

Between Displacement and Despair: Climate-Induced Migration and the Protection of Children's Rights in Sub-Saharan Africa

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ABSTRACT

This paper interrogates the intersection of climate-induced migration and the legal protection of displaced children in Sub-Saharan Africa, with a focus on Nigeria and Somalia. It explores the increasing vulnerability of children displaced by climate-related disasters such as floods, droughts, and desertification, and examines how both national and international legal frameworks respond to this humanitarian crisis. The core objective is to identify legislative and institutional gaps that expose children to compounded risks and propose legal reforms that centre child rights and environmental justice.

Adopting a doctrinal methodology, the paper undertakes an analysis of relevant statutes, international treaties, and policy instruments. It examines normative standards established by instruments such as the African Union's Kampala Convention, the Paris Agreement, and national child protection and climate adaptation policies in Nigeria and Somalia. The research finds that while these legal instruments exist, they fall short of providing targeted and enforceable protection for climate-displaced children. Significant implementation gaps, poor inter-agency coordination, and the absence of child-specific provisions hinder effective protection in both jurisdictions.

The paper concludes by recommending specific legal reforms, localised policy reforms, targeted financing for child-centred adaptation, and greater inclusion of children in climate governance processes to safeguard their rights in a changing climate.

KEYWORDS

Climate-change, displacement, child, rights, Africa

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I. INTRODUCTION

According to the United Nations (UN), climate change refers to any change in climate causing long-term shifts in temperatures and weather patterns. These shifts can be natural due to changes in solar activity or volcanic eruptions, or man-made.² Climate change is a phenomenon that is caused by environmental conditions due to actions like fossil fuel burning, deforestation, pollution, among others³. Burning of fossil fuels leads to greenhouse gas emissions that end up trapping the heat from the sun in the Earth's atmosphere, thereby leading to increased heat⁴. Climate change is no longer a future threat. Being a phenomenon known to man either through natural change or the Industrial Revolution, the world has experienced different stages of climate change, from the ice ages to the Holocene, and the most recent anthropogenic climate change⁵.

The relationship between climate change and internally displaced persons cannot be ignored. There is, in fact, a major relationship between climate change and internal displacement. Natural disasters like cyclones and storms, and other extreme weather conditions have made it difficult for inhabitants in the affected regions to continue living there⁶. According to the United Nations High Commissioner for Refugees (UNHCR), displacement due to harsh weather conditions affected 24.9 million people in 140 countries across the world.⁷ Consequently, this reality disproportionately affects the most vulnerable populations in such regions; children fall within this category of vulnerable people.

In Sub-Saharan Africa, climate-induced migration is an emerging humanitarian crisis. Droughts, floods, and ecosystem degradation are driving displacement at alarming rates. Somalia has been hit by the effects of climate change not directly by their own industrial actions but by the activities of neighbouring countries.⁸ On a visit to Somalia in 2023, the Secretary-

² United Nations, *What Is Climate Change?*, Climate Action, <https://www.un.org/en/climatechange/what-is-climate-change> (last visited June 26, 2025).

³ Riley E. Dunlap & Robert J. Brulle eds., *Climate Change and Society: Sociological Perspectives* (Oxford Univ. Press 2015).

⁴ United Nations, *What Is Climate Change?*, Climate Action, <https://www.un.org/en/climatechange/what-is-climate-change> (last visited June 26, 2025).

⁵ Chris Riedy, *Climate Change*, in *The Blackwell Encyclopedia of Sociology* (2016), <https://onlinelibrary.wiley.com/doi/10.1002/9781405165518.wbeos0737> (last visited June 26, 2025).

⁶ Id.

⁷ U.N. High Comm'r for Refugees, *How Climate Change Is Multiplying Risks for Displacement* (Dec. 2020), <https://www.unhcr.org/news/stories/2020/12/5fc74f754/climate-change-multiplying-risks-displacement.html> (last visited May 7, 2023).

⁸ Abdikadir Hassan, *Climate Change in Somalia: A Growing Threat to Stability and Livelihoods* (2024), https://www.researchgate.net/publication/386538120_Climate_Change_in_Somalia_A_Growing_Threat_to_Stability_and_Livelihoods (last visited June 16, 2025).

General of the United Nations did acknowledge that while Somalia's contribution to air pollution was 0.003%, they remained the worst hit by the effects of surrounding countries' greenhouse emissions⁹. The situation in Somalia has particularly put women and children at risk.¹⁰ The problem in Somalia is further exacerbated by the long-time conflict and famine, which does not seem to have an end in sight.¹¹

In Nigeria, unlike Somalia, anthropogenic acts such as fossil fuel burns from generators, vehicles and such others, deforestation and gas flaring are some of the major causes of climate change in Nigeria; although other natural causes like ocean currents, land tilts, and continental shifts are also responsible for climate change in Nigeria.¹² Climate change possesses the alarming potential of affecting the natural systems within the environment, causing harm to human development and other social, economic and political structures.¹³

It can be argued that children, in the contexts described above, face heightened risks due to their vulnerability. They are faced with the effects of climate change, resulting in separation from families, lack of access to education, exposure to exploitation, and long-term psychological trauma. The impact of climate change on Somalia's livelihood, crop production, food security and conflict, which in turn results in famine and conflict, has the most adverse negative effects on vulnerable children, often forcing migration due to a desperate search for food.¹⁴ The resultant deforestation and desertification that climate change causes in Nigeria¹⁵, with projected worsening desertification,¹⁶ has led to migrations of affected persons in search food and comfortable dwelling.¹⁷

⁹ Id.

¹⁰ Id.

¹¹ Abdimalik Ali Warsame et al., *Examining the Effects of Climate Change and Political Instability on Maize Production in Somalia*, 30(2) Env't Sci. & Pollution Res. 3293 (2023).

