

Natural Resources and Border Dispute between Nigeria and Cameroon

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Abstract

This paper examined the nexus between natural resources and the border dispute between Nigeria and Cameroon. The study specifically investigated the causes and consequences of the conflict between the two countries on the socio-economic lives of their citizens. The paper relied on logical evaluation of secondary data generated from the re-analysis of existing literature. Findings from the study indicated that the conflict issue between Nigeria and Cameroon revolves around dispute over the control of the Bakassi peninsula as both countries laid claim to its ownership because of its rich oil deposits and its indispensability as the economic lifeline of the Bakassi indigenes. The conflict over the peninsula has imposed socio-economic hardship, especially on the Nigerians living in the old and new Bakassi Peninsula. The border dispute was largely managed through the adjudication of the International Court of Justice (ICJ), which primarily favoured Cameroon, but which has greatly de-escalated the conflict between the two countries. The study recommended that the socio-economic lives of Nigerians and Cameroonians, who were dislocated by the outcome of the judicial process, should be improved upon with credible re-settlement programme and economic empowerment while both countries should continue to adhere to the judgement of the ICJ to enhance the sustenance of peaceful co-existence currently being enjoyed within the Bakassi peninsula.

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Introduction

Africa is blessed with abundant natural resources, which have overwhelming importance for the survival of human race across the world. While resource like oil is used as exported lubricant for many industries in advanced countries, other resources, including coal and gas are used largely for domestic purposes. Apart from their relevance to human existence, all other living creatures depend on African natural resources for their survival, reproduction, growth and development. Thus, water supports the life system of vegetation, animals and birds while African natural resources have been used to sustain the very complex interaction between living things and non-living things within the continent and beyond. However, because of its richness and its contribution to the survival of human race, there have been intense struggle and scrambling for the control of African resources right from the colonial exploitation up to the post colonial African setting that has witnessed the enthronement of powerful African state and non-state actors to gain improper access to natural resources of other nations and profit from it, which at times lead to border conflict, as witnessed between Niger and Chad and between Morocco and Algeria. Rebel groups in particular have illegally mined African natural resources to prosecute war as witnessed in Sierra Leone and Democratic Republic of Congo when diamond and Colta were illegally mined respectively by rebels to wage war against the government. Apart from rebel incursion, African countries have also continued to struggle over the control of territories that are blessed with rich mineral resources for its exclusive control (Asif and Muneer, 2007). In most cases, several factors are responsible for intense competition for the control of natural resources, especially those resources within the border demarcation among African countries. The causative factors for scrambling for the natural resources of Africa include increased population growth, migration and urbanization that require more resources to satisfy.

The conflict between Nigeria and Cameroon is a good instance of this negative scenario of an interstate conflict over cutthroat competition for natural resources for sustainable development of both countries. Nigeria and Cameroon are neighbouring countries that shares a common border, similar socio-political history and natural resources. In fact, both countries have been using their historical ties to create opportunities that could benefit them, especially from the natural resources that lie within their borders (Asobie, 2003). One of these naturally endowed border areas is the Bakassi peninsula. The peninsula, which apart from oil wealth, also boasts of heavy fish deposit, became a subject of serious dispute between Nigeria and Cameroon with about 28 lives of Nigerians and Cameroonians lost from

military aggressions and tribal squabbles in the area (Nigeria-Cameroon Boundary Commission, 2008). The robust diplomatic relations between the two countries was also strained over issues relating to their 1,600 kilometre Bakassi boundary, which extends from the Lake Chad region to the Bakassi Peninsula. Amongst the issues of contention were the right of ownership over the oil-rich land and sea reserves, and the fate of the local population in the border re-adjustment programmes between the two countries. The interest over the ownership of Bakassi by Nigeria and Cameroon began immediately they both discovered that the peninsula has a huge reserve of crude oil. It was only then that the two countries started making serious claims and counter-claims over the territory. Thus, the dispute is not only a product of redefinition of geographical boundary by the colonial powers but also a product of cutthroat competition for resource allocation and control.

The focus of this paper is to assess the causes and the consequences of the dispute between Nigeria and Cameroon over the Bakassi peninsula, and the implications of the adopted conflict management mechanism of the crisis for the socio-economic development of the Bakassi people.

Conceptual Clarifications

Bannon and Collier (2003) define natural resources as materials that occur naturally with minimum human efforts, which are useful to human beings. Such resources include water, air, land, forests, fish and wildlife, topsoil, and minerals. The resources are classified as renewable or non-renewable assets. In most cases, renewable resources such as cropland, forests, and water can be replenished over time by natural processes and when not over-used are indefinitely sustainable. Non-renewable resources such as diamonds, minerals, and oil are found in finite quantities, and their value increases as supplies dwindle.

Because the concept of natural resources is broad, the categorizations and definitions of natural resources can vary among disciplines. Other category of natural resources include strategic raw materials, sources of energy, shared water resources, and food; and biological resources, energy resources, food resources, land resources, mineral resources, soil resources, and water resources.

According to Bekker (2013), natural resources are an integral part of the society as sources of income generation. Developing countries tend to be more dependent on natural resources as their primary source of income, and many individuals depend on these resources for their livelihood. It is estimated that half of the world's population remains directly tied to local

natural resources; many rural communities depend upon, land minerals, and timber as their main sources of income.

