

Effect of International Court of Justice's Judgment on Bakassi Peninsula on Nigeria-Cameroon Relations, 2010-2020

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[0154] Abstract

The origins of border conflict disputes have often times been difficult to trace. For some, it can be said that some of these conflicts points to colonial ties with the state which erupted due to political or economic motives as a result of natural resources found in some borders. The scope and focus of this study is on the judgment on Nigeria-Cameroon conflict on Bakassi peninsula and Nigeria-Cameroon relations (2010-2020). The statement of problem aims to indicate the struggle over bakassi peninsula territory and the effectiveness of the ICJ's ruling on the border dispute between Nigeria and Cameroon. Our objective was to examine how the ICJ's decision on the bakassi peninsula led to the abuse of bakassi inhabitant's human rights, to interrogate how the Green Tree Agreement resolved the difficulty in implementing the ICJ judgment on the Nigeria-Cameroon border issue and to determine how external power influenced ICJ ruling adjudication and implementation. This study adopted the Game theory as the theory employed. The secondary data collection template was used. The materials were analysed using qualitative descriptive method. Our findings discovered Africa is always faced with the problem of boundary disputes. It is against the backdrop that we recommend the need for Africa to have principles of negotiation, conciliation and judicial settlement to help address this problem of border disputes in Africa.

Keywords: Bakassi Penninsula, Cameroon, Court, Judgment, Nigeria

Introduction

Relations between Nigeria and Cameroon have been strained for decades by disputes over a 1,600-kilometer border running from Lake Chad to the Bakassi Peninsula, as well as a maritime boundary into the Gulf of Guinea. Rights over oil-rich land and marine assets, as well as the destiny of local communities, are among the concerns at stake (Nicholas & Baroni, 2010). Lake Chad, for example, has dried up owing to desertification, causing local inhabitants who rely on the lake for their livelihood to follow the retreating waters, further blurring the boundaries. Tensions between the two nations reached a breaking point in late 1993, when the Nigerian military was sent to the 1,000-square-kilometer Bakassi peninsula (www.bbc.com.uk). Boundary conflicts are inherently difficult, especially in post-colonial Africa, where the problem is exacerbated by their historical origins and geographical position.

The Organization of African Unity (OAU) wasted little time in passing the 1964 resolution in acknowledgment of this threat. In accordance with the idea of "*uti possidetis juris*," the members of this resolution committee are to treat colonial borders as sacred as they were inherited at independence. Despite the agreement, there has been no agreement on the actual position of several inter-state borders in Africa, particularly between Nigeria and Cameroon. According to Asobie (1998), the greatest way to define Nigeria's international borders was via ambiguity. The eastern boundary was drawn in pieces over a lengthy period of time, including multiple colonial powers, the United Kingdom and Germany at different times, and the United Kingdom and France at other times. And the British, who acquired the Nigerian side

of the border, never seem to be in a rush to adequately mark it on the ground. Aside from the issue of ambiguity, the sheer length of the borders, with a total land boundary of 4,234 kilometers, created its own challenge. Nigeria and Cameroon clearly attempted to achieve a more harmonious existence as neighbors by signing a series of bilateral co-operation agreements in 1963 with the goal of resolving border disputes, but this failed, resulting in the occasional clashes that occurred along the Nigeria-Cameroon border (Agbemelo and Ibhasebor 2006). Cameroon filed a complaint with the International Court of Justice (ICJ) in The Hague in 1994.

The International Court of Justice (ICJ) is the United Nations' chief judicial entity, to which all member nations are parties. The United Nations (statute of the International Court of Justice (ICJ statute)) founded it on June 26, 1945. The International Court of Justice (ICJ) superseded the earlier Permanent Court of International Justice (PCIJ), which had been in operation at The Hague, Netherlands, since 1922. The ICJ, like its predecessor, has its headquarters in Hague. The International Court of Justice (ICJ) is tasked with resolving disputes between sovereign nations. Parties may bring disputes before the court under terms set by the UN Security Council. However, no state may be subjected to the court's jurisdiction without its assent. Consent can be obtained by express agreement at the time the issue is brought before the court, by earlier agreement to accept the court's jurisdiction in specific categories of cases, or by treaty provisions for disputes originating from treaty-covered topics. The Optional Clause of Article 36 of the court legislation permits states to issue a unilateral statement acknowledging "the court's jurisdiction in all legal disputes as compulsory ipso facto and without particular agreement, in respect of any other state adopting the same duty" (Umozurike 1992:191). According to the International Court of Justice (ICJ) Report (document A/59/4) presented at the fifty-ninth General Assembly Plenary in 2008, 191 states were parties to the court's statute, with 65 of them depositing a declaration of acceptance of the court's compulsory jurisdiction in accordance with its statute with the secretary general. In addition, more than 300 bilateral or multilateral treaties provide the court authority over issues arising from their implementation or interpretation.