¹² Lawal Badru, *Climate Change in Nigeria: Causes, Effects and Legal Framework*, 4(1) U. Lagos L. Rev. 186 (2020).

¹³ Id.

¹⁴ Abdikadir Hassan, *Climate Change in Somalia: A Growing Threat to Stability and Livelihoods* (2024), https://www.researchgate.net/publication/386538120_Climate_Change_in_Somalia_A_Growing_Threat_to_Stability_and_Livelihoods (last visited June 16, 2025).

¹⁵ Lawal Badru, *Climate Change in Nigeria: Causes, Effects and Legal Framework*, 4(1) U. Lagos L. Rev. 186 (2020).

¹⁶ Olaniyi O. A. et al., *Review of Climate Change and Its Effect on Nigeria Ecosystem*, 1 Int'l J. Afr. & Asian Stud. 57 (2013).

¹⁷ Lawal Badru, *Climate Change in Nigeria: Causes, Effects and Legal Framework*, 4(1) U. Lagos L. Rev. 186 (2020).

The legal response by international bodies and local countries is not undermined. Somalia has signed and ratified quite of international legal instruments, aimed at regulating the regime of environmental degradation and ancillary matters.¹⁸ In spite of this, it has been suggested that Somalia needs to update on contemporary treaties and negotiations, and improve on local institutional framework.¹⁹ Being a member of the United Nations, Nigeria has signed and ratified a number of international legal instruments which are related to the environment generally and climate change more specifically.²⁰ The foremost international legal instrument which addresses the needs of internally displaced persons is the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa. This Convention was adopted in 2009 and is also known as the Kampala Convention.

This article investigates how Nigerian and Somali legal systems address or fail to address the attendant risks of the impact of climate change on vulnerable children. It particularly looks into the protection of children who have been adversely affected due to internal displacement occasioned by climate change. The paper focuses on gaps in legal protection and thus proposes reforms aligned with both environmental justice and child rights.

II. CLIMATE-INDUCED MIGRATION: DEFINITIONS, TRENDS, AND LEGAL GAPS

Traditionally, people viewed displacement only through the lens of economic and political causes. In Nigeria, for instance, the country has had its fair share of conflicts ranging from ethnic to religious and intra/inter-tribal disagreements. These have led to the displacement of people from the crisis-ridden areas to safer spots within the country. Statistics reveal that about 1.4 million people have been internally displaced within Nigeria²¹. The insurgency of terrorists in Nigeria began around 1990, with the advent of the boko haram sect²². The insurgency continued to escalate by the mid-1990s, with more and worse incidents occurring, notable among which is the kidnapping of about 300 schoolgirls in 2014²³. The north east region

¹⁸ Mintewab Bezabih, *Climate Change, Adaptation and Building Human Resilience in Somalia*, Final Report of the National Economic Council of Somalia (2022), <https://nec.gov.so> (last visited Jan. 13, 2025).

¹⁹ Id.

²⁰ Lawal Badru, *Climate Change in Nigeria: Causes, Effects and Legal Framework*, 4(1) U. Lagos L. Rev. 186 (2020).

²¹ Muhamed T. L., *Impact of Insecurity in the North on Internally Displaced People and Migration Flows Between Nigeria and Neighbouring Countries* (2012) (paper presented at the Forum of European Union Working Group on Migration and Development, Abuja, Nigeria).

²² Oladayo Awojobi, *The Socio-Economic Implications of Boko Haram Insurgency in the North East Region of Nigeria*, 11(1) Int'l J. Innovation & Sci. Res. 3 (2014).

²³ Chibok School Girls Kidnap.

became a terror zone, making it very difficult for families within the communities to continue their normal day-to-day living. The government, along with other non-governmental and religious bodies, had to intervene and create camps for the internally displaced persons who were necessarily dislodged from their homes either by homelessness or fear of repeated attacks on their communities²⁴.

Apart from insurgency, other factors like natural disasters such as flooding and erosion inter-communal and ethnic or religious clashes have necessitated movement of people out of their homes to these government-created refuge shelters²⁵. Somalia too has been plagued by years of wars, conflicts and famine. Climate change later merged with the existing crises and further threatened the country's economic stability, security and environment.²⁶ Being a country largely dependent on agriculture, the increased temperature levels have severely affected productivity. This has greatly threatened food security and livelihoods in general.²⁷ The food scarcity has further heightened conflicts, with pockets of groups warring over the available meagre food resources.²⁸ Somalia has a large population of youth, with about 73% aged below 30 years²⁹. The effect of climate-induced displacement on Somali children is enormous because life in the IDP camps is not only physically tough but mentally draining, making the whole trauma of the natural disasters and life in the camps a protracted traumatic experience.³⁰

The term "climate-induced migration" refers to the forced or voluntary movement of people due to sudden or progressive changes in the environment caused by climate change. Climate change has been identified as one of the major causes of internal displacement.³¹ While migration is often viewed through economic or conflict-related lenses, the growing influence of climate as a push factor is being increasingly recognised. The extreme climatic conditions have been known to cause higher temperatures and increased heat, insect outbreaks, droughts,

²⁴ Okechukwu Ibeanu, *Exiles in Their Own Home: Conflicts and Internal Population Displacement in Nigeria*, 12(2) J. Refugee Stud. 161 (1999).

²⁵ E. T. Owoaje et al., *A Review of the Health Problems of the Internally Displaced Persons in Africa*, 23(4) Nigerian Postgraduate Med. J. 161 (2016).

