the comprehensive and distinct provision against domestic violence and SGBV in Nigeria, a major drawback is that only the High Court of the Federal Capital Territory, Abuja, is conferred with the authority to issue protection orders under the Act, however, where respective states have domesticated the Law, their courts can determine issues of jurisdiction over protection orders (Ekhator, 2019). This means victims of SGBV have to travel to Abuja to seek redress. This greatly limits access to justice, particularly for women and children in IDP camps who cannot move freely.

It is also noteworthy that the Law does not make it mandatory for states to domesticate the Act. Only a few states, such as Lagos, Ogun, Ekiti, Anambra, Ebonyi, Kaduna, and Oyo States, have domesticated the Act. Ironically, most of the Northeastern states who are plagued with insecurity and SGBV arising from the crisis in IDP camps are yet to domesticate the Act leaving a huge vacuum in its applicability and efficacy in protecting women and children from sexual gender-based violence in those states. Notwithstanding the superficial delay in the domestication of the VAPP Act by most northeastern states, particularly the BAY states, it is exciting to note that all the BAY states have successfully domesticated the Act (Partners West Africa Nigeria, 2022). Unlike Adamawa state, which domesticated the VAPP Act in 2021, Borno and Yobe domesticated theirs very recently in 2022. This giant stride raises a glimpse of hope in the approach and attitude towards SGBV in the BAY states, provided this laudable step is complemented with an unapologetic approach to the implementation of the letters of the VAPP law.

d. Child's Right Act 2003

The Childs Right Act is a significant legal framework for sexual and gender-based violence in Nigeria. SGBV is a discriminatory act that violates Section 10 of the CRA, which provides freedom from discrimination against the child. In the same vein, Section 11 of the CRA also entrenched the child's dignity while criminalizing all acts that threaten the child's dignity. Significantly, Section 21 and Section 22 of the CRA prohibit child marriage and child betrothal, respectively. Meanwhile, Section 23 of the CRA enumerated the punishment for child marriage and child betrothal. This exemplifies the objectives of the CRA against SGBV against the child. The criminalization of child marriage and child betrothal is premised on the fact that it infringes on the child's best interest, which the CRA seeks to advance.

Furthermore, Sections 28 and 30 of the CRA prohibit exploitative child labor. Thus, acts such as street hawking, house help, and alms begging, which constitute harmful social practices in some parts of the country, contravene the CRA with attendant sanctions for violators. In the same vein, Section 31 and 32 of the CRA outlaws unlawful sexual intercourse, sexual abuse, and child exploitation under all circumstances. Remarkably, the Act prohibits adopted parents from marrying adopted children (S. 147). This provision will clog the wheel of sexual abuse and manipulation of adopted children in the disguise of marriage.

Succinctly, the Child Rights Act amalgamates all the rights and responsibilities of children into a single law; and specifies the duties and obligations of the Government, parents, and other authorities, organizations, and bodies. The Child Rights Act protects the girl child until the age of 18. The provisions prohibit the use of corporal punishment for children below the age of 18 years (Izzi & Umunna, 2020). Thus, the CRA prohibits all forms of violence against a child. Aside from the challenge of non-domestication of the CRA by all states of the Federation, the Act remains a legal framework for sexual and gender-based violence against children in Nigeria (UNICEF, 2019).

Conclusively, the National Assembly again made it optional for 36 states other than the Federal Capital Territory to adopt the CRA as their state laws. Consequently, while about 24 states have domesticated the CRA as a state Law, the North Eastern States of Adamawa, Borno, and Yobe are worst hit by insurgency leading to SGBV in IDP camps, have sadly yet to adopt the CRA (Ogunniran, 2021). This is due to barbaric customs and norms in the region, such as child marriage. Failure of these states to adopt the CRA places a huge limitation on its applicability in those states and negatively impacts the protection of women and children from SGBV.

e. Matrimonial Causes Act

Dissolution of marriage requires a compelling justification, as courts and the Law frown at all forms of separation in marriage. However, sexual and gender-based violence has been a veritable reason for the dissolution of marriage over the years. This portrays SGBV as a grave phenomenon that attracts serious and spontaneous concern from relevant stakeholders. Under Section 15 (2) (c) of the Matrimonial Causes Act, divorce could be granted to a man or woman if he/she proves unreasonable behavior on the part of his wife/her husband. Unreasonable chastisement falls under this category. Again, by Section 16 (1)(e) of the Matrimonial Causes Act, one is entitled to petition for divorce if his wife /her husband has been convicted of inflicting 'grievous harm or grievous hurt' or attempting to inflict 'grievous harm or hurt or to kill him/her. Acts of domestic violence are always unreasonable and cause grievous bodily harm to warrant seeking redress under the Matrimonial Causes Act.