Under the optional clause, several states have accepted the courts' jurisdiction. A few nations have done so, but only under specified conditions. The United Nations, for example, has invoked the self-judging reserve, also known as the Connally reservation, according to (Ogbu 2008). If a state decides not to reply to a particular claim, this reservation permits them to avoid the courts' jurisdiction that was previously recognized under the optional clause. If a state uses the self-judging reservation, another state may invoke it against that state, and an action against the second state would be dismissed. The rule of reciprocity states that a state must respond to a complaint made against it before the International Court of Justice (ICJ) only if the state filing the claim has also acknowledged the court's jurisdiction.

Once the parties have accepted to the ICJ's jurisdiction and the court has made a decision, the judgment is final and (technically) cannot be appealed (Articles 59,60). Failure to comply with the ruling, on the other hand, is a violation of Article 94 of the United Nations Charter (2). Noncompliance can be brought before the United Nations Security Council, which might make recommendations or approve further actions to enforce the verdict. The Security Council's decision to enforce compliance with a court judgment is subject to the permanent members' veto power, and so rests on the members' willingness not just to use enforcement measures but also to uphold the original text.

The International Court of Justice (ICJ) made an irreversible ruling on the whole land and sea boundary between Cameroon and Nigeria on October 10, 2002, citing agreements signed by the United Kingdom and Germany on March 11, 1913. Cameroon's authority over sections of the land in dispute was confirmed in the judgement, which also demarcated the boundary. According to the verdict, Nigeria also gained some territory (Asobie 2007). The "Green Tree Agreement" was signed in 2006 by President Obasanjo of Nigeria and Paul Biya of Cameroon to enable the handover of the land to Cameroon.

The second set of principles consists of human right rules, which are concerned with the human person's value and dignity. The second set of principles is crucial because it is based on the belief that "the foundation of world freedom, peace, and justice" can only be laid "with the recognition of the dignity, as

well as the equal and inalienable rights of all members of the human family." Universal Declaration of Human Rights, 1948: Preamble (cited in Asobie 2007:209). The theory of self-determination connects these two sets of beliefs. It is both a legal principle and a theory of human rights. In light of the foregoing, this study aims to determine the verdict on the Nigeria-Cameroon dispute on the Bakassi Peninsula: Nigeria-Cameroon relations (2010-2020).

Literature Review

The Battle for Bakassi Peninsula – The Cameroon-Nigeria Question According to documents kept by the Federal Directorate of Survey in Lagos, the Bakassi Peninsular was recognized as Southern Cameroon until 1961, when it ceased to be a part of Nigeria. This prompted the Nigerian Minister of Foreign Affairs to send the Embassy of Cameroon in Lagos Diplomatic Note No. 570 dated July 27, 1962, together with an accompanying map created by the Federal Directorate of Surveys (Nigeria), which acknowledged the Bakassi Peninsular as part of Cameroon. When Cameroon made territorial claims over certain areas in the borderland, such as Boudan and Danare, in 1965, a Joint Technical Commission was formed to retrace the boundary, and by April 1971, the need to consider the compromise lines drawn up in the 1913 Anglo-German Treaty between Sandy point and Tom Shot point had become apparent. During the presidency of Ahidjo of Cameroon and the military government of Nigeria under General Gowon, Nigeria began a peaceful dialogue with Cameroon by establishing a Boundary Commission of Experts from both nations to investigate the concerns and provide recommendations.

The 'Maroua Declaration,' signed on June 1, 1975, reportedly defined the maritime border between Cameroon and Nigeria from the point where the relevant colonial treaty terminated, down through the Calabar and Cross River estuaries, and out to sea to a position south of Bakassi. Nigeria's interpretation of the Treaty was unsatisfactory when it became evident that the Bakassi Peninsular would be lost owing to its strategic-military and economic significance, political repercussions, and population. Cameroon invaded Nigerian villages in Adamawa Province and the Bakassi Peninsular, armed with the treaty, in 1972-1973 and May 1981, an act of provocation that prompted Nigeria to increase its naval and military presence in the Bakassi area, as well as other parts of South-South and South-East Nigeria. Aghemelo and Ibhasebhor (2006:177-181) refer to a dispute between Nigeria and Cameroon over an oil-rich region that began in 1993 and resulted in the deaths of many people as a result of military aggressions instigated by Cameroon on a regular basis. In contrast to Nigeria, which did not join the Anglo-Nigeria Defence Pact after achieving independence from Britain in the 1960s, Cameroon has an active Defense Pact with France. In the event that a territorial dispute or border conflict between Cameroon and Nigeria escalates into war, France, as a developed European state and one of the world's military powers with a permanent seat on the United Nations Organization's (UN) Security Council, will be Cameroon's ally. During Cameroon's recent invasion on the Bakassi Peninsular, Nigeria says 30 Nigerians were murdered, including three troops, as well as the destruction of eight residences and four boats. Because she knew the people residing there were Nigerian nationals, not Cameroonians, Nigeria mistook Cameroon's surprise strike for an invasion of her land. As a consequence, the assassinations have been brutal. She thinks Cameroon did not dispute the attack, but said the dead toll was exaggerated. After a series of multilateral initiatives failed to settle the territorial issues, Cameroon sought assistance from the International Court of Justice (ICJ). Cameroon submitted 1800 kilometers of land border between Lake Chad and Bakassi to the International Court of Justice, while Nigeria filed detailed representations to identify areas of doubt and conflict, as well as to resolve any lingering boundary concerns between the two countries once and for all. Cameroon also filed a hefty claim for damages against Nigeria, alleging that Nigeria had encroached on Cameroonian territory. Cameroon was served with a counter-claim by Nigeria. Both claims were rejected by the court. The Court determined that restoring land to both Nigeria and Cameroon in a peaceful manner was sufficient, and that neither side was obligated to compensate the other. The International Court of Justice examined 17 alternative locations along the boundary, determining where the line should be placed in each case. Around 17,000 hectares of