A developing country's ability to modernize economically is often dependent on access to natural resources. For instance, water is essential for both the agriculture and manufacturing sector as lack of clean water for the labour force can drastically inhibit a country's economic growth. Some natural resources play a central role in the well-being of the local community by contributing to their socio-economic development. Natural resources, both renewable and non-renewable, that are controlled by the state (which is the case in most developing countries) are used as exports by the government to obtain foreign exchange earnings and power. Developed countries have established an industrial infrastructure that relies heavily on imports of natural resources, and mineral-rich countries are positioned to supply that demand. Many of these resources have great value in the global market, which allows the developing countries in possession of the resources to be active participants in the international economic system. The best example of developing countries organizing to control their own fate through natural resources are members of the Organization of Petroleum Exporting Countries (OPEC), which works to protect the interests of oil-producing countries while maintaining stable oil prices and reducing the potential for conflict (Blake, 2008). Resources such as land, water, and timber (forests) usually have historical and cultural significance, serving as the home of ancient civilizations, historical artefacts, and cultural practices. These resources are part of the identity of a community or people, in which such people hold a powerful sense of attachment to having invested their labour and sweat from one generation to the other.

Brochman and Hensel (2009) refers to border or boundary dispute as territorial claims over demarcation of a territorial boundary between two bordering states or a land area between their borders of questionable ownership while Borzole (2004) agreed that Border disputes may be territorial or boundary claim existing between a state and the neighbour based on the challenge of territorial allocation requiring adjustment and arising from historical, geographical, ethnic or cultural, economic, military or strategic reasons. Colgan (2010) notes that the weak elites in the African State engages in border conflicts to minimise external threats to their rule while Colgan (2013) asserts that 'Border disputes are a common feature of African politics due to their arbitrary partitioning by the colonial masters without recourse to the peoples' cultural affiliations', though each region manages its conflict in different ways.

Three processes identified for drawing boundary lines according to the author are allocation (political division of a territory), delimitation (selection of a specific boundary site for data purposes) and demarcation (marking of the boundary on the ground through placement of pillars and beacons, fences and cutting of vista across the forest). Eboh (2015) considered the characteristics of borderland and African borderlands and concluded that border consists of location, which represents the distance of the border to the political capital of the country and how Government machineries function in relation to borderland areas and her population. The border also has interactive patterns of interstates relations across border issues and interactions among neighbouring population in the borderlands despite the partial or full existing restrictions of certain categories of people to cross the border. Potential conflicts and fighting over territorial boundaries over the strategic importance to the borderland is another characteristic of the border. An overwhelming presence of security organizations citizens' loyalty or disloyalty to his country and exercise of sovereign rights are equally important characteristic of the border. A border also has transnational features with respect to its roles as territorial, cultural and economic zones for regional integration, stability or conflicts).

Boundary politics therefore brings to fore, the utility and definition of conflict (dispute and crises) as a contradiction arising from perceptions, behaviours, phenomena and tendencies.

Review of Related Literature

Natural resources have been fuelling conflicts within and between African countries. Such conflict situations typically take the form of territorial disputes over the possession of oil-laden border areas, factional struggles among the leaders of oil rich countries, and major inter-state wars over the control of vital oil and mineral zones (Klare, 2014). The dispute over the Bakassi Peninsular between Nigeria and Cameroon is not only the product of redefinition of boundary by the colonial powers but more of a product of resource allocation and clash of tradition and modernity in which the pre-colonial history of the ancient kingdom of Calabar haunted the postcolonial reality of contemporary Nigeria and Cameroon (Ethim, 2011).

Fearon (2005) had examined the issue of identity and power play in Bakassi, which according to them, had constituted serious impediments in managing the border question, from the level of the community to the state and external levels. For instance, they argue that ethno-cultural forces unleashed by the political liberalization process have always accentuated the struggle to control resources. Drehl and Goertz (2008) explained that

Shell, Mobil and Gulf prospected and discovered oil for Cameroon in the maritime region with Nigeria in 1967. Flint (2008) also explained that this discovery increased the stakes over the hitherto ill-defined maritime border. Leaders of both sides saw the need to hasten the settlement of festering border disagreements, which started modestly between villagers on both sides of the land border. This inspired some concerted efforts in the 1970s (after the Nigerian Civil War that had interrupted an earlier attempt in 1966) to better define the border. But with the new knowledge of petroleum within the maritime zone, political leaders have for economic as well as political reasons, laid claims to territories in this zone aimed at pre-empting the result of further discoveries to fall within their respective spheres. The existence of such mineral wealth has been a recipe for conflicts elsewhere in the continent and the rest of the world and this region would seem to fit neatly in the global trend. Such vital mineral deposits also increase the strategic value of territories under dispute as their proceeds by developing countries that usually depend on importation to satisfy their defence needs.

