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CHALLENGES MITIGATING THE PROTECTION OF CHILDREN'S RIGHTS AS CONTAINED IN THE UN CONVENTION IN INTERNAL DISPLACED PERSON CAMPS IN THE FEDERAL CAPITAL TERRITORY

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Abstract

Nigeria is duty bound to protect the rights of its citizens, particular the children. This is because children, who are considered as minors are highly susceptible to harsh environmental conditions. From northeast Nigeria to the Federal Capital Territory (FCT), many unaccounted children have been displaced from their homes along with their parents and guardians, most of whom are even dead. This situation is worrisome. In reaction to the above, this study examines the challenges mitigating the protection of children's rights as contained in the United Nations (UN) Convention in Internally Displaced Persons (IDPs) Camps in the FCT. Social inclusion theory was employed as theoretical framework. With the aid of both primary and secondary methods of data collection, especially from questionnaire and interviews together with elicited information from library and official (government) sources, books, journals, internet materials, findings reveal that there are some challenges posed which affects the effective protection of children's rights in IDP Camps in the FCT as contained in the UN Convention. These are poor statistical data of children in IDP Camps, Non-implementation of the UN convention, negligence, political interference and unofficial IDP camps in the FCT are some of the challenges hindering child's rights protection. Therefore, it was recommended that the issue of internally displaced persons should be included at the local government level. By this, the government should establish offices for internally displaced persons at the local government level with representatives of internally displaced persons occupying positions in these offices. The local government is the third tier of government which is the closest arm of the government to the people. This way, the government will find it very easy to access the displaced persons and cater for their rights as prescribed in the United Nation Charter of Human Rights (UNCHR).

Keywords: Challenges, Protection, Children's Rights, UN Convention, Internal Displaced Person, Camps and Federal Capital Territory.

Introduction

The United Nations General Assembly in 1998 adopted a set of Guiding Principles as a tool for the prevention and management of internal displacement by nations all over the world and as a guide to all governmental and non-governmental humanitarian actors working with Internally Displaced Persons. These guiding principles were endorsed by all West African Nations at the First Conference of West African States on Internal Displacement which took place in Abuja from the 26th to the 28th of April 2006. The UN guiding principles on displacement set the foundation for the African Union Convention for Assistance

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and Protection of Internally Displaced Persons, which was adopted at the African Union Summit on Refugees, Returnees and Internally Displaced Persons in Kampala, Uganda, October 2009 (Tanimu, 2013).

As a signatory to these conventions, one would assume that the rights of the child, especially the IDP children would have been the topmost priority of the Federal Government of Nigeria. On the contrarily, Beland (2021) states that in 2021, that there are over 15 thousand (15,000) Internally Displaced Persons scattered in various IDP camps in the FCT, Abuja, majority of whom are children, whom Nigeria swore to protect. The author's revelation indicates that the rights of the children in IDP camps are not protected even though Nigeria swore to protect children's rights when the signed the UN and AU conventions documents on child rights and protections. Considering the child rights interests contained in various United Nation's conventions and other regional conventions on child rights protection, one would assume that Nigeria, as the most populous nation in Africa, would lead by example in ensuring that children, especially those in IDP Camps do not suffer any form of further abuse.

There are many IDP Camps in the FCT. This proliferation implies that the federal government of Nigeria is still adamant to the human rights abuses, people including children suffer. Beland (2021) states that, there are both official and unofficial IDP camps in the FCT and these camps have young children who ought to be in school. Some of the children, according to Beland (2021), are subjected to further sexual abuses, gender-based violence, street hawking, alms begging, house helps, early marriage, and other forms of child rights abuses. The Nigerian government was swift to set up IDP Camps in the FCT in 2014 in response to increasing migration of citizens from northeast; some of which include the Durumi IDP settlement (Abuja Municipal Area Council), the New Kuchingoro IDP settlement (AMAC), the Pegi IDP settlement (Kuje Area Council) amongst others. At first, there were provisions made to alleviate sufferings faced by the IDPs. This included receiving donations from NGO's, faith-based organisations, and empowering the National Emergency Management Agency (NEMA) to facilitate the relieves IDPs sort for. The federal government through NEMA positioned food items in warehouses for easy distribution. Also, the government came up with Safe Schools Initiative (SSI) and the Victims Support Fund (VSF) amongst others.

Nigeria is duty bound to protect the rights of its citizens, particular the children. This is because children, who are considered as minors are highly susceptible to harsh environmental conditions. From northeast Nigeria to the FCT, many unaccounted children have been displaced from their homes along with their parents and guardians, most of whom are even dead. This situation is worrisome. What is even more worrisome is the fact that Nigeria is a signatory to the United Nations Convention on the rights of the child, which was drafted and signed in 1989/90. The Nigerian government also signed the African Union Convention on the protection and assistance to internally displaced persons and the rights of the internally displaced persons. Despite Nigeria taking regional roles during these conventions, unimaginable numbers of out-of-school children still suffer various human rights abuses.