land were recognized as Nigerian territory as a consequence of the operation, including numerous significant Nigerian villages such as Sapeo, Tipsan, Lip, and Mberogo. On the other side, 4,000 hectares of disputed land were judged to be Cameroonian property. The Court found substantial encroachment into Nigerian territory by Cameroon in some areas, such as Turu in Adamawa State, and ordered Cameroon to withdraw its administration and military or police forces from all areas along the land border that were confirmed as being under Nigerian sovereignty, including Turu, Bourha Ouango, and Nyaminyami.

Thousands of people in the Lake Chad region have lost their livelihood as a result of the lake's shrinking size over the past 30 years, going from covering more than 25,000 square kilometers to less than 2,000 square kilometers. Local Government Areas in North-East Nigeria have traditionally provided administrative services and infrastructure for the 60,000 or so Nigerians who call this area home. In spite of this, the Supreme Court has ruled that the colonial borders must be respected. The Lake Chad Basin Commission (LCBC), which includes Nigeria, Cameroon, Chad, Niger, and the Central African Republic, has long been established in the Lake Chad region. This ecologically fragile area is being protected and preserved by representatives from the five states who meet on a regular basis. LCBC member states, including Cameroon, are eager to continue working together to manage this area, which Nigeria contributes more than half of its budget. Bakassi was eventually handed over to Cameroon by ICJ rulings. All vessels, including Nigerian vessels, had the right to passage under international law, regardless of whether they were on the Nigerian or Cameroonian side of the Maroua River at the time of the ICJ ruling. Nigeria and Cameroon were informed by the International Court of Justice (ICJ) that the Maroua line is their international boundary. Equatorial Guinea's maritime space was to be divided by a line that could quickly cross it, bringing her into conflict with the other country. As a result of the line, Cameroon's access to Nigeria's and Equatorial Guinea's offshore fields was determined. Both countries signed the "Green Tree Agreement" on June 12, 2006, following negotiations conducted by the UN-established Cameroon-Nigeria Mixed Commission. Security concerns, a court order against the handover, and opposition from Nigeria's National Assembly (the country's parliament) did not deter Nigerian officials from peacefully handing over Bakassi Peninsular to Cameroonian officials in the presence of high-ranking United Nations officials and diplomats from a wide range of nations. The oil and gas deposits in the Bakassi Peninsular were blamed for many of the recent violent clashes between Nigeria and Cameroon, which the handover was supposed to put an end to. However, the ICJ ruling forced the Nigerians of Bakassi ancestry to flee their homes and relocate elsewhere in Nigeria, where they now live as refugees and new settlers. An online edition of the Nation Newspaper in September, 2012, reported that two prominent Nigerians – Nobel Laureate Wole Soyinka and another jurist and scholar, Professor Akin Oyebo – had expressed their disappointment in Cameroon's acquisition of Bakassi and the need to revisit the ICT ruling in order to reclaim the territory. The two scholars argued for the right to self-determination of the Bakassi people and the need to raise international awareness of the loss of Bakassi's territory through the handover to Cameroon. Oyebo has been quoted as saying that the 'Bakassi Case is not closed'. Thereafter, a Nigerian International Jurist, Hon. Justice Prince Bola Ajibola, in an interview with the Nigerian newspaper Vanguard, declared that Nigeria had lost Bakassi since 1961 as a result of her faulty diplomatic positions and the use of an agreed-upon map, which he referred to as "the truth about Bakassi, Nigeria and Cameroon." Rather than Akwa Yafe, the Rio del Rey boundary would have been in Bakassi's ownership. That was our agreement! We, the Nigerians, are in Nigeria. Professor Valad in the UK advised us at one point that we faced an uphill battle, and that what we thought we owned had already been transferred to Cameroon through the treaty. That's the situation, then. However, there are still questions that the ICJ has either ignored or rejected... As a result of our country's colonial past, we now bear the brunt of the problems that arose prior to our current situation. That was during the period of our independence. The Free Bakassi Association and 20 of its members in Cross River State subsequently filed a suit in the Federal High Court in Abuja against the Federal Government of Nigeria, seeking to void the Green Tree Agreement that Nigeria had signed with Cameroon in 2006 to hand over the oil-rich Bakassi region to Cameroon. the African Charter on Human and Peoples'