Gleic (2009) opined that Cameroon needed this Peninsula for the survival of her citizens. The author argues further that "While the Peninsula itself is a swampy land and generally being considered to be of little value, its ownership has important implications for fishing and oil rights offshore" Hardin (2005) At first the Bakassi Peninsula seems to be of less important for both countries because the region was initially considered as a swampy land, with negligible resources that could bring income into the country and again inhabited by poor fishermen who had nothing to offer to the government. Homer-Dixon (2011) contends that the Nigeria-Cameroon dispute over the oil-rich Bakassi was a carryover effect of the unhealthy relationship between Nigeria and France resulting from the overwhelming influence of France in the sub-region. He observes that Nigeria got her independence in 1960 and became a Republic in 1963 with sovereign authority over her international relations with the world at large. Nigeria, at infancy, was engaged in a civil war with the secessionist Biafra between 1967 and 1970, in which France supported the secessionists. He further infers that at the end of the war after 30 months, border skirmishes erupted between the Cameroon gendarmes and Nigeria villages in the Bakassi area with active support of France for Cameroon.

Akamode (2000) emphasized on the paradox of the Peninsular when he maintained that the Peninsula is a community that subsists in the midst of plenty-plenty of fish and oil deposit but is ravaged by poverty. He further traced the dispute in the oil rich area between Nigeria and Cameroon from 1993, leading to loss of lives from military aggressions that have

been mostly instigated by Cameroon. It is however pertinent to note that the Nigeria-Cameroon crisis over Bakassi was the climax of a long-drawn battle over territorial assets, supremacy and relevance between Nigeria and Cameroon.

Considering the factors that were responsible for the border dispute between Nigeria and Cameroon, Humphreys, (2005) contends that the diplomatic row between Nigeria and Cameroon over Bakassi was needless because the environment has been very beneficial to both countries. His argument centres on the fact that though the population of Bakassi is overwhelmingly Nigerians as Bakassi local government functions as part of Cross River State of Nigeria, the area has been beneficial to the government and individual citizens of both countries. In the Northern sections of Nigeria and Cameroon, grazing lands are jointly used by citizens of both countries. For instance, around Adamawa and Mandara Hills, grazers gain from this cooperation, and the government of both countries equally derive revenue from tax. The fishermen from both sides jointly use the local rivers for fishing and other domestic purposes. The trend of cordial Nigeria-Cameroon Relationship underwent some changes in the middle 1960s. It was characterised by disharmony and inherently conflict prone. This was partly due to the influence exerted by France and the leadership role of Nigeria in the sub-region; although, the rulers of these respective countries in the sub-region often attempted to portray an impression of cordiality in their official relationship. On a serious note, Nigeria relations with Cameroon from 1970-1980 have been characterised by mutual suspicion, distrust and alienation. The situation of rivalry and disharmony had perhaps been more pronounced in Nigeria-Cameroon border more than any others. This was not unconnected with some actions and decisions taken by Nigerian government which Cameroon regarded as out of place. Cameroon accused Nigerian government on the following grounds that Nigeria used her influence through Lake Chad Basin Commission to get Niger and Chad on her side.

As Huth (2008) noted, development wise, both Cameroon and Nigeria had not carried out any reasonable development in the area in terms of communication networks, health and education as to claim ownership. Despite the wealth of the region however, it is grossly underdeveloped and most of the people are poor and live in abject poverty. Secondly, Nigerian fishermen have been fishing on the Cameroon side of the Lake to the detriment of the Cameroonians, that Nigerian fishing boats plunder their waters with the support of Nigerian Navy using Cameroon as a dumping ground for the sale of fish by Nigerians without mutual considerations for

the Cameroonians. On the boundary issue, the Cameroonians regarded Nigeria as carving out an expansionist policy to grab more land from small and weak Cameroon as a nation. In fact, the Cameroonian authority is of the opinion that Nigerian government masterminded the result of the referendum in 1959 in the former Northern section of the British controlled Cameroon, by sending thousands of Nigerians to vote against the idea of uniting the Northern section with Cameroon. Furthermore, the Cameroonian authority regarded Nigerian claim to the ownership of Bakassi Peninsula as an attempt by the Nigerian government to grab more territories from Cameroon. This according to the Cameroonians was regarded as unacceptable and would not be allowed to take place. Hence they were prepared to use all diplomatic means available to block what they regarded as Nigeria's territorial expansionist policy.

An appraisal of the related literature clearly indicated that a lot of researches actually exist with respect to scholars that have attempted to interrogate the causes of the rivalry between the two countries over the Bakassi Peninsula. The researches also studied the national interest of the two countries. Considering the role of resources in inter-state relations, the study looks at how diplomacy has been employed to manage the dispute that exists between these two countries over the Bakassi Peninsular.

Theoretical Framework

This research is situated within the Territorial Theory of co-operation and Realist theory of international engagements. Joseph (1990), describe international cooperation as the voluntary adjustment by states of their policies so that they manage their differences and reach some mutually beneficial outcomes. According to him, the concept of international cooperation comprises of a number of elements: First, cooperation involves efforts by states to work together voluntarily. Second, it involves the specification by states of some common or at least compatible ends, to which they devote their combined efforts. Third, cooperation signifies not a one-time interaction but rather a longer-term engagement by the states. David Mitrany (1888-1977), as quoted by Joseph (1990), in his view posits that there are technical issues that could be resolved only by cooperative action across state boundaries. The theorist also sees cooperation as "a subject of manifest importance for anyone concerned about the prospects for world peace and order". This theory was viewed differently by two different schools of thought: realists and liberal institutionalisms, but for the purposes of our study, the view of the latter appears more suitable and will be employed.