According to the United Nations Educational, Scientific and Cultural Organisation (UNESCO), in October 2022, about 20 million children were still out of school in Nigeria (UNESCO, 2022). Children who are out of school obviously have been denied their rights and are still facing child rights abuses. And this may portend danger to the society because uneducated children, abused children, often end up in groups of gangsterism, cultism, banditry, Boko Haram, armed robbery gangs, unknown gunmen amongst others, which could fuel more insecurity and human rights abuses in the nearest future. Therefore, this study sampled children and adults in IDP Camps in the FCT, to know the rights of the children as enshrined in the UN Convention and the challenges mitigating the protection of children's rights as contained in the UN Convention in IDP Camps in the FCT.

Research Questions

This study is guided by the following questions:

i. What are the rights of children, as enshrined in the United Nations Convention?
ii. What are the challenges mitigating the protection of children's rights as contained in the UN Convention in IDP Camps in the FCT?

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Conceptual Framework

Concept of Child

Whilst the 1999 Constitution of the Federal Republic of Nigeria does not contain a definition of who a child is, the Labour Act defines the child as "a young person under the age of 12years;" and the Children and Young Person's Act gives a different definition of a child being a person "under the age of 14years". By the provisions of the African Charter on the Rights and Welfare of the child; "a child is a human being below 18years and the UN Convention on the rights of the Child defines a child to be a person below 18years except where in the law applicable to the child the age of majority is attained earlier (Iguh & Nosike, 2016:4).

Accordingly, Iguh and Nosike (2016) further affirmed that while all international human rights treaties apply to children, only the Convention explicitly elaborates who is defined as a child. Article 1 defines the child as a human being who is below the age of 18 years. Majority is set at age 18 unless, under domestic law, it is attained earlier. On the termination of childhood, an upper age had to be defined. Because childhood is a social construct, there is no shared legal definition (Alobo & Obaji, 2016).

In another definition, Akolokwu and Nwauzi (2019) defined a child as human being between the stages of birth and puberty, or between the developmental period of infancy and puberty. They also stated that the definition of child generally refers to a minor, otherwise known as a person younger than the age of majority. Children generally have fewer rights and responsibilities than adults. They are classed as unable to make serious decisions. A child may also be described in a relationship with a parent (such as sons and daughters of any age) or, metaphorically, an authority figure, or signify group membership in a clan, tribe, or religion; it can also signify being strongly affected by a specific time, place, or circumstance, as in "a child of nature" or "a child of the Sixties", as with the case of a typical Nigerian community.

Concept of Convention

The term "convention" is also used in international law to refer to certain formal statements of principles such as the Convention on the Rights of the Child. Conventions are adopted by international bodies such as the International Labour Organization and the United Nations. Conventions so adopted usually apply only to countries that ratify them, and do not automatically apply to member states of such bodies. These conventions are generally seen as having the force of international treaties for the ratifying countries (Halilu & Siliki, 2017). The best known of these are perhaps the several Geneva Conventions. Also, convention is a set of agreed, stipulated, or generally accepted standards, norms, social norms, or criteria, often taking the form of a custom. For Human Rights Council (2017), in a social context, a convention may retain the character of an "unwritten law" of custom (for example, the manner in which people greet each other, such as by shaking each other's hands). Certain types of rules or customs may become law and sometimes they may be further codified to formalize or enforce the convention (for example, laws that define on which side of the road vehicles must be driven).

At the international scene, convention has been defined by Olanrewaju (2016) as a formal meeting of members, representatives, or delegates, as of a political party, fraternal society, profession, or industry. The body of persons attending such an assembly: called the convention to order. An agreement between states, sides, or military forces, especially an international agreement dealing with a specific subject, such as the treatment of prisoners of war.

Concept of IDPs

A United Nations report, Guiding Principles on Internal Displacement uses the definition of 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 (Okon, 2018).

While the above stresses two important elements in the definition of internal displacement (coercion and the domestic/internal movement), it is important to note that, rather than a strict definition, the Guiding

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Principles offer "a descriptive identification of the category of persons whose needs are the concern of the Guiding Principles". In this way, the document "intentionally steers toward flexibility rather than legal precision" as the words "in particular" indicate that the list of reasons for displacement is not exhaustive. Moreover, a recent study by Adeleye (2022), has recommended that the IDP concept should be defined even more narrowly, to be limited to persons displaced by violence. Thus, despite the non-exhaustive reasons of internal displacement, many consider IDPs as those who would be defined as refugees if they were to cross an international border, hence, the term refugees in all but name is often applied to IDPs.

Concept of Rights

A Right is said to be an entitlement or justified claim to a certain kind of positive and (or) negative treatment from others to assistance from others or non-interference from others. Rights are legal, social, or ethical principles of freedom or entitlement; that is, rights are the fundamental normative rules about what is allowed of people or owed to people according to some Legal System, Social Convention or Ethical Theory (Portes & DeWind, 2004).

Rights are often considered fundamental to civilization, being regarded as established pillars of society and culture, and the history of social conflicts can be found in the history of each right and its development. Right, structure the form of governments, the content of laws and shape the morality as it is currently perceived. A right can also be defined as a power, privilege or immunity guaranteed under a Constitution, Statute or Case law or claimed as a result of long usage. In moral vocabulary, respect for rights is seen as a matter of justice. Rights can be asserted, demanded, or stood upon. The obligations they impose are expected to be performed and their non-performance occasion feelings of indignation, resentment, and disappointment (Chigozie, 2015).