Rights Enforcement and Ratification Act, Cap 10, Laws of the Federation of Nigeria, 1990, and order 34 rules 1(a), 3(1) and (2) of the Federal High Court Civil Procedure Rules (2007) sought to compel the Federal Government of Nigeria to "unilaterally resile and revoke Nigeria's commitments under the Green Tree Agreement," A group of Bakassi indigenous peoples' lawyers claim that the Green Tree Agreement violates Articles 1, 2, 20, 21, 22, and 24 of the African Charter on Human and Peoples' Rights, the International Covenant on Economic, Social and Cultural Rights, Article 1(2) of the UN charter, and the UN declaration on the rights of indigenous peoples. In addition, the plaintiffs argued that the International Court of Justice (ICJ) based its decision on "archaic and anachronistic colonial declarations and communications between colonial officers" in the long-running dispute over ownership of the oil-rich Bakassi Peninsula. Former Nigerian President Olusegun Obasanjo signed off on the Green Tree Agreement without consulting the applicants, according to the applicants. Due to the "heavy national issues" raised, Justice Gabriel Kolawole postponed a decision on the application until October 9th.

Citizens' Human Rights in Bakassi

In the conflict between Nigeria and Cameroon over the Bakassi Peninsula, two sets of ideals are at stake. International legal principles are the first set of principles. They are principles relating to the rationale for the state's existence (*raison detre*). They deal with territorial integrity and the manner in which sovereign governments interact. Traditional ideas such as *uti possidetis juris*, *pacta sent servanda*, and *rebus sic stantibus* are among them. Human rights principles or standards make up the second group. They have to do with a person's dignity and value. This collection of principles is based on the concept that the only way to build a society of freedom, justice, and peace is to recognize "the dignity and equal and inalienable rights of all members of the human family" (Universal Declaration of Human Rights, 1948 preamble).

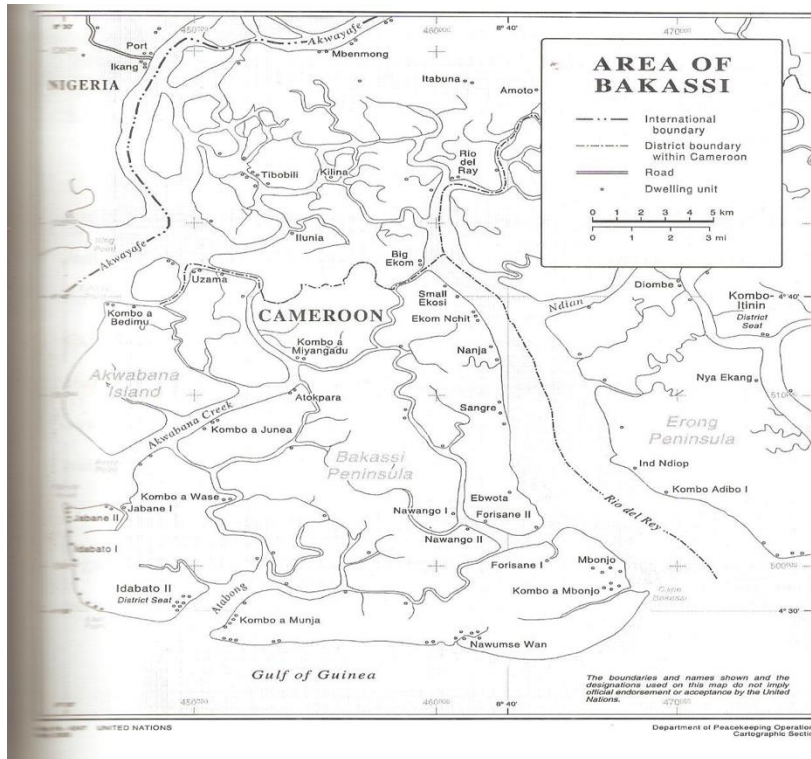
The theory of self-determination connects these sets of ideas. It is both a legal concept and a theory of human rights. The colonial powers' notion of boundary sanctity (*uti possidetis juris*) is a rule that promotes the status quo. Its goal is to maintain stability in an ever-changing world. In the same way, the principle asserts. The fact that contracts are enforceable (*Pacta sunt servanda*) serves the same function. In a potentially revolutionary period and atmosphere, the goal is to preserve order and a level of stability. The related concept of *rebus sic stantibus*, which states that agreements remain valid and binding until and until the circumstances under which they were formed change, qualifies and strengthens the last-mentioned premise. All three principles are anti-revolutionary, since they represent acceptance of the conventional paradigm of the international system as a state system, and of the state as the fundamental unit of analysis in international relations, because it is the primary and genuine actor (Asobie 2005). They are founded on the notion that the ultimate purpose of international activity is to protect the state's rationale, i.e. its security, and that the maintenance of the institutional mechanisms of class dominance is the highest value in the modern international system. These old international relations ideas are unquestionably accepted by the ruling classes not just in Nigeria and Cameroon, but also in the majority of countries throughout the globe today.