²⁶ Abdikadir Hassan, *Climate Change in Somalia: A Growing Threat to Stability and Livelihoods* (2024), https://www.researchgate.net/publication/386538120_Climate_Change_in_Somalia_A_Growing_Threat_to_Stability_and_Livelihoods (last visited June 16, 2025).

²⁷ Id.

²⁸ Id.

²⁹ Internal Displacement Monitoring Centre, *Why Displaced Children of Somalia Hold Key to Future Peace*, <https://share.google/vk2YyVkBQRJkC649L> (last visited Feb. 6, 2025).

³⁰ Id.

³¹ Christian Powlohtee Troh, *Climate Change and Internal Displacement* (2021) (research thesis, Linnaeus University, Sweden), <https://www.diva-portal.org/smash/get/diva2:1589124/FULLTEXT02> (last visited Nov. 12, 2024).

wildfires, among others.³² Others include rising water levels, floods and erosion.³³ These changes cause crises and make living conditions of the people worse, resulting in scarcity, famine, lack of resources like shelter and clothing, destruction of existent infrastructure among others³⁴.

According to the Internal Displacement Monitoring Centre (IDMC), about 75.9 million people were displaced as at the end of 2023 globally, with a 68.3 million displaced due to conflict and violence and 7.7 million people due to disasters.³⁵ Sub-Saharan Africa accounts for a substantial portion of these figures. Sub-Saharan Africa hosts 46% of the world's IDPs and was identified as the region most affected by internal displacements according to the above report.³⁶ People who are forced to vacate their normal places of residence to relocate to a safer place within the country not adversely affected by climatic conditions are referred to as internally displaced persons³⁷. In some cases, the affected inhabitants do not find suitable abode within their country of residence and in such cases, they migrate to another country; this type of migrants are referred to as refugees³⁸. There is therefore a major relationship between climate change and displacements.

Children constitute a large demographic within these displaced groups.³⁹ The UN stated that countries that are more affected by climate change tend to have more children in their demographic statistics.⁴⁰ According to a UNICEF 2023 Report, about 43.1 million children were displaced due to climate-related disasters like floods, storms, droughts and wildfires between 2016 and 2021.⁴¹ The effects of displacement on children are greater due to the

³² Miriam Zuk et al., *Gentrification, Displacement and the Role of Public Investment*, 33(1) J. Planning Literature 31 (2018).

³³ Abdikadir Hassan, *Climate Change in Somalia: A Growing Threat to Stability and Livelihoods* (2024), https://www.researchgate.net/publication/386538120_Climate_Change_in_Somalia_A_Growing_Threat_to_Stability_and_Livelihoods (last visited June 16, 2025).

³⁴ Ulrike Krause, *A Continuum of Violence? Linking Sexual and Gender-Based Violence During Conflict, Flight and Encampment*, 34(4) Refugee Surv. Q. 1 (2015).

³⁵ Internal Displacement Monitoring Centre, *2024 Global Report on Internal Displacements (GRID)*, <https://share.google/KYzoADaUm2eAK7ofh> (last visited Feb. 2, 2025).

³⁶ Id.

³⁷ Jessica Owley, *Climate-Induced Human Displacement and Conservation Lands*, 58 Hous. L. Rev. 665 (2021).

³⁸ Nigel Clark & Giovanni Bettini, "Floods" of Migrants, *Flows of Care: Between Climate Displacement and Global Care Chains*, 65(2) Sociological Rev. Monographs 36 (2017).

³⁹ Abdikadir Hassan, *Climate Change in Somalia: A Growing Threat to Stability and Livelihoods* (2024), https://www.researchgate.net/publication/386538120_Climate_Change_in_Somalia_A_Growing_Threat_to_Stability_and_Livelihoods (last visited June 16, 2025).

⁴⁰ U.N. Gen. Assembly, *Analytical Study on the Relationship Between Climate Change and the Full and Effective Enjoyment of the Rights of the Child*, U.N. Doc. A/HRC/35/13 (2016), <https://undocs.org/en/A/HRC/35/13> (last visited Oct. 26, 2021).

⁴¹ UNICEF, *Children Displaced in a Changing Climate* (2023), <https://www.unicef.org/reports/children-displaced-changing-climate> (last visited Mar. 3, 2025).

vulnerable nature of children. Children are more severely affected by climate change because of their unique physiology, metabolism, immunity and developmental needs.⁴² They are prone to being separated from their parents/primary caregivers and thus increase their risk of being exploited, abused and trafficked. The challenges that the displaced children are faced with are numerous, ranging from finding conducive accommodations, to insecurity, to lack of education and knowledge of their human rights, to lack of potable water and good/sufficient food, among other needs for other basic amenities.⁴³ Further, children are at risk of health complications due to the harsh weather conditions, poor sanitation and defective nutrition, including mental health conditions occasioned by dislocations and feelings of being left alone and separated from their familiar acquaintances.⁴⁴ The geographical dislocations cause disruptions in schooling or may put a total stop to education if the newly relocated area does not have adequate schools. The consequent poverty resulting from the disasters suffered by the parents is also a factor that affects access to basic education for children. The adverse weather conditions have a profound effect on food production, and this in turn affects nutrition. While everyone is in need of good nutrition, children are more so in need because of the developmental stage they are in. Sadly, climate change eventually affects the nutrition of children. The poor nutrition, harsh weather conditions and disruptions to normal standard of living of children ultimately may result in health anomalies. Immune system of children is in the developmental stage and too much exposure to physiological negatives will likely run down the body system of children. In other words, climate change is likely to have far reaching negative consequences on children health than adults. Climate change has the potential to spread diseases. This exposes the population to danger, especially the children. Diarrhoea and other water borne diseases like dysentery are rife in these areas. Increased waters make the areas prone also to vectors, causing an increased risk in diseases like malaria and dengue fever.⁴⁵

Even though these children have had to be displaced from their natural homes due to unsavoury experiences, it is unfortunate that their abode of refuge may yet fail to protect them. The experiences faced by the refugees in these shelters have included a loss of the women and girls' rights to freedom, dignity and sexual and reproductive health rights. These vulnerable ones

⁴² Charles Oberg, Hopewell Hodges & Ann S. Masten, *Risk and Resilience of Somali Children in the Context of Climate Change, Famine, and Conflict*, 12(1) J. Applied Rsch. on Children: Informing Pol'y for Children at Risk, art. 10 (2021).

