

Extended Abstract

Little over a decade ago since the ICJ ruling and the subsequent process of political settlement and almost a year since the final hand over of the contested Bakassi Peninsula to the Cameroon on August 13, 2013 by Nigeria, it would appear, from recent developments, that the process of settlement excluded the indigenes of the area, the Bakassi people whose rights, land properties and means of livelihood were affected the most and were at the heart of the conflict. This resulted from the analysis and application of the Court ruling and the outcome of the Green Tree Agreement by the concerned parties in such a way that greater importance was attached to the Peninsula as well as its strategic significance and oil deposit rather than its inhabitants. Presently, the Bakassi people have been forcefully displaced from the Peninsula and have been constantly evicted from their homes, harassed, killed and thus, stopped by the Cameroonian gendarmes and soldiers from engaging in fishing and other maritime activities which have been their main source of livelihood (Channel TV News 4 April 2013, Vanguard July 23, 2013) contrary to the Green Tree Agreement, (Article 3 of Green Agreement) on the ground that the people were trespassing on Cameroonian territory. On the Nigerian end, some of the people who decided to cross over to Nigeria have been neglected, abandoned (Edem Duke, 2012) and are being treated as refugees, only temporarily sheltered in designated primary schools and public buildings in dehumanizing conditions in Akpabuyo Local Government of Cross River State, (Nigerian Newsday 2013). To demonstrate clearly that they were no longer Nigerians, from the period of the 2011 election till date, these people have not been allowed to participate in any election in Nigeria on the grounds that (1) their area (electoral wards) have been transferred to Cameroon (2) their names subsequently cannot be found on the Independent National Electoral Commission (INEC)'s Voters' Register. Similarly several months of attempt to settle these people by the Federal Government of Nigeria through the committee saddled with this responsibility has not yielded any result. Thus, like the Roma (Gypsies) people in Europe, it would appear like the Bakassi people have been rendered stateless. The implication of these actions by both Nigeria and Cameroon is that their main focus and interest was only on the Peninsula, its strategic benefits and resources but not the people.

The actions of these two countries clearly demonstrate a continuation of that colonial interest which created this problem in the first instance, (Asiwaju, 2003). It was obvious that the colonial boundaries were established and callously delimited based on exploitative considerations but in total disregard for the indigenes of those territories, thus, splitting people of the same ethnic stock across two different countries and making them minorities in the same. It is also evident that the exploitative considerations of Nigeria and Cameroon like their colonial masters, which led to the arbitrary drawing and redrawing of boundaries, were their primary concerns both in their agreement to respect ICJ Ruling and in the subsequent political adjudication. The forceful land dispossession, displacement, degrading and

dehumanizing conditions of the Bakassi indigenes after the settlement has elicited such vehement and aggressive responses from these people who have threatened to use the last resort, violence, to enforce their rights, failing which they threatened to enforce their right to self-determination by declaring themselves independent (*Daily Times* Monday October 14, 2002:1, 2). This view is generally supported by other Nigerians, who believed that the clamour for self-determination was a continuation of the historical consolidation argument, (*Vanguard* 7, 2012, *The Guardian* 18 August 2006). A recent history of the volatility of the Niger Delta region has demonstrated that such threats are not empty (Mngomezulu, 2013).

The issues arising from this quagmire are multifaceted; first is the question of the nationality of the Bakassi people and their right to exist in their homeland. Second is the issue of appropriate post-conflict peace-building mechanism that would ensure that the interests of these people are protected and that the ICJ ruling and application of the political adjudication accommodates the triangular interests of the stake holders. Resulting thereof is the right of the Bakassi people to compensation on their properties (buildings, farm lands if any, historical souvenirs, burial sites, etc.) in the event that they are not allowed Cameroonian citizenship. Thirdly, and alternatively, is the issue of a functional institutional framework under which a possible referendum could be held, then perhaps the desire for law and order as articulated in the UN charter could be reconciled with the principle of self-determination. Fourth is the mechanism of their reintegration into Nigeria if that is the acceptable option bearing in mind Nigeria's protracted constitutional problem of indigene/settler dichotomy (for the Bakassi people would have to be resettled) (Agbese, 2013), since their original homeland has been transferred to Cameroon; from within this is the question of the nature of relationship between the Bakassi people and their host, Akpabuyo Local Government of Cross River State, the proposed settlement area. These and much more are some of the issues arising from the process of settlement of the Nigeria-Cameroon conflict which this research seeks to address.

Research Questions

To understand the issues raised in this research and also address them effectively and comprehensively, the following research questions would guide this exercise;

- (1) What alternative, proactive and effective strategies for conflict prevention and early warning systems could emerge from the process of managing the triangular interests of the stake-holders in the settlement process and what approaches and theoretical perspectives could emerge from such strategies, especially within the context of the justice versus peace conundrum in post-conflict transitions?

- (2) How would the Bakassi people, majority of whom are already impoverished cope without their means of livelihood and in their present state of people without nationality and what fundamental changes should influence their consideration of nationality if and when the two countries involved are ready to accept them as citizens bearing in mind that the duo have treated them as dispensable commodities throughout the duration of the conflict?