A Right is something to which every individual in the community is morally entitled including children and IDPs, and for which that community is entitled to disregard or forcibly remove anything that stands in the way of even a single individual getting it. Rights belong to individuals, and no organisation has any rights not directly derived from those of its members as individuals; and just as an individual's rights cannot extend to where they will trespass on another individual's rights, the rights of any organisation whatever must yield to those of a single individual, whether inside or outside the organisation. Therefore, rights primarily belong to individuals (Tanimu, 2013).

Empirical Review of Related Literature

Afenyo (2019) examined the "Knowledge of Child Rights in Ghana: Implementation of Article 42 of the United Nations Convention on the Rights of the Child". Afenyo stated that the objective of the study was the identification and implementation of the rights of children in Ghana as contained in UN Convention on the child rights. The study equally found out that in Ghana, children's rights first and foremost, begin with freedom to education hence, the declaration of compulsory free basic education in Ghana. The study also found out that in Ghana, parents or guardians who do not send their children/ward to school are arrested for violating the rights of the children. It concluded that the knowledge of the rights of children in Ghana and their implementation are well articulated in several acts of parliaments and recognised by both private and public adult individuals.

Amina and Ibrahim (2019), in their study titled "The Plight of Internally Displaced Persons in Unofficial Camps in the Federal Capital Territory of Nigeria, Abuja" examined and identified the remote and immediate causes of violations of the rights of internally displaced persons (IDP's) in Abuja, and how best to remedy them. The study also examines how well the provisions of the Kampala Convention have been applied in view of the fact that Nigeria is yet to domesticate and adopt the Convention into Nigerian law.

With the aid of library and survey research, especially from interviews with practitioners, findings indicate that the main challenge is identified as the Federal Capital Territory (FCT) not owning the crisis of IDPs within their midst and not according to them their rights as full citizens of the Federal Republic of Nigeria with the right to settle anywhere within the country's territory. Resultantly, no budget provisions have been made in respect of the IDPs and therein flows the inability to provide for the meaningful care of the people at the various locations. The inability to provide adequate food, shelter, medical facilities and care all stem from this

root cause. And this shows the level of challenges militating against the achievement of the United Nations Convention on the rights of the child as enshrined by Nigeria in the "Nigeria's Child's Rights Act of 2003.
Their study concluded that the situation in the IDP locations all over Nigeria and no less applicable in the FCT is one of an impending humanitarian crisis of monumental proportions. UNICEF on a recent visit predicted that over two hundred and fifty thousand children under the age of five years would be suffering from acute malnutrition within the year if no serious intervention is undertaken to halt the current trend of malnutrition, disease, and hunger in the camps and one child in every five dying was a grave possibility. The study recommended registration of the IDPs in order to aid in identifying them and their needs.
Atata and Egolum (2020), in their study "Examination of Challenges in the Provision and Management of Facilities in Selected Internally Displaced Persons Camp in Abuja" discussed that the internally displaced persons camp has become synonymous to discomfort, suffering and pain. Despite the facilities challenges in these camps, it the major emphasis on the accommodation, security, health facilities and educational facilities, the news of several donations made by the government and other individuals contradicts the pleas and complaints made by the displaced, as it is expected that the facilities announced to be provided for them, should be able to carter for the displaced during the period of their displacement.
The data used was a primary data, collected through a structured questionnaire. The findings revealed that IDP camps in Abuja are not living up to the standard required of it by the UNHCR. The researcher's findings shows that these essential facilities were not provided before the conception of the camps, that the camps still lack major essential facilities such as health, educational and shelter, also there is a mismanagement of the makeshift structures serving as accommodation and school facilities. It was recommended among others that the government should adopt a planned technique in the establishment of IDP camps, such that camps are built in area less prone to hazards in the 36 states of the federation with all the essential facilities provided in them so the compliance of the UN Convention on the rights of the child can be appreciated.