Liberal institutionalisms are of the view that in spite of the decentralized nature of the international system, the willingness of states to cooperate and work together has been encouraged, particularly with the assistance of international institutions and organizations, which help states to achieve their security goals, resolve and overcome their obstacles. They also concede that aside security issues which is one of the reasons why states need to cooperate, the grow networks of trade, monetary, capital and technology flows among states are also factors that necessitated cooperation among the states. The Liberal institutionalisms again argues that the 'low politics' in the international political economy and especially the success and failure of co-operative efforts among these states are also important domains of international action. According to Homby (2000) cooperation is a set of relationships that are not based on coercion that are legitimized by mutual consent of members. The author as well shows the need for states to cooperate among themselves in order to face problems which solutions are beyond their individual capacity. Such problems includes functional sector like trade policy in which the need for cooperative behaviour is believed to exist, environment, telecommunications, migration, health, investment, monetary policy and airline safety. The mutual gains from cooperative behaviour in such areas are held to outweigh the benefits from acting alone. As quoted by David Mitrany, "the more successful cooperation was in one functional setting, the greater would be the incentive for collaboration in other fields. Within the realist theory of international relation as champion by Hans Morgenthau, rather than wish conflict and war away within the international system, countries should rather see war as an acute reality that must be prepared for because of the cutthroat competitive nature of the international system over scarce global resources and the power to control it amongst nations. Since nations do not have access to these important resources equally and equitably because of its scarcity they often compete for it because of their selfish interest, leading to war sometimes, especially when the stronger country attempt to forcefully annex the resources of the weaker ones. All nations have thus, learnt to garner superior military power to curtail real or threat of domination by other countries in the international system.

The relevance of the two theories to the study is that the cooperative theory provide the cooperative basis upon which the relationship between Nigeria and Cameroon is based within the contemporary international relations, which demand the need for cooperation in order to enhance their securities, eliminate trade barriers between them, promote each other's economic well-being, as well as replace mutual suspicions with growing

trust. However, the two countries also rely on their military strength to curtail real aggression from the neighbouring countries that tends to undermine their territorial sovereignty. It is against this background that the theory of cooperation and realism are chosen to form the theoretical base of the work.

Bakassi Peninsula and Border Dispute between Nigeria and Cameroon

Geographically, the Bakassi Peninsular is bounded to the East by Rio-de-Rey, to the North-West by Akpayafe, to the West by estuary of Cross River and to the South by the Atlantic Ocean (Atlas Map of Africa, 2010). The region is an extension of old Calabar territory in terms of language, culture and ancestral affinity. It covers about 1,000 square kilometres or 400 square miles. Located around the forest zone of South Eastern Nigeria, the Bakassi Weather is wet with an annual rainfall of about 2800mm. The peninsular has about 47 villages with a population of about 600,000 (Atlas Map of Africa, 2010). The primary occupation of the people of Bakassi is fishing and it is inhabited by the Efiks from Cross River State, the Ibibios, Annags, Orons and Andionis from Akwa-Ibikom state as well as the Ijaws and Itshekiri from Rivers, Bayelsa and Delta States of Nigeria. Apart from crude oil, the presence of the deep Sea is documented to be very rich in living creatures such as fish, shrimps, prawns and lobsters. The Sea was acknowledged to have the largest concentration of shrimps and fishes in the world.

The Bakassi Peninsula serves as one of the global economic life wire as many European and Asian Countries, especially Japanese have industrial vessels which catches fish in the area. The Peninsula, before it became a subject of dispute was carved out as part of Nigeria by the British European power. Article 1 of the treaty between the Kings and Chiefs of Old Calabar and Britain signed on Sept. 10, 1884 attests to this fact. In the agreement, the British Government agreed to protect all the territories controlled by the Obong of Calabar, one of which was the Bakassi territories including the peninsular.

The conflict between Nigeria and Cameroon over the oil-rich Bakassi Peninsula, and the dispute over their 1,600 kilometre long border area that extends from Lake Chad to the Gulf of Guinea, has its origin from the colonial partitioning of Africa. For their selfish economic, political and strategic calculations, the imperialist capitalist powers, which include Britain, Germany, France, Belgium, Portugal, Spain, amongst others, partitioned and divided African territories and its peoples among themselves without

the much consideration to the language, social and cultural affinities of Africans in the 19th century (Gumne, 2006). In many instances, the same ethnic nationality along its resources found itself divided into two or more colonial territories and ruled by different colonial masters. In 1884, Britain signed a treaty of protection with indigenous rulers that gave Britain control over the Peninsula. Subsequently, the area was included in German colony as a result of the 1913 agreement between Germany and Britain for the former to administer the area as her trustee colony. Cameroon had during the colonial times had its western part administered within Nigeria by Britain, which had made most of that part Anglocized, Nigerianized and the lands settled by Nigerian groups. This had led to flashes of attacks on Nigerian communities in the 1970s and 1980s by Cameroonian gendarmes, which had culminated in attempt in 1982 by the Shehu Shagari administration to contemplate an invasion of Cameroon as a counter-measure and way of showing the Nigerian superiority over her obstinate neighbour. However, the Government did not retaliate Cameroonian attack because of the latter's support for Nigeria during the civil war in deference to France, her colonial master's stance against corporate existence of Nigeria.