⁴³ Agbo Friday Ojonugwa, *The Challenges of Internally Displaced Persons and the Way Forward: The Nigerian Experience*, 1(1) U. Cape Coast L.J. 23 (2021).

⁴⁴ UNICEF, *Climate Landscape Analysis for Children in Nigeria—Climate Action Plan for 2023–2027* (2023).

⁴⁵ Oberg, Hodges & Masten, *supra* note 42.

have had to yield to sexual exploitations in exchange for food and other survival needs⁴⁶. Additionally, climate change has a strong bearing on children's psychological well-being, disrupting their normal emotion regulation, cognition and learning abilities, leading them to experience emotional distress, among other psychological problems like depression, anxiety and post-traumatic stress disorder.⁴⁷

Despite this growing crisis, children displaced by weather-related events have been statistically invisible.⁴⁸ The legal recognition of climate migrants remains minimal, with existent legislation not specifically making adequate provisions for this category of displaced persons. For instance, the African Union's Kampala Convention on Internally Displaced Persons, while progressive in recognising displacement from natural disasters, lacks enforceable mechanisms and child-specific provisions. Thus, children displaced due to climate change fall into a legal vacuum, neither protected as refugees nor adequately covered under disaster response frameworks.

III. NIGERIA: CLIMATE MIGRATION AND LEGAL PROTECTIONS FOR DISPLACED CHILDREN

Nigeria, Africa's most populous nation, is increasingly experiencing the harsh impacts of climate change. a notable percentage of the country's Gross Domestic Product is largely derived from the agricultural sector; as such even the slightest change in climatic conditions will have an effect on produce.⁴⁹ The other major driver of our economy is oil and gas, and the gas flaring activities also contribute enormously to climate change.⁵⁰ Of the anthropogenic causes of climate change in Nigeria, burning of fossil fuels and gas flaring contribute the most. This results in emissions of green-house emissions of noxious gases like carbon dioxide, methane, nitrous oxide, and others.⁵¹ Desertification in the north and recurrent flooding in the south have contributed to significant internal displacement. In 2020 alone, about 35% of previously cultivable land has been overrun by dessert in 11 of the northern states⁵². Nigeria

⁴⁶ Eni Aloba & Synda Obaji, *Internal Displacement in Nigeria and the Case for Human Rights Protection of Displaced Persons*, 51 J. Law, Pol'y & Globalization 26 (2016).

⁴⁷ Oberg, Hodges & Masten, *supra* note 42.

⁴⁸ UNICEF, *Children Displaced in a Changing Climate* (2023), <https://www.unicef.org/reports/children-displaced-changing-climate> (last visited Mar. 3, 2025).

⁴⁹ Olaniyi O. A. et al., *Review of Climate Change and Its Effect on Nigeria Ecosystem*, 1 Int'l J. Afr. & Asian Stud. 57 (2013).

⁵⁰ *Id.*

⁵¹ Lawal Badru, *Climate Change in Nigeria: Causes, Effects and Legal Framework*, 4(1) U. Lagos L. Rev. 186 (2020).

⁵² *Id.*

loses about 350,000 hectares of land annually to desertification and other land degradation activities.⁵³

As stated earlier, children are the worst hit by these staggering statistics. Between 2016 and 2021, 650,000 children were displaced by floods in Nigeria. The vulnerability of the Nigerian child in an already challenging state (owing to conflicts, bad economy and insecurity), make them dependent on caregivers who are themselves struggling for survival. The situation forces children to be separated from their parents/caregivers, disrupts their education, makes them latent to abductions and trafficking, and compels them into forced child labour.⁵⁴ Statistics reveal that 78% of air-pollution related deaths in Nigeria are suffered by children under five-year old.⁵⁵

Legally, Nigeria has made progress by being a signatory to several international legal instruments that make copious provisions for climate change. Some of these are the United Nations Framework Convention on Climate Change (UNFCCC), 1992. This instrument's main objective is to stabilise greenhouse gas concentrations to a level that would no longer pose a danger to human existence. Nigeria is also a signatory to the Kyoto Protocol of 1997, which is a build-up on the UNFCCC and also legally binds member states to reduce greenhouse gas emissions. While Nigeria is a signatory to the African Union's Kampala Convention on Internally Displaced Persons, 2009, now referred to as the Kampala Convention, Nigeria is yet to domesticate the law by the national assembly, thus leaving the law in a state of being inoperable in the country. The instrument seeks to address the needs of people internally displaced by natural disasters among other causes. The Paris Agreement, 2015, of which Nigeria is also a signatory, regulates on the limitation of global warming. Nigeria is signatory to the Sendai Framework for Disaster Risk Reduction, 2015, a global agreement aimed at preparedness for impending disasters, managing risks from disasters and building resilience, promoting rehabilitation and recovery among survivors. The Declaration on Children, Youth and Climate Action, 2019, of which Nigeria is a signatory, is a first-of-its-kind legal instruments that seeks to regulate on inclusive child and youth centric climate policies. This instrument is more specifically tailored to children who are affected by climate change, and seeks to child and youth adaptation and mitigation measures in the event of climate induced disasters. Again, the instrument is inclusive of the youth and children by involving them in the

⁵³ UNICEF, *Climate Landscape Analysis for Children in Nigeria—Climate Action Plan for 2023–2027* (2023).