Theoretical Framework

The study adopted social inclusion theory by O'Beilly (2005). Social inclusion is a result of the action taken positively to change the circumstances of the people, in this case the displaced persons. It is the opposite effect to the social exclusion occasioned by force displacement. The theory emphasizes on the process of improving the terms on which individuals and groups take part in society – improving the ability, ability, opportunity and dignity of those disadvantaged on the basis on their identity. The social inclusion theory supports the reintegration of the IDP into the larger society. It follows that in Nigeria, IDP are expected to be reintegrated into the society as it would allow for better management of the crisis, enhanced security and living conditions of the affected millions of the displaced.
Social inclusion contributes to the sustainability of humankind, by aiming to integrate into society people who have been habitually omitted from the opportunities and resources of a healthy world. Encountering enormous global and local problems such as poverty, segregation, inequality, and conflict, social inclusion could be our utmost opportunity for connecting as a society and safeguarding the well-being of the whole. There are perspectives of social inclusion that are important to its measurement which include: economic participation, health, and access to services, education, personal independence, and self-determination, interacting with society, and fulfilling social roles (O'Beilly, 2005). Therefore, the social inclusion theory provides a framework to understand how IDP children and women have been able to connect as citizens of the country and how their well-being have been safeguarded from the period that they have been displaced including their fundamental human rights.
Very few of the IDPs have been able to secure a meaningful job in Abuja; they often face discrimination and competition with the local workers. Many have had to accept insecure jobs with a lower pay of a daily average of one thousand naira ($2), which is insufficient to cater for their health, housing, education, and family needs. To be self-sufficient and stay employed in the community, some of them have taken up the use of mobile technologies as a means to generate income to meet their immediate needs. According to Adu and Osadola (2022) one of the male participants in a focus group discussion survey study they conducted, who was a painter back in Bama and unable to get a permanent job, now has an umbrella stand for selling mobile recharge cards, and phone accessories.
Prior to coming to entering camp, his friend who came before him told him to come prepared because life in Abuja for IDP was very difficult due to the high rate of poverty. According to him, with his little capital, he could set up a kiosk. Most people around camp patronise him especially when buying airtime or phone charger. Other IDP saw mobile phone services as an opportunity to also help family members generate income to help themselve without putting them at risk. This aspect of the social inclusion seems to pay off,

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but not minding the fact that the government is neglecting its primary responsibility of securing the rights and privileges of her citizens.

Methodology

The study adopted descriptive research design. The study population focuses on five IDP settlements in the Federal Capital Territory, Abuja: the Durumi IDP settlement (Abuja Municipal Area Council), the New Kuchingoro IDP settlement (AMAC), the Pegi IDP settlement (Kuje Area Council), the Wassa IDP Camp in Apo Mechanic Village and Lugbe IDP Camp. The IDP settlements were selected for this study because of their germane ethnographic configuration. Therefore, the target population of this study stand at eight thousand five hundred and sixty eight (8,568) persons. The population also includes children and adults in the IDPs camps as well as the staff strength for NEMA and the National Human Rights Commission respectively. However, in selecting the sample size from the target population, the study adopted sample size determination formula propounded by Krejcie and Morgan (1970) to arrive at three hundred and sixty-seven (367).

Aside this, seven (7) respondents who are staff and camp officials of the above selected institutions were interviewed to generate quality information in supplementing responses from questionnaire. The sampling techniques employed are purposive and stratified random techniques. Both primary and secondary methods of data collections were considered. Data was generated from copies of questionnaire that were administered to respondents and series of interview that were conducted in the bid to collect the opinions of the sampled population. The study made use 5-pointLikert scale questionnaire for its investigation making provisions to tick options that are relevant to their opinion. These options are Strongly Agree, Agree, Strongly Disagree, Disagree and Undecided. The nature of the questionnaire is both close and open-ended questionnaire; the open ended technique allows the respondents to express their opinion on issues in relation to the research problem.

Data were also collected from empirical journals papers, unpublished researched projects, national daily newspapers, and Child Rights Policy Documents both national and International, and national documents on displaced persons including children. Data from copies of questionnaire were analyzed using the statistical package for social science (SPSS) version 23.0. Data from in-depth interview was analysed base on the narrative of the respondents using Braun and Clarke (2006) step by step process of the thematic analysis. The data were transcribed, read and reviewed. The study also drew qualitative information and quantitative data through content analysis of official speeches and policy review documents.

Data Analysis and Interpretation of Results

From the three hundred and sixty-seven (367) copies of structured questionnaire administered to the respondents, a total of three hundred and fifty - six (356) were filled, retrieved and valid for analysis. Responses from interview were equally used to compliments data from questionnaire and other secondary sources.

Table 1: The rights of children as enshrined in the United Nations Convention include rights to education, to protection from sexual abuse and slavery, the right to social welfare, the right to life amongst others

Option	Frequency	Percentage
Strongly Agree	149	42%
Agree	147	41%
Disagree	20	6%
Strongly Disagree	19	5%
Undecided	21	6%
Total	**356**	**100%**

Source: Field Survey, March (2023).

On the proposition whether the rights of children as enshrined in the United Nations Convention include rights to education, to protection from sexual abuse and slavery, the right to social welfare, the right to life amongst others, data supplied show that one hundred and forty-nine respondents (149) representing forty-two (42%) percent strongly agreed while one hundred and forty-seven (147) respondents accounting for forty-

one (41%) percent agreed. Those who disagreed are twenty (20) respondents or six (6%) percent while nineteen (19) respondents representing five (5%) percent strongly disagreed. Twenty-one (21) respondents or six (6%) percent are undecided. It is evident from the data analysis that the rights of children as enshrined in the United Nations Convention include rights to education, to protection from sexual abuse and slavery, the right to social welfare, the right to life amongst others.