However, the renew interest of Nigeria and Cameroun over the ownership of Bakassi peninsular began immediately it was discovered that the peninsular has an overwhelming reserves of crude oil, and it is also a strategic location in the Atlantic Ocean as a fertile fishing ground (Homer-Dixon, 2011). It was only then that the two countries started making serious claims and counter-claims over the ownership of the territory. Nigeria claimed that the peninsular is the ancestral land of the indigenous Efik speaking Bakkasi people from Cross River State of Nigeria. The country claimed further that from the end of the First World War to the independence of Cameroon in 1960, the Bakkasi Peninsular and the present day South Western Cameroon were administered by Britain as part of Nigeria. Cameroon claims over the territories was based on a written document in which the then Nigeria Head of State, General Yakubu Gowon ceded the Bakkasi peninsular to Cameroon as an inducement for the support of the country for Nigeria during her civil war with the defunct Republic of Biafra, and to also reduce the territorial influence of the geographical entity of the then Biafra republic by ceding part of it to foreign territory. The Nigeria counter claim over ceding arrangement was that, The Nigerian senate which has the constitutional mandate to rectify the document that ceded part of Nigerian territory to another country was not in session then and that whatever agreement Gowon had with Cameroon on the issue of Bakkasi was illegal and of no effect. Among other conflict generation

between Nigeria and Cameroon over the Bakassi peninsular are disagreement over the socio-economic rights of the people on the land and the control of the oil-rich land and sea reserves, as well as the fate of the territorial identity of the local populations within the peninsular. For example, as Lake Chad dried up due to desertification, local populations relying on the Lake for their livelihood have followed the receding waters, further blurring the boundary lines. Tensions between the two countries escalated into a military confrontation in 1993 with the deployment of Nigerian military to the 1,000 square-kilometre Bakassi Peninsular. The Peninsular is strategically important to Nigeria because the area constitutes an external environment for the defence of the country. From Nigeria's experience during the civil war of 1967-1970, it was clearly revealed that the country's political stability could be undermined by foreign enemy who could use the place as a base to destabilise the country. The proximity of Bakassi to Nigeria made it mandatory for the Federal government to want to retain it from possible manipulation by her enemy.

The Conflict Management Mechanism on the Nigeria-Cameroon Dispute over the Bakassi Peninsular

The conflict management mechanism of the dispute between Nigeria and Cameroon over the Bakassi peninsular was situated within adjudicative conflict management mechanism. In 1994, Cameroon sued Nigeria at the International Court of Justice (ICJ) in Hague over the disputed Bakassi peninsular. Cameroon asked the International Court of Justice (ICJ), also known as the World Court, to settle the dispute over its boundary with Nigeria, especially on the question of sovereignty over the Bakassi Peninsula, and over the Lake Chad islands, and to specify the course of the land and maritime boundary between the two countries (ICJ Reports, 2002). On the 10 October 2002, the ICJ, citing agreements between the United Kingdom and Germany in the early 20th century, issued its irrevocable judgment on the entire land and maritime boundary between Cameroon and Nigeria.

After eight years of adjudication, the Court delivered its judgment on the merits of the case on 10th October 2002, deciding, in part, that sovereignty over the Bakassi Peninsular and the disputed area in the Lake Chad region lies with Cameroon. The court rulings confirmed sovereignty over portions of the territory in question to Cameroon and delineated the border. Nigeria also made certain land gains according to the ruling as one of the Cameroonians village, Dambore was ceded to her. While Cameroon was overwhelmed with satisfaction by the ruling, there were negative reactions to the ruling by different segments in Nigeria. The Cross River State Youth

Assembly (CRSYA) rejected the judgment in its entirety because it lacked the consent and approval of the indigenous Bakassi people who are Nigerians. The youth also argued that the handing-over of the ancestral land of Bakassi people to a foreign country did not follow due process because it lacked the ratification of the Nigerian National Assembly before the implementation of the ICJ judgement by the presidency. They posited further that the ceding of Bakassi Peninsula was done without a referendum of the Bakassi people and that Nigerians cannot have their ancestral home transferred to a foreign land in obedience to a politicized world court judgment. The CRSYA vow that Bakassi remains and will always remain part and parcel of Cross River State of Nigeria and not to be transferred to the Republic of Cameroun because the inhabitants have no ancestral, historical, archaeological and political links or ties with the foreign country. The Nigeria Bar Association (2008) admonished Nigeria over the Bakassi dispute by contending that as democrats, Nigerian leaders should learn to respect legal processes. As argued by the legal professional body, even if the government is rejecting the ICJ judgment, legal processes should be followed to protect the country's esteemed position as a leading nation in world politics.

The Nigeria Senate also reacted to the ICJ judgement as it rejected the transfer, since the Green Tree Agreement ceding the area to Cameroon was contrary to Section 12(1) of the 1999 which stated in relation to the withdrawal or implementation of treaties with foreign countries that:

- (1) No treaty between the Federation and any other country shall have the force of law to the extent to which any such treaty has been enacted into law by the National Assembly.
- (2) The National Assembly may make laws for the Federation or any part thereof with respect to matters not included in the he Exclusive Legislative List for the purpose of implementing a treaty.
- (3) A bill for an Act of the National Assembly passed pursuant to the provisions of subsection (2) of this section shall not be presented to the President for assent, and shall not be enacted unless it is ratified by a majority of all the House of Assembly in the Federation.