Theoretical Underpinnings This paper was anchored on the Game Theory which is a mathematical framework for the study of some features of conscious decision-making situations that include the potential of conflict and/or cooperation. When presented with opponents who are supposed to behave rationally as well, Game Theory is a theory of rational action. Morton A. Kaplan, Thomas C. Schelling, and William H. Riker are among the most prominent proponents of Game Theory. In light of the above, Game Theory is stated to serve as the foundation for the International Court of Justice's decision on the Bakassi Peninsula and the Green Tree Agreement on the disputed border between Nigeria and Cameroon. It serves as a prism through which the ICJ's decision-making process may be comprehended and explained. In this case, Game Theory was used to analyze Nigeria's behavior in resolving the war with Cameroon over the Bakassi Peninsula by signing an agreement that resulted in the evacuation of Nigeria's 3000 soldiers from the peninsula. Game Theory was employed as the theoretical framework or viewpoint since this study deals

with conflict and cooperation between Nigeria and Cameroon over the Bakassi Peninsula. In game theory, there are two types of games: zero-sum and non-zero-sum. The game is also known as a Zero-Sum game. The winner takes it all game, with any gain coming at the cost of the opposing actor or players. A zero-sum game is a game in which two or more opponents are actively engaged in a fight. The players in this scene are pursuing aims that are incompatible or diametrically opposite to one another. In this case, each player's choice will be influenced by the other. Any action that goes beyond this is suicidal. Each participant must be logical in this game. Each player wins precisely what his opponent loses in the game in this case, and vice versa. However, the total amount paid to all players is \$0. As a result, whatever one person wins, some other players must lose. The value is what the players earn or lose. That is to say, the winning side is said to be using a winning strategy. The non-zero sum game, on the other hand, has profits and losses that are flexible and relative, and may be influenced or decided by cooperation rather than conflict between participants. In the meanwhile, the players' interests are similar in some ways and distinct in others. As a result, complete cooperation between the participants is only feasible if they can trust each other to uphold their promises. Similarly, they would pursue a non-cooperation strategy despite the fact that a cooperative strategy would have greatly benefitted all of them. In light of the above, Game Theory is used in this study to analyze/explain Cameroon and Nigeria's attempts to reconcile their disagreements over sovereignty of the Bakassi Peninsula through the ICJ ruling of 2002 and the Green Tree Agreement of 2006. Game Theory will also assist us in analyzing Nigeria's behavior in resolving the war with Cameroon over the Bakassi Peninsula by striking an agreement that resulted in the evacuation of 3000 Nigerian soldiers from the Peninsula. Nonetheless, Nigeria lost the Peninsula, its population, security, status, respect, and power to Cameroon in the end. Cameroon, on the other side, won nearly everything, including the Bakassi Peninsula, its population, security, respect, and status, resulting in a complete zero sum situation.

The drama experienced in the clash of border disputes between Nigeria and Cameroon over the Bakassi Peninsula, which is claimed to be highly common with Game Theory, was acknowledged in the application of Game Theory to this work. This is because both countries are engaged in a serious game of conflict and cooperation, as seen by the multiple agreements signed before and after the ICJ ruling. Furthermore, the decision is a textbook example of a zero-sum game, since what Nigeria lost was precisely what Cameroon gained. In the end, Nigeria lost practically everything to Cameroon, including a portion of its territory, some of its population, and their security. It's a zero-sum game again, since Cameroon made no concessions to Nigeria. As Cameroon gained Bakassi Peninsula and its residents, Nigeria lost Bakassi Peninsula and part of her citizens, as well as her security, respect, and authority, as a result of her illogical behavior. The actions of Cameroon and Nigeria in their attempts to reconcile their conflicts over the Bakassi Peninsula via the ICJ judgment of 2002/Green Tree Agreement of 2006 are explained by Game Theory. Cameroon possessed the benefit of judgment over Nigeria in the many interests, and hence played a winning approach. Due to previous agreements that were not honored, the two will seem to trust one other at some time, resulting in conflict. This mistrust led to the eventual evacuation of Nigerian forces in 2002, in accordance with an ICJ ruling in Cameroon's favor; as a result, Nigeria lost nearly everything to Cameroon. As a result, the result is a pure zero-sum game.

The Map (Location of Bakassi Peninsula)



Source: UN Department of Peacekeeping Operations. Map no: 4247, May ,2022

Methodology

We adopted the ex-post facto research design for this research. The ex-post-facto is known as after-the-fact research design which examines the independent and dependent variables after the events have occurred and data have already been collected. Again, the secondary method of data collection was adopted. Our source of data collection consists of the use of journals, articles, texts, newspaper, official documents etc. More so, we adopted the qualitative descriptive technique of data analysis to analyze our qualitative data. A descriptive explanation is provided to statistical data acquired in our research activity using quantitative descriptive analysis in order to establish the link between the variables under consideration.