⁵⁴ *Id.*

⁵⁵ *Id.*

processes of policy making and enhances their participation by opening up dialogue with Youth Delegates. This is a giant progress in the quest to safeguard children against the adverse effects of climate change. It is of great benefit and an interesting dimension when children are actors in addressing some of their problems. Scandinavian countries were the pioneers for starting children ombudsman with the aim of garnering children's ideas and transferring them, to the polity⁵⁶. There was a United Nations special session on children in 2002 with more than 360 children ages 12 to 18 years in attendance and active participation⁵⁷. The special session was an assessment of how far children involvement in policy making had gone since the 1990 World Summit for Children. In the latter, children were recorded to have played a passive role and not much impact was made, compared to the 2002 Session⁵⁸. Emphasising this, Article 12 of the UNCRC recognize the right of children to be consulted in decisions that affect them. It is thus laudable that Nigeria is a signatory to such a progressive and proactive legal instrument.

At the domestic level, Nigeria has also the Child Rights Act, 2003 (CRA), which recognises the rights of children to education, shelter, health services and protection from harm generally. Section 14 thereof provides that every child is entitled to enjoy the best attainable state of physical, mental and spiritual health, and that the government must provide access to good health care, potable water, adequate nutrition, good hygiene and environmental sanitation⁵⁹.

Apart from legislation, Nigeria has developed national policy instruments aimed at alleviating the adverse effects of climate change, especially on children. Some of these include the National Climate Change Policy and Response Strategy, 2012, aimed at mitigation, adaptation and implementation. It targets creating a low carbon society, with high economic growth and a society well adapted to the adverse effects of climate change. The National Adaptation Strategy, 2012 seeks to build resilience and survival modes by focusing on agriculture and water resources. Similar to this is the National Adaptation Plan Framework, 2020, targeted at reducing vulnerabilities occasioned by climate change. The National Policy on Internally Displaced Persons, 2012, though not directly on climate change, provides a framework for protecting and assisting internally displaced persons generally, and helping them with rehabilitation and reintegration.

⁵⁶ Barbara Bennett Woodhouse, *Enhancing Children's Participation in Policy Formation*, 45 Ariz. L. Rev. 751, 752 (2003).

⁵⁷ *Id.*

⁵⁸ *Id.*

⁵⁹ See Child's Rights Act, 2003, §§ 13–15 (Nigeria).

The National Migration Policy, 2015⁶⁰ provides institutional guidelines concerning migration both internally and cross border. The policy seeks to regulate migration and create the enabling environment for orderly and lawful migration. It also seeks to protect migrants' rights, ensuring that there are due remittances and a stem of forced and irregular migration. This policy can be applied to displaced persons since their displacement is a form of migration, albeit forced, unwilling and unpleasant.

Notwithstanding the above proliferation of legislation, the reality in practice is that implementation remains weak. Humanitarian responses are often reactive and lack child-specific programming. Institutional coordination between the various regulating agencies is fragmented. The capacity of the government at all levels, particularly of the agencies in charge of climate change mitigation, is not sufficient to meet up with the teeming need of climate change casualties.

Furthermore, Nigeria's two major sources of revenue – agriculture and oil - are affected by climate change. The fact that Nigeria is extremely dependent on proceeds from oil and burning of fossil fuel throws the country into the dilemma of choosing between obeying instruments like the UNFCCC, Kyoto Protocol, Paris Agreement on the one hand, and continuing fossil fuel burning on the other hand in order to have enough revenue to cater to the needs of the country generally and mitigate the effects of climate change.⁶¹ This is a very serious dilemma which Nigeria must address if there will be any positive improvement on the ravaging effects of climate change in the country.

IV. SOMALIA: FRAGILITY, CLIMATE, AND CHILD DISPLACEMENT

Somalia offers a more fragile context. The weather conditions in Somalia can be regarded as bipolar, with the possibility of cessation of rainfall for years followed by excessive rainfall for some years, thus causing droughts and floods in succession. The country is perennially affected by drought and flash floods, which are major drivers of displacement. Somalia's climate includes rising temperatures and sea levels, and because of this, inhabitants of the coastal

⁶⁰ Revised in 2025.

⁶¹ Olaniyi O. A. et al., *Review of Climate Change and Its Effect on Nigeria Ecosystem*, 1 Int'l J. Afr. & Asian Stud. 57 (2013).

region are at risk of being submerged.⁶² Also, excessive heat increases evaporation and soil erosion and this impedes the soil fertility, thus affecting agriculture. This is particularly bad for the country because their major source of livelihood is agriculture.⁶³ The impact of climate change on Somalia is far reaching; having affected the country's major source of livelihood, which is agriculture, this has in turn affected crop production (quantity and quality of produce), leading to food insecurity and conflicts.⁶⁴ The sad part of the Somali experience is the fact that the green-house emissions from which they are suffering are not caused by their own industrialised actions but by those of neighbouring countries.⁶⁵

This puts them in a somewhat helpless situation since they have no direct control over the activities and its resultant effect. The climate disasters are compounded by long-standing conflict and institutional weakness. There is a consequent competition for meagre resources due to depletion of major livelihood and food, and this fuels political instability. Somalia is severely devastated by a combination of these factors, leaving vulnerable children to be the worst recipient. In the early part of 2022, about 4.2 million children cut across Somalia, Kenya and Ethiopia faced extreme water shortages.⁶⁶ The famine that occurred in Somalia between 2010 and 2012 led to the death of about 130,000 children under the age of five years.⁶⁷ The children of Somalia have diminished access to protein rich foods as well as a decline in cereal based foods, due to the effects of weather conditions on livestock (major source of protein) and infestation of cereal plants by insects. These factors lead to malnutrition resulting in diseases like kwashiorkor and other nutrient deficiencies.