It is quintessential to note that though the dissolution of marriage seems herculean to actualize, it becomes easier once the element of SGBV constitutes one of the grounds for the application. In other words, the gravity of SGBV informed its adoption as a basis or ground for marriage dissolution under the Matrimonial Causes Act. Invariably, the Matrimonial Causes Act indirectly frowns at SGBV, thus, making it a ground for the dissolution of marriage. Couples must refrain from SGBV to protect their marriage from an untimely end.

A limitation of this Act in tackling SGBV in IDP camps is its failure to take into cognizance victims in a crisis, such as those in the IDP camps where there is poor access to justice. In addition, a delayed court hearing is also a limitation to getting justice.

**B. LEGAL FRAMEWORK ON INTERNAL DISPLACEMENT IN NIGERIA**

Internal displacement being a novel phenomenon, there is a paucity of legislation on the regulation, management, and coordination of the internal displacement crisis in Nigeria. Besides the Boko Haram crisis threatening the corporate existence of Nigeria, the internal displacement crisis has engendered severe socio-economic instability and environmental degradation for IDPs and the host communities. Notwithstanding the novelty of internal displacement crises in Nigeria, significant efforts have been made to meet the dire need for regulations. Thus, international and regional guiding principles and conventions were ratified to guide relevant stakeholders in managing internally displaced person camps. In addition, national policy has been designed as a legal framework for the IDP crisis and to portray the goals and obligation of the Government and non-governmental agencies, respectively, towards ensuring the prevention, safety, and reintegration of IDPs in Nigeria. Meanwhile, some extant legislations and institutions of Government whose line of duties covers emergency and human rights crises have also been drafted into the response mechanism.

Instruments on the protection and prevention of Internal Displacement in Nigeria include the United Nations Guiding Principles on Internal Displacement, African Union Convention for Protection and Assistance for the Internally Displaced Persons (Kampala Convention), Trafficking in Persons (Prohibition) Enforcement and Prohibition Act (2015), National Human Rights Act (1995), National Policy on Internal Displacement, Standard Operating Procedures for Prevention of and Response to Gender-Based Violence which contained specific provisions on internally displaced persons. It is essential to note that the Nigeria Constitution remained a motherboard for other instruments on SGBV on the one hand and internally displaced persons on the other. These legal frameworks and institutions are examined below in no particular order.

2.9.1 United Nations Guiding Principles on Internal Displacement 1998

The United Nations Guiding Principles on Internal Displacement came into being as a result of the rising number of internal displacement crises that greeted the 1990s. The UN refugee agency, by 1995, estimated 4.2 million people were internally displaced worldwide. This emerging crisis prompted the then representative of the Secretary-General on Internally Displaced Persons, Francis Deng, to prioritize formulating the legal framework for the prevention and restoration of IDPs globally.

The Guiding Principles presented by Mr. Deng to the UN Commission on Human Rights in 1998 remained a foremost legal framework for all stakeholders in managing, coordinating, and protecting IDPs. The Guiding Principles on Internal Displacement address the specific needs of IDPs worldwide (OCHA, 2004). This landmark document "identifies 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." (UNICEF, 1998).

The Guiding Principles are divided into five Sections that establish, sequentially:

• General principles

• Principles relating to protection from displacement

• Principles relating to protection during displacement

• Principles relating to humanitarian assistance

• Principles relating to return, resettlement, and reintegration

A highlight of the five cardinal Sections of the guide is as follows;

General Principles: assert that national governments and other authorities must ensure that displaced persons enjoy the same rights as other citizens of the same country.

Principles Relating to Protection from Displacement: particularly urge protection from arbitrary displacement and violent treatment.

Principles Relating to Protection during Displacement: emphasized that universal rights (e.g., to family life, livelihood, and free association) apply equally to the displaced.

Principles Relating to Humanitarian Assistance: provides an overview of national governments' responsibilities in collaboration with humanitarian agencies and statutory protection bodies.

Principles Relating to Return, Resettlement, and Reintegration provides an overview of the rights of IDPs to return voluntarily and safely, not be discriminated against, and be helped to recover or be compensated for property left behind.

Hence, the judiciary could advance clarification on what protection and assistance entail in the various circumstances of internal displacement by referring to the UN Guiding Principles on Internal Displacement. The Guiding Principles envisaged equal treatment in rights and freedom for internally displaced persons while vesting the national authorities with the responsibility of ensuring their safety and providing them with humanitarian assistance. Meanwhile, a Section of the Guiding Principles addressed protection from displacement. Thus, the Government must always explore alternative measures to prevent or mitigate the impacts of displacement in dire circumstances while taking cognisance of the rights to life, dignity, liberty, and security of those affected.