Data Presentation and Analysis

Economic Relations between Nigeria and Cameroon Economic cooperation in a disputed territory is not uncommon and has been adopted in many forms such as the case of South China Sea. In order to minimize the negative impact of international boundary and resource disputes on the oil and gas endowed, the concept bilateral state practice of joint development has emerged to allow the development and exploitation of common hydrocarbon deposits for the mutual benefit of the states and their citizens. Joint development means the diverse nation-to-nation agreements that offer for the cooperative exploration for and exploitation of common hydrocarbon deposits in disputed territories (Thompson, 2006). The South China Sea area is endowed with abundant mineral and natural resources making all the surrounding countries to lay claims to some part of the maritime area. Apart from it endowments, the South China Sea is one of the busiest shipping routes in the world. Indeed the countries involved in the dispute over the area hope to

partake and benefit from it economically. The countries involved are China, Malaysia, Brunei, Cambodia, Indonesia, Philippines, Singapore, Taiwan and Vietnam. It is estimated that the oil reserve in South China Sea amounts to seven billion barrels and nine hundred trillion cubic feet of natural gas (Cronin, 2012). Never the less, the claims and dispute over the sea did not hinder these countries from forming economic coalitions. Cronin (2012: 23) observed that:

with the ebb and flow of conflicting territorial claims, legal disputes and military tensions, the recent upsurge in diplomatic theatrics over who owns what in the South China Sea does not appear to be intense enough to heighten the risk of major interstate conflict in the near term. Indeed, the wealth of energy resources beneath the seabed and the shared reliance on freedom of navigation are prompting calls for new multilateral mechanisms for advancing stability and commerce.

Similar situation has been observed in the Nigeria-Cameroon dispute. Although the bone of contention between Nigeria and Cameroon was basically the economic importance of the Peninsula, that interest later served to be the backbone of cooperation between them. The distrust and tension significantly subsided after the final handover in 2008. Given the beneficial symbiotic relations between both countries, even before the advent of the Bakassi dispute, economic cooperation was exploited to end the hostilities and to build a base that will not only serve Nigeria and Cameroon but also the whole of Africa. Thus, the Anglophone Cameroon-Nigeria border has served as a zone of opportunities for many years, posing no real barrier to the cross-border movement of goods and people. For historical and economic reasons, Anglophone Cameroon has attracted an increasing flow of Nigerian economic activities to the French Cameroon. Both countries are major exporters of raw materials to the international market therefore stability of the region is paramount to the international community especially to the former colonial masters of the disputing parties. But with these important economic resources hanging between them distrust and suspicion deepened between the two countries. Usually, joint exploitation of these resources would be the best way of reducing conflict but, this option has been ruled out by some factors. First being that the economic relations between Cameroon and Nigeria have been fragile and fanned by feelings of self-sufficiency in terms of human and natural resource endowments. From a political economic angle, Nigeria and Cameroon happen to be the nerve centers of two key economic communities: the Economic Community of West African States (ECOWAS), and the Economic Community of Central African States (ECCAS) respectively. But with the implementation of the GTA, over the years the two states have placed greater emphasis on promoting economic growth and co-operation within their respective regional economic communities. Therefore, rather than co-operating over the exploitation of the resources in the maritime border area, they have tried to appropriate these resources exclusively, probably to further strengthen their economic position in their respective sub regional economic groupings. On that note, the Mixed Commission monitored closely the construction of border markets and roads linking the two countries for economic purposes. Conversely, although all seemed to be well and smooth, the thorny issue of the oil-rich Bakassi could not be resolved timely and amicably like the other areas. Nigeria could not respect two disengagement timetables set out by the Commission, as thousands of Nigerians in the Peninsula were disillusioned, unsure of their citizenship with many wanting to remain Nigerian due to their cultural and economic ties with the country. By January 2006, the Bakassi Peninsula was still under Nigerian control with Nigeria putting forward arguments that her withdrawal would lead to the breakdown of law and order.

Examining the Security Challenges on the Nigeria-Cameroon Border Another area that has become a threat to relations between Nigeria and Cameroon is that of security. The problem is escalating as both countries are making economic collaborations for the sake of ending the tension and distrust between them over the Bakassi dispute. Nigeria amongst all her neighbours shares the longest border with Cameroon. The sheer length of the border made it almost impossible to secure, as a result, dark element travel between the two

countries remained undetected. Militants, insurgent groups and smugglers constantly cross these borders without being detected. The trend has become worrisome with both countries making significant effort in battling the menace. A collaboration or cooperation of some sort has been advocated by the Nigerian and Cameroon governments to combat the menace. With the persisting problem of improper resettlement and joblessness of the returnees from Bakassi Peninsula, a significant number of the displaced youths have taken to militancy through high sea piracy and smuggling of weapon through the land borders. Piracy is a common transnational crime on the borderlines of Nigeria and Cameroon. Between the years 2006–2014, for instance, a total of 1, 006 incidents of piracy were recorded on the Cross River axis of the border-lines (nigeriawatch.org, 2015). Pirates are syndicated criminals that operate on and off the shores of the continental waters. They use sophisticated boats and weapons to perpetrate their criminal trade. Their activities involve high-sea robbery and smuggling of illicit goods. Sometimes, they work in tacit connivance with state security agents in carrying out their nefarious activities.