Apart from the physiological harm, the climate situation of Somalia poses a great risk to the developmental well-being of children. After the devastating floods between 2019 and 2020, a lot of schools were converted to emergency shelters for displaced people.⁶⁸ As has been said earlier, displacement places a child at an increased risk of separation from their parents and caregivers, and this will ultimately result in taking the child out of the comfort of physical and emotional security which he had hitherto enjoyed.⁶⁹

⁶² Abdikadir Hassan, *Climate Change in Somalia: A Growing Threat to Stability and Livelihoods* (2024), https://www.researchgate.net/publication/386538120_Climate_Change_in_Somalia_A_Growing_Threat_to_Stability_and_Livelihoods (last visited June 16, 2025).

⁶³ Id.

⁶⁴ Id.

⁶⁵ Id.

⁶⁶ UNICEF USA, *Climate-Induced Drought Endangering Children's Lives in Somalia* (2022), <https://share.google/t4eotR749EilnCvlf> (last visited Sept. 3, 2023).

⁶⁷ Oberg, Hodges & Masten, *supra* note 42.

⁶⁸ Id.

⁶⁹ Id.

The Somali situation is further exacerbated by the political crisis in the country. The impact of climate change adds pressure to the already over-burdened government who had been saddled with the challenges of political crisis and conflicts.⁷⁰ A combination of all the adverse factors lead to malnutrition, out of school children and even spontaneous miscarriages of the unborn child.⁷¹

Somalia is signatory to a number of climate change international legal instruments. Some of them include the United Nations Framework Convention on Climate Change (UNFCCC), 1992; the Kyoto protocol, 1997; the Paris Agreement, 2015. Somalia is also a signatory to the Kigali Amendment, 2016, which mandates a reduction of some green-house emissions such as hydrofluorocarbons (HFCs). The interesting thing about the impact of these instruments on the Somalian experience is that these instruments target on reduction of green-house emissions and the resultant global warming, however, this is a situation that Somalia has no direct control over, a situation that legislation cannot even force them to control. The Somali national policy framework seems to have improved on this as it includes policies that focus more on adaptation and resilience in the face of the natural disasters. The National Climate Change Policy, 2020⁷², sets out institutional mechanisms and structures climate action. The policy aims at enhancing adaptation and reduction of risk in the event of natural disasters. It also focuses on building resilience in the survivors of disasters of climate change. There is also the National Transformation Plan (NTP) 2025–2029, centred around four pillars – transformational governance, sustainable economic transformation, social and human capital transformation and environment, and climate resilience. Again, this policy integrates disaster risk management, a proactive approach to Somalia's peculiar situation. Somalia is signatory to the Sendai Framework for Disaster Risk Reduction, 2015, a global agreement aimed at preparedness for impending disasters, managing risks from disasters and building resilience, promoting rehabilitation and recovery among survivors. This is very commendable as this offers direct help to Somalia's peculiar situation and most important need in the climate change discourse. However, the capacity to implement these legal mandates is severely constrained by ongoing conflict, lack of infrastructure, and reliance on international humanitarian assistance.

⁷⁰ Abdikadir Hassan, *Climate Change in Somalia: A Growing Threat to Stability and Livelihoods* (2024), https://www.researchgate.net/publication/386538120_Climate_Change_in_Somalia_A_Growing_Threat_to_Stability_and_Livelihoods (last visited June 16, 2025).

⁷¹ Abdimalik Ali Warsame et al., *Examining the Effects of Climate Change and Political Instability on Maize Production in Somalia*, 30(2) Env't Sci. & Pollution Res. 3293 (2023).

⁷² Updated in 2023.

In addition to the above legal instruments, Somalia's Provisional Constitution of 2012 recognises children's rights to protection, education, and family unity. This creates inalienable rights for children in Somalia and thus mandates that they are protected from the hardship of climate change impacts. The reality is however, far from this; children displaced by climate disasters often find themselves in overcrowded IDP camps with little access to services. Girls are particularly vulnerable to sexual and gender-based violence. Despite donor-driven efforts to improve conditions, the lack of robust national legislation and weak enforcement mechanisms leave children inadequately protected. The conflict situation and severe food insecurity only worsens the plight of displaced children, and the available resources in the country in general. The food scarcity and hunger naturally create a deep need in the people and thus competition for the meagre resources available, and resultant conflict. The adaptation interventions do not sufficiently address this aspect of climate induced conflicts.⁷³

There has also been identified a lack of harmonisation of adaptation strategies due to the ad-hoc nature of the interventions which end up fizzling out without any concrete assessment of gains and effectiveness. A targeted child protection framework that includes climate displacement provisions is critical for long-term resilience and rights realisation.⁷⁴

V. DOMESTIC AND INTERNATIONAL LEGAL FRAMEWORKS: POTENTIALS AND LIMITATIONS

This section evaluates the potentials of key international and national frameworks of the countries discussed above, in addressing the challenges faced by climate-displaced children. Some of these are the United Nations Framework Convention on Climate Change (UNFCCC), 1992 of which both Nigeria and Somalia are signatories. This instrument's main objective is to stabilise green-house gas concentrations to a level that would no longer pose a danger to human existence. Similarly, both Nigeria and Somalia are signatories to the Kyoto Protocol of 1997, which is a build-up on the UNFCCC. These two instruments focus on reduction of green-house emissions. These instruments have no direct bearing on Somalia since the country is merely a

⁷³ Abdikadir Hassan, *Climate Change in Somalia: A Growing Threat to Stability and Livelihoods* (2024), https://www.researchgate.net/publication/386538120_Climate_Change_in_Somalia_A_Growing_Threat_to_Stability_and_Livelihoods (last visited June 16, 2025).