Furthermore, Section 3 of the Guiding principles comprises measures during displacement. The hallmark of the principles in this Section is to provide a roadmap for managing internally displaced persons during displacement towards ensuring maximum protection from consequential or impeding risks associated with displacement. Thus, Government must ensure the steady and constant provision of humanitarian support to improve the life and dignity of IDPs on the one hand. At the same time, preventive measures must be put in place to prevent arbitrary infringement of their fundamental human rights on the other hand.

The fourth Section addressed the operational Protocol for the disbursement of humanitarian materials in a way that will extinguish discrimination based on sex, ethnicity, religion, and political affiliations. The fifth Section, however, focused on the principles relating to the return, resettlement, and reintegration of internally displaced persons.

The Guiding Principles, despite being ratified by the Nigerian Government, are not of binding authority, despite enjoying widespread support. This, in turn, limits its efficacy in curbing the menace of SGBV in IDP camps in Nigeria (Alobo and Obaji, 2016).

2.9.2 The African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention)

The Kampala Convention equally offers the IDPs the normative platform to assert a legitimate claim to their protection and assistance, which national courts can enforce in instances of non-performance by relevant institutions with the perception that the IDPs themselves can assert a claim to protection (Adeola, 2016). The core foundation of the Convention is that States bear the primary duty and responsibility for providing IDPs with protection and adequate assistance during internal displacement (Ugwu, 2021).

The Kampala Convention is a regional instrument that guides African nations in preventing, managing, and eliminating internal displacement crises threatening the continent. To realize its objectives, the Kampala Convention vested member states with the responsibilities or obligations of ensuring the safety and security of the rights of IDPs in the region. In an attempt to nip internal displacement in the bud, Nigeria ratified and deposited the Kampala Convention in 2012 with the African Union Commission (IDMC, 2020) but has yet to domesticate it (Ugwu, 2021). A cursory examination of Article 2 of the Kampala Convention revealed five distinct objectives: establishing a legal framework for preventing internal displacement and protecting and assisting internally displaced persons in Africa. This buttressed the Kampala Convention's quintessential role in eliminating Nigeria's Internal Displacement crisis.

The Kampala Convention, which comprises 23 Articles, bestowed obligations on the state parties and international organizations to ensure the protection and assistance of IDPs following international humanitarian laws (Articles 3-6). In furtherance of the objectives of the Convention, Article 7 guides the protection and assistance of IDPs in armed conflicts and accordance with international standards and humanitarian laws. Closely related to this provision is Article 9, which also vested state parties with the obligation of protecting and assisting internally displaced persons during displacement. Interestingly, Article 12 of the Kampala Convention provides for the compensation and reparation of IDPs in the appropriate circumstance. These provisions no doubt will fast-track the reintegration and rehabilitation process of the IDPs. The major setback of this Convention has, however, been the lack of domestication by the Nigerian Government of the Convention into a National Law to foster its applicability to guarantee maximum protection against SGBV for women and children in IDP camps (Alobo and Obaji, 2016).

2.9.3 National Policy on Internally Displaced Persons in Nigeria 2012

The National Policy on Internally Displaced Persons (IDPs) was formulated to improve and expand the existing policy to prevent and accommodate the needs of IDPs. Nigeria adopted the National Policy on IDPs in 2012 as a manifestation of particular concern for the IDPs, which is geared toward responding to their human right’s needs. Nonetheless, the policy has only remained a policy and not a statute (Jimoh, 2017). By a Presidential fiat, the statutory mandates of the National Commission for Refugees established in 1989 were extended in 2002 to cover migrants and in 2009 to embrace IDP protection and assistance. With these extensions, the hitherto National Commission for Refugees became National Commission for Refugees, Migrants and Internally Displaced Persons (NCFRMI) (Ezeanokwasa, Kalu and Okaphor, 2018)

The policy provides a framework for national responsibility toward preventing and protecting citizens and non-citizens from arbitrary and other forms of internal displacement, providing for their needs, and fostering their rehabilitation, reintegration, and resettlement after displacement. Hence, the NPIDP drew inspiration from the international and regional framework (UN Guiding Principles and Kampala Convention) on internal displacement (National Policy, 2012). NPIDP adopted five cardinal principles, a compass in pursuing its vision and mission.