Regardless of the position of the National Assembly, the Bakassi territory was formally transferred to Cameroon on 14 August 2008. The Bakassi leaders threatened to seek independence if Nigeria renounced sovereignty over the Bakassi peninsula. This secession was announced on 9 July 2006, with the proposed declaration of the "Democratic Republic of Bakassi". The decision was made by groups of militants in Southern

Cameroon; under the aegis of Southern Cameroons Peoples Organisation (SCAPO), Bakassi Movement for Self-Determination (BAMOSD), and the Movement for the Emancipation of the Niger Delta (MEND). At an independence ceremony called by the Bakassi Self Determination Movement (BSDM) prior to the official handing-over ceremony of the Bakassi peninsula to Cameroon, residents waved the territory's new blue-and-white-striped flag at Ekpot Abia, which was part of the land handed over by Nigeria to Cameroun in August 2006. Nigeria began to withdraw its forces, comprising some 3,000 troops, beginning 1 August 2006, and a ceremony on 14 August marked the formal handover of the Northern part of the Bakassi Peninsula. The remainder stayed under Nigerian civil authority for two more years.

On 22 November 2007, the Nigerian Senate passed a resolution declaring that the withdrawal from the Bakassi Peninsula was illegal. The government took no action, and handed the final parts of Bakassi over to Cameroon on 14 August 2008 as planned, but a Federal High Court had stated this should be delayed until all accommodations for resettled Bakassians had been settled; the government did not heed this court order, and set the necessary mechanisms into motion to override it. Fishermen displaced from Bakassi had been settled in a landlocked area called New Bakassi, which they claimed is already inhabited and not suitable for fishermen like them but only for farmers.

The Cameroon-Nigeria Mixed Commission and the Implementation of the ICJ Judgement

Earlier, before the ICJ judgment, the then Secretary-General of the UN, Kofi Anan invited Presidents Paul Biya of Cameroon and Olusegun Obasanjo of Nigeria to a meeting on the 5th September 2002 in Paris (Asif, 2007). The two Presidents agreed to respect and implement the anticipated ICJ decision, and to establish an implementation mechanism. They also agreed on the need for confidence building measures to further restore the cordial relationship between the two countries, including the eventual demilitarisation of the Peninsular, with the possibility of international observers to monitor the withdrawal of all troops with the support of the United Nations. After the ICJ judgment, the Secretary-General facilitated a further meeting between both Presidents in Geneva on 15 November 2002. In a joint communiqué, the two leaders agreed to ask the Secretary-General to establish a Mixed Commission of Cameroon, Nigeria, and the United Nations, to consider ways of following up on the ICJ ruling and moving the process forward. The Secretary-General designated his Special

Representative for West Africa, Mr. Ahmedou Ould-Abdallah, as Chairman of the Cameroon-Nigeria Mixed Commission. Apart from its Chairman, the Commission composed of the Delegation of Cameroon, led by Mr. Amadou Ali, Senior Minister in charge of Justice, and the Delegation of Nigeria, led by Prince Bola Ajibola, former Minister of Justice. The Mixed Commission was established as a conflict preventive diplomacy and a new model for peaceful settlement of conflicts between states within the international system (Anan, 2003). The Mixed Commission's mandate covers the following areas:

- i- To demarcate the land boundary between the two countries;
- ii- The withdrawal of civil administration, military and police forces and transfer of authority in relevant areas along the boundary;
- iii- The eventual demilitarisation of the Bakassi Peninsula;
- iv- To protect the socio-economic rights of the affected populations in both countries by giving those evacuating the peninsular new home and land for their occupation
- v- The development of projects to promote joint economic ventures and cross- border cooperation; and
- vi- The reactivation of the Lake Chad Basin Commission. In pursuit of its mandates, the Mixed Commission has established the following subsidiary organs, with experts from the two parties and the United Nations:
 - A sub-commission responsible for demarcation of the land boundary between the two countries.
 - A sub-commission on the affected populations with a mandate to assess the situation of these populations and to consider effective ways to ensure protection of their rights.
- iii- A Working Group on the withdrawal of civil administration and military and police forces and the transfer of authority in the Lake Chad area to the Lake Chad Commission, which completed its work in January 2004.
- iv- The establishment of a Working Group on the demarcation of maritime boundary.
- v- The composition of a Working Group on the withdrawal and transfer of Authority in both the Land Boundary and the Bakassi Peninsular to its owner based on the judgement of the ICJ.

To facilitate the activities of the Mixed Commission, the United Nations established a support team based in Dakar. In addition to technical and logistical assistance, the UN team also provided substantive support to the

Mixed Commission and to the two sub-commissions and the Working Group.