Analysis above proves that there is gross disrespect of children's rights in IDP Camps in the FCT. However, in correlation to the above responses, a key interviewee who is a senior official of the National Human Rights Commission (NHRC) in Abuja expressed that: Internally Displaced Children (IDC) have rights and one of such fundamental rights is the right to quality education. However, during periods of conflict and social unrest, education is usually the last factor on the minds of both people and the government. This situation leaves many IDC without access to the knowledge, protection, emotional stability and support which education provides. School materials such as school fees, pens, pencils, books, uniforms, are basic requirements that students are expected to come to school, unfortunately, most parents and guardians of IDC are unable to afford these materials. Their inability to provide these educational materials could be attributed to having lost their source of income as a result of displacement. In Nigeria, the inability to provide these essential school material requirements for students has caused significant school absenteeism amongst male and female IDC, especially among adolescents, and it can also affect the performance of students in school negatively (Interviewed Wednesday March 8th, 2023).

The view above is in agreement with an earlier study conducted by Ferris and Winthrop (2010) who indicated that based on international laws, education is expected to be free particularly at the primary level of education, in reality however, school fees often are illegally imposed on students at the primary and secondary levels. Bearing in mind that many IDP have severe economic changes, the enforcement of school fees creates difficulty for them. Some state governments in Nigeria have instituted an official policy of waiving school fees for IDC. However, these policies have not been fully implemented and are quite limited in scope and implementation because some school head teachers and principals still collect various fees and levies from students, such as exam fees, developmental and excursion fees amongst others. School fees and other financial educational requirements for internally displaced children if removed entirely or reduced to the barest minimum can give them the freedom to focus on their studies thereby improving on their academic performance.

In a further elaboration of the disconnect between the provisions of the Child's Rights Act and the rights actually enjoyed by the child, respondent from NHRC contended that:

> …the lot of the Nigerian child is far from the type and quality of life envisaged by the Child's Rights Act as exemplified by the persistence of several practices ranging from poor access to education to lack of adequate protection from such exploitative practices as early child betrothal and marriage, child labor, and female genital mutilation among others (Wednesday 8th March, 2023).

The initial pilot implementation of the school feeding program under the auspices of the Federal Ministry of Education covered 12 states, namely Bauchi, Cross River, Enugu, Imo, Kano, Kebbi, Kogi, Rivers, Ogun, Osun, Nasarawa, Yobe and the Federal Capital Territory (FCT). The program failed to accomplish its objective as it was stopped not long after its commencement in 10 states and the FCT leaving only Osun and Kano States, which continued with it. The factors identified as being responsible for undermining the program included the failure of both the supervising agency of the program, Universal Basic Education Commission (UBEC), and the participating states to meet their financial obligations, inadequate policy, legal, institutional and operational framework at both the state and federal levels, and overall poor funding. The school feeding program was revived in 2016. The federal government announced as at May 2021 that close to ten million pupils in public schools across the country were being fed under the program (Erunke, 2021).

Obikaeze and Onuoha (2016) added a voice to how the rights of IDPs are been violated when they stressed that the absence of medical care and facilities has also proved to be a major violation of the rights of the IDPs

in the FCT. No medical facilities were reported and many reports were made of women giving birth without any medical supervision. One of the reports even had the reporter having to take part in a delivery; another report is of a reporter providing the means of transportation by which the woman in labor was transported to hospital. Disease is rampant in these locations with health warnings as to the outbreak of malaria, typhoid fever, chicken pox and dysentery.

Further, a participant from NEMA submitted during an interview session that the right to education enables people to have an understanding of their fundamental rights and to have access to other essential rights such as civil and political rights of freedom of information, expression, right to vote, socio-economic rights and cultural rights and others. The right to education forms the cornerstone of all the other rights because it ensures the delivery of life-saving information, provides a sense of normality, and prevents people from getting involved in other activities like violence and criminal activities which are inimical to progress. Therefore the right to education is considered the "fourth pillar" of humanitarian assistance to victims of conflict, insurgency and displacement. It is regarded as vital as good nutrition, healthcare, and shelter (Interviewed Friday 10th of March, 2023).

The following are the basic rights for every Nigerian child; developmental right, participation right, right to information, the right to recreation, and protection right.

The contents of the Nigerian Child's Rights Act were culled from the African Charter on the Rights and Welfare of the Child 1989 and the UN Convention on the Rights of the Child 1990, which were ratified but yet to be domesticated in all the state of in Nigeria. The Charter and the Convention were not made part of the domestic laws of Nigeria because Nigeria felt that those instruments did not take cognizance of the peculiar needs of Nigeria and make provisions in respect there to in the instruments. For instance, child betrothal; child marriage; buying or selling of children; children begging for alms, guiding beggars; and hawking goods and services on main city streets, brothels or highways are peculiar to Nigeria, yet were not accommodated in the Charter and the Convention. Nigeria therefore preferred to produce and Act that in substance contains the salient provisions of the Charter and the Convention and further contains the provisions that shall take care of the peculiar needs of Nigerians as a people. In satisfaction of this need, when the Act was enacted, it made provisions for the subject matters here in disclosed, in its sections 20 - 23; 30(1); 30(2)(a) and 30(2)(c).