The activities of pirates on the Nigerian-Cameroonian borderlines have resulted in serious security breaches, often leading to volatile relations between the two countries. Akin to the phenomenon of piracy is kidnapping. This is criminal abduction of human beings for the purpose of eliciting a ransom. The ransom is paid in cash or in the form of other material valuables. The incidence of kidnapping on the borderlines of Nigeria and Cameroon has been worsened by the prevalence of Boko Haram insurgency in the northern axis as well as Niger Delta militancy in the southern axis. Both the insurgents and the militants have resorted to kidnapping as a means of raising funds for their activities. Principal targets of kidnapping in the area under reference are foreign nationals who work in multinational organizations. Sometimes, these foreigners are targeted with a view to garnering global attention or to provoke international outrage.

In addition, there are the phenomena of drug and human trafficking. Criminals dealing on narcotics and human beings have also made the Nigerian-Cameroonian borderlines a safe haven for their activities. Narcotic drugs and substances originating from Angola and Liberia have often found their way into the shores of Nigeria via the Cameroonian borders. Again, the Bakassi axis of the Nigeria-Cameroon borderlines has been a notorious flash point for human trafficking. Nigeria has entered into various transborder co-operation agreements with her neighbours with the aim of curbing the menace of trans-border crimes. One of such arrangements was the International Joint Patrol (IJPTL) Accord signed in Abuja in 1984 between Nigeria, Chad and Niger, which culminated in the establishment of the Multinational Joint Task Force (MNJTF). These countries jointly agreed to create institutional frameworks to manage their borders effectively and to properly demarcate their boundaries. It was in line with these agreements the National Boundary Commission of Nigeria was created in 1987 (NBC, 2015 pg.32). Subsequently, Nigeria was able to introduce an articulated policy on boundary management. In order to effectively carry out its statutory functions, the Commission introduced an innovative multi-disciplinary problem-solving approach hinged on transborder co-operation with her neighbours. Some of these trans-border security cooperative measures are trans-border co-operation workshops, border re-demarcation programmes, border region development, and local bilateral co-operation and transborder cooperation treaties. Indeed, the demarcation exercise of Nigeria's international borders under the auspices of the Commission started in 1988.

Nigeria and Cameroon have also signed a bilateral agreement to establish joint transborder security committee in their effort to combat insurgents and other criminal elements through their respective borders. The agreement came due to the scourge of terrorism and piracy which posed a great threat to peace and security. The agreement was signed by the Vice President of Cameroon and the leader of the Nigerian delegation, a Minister, Amodu Ali for their respective states. Amodu Ali stated that confidence is hoped to be restored through permanent dialogue, consultation and reinforcement of cooperation between the two countries (Vanguardngr, 2012). R8 reports on the current security situation in the affected areas: "Officially efforts are being made. Nigeria and Cameroon are together on the Lake Chad Basin Commission on maritime security and safety. But all these are official, the framework is there and also the political will, but

the implementation is not there". Implementation here is referring to the outcome of the collaboration between Nigeria and Cameroon. The prevalence of trans-national crime along the Nigerian Cameroonian boundaries has been made conducive by the reality of arms proliferation in the area. The porous nature of the borders, coupled with the corrupt and ineffective border control, have accounted for free flow of Small Arms and Light Weapons (SALW) in the area under reference. Researchers and Scholars (Bakut, 2014; Onuoha, 2011; Vines, 2005) have argued that most of the arms in civilian possession have been obtained illegally, due to the strict laws on civilian possession. As at 2022, an estimated 80 percent of the weapons in civilian possession had been obtained illegally. Although this figure is outdated now, regrettably, there is little quantitative or qualitative data available on SALW in Nigeria. The lack of data makes it difficult to determine a baseline for measuring the increase or decrease in the flows of arms into and out of the country. Equally, it makes it difficult to assess the many claims about the 'alarming increase' in the number of illegal arms in circulation due to the worsening security situation in the country. Low salaries, illiteracy and the acute corruption in Nigeria created breeding grounds for the proliferation of small arms and light weapons among the civilian population. Customs officers are bribed by weapons dealers, while soldiers, police officers and security forces are known to have sold government weapons to criminals. Corruption has become basically institutionalized in both the public and private sectors in Nigeria, and the security sector has become worse for it with both countries suffering the menace of insurgents because of it. Given widespread poverty and the low wages of security agents, some greedy security personnel are easily corrupted by transnational arms traffickers –or are themselves involved in the illegal business (Bakut, 2014).

The Nigerian Customs Service had, on routine basis intercepted SALW at the land border and on small boats across the Benin, Niger, Chad and Cameroonian borders. Although some of these weapons were earmarked for political intimidation, many were destined for regular crime. In North-Eastern Nigeria, easy movement of people and arms has created a growing security problem leading to the surge of the Boko Haram activities. More significantly, a lot has been done by the two countries in the areas of border security and governance. This is most evident in their endeavours towards tackling the menace of Boko Haram insurgency and other transnational crime. Initially, there was no strategic synergy between the two countries in respect of the fight against Boko Haram as they were caught up in mutual suspicion and distrust regarding the trans-border dimensions of the crime. The Nigerian government often accused Cameroon of not doing enough in relation to containing the activities of the insurgents on its borderlines. In 2012, Nigeria closed its borders with Cameroon in an effort to police its territory from the onslaught of the insurgents who were believed to be plotting scores of their attacks across the Cameroonian borders. Since the escalation of the Boko Haram insurgency in North-Eastern Nigeria in 2013, thousands of Nigerians have fled across the borders into Cameroon and other neighbouring countries, such as Chad and Niger. (Human Rights Council, 2015) Minawao, a refugee camp in Cameroon's far north region, has the highest influx of refugees in the Lake Chad basin. Established in July 2013, the camp hosted 40, 995 refugees as of July 2015. Most of the inmates were population displaced from Adamawa and Borno states in Nigeria (Human Rights Council, 2015:5).