The Achievements of the Cameroon-Nigeria Mixed Commission

The Cameroon-Nigeria Mixed Commission has made significant progress since its inception, including the approval of a work programme on the demarcation of the land boundary between the two countries on the 5th October, 2003 (Bolaji, 2011). There was the withdrawal of civil administration, military and police forces and transfer of authority in the Lake Chad area by Nigeria, which was completed on the 18th December 2003. The process took place in phases with some 33 villages surrounding Naga'a, Tchika, Doron Liman, and Darack handed over to Cameroon, and Damboré to Nigeria. The mixed commission Chairman, Ould-Abdallah presided over the ceremony of the formal hand over in Tchika and Damboré, and the heads of the Cameroonian and Nigerian delegations participated. The Mixed Commission also deployed observer personnel to the Lake Chad area for one year to make regular reports on the extent of the implementation of the hand over programme. To strengthen confidence between the parties, the Mixed Commission has also embarked on joint projects to promote cross-border cooperation and joint economic ventures to benefit the population in the area. These included the reactivation of the Lake Chad Basin Commission, which was formed in 1964 among neighbouring countries, and upgrading, with the assistance of the African Development Bank, the Moutenguene-Abakaliki road linking the two countries.

A draft Protocol for the protection of the rights of the affected population was submitted at the sixteenth meeting of the mixed commission in Yaounde in April 2008. Earlier, at its meeting in Abuja on 29-30 October 2003, the Mixed Commission reaffirmed its commitment to guarantee the rights of all people affected by the Court's decision, both Cameroonian and Nigerian. In this context, the Sub-commission on the affected populations visited the Lake Chad, the affected areas in the Land Boundary (November 2003, January-February 2004) and the Bakassi Peninsula in February 2004. The Demarcation Sub-commission also joined the Sub-Commission on Affected Populations during the field visit of the Land Boundary and the Bakassi Peninsula in February 2009 for the verification of the actual implementation of the ICJ judgement by the two countries. The invitation for the Expression of Interest contained in the first contract for the Demarcation (satellite imagery for mapping) has been posted on the UN website since 2009.

In order to facilitate peaceful implementation of the ICJ's judgment to a logical conclusion, a budget of about \$12 million for the demarcation is involved. Cameroon and Nigeria have each contributed \$3 million to the UN Trust Fund for the initial financing of the project; the European Commission has granted 400,000 Euro for the demarcation programme while the United Kingdom has offered a contribution of one million pounds sterling for the project. (UNDP Report, 2010).

From 5 to 13 March 2009, a tripartite delegation from Cameroon, Nigeria, and the United Nations visited many cities including Paris, Brussels, Washington and New York to mobilise further diplomatic and financial support for the border demarcation.

Effect of the Border Dispute between Nigeria and Cameroon on the Socio-Economic development of the Bakassi Indigenes

The socio-economic and cultural effects of resettlement on the Bakassi people are unavoidably high. Farming, which has been the mainstay of the Bakassi people, was destroyed. Consequently, most small and medium families are adversely affected and impoverished in their new place of abode called the "New Bakkasi" because domestic economic activities were disrupted and their occupations lost. The cordial ethnic, tribal and religious relations and unity among the people were lost between those Bakassi indigenes that chose to remain in Cameroon and those who chose to relocate to Nigeria. Individual dignity was virtually lost because of lack of privacy necessitated by inadequate accommodation for affected persons, many of who were force to bath in the open very early in the morning. Families were rooted out of their traditional and ancestral domain, cultural practice and ways of life in the old Bakassi. The situation at the resettlement site in Ekpiri Ikang, Cross River State perhaps explains more and elicits urgent attention of all the stakeholders to address the humanitarian crisis that have engulfed the relocated Bakassi people. Umahi (2012) captures the plights of the affected Bakassi people when he noted that the harsh reality of the handover of Bakassi to Cameroun is striking as several thousands of indigenes of the area were driven forcefully out of their ancestral lands. As it said, north or south, east or west, home is the best. But for the Bakassi people, there is no longer a place to call home. It was indeed, a precarious situation (Daily Sun, October 3, 2011: 24)

The forceful relocation also affected the socio-cultural affinity of the Bakassi indigenes with their natural environment, before the resettlement, the people of Bakassi worshipped "Akwa Abasi Ibom", the Almighty God in their tradition in the old Bakassi. They were rich in cultural heritage as

seen in their mode of dressing, bead making, masquerades, traditional wrestling, among others. The masquerades in Bakassi were similar to that of the Efiks of Calabar, which ranges from Nnabo, Agaba, Edem Obon, Ekiri Akata, among others. Most of these masquerades entertain people during festival periods, marriages/wedding ceremonies and burials. However, the relocation has had negative consequences on this cultural heritage of the Bakassi people and has created a problem of mixed culture and religion with their new settlements (Hensel, 2008). Within the economic domain, while in the old Bakassi, the people had obviously lived not as beggars, which the relocation has disposed them to, but as people who worked hard to meet their various economic needs. Their lands are rich in oil and maritime resources such as fishes and shrimps, which the people depended on for their livelihood. The relocation of the Bakassi people to strange lands has however had negative effects on their means of livelihood and depleted their economic wellbeing. Similarly, the relocation of Bakassi people meant that Nigerians who had lived in Bakassi all their lives had to face the sad reality of having to evacuate a region that is part and parcel of them immediately. Most people living in that area have business located there and so, leaving the area meant detaching them from their sources of income.