The Child Rights Act:

The basic provisions underlying the Child Rights Act (FMWAYD, 2011) are as follows:

- Every child has a right to life and should be allowed to survive and develop
- Every child is entitled to a name, family and nationality
- Every child is free to belong to any association or assembly according to the law
- Every child has the right to express opinions and freely communicate them on any issue subject to restriction under the law
- Every child is entitled to protection from any act that interferes with his or her privacy, honour, and reputation
- Every child is entitled to adequate rest, recreation (leisure and play) according to his or her age and culture
- Every child (male or female) is entitled to receive compulsory basic education and equal opportunity for higher education depending on individual ability
- Every child is entitled to good health, protection from illness and proper medical attention for survival, personal growth and development
- Every child must be protected from indecent and inhuman treatment through sexual exploitation, drug abuse, child labour, torture, maltreatment and neglect; and
- No child should suffer any discrimination irrespective of ethnic origin, birth, colour, sex, language, religion, political and social beliefs, status or disability.

The Child Right's Act prescribes fines and/ or imprisonment for certain violations of children's rights, including marriage of children who are under 18 years; exposing children to the use, production and trafficking of narcotics; and the abduction and removal of children from abusive parents (CRR, 2008). The implementation

of these prescriptions is, however, limited. The National Assembly passed into law the Child Rights Act in 2003. This notwithstanding, majority of Nigerian children are not only ignorant of their rights in life but are also unable to apply the law in the protection of their rights. This is apart from being ignorant of other human rights instruments, already signed and ratified by Nigeria. This contestation in the definition of the child in Nigeria is responsible for the nonchalance of many states in Nigeria to pass the Child Rights Act into law.

Table 2: Responses on the Challenges mitigating the protection of children's rights as contained in the UN Convention in IDP Camps in the FCT

Responses	SA	A	D	SD	U	Total
a. Non-implementation of the UN convention 151	163 (42%)	15 (46%)	18 (4%)	4 (5%)	356 (1%)	(100%)
b. Poor statistical data of children in IDP Camps	170 (48%)	165 (46%)	9 (3%)	7 (2%)	5 (1%)	356 (100%)
c. Fund embezzlement, negligence, political interference and unofficial IDP camps in the FCT	159 (45%)	166 (47%)	16 (4%)	9 (3%)	6 (2%)	356 (100%)

Source: Field Survey (March, 2023).

Table 3 presents the opinion of respondents on the challenges mitigating the protection of children's rights as contained in the UN Convention in IDP Camps in the FCT. Data supplied on whether Non-implementation of the UN convention is a challenge, majority of the respondents accounting for one hundred and sixty-three (163) and representing forty-six percent (46%) agreed. One hundred and fifty-one respondents (151) representing forty-two percent (42%) strongly agreed. Fifteen (15) respondents representing four percent (4%) and eighteen respondents (18) representing five percent (5%) disagreed and strongly disagreed respectively. Those who were undecided are four (4) respondents representing one percent (1%). This implies that the non-implementation of the UN convention on the rights of the child is a challenge mitigating the protection of children's rights in IDP Camps in the FCT.

On whether poor statistical data of children in IDP Camps is the challenge mitigating the protection of children's rights in IDP Camps in the FCT, one hundred and seventy (170) respondents representing forty-eight percent (48%) strongly agreed. One hundred and sixty-five (165) respondents representing forty-six percent (46%) agreed, while nine (9) respondents representing five percent (5%) and seven (7) respondents representing four percent (4%) disagreed and strongly disagreed. However, five (5) respondents accounting for one percent (1%) are undecided. This means that poor statistical data of children in IDP Camps is the challenge mitigating the protection of children's rights in IDP Camps in the FCT.

On whether the fund embezzlement, negligence, political interference and unofficial IDP camps in the FCT are some of the challenges hindering child's rights protection, one hundred and fifty-nine (159) respondents accounting for forty-five percent (45%) strongly agreed. One hundred and sixty-six (166) respondents accounting for forty-seven percent (47%) agreed, sixteen (16) respondents representing four percent (4%) disagreed while nine (9) respondents representing three percent (3%) strongly disagreed. Six (6) respondents representing two percent (2%) are undecided. This proves that fund embezzlement, negligence, political interference and unofficial IDP camps in the FCT are some of the challenges hindering child's rights protection. This result is in tandem with the interview response provided by an official of the NHRC:

> There is poor communication and access between IDPs and government officials so there is a high rate of corruption which leads to the inconsistency of the provision of aid. This inconsistency means more support from international agencies, and moreover, the Nigerian civil society is also limited. People who

> live in or near camps receive some assistance, but often not enough to meet their basic needs because of the inconsistency in aid caused by corruption in the hierarchy (Wednesday 8th March, 2023).

In correlation to the above, Aliyu Salisu, a Social Science Fellow of the International Social Science Council (ISSC) Paris concludes that 'There is a lack of transparency, accountability and efficiency in the way government organizations in Nigeria administer resources meant for IDPs' (International Committee of the Red Cross (ICRC), 2016) This shows that the corrupt practices of the Nigerian Government as a whole extends to the officials managing the IDPs resources. This in turn leads to lack of enough materials to meet their basic needs and the opportunity for international organizations to conveniently step in.

A camp official of Kuchingoro IDPs Camp in the FCT acknowledged during an interview that:

> The increase in population has affected the management of the camps financially and this has also affected the education of the children in the camp in FCT. Although there has been remarkable progress in education in the camp, however, it seems inadequate. There seems to be some lingering challenges faced in providing education. The challenges include inadequate learning materials, lack of infrastructure, lack of teaching materials, poverty, lack of qualified teachers, paucity of funds and acute hunger among the IDPs.