Amongst the cardinal principles of NPIDP, SGBV can conveniently be addressed under the auspices of the principle of gender equality. Thus, this policy upholds the primacy of gender equality and the equal protection of women's and men's human rights in carrying out humanitarian and peace-building activities, paying special attention to the violation of women's rights and the provision of appropriate remedies (NPIDP, 2012). This principle of gender equality presupposes eliminating all forms of discrimination and social inequalities imbued in the peoples' patriarchal way of life.

Meanwhile, the humanitarian principles of the National Policy on IDPs emphasized the need for impartial treatment. Principles of impartiality and non-discrimination direct humanitarian relief to be disbursed without attention to religion, belief, gender, social class, or political persuasion. Similarly, the humanitarian principle of protection from harm and abuse specifically addressed sexual and gender-based violence. This principle is also concerned with protection from violence, force, or inducement to act against one's will, e.g., to take up arms, to be forcibly removed from a place or to be prevented from moving, or to be subjected to degrading treatment or punishment. It is also concerned with preventing or mitigating physical and psychological harm, including sexual abuse or exploitation, spreading fear, and deliberately creating terror or panic.

Although the NPIDP vested government and non-governmental organisations with obligations and responsibilities, the document painstakingly enumerated the rights of every category of IDPs. Thus, the rights of children, women, persons with disabilities, HIV patience, and an elderly person were stipulated. In addition, broad strategies were introduced to enable the implementation of the policy.

2.9.4 The National Commission for Refugees (Establishment etc.) Act

The National Commission for Refugees, Migrant and Internally Displaced persons (NCFRMI) was originally established as National Commission for Refugees by Decree 52 of 1989, now Cap. 21, Laws of the Federation, 2004. This fulfilled the Federation Government's obligation under Resolution 319 (IV) of the General Assembly of the United Nations and Article 35 of the United Nations 1951 Convention (Onu, 2021). Prior to the formulation of the National Policy on IDP, National Commission for Refugees (Establishment, etc.) The Act has been the compass for managing, coordinating, and protecting refugees, IDPs, and asylum seekers in Nigeria. Although the Act was enacted to address the growing movement of refugees across neighbouring sub-Saharan African countries into Nigeria due to socio-political and economic instability, its scope was unconsciously extended to address the displacement crisis within Nigeria without any specific legislation or policy. In fact, specific reference to IDPs as a special category of displaced persons was only made in 1992. Previously, IDPs were lumped together with refugees (UNHCR, 2002) and protected by specific international treaties. This left IDPs without effective international or national protection, where their home state was unwilling or unable to protect them (Odhiambo-Abuya, 2003).

The relevance of the National Commission for Refugees Act as a veritable legal framework for internal displacement cannot be overestimated because no specific legislation has yet been enacted to govern the affairs, rights, and obligations of internal displacement in Nigeria. The National Commission for Refugees (NCFR) as it then was only responsible for managing the affairs of refugees. However, in 2002, President Olusegun Obasanjo enlarged its scope and obligations to include Migrants and IDPs, which marked the beginning of expanding the Commission's responsibilities (Onu, 2021).

An x-ray of the Act revealed that no specific reference was made to IDPs in Nigeria. However, the Act has practically filled the loopholes created by the legislators. The Commission, as part of its activities to protect and promote the human rights of IDPs, refugees, and migrants, partners with both national and international agencies and civil society Organizations. These agencies include UNHCR, NCFRMI, IOM, Immigration Services, etc. (NHRC). The Commission is also partnering with the UNHCR to implement an IDP protection monitoring Project in Adamawa, Borno, and Yobe states. The project, which commenced in 2015, started with nine states of the Northeast, North-central Nigeria, and the Federal Capital Territory (NHRC).

2.9.5 National Human Rights Commission Act

Human rights commissions became prominent after the United Nations actively promoted the concept. In 1991 the UN Centre for Human Rights organized a consultation on 'national human rights institutions.' One of the results of this meeting was a statement of principles entitled 'Principles relating to the Status and Functioning of National Institutions for the Protection and Promotion of Human Rights' (Paris Principles). These principles were subsequently endorsed by the UN Commission on Human Rights in 1992 and by the General Assembly and Vienna World Conference in 1993 (Gomez 2002).

Similarly, the National Human Rights Commission was established in Nigeria vide the National Human Rights Commission Act in 1995 to protect human rights, dignity, and freedoms. A cursory look at the preamble of the Act underscores the mission of the Commission to facilitate Nigeria's implementation of its various treaty obligations, including, but not limited to, the Universal Declaration on Human Rights, the International Convention on the Elimination of all forms of Racial Discrimination, and the African Charter on Human and Peoples' Rights (NHRC Act).