⁷⁴ Mintewab Bezabih, *Climate Change, Adaptation and Building Human Resilience in Somalia*, Final Report of the National Economic Council of Somalia (2022), <https://nec.gov.so> (last visited Jan. 13, 2025).

victim of climate change effects occasioned by industrialised activities of other countries⁷⁵. Somalia being a member state of these two conventions do very little to the plight of internally displaced people, particularly the vulnerable children of the country. This is a major gap in legislation for the children in safeguarding their interest and protecting them from the adverse effects of climate change. In the case of Nigeria, being a member state to these two instruments would have been a good opportunity to reduce green-house emissions; however, as stated earlier, the dilemma of revenue gotten from gas flaring which is a major source of revenue to the country and the need to reduce green-house emissions is a reality which cannot be ignored.

It is heart-warming to know that Nigeria is a signatory to the Kigali Amendment, 2016. The instrument mandates a reduction of some green-house emissions such as hydrofluorocarbons (HFCs), which are primarily emitted from air conditioning and refrigerating activities. The emission of these green-house chemicals is made up of hydrogen, carbon and fluorine, pollutes the air and causes global warming. Nigeria recently laid out a plan to phase out HFCs by the year 2040. The Minister for Environment tagged the plan as the Hydrochlorofluorocarbon Phase-Out Management Plan (HPMP), in compliance with its Kigali Amendment membership. Key in achieving this is the manufacturing of climate-friendly refrigeration and air conditioning.⁷⁶ Somalia is a signatory to this instrument as well. Just like the two other instruments discussed above, the Kigali Amendment do not contain direct provisions for protecting the interest of children caught in the web of climate change.

Both Nigeria and Somalia are signatories to the African Union's Kampala Convention on Internally Displaced Persons, 2009, now referred to as the Kampala Convention, although Nigeria is yet to domesticate the law by the national assembly, and because of that, the law cannot yet operate within the country. The instrument seeks to address the needs of people internally displaced by natural disasters among other causes. It is commendable that Somalia is a member state because this instrument is one of the few that provide for vulnerable groups, recognising the risks that displaced women and children face including forced recruitment into armed forces, among others.

Both Nigeria and Somalia are signatories to the Paris Agreement, 2015. The instrument seeks to regulate on the limitation of global warming. It proposes to achieve this by getting

⁷⁵ Abdikadir Hassan, *Climate Change in Somalia: A Growing Threat to Stability and Livelihoods* (2024), https://www.researchgate.net/publication/386538120_Climate_Change_in_Somalia_A_Growing_Threat_to_Stability_and_Livelihoods (last visited June 16, 2025).

⁷⁶ *FG Implementing Phase-Out Plan of Hydrochlorofluorocarbons by 2040*—Salako, Vanguard Newspapers, Apr. 8, 2024, <https://share.google/R0hGIKs4SqYq2qK5r> (last visited June 4, 2025).

commitment of member states to reduce their emissions and thus reduce global temperatures. It also seeks to get the commitment of developed world to assist the developing countries with adaptation to and mitigation of effects climate change. This is another of the instruments that are very helpful to the climate situation both in Nigeria and Somalia. This is because of the portion that provides for assistance from the developed world to the underdeveloped world. Furthermore, in its preamble, it specifically caters to the needs of vulnerable groups including children, recognising the impact of climate change on them and the need for intervention to protect them.

Similarly, both Nigeria and Somalia are signatories to the Sendai Framework for Disaster Risk Reduction, 2015, a global agreement aimed at preparedness for impending disasters, managing risks from disasters and building resilience, promoting rehabilitation and recovery among survivors. This is helpful to the two countries since it is targeted to alleviating the risk of climate change and building resilience and adaptation in survivors.

Nigeria is a signatory to the Declaration on Children, Youth and Climate Action, 2019. It is not clear why Somalia is not a signatory to this instrument which is a first of its kind in being suited to the specific needs of children victims of climate change, and also the fact that children are included in the policy formulation; the gains of child inclusion in policy formation especially in issues that gravely affect them, cannot be over-emphasised.

On the domestic level, both countries have made great progress in formulating policies that address their specific needs due to climate change. Nigeria's national policy instruments like the National Climate Change Policy and Response Strategy, 2012; the National Adaptation Strategy, 2012; the National Adaptation Plan Framework, 2020; the National Policy on Internally Displaced Persons, 2012, the National Migration Policy, 2015⁷⁷ all seek to address the climate change situation in various ways. Somalia too has national policy instruments that are very potent in addressing the situation of climate change within their country. Some of these include the National Climate Change Policy, 2020⁷⁸; the National Transformation Plan (NTP) 2025–2029; immediately prior to this one was the National Development Plan (NDP-9) 20202–2024, which had targeted creating a path to economic growth, alleviating the biting poverty within the five-year time frame.

⁷⁷ Revised in 2025.

⁷⁸ Updated in 2023.

Both countries have legal instruments like their Constitution or the Nigerian Child's Rights Act, 2003, which have provisions that seek to protect children generally. These impose general obligations on states to protect the rights of all children, including those affected by emergencies. However, neither instrument explicitly addresses climate-induced displacements. The ideal for any country, if children are to be protected from the severe adverse effects of climate change and climate-induced displacement, is for both international and local protocols to specifically address climate-induced displacement and how they cater to the peculiar needs of children. Such a protocol should adopt a rights-based approach that identifies children as a priority group. In addition, treaty bodies could amend or interpret existing treaties, such as the United Nations Convention on the Rights of the Child, more expansively to include specific references to climate-induced displacement and its effects on children.