Akuto (2017) noted that addressing the challenges of IDPs is primary the responsibility of government, however, it has implication for counselling. Counselling generally is a helping process to address individuals, groups and societal problems - emotionally, mentally, psychologically, socially and economically. In fact apart from food, shelter, clothing and physical wellbeing, a very important need of IDPs is counselling service.

A major challenge to actualizing the UNCRC and Child's Rights Act in Nigeria is its lack of nationwide acceptance and implementation. Several states in northern Nigeria are opposed to several provisions of the Child's Rights Act. Some of such provisions include the prohibition of child marriage and betrothal (sections 21 and 22), the definition of a child as anyone below the age of 18 (section 277), and the prohibition of marriage between an adopted child and members of the adoptive family (section 147), among others.

One of the key informants, from NEMA observed that:

> The non-adoption of the Child's Rights Act by some northern states has other consequences. Even if non-governmental or intergovernmental organizations like UINCEF want to help, they are constrained as they may not be able to fund access to education without some kind of counterpart funding (Monday 13th March, 2023).

In tandem with the above, Ajanwachuku (2017) and Ogunniyi (2018) stated that as important as the Child's Rights Act might be, its non-adoption ought not to acquit the states that are yet to adopt it from the responsibility of protecting and promoting the human rights of children in their domains. This is because there are other subsidiary legislations (such as the Labour Act and the Trafficking Act), with provisions that address child-related issues and which could therefore serve the legal purpose of protecting children However, these adjunct legislations do not strictly focus on the rights of children to education.

Discussion of Findings

Questionnaire responses on the option whether the rights of children as enshrined in the United Nations Convention include rights to education, to protection from sexual abuse and slavery, the right to social welfare, the right to life amongst others, data supplied show that one hundred and forty-nine respondents (149) representing forty-two (42%) percent strongly agreed while one hundred and forty-seven (147) respondents accounting for forty-one (41%) percent agreed. Those who disagreed are twenty (20) respondents or six (6%) percent while nineteen (19) respondents representing five (5%) percent strongly

disagreed. Twenty-one (21) respondents or six (6%) percent are undecided. It is evident from the data analysis that the rights of children in IDP camps in the FCT include rights to education, to protection from sexual abuse and slavery, the right to social welfare, the right to life amongst other.

On whether the non - implementation of the UN Convention, fund embezzlement, favouritism, political interference and unofficial IDP camps in the FCT are some of the challenges hindering child's rights protection, one hundred and fifty-nine (159) respondents accounting for forty-five percent (45%) strongly agreed. One hundred and sixty-six (166) respondents accounting for forty-seven percent (47%) agreed, sixteen (16) respondents representing four percent (4%) disagreed while nine (9) respondents representing three percent (3%) strongly disagreed. Six (6) respondents representing two percent (2%) are undecided. This proves that the non - implementation of the UN Convention, fund embezzlement, negligence, political interference and unofficial IDP camps in the FCT are some of the challenges hindering child's rights protection.

Summary of Major Findings

i. The study reveals that the Convention on Right of Child contains elaborate provisions on the rights to be enjoyed by the Nigerian child. These rights include the right to life, right to education, freedom of movement, association, dignity of human person, personal liberty, and right to private and family life. In spite of this legislation, the Nigerian child, especially the girl-child, is yet to fully enjoy these rights.

ii. There are some challenges posed which affects the effective protection of children's rights in IDP Camps in the FCT as contained in the UN Convention. These are poor statistical data of children in IDP Camps, Non-implementation of the UN convention, negligence, political interference and unofficial IDP camps in the FCT are some of the challenges hindering child's rights protection.

Conclusion

Despite the positive contributions of the Child's Rights Act in mobilizing the legal basis for the advancement of the rights of the child, not much has changed for the Nigerian child, especially the girl-child in the area of actualizing her aspirations for quality education. With all these measures, proves from the field show that rights of children in IDP Camps in the FCT have not been protected. This negatively militates against government development efforts and accounts for the continuous down wards trends in Nigeria's development index and demand for urgent attention. More worrisomely, it shows weakness in the implementation of the United Nations Convention on the Rights of the Child.

The Child Rights Act is yet to be enacted into law by all the states and the federal government. Violations of children's rights are still common despite Nigeria's commitment to the International Convention on the Rights of the Child. Child issues are still nationally regarded as essentially private matter in which intervention by government, individuals or international body is rare and not encouraged. Nigeria supposed to be an example in conforming to extant international and regional human rights legal frameworks for other African countries to emulate but study has revealed that Nigeria is yet to set such precedence. Internally Displaced Persons do not need a substitute or surrogate protection. Rather as human beings, in a state of vulnerability, they are entitled to the enjoyment of all relevant guarantees of human rights and humanitarian rights, including those of particular and relevant importance to them, such as right to life, movement, association etc.