Hence, IDPs, a citizen of Nigeria, are adequately protected under the Act. At the same time, the Commission, on the other hand, bears the responsibility of protecting their human rights irrespective of their socio-political and ethno-religious background.

Meanwhile, Sections 5 and 6 of the Act established the functions and powers of the Commission to include protecting human rights, monitoring and investigating human rights violations, and assisting survivors of human rights violations. Thus, prosecution of all forms of human rights violations in IDP camps in Nigeria falls within the scope of the National Human Rights Commission's powers. In a demonstration of its function, the Commission, with the collaboration of UNHCR and other development partners, had progressively and successfully assisted thousands of refugees, IDPs, and other categories of persons in need of social protection across the country to realise their rights (NAN, 2021).

2.9.6 National Emergency Management Agency Act

NEMA Act establishes National Emergency Management Agency and State Emergency Committee for each state in the Federation to formulate policy, coordinate and monitor all activities relating to disaster management in Nigeria (NEMA Act). The Act vested the agency with a wide function under Section 6 to rapidly respond to disaster crises in Nigeria. Internal displacement, a cluster of humanitarian disasters, has been the major challenge embattled by NEMA over the years. With the collaboration of other non-government organisations and security agencies, NEMA has been overwhelmed with the herculean task of managing the exodus of IDPs, particularly in the northeast.

NEMA as a federal government agency is like other structures of Government viz, ministries, agencies, and departments. It is responsible for handling humanitarian issues as they arise in the country. It ensures that in emergencies leading to a humanitarian crisis, including displacements of citizens, NEMA would be able to perform its assigned function to restore equilibrium and an egalitarian society. Thus, with the emergence of the internal displacement crisis in Northeast Nigeria, NEMA was expected to properly handle the ensuing humanitarian situation to ensure the sustenance of the displaced persons and their eventual rehabilitation (Nnadi et al., 2020).

Daitti (2016) also indicated that NEMA has regularly received returnees from neighboring countries who fled the country due to the insurgency and presented humanitarian relief assistance to them. The agency also encouraged corporate and individual donors to support the Northeast region by delivering humanitarian aid directly to affected states. NEMA is also a part of the Presidential Committee on Northeast Initiative (PCNI), the Victims Support Fund (VSF), and the Safe School Initiative; all initiatives of the Federal Government put together to support IDPs in the Northeast (Nandi et al., 2020).

Meanwhile, by the provision of Section 8 of the NEMA Act, the State Emergency Management Committee (hereinafter referred to as "the committee") for each state of the Federation is to liaise with the national agency in the management of the humanitarian crisis in Nigeria. The Committee, which comprises a representative of different government parastatals, collaborates with the national agency by providing clues and guidance on a strategic approach to disaster. SEMA's mission is to coordinate efficient and effective disaster prevention, preparedness, mitigation, and responses in the country.

The preceding depicts the critical role of the NEMA Act in the management of the internal displacement crisis in Nigeria and the crucial responsibilities of the Agency and State Committee. Thus, the National Emergency Management (Establishment) Act remains a veritable legal framework for internal displacement in Nigeria. Notwithstanding the efforts of the NEMA in resolving the crisis in IDP camps, there is an inadequate programme and a lack of effective delivery of these programmes, majorly due to systemic corruption (Atim & Pius, 2019).

In conclusion, this Section examined the legal framework for SGBV in Nigeria on the one hand and the legal framework for internal displacement in Nigeria on the other. The legal frameworks for SGBV comprise international, regional, and national conventions, treaties, and legislations, respectively. It was observed that some of the legal frameworks were originally targeted at eliminating sexual and gender inequalities, while others contained general provisions on human rights. Similarly, the examination of the international, regional, and national legal frameworks on internal displacement revealed that the internal displacement crisis is a global phenomenon that is gaining momentum in Nigeria, especially in the northeast. It was also observed that there is no specific legislation on internal displacement in Nigeria. Rather, National Commission for Refugees Act has been expanded to incorporate the needs of IDPs in Nigeria through an executive intervention.

The previous depicts various legal frameworks in Nigeria on SGBV and internal displacement in Nigeria. While the national or local legislations are of direct impact, the international and regional conventions though ratified, are not effective unless domesticated. Thus, only the national legislations and the few international and regional conventions that have been domesticated technically constitute the mainstream legal framework for SGBV and internal displacement in Nigeria. Unfortunately, the surplus of Nigeria's legal framework on internal displacement has not transformed into an expected result due to poor implementation culture.