VI. CONCLUSION AND RECOMMENDATIONS

A. Conclusion

The intersection of climate change and child displacement presents one of the most urgent and complex challenges in Sub-Saharan Africa. In both Nigeria and Somalia, children face compounded vulnerabilities social, legal, health and environmental that threaten their development and well-being. Children are stripped bare of their physical and mental protection, exposing them to physical and emotional/mental harm.

The education of children is often disrupted in the event of climate change either due to destruction of the existing schools by these natural disasters, or the fact that the schools are converted to shelters, being that survival is an overriding need above education, or due to the fact that relocation will take these children away from their original schools, or even loss of parents who are the sponsors of their education. Whichever factor, the education of children is disrupted.

The food security of countries in Sub-Saharan Africa which is affected by climate change is greatly threatened. Droughts cause famine, floods destroy vegetation and increase vectors/pests that destroy crops. Generally, extremities of weather affect agriculture, both plant/crop production and livestock rearing. This leads to malnutrition in children, who are most in need of nutrients due to their developmental stage and lower immune system. Breakdown of availability of natural resources like water and clean air is another devastating effect of climate change on children. A combination of poor nutrition and harsh extreme weather, as well as inadequate natural resources is a recipe for ill health among children. Water borne disease, air

borne diseases, vector borne diseases, and malnutrition induced ailments are all effects of climate change on children. Mental health is also affected due to the trauma of loss (of family, familiar terrains) and uncertainty of future, and the compounded trauma of current living conditions in IDP camps.

While existing legal and policy frameworks address climate change and acknowledge the rights of children and internally displaced persons, they still fall short of addressing the unique circumstances of climate-displaced children, as has been copiously highlighted above.

B. Recommendations

There is no doubt an urgent need to explore ways to improve the existence of children who have been affected by climate induced displacements. The statistics show that despite all the existent interventions, there is still a bleak prognosis of more adverse effects on children so affected. It is projected that more than 3.1 million children will be displaced by floods in the next thirty years ahead.⁷⁹

In order to bridge these gaps, and salvage the dire situation, this article makes the following recommendations:

B.1 Legal Reform

There is need to critically look at existing legislation and work towards amendment, in order to include climate-induced displacement as a recognised category of vulnerability. There would also be need to amend provisions of the already existing child protection laws and migration policies in Nigeria and Somalia to explicitly provide for climate change. For example, Nigeria's Child's Rights Act can be amended to include provisions that will legislate on the fate of internally displaced children as a result of climate change, beyond vague provisions on child protection generally. Climate change is a reality upon us and proactive steps need to be taken to address it.

B.2 Integrated Protection Systems

Children are dependent and vulnerable by nature, in the eventuality of losing their parents/primary caregivers, there ought to be a structure where they could access immediate

⁷⁹ UNICEF, *Children Displaced in a Changing Climate* (2023), <https://www.unicef.org/reports/children-displaced-changing-climate> (last visited Mar. 3, 2025).

assistance for multi-sectoral frameworks that connect child welfare services with disaster risk reduction, emergency response, and migration management. This could be achieved through collaboration with developed countries, as provided for under the Paris Agreement, 2015.

B.3 Financing of Child-Centred Climate Adaptation and Resilience

It is recommended that in the yearly budget, government at all levels should allocate national and international climate funds to finance programmes that are specifically targeted towards safeguarding children who have been displaced due to climate change. such funds will be tailored towards adaptation agenda for children, such as continuation of education, provision of healthcare to treat and manage climate change induced illnesses and diseases, food banks to solve the imminent hunger that usually follows displacement by climate change.

B.4 Regional Interventions and Policies

There is need to strengthen the African Union's role in coordinating legal and policy responses through harmonised protocols and peer review mechanisms. Beyond dependence on the developed world, the African countries ought to look inward for solutions to the climate change problems. Membership of the Kigali Agreement is a good step, as it seeks to reduce emissions from HFCs. Both Nigeria and Somalia are guilty of contributing to this category of green-house emissions because both countries use refrigeration as well as air conditioning.

There are some local policies that these countries can deploy to achieve this aim. There is a vicious cycle being created by these countries using air conditioning to cool the hot weather and at the same time causing global warming. These countries are already warm and humid countries yet majority of the industrialised workforce and school age children adorn clothing tailored for temperate and cold regions, and adopt this as "official" dressing. This style of dressing makes it impossible not to use air conditioning and thereby further deplete the ozone layer. It is therefore recommended that official dressing should be made with dress styles and fabrics suited to the warm and humid weather in these regions.

In a similar vein, industries should use materials suited to our warm climate, for example, building materials ought to be the type that keep buildings cool even in the peak of sunshine. This would necessarily reduce the dependence on air conditioning. All of these considerations should be taken and ways should be sought on how to make them into policies.

B.5 Enlightenment and Advocacy

It is suggested that government should find ways of promoting enlightenment and advocacy on the realities of climate change right from childhood. The inclusion of children's voices in a place like in policymaking on climate change and migration is non-negotiable. Similarly, including enlightenment on climate change, especially through school curricula and youth-led organisations should be one of educational policies. This will imbibe healthy environmental habits into citizens right from childhood, and in the long run benefit the children.

In conclusion, protecting children displaced by climate change requires more than humanitarian aid, it demands a proactive and holistic approach, taking into consideration prevention, management and adaptation strategies. This would involve an integrated and legally grounded mechanism. Only through such comprehensive reforms can Sub-Saharan African states meet their obligations under international law and safeguard the dignity and future of their youngest citizens.