Recommendations

i. More importantly, States that are yet to implement the Child Rights Act should give support to the implementation of the CRA by passing parallel laws, including publicizing the provisions of the Act, especially to guide parents and authorities that implement juvenile justice. As well, the government should make more concerted efforts to provide the needs of the displaced persons while it expedites actions to end up insecurity in the country. The introduction and genuine implementation of a robust poverty alleviation program along with educational and health care programs and

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provision of necessary social amenities will go a long way in supporting parents who are living hand to mouth and perhaps boost their sense of responsibilities towards their children.

ii. The issue of internally displaced persons should be included at the local government level. By this, the government should establish offices for internally displaced persons at the local government level with representatives of internally displaced persons occupying positions in these offices. The local government is the third tier of government which is the closest arm of the government to the people. This way, the government will find it very easy to access the displaced persons and cater for their rights as prescribed in the UNCHR.

References

Adeleye, O. A. (2021) A Historical Analysis of United Nations Interventions on Internally Displaced Persons in Nigeria, 1967-2017. PhD. Thesis, Department of History and International Studies, Ekiti State University, Ado Ekiti

Adu, F. M., & Osadola, O. S. (2022). "Geo-Strategic Analysis of Identity Politics and Ethnic Separatism: A Re-Evaluation of Nigeria's Good Neighbourliness Political Framework In The Face Of Terrorism." *American Journal of International Relations* 7, no. 1.

Afenyo, M. (2019). Knowledge of Child Rights in Ghana: Implementation of Article 42 of the United Nations Convention on the Rights of the Child. *A thesis submitted in partial fulfillment of the requirements for the degree of MA International Affairs, University of Ghana.*

Ajanwachuku, M. A. (2017). The Nigerian Child and the Right to Participation: A Peep Through the Window of "the best interest" Clause of the Child's Rights Act', *Beijing Law Review*, 8, pp. 159-170. doi:10.4236/blr.2017.82009.

Akolokwu, P., & Nwauzi, O. (2019). Application of Girl-Child Rights in Nigeria: Examining the Challenges of Law. Retrieved from www.juliapublishers.com

Akuto, G.W. (2017). Challenges of Internally Displaced Persons (IDPs) in Nigeria: Implications for Counselling and the Role of Key Stakeholders. *International Journal of Innovative Psychology & Social Development,* Volume 5(2):21-27, April-June

Amina, B. Z. J., & Ibrahim, S. G. (2019). The Plight of Internally Displaced Persons in Unofficial Camps in the Federal Capital Territory of Nigeria, Abuja. *African Journal of Social Sciences and Humanities Research,* 2(3),

Atata, G. and Egolum, O. (2020). Examination of Challenges in the Provision and Management of Facilities in Selected Internally Displaced Persons Camp in Abuja.

Beland, D. (2021). The Political Construction of Collective Insecurity: From Moral Panic to Blame Avoidance and Organised Irresponsibility, *Center for European Studies* Working Paper Series 126. Lagos Nigeria.

Federal Ministry of Women Affairs and Social Development (2011) National Guidelines and Standards of Practice on Orphans and Vulnerable Children Abuja: *Federal Ministry of Women Affairs and Social Development.*

Ferris, E., & Winthrop, R. (2010). Education and Displacement: *Assessing Conditions for Refugees and Internally Displaced Persons affected by Conflict.* Paris: UNESCO.

Halilu, I. U., and Siliki, M. S. (2017). Integration Blended Learn in Universal Basic Education School in Nigeria: *The way Forward Paper Presented at the 30th Annual National Conference of Curriculum Organization of Nigeria (In Press).*

Human Rights Council, (2017) Report of the Special Rapporteur of the Human Rights of Internally Displaced Persons on his Mission to Nigeria, United Nations (UN), General Assembly.

ICRC. (2016). Internal Displacement in Northeast Nigeria: Operationalising the Kampala Convention in Borno, Adamawa, and Yobe States. [Online] Available: https://reliefweb.int/sites/reliefweb.int/files/resources/icrc_abj_internal_displacement_in_north_east_nigeria_november_2016.pdf

Iguh, A. & Nosike, O. (2016) 'An Examination of the Child Rights Protection and Corporal Punishment in Nigeria' (1999) ACRWC, (Legislative and institutional Framework of Environmental Protection) retrieved from www.ajol.info accessed on Friday April 22, 2016.

O'Beilly, D. (2005). Social Inclusion: *A Philosophical Anthropology in Politics*. Vol. 25(2), Pp 80-88.

Ogunniyi, D. (2018). The Challenge of Domesticating Children's Rights Treaties in Nigeria and Alternative Legal Avenues for Protecting Children', *Journal of African Law*, 62(3), pp. 447–470.

Okon, E. O. (2018). Internally displaced persons in Nigeria: Review of empirical studies. *American International Journal of Social Science Research*, 2(1), 28-38.

Olanrewaju, F. O. (2016). Datasets on the Challenges of Forced Displacement and Coping Strategies among Displaced Women in Selected.

Portes, A. and DeWind, J. (2004). 'A Cross-Atlantic Dialogue: The Progress of Research and Theory in the Study of Migration', *International Migration Review*, vol. 38, no. 3.

Tanimu, T. (2013). National Policy on Internally Displaced Persons (IDPS) In Nigeria.