Research Methodology

This study will adopt the qualitative methods and from it, the historical method in terms of data collection, analysis and presentation. The data collection would be based on selected primary and secondary sources. The primary sources include data from various archives in Nigeria, oral evidences from fieldwork, newspaper reports, etc. Secondary sources will include written sources relevant to the study; policy documents of Bakassi Local Government Administration, books, magazine and journal articles, as well as unpublished works, theses and dissertations, seminar and conference papers, amongst others. Oral data for the study would be obtained through in-person key-informant interviews and focus-group discussions (FGDs) to be held in Akpabuyo Local Government Area of Cross River State where some of the Bakassi people are presently sheltered and the various communities around the Peninsula. Oral interview with the spokesperson of the displaced people and paramount ruler of Bakassi Local Government Area, Etinyin Etim Edet in-council and other prominent Bakassi indigenes and personalities such as Senator Florence Ita Giwa, including other traditional rulers in the surrounding areas shall be conducted. Government officials including the Local Government Chairman of the affected local government area shall also be interviewed. Expert groups already working in this area, rights activists, lawyers and journalist, would also be contacted for the purposes of this study.

In analysis and interpretation, the proposed study would employ theoretical approaches from relevant disciplines such as history, peace and conflict studies, politics and law, applying them to the historical situation associated with the concerns of the study. In presentation, the study will combine the chronological, analytical and descriptive styles.

References

- Agbese, P. O. (2013) "Violence, Citizenship and the Settler/Indigene Imbroglia in Nigeria" in Kelechi Kalu et al (2013), Eds, *Territoriality, Citizenship and Peacebuilding, Perspectives on Challenges to peace in Africa* (London: Adonis & Abbey Publishers Ltd), pp.379-396.
- Asiwaju A. I.(2003) *Boundaries and African Integration, Essays in Comparative History and Policy Analysis* (Lagos: Panaf Publishing Inc.)
- Tarlebba N. K. and Baroni S.,(2010) "The Cameroon and Nigeria Negotiation Process over the Contested Oil rich Bakassi Peninsula" *Journal of Alternative Perspectives in the Social Sciences* Vol. 2, No 1,pp. 198-210.

Bekker, Pieter H.F., (2003) "Land and Maritime Boundary between Cameroon and Nigeria (Cameroon v. Nigeria: Equatorial Guinea Intervening)" *The American Journal of International Law* Vol. 97, No. 2, pp.387-398.

Baye, F. M. (2010) "Implications of the Bakassi conflict resolution for Cameroon" *African Journal on Conflict Resolution*, Vol. 10, No 1, pp. 9-34.

Nwoko, K.C.(2012) "Footsteps in History, Colonial Origins of African Conflicts: an insight from the Nigeria/Cameroon Border Conflict" *Ubuntu: Journal of Conflict Transformation*, Vol.1 No 1& 2 University of KwaZulu-Natal, Durban, South Africa, pp. 15-35.

Kevin Ngang, Che, "Understanding the Bakassi Conflict. A showcase of conflict prevention in practice" *EPU Research Papers Issue 04/07*, pp. 1-38.

Mngomezulu, B. R., (2013) "Economic inequalities and the Niger Delta Crisis in Nigeria: Challenges and Prospects" in Kelechi Kalu et al (2013), Eds, *Territoriality, Citizenship and Peacebuilding, Perspectives on Challenges to peace in Africa* (London: Adonis & Abbey Publishers Ltd), pp.361-417.

Aghemelo, A. T. and S. Ibhasebhor 2006 Colonialism as a source of boundary dispute and conflict among African states: The World Court judgement on the Bakassi peninsula and its implications for Nigeria, *Journal of Social Science*, 13 (3), pp. 177-181.

Edem Duke, (2012) 'A Walk To Save The Indigenous People Of Bakassi By National Association of Seadogs (NAS)' *Sahara Reporters* at <http://saharareporters.com/press-release/walk-save-indigenous-people-bakassi-national-association-seadogs-nas> (accessed 18 January 2014).

'Attack by Cameroonian gendarmes displaces 1000 Bakassi indigenes' *Channel TV News* 4 April 2013 see also youtube video on same at <http://www.youtube.com/watch?v=toOC0U2CZcs> (accessed Jan. 18 2014).

'Displaced Nigerian Bakassi residents seek shelter in primary school' *Nigerian Newsday* at <http://nigerianewsday.com/national/5204-displaced-nigerian-bakassi-residents-seek-shelter-in-primary-school> (accessed 18 January 2014).

Nigeria's Reaction to the judgment of the International Court of Justice in the case concerning the land and Maritime Boundary between Cameroon and Nigeria (Cameroon V Nigeria: Equatorial Guinea Intervening) as published by the Nigerian Information service centre, November, 7, 2002.

'Bakassi indigenes threaten to reclaim ceded Peninsula to Cameroon' *Vanguard* at <http://www.vanguardngr.com/2012/07/bakassi-indigenes-threaten-to-reclaim-ceded-peninsula-to-cameroon/#sthash.tgpAxOM6.dpuf> (accessed November 26 2013).

ICJ 2002, 10 October General list No 94, Case concerning the land and Maritime Boundary between Cameroon and Nigeria (Cameroon v Nigeria: Equatorial Guinea Intervening) at Http://www.Icj-Cij.Org/icjwww/Idocket/icnjudgment/icn_ijudgement_20021010.PDF, Pis 147-148 (visited 04/10/06.)

Article 5(2)(c) and (d) of the Statutes of the International Red Cross and Red Crescent, Geneva, October 1986, *International Review of the Red Cross*, No. 256, January-February 1987, pp.25.

Article 3, (1) Appendix 2 – The Green Tree Accord, in Kevin Ngang, Che, "Understanding the Bakassi Conflict. A showcase of conflict prevention in practice" *EPU Research Papers Issue 04/2007*.

ICRC, "Action by the International Committee of the Red Cross in the event of Violations of International Humanitarian Law or other fundamental rules protecting persons in situation of violence," *International Review of the Red Cross*, Vol. 87, No. 852, June 2005.