Till date, many Nigerian refugees are still residing in various designated and unofficial camp-locations in Cameroon. The government and people of Cameroon have to a large extent been of goodwill and support in hosting these displaced population. There has been an increase in banditry and attacks thereby making major highways and isolated towns and villages unsafe in the Northern border areas of Nigeria and of recent, Cameroon. The activities of Boko Haram insurgents and those of the Niger Delta militants provide the demand-and-supply impetus for arms proliferation in the region. This is complicated by the phenomenon of oil bunkering that has provided enormous funding for the bulk of the arms deals. The Oil bunkering is perpetrated by a syndicate of criminals who tap into the 'unprotected' pipelines in the Niger Delta area and siphon products unto their barges, using technologically advanced methods. The activities of oil bunkers have been prominent in the Niger Delta region of Nigeria. Products lifted by the bunkers are transported into the international markets mostly via the ever porous Nigeria-Cameroonian

borders. Proceeds from oil bunkering are used to facilitate drug and arms dealings in the areas, thereby compounding the challenging security scenario thereof. Besides the threats of organized crime, there have been cases of rural banditry, cult violence and communal skirmishes in the area under review. The fishing and farming communities on the borderlines have often been subjected to attacks by rural bandits who often switch their operation bases from the either side of the borders. There have also been cases of communal strife wherein lives and property have been lost. The scenario has created a human security situation that is inimical to the interests of the two countries. Meanwhile, the Heads of States of Nigeria and Cameroon in their effort to combat the persistent insecurity and insurgency have recommended the creation of a Multinational Joint Task Force. They commended the efforts of the MNJTF which has been battling to root out Boko Haram insurgents from Lake Chad region, having reached an agreement to transfer Boko Haram suspects to their home countries to stand trial. The document was signed on behalf of the Nigerian government by the Minister of Foreign Affairs, Mr. Geoffrey Onyeama and his Cameroonian counter-part, Mbela Mbela for the Cameroonian government. It stated that both countries have agreed that the tripartite meeting of the two countries and the United Nations High Commission for Refugees (UNHCR), should be convened by July 2016 (www.vanguardngr.com). The view of Hadiza Abba, Desk officer Nigeria/Cameroon National Boundary Commission with the international Boundary Commission notes as follows (R2): "I will say on the Nigerian side in particular, we have a team that consist of not just people like us that work in boundary commission but the Nigerian Customs, Immigration and in some areas even Task Force has formed a committee are working on such things.

Especially with the Boko Haram insurgency the security has become tighter and it's taken more seriously that it has ever been. That I know and I want to believe I cannot really say but it is the same on the Cameroonian side. We know of their gendarmes and their Immigration put together a team also". To mitigate the growing security challenges affecting Nigeria-Cameroon border relations, the two countries have been engaged in several inter-governmental interfaces dedicated to border security and governance. Indeed, the two countries have had series of memoranda of understanding geared towards addressing the nagging issues of transborder crimes and related incidents. There are quite a number of promising bilateral talks between the two countries geared towards ensuring sustainable amiable relations. The prospect of these endeavours lies squarely on the collective resolve of the parties to evolve a functional synergy capable of mitigating their common security threat on the borderlines.

Conclusion and Recommendations

The high spate of boundary disputes among Africa states have been associated with the creation of boundaries in Africa disregarding the relationship between territorial boundaries and the anthropogenic homogeneity of the various ethnic groupings by the colonial powers. When Cameroon instituted a case against Nigeria in 1994, Cameroon was inadvertently internationalizing the boundary and territorial dispute with Nigeria. Apparently, Nigeria was hamstrung in a legal dilemma in retrospect because she honored a number of pre-independence agreements inherited from Britain by virtue of the Exchange Notes of October 1, 1960, between Nigeria and the United Kingdom on Treaty obligations. By implication, Nigeria was recognizing the Bakassi peninsula as forming part of the Cameroon. It appears the boundary dispute between the two countries was basically a dispute of right with right; hence a crude piece of ethical analysis should have been involved.

In view of the above findings, we make the following suggestions: (a) Dialogue and Negotiation: To encourage Nigeria and Cameroon to engage in diplomatic talks to resolve outstanding issues, including border demarcation, resource management and community rights. (b) Conflict Resolution Mechanisms: To establish mechanisms to prevent and manage conflicts, including border incidents and tensions (c) Human Rights Protection: To ensure the protection of human rights in the region, including the rights of affected communities and vulnerable groups.

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