Moreover, all the infrastructural facilities, including hospitals, schools, recreational centers, that were originally put in place by Nigeria for the indigenous usage were forfeited while new ones were hardly built in their new place of abode. The judgment of the World Court has equally far reaching consequences on the territorial integrity of Nigeria and the Bakassi indigenes, fundamental among which are briefly enumerated below:

- (i) The judgement of the World Court recognized Bakassi Peninsula as territory within the sovereignty of Cameroon while the native population are not merely Nigerians, but Nigerians who are indigenous to Bakassi and owners of the land of Bakassi. The court ceded the ancestral home of these populations to the Cameroonians government while these people at the same time are expected to maintain cultural, trade and religious affiliations with their kith and kin in Nigeria. What this implies is that the judgement created an irreconcilable admixture of factors where it grants sovereignty of a territory to one country and the nationality of its native population to another, while at the same time recognizing the land to be the ancestral homes of the population.
- (ii) Though the International Court of Justice deals with suits brought before it on a case-by-case basis and is not bound by its previous decisions, it usually maintains a certain consistency in its decisions.

- Such an absolute departure from its previous interpretation in this Bakassi case is inexplicable, especially when it serves colonial policies at the expense of traditional African linkages and civilization.
- (iii) The judgment is the legitimization of the scramble and partitioning of Africa by the colonialists through the Bismarck-inspired 1884 Berlin Colonial Conference.
 - (iv) The judgment has created a future conflict between the indigenes of the new Bakassi and the other inhabitants of the land before their arrival. Thus the relocation of the Bakassi local council to Ikang which superimposes Bakassi people on an already existing land owned and occupied by the Ikang people is a time bomb, which is likely to explode anytime. Nigeria is creating a refuge problem for its own citizens in their own land. To Cameroon, the stability of the country is standing on the threshold of threat as the Anglophone secessionist movement, the Ambazonia are re-strategizing for an independent oil rich state which they claim, Bakassi Peninsula is its heart.
 - (v) The judgment ceded part of Cross river estuary to Cameroon which means that no land owners can enter into Calabar without the permission of Cameroon.
 - (vi) The judgment of the ICJ on the Bakassi issue has re-drawn the geographical map of Nigeria and, which requires constitutional amendment to effect change occasioned by the ruling.
 - (vii) The judgment created a burden of loss of oil and gas soaked region reputed to contain ten percent of the world's oil and gas reserve. It has deprived the totality of the Nigerian people the oil wealth of that community.
 - (viii) Because the ICJ ruling did not solve the problem of the inhabitants of the Peninsula, but only addressed the issue of who has control over the territory, the judgment only opens the door of war more widely.
 - (ix) The judgment recognizes Bakassi as the only area allegedly covered by the 1913 Anglo-German Treaty whose population was not proven to have participated in the plebiscite for the purpose of self-determination. The judgement assumed that a plebiscite must have taken place in Bakassi. This assumption is a violation of the stated primordial role of the principal of self-determination.
 - (x) Enforcement of the judgment was a severe violation of the inalienable rights of the people of Bakassi to self-determination and a threat to their socio-cultural stability.

The effects of the World Court judgement on the Bakassi Peninsula were equally implicated on the overall national interest of Nigeria. In fact, the existence of many states in the international system portends a form of permanent struggle for the maintenance of political independence, territorial integrity, economic interest and national prestige, as well as promotion of world peace. States, like individuals, appear naturally selfish because of their inherent desire to pursue their parochial interests in fervid competition with other states. With over 200 nations, the world in the midst of scarce resources and means of survival, calls for the entrenchment of national interests in all countries. The efforts towards the achievement of national interests have over the years proved a herculean task. This has called for concerted efforts by the leadership of the various nations in making decisions that would enhance the interests of the countries. National interest therefore, becomes a conflicting issue because some interests are not actually for the nation but personal or self-centered.

Conclusion

The unstable border lines between Nigeria and Cameroon, which was due to boundary adjustment and re-adjustment by the colonialists; the irredentist claims on the part of each other's land area and; the activities of the citizens living around the border were the immediate causes of the dispute between the two countries over the Bakassi peninsula. The availability of potential and actual economic resources in the peninsula, where oil and other natural resources were found in commercial quantity also fuelled the conflict. The findings from the paper are consistent with the growing body of research on territorial claims, which has repeatedly found that more salient territories are more likely to experience armed conflict. Importantly, the impact of natural resources is not as straightforward as has often been implicitly assumed in the past, so the understanding of territorial conflict is enhanced by this analysis.

Non-renewable resources, particularly energy sources like coal or oil, are much more conflicting than most renewable resources; this reinforces the finding that the presence of oil may continue to be a key instigator of conflict in many part of Africa having been referred to as a curse rather than blessing in Africa. Territories with fertile agricultural land, food production, or water supplies appear to increase the risk of intense conflict in Africa because many Africans struggle over these resources to sustain their families.

Recommendations

The study recommended that Nigeria government should set up a permanent Boundary Commission comprising of people from various disciplines, most importantly historians who are experts in the history of that particular area in question to look at the issues of Nigeria's International and intra-national borders; That all demarcations should take place transparently through official Joint Commission in consultation with the local people; that Non-Governmental organisation and community groups be encouraged to engage in dispute mediation and border monitoring; that international donors should be encouraged to develop peace building projects that cut across borders. Nigeria and Cameroon should continue to respect the judgement of the ICJ in order to promote peaceful co-existence between them.

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